

Ordinance Number Assigned: 1900-400
TRAFFIC CONTROL ORDINANCE

4-700 Definitions

4-701 Words and Phrases Defined

The following words and phrases when used in this ordinance shall have the meanings respectively ascribed to them in this article. Whenever any words and phrases used herein are not defined herein but are defined in the laws of Maine regulations the operation of vehicles, any such definition shall apply.

- 1) Alley: A narrow way between buildings or giving access to the rear of buildings.
- 2) Authorized Emergency Vehicle: Vehicles of the fire department, police vehicles, public traffic emergency repair vehicles, ambulances and such emergency vehicles of municipal departments or public service corporations as are designed or authorized by the Police Chief. A privately owned or used by a fireman or policeman shall have the same status under this ordinance as a publicly-owned authorized emergency vehicle while actually engaged in or responding to a call for public emergency service.
- 3) Business District: Main Street, from International Bridge to Calais Avenue, together with such streets running north and south off Main Street that have business establishments thereon and only to the limit of these establishments.
- 4) Cross Walk: That part of a roadway at an intersection including the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs from the edges of the traversable roadway and any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- 5) Curb: The outer edges of a defined sidewalk, or either edge of the usually traveled part of the street.
- 6) Driver: Every person who drives or is in actual physical control of a vehicle.
- 7) Holidays: (Public) Public holidays, as used in the ordinance, are those provided by **Section 155** of Chapter 59 of the Revised Statutes Of Maine (1954) as blank holidays.
- 8) Individual Parking Space: A portion of the paved surface of the street, of sufficient length and depth from the sidewalk curb to accommodate a vehicle to be parked as shall be specified and marked off under the supervision and direction of the City Manager.
- 9) Intersection: The area embraced within the prolongation or connection of the lateral curb line, or, if none, the lateral boundary lines of the roadways of two highways which join one another at or approximately at right angles, or the area within vehicles traveling upon different highways joining at any other angles may come in conflict.
- 10) Motor Vehicles: Every vehicle, which is self-propelled, including motorcycles.
- 11) Park: When prohibited means the stand of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.
- 12) Parking Meter: A device which shall indicate thereon the length of time during which a vehicle may be parked in a particular place, which shall have as a part thereof a receptacle of a chamber for receiving and storing coins of United States money or Canadian money, and a slot or place in which said coin may be deposited; a timing mechanism to indicate the passage of the interval of time during which parking is permissible and which shall have elapsed; also brief instructions as to its operation.
- 13) Person: Every natural person, firm, co-partnership, association or corporation.
- 14) Private Road 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, but not by other persons.
- 15) Residence District: That portion of the City not defined as a business district hereunder.
- 16) Right of Way: The privilege of to immediate use of the roadway.

- 17) Roadway: That portion of the street or highway improved, designed or ordinarily used for vehicular travel.
- 18) Sidewalk: That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 19) Stop: When required means complete cessation of movement.
- 20) Stop, Stopping or Standing: When prohibited means any stopping or standing of a vehicle whether occupied or not, except the necessary to avoid conflict with other traffic on in compliance with the direction of a police officer or traffic control sign or signal.
- 21) Street or Highway: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purpose of vehicular travel.
- 22) Through Street: Every street or portion thereof at the entrance to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this ordinance.
- 23) Traffic: Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together, while using any street for purpose of travel.
- 24) Traffic-Control Devices: All signs, signals, markings, and devices, whether immovable or whether manually, electrically or mechanically operated, placed or erected by authority of the City Council or the Police Chief by which traffic is alternately directed to stop or to proceed or for the purpose of regulating, warning or guiding traffic.
- 25) Vehicle: Every device in, upon, or by which any person or property is or may be transported, or drawn upon a highway, except devices moved by human power is used exclusively upon stationary rails or tracks.

4-710 Obedience to Traffic Regulations

4-711 Authority of Police and Fire Department Officials

Officers of the Police Department or such officers as are assigned by the Police Chief are hereby authorized to direct all traffic by voice, hand or signals in conformance with traffic laws, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic conditions may require notwithstanding the provisions of this ordinance. Officers of the fire department, when at the scene of a fire, may direct or as with the police in directing traffic thereat or in immediate vicinity.

