

**Public Ways, Traffic, and Parking
Ordinance
Of the
Town of Readfield, Maine**

ENACTED: October 17, 2022

CERTIFIED BY: 
Signature

CERTIFIED BY: Kristin Parks
Printed Name

Town Clerk
Title



— **Public Ways, Traffic, and Parking Ordinance
of the
Town of Readfield, Maine**

TABLE OF CONTENTS

1. GENERAL PROVISIONS	1
2. ESTABLISHMENT & AUTHORITY	1
3. DEFINITIONS	2
4. PARKING & USE RESTRICTIONS	2
5. TRAFFIC CONTROL DEVICES	4
6. SNOW REMOVAL AND PLOWING	5
7. OBSTRUCTION OF TRAFFIC	5
8. TEMPORARY ROAD CLOSURE	6
9. ROAD OPENING	8
10. WEIGHT RESTRICTIONS & ROAD POSTING	10
11. DRIVEWAY SITING & CULVERTS	13
12. ENFORCEMENT & PENALTIES	16
13. CONFLICTS WITH OTHER ORDINANCES	17
14. AMENDMENT	17
15. SEVERABILITY	17
16. ABROGATION	17
17. APPENDICES	17

1. GENERAL PROVISIONS:

- A. This Ordinance shall be known and may be cited as the "Public Ways, Traffic, and Parking Ordinance" and will be referred to herein as this Ordinance.
- B. The purpose of this Ordinance is to improve safety hazards and the risk of injury to the traveling public, aid to in the control of the movement and stopping of vehicular traffic, to prevent damage to and extend the life expectancy of public ways, and to reduce the public expense for their maintenance, operation, and repair within the Town of Readfield,
- C. The provisions of this Ordinance apply to all public ways under the jurisdiction of the Town of Readfield. This Ordinance does not govern traffic, parking, or pedestrian activity on private ways.
- D. This ordinance does not apply to motor vehicles parked in a prohibited area for the following reasons:
 - 1. Mechanical problems or breakdown lasting less than 24 hours;
 - 2. Emergency situations;
 - 3. Maintenance, construction, repair or installation of utilities or the public way by any State or municipal agency or utility company.

2. ESTABLISHMENT & AUTHORITY

- A. This Ordinance is established under M.R.S. Title 30-A §3009 and §4452, and M.R.S. Title 29-A §2395 and §2388, pursuant to an affirmative vote by the Town of Readfield Select Board.
- B. The Select Board has the exclusive authority to enact all traffic ordinances in the municipality, subject to the following provisions:
 - 1. The Select Board 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.
 - 2. The Select Board may regulate the operation of all vehicles in the public ways and on publicly owned property.
 - a. The violation of any ordinance authorized by this paragraph is a civil violation.
 - b. 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)].

3. The municipal officers may regulate the parking of motor vehicles on any public way or public parking area.

3. DEFINITIONS

Except as otherwise provided herein, the definitions contained in M.R.S shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

- A. Designee - Any person granted permission to enforce this Ordinance, including but not limited to municipal officials and State, County, and other law enforcement officials.
- B. Public Way - As read in this Ordinance, "public way" means any public road, bridge, parking area, sidewalk, way dedicated to public use; or way upon which the public has a right of access or has access as invitees or licensees.
- C. Sight Distance - The length of unobstructed sight line of motor vehicle drivers in normal daylight conditions. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points: (1) sitting in the access viewing vehicles traveling on the highway (both left and right), (2) traveling on the highway viewing a vehicle sitting in an access and (3) traveling on the highway viewing a vehicle turning into the access (both ahead and behind). In case of discrepancy between these measurements, the lesser measurement will be used to determine whether the sight distance standard is met. Sight distance is measured to and from the point on the centerline of the proposed access that is located 10 feet from the edge of traveled way. The height of the hypothetical person's view is considered to be 3½ feet above the pavement and the height of the object being viewed is considered to be 4¼ feet above the pavement.

4. PARKING & USE RESTRICTIONS

A. Readfield Corner.

1. There shall be NO PARKING at any time in the following areas
 - a. On Church Road, starting at the center of Main Street and continuing 70 feet northerly along both sides of the road.
 - b. On Main Street, starting at the center of Church Road and continuing 90 feet easterly toward Maranacook Lake, on the Mt. Vernon (north) side of the road.
 - c. On Main Street, starting at the center of Route 41 and continuing 200 feet easterly toward Maranacook Lake, on the Winthrop (south) side of the road.

