

TRAFFIC ORDINANCE

TOWN OF LEBANON, MAINE

ARTICLE 1 ... WORDS AND PHRASES

1.1 DEFINITION OF WORDS AND PHRASES

A) The following words and phrases, when used in this Ordinance, shall, for the purpose of this Ordinance, have, the meanings respectively ascribed to them in this Article, except when the context otherwise requires.

B) Whenever any words and phrases used herein are not defined herein but are defined in the State Laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein, except when the context otherwise requires.

1.2 ALLEY-A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

1.3 CENTRAL BUSINESS DISTRICT- All streets and portions of streets within the area designated.

1.4 COMMERCIAL VEHICLE-Every vehicle designed, maintained or used primarily for the transportation of property.

1.5 CONTROLLED ACCESS HIGHWAY-Every highway, street or roadway in respect to which owners or occupants of abutting lands and persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

1.6 PASSENGER, FREIGHT CURB LOADING ZONES-Spaces adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers, commercial freight, or materials.

1.7 DRIVER-Every person who drives or is in actual physical control of vehicle.

1.8 FIRE DEPARTMENT OFFICIALS-Any Fireman, Fireward, Engineer, volunteer and those appointed under special laws or emergencies.

1.9 LANED ROADWAY- Roadway which is divided into two or more clearly marked lanes for vehicular traffic.

1.10 ... OFFICIAL TIME STANDARD-Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in this municipality.

1.11 ... PARK-Means the leaving of a vehicle, whether occupied or unoccupied otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

1.12 ... PEDESTRIAN-Any person afoot.

1.13 ... PERSON-Any natural person, firm, copartnership, association or corporation.

1.14 ... POLICE OFFICER-Any Officer of the Police Department, any Constable, or any person authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

1.15 ... PRIVATE ROAD OR DRIVEWAY-Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

1.16 ... RIGHT-OF-WAY-The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other..

1.17 ... ROADWAY-That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes, two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

1.18 ... SAFETY ZONE-The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

1.19 – SIDEWALK-That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

1.20 ... STAND- Means the halting of a vehicle, whether occupied or unoccupied, temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

1.21 . . - PATROL/TRAFFIC UNIT-The Patrol/Traffic Unit of the Police Department of this municipality, or in the event a Patrol/Traffic Unit is not established, then said term whenever used herein shall be deemed to refer to the Police Department of this Town.

ARTICLE 2 ... TRAFFIC ADMINISTRATION

2.1 TRAFFIC ACCIDENT STUDIES

Whenever the accidents at any particular location become numerous, the Patrol/Traffic Unit shall conduct studies of such accidents and determine remedial measures. (The Maine State Highway Commission provides technical assistance on request.)

2.2 TRAFFIC ENGINEER

The office of Traffic Engineer is hereby established. The Chief of Police shall serve as Traffic Engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this Ordinance.

2.3 EMERGENCY AND EXPERIMENTAL REGULATIONS

A) The Chief of Police by and with the approval of the Board of Selectmen and the State Highway Commission is hereby empowered to make regulations necessary to make effective the provisions of the Traffic Ordinances of this Town and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.

B) The traffic Engineer may test traffic control devices under actual conditions of traffic..

2.4 POWERS AND DUTIES

The Traffic Engineer will receive complaints having to do with traffic matters. Complaints or actions before them will receive a response within a thirty (30) day period.

ARTICLE 3 ... ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

3.1 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS

A) It shall be the duty of any Police Officer to enforce all traffic laws-of this municipality and all of the State vehicle laws.

B) Police Officers are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians. Police Officers may direct traffic as conditions may require, notwithstanding the provision of the traffic laws.

C) Officers of the Fire Department, when at the scene of a fire, or traffic accident may direct or assist the Police in directing traffic there at or in the immediate vicinity.

3.2 REQUIRED OBEDIENCE TO TRAFFIC ORDINANCE

It is unlawful and an infraction for any person to do any act forbidden or fail to perform any act required in this Ordinance.

3.3 OBEDIENCE TO POLICE AND FIRE OFFICIALS

No person shall willfully fail or refuse to comply with any lawful order or direction of any Police Officer or Fire Department official.

