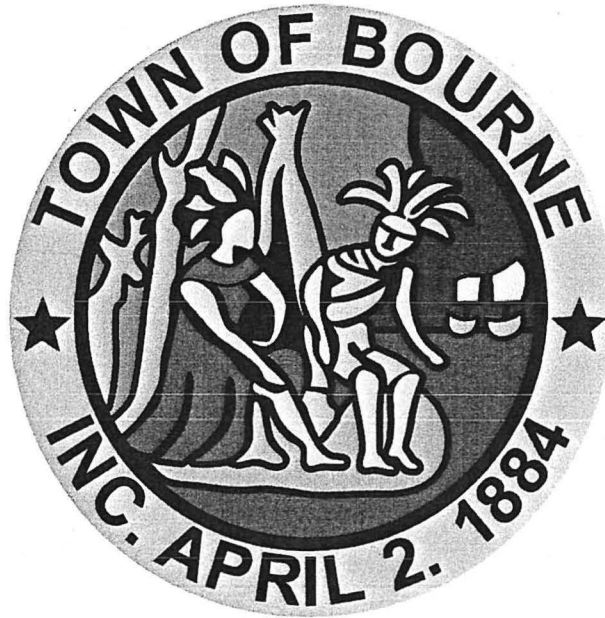


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TOWN OF BOURNE



TRAFFIC RULES AND ORDERS

Adopted March 15, 1939

Amended March 7, 2017

BOURNE, MASSACHUSETTS

Introduction

It is the policy of the Board to promote the health, safety, convenience and general welfare of the Town's inhabitants; to lessen the danger from fire caused by vehicular congestion which may impede fire-fighting apparatus from reaching fires in a timely manner; to reduce air pollution caused by unnecessary vehicle emissions associated with traffic congestion; to protect the economic viability of town-wide commerce by improving traffic flow and on-street parking opportunities for those needing to transact business and avail themselves of services in business areas of town; and to encourage the use of public transportation and parking opportunities made available to further these purposes. These Traffic Rules and Regulations are adopted in recognition of the close causal relationship between the availability of parking and the amount of traffic congestion in the different town areas.

The following Traffic Rules and Regulations ("Rules and Regulations") are adopted pursuant to Massachusetts General Law (MGL) Chapter 40, Section 22, as amended, MGL Chapter 85, Section 2, MGL Chapter 90, Section 20A1/2, as adopted October 1981, (STM), MGL Chapter 40, Section 22D, as adopted May 1987 (ATM), and other applicable laws. The Rules and Regulations shall not affect any act done, any right accrued, any penalty incurred, or any suit, prosecution or proceeding pending under the provisions of previous rules and regulations. In addition, whenever the Rules and Regulations are in conflict with an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town, no person shall fail to obey such traffic sign, signal, marking or other device, when operating a vehicle within the Town. Shall any bylaw, enacted by the Town, be in control of any particular issue contained herein, then said bylaw shall take precedence.

The Rules and Regulations shall be effective upon vote of the Board, and all previous Rules and Regulations of the Board, other than temporary rules, regulations and signage, are repealed as of said date, subject, however, to the foregoing limitations.

BOURNE MASSACHUSETTS TRAFFIC RULES AND ORDERS

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BOURNE MASSACHUSETTS TRAFFIC RULES AND ORDERS

ARTICLE I: DEFINITIONS

For the purpose of the Rules and Regulations, the words and phrases used herein shall have the following meanings except in those instances where the context clearly indicates a different meaning.

SECTION 1.1 *Authorized Emergency Vehicles*

Vehicles of the Fire Department, Police Department, ambulances and emergency vehicles of federal, state and municipal departments or public service corporations when the latter are responding to an emergency in relation to the Police or Fire Department, or any federal, state and municipal vehicle engaged in the repair of a public way.

SECTION 1.2 *Bicycle*

Every device propelled by human power upon which any person may ride having no more than two (2) tandem wheels either of which is fourteen (14) inches or more in diameter.

SECTION 1.3 *Bicycle Path*

Any way under the care, custody, or control of the Town of Bourne, specifically designated and used for bicycle and/or pedestrian travel whereupon motorized vehicles of any kind are excluded.

SECTION 1.4 *Board*

The Town of Bourne Board of Selectmen.

SECTION 1.5 *Bus*

Any motor vehicle designed for carrying more than nine (9) passengers and used for the transportation of persons or any motor vehicle operated upon a public way for the carriage of passengers for hire in such a manner as to afford a means of transportation similar to that afforded by a railway company by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running, or for transporting passengers for

hire as a business between fixed and regular termini, or transporting passengers for hire under a charter license, special service or school service permit issued by the Commonwealth of Massachusetts. When applicable, the term "bus" shall include school bus.

SECTION 1.6 *Bus Stand*

An area in the roadway, adjacent to the curb or edge of roadway, set aside for the long-term (in excess of fifteen (15) minutes) parking of any bus and confined to certain types of buses as indicated on the posted sign(s).

SECTION 1.7 *Bus Stop*

An area in the roadway, adjacent to the curb or edge of roadway, set aside for the parking, boarding of or alighting from buses.

SECTION 1.8 *Commercially Registered Vehicle*

Any vehicle bearing commercial license plates.

SECTION 1.9 *Commercial Vehicle*

Any vehicle being used in the transportation of goods, wares or merchandise for commercial purposes. All commercial vehicles must permanently display on both sides of the vehicle (exclusive of windows) the vehicle owner's name, address and telephone number on at least three separate lines and bearing commercial license plates.

SECTION 1.10 *Crosswalk*

That portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections, or any portion of a roadway indicated for pedestrian crossing by lines on the road surface or by other markings or signs.

SECTION 1.11 *Curb Marking, Official*

That portion of a curbing, the painting of which the Board has authorized, and which has the written approval of the Department of Public Works, Commonwealth of Massachusetts.

SECTION 1.12 *Disabled Veteran (DV) Plate Vehicle*

A vehicle bearing a distinctive number plate authorized by MGL Chapter 90, Section 2.

SECTION 1.13 *Driver*

A person, who is in actual physical control of an operating vehicle.

SECTION 1.14 *Emergency Vehicle*

Vehicles of the Fire Department (Fire Patrol), police vehicles, ambulances and emergency vehicles of federal, state and municipal departments or public service corporations when the latter are responding to an emergency in relation to the Police or Fire Department.

SECTION 1.15 *Fire Lane*

An area specifically designated for use by the Fire Department whether or not a fire is occurring.

SECTION 1.16 *Funeral*

Any procession of vehicles properly identified as such accompanying the remains of a human body.

