

TOWN OF BREMEN

PO Box 171

BREMEN, MAINE 04551

(207) 529-5945 • FAX (207) 529-6302

TRAFFIC AND PARKING ORDINANCE

FOR THE

TOWN OF BREMEN, MAINE

Enacted:

January 17, 2013

**Amended: March 5, 2015
January 21, 2016**

Certified by:

Town Clerk

Traffic and Parking Ordinance
Town of Bremen

The following Ordinance is enacted by the Selectmen of the Town of Bremen on _____ 2012 according to the provisions of 30-A MRSA §3009.

ARTICLE I
GENERAL PROVISIONS

Section 1: Definitions

1.1 Vehicle

A vehicle as defined in 29-A MRSA §101, sub-§42.

1.2 Public Way

All streets, roads, parking lots of which the public has a right to travel over, as described in 29-A MRSA §101, sub-§59.

1.3 Park

Leaving a vehicle, whether occupied or unoccupied, temporarily for the purpose of loading or unloading merchandise or passengers.

1.4 Driver

A person who is an operator as defined in 29-A MRSA §101, sub-§48.

1.5 Police Officer

Any officer of the Sheriff's Office, or other person as defined in 29-A MRSA §101, sub-§30.

1.6 Sidewalk

That portion of street between the curb line or the lateral line of a traveled way and the adjacent property line which is intended for use by pedestrians.

1.7 Pedestrian

A person as defined in 29-A MRSA §101, sub-§53.

1.8 Alley

A street or way intended to provide access to the rear or side lots of a building and not intended for the purpose of through traffic.

1.9 Fire Chief

A person who is appointed by the Town as its Fire Chief.

2 Fireman

A person who is employed by the Town to fight fires and other emergencies as part of the Town Fire Department.

1.11 Official Time Standard

When certain hours are named herein they shall mean standard time or daylight savings time -- whichever is in current use in the municipality.

1.12 Violation

A violation or infraction of any provision of this Ordinance shall be deemed a civil violation under 17-A MRSA §4-B.

ARTICLE II TRAFFIC

2.1 The Fire Chief may post temporary "No Parking" signs in any location on a public or private way for emergencies or for public or private events when such restrictions are necessary to control traffic and/or for public safety. The Fire Chief shall inform the Selectmen of such actions.

ARTICLE III STOP SIGNS

Failure to stop

No person shall drive any vehicle past or through any intersection having a stop sign, without bringing his/her vehicle to a FULL stop.

3.2 Stop signs

Stop signs shall be located in the following places:

- (a) Collamore Road all traffic shall stop before entering Medomak Road.
- (b) Creek Road all traffic shall stop before entering Medomak Road.
- (c) Town Landing Road all traffic shall stop before entering Medomak Road
- (d) Medomak Road all traffic shall stop before entering Waldoboro Road
- (e) Heath Road all traffic shall stop before entering Waldoboro Road.
- (f) Keene Neck Road all traffic shall stop before entering Waldoboro Road
- (g) Shore Road (upper) all traffic shall stop before entering Waldoboro Road
- (h) Shore Road (lower) all traffic shall stop before entering Waldoboro Road
- (j) Muscongus Road all traffic shall stop before entering Waldoboro Road

- (j) Rial Herald Road all traffic shall stop before entering Waldoboro Road
- (k) Fogler Road all traffic shall stop before entering Biscay Road
- (l) Nobleboro Road all traffic shall stop before entering Waldoboro Road
- (m) Storer Road all traffic shall stop before entering Waldoboro Road
- (n) Marble Road all traffic shall stop before entering Waldoboro Road

3.3 Emergency Vehicles

Ambulances and any vehicle belonging to the police or fire departments shall have the right-of-way in any street and through any traffic. All vehicles shall go to right of road or street, as near the curb or gutter as possible, and come to a complete stop at sound of approaching sirens or bells of all police vehicles or fire apparatus including vehicles owned by firemen. It shall be unlawful for any person to drive any team, automobile, truck, tractor, or other motor vehicles over any section(s) of hose which shall hereafter be laid by the Fire Department on the street.

