

CITY OF GARDINER CODE

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CHAPTER 7 Dog Control Provisions

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Section 1760. Dogs to be Licensed.

No dog shall be kept within the limits of the City of Gardiner unless such dog shall have been licensed by its owner in accordance with the statutes of the State of Maine. For the purposes of this chapter, "owner" shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.

Section 1761. Dogs Running at Large.

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Section 1760. Dogs to be Licensed. No dog shall be kept within the limits of the Town of Readfield unless such dog shall have been licensed by its owner in accordance with the statutes of the State of Maine. For the purposes of this chapter, "owner" shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.

Section 1761. Dogs Running at Large. No owner of any dog shall permit such dog to run at large within the Town of Readfield. For the purposes of this chapter, "run at large" shall mean off the premises of the owner and not under the control of any person by leash, cord, chain or otherwise.

Section 1762. Barking Dogs. No owner shall keep or harbor any dog which by loud, frequent, or habitual barking, howling or yelping shall disturb the peace of any person or persons.

Section 1763. Impoundment. The Animal Control Officer of the Town of Readfield on complaint shall apprehend any dog kept in violation of the licensing provisions of section 1760 or found running at large in violation of the provision of section 1761 or disturbing the peace by barking in violation of section 1762, and impound such dog in the city dog pound or other suitable place. The person in control of impounding upon receiving any dog shall make a complete registry, entering the breed, color and sex of such dog and whether licensed or unlicensed. If licensed he shall enter the name and address of the owner and the number of the license tag.

Section 1764. Notice of Impoundment. If the owner or keeper of such impounded dog is known or can be ascertained with reasonable diligence, then the person in control of impounding shall notify such owner or keeper as soon as possible, and in any case not later than 3 days of the receipt of such dog. If the owner of such dog is not known and cannot be ascertained with reasonable diligence, then the person who has control of impounding shall post, within 48 hours of the time such person shall have taken such dog into his possession, written notices in 3 public places in the Town of Readfield, giving a description of the dog, stating where it is impounded and the conditions for its release.

Section 1765. Release from Impoundment. The owner or keeper of any impounded dog may obtain the release of such dog by appearing before the person in control of impounding within 10 days of receiving notice of such impoundment or within 10 days of the posting of such notice and satisfying the following requirements: (a) compliance with all licensing requirements of the State of Maine and the Town of Readfield; (b) payment to the city treasurer of impoundment fee of \$15.00; (c) payment to the city treasurer of the sum of \$5.00 per day for each day, or part thereof, that such dog has been impounded.

Section 1766. Disposition of Dogs. Upon the expiration of the 10 day period after the posting of said notice or service of said notice on the owner or keeper of such dog, and such dog has not been reclaimed by its owner or keeper, the dog may be humanely destroyed or placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this ordinance. The person having control of impounding shall keep a record of the disposition made of each dog placed in his control. Such record shall include the manner of disposing of such dog and, if such dog is transferred to another person, the name and address of the transferee. In addition, the transferee shall sign a statement giving his name, address and the date of delivery or receipt of the dog.

Section 1767. Penalties. Whoever keeps a dog contrary to the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$50.00.

Section 1768. Canine Waste Disposal

A. Duty to Dispose

It shall be a violation of this ordinance for any person who owns, possesses or controls a dog to fail to remove and dispose of any feces left by his/her dog on all sidewalks streets, parks and public land within the Town of Readfield.

B. Enforcement The provisions of this ordinance may be enforced by the Animal Control Officer.

C. Penalties for Violation Violation of this ordinance shall be punished by a civil penalty not to exceed fifty dollars (\$50.00) for each occurrence.

D. Exemption This regulation shall not apply to a dog accompanying any handicapped person who, by reason of his/her handicap, is physically unable to comply with the requirements of this ordinance.

CHAPTER 8 Trespassing of Animals

SECTION 1785. Animals Trespassing upon the Land of Another

SECTION 1786. Penalties

Section 1785. Animals Trespassing upon the Land of Another.

Whoever permits his cattle, horses, sheep or swine to enter in and upon any land commercially used, including parking lots, residential property, including summer residences and cottages, or the improved lands appertaining to any farm, after having been forbidden to do so by the owner or occupant thereof, either personally or by an appropriate notice posted conspicuously on the premises, or by law enforcement officer, shall be guilty of trespass.