SECTION 1.17 *Handicap Placard Vehicle*

A vehicle properly displaying a handicap placard issued by the Registry of Motor Vehicles,

Commonwealth of Massachusetts, pursuant to MGL Chapter 90, Section 2.

SECTION 1.18 *Handicap Plate (HP) Vehicle*

A vehicle bearing a distinctive number plate, authorized by MGL Chapter 90, Section 2.

SECTION 1.19 *Handicap Parking*

The designated location that is specifically reserved for individuals with disabilities allowing parking by properly displayed placard or number plate in accordance with M.G.L. Chapter 90 Section 2.

SECTION 1.20 *Heavy Commercial Vehicle*

Any commercial vehicle of over two (2) and ½ ton capacity.

SECTION 1.21 *Intersecting Way*

Any way, which joins another way at an angle whether or not it crosses the other.

SECTION 1.22 *Intersection*

The area embraced within the extensions of the lateral curb lines, or if none, then the lateral boundary lines of intersecting ways, including divided highways. The Rules and Regulations herein contained governing and restricting the movement of Vehicles at and near intersecting ways shall apply at any place along any way at which drivers are to be controlled by traffic control signs whether or not such place is an intersection as herein defined.

SECTION 1.23 *Lane*

A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage or parking of a single line of vehicles.

SECTION 1.24 *Livery Vehicle*

A vehicle used, or designated to be used, for the conveyance of less than sixteen (16) persons or passengers for hire, from place to place, except a bus, streetcar, taxi or commercial vehicle.

SECTION 1.25 *Loading Zone*

That portion of a roadway adjacent to a curb or edge of the pavement reserved for commercial vehicles, as defined in this section, during the actual loading or unloading of materials, or passenger vehicles during the actual receiving or discharging of passengers, indicated by the presence of at least one (1) regulatory sign marking the limits of the loading zone as authorized by the Town of Bourne.

SECTION 1.26 *Motorized Bicycle (Moped)*

A pedal bicycle which is assisted by a motor, or a non-pedal bicycle which has a motor, with a cylinder capacity not exceeding fifty (50) cubic centimeters, an automatic transmission, and which is capable of a maximum speed of no more than thirty (30) miles per hour.

SECTION 1.27 *Municipal Parking Lot*

A parking lot owned and operated by the Town of Bourne.

SECTION 1.28 *Non-Emergency Repairs*

The changing of any vehicle fluid and any other repair, with the exception of minor safety-related repairs and repairs necessary for the vehicle to operate under its own power, that can be completed within ninety (90) minutes, such as changing oil, replacing a tire, replacing a headlight or bulb, or replacing a wiper blade.

SECTION 1.29 *Officer*

Any officer of the Bourne Police Department or any officer authorized to direct or regulate traffic or to make arrests for the violation of traffic regulations.

SECTION 1.30 *Official Street Marking*

Any painted line, legend, marking or marker of any description painted or placed upon any public way which purports to direct or regulate traffic and which has been authorized by the Town of Bourne and which has the written approval of the Highway Department, Commonwealth of Massachusetts, if required.

SECTION 1.31 *Official Standard Time*

Whenever certain hours are named herein they shall mean standard time or daylight-saving time.

SECTION 1.32 *Official Traffic Sign*

All signs, markings and devices, other than signals, not inconsistent with the Rules and Regulations, and which conform to the Standards prescribed by the Highway Department of the Commonwealth of Massachusetts and placed or erected by authority of public body or town official having jurisdiction for the purpose of guiding, directing, warning, or regulating traffic.

SECTION 1.33 *Overpass*

A section of road that passes over any state highway or any other roadway where vehicle traffic runs beneath.

SECTION 1.34 *Parking*

The stopping or standing of a vehicle, whether occupied or not, except when paused for traffic violation.

SECTION 1.35 *Passenger Vehicle*

Any vehicle registered as a passenger vehicle, including livery vehicles, and excluding buses and commercial vehicles.

SECTION 1.36 *Pedestrian*

Any person afoot or riding on a conveyance moved by human power, except bicycles.

SECTION 1.37 *Person*

Any person afoot or riding on a conveyance moving by human muscular power, except bicycles or tricycles.

SECTION 1.38 *Plymouth County Parking Department (PCPD)*

The agency which processes the payment of violations generated from within the Town of Bourne and from which parking violation books are purchased by the Town of Bourne.

SECTION 1.39 *Plymouth County Violation Schedule (PCVS)*

The schedule of violations as generated by the PCPD and listed on the parking violation books.

SECTION 1.40 *Police Officer*

Any officer of the Bourne Police Department authorized to direct or regulate traffic or make arrests for violations of the Rules and Regulations.

SECTION 1.41 *Posted*

Officially posted by the Town of Bourne.

SECTION 1.42 *Private Way 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.

SECTION 1.43 *Public Way*

Any road, street, way, highway, improved or unimproved road that is dedicated to public use.

SECTION 1.44 *Railroad Crossing*

Any intersection of ways with a railroad right-of-way.

SECTION 1.45 *Roadway*

That portion of a public way between the regularly established curb lines or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic.

SECTION 1.46 *Rotary*

A road junction formed about a central circle around which traffic moves in one direction only.

SECTION 1.47 *Rotary Traffic*

The counter-clockwise operation of one or more vehicles around a rotary.

SECTION 1.48 *Safety Zone*

The area delineated by traffic cones, barrels or other similar objects which indicate an area of road construction, hazard or other special event where traffic control is under direct supervision of a police officer.

SECTION 1.49 *School Bus*

Any vehicle used for the transporting of pupils and school personnel to and from school, or for the transportation of children enrolled in a camp or recreational program, while so used, but not including any such vehicle used for not more than five (5) days in case of emergency, or a vehicle used for the common carriage of the public under a certificate and permit issued under MGL Chapter 159A, Sections 7 and 8.

SECTION 1.50 *Semi-Trailer*

A trailer so designed and used in combination with a tractor that some part of the weight of such trailer and that of its load rests upon and is carried by the tractor.

SECTION 1.51 *Service Zone*

An area in the roadway set aside for the accommodation of commercial and transient vehicular traffic.

SECTION 1.52 *Sidewalk*

That portion of a public way set aside for pedestrian travel.

SECTION 1.53 *Snow Emergency*

When Street conditions caused by winter weather require the imposition of a parking ban. A snow emergency shall include, but not be limited to, snowstorms, ice storms, drifting conditions, snow removal after a storm, or ice buildup.

SECTION 1.54 *Stand or Standing*

The halting of a vehicle, whether occupied or not, other than for the purpose of, and while actually

engaged in, receiving or discharging passengers.