4-712 Required Obedience Traffic Ordinance

It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this ordinance.

4-713 Obedience to Police and Fire Department Officials.

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

4-714 Public Employees to Obey Traffic Regulations

The provisions of this ordinance shall apply to the driver of any vehicle owned or used in the service of the United States Government, this State, County, or City, and it shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted in the ordinance of by State statute.

4-715 Exceptions to Authorized Emergency Vehicles

- 1) The provision of this ordinance regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles, except a driver when operating any such vehicle in an emergency may
 - a) Park or stand notwithstanding the provisions of the ordinance;
 - b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - c) Exceed the speed limits so long as he does not endanger life or property;

- d) Disregard regulations governing direction of movement or turning specified directions so long as he does not endanger life or property
- 2) Notwithstanding section 1) above, any operator of an emergency vehicle at the scene of an accident shall obey any order to move his vehicle when directed to do so by a police officer pursuant to **Section 4-711** of this ordinance.
- 3) The foregoing exemption shall not, however protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

4-716 Persons Propelling Push Carts, Riding Animals, or Driving Animals Drawn Vehicles to Obey Traffic Regulations

Every person propelling any push cart or riding any animals upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature application.

4-720 Reserved

4-721 Authority to Install

The Police Chief with the approval of the City Manager shall place and maintain or cause to be placed and maintained, traffic control signs, and devices when as required or authorized under this ordinance, and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under this ordinance, or under State law, or to guide or warn traffic, and signs prohibiting left, right or U turns, the location throughout the City. All traffic control devices so erected and not inconsistent with the provisions of State law or this ordinance shall be official traffic-control devices.

4-722 Obedience to Official Traffic-Control Devices

The driver of any vehicle shall obey the instructions of any official traffic-control devices applicable thereto placed in accordance with this ordinance, unless otherwise directed by a police officer, subject to the exceptions granted to the driver of an authorized vehicle for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinary observant person. Whenever a particular section does not state that signs are required, such section does not state that signs are required, such section shall be effective even though no signs are erected in place.

4-723 Obedience to No-Turn Signs and Turning Markers

Whenever authorized signs are erected indicating that no right or left turn or "U" turn is permitted, no driver of a vehicle shall disobey the directions of any such signs, and an intersection indicating the source to be traveled by vehicles turning there, no drivers of vehicle shall disobey the directions of such indications.

4-724 Traffic Control Signal, Legend

When traffic is controlled by traffic-control signals exhibiting different colored lights successively, the following colors shall be used, and said terms and lights shall indicate the apply to drivers of vehicles and pedestrians as follows:

- (1) Green Alone
 - (a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either turn. Vehicular traffic including vehicles turning right or left shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjusting crosswalk.
 - (b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.
- (2) Yellow and Red
 - (a) Vehicular traffic facing this signal shall not proceed but are simply advised that the light is about to change to Green.
 - (b) Pedestrians facing this signal shall not enter the roadway unless they can do so safely and without interference to any vehicular traffic. Those already in the road way may continue to their destination.

- (3) Yellow and Green
 - (a) Vehicular traffic facing this signal shall not proceed unless already in the intersection and all are advised by this signal that the light is about to change to Red.
 - (b) Pedestrians facing such a signal shall not enter the roadway unless they can do so safely and without interference to any vehicular traffic. Those already in the roadway may continue to their destination.
- (4) Red Alone
 - (a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall remain standing until the green signal is shown alone.
 - (b) No pedestrians facing such signal shall enter the roadway unless he can do so safely and without interference with any vehicular traffic.

4-725 Flashing Signals

Whenever flashing red yellow signals are use they shall require obedience by vehicular traffic as follows:

- 1) Flashing Red (Stop Signal): When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection, or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop sign.
- 2) Flashing Yellow (Caution Signal): When a yellow lens is illuminated with rapid intermittent lashes, drivers of a vehicle may proceed through the intersection or past such signal only with caution.