- d. On Route 41, starting at the center of Main Street and continuing 50 feet southerly along both sides of the road.
 - e. On Main Street, starting at the center of Church Road and continuing 90 feet westerly toward Fayette, on the Mt. Vernon (north) side of the road.
 - f. On Main Street, starting at the center of Route 41 and continuing 90 feet westerly toward Fayette, on the Winthrop (south) side of the road.
2. Only parallel parking shall be allowed outside of the above referenced areas.

B. Town-Wide.

1. Parking is allowed only on one side of any public way unless otherwise designated and only in areas where doing so does not violate other provisions of this Ordinance. Parking on both sides of any public way is prohibited unless prior consent is granted by the Road Commissioner or designee.
 - a. It is the responsibility of the property owner, organizer, or sponsor of any event requiring on-street parking to ensure that this requirement is met.
 - b. Signage identifying which side of the street is restricted must be in place prior to the start of the event and must be removed within 24 hours of the end of the event.
 - c. Signage shall include clear language stating "NO PARKING THIS SIDE" or similar.
2. Except in compliance with a statute or with this Ordinance, a person shall not stop or park a vehicle on any public way in any of the following places:
 - a. On a sidewalk.
 - b. In front of a public or private driveway.
 - c. Within an intersection.
 - d. In any location that obstructs access to, and in no case is 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.
 - 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 unless otherwise designated.
 - k. Within twenty (20) feet of the near corner of the curbs at an intersection unless otherwise designated.
3. A person shall not park any vehicle on a public way so as to leave available less than twenty (20) feet of the width of the traveled portion of the roadway for free movement of vehicular traffic without prior approval of the Road Commissioner.
 4. The Road Commissioner may designate areas of any Public Way as a parking place or as a place where parking is prohibited,
 5. Where parking places are marked by painted lines, a person must park a vehicle within the lines for either temporary or permanent parking.
 6. The Road Commissioner may impose time limits on parking in any public way.
 7. 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.
 8. 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.
 9. 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.
 10. All crosswalks and pedestrian crossings shall be installed perpendicular to the public way, and shall adhere to the guidance in the most recent version of the Manual on Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway

Administration.

11. Pedestrians shall walk on a sidewalk when one is available, otherwise, they shall walk on the left side of a public way, against traffic and shall yield to oncoming traffic by stepping off the paved portion of the way when traffic approaches.
12. A person shall not drive a vehicle within any sidewalk area except at a driveway.
13. 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.
14. Parking on municipally owned or maintained property not previously addressed (including parks, trailheads, parking lots, etc.) shall be in accordance with the following provisions:
 - a. No parking from dusk to dawn outside of scheduled municipally sponsored events unless permission is granted by the Road Commissioner.

5. TRAFFIC CONTROL DEVICES

- A. The Road Commissioner, with the aid of any necessary municipal staff or contractors, shall place and maintain all traffic signs and traffic control devices authorized by the Select Board and this Section.
- B. Any provision of this Ordinance 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.
 1. All traffic signs shall, whenever possible, meet the guidelines established in the most recent version of the Manual on Uniform Traffic Control Devices (MUTCD).
 2. Speed limit signs may be advisory or regulatory. Regulatory signs must reflect the speed limit for the roadway established by the Maine Department of Transportation.
 3. 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.
- C. Crosswalk signs and pavement markings shall be placed on all crosswalks located on public ways.
- D. Physical traffic control devices including but not limited to center-line signage, posts, bollards, curbing, and speed bumps, speed humps, and speed tables may be installed on any public way.

6. SNOW REMOVAL & PLOWING

Maintaining safe and navigable roadways is of fundamental importance to the Town of Readfield. This is especially so in the winter months when snow removal requires municipal crews, private residents, and contractors to perform snow removal on, across, and adjacent to our public ways. Accordingly:

- A. No person shall plow, or transfer in any manner, snow or ice across any public way within the Town of Readfield, unless such plowing or transfer is done in such a manner as to:
 - 1. Leave no ridge, lump, or other trace of snow or ice within the traveled portion of such public way; and.
 - 2. Create no bulge or other protuberance in the banks along such public way.
- B. 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.
- C. Vehicles or other personal property interfering with winter maintenance of any public way may be removed at the owner's expense in accordance with the OBSTRUCTION OF A PUBLIC WAY section of this Ordinance.
- D. Any person who violates the above provisions of this section shall be subject to a penalty of \$100 for each violation.