SECTION 1.55 *Stop or Stopping*

The halting, even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic.

SECTION 1.56 *Street or Highway*

The entire width between property lines of every way open to the use of the public for purposes of travel.

SECTION 1.57 *Street Marking, Official*

Any painted line, legend, marking or marker of any description painted or placed upon any way which purports to direct or regulate traffic and which has been authorized by the Chief of Police and which has the written approval of the Department of Public Works, Commonwealth of Massachusetts.

SECTION 1.58 *Taxi*

A vehicle used, or designed to be used, for the conveyance of persons or passengers for hire, from place to place, and licensed by the Town of Bourne.

SECTION 1.59 *Taxi Stand*

An area in the roadway in which certain taxicabs are authorized and required to park while waiting to be engaged.

SECTION 1.60 *Temporary or Experimental Rule*

Rules of the Town of Bourne regulating traffic or to test, under actual conditions, traffic signs, signals, markings, or other devices.

SECTION 1.61 *Town*

The Town of Bourne.

SECTION 1.62 *Tractor*

A motor vehicle with or without a carrying capacity of its own but which is primarily designed and used for drawing another vehicle or for industrial or agricultural purposes.

SECTION 1.63 *Traffic*

Pedestrians, herded or ridden animals, vehicles, or other conveyances, either singly or together, while using any public way for the purpose of travel.

SECTION 1.64 *Traffic Control Area*

Any area along any way, other than an intersecting way, at which drivers are to be controlled by traffic control signals.

SECTION 1.65 *Traffic Control Signal*

Any device using colored lights, which conforms to the standards, as prescribed by the Department of Public Works of the Commonwealth of Massachusetts, whether manually, electrically or mechanically operated, by which traffic may be alternately directed to stop and to proceed.

SECTION 1.66 *Traffic Island*

Any area or space set aside within a public way, which is not intended for use by vehicles.

SECTION 1.67 *Traffic Signs, Official*

All signals, conforming to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts, not inconsistent with these rules and orders, placed or erected by authority of a public body or official having jurisdiction, for the purpose of directing or warning traffic.

SECTION 1.68 *Trailer*

Any vehicle or object on wheels and having no forward movement power of its own, but which is drawn by, or used in combination with a vehicle.

SECTION 1.69 *U-Turn*

The turning of a vehicle whereby the direction of such vehicle is reversed.

SECTION 1.70 *Vehicle*

Every device in, upon, or by which any person or property is or may be transported or drawn upon a public way, including bicycles, when the provisions of the Rules and Regulations are applicable to them, except non-bicycle devices moved by human power, or horse-drawn carriages.

ARTICLE II: AUTHORITY AND DUTIES OF POLICE

It shall be the duty of Police Officers designated by the Chief of Police to enforce the provisions of the Rules and Regulations. Such officers are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of the Rules and Regulations provided that in the event of a fire, other emergency, or upon determination by the Chief of Police or his designee, to expedite traffic or safeguard pedestrians, Officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the Rules and Regulations.

SECTION 2.1 *Driver's Adherence to Police Officers*

No driver of any vehicle shall fail to comply with any lawful order, signal, or direction of a Police Officer.

SECTION 2.2 *Police May Temporarily Close Public Way*

The Chief of Police, his designee, or the Board is hereby authorized to close temporarily any Public Way in an impending or existing emergency, or for any lawful assemblage, demonstration or procession.

SECTION 2.3 *Police May Temporarily Prohibit Parking*

The Chief of Police or his designee is hereby authorized to prohibit, temporarily, parking on any Public Way or part thereof in an impending or existing emergency, for a lawful assemblage, demonstration, procession, or for any other lawful reason deemed necessary. Vehicles parked in places where Parking is prohibited temporarily may be moved by or under the direction of an Officer. Whoever violates this section shall be liable to charges for removal and storage of the vehicle.

SECTION 2.4 *Police Station Parking Lot*

The Board grants the Chief of Police the authority to regulate the parking and traffic flow in the off-street parking lot immediately surrounding the Bourne Police Department Station House.

SECTION 2.5 *Zone of Quiet*

The Chief of Police may temporarily establish a zone of quiet upon any street where a person is seriously ill. Said temporary zone of quiet shall embrace all territory within a radius of two hundred (200) feet of the building occupied by the sick person. Said temporary zones of quiet shall be designated by the Chief of Police by causing to be placed at a conspicuous place in the street a sign or marker bearing the words ZONE OF QUIET.

No person operating a motor vehicle within any designated and posted Zone of Quiet shall sound a horn or other warning device on said vehicle except in an emergency, nor shall such person make any loud or unusual noise in said Zone of Quiet.

SECTION 2.6 *Exemptions*

The provisions of the Rules and Regulations shall not apply to Drivers actually engaged in work upon a Public Way closed to travel or under construction or repair, to Officers when engaged in the performance of emergency duties nor to Drivers of Authorized Emergency Vehicles while operating in an emergency and in performance of emergency duties when the nature of the work of any of these necessitate a departure from any part of the Rules and Regulations. These exemptions shall not, however, protect the Driver of any Vehicle from the consequences of a reckless disregard of the safety of others.

SECTION 2.7 *Removal of Vehicles; Liability for Costs*

No person shall stand or park or allow, permit or suffer any vehicle to stand or park in any of the following places:

- a) Upon any way in such a manner as to impede the removal or the plowing of snow or ice.
- b) Upon a way within ten (10) feet of a fire hydrant.
- c) Any vehicle found to be illegally parked or standing in a fire lane as established by the fire department, whether or not a fire is in progress.
- d) Upon any way in such a manner as to obstruct any curb ramp designed for use by handicapped persons as a means of egress to a street or public way.
- e) Occupy or obstruct any parking spaces reserved for a vehicle used by a disabled veteran or handicapped person whose vehicle bears the license plate or special parking identification plate as authorized under Chapter 90, Section 2 of the General Laws, or those of any other state or Canadian Province.

Vehicles found in violation of the provisions of this Section, except those specifically exempted by law, shall be removed to a convenient place under the direction of an officer of the Police Department in accordance with Chapter 40, Section 22D of the General Laws (*adopted May 1987, ATM*) and the owner of the vehicle so removed or towed away shall be liable to the cost of such removal and storage, if any. The moving or towing of any vehicle under the provisions of this Article shall be by and at the direction of the Chief of Police or such other Officer(s) of the rank of Sergeant or higher as he may from time to time designate. The owner of any vehicle removed or towed away under the provisions of this Section shall also be subject to the penalties provided in Chapter 90, Section 20A1/2 (*adopted Oct 1981, STM*), and Chapter 89, Section 7A of the General Laws.