4-726 Designation of Crosswalks and Traffic Lanes

The Police Chief with the approval of the City Manger is hereby authorized:

- 1) To designate and maintain by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is a particular danger to pedestrian crossing the roadway, and at such other places as he may deem necessary.
- 2) To make lanes for parking and for traffic on street pavements at such places as he may deem advisable consistent with this ordinance.

4-727 Stop Signs

- 1) Whenever this ordinance designates and describes a through street, it is shall be the duty of the Police Chief to place and maintain a stop sign on each and every street intersecting such through street. Every such sign shall bear the word "STOP" in letters not less than six inches in height, and shall be located as near as practicable at the nearest line of crosswalk on the near side of the intersection, or, if none, at the nearest line of the roadway.
- 2) When stop signs are erected as herein provided at or near the entrance to any intersection, every driver of a vehicle shall stop such vehicle at such signs or at a clearly marked stop line before entering the intersection except when directed to proceed by a police officer or traffic control signals.
- 3) After the driver of a vehicle has stopped in obedience to stop sign at the entrance to a through street, such driver shall then proceed cautiously, yielding the right-of-way to vehicles which have entered the intersection from said through street or which are approaching so closely on such through street as to constitute an immediate hazard, but may then proceed.

4-728 Display of Unauthorized Signs, Signals or Markings

- 1) No person shall place, maintain or display upon or in view of any highway an authorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device, and no

person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways signs giving useful directional information and of a type that cannot be mistaken for official signs.

- 2) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance, and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

4-729 Interference with Official Traffic-Control Devices

No person shall without lawful authority attempt to or actually alter, deface, injure, knock down, or remove any official traffic-control device, or any inscription, shield or inscription thereon, or any part thereof.

4-730 Reserved

4-731 Stopping, Standing, and Parking Prohibited in Specified Places

- 1) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a Police Officer or traffic-control device, in any of the following ways:
 - (a) On a sidewalk
 - (b) In front of a public or private driveway or alleyway
 - (c) Within an intersection
 - (d) Within 5 feet of a fire hydrant
 - (e) On a crosswalk
 - (f) Within 10 feet of the near corner of the curb at an intersection
 - (g) Within 15 feet upon the approach to any stop sign located at the side of a roadway
 - (h) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station with 75 feet of said entrance, when properly sign posted
 - (i) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic
 - (j) On the roadway side of the vehicle stopped or parked at the edge or curb of a street
 - (k) Upon any bridge
 - (l) At any place where official signs or curb painting so prohibited
- (2) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as in unlawful

4-732 Parking Prohibited at All Times on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts of streets described in **Section 4-811** of this ordinance.

4-733 Parking Time Limited on Certain Streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than two hours between the hours of 8 a.m. and 6 p.m. Monday through Fridays, or between the hours of 8 a.m. and 10 p.m. Saturdays, public holidays excepted upon any of the streets or parts of streets described in **Section 4-812** of this ordinance.

4-734 Hazardous or Congested Places

- 1) The Police Chief with the approval of the City Manager is hereby authorized to determine and designate by proper signs places not exceeding 100 feet in length in which stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- 2) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop or park a vehicle in any such designated place.

4-735 Parking Not to Obstruct Traffic

No person shall stop, stand, park or leave his vehicles on any street in such a manner or under such conditions so as to obstruct the free passage of other vehicles in either direction unless specifically permitted by police officer, or as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

4-736 Parking in Alleys

No person shall park a vehicle with an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

4-737 Combination Bus Stops-Taxi Stands

- 1) The City Council by order shall designate spaces as Bus Stop-Taxicab stands on such places and in such number as it shall determine to be of the greater benefit and convenience to the public. The Police Chief shall cause such spaces to be designated by appropriate signs or curb marking or both.
- 2) The driver of a bus or taxicab is hereby authorized to park the same in any such space without restriction as to time.
- 3) The driver of a bus shall not stand or park the same upon any street in any business district at any place other than at such a space, when same has been officially designated and appropriately marked, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.
- 4) The driver of a taxicab shall remain in the driver's seat of said taxicab (except while actually engaged in admitting or discharged passengers or transporting their luggage) while the same is in such a space; he shall not park the same in any space in front of a hotel while another taxicab is therein; he shall yield the space immediately to a bus about to be driven in such space.
- 5) No person shall stop, stand, or park a vehicle other than a bus or taxicab in any such space when same has been officially designated and appropriately marked, except that the driver of any passenger car to light delivery vehicle may stop the same therein for the purpose of and while actually engaged in loading or unloading passengers or parcels and when such stopping does not interfere with any operator who desires to drive a bus into such space.