3.4 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS

The provisions of this Ordinance shall apply to the drivers of all vehicles owned or operated by the United States, this State, or any County, Town, District, or any other political subdivision of the State, subject to such specific exceptions as are set forth in this Ordinance or in the State Vehicle Code.

3.5 AUTHORIZED EMERGENCY VEHICLES

A) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may park or stand, irrespective of the provisions of this Ordinance.

B) The foregoing provision shall not relieve the driver of an authorized emergency vehicle from the duty to park or stand with due regard for the safety of all persons, nor shall such provision protect the driver from the consequences of his reckless disregard for the safety of others.

3.6 CERTAIN NONMOTORIZED TRAFFIC TO OBEY TRAFFIC REGULATIONS

A) Every person propelling any push cart upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Ordinance and by the rules of the road portion of the State Vehicle Code, except those provisions which by their nature have no application.

B) Every person riding an animal or driving an animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Ordinance, except those provisions of this Ordinance which by their very nature can have no application.

3.7 USE OF COASTERS, ROLLER SKATES, SKATEBOARDS, MOTORIZED TOYS AND SIMILAR DEVICES RESTRICTED

No person upon roller skates, skateboards, or riding in or by means of any coaster, toy vehicle, motorized toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This Section shall not apply upon any street while set aside as a play street as authorized herein.

ARTICLE 4 . - TRAFFIC CONTROL DEVICES

4.1 ... - AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES -

The Road Commissioner shall place and maintain official traffic control devices when and as required under the Traffic Ordinances of this municipality to make effective the provisions of said Ordinances. The Police Chief, with the Board of Selectmen, may direct the Road Commissioner to place and maintain such additional official traffic control devices as they may deem necessary to regulate, warn, or guide traffic under the Traffic Ordinances of this municipality of the State Vehicle Code. The installation of traffic control devices on State aid and State highways shall be subject to State Highway Commission approval.

4.2 .. SPECIFICATIONS FOR TRAFFIC CONTROL DEVICES

All traffic control signs, signals and devices shall conform to specifications approved by the State Highway Commission. All signs and signals required hereunder for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the municipality. All traffic control devices so erected and not inconsistent with the provisions of State law or this Ordinance shall be official traffic control devices.

4.3 . . -. OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this Ordinance, unless otherwise directed by a Police Officer subject to the exceptions granted the driver of an authorized emergency vehicle.

4.4 WHEN OFFICIAL TRAFFIC CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES

A) No provision of this Ordinance for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

B) When a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place.

4.5 ... OFFICIAL TRAFFIC CONTROL DEVICES - PRESUMPTION OF LEGALITY

Whenever official traffic control devices are placed in position approximately conforming to the requirements of this Ordinance, such devices shall hereby be determined to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

4.6 ... AUTHORITY TO ESTABLISH PLAY STREETS

The Board of Selectmen shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

4.7 PLAY STREETS

Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

4.8 CHIEF OF POLICE AND BOARD OF SELECTMEN TO DESIGNATE CROSSWALKS AND ESTABLISH SAFETY ZONES

The Chief of Police and Board of Selectmen are hereby authorized:

- 1) To designate and have maintained, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where, in their opinions, there is a particular danger to pedestrians crossing the roadway, and at such other places as they may deem necessary.
- 2) To establish safety zones of such kind and character and at such places as they may deem necessary for the protection of pedestrians.
- 3) On State aid and State highways their authority is subject to approval by the State Highway Commission.

4.9 TRAFFIC LANES

The Board of Selectmen are hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary. On State aid and State highways, their authority is subject to State Highway Commission approval.

ARTICLE 5 ... SPEED REGULATION

5.1 STATE SPEED LAWS APPLICABLE

The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this municipality.

5.2 REGULATION OF SPEED BY TRAFFIC SIGNALS

The Chief of Police and Board of Selectmen are authorized, subject to State Highway Commission and State Police approval, to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable with the district or at intersections and shall erect appropriate signs giving notice thereof.

ARTICLE 6 ... TURNING MOVEMENTS

6.1 AUTHORITY TO PLACE DEVICES ALTERING NORMAL COURSE FOR TURNS

The Chief of Police and Board of Selectmen are authorized to place official traffic control devices within or adjacent to intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law. On State aid and State highways, their authority is subject to State Highway Commission approval.

