

TOWN OF BROWNVILLE

Parking Ordinance

1. **AUTHORITY AND PURPOSE:** This ordinance is adopted by the Municipal Officers (Selectmen) of the Town of Brownville in accordance with 30-A M.R.S.A. §3009. The Selectmen find that unrestricted parking of motor vehicles on public ways during sanding, snowplowing and snow removal operations creates a traffic hazard and hampers the municipality's winter maintenance operations. The purpose of this ordinance is to regulate parking on the public ways during winter maintenance operations in order to protect the public health, safety and welfare. This ordinance also is adopted to regulate the parking of motor vehicles in any way that block access to fire hydrants, crosswalks and sidewalks.

2. **DEFINITIONS:** Words used in this ordinance shall be defined in accordance with 29 M.R.S.A. §1; any undefined word shall have its common, ordinary meaning.

3. **RESTRICTIONS:**

(A) **Posted restrictions.** No person may park a motor vehicle on any public way or portions of public way, where "No Parking" signs or signs bearing substantially similar language have been erected by the municipality.

(B) **Snow/ice removal operations.** No person may park a motor vehicle within the right-of-way of any public way in a manner which interferes with plowing, sanding or snow/ice removal operations by the municipality.

(C) **Hydrant/Crosswalk/Sidewalk restrictions.** No person shall park a motor vehicle anywhere that blocks access to any fire hydrant, sidewalk or crosswalk.

4. **FINE AND TOWING:** Any person who violates this ordinance shall be subject to a fine of \$25.00 for the first offense and to increase \$25.00 for each additional offense, which shall inure to the municipality. In the event that court action is necessary to collect the fine, the violator shall also be responsible for the municipalities court costs and reasonable attorney's fees. A motor vehicle parked in violation of Section 30 of this ordinance may be towed by a wrecker authorized by the municipality, at the request of the road commissioner or other official duly authorized and appointed by the Selectmen. Within 4 calendar days of the tow the municipal official who requested 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.

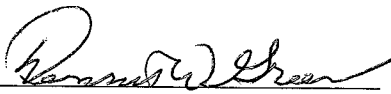
5. **POST-TOW HEARING:** The owner or operator of a motor vehicle which has been towed pursuant to this ordinance may, within 30 days after the tow, request a hearing to show good cause why he or she should not be liable for the \$25.00 fine. The hearing shall be conducted by the Board of Selectmen. If the Board determines that the owner has shown good cause, it shall waive the fine. The Board may not, however, reimburse or pay any towing and storage fees paid by the owner to recover the motor vehicle.


6. RELEASE OF TOWED VEHICLE: Any person seeking release of a motor vehicle towed pursuant to this ordinance must first (a) pay all towing charges and storage charges and (b) present satisfactory evidence of his or her right to possession. The municipality is not liable for any damage that may be caused by towing of a vehicle, or for any towing or storage charges.


7. 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, or with the knowledge or consent of the person, in whose name such vehicle is registered.


8. EFFECTIVE DATE: This ordinance shall become effective when adopted by a majority of the Board of Selectmen.

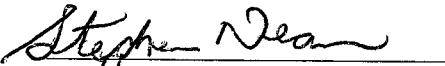
Given under our hands, the duly elected Municipal Officers for the Town of Brownville, this 16th day of May, 2007:



Dennis Green, Chairman


John Belvin


Gary Cook


Paula Copeland


Stephen Dean

Attest: 
DEPUTY CLERK