4-738 Standing or Parking Close to the Curb

No person shall stand or park a vehicle on any street in a business district other than parallel with the edge of the roadway, headed in the direction of the lawful traffic movement, and with the right hand wheels of the vehicles within 12 inches of the curb or edge of the roadway, except as follows:

- 1) Upon such streets or parts thereof which have been officially signed to marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of roadway indicated by such signs or markings.
- 2) When specifically authorized by a Police Officer, any person may back a vehicle to the curb for the purpose of loading or unloading merchandise or materials for a period of not to excess of 30 minutes. No person shall so back a vehicle to a curb unless specifically so authorized by a Police Office and no person shall in any event back a vehicle on to any curb or sidewalk in the City.

4-739 Assemblages, Place of

The Police Chief is authorized to place temporary or permanent traffic-control signs in front of the entrance to places of assemblage or any building in which entertainments, plays, shows, exhibitions and the like are given, either regularly or otherwise and for such period as the Police Chief in his direction may deem wise under the circumstances.

4-740 Large Vehicles

No owner, driver, or person in charge of any vehicle which has a carrying capacity of more than three thousand pounds, or which including load is more than 18 feet in length, or which including loads is more than eight feet in width, or which including load is more than twelve feet six inches in height, shall permit the same to stand upon any public street in the City for a longer period than one hour at any one time.

4-741 Lights on Parked Vehicles

As provided by Maine law, whenever a vehicle is lawfully parked in a place and under conditions where there is sufficient artificial light to make such vehicle clearly visible from a distance of not less than 100 feet in each direction, no light need to be displayed during the period from one half-hour before sunset to one half-hour before sunrise. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

4-742 Owner's Liability

Whenever any police officer shall fine any vehicle which has been illegally parked and such police officer is unable to determine the person who is responsible for such parking, the owner of the vehicle shall upon request of the Police Department furnish to it the name of the driver of the vehicle responsible for such illegal parking. Failure upon the part of any owner to do so shall make him liable to the general penalty under this ordinance.

4-743 Schools

The Police Chief is hereby authorized to cause temporary and permanent signs to be erected, indicating no parking adjacent to any school property, when such parking would, in his opinion, interfere with traffic or create a hazardous situation. When official signs are erected indicating no parking adjacent to any school property, no person shall park a vehicle in any such designated place.

4-744 Snow Removal

No vehicle shall be parking at any time on any public street or way so as to interfere with or hinder the removal of snow from said street or way by the City plowing or loading and hauling. The Chief of Police may cause any vehicle so parking on any street or way so as to interfere with or hinder the removal of snow by the City by plowing, or loading and hauling, to be removed from the street and placed in a suitable parking space off the street, at the expense of the owner of such vehicle, and without the City being liable for any damages that may be caused by such removal. For the purpose of facilitating the removal of snow, the Public Works Director or Chief of Police may cause to be placed properly marked signs along any street or streets as he shall from time to time deem necessary. It shall be unlawful for the operator of any vehicle to enter upon, stop or park within the spaces indicated by such signs.

4-745 Theaters

4-746 Unlawful Parking

No person shall park a vehicle upon any roadway for the principal purposes of advertising, displaying such vehicle for sale, or washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

4-747 Parking Meters

- 1) The City Manager is hereby authorized and direct to designate and cause to be marked off such individual parking spaces as he deems proper on any street where parking is limited as to time, subject to prior approval as to the location by the City Council. Said approval by the City Council shall consist

of an acceptance of **Section 4-812**, and any amendments thereto, mentioned in **Section 4-733** of the Traffic Code.