7. OBSTRUCTION OF A PUBLIC WAY

- A. No person shall obstruct any public way. Any vehicle or other personal property parked, disabled, or abandoned on any public way that interferes with or hinders maintenance, snow removal, or the normal movement of pedestrians or traffic on any public way may be removed and stored, at the owner's expense, at the order of the Road Commissioner or designee without notice.
- B. Advance notice will be provided whenever possible, however, and reasonable efforts to contact the owner of the vehicle or property shall be made prior to removal. The Town and its agents will in no way be responsible for any damage or loss to a vehicle stored in compliance with this Section.
- C. When any vehicle is towed pursuant this Ordinance, the following procedure shall be followed:
 - 1. Notice shall be sent to the registered owner of the vehicle by regular mail 1st class mail within 24 hours following the tow, by the company that did the towing.

2. The notice shall contain the registration number & brief description of the vehicle, location of where the vehicle is stored, the cost of the tow & the daily storage charge if the vehicle is left more than 48 hours in storage after the notice has been mailed.

8. TEMPORARY ROAD CLOSURE

- A. The Road Commissioner or designee may establish one-way traffic or restrict through 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. This action is not regarded as a Temporary Road Closure within this Ordinance.
- B. An 'on the spot' closure by the Police or by the Fire Department during emergencies or processions, or a closure by the Road Commissioner or designee for road construction or maintenance are not regarded as Temporary Road Closures within this Ordinance.
- C. The Road Commissioner or designee may close streets for the purposes of a Temporary Road Closure to allow for such activities as Block Parties, Fairs, Carnivals, Fun-Runs and Exhibitions when the Select Board determines a need exists.
- D. Procedures for Processing Temporary Road Closure Applications
 1. An application in writing must be received by the Select Board at least six (6) weeks prior to the closure. Details should include:-
 - a. Applicant's name and address.
 - b. Street names to be closed.
 - c. Limits of the closure.
 - d. Date(s) and Time(s) of the closure.
 - e. Reasons for the closure.
 2. A fee to cover costs may be required as a condition of approval, set and adjusted from time to time by the Select Board.
 3. The applicant is to obtain consent in writing to the closure from the occupants of properties situated along the street(s) to be closed. This is to be included with the application.
 - a. If the proposed closure is to be short term (less than 24 hours) the matter does not require consideration by the Road Committee and Road Commissioner. However, concurrence must be obtained from the Police, the Fire Department and the Road Commissioner. If buses are to be effected, the RSU #38 should also be

consulted.

- b. If the proposed closure is to be longer term, the matter must be referred to the Road Committee and Road Commissioner for consideration.
4. In conjunction with the above, the Select Board will direct the Town Office to advertise the closure and seek comments from the public.
5. Following receipt of comments, the matter is referred to the Select Board for approval/rejection.
6. The applicant is notified of the Select Board's decision.
7. The Town Office is also to notify the Ambulance Service and Fire Department if the closure is approved.

E. Standard Conditions.

1. Below is a list of standard conditions to be applied for Temporary Road Closures. Additional conditions may be applied for specific cases:
 - a. The closure is to be indicated by suitable barriers and signs which are to be removed promptly at the conclusion of proceedings.
 - b. Notices to the public of the upcoming road closure are to be posted at the town office, post offices, other prominent locations, and also along all public entries of the road to be closed at least seven (7) days in advance.
 - c. Barriers are to be attended at all times by a competent person.
 - d. Traffic Hazard Warning Lamps are to be kept in operation at all times during the hours of darkness.
 - e. The local Police are to be notified and any Police directions are to be obeyed.
 - f. A clear access is to be maintained for emergency vehicles at all times.
 - g. Any person having a legitimate reason to gain access is to be permitted to do so without undue delay.
 - h. The area is to be left clear and tidy at the conclusion of proceedings.

9. ROAD OPENING

A. Purpose and Applicability.

1. The purpose of this section is to promote the safety and general welfare of the community, and to protect public infrastructure from undue adverse impacts by ensuring all work in Public Ways is properly constructed and to ensure that the appropriate public officials are notified in advance of such work.
2. This ordinance does not apply to work done on state highways (Route 17, Route 41, Route 135, and North Rd.) or on private roads within the Town of Readfield.