6.2 AUTHORITY TO PLACE RESTRICTED TURN SIGNS

The Chief of Police and Board of Selectmen are hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or the signs may be removed when such turns are permitted. On State aid and State highways, their authority is subject to State Highway Commission approval.

ARTICLE 7 ... ONE-WAY STREETS AND ALLEYS

7.1 . - .. AUTHORITY TO SIGN ONE-WAY STREETS AND ALLEYS -

Whenever any Ordinance of this municipality designates any one-way street or alley, the Road Commissioner shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

7.2 ONE-WAY STREETS AND ALLEYS

Upon those streets and parts of streets and in those alleys so designated, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited. (Schedule 1)

7.3 . - STATE APPROVAL

On State aid and State highways, installation of one-way street signs is subject to State Highway Commission approval.

ARTICLE 8 ... STOP AND YIELD INTERSECTIONS

8.1 THROUGH STREETS DESIGNATED

Those streets and parts of streets described in Schedule 2 and made a part hereof, are hereby declared to be through streets for the purpose of this Section.

8.2 SIGNS REQUIRED AT THROUGH STREETS

Whenever this Ordinance designates and describes a through street, it shall be the duty of the Road Commissioner to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic control signals; provided, however, that at the intersection of two such through streets or at the intersection of through street and a heavy traffic

street not so designated, stop signs shall be erected at the approaches of either of said streets as may be determined by the Chief of Police and Board of Selectmen upon the basis of an engineering and traffic study.

8.3 OTHER INTERSECTIONS WHERE STOP OR YIELD REQUIRED

The Chief of Police and Board of Selectmen are hereby authorized to determine and designate intersections where a particular hazard exists upon other than through streets and to determine:

- A) Whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required, or;
- B) Whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection, in which event he shall cause to be erected a yield sign at every place where obedience is required.

8.4 STATE APPROVAL

On State aid and State highways, the designation of through streets and the installation of stop and yield signs are subject to State Highway Commission approval.

ARTICLE 9 ... MISCELLANEOUS DRIVING RULES

9.1 STOP WHEN TRAFFIC OBSTRUCTED

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or sidewalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal to proceed.

9.2 DRIVING THROUGH FUNERAL OR OTHER PROCESSION

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Ordinance. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

9.3 DRIVERS IN A PROCESSION

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and safe.

9.4 FUNERAL PROCESSIONS TO BE IDENTIFIED

A funeral composed of a procession of vehicles shall be identified as such by a pennant or other identifying technique, i.e., headlights on, or by such other method as may be recommended by the patrol/traffic unit.

9.5 WHEN PERMITS REQUIRED FOR PARADES AND PROCESSIONS

No organized procession or parade containing three (3) or more persons or three (3) or more vehicles, except the Armed Forces of the United States, the military forces of this State, the Police Department and Fire Department, shall occupy, march or proceed along any way except in accordance with a permit issued by the (Chief of Police) and such other regulations as are set forth herein which may apply.

ARTICLE 10 ... PEDESTRIANS RIGHTS AND DUTIES

10.1 ... CROSSING AT RIGHT ANGLES

Except where otherwise indicated by a crosswalk or other official traffic control device, a pedestrian shall cross a roadway at right angles to the curb or by the shortest route to the opposite curb.

10.2 ... PROHIBITED CROSSING

In accordance with applicable State law.

10.3 ... DRIVERS TO EXERCISE DUE CARE TO PEDESTRIANS

In accordance with applicable State law.

ARTICLE 11 ... REGULATION FOR BICYCLES

11.1 ... GENERAL --

No person shall ride or propel a bicycle upon any Public street, highway or across any sidewalk except in a careful and prudent manner and at a reasonable rate of speed. Persons riding bicycles shall observe all traffic rules and regulations applicable thereto; signal for all turns, ride at the right-hand side of any street or highway, pass only to the left when passing slow moving vehicles with the exception that a pass may be made to the right when slow moving vehicles are about to make left-hand turns. No person shall operate or propel any bicycle without having at least one hand on the handlebars thereof. No person shall ride or propel a bicycle

with any passenger where said bicycle is designed to carry only one person. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

No person riding or operating a bicycle shall hold on to any vehicle while said vehicle is in a moving motion. No person shall ride or propel a bicycle on any street or highway of the Town after dark unless the same shall be equipped with sufficient light, attached to the front of said bicycle, visible from the front thereof not less than 200' and properly lighted, nor without a rear taillight, or in lieu of, a reflector attached to and visible from the rear of said bicycle for a distance of 50'. No person shall ride or propel a bicycle upon any street or highway or across any sidewalk in the Town, abreast or to the left of any person so riding or propelling another bicycle.