- 2) The City Manager is hereby authorized and directed to place, install and remove parking meters upon the curbside of individual parking spaces as of the preceding subsection. All such parking designated and marked of under the provisions meters shall comply with the conditions set forth in the definition of "Parking Meter" in **Section 4-701** of this ordinance, and said meters shall be under the management, supervision and control of the City Manager.
- 3) At each place an individual parking space is marked as provided in Sub-section (a) hereof each vehicle shall be placed entirely within each individual parking space. Whenever a vehicle shall be in an individual parking space, where a parking meter has been installed, the person so placing such vehicle shall immediately deposit a proper coin or coins of United States money or Canadian money in said parking meter as indicated by instructors on said meter, namely: ten cents for the maximum legal parking limit of two hours or a coin or coins in proportionate amounts for any lesser period of time desired. Any coin or coins deposited must be of the denomination and kind for which the parking meter is designed. Provided, however, that no coin deposit required for: (1) Vehicles parking during weekday hours when parking is not limited as to time, or on Sunday or Public Holidays.
- 4) All parking is prohibited in any parking space where a meter is installed, unless a deposit of the coin or coins indicated by said meter is made as herein directed. Any vehicle parked in contravention of this provision shall be deemed to be illegally parked under the provisions of this ordinance. The fact that a vehicle is in an individual the same shows no parking permitted unless a deposit of a proper coin or coins is made as herein provided shall be prima facie evidence of the unlawful parking of such motor vehicle by its operator and its owner.
- 5) It shall be unlawful and violation of the provisions of this ordinance for any person to cause, allow, permit, or suffer any vehicle to remain or be placed or parked:
 - a) In any parking space adjacent to any parking meter;
 - b) In any position other than entirely within the lines delineating such space; or
 - c) While said parking meter is displayed a signal indicating that the vehicle occupying such parking space has already been parked beyond the limitation period prescribed for such parking space, or in excess of the time limitation prescribed for parking in such space.
- 6) It shall be unlawful and a violation of the provisions of this ordinance:
 - a) To deposit or cause to be deposited in a parking meter any coin for the purpose of extending the parking time beyond the period prescribed for parking in such space;
 - b) To deposit or cause to be deposited in any parking meter any slug or device or metallic substance or any other substitute for a required coin of the United States; or
 - c) To deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this ordinance.
- 7) It shall be the duty of the police officers of the City of Calais, acting in accordance with instructions issued by the City Manager to report:
 - a) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent is or has been parking in violation of any provisions of this ordinance;
 - b) The State license number of such vehicle;
 - c) The time during which such vehicle is parking is violation of any provisions of this ordinance;
 - d) Any other facts, knowledge of which is necessary to a thorough understanding for the circumstances attending such violation.
- 8) Each officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of this ordinance.
- 9) The City Manager shall designate some person or persons to collect the coins deposited in parking meters. In collecting such coins, the person or persons so designated shall remove the sealed coin chamber or compartment from each parking meter and deliver the same to the Treasurer of the City of Calais. Said Treasurer shall count the coins so delivered and deposit the same to the credit of the City of Calais.
- 10) The purpose of the Section is to assist the regulation of over-time parking by the use of parking meters and shall be so construed. Nothing in the Section shall be construed as prohibiting the City of Calais from providing for free parking space for loading and unloading, combination Bus Stop—Taxicab stands, or for any other purpose. The fee required to be deposited in said meters is hereby levied as a

police regulation and inspection fee to cover the cost of providing parking spaces, parking meters and installation and maintenance thereof, and for the cost of any resultant traffic administration expense.

- 11) The penalty provided in **Section 4-801** of this ordinance shall be applicable to any person who shall violate or permit or allow anyone to violate this section and any Sub-section 7) c) hereof shall upon conviction be fined not less than fifty dollars (\$50) and not more than one hundred dollars (\$100), and may not elect the alternative method prescribed in **Section 4-804** of this ordinance.