ARTICLE IV ENFORCEMENT

4.1 Penalties

Any person accused of a violation of any portion of this ordinance, where a fine amount is not designated may voluntarily waive his/her right to appear and defend before any court or judicial tribunal the charge made against him or her for such violation by paying the Town the minimum sum of \$75.00 within thirty (30) days of the time such alleged offense was committed.

4.2 Payment

All fines and penalties collected under this Ordinance shall be paid to the Town Treasurer at the Town Office during normal business hours or by mail to address: PO Box 171, Bremen, ME 04551-0171. The Board of Selectmen are authorized to employ all such procedures authorized by law which they deem prudent to collect the same.

4.3 Signs

It shall be unlawful and in violation of this Ordinance for any person to cause damage to or take any municipal traffic devices, such as, but not limited to, any traffic safety equipment, such as safety cones, barriers, traffic lights, crosswalk signs or signs which designate road names, speed limit, stop, yield or any other type of traffic and safety signs or equipment owned or possessed by the Municipality. Any person(s) convicted of the theft or possession of any municipal traffic and safety items shall be subject to a mandatory minimum fine of \$150.00 per conviction. Any person convicted

...damaging any municipal traffic and safety items will be subject to reimbursing the municipality for the cost of correcting or replacing and any installation of said items.

The Board of Selectmen may choose to offer a reward of up to \$200.00 to persons providing information which results in a conviction of any person(s) for the theft or possession of any municipal traffic and safety items.

4.4 Sheriff's Authority

The Lincoln County Sheriff's Department is authorized to enforce laws and direct traffic as set forth herein.

Sheriff's Deputies as assigned by the Lincoln County Sheriff are authorized to enforce all street traffic laws of the Town and all of the state vehicle laws applicable to street traffic in the Town.

Sheriff's Deputies as assigned by the Lincoln County Sheriff 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, conditions may require officers to direct traffic as required by the situation, notwithstanding the provisions of the traffic laws.

Fireman, as directed by the Fire Chief, when at the scene of a fire or similar public safety incident, may direct or assist the police in directing traffic in the immediate vicinity.

4.5 Citation Books

The Town shall provide books containing numbered citation forms;

(a) The Sheriff shall issue such books to individual deputies. The Sheriff shall require a written receipt for every book so issued and shall maintain a record of every such book and each set of citations contained therein.

(b) Except when authorized or directed under state law to immediately take a person before a magistrate or other court official for the violation of any traffic laws, a police officer who halts a person for a violation, other than for the purpose of giving him a warning or warning notice, and does not take such person into custody under arrest, shall take such person's name, address, the operator's license number, the registered number of the motor vehicle involved and such other pertinent information as may be necessary. The officer shall then issue to such person in writing on a Violation Summons and Traffic Form (hereinafter "V.S.T.F."). The alleged violation shall be specified in the citation.

(d) Every police officer upon issuing a V.S.T.F. to an alleged violator shall deposit the copy of the citation with the Sheriff, who shall record it.

(d) The V.S.T.F. shall be disposed of in accordance with those laws of the state which govern the procedures in the District Court.

(e) The Sheriff shall also maintain or cause to be maintained in connection with every V.S.T.F. issued by a member of the Sheriff's Office, a record of the disposition of the charge by the District Court or its Traffic Violations Bureau.

(f) The Sheriff shall also maintain or cause to be maintained a record of all warrants issued by the District Court or by any other court on traffic violation charges and which are delivered to the Sheriff's Office for service, and of the final disposition of all such warrants.

(g) It shall be unlawful and official misconduct for any member of the Sheriff's Office or other officer or public employee to dispose of, alter or deface a V.S.T.F. or any copy thereof, or the record of the issuance or disposition of any V.S.T.F., complaint or warrant, in a manner other than as required by this section.

