

Town of Vienna Parking Ordinance

Authority: This Parking Ordinance is adopted pursuant to 30-A M.R.S.A. 3009.

Purpose: This ordinance is designed to protect public health, safety, and welfare by regulating the parking of motor vehicles at certain times on certain public ways. Unrestricted parking on public ways can create traffic hazards, may be dangerous to pedestrians and motorists, or prevent access for emergency vehicles; it is the purpose of this ordinance to reduce these dangers.

Definitions:

“Public Way” means any town way or public easement as defined in 23 M.R.S.A. 3021, and any portion of any State or State-Aid Highway located within the town. This term includes ways commonly designated as streets, lanes, roads, and avenues, and it includes the paved or unpaved shoulders of such ways.

“Motor Vehicle” is any vehicle as defined in 29 M.R.S.A. 1.

Any other term used in this ordinance shall have its common, ordinary meaning, unless otherwise indicated.

Regulated Areas:

When signs are erected or posted giving notice, no person shall park any motor vehicle on the following public ways or specified portions thereof.

Regulated Times:

When signs are erected or posted giving notice, no person shall park any motor vehicle in the above designated public ways, or portions thereof between the dates and/or times of:

Exceptions: This ordinance does not apply to motor vehicles parked in prohibited areas for the following reasons:

- Mechanical problems or breakdown
- Emergencies
- Maintenance, construction, repair or installation of utilities
- State or Municipal agencies in the performance of their duties

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Penalties: Any person found in violation of this ordinance by a Court of competent jurisdiction shall be subject to a fine of not more than \$100.00, nor less than \$25.00. All fines accrue to the Town of Vienna.
Persons charged with violating this ordinance may waive court action by the payment of a fee of \$15.00 within 7 days after receiving notice of this violation. All such waivers and payments of fees shall be made through the clerk of the Town of Vienna.

Towing of Vehicles:

Any motor vehicle parked upon a public way of the Town of Vienna in a place, manner, or for a length of time prohibited by this Ordinance, or during any Parking Ban declared by the Town Officers/ Road Commissioner/ Town Constables (provided that such notice has been given by a posting 24 hours prior to the Parking Ban, or 4 hours prior to the Ban by the notification to a radio station serving the area) is hereby declared to be an obstruction in the public way and a hazard to the traveling public.

Any motor vehicle parked which constitutes an obstruction in the public way as defined above may be towed to a suitable garage or storage space under the direction of the Town Officers/ Road Commissioner/ Town Constables, and impounded thereon until all towing and storage fees are paid.

When any motor vehicle is towed pursuant to this Ordinance, the following procedure shall be followed:

Notice shall be sent to the registered owner of the vehicle by regular 1st class mail, postage prepaid, within 48 hours following the tow.

The notice shall contain the following information: registration number and brief description of the vehicle, name and address of person or company who performed the tow, location where the vehicle is stored, provision of the Ordinance which was violated, and towing fee and storage fees.

Enforcement: This Ordinance shall be enforced by the Officers of the Town of Vienna, or their duly appointed designees. Violations of this Ordinance shall be traffic infractions and shall be prosecuted, if necessary, in the appropriate District Court.

Severability: In the event that any portion of this ordinance is found by a court to be invalid, the remaining portions shall remain in full force and effect.

Effective Date:

This Ordinance shall become effective as adopted by a majority of the Vienna Town Officers on September 2, 1997.

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Parking Restrictions

Parking will be permanently banned, so cars parked in violation of this ban may be towed, on the following areas of Roads in the Town of Vienna:

Kimball Pond Road on the South side from the first Fire Hydrant off Route 41 to the Kelley Camp on the shore of the Grist Mill Pond.

Tower Road on the West side between signs at the Parker Pond Boat Launch and Fire Hydrant.

Vienna Mountain Road between signs in front of the Union Hall.

This permanent parking ban will be in effect from 6:30 PM on Tuesday, August 17, 1999.

Board of Selectmen

Alfred J. Hill
Charles M. Wade
Sorin A. Thompson