SECTION 2.8 *Police to Keep Record of Towed Vehicles*

The Police Department shall keep a record of all vehicles towed or removed under the provisions

of this Article. Such record shall be retained for one (1) year and shall contain the following information:

- a) The registration of the vehicle.
- b) The location, from which it was towed, and time and date of tow order.
- c) The location to which it was moved.
- d) Name of towing contractor, if any.
- e) Name and rank of officer who authorized towing.

ARTICLE III: TRAFFIC SIGNS, SIGNALS, MARKINGS, AND ZONES

SECTION 3.1 *Interference with Signs, Signals, Markings, or Devices Prohibited*

No Person shall willfully deface, damage, move, obstruct, or interfere with any Official Traffic Sign, signal, marking, or device.

SECTION 3.2 *Bus Stops, Taxicab Stands and Service Zones, Location*

The location of all bus stops, taxicab stands and service zones shall be specified by the Town of Bourne Board of Selectman and in the case of taxicab stands, the Chief of Police with the approval of the Town of Bourne Board of Selectman shall designate who may use them as such.

SECTION 3.3 *Obedience to Traffic Signs, Signals and Markings*

The Driver of any Vehicle shall obey the instructions of any Official Traffic Sign, signal, device, marking, or device, unless otherwise directed by a Police Officer.

SECTION 3.4 *Traffic Signs and Signals*

The Chief of Police is hereby authorized, and as to those signs and signals required hereunder it shall be his duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts.

- a) Sections 2.2 and 2.3 of Article II and Sections 4.3(k), 4.3(m), 4.3(n), 4.3(t), and 4.3(v) inclusive of Article IV relating to parking shall be effective only during such time as official signs are erected and maintained on public ways designating the provisions of such sections and located so as to be easily visible to approaching drivers.
- b) Sections relating to one-way streets shall be effective only during such time as a sufficient number of official signs are erected and maintained at the entrance and each of the exits for each one-way street, so that at least one sign will be clearly visible for a distance of at least seventy-five (75) feet to drivers approaching such an exit.

SECTION 3.5 *Signals, Signs and Markings Prohibited, Display of Unauthorized*

No person or corporation shall place, maintain or display upon or in view of any street any

unofficial device, sign, signal, curb marking or street marking which purports to be or is an imitation of or resembles an official traffic device, sign, signal, curb marking or street marking or which attempts to direct the movement of traffic or which hides from view any official sign, signal marking or device. The Chief of Police is hereby empowered to remove every such prohibited sign, signal, marking or device or cause it to be removed without notice.

SECTION 3.6 *Traffic Signs, Exceptions*

Those provisions of the Rules and Regulations relating to Parking or the exclusion of Vehicles shall be effective only during such time as at least one (1) Official Traffic Sign is installed and maintained upon a Public Way in reasonable proximity to the area designating the provisions of such Parking or Vehicle exclusions.

Those provisions of the Rules and Regulations relating to one-way streets shall be effective only during such times as at least one (1) Official Traffic Sign is erected and maintained at each of the exits of each one-way street.

SECTION 3.7 *Requirements for the Posting of Temporary Signs Which Prohibit Parking Due To Construction or Special Events*

The posting of signs which prohibit or restrict Parking due to construction or special events shall be conducted in the following manner:

- a) All signs shall conform to Town specifications. The exact legend on each sign shall be determined by the Police Chief or his designee.
- b) All signs shall be installed at locations as determined by the Police Chief or his designee.

SECTION 3.8 *Experimental Regulations*

For the purpose of trial, the Board or Chief of Police may make temporary rules regulating traffic, or test under actual conditions, traffic signs, markings, or devices other than signals. No such experimental rule regulating traffic shall remain in effect for a period of time longer than (30) thirty days.

ARTICLE IV: PARKING REGULATIONS

SECTION 4.1 *Prohibited Parking in Handicapped Person / Disabled Veteran Parking Space*

SECTION 4.1.1 *Designated Parking*

Any person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, shall reserve parking spaces in said off-street parking areas, in conformity with the provisions and requirements of Chapter 40, § 21 and Chapter 90, § 2 of the General Laws, as may be amended from time to time, for any vehicle which bears the distinguishing license plate or which displays the special parking identification plate authorized by Chapter 90, § 2 of the General Laws, or which bears the official identification of a handicapped person issued by any other state.

SECTION 4.1.2 *Violations (PCVS 01)*

No vehicle that does not bear the distinguishing Handicapped Persons/Disabled Veterans license plate or the special parking identification plate as authorized by Chapter 90, § 2 of the General Laws, or the official identification of a handicapped person authorized by any other state shall stand or be left in any parking space within the city designated for handicapped parking, nor shall any unauthorized vehicle be left in such a manner as to obstruct a curb or ramp designed for use by handicapped persons as a means of egress to a street or public way.

SECTION 4.1.3 *Removal of Vehicles by Police*

The Chief of Police or such other Officer(s) of the rank of Sergeant or higher, may remove, or cause to be removed, to some convenient place, or to a municipal or public garage, any vehicle parked, standing or left in a parking space designated for use by disabled veterans or handicap persons, or any unauthorized vehicle left on the public way in such a manner as to obstruct a curb or ramp designed for use by disabled veterans or handicapped persons as a means of egress to a street or public way. Vehicles owned by the Commonwealth of Massachusetts or a political subdivision thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer and bearing a distinctive number plate or otherwise conspicuously marked as so owned or registered, shall not be subject to removal. In addition to the fine set forth herein, the actual and reasonable costs of such removal and storage charges, if any, shall be charged to the owner or person in whose name the vehicle is registered, provided however that such charges shall not exceed the maximum rate established by the department of telecommunications and energy.

SECTION 4.2 *Snow Emergency/Parking Ban*

A snow emergency parking ban is in effect upon the issuance by the National Weather Service of any Winter Storm Warning or Blizzard Warning in which the Town of Bourne is included.

SECTION 4.2.1 *Parking*

When a snow emergency parking ban is in effect, vehicles parked on a public way must be removed in order to avoid damage to said vehicles and expedite plowing and sanding operations. Individuals who impede the snow removal operations during a snow emergency are subject to ticketing and towing at the owner's expense. Every attempt will be made to notify the owner prior to towing. Towing will be considered as a last resort.