Section 1786. Penalties.

Whoever allows an animal to trespass upon the land of another contrary to the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100.00

Chapter 14 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE I. - IN GENERAL

Sec. 14-1. - Obstruction of public ways prohibited.

- (a) Three (3) or more persons shall not gather in a group or near each other on any public way or other public property in such a manner as to obstruct free passage.
- (b) A person shall not obstruct or attempt to obstruct the free flow of vehicular traffic by thrusting himself, another person, or an object into a public way.

Sec. 14-3. - Fires prohibited. A person shall not ignite a fire on any public way or other public property without first obtaining a permit from the fire chief.

Sec. 14-4. - Certain games prohibited. A person shall not fly a kite, play at any game of ball, or throw a stone or other object on any public way, public park, public mall, or public parking lot. Games may be played on a public mall under the supervision of a physical education teacher by elementary school children as part of their physical education program.

Sec. 14-5. - Littering prohibited. A person shall not place or cause to be placed on any public way, public park, public mall, public parking lot, or other public property any refuse of any kind including, but not limited to, glass, metal, wood, or paper products, and garbage except in proper containers placed there for the collection of garbage or rubbish, or except at a municipal dump.

Sec. 14-6. - Occupancy of parks limited.

A person shall not occupy in any manner a public park, public parking lot between 12:00 midnight and 6:00 a.m. except along the sidewalks or walkways for the purpose of going from one (1) place to another.

Sec. 14-26. - Protection of monuments, stones, trees, etc. All monuments, boundary stones, curb stones, stepping stones or horse blocks, trees, lamp posts, posts and hydrants, and all other things placed or to be placed within the limits of the roads, ways and streets of the town, for town purposes, shall be located by the town council, who shall keep a record thereof. No such objects shall be deemed defects in such road, way or street. No person shall wantonly or intentionally injure or remove any such object so placed and located.

Sec. 14-29. - Numbering system. The following criteria shall govern the numbering system:

- (a) Numbers shall be assigned every fifty (50) feet along both sides of the road, with even numbers appearing on the right side of the road and odd numbers appearing on the left side of the road, as the numbers ascend. A twenty-five-foot or less interval may be applied in more densely structured areas.
- (b) All number origins shall begin from the center of town or that end of a road closest to the designated origin. For dead end roads, numbering shall originate at the intersection of the adjacent road and terminate at the dead end.
- (c) The number assigned to each structure shall be that of the numbered interval falling closest to the front door or the driveway of said structure if the front door cannot be seen from the main road.
- (d) Every structure shall have a separate number, apartments will have one road number with an apartment number, such as 235 Maple Road, Apt 2.

Sec. 14-30. - Compliance.

(a) **All owners of structures** shall, within ninety (90) days following the effective date of this ordinance, display and maintain in a conspicuous place on said structure, assigned numbers in accordance with subsections (b) through (e).

(b) **Number on the structure or residence.** Where the residence or structure is within fifty (50) feet of the edge of the road right-of-way, the assigned number shall be displayed on the front of the residence or structure in the vicinity of the front door or entry.

(c) **Number at the road line.** Where the residence or structure is over fifty (50) feet from the edge of the road right-of-way or is otherwise not visible from the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box, or on some structure at the property line adjacent to the walk or access drive to the residence or structure.

(d) **Size, color, and location of number.** Numbers shall be of a color that contrasts with their background color and shall be a minimum of four (4) inches in height. Numbers shall be located to be visible from the road in any direction of travel at all times of the year.

(e) **Proper number.** Every person whose duty it is to display an assigned number shall remove any different number which might be mistaken for, or confused with, the number assigned in conformance with this ordinance.

(f) **Interior location.** All residents and other occupants shall post their assigned number and road name adjacent to their telephone for emergency reference.

Sec. 14-31. - New construction.

(a) All new construction shall be named and numbered in accordance with the provisions of this ordinance and as follows.

(b) New construction. Whenever any residence or other structure is constructed or developed, it shall be the duty of the new owner to obtain an assigned number from the town assessor. This shall be done prior to the issuance of the certificate of occupancy.