4-750 (Reserved)

4-751 (Reserved)

4-752 Bicycles and skateboards

- 1) No person shall ride or propel a bicycle upon any public street in this City other than astride a permanent and regular seat attached thereto or use a bicycle to carry more than one persons at one time than the number for which it is designed and equipped, or ride abreast or to the left of any other person riding or propelling a bicycle.
- 2) No person shall park a bicycle on any street except in standing position against the curb or edge of roadway or sidewalk.
- 3) No person shall ride or propel a bicycle or skateboard on any Main Street sidewalk from the Ferry Point Bridge to Calais Ave. Bicycles may be walked and skateboards may be carried.
- 4) Every person propelling or riding a bicycle upon any public street in the City shall be subject to the provisions of this ordinance, which by their very nature can have no application.
- 5) Any person operating a bicycle shall obey the instructions of the official traffic-control signs, signals, and other control devices, including signs indicating that no left, right or U turn is permitted, applicable to vehicles, unless otherwise directed by a police officer.
- 6) No person riding upon any bicycle shall attach the same or himself to any moving vehicle upon a roadway.

4-753 Clinging to Moving Vehicles

No person riding upon any motorcycle, a coaster, sled, roller skates, or any toy vehicle shall attach the same to himself to any moving vehicle upon the roadway.

4-754 Entering Traffic from Curb

The driver of a vehicle starting from a curb or roadway edge shall yield the right-of-way to all moving traffic on the roadway; he shall not enter or attempt to enter such moving traffic until he can do so safely.

4-755 Entering Traffic from Alley or Private Driveway

The driver of a vehicle emerging from any alley, driveway, or building shall stop such vehicle immediately prior to driveway onto a sidewalk or onto the sidewalk area extending across any alleyway, yielding the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching or said roadway.

4-756 Following Fire Apparatus Prohibited

The driver of any vehicle other than official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where the fire apparatus has stopped in answer to a fire alarm.

4-757 Fire House, Crossing

No person shall drive a vehicle over any unprotected hose of a fire department when laid down on any street or private driveway, to be used at any fire or alarm fire, without the consent of the fire department official in command.

4-758 Heavy Loads

During any part of the period between November first and June first, except when the surface of the road is solidly frozen, no driver of a vehicle, the gross weight of which (vehicle and load combined) exceeds three and one half tons shall drive the same on those streets duly posted to that effect at each end thereof. **(REPEALED 4/24/2008)**

4-759 Litter

No person shall operate a vehicle upon any street in such manner that material, rubbish, refuse, junk or litter of any kind drips, sifts, leaks, drops, or otherwise escapes therefrom or drops upon the surface highway, street or alley.

4-760 Motorcycles

No person operating a motorcycle shall ride other than upon the permanent and regular seat attached thereto nor shall any other person ride upon such motorcycle other than upon a firmly attached seat to the rear or side of the operator.

4-761 Noise

No person shall sound an automobile horn, bell, or other sound device on a vehicle anywhere in the city at any time, except when necessary for safe driving. No person shall load or unload a vehicle with iron or other material that may strike together without properly deadening to it so that it will cause no unnecessary noise. No person shall drive a motor vehicle except a fire department vehicle on a street unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive noise and annoying smoke, nor use of a muffler cutout on any vehicle, except a fire department vehicle, upon any street.

4-762 One-Way Streets

Upon those streets and parts of streets described in **Section 4-813** of this ordinance, vehicular traffic shall move only in the indicated direction when signs indicating the direction of the traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited, which signs the Police Chief is hereby authorized and directed to erect and maintain.

4-763 Operation of Vehicles on Approach of Authorized Emergency Vehicles

Upon the immediate approach of any authorized emergency vehicle, when the driver thereof is giving audible signals by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

4-764 Overtaking a Vehicle

No driver of a vehicle shall leave the line on the right for the purpose of overtaking another vehicle unless there is a clear way of at least one hundred feet in advance on the left. When overtaking another vehicle proceeding in the same direction, the driver of any vehicle shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the roadway until safely clear of such overtaken vehicle. The driver of a vehicle on a street about to be overtaken and passed by any other vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction at any intersection of highways.