Even when snow emergencies/parking bans are lifted, cars are not to obstruct roadways in accordance to Traffic Rules and Orders, Article IV Parking, Section 4.3 (q), which prohibits the parking of a vehicle "upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic." Not all streets can accommodate parking within this rule when snow accumulates. Parked cars violating this rule will be subject to ticketing and towing. **(PCVS 02)**

SECTION 4.2.2 *Duration*

The parking ban will remain in effect during snow removal operations and will be discontinued when the Superintendent of the Department of Public Works has determined that the streets have been properly cleaned.

SECTION 4.3 *General Prohibitions*

No Person shall allow, permit, operate or suffer, any Vehicle to stop, Stand, or park in any Public Way under the control of the Town in violation of any provision of these Rules and Regulations.

No Driver shall Stop, Stand, or park a Vehicle in any of the following places, except when necessary to avoid conflict with other Traffic, Pedestrians, or in compliance with the lawful direction of a Police Officer or Official Traffic Sign, signal, marking, or device if such Stopping, Standing, or Parking is the result of an involuntary situation.

- a) **All Night Parking**: No person shall park or allow a motor vehicle to stand in an area, other than in an emergency, on any street for a period of time longer than one (1) hour between the hours of 10:00 p.m. and 6:00 a.m. of any day. **(PCVS 03)**
- b) **All Night Parking/Commercial Vehicles**: No Driver shall park or Stand any Commercial Vehicle or Semi-Trailer having a capacity of one (1) ton or over for more than one (1) hour between the hours of nine (9:00) PM of one (1) day and eight (8:00) AM of the following day, or at any time on Sunday, on any part of any Public Way where Parking or Standing a Vehicle is not otherwise prohibited, provided that this section of the Rules and Regulations shall not apply during the loading or unloading of materials. **(PCVS 03)**
- c) **Double Parking**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park in excess of one (1) Vehicle width from the curb or edge of a Public Way. **(PCVS 04)**
- d) **Within 10' of any Fire Hydrant**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Roadway within ten (10) feet of a fire hydrant, the distance to be measured from the point of the edge or curb of said way nearest said fire hydrant. **(PCVS 05)**
- e) **Wrong Direction**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way, unless the Vehicle is parked facing in the direction of Traffic flow on that side of the street, except where Commercial Vehicles are permitted to back to the curb or edge of the Roadway. **(PCVS 06)**
- f) **Obstructing Sidewalk**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Sidewalk or Bicycle Path in such a manner as to obstruct the passage of Pedestrians. **(PCVS 07)**
- g) **Obstructing Crosswalk**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Crosswalk. **(PCVS 07)**
- h) **Obstructing Driveway**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park in front of any driveway on a public way. **(PCVS 08)**
- i) **Restricted or Prohibited Area**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon or within a turnaround at the end of any dead end street, provided at least one (1) official sign is erected. **(PCVS 09)**
- j) **Within 20' of an Intersection**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way within twenty (20) feet of an Intersecting Way. **(PCVS 10)**

- k) **Overtime Parking:** No Driver shall park or Stand any Vehicle for more than one (1) hour continuously on any day during the hours indicated on a Posted sign, provided that the Rules and Regulations shall not apply to Commercial Vehicles, as defined herein, stopped temporarily during the actual loading or unloading of materials as further defined herein. The provisions of this section shall not apply to any Vehicle owned by a disabled veteran or by a handicapped Person and bearing a distinctive number plate or placard or handicap placard as issued in accordance with General Laws c. 90, § 2. (PCVS 11)
- l) **Over 1' from Curb:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way, unless both wheels on the side of the Vehicle adjacent to the curb are within one (1) foot of the curb or edge of the Roadway, except where angle Parking is permitted or Commercial Vehicles, as defined in Section 1.1 of the Rules and Regulations, are permitted to back to the curb or edge of the Roadway. (PCVS 12)
- m) **Bus Stop:** No Driver shall stop, Stand, or park any Vehicle other than a Bus in any area designated by the Town as a Bus Stop. (PCVS 13)
- n) **Taxi Stand:** No person shall park a vehicle other than a taxicab upon any street within a business district in any taxicab stand. (PCVS 13)
- o) **Leaving less than 10' Wide Unobstructed Lane:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way where the Parking of a Vehicle will not leave a clear and unobstructed Lane at least ten (10) feet wide on a one-way street and twenty (20) feet wide on a two-way street for passing Traffic. (PCVS 27)
- p) **Blocking Fire Lane:** No person shall park or allow a motor vehicle to stand in an area which has been clearly marked with visible signs and pavement markings indicating that the area is a fire lane. Vehicles in violation of this clause may be subject to a fine and removed by any police officer of the Town of Bourne in accordance with MGL Chapter 266, Section 120D, MGL Chapter 40, Section 22 or any other enabling authority. (PCVS 29)
- q) **On Bridge or Approach Thereto:** No Person shall allow, or permit any Vehicle to Stop, Stand, or park upon any bridge, bridge approach, viaduct, or within a highway tunnel or underpass, provided at least one (1) sign is erected notifying of such regulation and restriction. (PCVS 31)
- r) **Vehicle for Sale:** No Person shall allow any Vehicle to park upon any Public Way where the Vehicle is being displayed or offered for sale. (PCVS 32)
- s) **Obstructing Traffic:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way where the Parking of a Vehicle will not leave a clear and unobstructed Lane at least ten (10) feet wide on a one-way street and twenty (20) feet wide on a two-way street for passing Traffic. (PCVS 33)
- t) **Loading Zones:** No Driver shall stop, Stand, or park any Vehicle in any Loading Zone except Commercial Vehicles, as defined in Section 1.9 of the Rules and Regulations,

stopped for no more than fifteen (15) minutes, Passenger Vehicles stopped temporarily during the actual receiving or discharging of passengers, Vehicles owned and bearing indicia of ownership by the Town, State or Federal Governments, or Vehicles involved in an emergency situation. **(PCVS 36)**

- u) **Violation of Rules & Regulations- Town Facilities:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park in violation of any regulation posted at Town Facilities.

The following beaches & boat ramps, as well as any other area so designated by the Board, require a Town Parking Sticker:

- Barlow's Landing (Pocasset)
 - Electric Avenue (Buzzards Bay)
 - Gray Gables Beach
 - Hen Cove (Pocasset)
 - Massasoit Avenue (Pocasset)
 - Monks Park (Pocasset)
 - Monument Beach
 - Phillips Road (Sagamore Beach)
 - Picture Lake (Pocasset)
 - Pocasset River
 - Queen Sewell Pond (Buzzards Bay)
 - Red Brook Harbor (Cataumet)
 - Sagamore Beach (First Beach)
 - Sagamore Beach (Second Beach)
 - Squeteague (Cataumet)
- (PCVS 40)**

- v) **Beach Parking Sticker:** The Town Department so designated by the Board shall issue, upon submission of a proper application, submission of appropriate fees, satisfactory demonstration of qualification and after having made a determination of eligibility, an appropriate Parking Sticker for use at Town Facilities.