(c) On new structures, numbering in accordance with [section 14-30](#)(b)—(f) will be installed prior to the issuance of a certificate of occupancy.

Sec. 14-32. - Penalties. The code enforcement officer shall give a property owner who violates any of the provisions of this code a written notice of violation, which shall include the action necessary to correct the violation, and allow two (2) weeks for correction before enforcement under this section.

A person who violates any of the provisions of this code shall be punished by a civil penalty in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B to this Municipal Code of Ordinances. This code shall be enforced by the code enforcement officer.

Chapter 15 - TRAFFIC AND VEHICLE

ARTICLE I. - IN GENERAL

Sec. 15-0. – Ordinance Authority and Limitations. 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 municipality; 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.

Sec. 15-1. - Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle shall mean every device propelled by human power upon which any person may ride, having two

(2) tandem wheels either of which is more than twenty (20) inches in diameter.

Emergency vehicle shall mean vehicles of the fire department, police department, ambulance and other vehicles of municipal departments or public service corporations which are designated by the commissioner of public safety as emergency vehicles.

Loading zone shall mean an area designated for the loading or unloading of passengers or freight.

Motorcycle shall mean an open vehicle with one (1) front wheel and one (1) or two (2) rear wheels.

Motor vehicle shall mean any vehicle which is self-propelled.

Restricted parking areas shall mean those areas in which no parking or limited parking is allowed.

Skateboard shall mean a device propelled by human power consisting of a deck, two (2) trucks (a device used for mounting wheels to the deck), and four (4) wheels.

Vehicle shall mean any device in or on which a person or thing may be conveyed from one (1) place to another along a way.

Sec. 15-2. - Enforcement. When necessary to meet an emergency situation in the interest of the health, safety or general welfare of the residents of the town, the Fire Chief, or his designee, may temporarily suspend any provision of this chapter. He may restrict and divert vehicular and pedestrian traffic, and he may restrict or regulate parking.

Sec. 15-4. - Obedience to chapter. The operator of any vehicle shall obey this chapter unless otherwise directed by a police officer.

Sec. 15-6. - Public vehicles subject to regulations. This chapter also applies to all public vehicles and their drivers.

Sec. 15-7. - Authority to remove vehicles.

Declaration of emergency parking ban. The town manager, or his or her designee, may declare an emergency parking ban. The declaration of an emergency parking ban may be made applicable to all town streets and municipal parking lots or only to certain lots, streets or streets within a defined perimeter. Such a declaration of emergency shall be for the purpose of plowing or removing snow or ice which has accumulated, or for other good cause stated in the declaration of the parking ban. Any such declaration shall be reduced to writing as soon as practicable thereafter stating the reasons therefore. The declaration shall be made no less than six (6) hours prior to the starting time of the ban. Such declaration shall be communicated to such representatives of the communications media as the town manager may direct.

Violation of emergency parking ban. It shall be unlawful for any vehicle to be or remain parked on any street, including any unaccepted street subject to a declaration of emergency no parking during the effective time of such declared emergency. Any vehicle in violation will also be subject to removal at the owner's expense.

• **Sec. 15-8. – Deposits of snow in municipal streets.** No person shall throw or deposit any body of ice, slush, or snow that has not accumulated there naturally, in any public way of the town, or cause the same to be done, without forthwith causing the same to be removed from said public way.

ARTICLE II. - TRAFFIC-CONTROL DEVICES

• **Sec. 15-26. - Installation and maintenance of traffic signs.** The Road Commissioner, with the aid of the Maintenance Department, shall place and maintain all traffic signs authorized by the Select Board and this chapter.

• **Sec. 15-27. - Official traffic signs required.** Any provision of this chapter for which signs are required may not be enforced if at the time and place of the alleged violation an official traffic sign is not properly positioned and sufficiently legible to be seen and read by an ordinarily observant person.

ARTICLE III. - SPECIFIC STREET REGULATIONS

Sec. 15-52. - Designation of crosswalks. Crosswalks are established at the approximate locations as designated by the Road Commissioner and are on file in town clerk's office. These shall be clearly designated as such by appropriate markings, or signs, or both.