B. Application Requirements and Procedures.

1. Permit Required: Before any construction involving excavation in a Public Way may take place, the contractor shall prepare and submit a Road Opening Permit Application, and receive a Road Opening Permit from the Road Commissioner.
2. Application Form: Applications for Road Opening Permits shall be made on a form available at the Town Office.
3. Application Review: The Road Commissioner or designee shall review the application for compliance with this ordinance and shall issue a decision on the application within 72 hours of receipt of the application. The Road Commissioner or designee may attach special conditions to the permit, if deemed necessary to ensure compliance with this ordinance or to maintain public safety.
4. Timing: Outside of emergency repair work as determined by the Road Commissioner or designee, Road Opening Permits shall not be issued for Public Ways paved within the past two years.
5. Inspections: The Road Commissioner or designee may at any time inspect the work covered by the Road Opening Permit.
6. Application Fee: The fee for the Road Opening Permit shall be set by the Select Board.

C. Performance Standards.

1. During all times when the Contractor is working in a Public Way, proper traffic control must be maintained. The most recent edition of the Manual on Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration shall be the standard applied to traffic controls.
2. If applicable, proper trenching techniques shall be used during all excavations, in accordance with Occupational Safety and Health standards and guidelines.
3. All backfill material shall be thoroughly compacted. The top of the trench shall be of a clean gravel processed to a gradation of no larger than three (3) inches and be of a thickness equal to the present base but under no circumstances be less than twelve

(12) inches after compaction.

4. All pavement removed is to be taken away from the work site and disposed of at an approved disposal facility. The pavement opening shall be squared and repaved using two (2) inches of binder with one (1) inch of surface mix or greater, to match existing pavement depth. Mix design shall meet all Maine DOT specifications.
5. The permittee assumes responsibility for the site during construction and for a period of two years from the date of completion. Should a problem arise, it will be the sole responsibility of the permittee to take all corrective measures deemed necessary by the Road Commissioner. Street construction is to be completed as soon as practical in order to prevent unnecessary hazards to the public.
6. All surplus material and construction debris must be removed from the work site before the contractor completes demobilization activities.
7. A minimum of one-half of the travel width of the roadway shall be open to traffic at all times.

D. Enforcement.

1. At the request of the Road Commissioner, the Code Enforcement Officer shall issue a stop-work order if a contractor fails to adhere to the requirements of this ordinance.

10. WEIGHT RESTRICTIONS & ROAD POSTING

A. Restrictions and Notices.

1. The municipal officers may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the public ways to which the restrictions shall apply.
2. Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable time period on any public way so posted unless otherwise exempt as provided herein.
3. Pursuant to 29-A M.R.S. § 2395, the notice shall contain, at a minimum, the following information: the name of the public way, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted, and the signatures of the municipal officers. The notice shall be conspicuously posted at each end of the restricted portion of the public way in a location clearly visible from the traveled way.

4. Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

B. Exemptions

1. The following vehicles are exempt under State law: Any vehicle delivering home heating fuel or organic animal bedding and operating in accordance with a permit issued by the MDOT under 29-A M.R.S. § 2395 (4) and, when necessary during a period of drought emergency declared by the governor, any vehicle transporting well-drilling equipment for the purpose of drilling a replacement well or for improving an existing well on property where that well is no longer supplying sufficient water for residential or agricultural purpose and operating in accordance with a permit issued by the MDOT under 29-A M.R.S. § 2395 (4-A).
2. Frozen road exemption: This ordinance shall not apply to any restricted road which is frozen. The highway is considered “frozen” only when the air temperature is 32° F or below and no water is showing in the cracks of the road. Both conditions must be met.
3. The following vehicles are also exempt under the specific provisions of this ordinance:
 - a. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
 - b. MaineDOT vehicles or other vehicles authorized by MaineDOT or a municipality or county to maintain the roads under their authority.
 - c. Authorized emergency vehicles as defined in 29-A M.R.S. § 2054, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or fewer under the direction of a public utility and engaged in utility infrastructure maintenance or repair.
 - d. Any two axle vehicles registered for a gross weight in excess of 23,000 pounds and less than or equal to 34,000 pounds that are carrying any of the Special Commodities may operate without a permit. Special Commodities includes any of the following:
 - i. Home delivered heating fuel (oil, gas, coal, stove size wood that is fewer than 36” in length, propane and wood pellets);
 - ii. Petroleum products;