Adhesive Stickers shall be inscribed with the license plate number of the so-permitted Vehicle, and shall be permanently **affixed** to the lower left (driver side) windshield or to the left front bumper of the Vehicle so as to be easily seen.

Such stickers shall be valid only for the Vehicle to which it was originally issued for. Stickers are not transferable from one Vehicle to another. Stickers shall be valid for the calendar year in which they are issued. **(PCVS 42)**

- w) **Within 10' of any Fire Station:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park within ten (10) feet of the driveway entrance to any fire station **(PCVS 43)**
- x) **On a Private Way:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park on any way designated as Private. **(PCVS 44)**

- y) **Alongside or Opposite Excavation**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic. **(PCVS 45)**
- z) **Improper Angle Parking**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park where such diagonal parking is permitted unless the vehicles is parked with one wheel within twelve (12) inches of the curb and at the angle to the curb indicated by official marks and signs. The vehicle shall be parked so that all four wheels thereof shall be placed wholly within the area indicated for parking, and headed to the curb. **(PCVS 46)**
- aa) **Within an Intersection**: No Person shall allow, permit, operate or suffer any Vehicle to Stop, Stand, or park in within an Intersection, except in those areas where the Parking or Stopping has been permitted by the Town through the installation of designated signs or pavement markings. **(PCVS 49)**
- bb) **Parking outside Marked Lines**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park outside of marked parking spots. **(PCVS 50)**
- cc) **No Parking Zone**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any at any place where at least one (1) Official Traffic Sign has been placed or erected prohibiting such Stopping, Standing, or Parking. **(PCVS 53)**

SECTION 4.4 *Parking of Trailers or Semi-Trailers (PCVS 54)*

No Person shall park or Stand any Trailer of any kind or Semi-Trailer, as defined by Sections 1.51 and 1.69, on any part of any Public Way under the control of the Town, unless such Trailer or Semi-Trailer is attached to a Vehicle capable of towing it. The "speed board" and other such equipment associated with municipal operations are exempt from this regulation. Short term exceptions to this section may be permitted by the Chief of Police or his designee so long as public safety is not compromised.

No Person shall park or Stand any Trailer of any kind or Semi-Trailer on any part of any designated Town Facility, except in an area designated for same by the Town.

SECTION 4.5 *Dumpsters and Roll-On/Roll-Off Containers (PCVS 55)*

No Person shall park, store or deposit upon any Public Way of the Town a dumpster or any roll-on/roll-off container used for the collection of refuse, debris, or for any other purpose without approval from the Board.

Any dumpster or any roll-on/roll-off container allowed shall be placed upon the Public Way so that it will leave a clear and unobstructed way at least ten (10) feet wide for moving Traffic on one-way streets and twenty (20) feet wide for moving Traffic on two-way streets. During the hours of darkness or during hours Posted, the outer most edges of such dumpster and/or container shall be clearly marked with a flashing amber light or be permanently affixed with engineer grade reflective material which shall be visible from any Public Way.

SECTION 4.6 *Multiple Parking Tickets; What Constitutes Separate Violations*

The lapse of each Posted time restriction shall constitute a separate offense. In addition, any Vehicle which, while parked or Standing in the same approximate location, violates a time

restriction after having already received two (2) successive time restriction violations in a given twenty-four (24) hour period may be towed and removed by the Bourne Police Department.

SECTION 4.7 *Separate Violation for Attached Trailer*

Any vehicle which at the time of the offense has in tow a trailer, as defined by section 1.49, and is in violation of any parking restriction, may have separate violations issued for the tow vehicle and the trailer. This includes violations involving parking restrictions at designated town beaches and parking areas. **(PCVS 56)**

SECTION 4.8 *Interpretation of Posted Parking Restrictions*

Parking restrictions indicated by the presence of Official Traffic Signs shall be interpreted in the following manner:

- a) The direction to which a Parking restriction applies may be indicated by the placing of arrows on the sign(s).
- b) A Parking restriction, which is indicated by the placement of an Official Traffic Sign shall continue in effect until another Parking restriction is indicated by the placement of an Official Traffic Sign.
- c) Temporary Official Traffic Sign(s) placed on a Public Way for the purposes of construction or special events shall take precedence over all other Posted Parking restrictions in the Public Way.
- d) The placement of Official Traffic Signs, which would otherwise permit the Stopping, Standing or Parking of Vehicles, shall not be construed as permission to Stop, Stand or park a motor Vehicle in violation of any regulation which does not require the placement of an Official Traffic Sign, including, but not limited to, the following:
 - (1) Parking upon any Crosswalk;
 - (2) Parking within twenty (20) feet of an Intersecting Way;
 - (3) Parking within ten (10) feet of a fire hydrant;
 - (4) Parking in front of any driveway; and
 - (5) Parking in front of a ramp designed for use by handicapped persons.

**ARTICLE V: ADVERTISING SIGNS, DISPLAY AND STORAGE
OF MATERIALS IN STREETS, TRUCKING, AND PARADES**

SECTION 5.1 *Using Vehicle for Sole Purpose of Displaying Advertising Prohibited*

No person shall operate or park a vehicle on any street or highway for the sole purpose of displaying advertising signs without a permit from the Board.

SECTION 5.2 *Placing Structures or Property in Streets Prohibited*

- a) No person shall place, erect or cause to be placed or erected within any sidewalk, street or highway any fixture or structure unless a permit, issued by the Board authorizing such placing or erection has been granted and is in effect.
- b) No person, other than one employed directly or indirectly by the Town and while in performance of necessary public duties, shall at any time place or leave on any sidewalk,

street, or highway any article, material, or park a vehicle or cart on any sidewalk, street, or highway except as may be necessary for the reasonable and expeditious loading and unloading of any such article, material, cart or vehicle, provided, however, that such property shall never be left so as to obstruct the free passage of pedestrians or vehicular travel.

- c) Any such fixture, structure or property as referred to in this section which has been erected, placed, or left illegally in any street, highway, or sidewalk may be moved by or under the direction of an officer and at the owner's expense.

SECTION 5.3 *Deposit, Bond, or Insurance Policy May Be Required for Privilege of Using Street for Special Purposes*

The Board, when issuing permits for such use of sidewalks, streets or highways as are described in the two previous sections may in its discretion when occasion justifies, demand suitable cash deposit, surety bond or insurance indemnity policy to save the town harmless from all liability of nature whatsoever caused directly or indirectly by such use of sidewalk, street or highway.