Sec. 15-53. - Crosswalk signs. Crosswalk signs must be placed on all crosswalks situated on town roads.

ARTICLE IV. - STOPPING, STANDING, PARKING

The Board of Selectpersons is hereby authorized, from time to time, as it may deem the same necessary and expedient for the proper control of traffic and for the safety of the public.

- A. To establish cross-walks for pedestrians over and across public streets and intersections, which shall be clearly designated as such by appropriate markings, or signs, or both. When traffic is not controlled by signal or by officer, the driver of a vehicle shall yield the right of way slowing down or stopping if need be, to a pedestrian on such cross-walk.
- B. To prohibit any stopping or parking of vehicles in designated areas on any public street or way or any

municipally operated or controlled parking lot by causing to be erected or placed in such areas appropriate signs or markings clearly indicating such restrictions.

- C. To designate upon the streets and ways or any municipally operated or controlled parking lot, by appropriate signs or markings, those portions of the same where vehicles may be stopped or parked at any angle to the curb or edge of the street. If so designated, vehicles shall not be stopped, or parked other than parallel with the edge of the roadway, headed in the direction of lawful traffic and with the right hand wheels of the vehicle within 18 inches of the curb or edge of the street, except as follows:
 - 1. Where diagonal, right angle, or angle parking is permitted.
 - 2. On streets where one-way traffic is in effect and where parking is permitted at the left curb or edge of street, then if the vehicle is parked at the left curb or edge of street, the left wheels of such vehicle shall be within 18 inches of said curb or edge of street.
- D. To establish one way traffic on such streets and ways at such times of the year as may appear necessary, by appropriate signs or markings clearly indicating such restrictions.
- E. To close streets or amend parking regulations when the Board of Selectpersons determines a need exists.

Sec. 15-71. - Rules governing stopping and parking.

The following rules govern the stopping and parking of vehicles:

- (1) **Prohibited in certain places.** Except in compliance with a statute or with this chapter, a person shall not stop or park a vehicle on any public way or any municipally operated or controlled parking lot in any of the following places:
 - a. On a sidewalk.
 - b. In front of a public or private driveway.
 - c. Within an intersection.
 - d. Within seven (7) feet of a fire hydrant, except as otherwise designated by the Road Commissioner.
 - e. On a crosswalk.
 - f. Alongside or opposite any excavation or obstruction when stopping or parking would obstruct traffic.
 - g. On the roadway side of any vehicle stopped or parked at the edge or curb of a public way.
 - h. On any bridge or other elevated structure or in a tunnel.
 - i. At any place where official signs or yellow striped areas or yellow curbing indicates a restricted, no-stopping or no-parking area.
 - j. Within twenty (20) feet of a marked crosswalk.
 - k. Within twenty (20) feet of the near corner of the curbs at an intersection unless otherwise designated.
- (2) **Not to obstruct traffic.** A person shall not park any vehicle on a public way so as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.
- (3) **Parking within lines.** Where parking places are marked by painted lines, a person must park a vehicle within the lines.
- (4) **Interfering with snow removal and/or plowing.** A person shall not park a vehicle at any time from November 1 to April 1, on any public way so as to interfere with plowing or the removal of snow from it by the town. The Road Commissioner, any municipal official, or law enforcement officer may order the removal of any such vehicle and place it in a suitable parking space, at the risk and expense of the owner. For the purpose of facilitating snow removal, the Road Commissioner may place temporary signs along any public way from which the snow is about to be removed, indicating that parking a vehicle is prohibited. A person shall not park a vehicle within the area indicated by the signs.

Sec. 15-72. - Restricted parking area legend. Restricted parking areas of any type must be indicated by yellow curbing, yellow striped areas or by appropriate signs.

Sec. 15-74. - No-parking areas. (From Ordinance dated 10-24-1988.)

- **The following areas are designated as no-parking areas:**

Church Road, 70 feet from the center of Main Street, both sides.

Main Street, 65 feet from the center of Church Road toward Maranacook Lake, on the Mt. Vernon side of the road.

Main Street, 96 feet from the center of Route 41 toward Maranacook Lake, on the Winthrop side of the road.

Route 41, 50 feet from the center of Main Street, both sides.

Main Street, 83 feet from the center of Route 41 toward Fayette, on the Winthrop side of the road.

