

PARKING ORDINANCE FOR THE TOWN OF CANAAN

1. **AUTHORITY AND PURPOSE:** This ordinance is adopted by the Selectmen of the Town of Canaan in accordance with Title 30-A M.R.S.A. §3009. The Selectmen find that unrestricted parking of motor vehicles on certain portions of public ways in the town creates a traffic hazard to motorists and pedestrians alike. Unrestricted parking causes traffic congestion, reduces sight for motorists, impedes maintenance, causes motorists to drive outside the designated travel lane and into oncoming traffic, and interferes with the passage of police vehicles, fire trucks and ambulances. The purpose 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 Title 29-A M.R.S.A. §101; any undefined word shall have its common, ordinary meaning.

3. **RESTRICTIONS:** No person shall park a motor vehicle in the following locations between June 15 and September 15 of each year:

1. On the road known as the Lake George Road leading from U. S. Route 2 northerly along the east side of Lake George between the Skowhegan Town Line and the entrance to Lake George Regional Park; and

2. In the gravel parking area at the northerly end of the Lake George Road adjacent to the entrance to Lake George Regional Park after sunset and before 8:00 A. M. the following day.

4. **NOTICE:** Notice of the existence of this ordinance shall be given by either of the following methods:

(a) By at least one sign erected in the vicinity of the Lake George Road to call attention to the ban on parking, in such fashion as to give prominent notice of the parking ban and to the fact that illegally parked vehicles will be towed. Additional signs may be erected as deemed necessary. A sign may be located in the Town of Skowhegan with the consent of the Skowhegan Selectmen; or

(b) By delivery of a copy of this ordinance to the owner, operator or other person in charge of any vehicle parked in violation of this ordinance. At the time of delivery of the copy of this ordinance, such person shall be requested to remove the vehicle from the Lake George Road within a reasonable time. Accompanying the copy of this ordinance shall be a notice stating the address and telephone number of the location at which a towed vehicle can be recovered.

5. **TOWING:** A motor vehicle parked in violation of this ordinance may be towed by a wrecker authorized by the municipality, at the request of and under

the supervision of any law enforcement officer or any other official duly authorized and appointed by the Selectmen. A vehicle shall not be towed unless, at the time of the tow, notice has been given under Article 4 of this ordinance. Within 5 days the 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. 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 and sign a receipt for the vehicle.

7. PRIMA FACIE EVIDENCE OF OPERATION: No person shall cause, allow or permit a motor vehicle registered in his or her name to be parked 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.

8. ENFORCEMENT AND PENALTIES: This ordinance shall be enforced by the Somerset County Sheriff's Department, by the Maine State police, or by a town constable or any other official duly appointed and authorized by the Selectmen. A violation of this ordinance is a civil violation, and shall be prosecuted in the 12th District Court. A first offense shall be punishable by a fine of \$50.00. A second offense in the same calendar year shall be punishable by a fine of \$100.00. A third or subsequent offense in the same calendar year shall be punishable by a fine of \$250.00. All fines shall accrue to the Town of Canaan. In addition to any fine, a person in violation of this ordinance shall be liable for payment of court costs and a reasonable attorney's fee for prosecution of the violation. Any person charged with a violation of this ordinance may waive court action by paying the fine to the Town Clerk within 7 days of the violation, in which case the Town Clerk shall so notify the 12th District Court.

9. 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.