(h) It shall be unlawful for any person to cancel or solicit the cancellation of any V.S.T.F. in any manner other than as provided by this article.

(i) No person shall remove from any vehicle a V.S.T.F. or notice or citation placed or in such vehicle by a police officer, except for the purpose of answering such notice or citation as required therein.

(j) Each owner or operator of a vehicle who receives a V.S.T.F. shall, within 48 hours of the time when such notice was attached to such vehicle, pay the Town the penalty as stated on the V.S.T.F. The failure of such owner or operator to make such payment shall render such owner or operator subject to a penalty of double the fine, and shall render such owner or operator subject to the penalties hereinafter provided for the violation of the general provisions of this Ordinance.

ARTICLE 5 FINES

5.1 Waiver Fines

Failure to stop	\$ 100
Failure to obey traffic control order	\$ 100
Damage or taking traffic device	\$ 100
plus restitution for value of device and replacement	

5.2 Failure to pay

A person who has not paid the fine amount under within 30 days shall be mailed a written notice informing the person that payment has not been received and that an additional charge of \$2.00 will be assessed for each thirty (30) days of non-payment. Additionally, the notice shall indicate that additional fines may be imposed and that non-payment may be cause for immobilization in place or impoundment of the vehicle. In

...the alternative, a complaint may be made to District Court as provided by 4 MRSA §171-A, and fines and restitution sought as provided by 14 MRSA §5602.

5.3 Public Peace

This section is enacted as an enforcement procedure for promotion and protection of the public peace, safety and welfare and the safeguarding of property and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances arising from traffic infractions and for the protection of the public rights in the use of public ways.

This Traffic Ordinance of the Town of Bremen, Maine, has been enacted by the Board of Selectmen on this 17th day of JANUARY 2013

BREMEN BOARD OF SELECTMEN



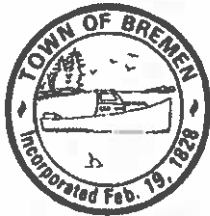
Wendy Pich



John Marsh



Henry Nevins



TOWN OF BREMEN

PO Box 171

BREMEN, MAINE 04551

(207) 529-5945 • FAX (207) 529-6302

TOWN OF BREMEN

TRAFFIC AND PARKING ORDINANCE

ENACTED MARCH 5, 2015

The following Amendments to the Bremen Traffic and Parking Ordinance are enacted by the Selectmen of the Town of Bremen on March 5, 2015, according to the provisions of 30-A MRSA §3009:

Article II – Traffic - Sections 2.2 and 2.3 are enacted as follows:

2.2 Traffic Calming Devices:

The Board of Selectmen, with the advice of the Road Commissioner, may authorize the installation of traffic calming devices, such as speed bumps or humps, or other like devices to reduce excessive speed in sensitive areas. This will be at their discretion, and the installation of these devices shall follow Maine DOT Guidelines for design and installation.

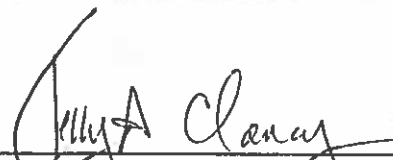
2.3 Weight Limits:

The Board of Selectmen, with the advice of the Road Commissioner, may establish and post notice of vehicle weight limitations on municipal roads in accordance with Maine DOT Guidelines.

ENACTED: MARCH 5, 2015 AT A PUBLIC HEARING

A TRUE RECORD

ATTEST:



Kelly A. Clancy, Town Clerk



TOWN OF BREMEN
PO Box 171, 208 Waldoboro Road
BREMEN, MAINE 04551
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TOWN OF BREMEN TRAFFIC AND PARKING ORDINANCE

ENACTED JANUARY 21, 2016

The following Amendment to the Bremen Traffic and Parking Ordinance is enacted by the Selectmen of the Town of Bremen on January 21, 2016, according to the provisions of 30-A MRSA §3009:

Article II – Traffic - Section 2.4 is enacted as follows:

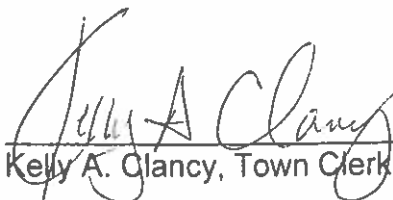
2.4 Hay Conservation & Recreation Area: Lower level parking is for Bremen residents only and all handicapped and seniors. Speed limit on the road will be limited to 10 mph. All others are to park in the top parking area. Parking areas will be closed from dusk to dawn.

No off-road motorized vehicles allowed. Vehicles in violation will be towed.

Town Forest & Walking Trails: No motorized vehicles allowed.

ENACTED: JANUARY 21, 2016 AT A PUBLIC HEARING

A TRUE RECORD
ATTEST:



Kelly A. Clancy, Town Clerk

30-A §3009. AUTHORITY OF MUNICIPAL OFFICERS TO ENACT ORDINANCES

30-A §3009. AUTHORITY OF MUNICIPAL OFFICERS TO ENACT ORDINANCES

1. Exclusive authority. The municipal officers have the exclusive authority to enact all traffic ordinances in the municipality, subject to the following provisions.

A. The municipal officers may regulate pedestrian traffic in the public ways, including, but not limited to, setting off portions of a municipality's public ways for sidewalks and regulating their use; providing for the removal of snow and ice from the sidewalks by the owner, occupant or agent having charge of the abutting property; and establishing crosswalks or safety zones for pedestrians.

(1) The violation of any ordinance authorized by this paragraph is a civil violation.

(2) The municipal officers may establish a method by which persons charged with the violation of ordinances governing pedestrian traffic on the public ways may waive all court action by payment of specified fees within stated periods of time. [1991, c. 549, §16 (AMD); 1991, c. 549, §17 (AFF) .]

B. The municipal officers may regulate the operation of all vehicles in the public ways and on publicly owned property.

(1) The violation of any ordinance authorized by this paragraph is a civil violation.

(2) A municipality may not adopt or enforce an ordinance authorized by this paragraph that is the same as or conflicts with any speed or other traffic control limits imposed by the Department of Transportation pursuant to Title 23 or 29-A. [1999, c. 753, §8 (AMD) .]

C. The municipal officers may regulate the parking of motor vehicles on any public way or public parking area, including, but not limited to, providing for the installation of parking meters, providing the fact that any vehicle is illegally parked or is in a metered space when the time signal on the parking meter for that space indicates no parking permitted without the deposit of a coin or coins is prima facie evidence that the vehicle has been parked illegally by the person in whose name the vehicle is registered, and establishing reasonable charges for metered parking.

(1) Illegal parking of a vehicle in violation of any ordinance authorized by this paragraph is a civil violation.

(2) The municipal officers may establish a method by which persons charged with the violation of parking regulations may waive all court action by payment of specified fees within stated periods of time.

(3) The revenue collected from parking meters must be used:

- (a) To purchase, maintain and police the meters;
- (b) To construct and maintain public ways;
- (c) To acquire, construct, maintain and operate public parking areas; and
- (d) For no other purpose.

(4) A vehicle that exhibits a permanent placard, a temporary placard or a disability registration plate issued under Title 29-A, section 521 may park at a parking area with a meter without a charge and may park a length of time that does not exceed twice the time limit otherwise allowed. [2001, c. 151, §2 (AMD) .]

D. The following provisions apply to the establishment and policing of parking spaces and access aisles for disabled persons.

(1) Municipal public parking areas are subject to any applicable requirements of the Maine Human Rights Act, Title 5, chapter 337, subchapter 5. The municipality shall post a sign adjacent to and visible from each disability parking space established by the municipality. The sign must display the international symbol for accessibility.

(2-A) Enforcement of disability parking restrictions must be in accordance with Title 29-A, section 521, subsection 9-A.