- iii. Groceries;
- iv. Bulk milk;
- v. Bulk feed;
- vi. Solid waste;
- vii. Organic animal bedding; or
- viii. Sewage from private septic tanks or portable toilets

C. Permits

1. The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the Road Commissioner for a permit to operate on a posted public way notwithstanding the restriction. The Road Commissioner may issue a permit only upon all of the following findings:
 - a. no other route is reasonably available to the applicant;
 - b. it is a matter of economic necessity and not mere convenience that the applicant use the public way; and
 - c. the applicant has tendered cash, a bond or other suitable security running to the municipality in an amount sufficient, in their judgment, to repair any damage to the public way which may reasonably result from the applicant's use of same.
2. Even if the Road Commissioner makes the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage to a way or bridge maintained by the municipality. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the public ways.
3. In determining whether to issue a permit, the Road Commissioner shall consider the following factors:
 - a. the gross registered weight of the vehicle;
 - b. the current and anticipated condition of the public way;
 - c. the number and frequency of vehicle trips proposed;
 - d. the cost and availability of materials and equipment for repairs;

e. the extent of use by other exempt vehicles; and such other circumstances as may, in their judgment, be relevant.

4. The Road Commissioner may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number or frequency of vehicle trips, which shall be clearly noted on the permit.

D. Penalties

Any violation of this Ordinance section shall be a civil infraction subject to a fine of not less than \$250.00 nor more than \$1,000.00. Each violation shall be deemed a separate offense. In addition to any fine, the municipality may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the municipality and shall be brought in the Maine District Court.

11. DRIVEWAY SITING & CULVERTS

A. Permit Required.

1. Any new driveway entrance onto a Town or privately-owned road requires an entrance permit to be applied for, approved and issued by the Road Commissioner or the Commissioner's designee following the payment of the applicable review fee. Driveway entrances requiring site review in accordance with the Land Use Ordinance shall first require approval from the Planning Board.
2. If a new entrance requires the installation of a culvert, the Road Commissioner or designee will state on the permit the diameter and length of the culvert. The culvert must be installed according to these installation specifications and any other conditions which the Road Commissioner or designee may impose.

B. Siting Requirements

1. Driveway entrances to lots must be located to provide for the minimum Sight Distances for the speed limit posted on any public or private road and required as Basic Safety Standards in Chapter 299 of the Maine Department of Transportation "Highway Driveway and Entrance Rules": Part B, Section 2. These sight distances are as follows:

Posted Speed (MPH) Sight Distance (feet)	Sight Distance (feet)
Less than 20	None required
20	155
25	200
30	250
35	305
40	360
45	425

2. If the required sight distance cannot be achieved due to the topography, configuration or other unique circumstances of the property, and not for the convenience of or as the result of any action taken by the owner of the lot, this distance may be reduced to the extent necessary to provide the greatest sight distance as determined by the Road Commissioner.
3. The edge of the driveway shall be setback at least ten (10) feet from the edge of any side or rear property line unless there is a survey of the property completed by a Registered Land Surveyor and corner pins properly locating the property lines exist. In such case, the edge of the driveway may be as close as three (3) feet from a side or rear property line, provided proper drainage is installed to ensure that stormwater runoff is not channeled onto abutting property without a legal drainage easement. Shared driveways shall be exempt from the setback requirements.

C. Culvert Installation Standards.

1. The minimum diameter of any culvert shall be twelve (12) inches, the minimum length shall be twenty (20) feet and the maximum length shall not exceed forty (40) feet unless the Road Commissioner approves otherwise.
2. All culvert pipe and fitting materials shall be new and shall be constructed of High Density Polyethylene (HDPE) meeting at least AASHTO M294, Type S standards and shall be installed according to this policy and the manufacturer's recommendations. Where there may be inconsistencies or conflicts between these, the Road Commissioner shall make the final determination.
3. When setting a culvert, all mulch, peat or other organic material must be removed from the base area and replaced with gravel bedding material no larger than 2-1/2 inches. If a culvert must be installed over ledge or other unyielding material, the culvert must be placed on twelve (12) inches of acceptable bedding material.
4. Culverts must be set at a downhill pitch of 2-4% (approx. 6-10 inches for a twenty-four (24) ft. culvert).
5. Backfill material around the culvert and a minimum of twelve (12) inches of cover material over the culvert must be placed in 6-inch lift increments and compacted to 95%. If the depth of the cover material cannot meet the minimum twelve (12) inch requirement due to the presence of ledge, this may be reduced to the greatest practical extent as determined by the Road Commissioner.
6. Road ditches on each end of the culvert must be dug out for a distance adequate to provide for the free flowage of stormwater through the culvert. At a minimum, the ditch at the inlet of the culvert must be opened to allow full passage of water into the culvert and, the ditch from the outlet of the culvert must be tapered down-slope for a distance sufficient to result in a continuous grade elevation equal to or less than that