Main Street, 85 feet from the center of Church Road toward Fayette, on the Mt. Vernon side of the road.

For each road listed above, only parallel parking will be permitted after the above distances.

Sec. 15-75. - No-parking signs. No-parking signs must be placed in no-parking areas in such a manner as to be seen and understood by an ordinarily observant person.

Sec. 15-78. - Disability parking. A person shall not park a vehicle in a parking stall specifically designated and clearly marked for persons with physical disabilities unless the vehicle is equipped with a special designating plate or displays placard issued by the secretary of state under the provisions of and in compliance with 29A M.R.S.A. § 521. A person shall not park in an access aisle adjacent to a disability parking space regardless of whether the person has been issued a disability registration plate or removable placard by the State of Maine. Disability access aisles shall be marked by painting on the pavement a rectangular box with white or yellow diagonal stripes.

ARTICLE V. - RULES FOR OPERATION OF VEHICLES

Sec. 15-102. - Sidewalks. A person shall not drive a vehicle within any sidewalk area except at a driveway.

ARTICLE VI. - PEDESTRIANS

- **Sec. 15-121. - Right-of-way at crosswalks.** Where traffic-control signals are not in place or in operation, the operator of a vehicle shall yield the right-of-way to a pedestrian crossing a public way within any marked crosswalk or at any intersection protected by a stop sign. When any vehicle is stopped at a crosswalk or intersection to permit a pedestrian to cross, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

- **Sec. 15-122. - Crossing at other than crosswalks.** Every pedestrian crossing a public way at any point other than within a crosswalk or protected intersection shall yield the right-of-way to all vehicles on the way.

- **Sec. 15-123. - Walk on left side of roadway.** Pedestrians shall walk on a sidewalk when there is one, otherwise, they shall walk on the left side of a public way, and shall yield to oncoming traffic by stepping off the paved portion of the way when traffic approaches.

ARTICLE VII. - BICYCLES AND SKATEBOARDS

Sec. 15-143. - Method of riding on sidewalks. No person shall ride a bicycle or skateboard on a sidewalk except in a prudent and reasonable manner having proper regard for public safety. In all cases, bicyclists on a sidewalk shall yield the right-of-way to pedestrians.

Suggestion for annual use, not to be included in the ordinance; used in Clinton Maine

Winter Parking Ban and Clearing Snow from Driveways

Public Notice

The Clinton Board of Selectmen is requesting that you assist the highway department and the Town's snowplow contractor with keeping all public ways safe to travel this winter season.

The following provisions in the Town's "Ordinance Relating to Traffic Control and Parking" state:

Plowing Snow Across Town Right-of-Way: Person may not place and allow to remain on a Town Right-of-Way, snow or slush that has not accumulated there naturally, plowing snow on to or across a right of way is prohibited.

Parking Not to Hinder Snow Removal: No person shall park or permit a vehicle to remain parked, in any street of the Town from November 1 thru April 1, so as to interfere with or hinder snow removal or snow plowing operations. Any municipal official or law enforcement officer may order the removal of any such vehicle at the risk and expense of the owner.

If you have any questions, please don't hesitate to contact the Town Manager's office at (207) 426-8322 or clintontm@roadrunner.com.

Clinton Board of Selectmen

Suggestion for website, not to be included in the ordinance; used in Brunswick Maine

Source: <http://www.brunswickme.org/departments/public-works/winter-services/>

Winter Services

General

In the winter months, Public Works maintains over 140 miles of public roads. We divide these miles into 20 plow routes, 6 of which are maintained by a private contractor working for us (presently Harry C. Crooker & Sons, Inc.).

When a Storm Begins:

For nighttime and weekend storms we rely on the Police Department to call our on call Foreman when road conditions deteriorate. When a snowstorm (or freezing rain) begins, eight of our plow units also have sanders. We start work by first sanding or salting the major arteries (River Rd, Durham Rd, Pleasant St, Mill St, Maine St, Bath Rd, Route 123 and Route 24), and then the in-town streets and collector roads. Our goal is to keep the roads as safe as possible and try to keep snow or ice from bonding and packing to the pavement.

As the Storm Continues: (see website for full information)