(3) Any vehicle or motorcycle parked in a parking space clearly marked as a disability parking space and that does not bear a special registration plate or placard issued under Title 29-A, section 521 or 523, or a similar plate issued by another state, must be cited for a fine of not less than \$200 and not more than \$500. "Clearly marked" includes painted signs on pavement and vertical standing signs that are visible in existing weather conditions.

(4) The municipal officers may establish and enforce the time limit for use of a parking space reserved as a disability parking space on a public way or public parking area. [2005, c. 528, §3 (AMD).]

E. The municipal officers may provide for the regulation of motor vehicles as defined in Title 29-A, section 101, subsection 42 on icebound inland lakes during the hours from sunset to sunrise of the following day. The Maine Land Use Regulation Commission shall regulate motor vehicles on icebound inland lakes that are completely encompassed by unorganized territories. Motor vehicles on icebound inland lakes that are abutted by an unorganized territory and either one or more municipalities, village corporations or plantations, in any combination, are regulated by those municipalities, village corporations or plantations, as provided in subparagraphs (1) and (2).

No ordinance authorized by this paragraph is valid unless:

(1) Each municipality abutting a lake has enacted an identical local ordinance, in which case the ordinance of any municipality is in effect on the entire lake and any law enforcement officer from any of those municipalities may enforce the ordinance on any portion of the lake; or

(2) In cases where a lake is divided by an easily identifiable boundary into 2 or more nearly separate bodies, each municipality abutting one of the distinguishable portions of the lake has enacted an identical local ordinance. The ordinance of any municipality is in effect only on that distinguishable portion of the lake and any law enforcement officer from any of those municipalities may enforce the ordinance anywhere on that portion of the lake. [1995, c. 65, Pt. A, §129 (AMD); 1995, c. 65, Pt. A, §153 (AFF); 1995, c. 65, Pt. C, §15 (AFF).]

F. The municipal officers may regulate or establish a licensing authority which may regulate rates of fare, routes and standing places of vehicles for hire, except where jurisdiction rests with the Public Utilities Commission and may require an owner or operator of a vehicle for hire to carry a liability insurance policy in amount and form satisfactory to the licensing authority as a condition precedent to the granting of a license to operate. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[2005, c. 528, §3 (AMD) .]

1-A. Transfer of mobile home or modular construction home. To ensure the fair and efficient administration of property taxation, municipal officers may enact an ordinance requiring the owner of a mobile home or modular construction home to notify the municipal assessor, according to such reasonable terms as the ordinance may establish, upon the transfer of a mobile home or modular construction home when that mobile home or modular construction home is situated on land that is not owned by the mobile home or modular home owner.

[1999, c. 427, §1 (NEW) .]

2. Powers of village corporation. The officers of a village corporation have the same powers and duties as municipal officers under this section.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

3. Method of enactment; effective date. When enacting ordinances under this section, the municipal officers shall give 7 days' notice of the meeting at which the ordinances are to be proposed in the manner provided for town meetings. Unless otherwise provided, these ordinances take effect immediately.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

4. Enforcement of municipal ordinances.

[2005, c. 53, §2 (RP) .]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§A28,C8,C10 (AMD). 1989, c. 394, §2 (AMD). 1991, c. 549, §16 (AMD). 1991, c. 549, §17 (AFF). 1995, c. 65, §§A127-129 (AMD). 1995, c. 65, §§A153,C15 (AFF). 1997, c. 60, §1 (AMD). 1997, c. 392, §1 (AMD). 1997, c. 673, §3 (AMD). 1997, c. 750, §A4 (AMD). 1999, c. 127, §A45 (AMD). 1999, c. 427, §1 (AMD). 1999, c. 753, §8 (AMD). 2001, c. 151, §2 (AMD). 2003, c. 80, §1 (AMD). 2003, c. 117, §1 (AMD). 2005, c. 53, §2 (AMD). 2005, c. 528, §3 (AMD).

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