11.2 ... PARKING

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

11.3 ... RIDING ON SIDEWALKS

A) No person shall ride a bicycle upon a sidewalk within a business district.

B) The Chief of Police is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place, no person shall disobey the same.

C) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such a pedestrian.

11.4 ... REGISTRATION REQUIRED

No resident shall operate or use a bicycle propelled wholly or in part by muscular power upon any street or public highway of the Town of Lebanon without first obtaining from the Lebanon Police Department a registration card and bicycle registration sticker.

11.5 ... REGISTRATION ISSUED

The Lebanon Police Department is hereby authorized and directed to issue, upon written application, bicycle registrations which shall be effective for an indefinite period, upon issue. Said registration shall entitle the owner to operate such bicycle for which the registration has been issued, upon any street, alley, and public way, exclusive of the sidewalks within the business districts thereof, in the Town of Lebanon.

11.6 ... REFLECTIVE STICKERS

The Town of Lebanon, under the direction of the Lebanon Police Department, shall provide reflective stickers, together with registration cards. The Lebanon Police Department will be responsible for the registration records and enforcing the Bicycle Ordinance law. The reflective stickers and registration cards shall have numbers indicated thereon in numerical order, beginning with the number 1, and shall have letters "LBR" indicated thereon (Lebanon Bicycle Registration). Such reflective stickers shall be suitable for attachment to the frames of bicycles. It shall be the duty of the Lebanon Police Department to attach one such reflective sticker to each bicycle and to issue a corresponding registration card to the owner. Such sticker shall remain attached to and during the ownership period of such registration. The Police Department shall keep a record of the date of issuance of each registration, the person to whom issued and the number thereon.

11.7 ... DUTIES OF OWNERS' BICYCLES

It shall be the duty of every person who owns a bicycle in the Town of Lebanon, prior to operating or propelling said bicycle upon any street or highway in the Town of Lebanon, to register said bicycle with the Lebanon Police Department. It shall be the duty of every person who sells or transfers ownership of any bicycle to report such sale or transfer by returning to the Police Department the registration card issued to such person as having the registration issued thereof together with the name and address of the person to whom said bicycle was sold or transferred. It shall be the duty of the purchaser or transferee of such bicycle to apply for a new registration within five (5) days of said transfer or sale.

11.8 ... DUTIES OF DEALERS OF BICYCLES

It shall not be required of dealers of bicycles to register said bicycles that are for sale in business establishments thereof. It shall be the duty of dealers of bicycles to register said bicycles that are being used on a rental basis prior to allowing said bicycles to be ridden or propelled on any street or highway in the Town of Lebanon.

11.9 ... REFUSAL TO ISSUE REGISTRATION

The Lebanon Police Department is authorized to refuse any application for bicycle registration if said bicycle does not meet minimum standards in safety and equipment required thereon. The following standards will be required on all bicycles operated or propelled on any street or highway of the Town of Lebanon prior to the issuance of registration Cards and registration stickers:

A) Handlebars and Tight Grips

- B) Good Tires
- C) Good Seat
- D) Good Brakes
- E) Tight Wheels
- F) Headlight and Reflectors (Night operation only)
- G) Tight Spokes and all Spokes must be present

11.10 REMOVAL OF NUMBERS

No person shall willfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame registered pursuant to this section.

DESTRUCTION OF STICKERS

No person shall remove, destroy, mutilate or alter any registration sticker, seal or registration card during the time in which such sticker, seal or registration card is operative. Nothing in this section shall prohibit the Police Department from stamping numbers on the frames of bicycles on which no serial numbers can be found or on which the number is illegible or insufficient for identification purposes.

