

## Parking Ordinance

### Town of Beaver Cove

1. Authority and Purpose. This ordinance is adopted by the Selectmen of the Town of Beaver Cove in accordance with 30-A M.R.S.A. § 3009. The Selectmen find that unrestricted parking of motor vehicles on the public ways in Town during certain times of the year creates a traffic hazard and is dangerous to motorists and pedestrians alike. Unrestricted parking during the winter months impedes winter maintenance, reduces sight distances for motorists, and causes motorists to drive outside the designated travel lane and into oncoming traffic. The purposes of this ordinance is to regulate parking as necessary to protect the public health, safety and welfare.

2. Definitions. Words used in this ordinance shall be defined in accordance with 29-A M.R.S.A. §101; any undefined word shall have its common, ordinary meaning. Public way means any town way or public easement as defined in 23 MRSA §3021 and any portion of any State or State-aid highway located within the town. This term includes ways commonly designated as streets, lanes, roads and avenues and includes the shoulders of such ways.

3. Restrictions. No person shall park a motor vehicle on the public ways of the Town where "No Parking/Tow Away Zone" signs or signs bearing similar language have been erected by the municipality during the period from November 1st to June 1st.

4. Exceptions. This ordinance does not apply to motor vehicles parked in prohibited areas for the following reasons: mechanical breakdown; emergency situations; maintenance, construction, repair or installation of utilities or of the public way itself by any State or municipal agency or utility company.

5. Towing. A motor vehicle parked which constitutes an obstruction under this ordinance may, at the request and under the direction of the municipal officers, town constable, or other official duly authorized and appointed by the Selectmen, be towed to a suitable garage or storage space and impounded thereon until all towing and storage fees are paid. Within 5 days of the tow the municipal official who supervised the tow shall send to the registered owner a notice stating the date and time of the tow, the location where the motor vehicle is impounded, and the requirements for release of the motor vehicle.



6. Prima Facie Evidence of Operation. No person shall cause, allow or permit a motor vehicle registered in his or her name to park in violation of this ordinance. The fact that a motor vehicle is unlawfully parked shall be prima facie evidence of the unlawful parking of such vehicle by the person in whose name such vehicle is registered.

7. Enforcement and Penalties. This ordinance may be enforced by the Selectmen, a Town constable, or other official duly appointed and authorized by the Selectmen. A violation of this ordinance is a civil violation punishable by a fine of \$50.00. Any person charged with a violation of this ordinance may waive court action by paying a fee of \$15.00 to the Town Clerk with 30 days of the violation.

8. Severability and Effective Date. In the event that any provision of this ordinance is declared by a court to be unenforceable, the remaining provisions continue in full force and effect. This ordinance shall become effective when adopted by a majority of the Board of Selectmen.

Date Adopted: 12/3/01

BOARD OF SELECTMEN  
TOWN of BEAVER COVE

1

2

3