of the base, or invert, of the installed culvert.

7. The grade of the entrance shall slope away from the road surface at a rate of ½ inch per foot to provide for a low spot 3 feet beyond the edge of the existing shoulder, but not less than 5 feet from the edge of the pavement or traveled way and shall be graded so that surface water shall be carried away from the road.
8. Culverts shall extend at least 6 inches beyond the base of a 2-to-1 slope on either side of the driveway and rock headers must be installed around both ends of the culvert.
9. When it is anticipated the culvert size may need to exceed twenty-four (24) inches in diameter, the landowner/developer may be required to obtain professional advice for sizing and installation of the culvert. All such costs shall be paid for by the landowner/developer.
10. Driveways shall not be ditched to carry new stormwater from the developed site to the Town road ditch. The developed site includes all new structures, driveways and private roads, parking areas, sidewalks, and other changes to real estate resulting in new impervious surface area.
11. The landowner/developer is responsible for providing all necessary barricades, lights, warning signs and other devices as necessary to safeguard traffic properly while work is in progress.

D. Culvert Installation, Maintenance, and Replacement.

1. Following approval of the installation, the landowner/developer is responsible for the purchase, installation and proper backfilling of said culvert.
2. If the culvert is installed within the limits of a Town-owned road, the Town thereafter becomes responsible for the maintenance and any necessary replacement of the culvert according to the requirements of this policy.

12. ENFORCEMENT & PENALTIES

- A. Enforcement of this Ordinance, including but not limited to the issuance of permits and notices of violation, shall be the responsibility of the Road Commissioner and Code Enforcement Officer or their designees, acting as duly authorized representatives of the Town of Readfield.
- B. Action to enforce this Ordinance may also be taken through the Land Use Ordinance of the Town of Readfield.
- C. 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 Ordinance. They may restrict and divert

vehicular and pedestrian traffic, and may restrict or regulate parking.

- D. Any violation of this ordinance is a civil violation.
- E. The Select Board 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).]
- F. Penalties under this ordinance may include the removal of personal property or vehicles from the public way at the owner's expense, as well as monetary penalties.
 - 1. Unless otherwise noted, monetary penalties for violation of this Ordinance shall be as follows. Subsequent offenses shall be counted during the 12 month period following the first offense:
 - 1st offense - \$25
 - 2nd offense - \$50
 - 3rd offense - \$100
 - 4th or subsequent offense - up to \$500
 - 2. In any instance where penalties in this section conflict with penalties identified elsewhere in this Ordinance, the more substantive penalty shall apply.
 - 3. Penalties shall be payable to the Readfield Town Office within three business days of notice of violation.

Unpaid penalties shall be collected using the most expedient means, including the use of third party collection agencies.

13. CONFLICTS WITH OTHER ORDINANCES

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other Ordinance, regulation or statute, the more restrictive provision shall apply.

14. AMENDMENT

This Ordinance may be amended by the Select Board at any properly noticed meeting.

15. SEVERABILITY

The invalidity of any section or provision of this Ordinance shall not be held to invalidate any other section or provision of this Ordinance.

16. ABROGATION

This Ordinance repeals and replaces any municipal ordinance, portion thereof, or legislative action previously enacted relating to the management or operation of public ways, traffic, and parking in the Town of Readfield.

17. APPENDICES

The following appendices are related to but separate from this Ordinance and are available at the Town Office or on the Town of Readfield website.

- Appendix A - Driveway Application & Permit
- Appendix B - Road Opening Application & Permit
- Appendix C - Temporary Road Closing Application & Permit
- Appendix D - Over Weight Application & Permit
- Appendix E - Notice of Violation
- Appendix F - Parking Maps
- Appendix G - Listing of Town Roads and Public Ways