11.12 - TIMES OF REGISTRATION

Bicycles shall be registered at the Lebanon Police Department on Wednesdays and Saturdays between the hours of 9:00am and 5:00pm.

11.13 . FEES

There shall be no fee for bicycle registration

11.14 . IMPOUNDMENT OF BICYCLES

The Lebanon Police Department, or any member thereof, may impound and retain possession of any bicycle operated in violation of any of the provisions of this Ordinance, and for impoundment for unregistered, retain possession of the same until registered by the owner.

11.15. UNCLAIMED BICYCLES

Any bicycle that has been in possession of the Lebanon Police Department for a period of ninety (90) days and is not claimed by the owner will be disposed of by the direction of the Chief of Police of Lebanon. One item will be printed in the local newspaper(s) for one week prior to the disposal of said bicycle or bicycles giving a complete description of bicycle or bicycles, and that the said bicycles will be disposed of if not claimed by a given date. The Chief of Police will cause to have printed in the local newspaper a list of disposed bicycles, indicating description of bicycle and place of disposition; i.e. charity organization, etc.

11.16 . PENALTIES

Any person or persons maliciously removing, destroying, mutilating or altering any registration card, fender stickers or seals during which time such registration cards, fender stickers or seals are operative, shall be summoned to the 10th District Court, Western York Division in Sanford, on such; and if found guilty, will be subject to a fine of not more than ten dollars (\$10). Any portion of this fine shall be used to reimburse the owner of said bicycle who may have suffered such loss of said bicycle.

Any person the age of 17 or over who violates any of the provisions of this Town Ordinance shall, upon conviction, be punished by a fine of not more than ten dollars (10). The Chief of Police, when satisfied that a juvenile under the age of 17-years has ridden a bicycle in violation of any of the provisions of this Ordinance, may impound the bicycle for a period not to exceed five (5) days for the first offense and for a period not to exceed thirty (30) days for any subsequent offense.

ARTICLE 12 ... ANGLE PARKING

12.1 ... SIGNS FOR MARKING INDICATING ANGLE PARKING

A) The Chief of Police shall determine upon what streets angle parking shall be permitted and shall have marked or sign such streets, but such angle parking shall not be indicated upon any State aid or State highway within the municipality unless the State Highway commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

B) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

12.2 ... OBEDIENCE TO ANGLE PARKING SIGNS OR MARKINGS

On those streets which have been signed or marked by the Road Commissioner for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway indicated by such signs or markings.

12.3 ... PERMITS FOR LOADING OR UNLOADING AT AN ANGLE TO THE CURB IN A BUSINESS DISTRICT

A) The Police Department is authorized to issue special permits to allow the backing of a vehicle to the curb in a business district for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as stated and authorized herein.

B) It shall be unlawful for any person receiving a permit or other person to violate any of the special terms or conditions of any such permit.

ARTICLE 13 ... STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES

13.1 .. PARKING NOT TO OBSTRUCT TRAFFIC

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10' of the width of the roadway for free movement of vehicular traffic.

13.2 ... PARKING IN ALLEYS

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10' of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

13.3 ... ALL NIGHT PARKING PROHIBITED BETWEEN THE DATES OF NOVEMBER 1ST TO APRIL 15TH

No person shall park a vehicle on any street for a period of time longer than 30-minutes between the hours of 2:00am and 5:00am.

13.4 ... PARKING FOR CERTAIN PURPOSES PROHIBITED

No person shall park a vehicle upon any roadway for the principal purpose of:

- 1) Displaying such vehicle for sale.
- 2) Washing, greasing or repairing such vehicle except repair necessitated by an emergency within a reasonable time.

13.5 ... PARKING ADJACENT TO SCHOOLS

A) The Chief of Police and Board of Selectmen are hereby authorized to cause to be erected, signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in their opinions, interfere with traffic or create a hazardous situation.

B) When official signs are erected indicating no parking upon either side of a street, adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

13.6 ... PARKING PROHIBITED ON NARROW STREETS

A) The Chief of Police and Board of Selectmen are hereby authorized to cause to be erected, signs indicating no parking upon any street when the width of the roadway does not exceed 201, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30'.

B) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

13.7 ... STANDING OR PARKING ON ONE-WAY STREETS

The Chief of Police and Board of Selectmen are authorized to cause to be erected, signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign.

13.8 ... STANDING OR PARKING ON ONE-WAY ROADWAYS

In the event a highway includes two or more separate roadways and traffic restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand of such one-way roadway unless signs are erected to permit such standing or parking. The Chief of Police and Board of Selectmen are authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to cause to be erected, signs giving notice thereof.

13.9 ... NO STOPPING, STANDING OR PARKING NEAR HAZARDOUS OR CONGESTED PLACES

A) The Chief of Police and Board of Selectmen are hereby authorized to determine and designate by proper signs placed not exceeding 100' in length in which the stopping, standing or parking of vehicles would create unusual delay to traffic.

B) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place.

ARTICLE 14 ... STOPPING FOR LOADING OR UNLOADING ONLY

14.1 ... THE CHIEF OF POLICE AND BOARD OF SELECTMEN TO DESIGNATE CURB LOADING ZONES

The Chief of Police and Board of Selectmen are hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable.

14.2 ... PERMITS FOR CURB LOADING ZONES

A person(s) must make application for a permit for such zone and for two signs to indicate the ends of each such zone. The Chief of Police, upon granting a permit and issuing such signs, shall collect from the applicant and deposit in the municipal treasury a service fee of fifty dollars (\$50) per year or fraction thereof and may, by general regulations, impose conditions upon the use of such signs and for reimbursement of the municipality for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of a permit. Every permit shall expire at the end of one year.

14.3 ... STANDING IN PASSENGER CURB LOADING ZONE

No person shall stop, stand or park a vehicle for any purpose of period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective and then only for a period not to exceed that which is reasonable.

14.4 ... STANDING IN FREIGHT CURE LOADING ZONE

No person shall stop, stand or park a vehicle for any purpose of length of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed twenty (20) minutes or when reasonable time permission is given by a Police Officer.

14.5 THE CHIEF OF POLICE TO DESIGNATE PUBLIC CARRIER STOPS AND STANDS

The Chief of Police is hereby authorized and required to establish bus stops, bus stands, taxi stands and stands for other passenger common-carrier motor vehicles on such public streets in such places and in such numbers as he shall determine to be of the greatest benefit and convenience to the public, and every such bus. stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs. These shall be listed in Schedule 3.

14.6 ... STOPPING, STANDING AND PARKING OF BUSES AND TAXICABS REGULATED

A) The operator of a bus, except school bus, or granted permission by the Chief of Police, shall no stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

B) The operator of a bus, except school buses, shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in the case of any emergency.

C) The operator of a bus, except school buses, shall enter a bus stop, bus stand or passenger loading zone on a public street in such manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of such vehicle not farther than 18" from the curb so as not to unduly impede the movement of other vehicular traffic It shall be permissible in the case of loading or unloading handicapped persons to allow such vehicles to park in such a manner to allow discharge of such persons.

14.7 ... RESTRICTED USE OF BUS AND TAXICAB STANDS

In the time restricted use for bus or taxicab stands, no person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

ARTICLE 15 ... STOPPING, STANDING OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

15.1 ... APPLICATION OF THIS ARTICLE

The provisions of this Article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Police Officer or official traffic control device.

15.2 ... REGULATIONS NOT EXCLUSIVE

The provisions of this Article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

15.3 .. PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in Schedule 4, and made a part of this Ordinance.

15.4 ... PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified in Schedule 5, or any day except Sundays and public holidays within the district or upon any of the streets described in said Schedule 5, and made a part of this Ordinance.

15.5 ... PARKING TIME LIMITED ON CERTAIN STREETS

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than two (2) hours at any time between the hours of 9:00/a and 9:00/p of any day except Sundays within the district or upon any of the streets described in Schedule 6. (See also 15.5A below.)

ADDITION

15.5A . PARKING TIME LIMITED ON CERTAIN STREETS

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than one (1) hour at any time between the hours of 9:00/a and 9:00/p of any day except Sundays within the district or upon any of the streets described in Schedule 6.