ARTICLE VI: ONE-WAY STREETS

SECTION 6.1 *One-Way Rules and Regulations*

On certain Public Ways or parts thereof, Vehicles shall operate only in the direction as authorized by an Official Traffic Sign. The list of Public Ways or parts thereof where the direction of Vehicles is restricted and is designated as one-way streets is included in Appendix A of the Rules and Regulations.

ARTICLE VII: OPERATION OF VEHICLES

(MGL CHAPTER 89/90 GOVERNS)

SECTION 7.1 *Drive within Marked Lanes*

When any Roadway has been divided into Lanes, the Driver of a Vehicle shall not drive other than entirely within a single Lane, and he/she shall not move from the Lane in which he/she is driving until he/she has first ascertained if such movement can be made with safety.

SECTION 7.2 *Drive on Right Side of Street*

The Driver of a Vehicle shall not drive other than on the right half of the Roadway, except on one-way streets, where signs have been erected to the contrary, or when overtaking and passing another Vehicle. The Driver of a slow-moving Vehicle shall not drive other than as closely as possible to the right-hand edge or curb of the Roadway, unless it is impracticable to travel on such side of a Public Way.

SECTION 7.3 *Keep to the Right of Public Way Division*

On a Roadway divided by a grass plot, Traffic Island, walk, or other structure, the Driver of a Vehicle shall not drive other than to the right of such division, except on one-way streets, or when otherwise directed by a Police Officer, or any official sign, signal, marking, or device.

SECTION 7.4 *Overtaking Other Vehicles*

The Driver of a Vehicle shall not overtake and pass any other Vehicle proceeding in the same direction at any Intersection of Public Ways, except that this provision shall not apply at Intersections where Traffic is controlled by a Police Officer.

SECTION 7.5 *Overtake Only When There is a Space Ahead*

The Driver of a Vehicle shall not overtake and pass a Vehicle proceeding in the same direction unless there is sufficient clear space ahead on the right side of the Roadway, except that on a one-way street Drivers shall not be restricted to the use of the right half of the Roadway, but may have access to the entire width thereof, to permit the overtaking to be completed without impeding the safe operation of any Vehicle ahead, and without causing the Driver of any Vehicle to change his/her speed or alter his/her course, except as provided in Section 200.21.6 of the Rules and Regulations.

SECTION 7.6 *Driver to Give Way to Overtaking Vehicle*

The Driver of a Vehicle, when about to be overtaken and passed by another Vehicle approaching from the rear, shall give way to the right when practicable in favor of the overtaking Vehicle, and shall not increase the speed of his/her Vehicle until completely passed by the overtaking Vehicle.

SECTION 7.7 *Obstructing Traffic*

No Person shall drive in such a manner as to unnecessarily obstruct the normal movement of Traffic on any Public Way.

No Driver of any Vehicle shall enter an Intersection or a marked Crosswalk unless there is sufficient space beyond the Intersection or Crosswalk and on the right half of the Roadway to accommodate the Vehicle he/she is driving without obstructing the passage of other Vehicles or Pedestrians.

SECTION 7.8 *Care in Starting, Stopping, Turning, or Backing*

The Driver of any Vehicle shall not start, stop, turn from a direct line, or back his/her Vehicle unless such movement can be made safely. If such movement cannot be made safely, or if it interferes unduly with the normal movement of other Traffic, said Driver shall wait for a more favorable opportunity to make such movement.

SECTION 7.9 *Backing around Corners or Into Intersections Prohibited*

The Driver of any Vehicle shall not back such Vehicle around a corner at an Intersection or into an Intersection of streets.

SECTION 7.10 *Left Turns Prohibited*

No Driver of any Vehicle shall make a left turn, where prohibited by an Official Traffic Sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.11 *Only Left Turn Movements Permitted*

No Driver of any Vehicle shall proceed in any direction other than to the left, at the points of Intersection, where prohibited by an Official Traffic Sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.12 *Right Turns Prohibited*

No Driver of any Vehicle shall make a right turn, where prohibited by an Official Traffic Sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.13 *Only Right Turn Movements Permitted*

No Driver of any Vehicle shall proceed in any direction other than to the right at the points of Intersection where prohibited by an Official Traffic Sign, signal, marking or other device, erected

and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.14 *Obedience to Lane Control Devices*

Where official Traffic control devices are erected directing specific Vehicles to use a designated Lane or Lanes for Traffic moving in a particular direction, regardless of the center of the Roadway, or to prohibit a turn or to make a required turn at an Intersection of Roadways, Drivers of Vehicles shall obey the direction of every such device. For example: Right Lane must turn right and left Lane must turn left.

SECTION 7.15 *U-Turns Regulated*

No Driver shall turn a Vehicle so as to proceed in the opposite direction unless such turn can be made without backing up and without causing any approaching Driver to decrease speed or change his/her course.

SECTION 7.16 *U-Turns Prohibited*

No Driver shall make a U turn, where prohibited by an Official Traffic Sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.17 *Obedience to Isolated Stop Signs*

In accordance with the provisions of MGL Chapter 89, Section 9, as most recently amended, certain streets are designated as "Stop Streets." The list of streets or parts thereof where the direction of Vehicles is restricted and is designated as stop streets is on file with the office of the Board of Selectmen.

SECTION 7.18 *Obedience to Yield Signs*

In accordance with the provisions of MGL Chapter 89, Section 9, as most recently amended, certain Public Ways are designated as "Yield Streets." The list of streets or parts thereof where the direction of Vehicles is restricted and is designated as Yield Streets is on file with the office of the Board of Selectmen.

SECTION 7.19 *Driving on Sidewalks or Bicycle Paths*

The Driver of a Vehicle shall not drive on or over any Sidewalk or Bicycle Path except at a permanent or temporary driveway or at an intersection of streets. The Driver of a Vehicle, prior to driving on or over any such driveway, shall yield the right-of-way to any Pedestrian or Bicycle approaching within five (5) feet of such driveway.

SECTION 7.20 *Driving Over Traffic Islands Prohibited*

The Driver of a Vehicle shall not drive on or over any Traffic Island unless directed to do so by a Police Officer.

SECTION 7.21 *Driving Through Safety Zones Prohibited*

No Driver of any Vehicle shall drive into, over or through a Safety Zone, except on signal from a Police Officer.

SECTION 7.22 *Emerging from a Private Road or Driveway*

The Driver of a Vehicle emerging from a Private Way, driveway, or garage, shall stop such Vehicle immediately prior to driving upon the Sidewalk or Bicycle Path area extending across the front of such driveway or garage, and where no such Sidewalk exists, the stop shall be made at the building or property line as the case may be. Upon entering the Roadway the Driver shall yield the right-of way to approaching Vehicles.

SECTION 7.23 *Special Speed Rules and Regulations*

In accordance with the provisions of these Rules and Regulations, a special school zone speed restriction of twenty (20) miles per hour has been established on certain Public Ways. The following streets are designated as school zones:

- a) Trowbridge Road from Sandy Lane to Cotuit Road
- b) Waterhouse Road from Cotuit Road to approximately #84 Waterhouse Road
- c) Ernest Valerie Way in the area of the Bournedale Elementary School

SECTION 7.24 *Rights and Duties in Funeral or Other Processions*

- a) It shall be the duty of each Driver in a Funeral or other procession to keep as near to the right edge of the Roadway as is feasible to follow the Vehicle ahead as closely as is practicable and safe.
- b) At an Intersection where a stop sign or yield sign is located, the Driver of the first Vehicle in a Funeral or other procession shall be the only one governed by the Traffic signal indication or the stop or yield sign, and after the first vehicle enters the intersection, all other vehicles in the procession must proceed together in a group.

SECTION 7.25 *Clinging to Motor Vehicles*

No person traveling upon a sled, roller skates, coaster, bicycle or any toy vehicle shall cling to, or attach himself or such conveyance to any other moving vehicle upon any roadway.

SECTION 7.26 *Riding on Vehicle Prohibited*

- a) No person shall ride on any portion of a motor vehicle not designated or intended for the use of passengers except that an employee or invitee of the owner of a truck may be permitted to ride in that part of the truck within which the load is usually carried.
- b) No person shall board or alight from a vehicle while it is in motion.

SECTION 7.27 *Drivers Must Report Accidents*

Every person operating a motor vehicle which is in any manner involved in an accident in which any person is killed or injured or, in which there is damage in excess of one thousand dollars (\$1,000.00) to any one vehicle or other property, shall report such accident within five (5) days to the Registrar and to the Police Department in accordance with the provisions of Chapter 90, Section 26, of the General Laws.

ARTICLE VIII: PARADES, PROCESSIONS, AND FORMATIONS

SECTION 8.1 *Parades, Processions, and Formations*

No Person, excepting the forces of the United States military, the military forces of the Commonwealth of Massachusetts, and the forces of the police and fire departments shall take part in any parade, procession or other organized formation of Persons or Vehicles, other than a Funeral procession or a picket line, in or upon any Public Way under the control of the Town unless the Board shall have first issued a permit for such parade, procession, or formation. The Board shall issue such permit in all cases except where the time, place, and manner are not in conformity with the provisions set forth below or where the permit would conflict as to time or place with a permit previously issued.

- a) The written request for the permit shall be filed with the Town not more than twelve (12) months or less than three (3) business days prior to the occurrence and should include the following:
 - 1) The date and starting time.
 - 2) The name, address, and telephone number of the applicant and name of the organization involved.
 - 3) The formation or assembly area and time therefor.
 - 4) The route of the parade or motorcade and what portions of the streets traversed may be occupied by such parade, procession, or formation.
 - 5) The approximate number of people and vehicles in the parade or motorcade.
- b) No permit shall be issued authorizing a parade, procession, or formation under the following conditions:
 - 1) When the sole purpose is advertising any product, goods, wares, merchandise, event, or is designed to be held for private profit.
 - 2) Between the hours of 10:00 PM to 7:00 AM in areas that are principally residential.
- c) The Police Chief or his designee may modify the requested route or time of a parade under the following conditions:
 - 1) When the size of the parade, based upon the expected number of participants and spectators, cannot be safely accommodated on the proposed route because of the capacity of the Roadway or other conditions.
 - 2) When the route or time conflicts with another parade or other public event to such an extent that the public order or safety is threatened. The determination shall be based upon the inability of the Roadway to safely accommodate the expected number of participants and spectators; or the inability to develop safe traffic detours because of the street configuration and traffic congestion in the area.
 - 3) Any modification of the route or the time shall be narrowly tailored to address the conditions and shall be done in consultation with the permit applicant unless the applicant is unavailable or declines to consult with the Police Chief.
 - 4) Any modification to the requested route or time, or any determination by the Police Chief or his designee, shall be in writing to the applicant and shall set forth a basis for such determination.

ARTICLE IX: ACCIDENT REPORTS, RESPONSIBILITY, PENALTIES, SCHEDULE OF FINES, AND REPEALS

SECTION 9.1 *Owner Prima Facie Responsible for Violations*

If any vehicle is found upon any street or highway in violation of any provisions of these rules and orders and the identity of the driver cannot be determined, the owner or the person in whose name such vehicle is registered, shall be held prima facie responsible for such violations.

SECTION 9.2 *Penalties*

Whoever violates any of the provisions of these Rules and Regulations, or whoever violates any Temporary or Experimental Rule shall be punished by a fine amount as if a permanent Regulation.

SECTION 9.3 *Parking Violation Notice*

Officers empowered to enforce these Parking Regulations shall use the Standard Town Parking Violation Notice for said violation as issued by the Chief of Police.

SECTION 9.4 *Non-Criminal Violation Citation*

Officers authorized to enforce the Rules and Regulations may use the Standard Town Non-Criminal Violation Notice.

SECTION 9.5 *Severability*

The provisions of the Rules and Regulations are hereby declared to be severable; and if any provision of the Rules and Regulations is invalid, such invalidity shall not affect or impair any other provision hereof.

SECTION 9.6 *Schedule of Fines*

Violations That May Result in a Fine and Removal of Vehicle			
Description	County Parking Code	Regulation #	Fine
Improper parking in Handicapped Space	01	4.1.2	\$100
Fire Lane	29	4.3(s)	\$50
Within Ten Feet of Hydrant	05	4.1(d)	\$50
Impeding Snow Removal	02	4.2.1	\$50

Violations That May Result in a Fine ONLY			
Description	County Parking Code	Regulation #	Fine
Bus stop	13	4.3(m)	\$100
All other Violations of these Rules & Regulations			\$50

APPROVAL

Approved by a vote of the **Board of Selectmen**

March 7, 2017
DATE

Board of Selectmen

[Signature]
CHAIRMAN

[Signature]

George G. Gadey

[Signature]

Michael A. Blanton

A TRUE COPY, ATTEST:

[Signature]
TOWN CLERK