15.6 ... PARKING TIME LIMITED ON CERTAIN STREETS

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than thirty (30) minutes at any time between the hours of 9:00am and 5:00 pm of any day except Sundays within the district or upon any of the streets described in Schedule 7.

15.7 ... PARKING SIGNS REQUIRED

Whenever by this or any other Ordinance of this municipality, any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the Road Commissioner to erect appropriate signs giving notice thereof and no such regulations -shall be effective unless said signs are erected and in place at the time of any alleged offense.

15.8 PROHIBITED PARKING

Parking prohibited during snow emergency along route designated as snow emergency routes by the Chief of Police.

ARTICLE 16 ... REGULATING THE KINDS OF CLASSES OF TRAFFIC ON CERTAIN HIGHWAYS

16.1 ... COMMERCIAL VEHICLES PROHIBITED FROM USING CERTAIN STREETS

When signs are erected giving notice thereof, no person shall operate any commercial vehicle exceeding 10,000 pounds gross weight at any time upon any of the streets or parts of streets described in Schedule 8, made a part of this Ordinance, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.

16.2 ... RESTRICTION UPON USE OF STREETS BY CERTAIN VEHICLES

A) The Board of Selectmen are hereby authorized to determine and designate those heavily traveled streets upon which shall be prohibited the use of the roadway by motor-driven cycles, bicycles, horse-drawn vehicles or other non motorized traffic and shall erect appropriate signs giving notice thereof.

B) When signs are so erected giving notice thereof, no person shall disobey the restriction stated on such signs.

16.3 . . - STATE APPROVAL

On State aid and State highways, the installation of signs is subject to State Highway Commission approval.

ARTICLE 17 . PENALTIES

17.1 ... PENALTIES

In lieu of court action, a person shall pay fines as follows:

No Parking Zone	5.00
Wrong Side of Street	5.00
Too Close to Hydrant	10.00
Double Parking	5.00
All Night Parking	5.00
Bus Stop	5.00
Blocking Driveway	5.00
Parking in Crosswalk	5.00
Improper Parking	5.00
Overtime Parking	3.00
Parking in Designated Handicapped Spaces ..	10.00
Other	5.00
Snow Emergency	15.00
Unreasonable Deposit - Snow/Ice	25.00
Impeding Traffic	10.00
Vehicular Trespassing	20.00

17.2 ... CITATION ON ILLEGALLY PARKED VEHICLE

Whenever any motor vehicle without driver is found parked, standing or stopped in violation of any of the restrictions imposed by Ordinance of this municipality or by State law, the Officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the municipality for the owner to answer to the charge against him within 5-days during the hours and at a place specified in the citation.

17.3 ... FAILURE TO COMPLY WITH TRAFFIC CITATION ATTACHED TO PARKED VEHICLE

If a violator of the restrictions on stopping, standing or parking under the traffic laws or Ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period five (5) days, the Chief of Police or someone acting under his authority shall send to the owner of the motor vehicle to such the traffic citation was affixed, a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five (5) days, the amount of the penalty shall be doubled.

17.4 ... IN THE EVENT SUCH NOTICE IS DISREGARDED

If the five (5) day warning lapses and the double fine is not responded to for a period of ten (10) days thereafter, a warning shall be sent to the owner by Certified Mail. It shall be prima facie evidence that the owner failed to respond to the warning of court summons issuance and payment of penalty and after fifteen (15) days has lapsed, a court summons shall constitute a presumption of notice. Upon delivery in hand of the court summons, the matter is transferred to the courts.

17.5 . - PRESUMPTION IN REFERENCE TO ILLEGAL PARKING

In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle at the point where, and for the time during which, such violation occurred.

17.6 ... DISPOSITION OF TRAFFIC FINES AND FORFEITURES

All fines and penalties collected upon conviction of any person charged with a violation of any of the provisions of this Ordinance shall be paid into the municipal treasury.

17.7 ... IMPOUNDING VEHICLES

A) When, and as authorized by the laws of this State, a Police Officer may cause a vehicle to be removed from a Street or highway.

B) Any vehicle parked in violation of any provisions of this Ordinance may be removed from a street or highway by a Lebanon Police Officer or by a person acting under authorization of the Lebanon Police Department.

ARTICLE 18 ... MISCELLANEOUS

18.1 ... STANDING OR PARKING CLOSE TO THE CURB

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, heading in the direction of traffic, and with the curbside wheels of the vehicle within 12" of the edge of the roadway, except as provided elsewhere in the Ordinance.

18.2 ... STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES

No person shall stop, stand, park a vehicle, except when necessary to avoid conflict with other traffic, when there exists an emergency, etc., or in compliance with any direction of a Police Officer or traffic control device, in any of the following places:

- 1) On a sidewalk.
- 2) In front of a public or private driveway.
- 3) Within 10' of a fire hydrant.
- 4) On a crosswalk.
- 5) Within 20' of the near corner of the curbs at an intersection.
- 6) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- 7) On the roadway side of any vehicle stopped or parked at the edge or curb of a street or double-parked, so called.
- 8) Upon any bridge or other elevated structure upon a highway.
- 9) At any place where official signs prohibit parking or stopping.
- 10) Trespassing - Parking of vehicle by trespassing on private or Town-owned property is prohibited.
- 11) Impeding Traffic - No vehicle shall be permitted to remain stationary within the limits of the street or public ways of the Town in such a manner as to constitute a traffic hazard or to impede or to obstruct the free movement of traffic thereon.

18.3 ... EMERGING FROM A PRIVATE DRIVEWAY

The driver of a vehicle emerging from a private driveway, automobile service station or building shall stop such vehicle immediately prior to driving onto the sidewalk and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

18.4 ... MOTOR VEHICLES SHALL NOT BE DRIVEN ON THE SIDEWALK

The driver of any motor vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

18.5 ... CLINGING TO MOVING VEHICLES

Any person riding, clinging, or therefore being dragged upon any motor-cycle, coaster, sled, skis, toboggan, roller skates, skateboard, or any toy vehicle shall not attach the same or himself/herself to any moving vehicle upon any roadway.

18.6 ... CROSSING FIRE HOSE

No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street or private driveway, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

18.7 ... UNLAWFUL PARKING

No vehicle or combination of vehicles, except when permission of the Chief of Police is granted in excess of twenty (20) feet in length shall remain parked in controlled or regulated parking areas prohibited in Schedules 5, 6 and 7 for more than twenty (20) minutes on any public way within the urban limits of the Town.

18.8 ... LOUD, UNUSUAL OR UNNECESSARY NOISE

No person shall operate a motor vehicle upon any street or way, or in any other place, so as to make a loud, unusual, unnecessary noise against the peace, quiet or good order of the Town.

18.9 ... THE TRANSPORTATION OF RUBBISH, REFUSE, ASHES AND OTHER WASTE MATERIAL

No person shall operate or cause to be operated upon any public way a vehicle with a load, unless such load is fastened, secured, confined or loaded to prevent any possibility, reasonably to be anticipated, or any portion of said load from falling to the ground. The word "load" as used in this paragraph shall include, but shall not be limited to, paper, wood products, rubbish, refuse, ashes, garbage, or other waste material.

18.10 .. UNREASONABLE DEPOSIT OF SNOW OR ICE

Whoever unreasonable deposits or drops snow or ice within the built-up sections of the Town of Lebanon, except upon the written authority of the municipal officers, shall be punished by a fine of not more than twenty-five dollars (\$25).

ARTICLE 19 ... EFFECT OF AND SHORT TITLE OF ORDINANCE**19.1 ... APPLICATION**

The provisions of this Ordinance relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except where a different place is specifically referred to in a given section.

19.2 ... UNIFORMITY OF INTERPRETATION

This Ordinance shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those local authorities which enact it.

19.3 ... EFFECT OF HEADINGS

Article and Section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any Article or Section hereof.

19.4 ... SHORT TITLE

This Ordinance may be known and cited as the Lebanon Traffic Ordinance.

19.5 ... ORDINANCE NOT RETROACTIVE

This Ordinance shall not have a retroactive effect and shall not apply to any traffic accident or judgment arising therefrom, or to any violation of the motor vehicle Ordinance of this Town, occurring prior to the effective date of this Ordinance.

19.6 ... EFFECT OF PARTIAL INVALIDITY

If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Historical Note: This Ordinance was originally adopted by Town Meeting vote March 12, 1988.