4-765 Parades and Processions: Permits

No funeral, procession, or parade containing 200 or more persons or 50 or more vehicles, excepting the military forces of the United States and of this State and excepting parades on Public holidays

shall occupy, march or proceed along any street, to the exclusion or interruption of other persons in their individual right and use thereof, except in accordance with a permit issued by the Police Chief and such other regulations as are set forth herein which may apply.

4-766 Procession: Funeral Identification

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such method as may be determined and designated the Police Chief

4-767 Processions: Drivers

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and follow the vehicles ahead as closely as in practical and safe.

4-768 Processions: No Driving Through

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at intersections where traffic is controlled by traffic-control signals in operation or by stop signs.

4-769 Report of Accident

The driver of any vehicle involved in an accident resulting in injuries to or death of any person or, property damage to the estimated amount of \$100.00 or more shall (1) give such immediate notice to police or other law enforcement agencies and (2) file a written report required by appropriate statutes of the State of Maine.

4-770 Right of Way

All vehicles have the right-of-way over other vehicles (except authorized emergency vehicles when operated on official business and the drivers thereof sound audible signals by bell, siren or exhaust whistle) approaching at intersecting public ways from the left, and shall give the right-of-way to those approaching from the right, except that traffic officers stationed at such intersection may otherwise regulate traffic thereat, and except at intersection where traffic is controlled by traffic control signals in operation or by stop signs.

4-771 Sidewalk: Vehicles Shall Not Be Driven On

The driver of a vehicle shall not drive or ride within any sidewalk area except at a permanent or temporary driveway.

4-772 Speed Regulation

The provision of Chapter 22 of the Revised Statutes of Maine (1954) as amended apply to the operation of all vehicles upon any way within the City of Calais by virtue of law and the speed of all vehicles shall conform with appropriate provisions of said State law.

4-773 Snow Plows: Following and Meeting

The driver of any vehicle other than one on official business shall not follow closer than 200 feet to any snowplow engaged in plowing. The driver of any vehicle meeting a snowplow on a roadway plowing shall turn off on another street if practicable, otherwise shall come to a complete stop at least 50 feet away from said plow and not start again until the plow has passed.

4-774 Through Streets

Those streets and parts of streets described in **Section 4-814** of this ordinance, having been so designated by the Maine State Highway Commission as provided by State Law are hereby declared to be through streets.

4-775 Traffic Law Violation Tickets

No person shall remove from any vehicle a traffic law violation ticker, notice or citation placed on or in such vehicle by a police officer of the City, except for the purpose of answering such notice or citation as requires therein.

4-776 Traffic Obstructed

No drive shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

4-777 Truck Traffic Routes

Truck traffic routes, to be identified by signs and marking erected and maintained by the Police Department, as directed by the City Manager, may be established within the City limits. When established and posted, all persons driving motor vehicles into the City limits for the transportation of property through the city shall drive such vehicle or vehicles over and along such established truck traffic routes.

4-778 Turn Around: Limitation

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district, and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

4-779 Left Turns

The driver of a vehicle intending to turn left at an intersection or into an alley or a private road or driveway shall approach such intersection or point of turning in the lane for traffic to the right of and nearest to the center line of the street (with the left side of the vehicle as near as possible to, and the right of the center line of the street on which he is proceeding), and in turning shall pass beyond the center of the intersection, passing as closely as practicable to the right thereof turning such vehicle to the left. For the purpose of this section, the center of the intersection shall mean the meeting point of the medial lines of the street intersecting one another. On one-way street such turn shall be made from left lane of traffic.

4-780 Right Turns

The driver of a vehicle intending to turn to the right at an intersection or into an alley or private road or driveway shall approach such intersection or point of turning, as closely as practicable to the right-hand curb or boundary of the street (in the lane for traffic nearest to the right hand side of the way), and in turning shall keep as closely as practicable to the right hand curb.

4-781 Unattended Vehicles

No person driving in charge of a motor vehicle shall permit it to stand on any roadway unattended without first effectively setting the brakes thereon and stopping the motor of said vehicle. No person shall allow an animal drawn vehicle to be unattended unless it is reasonably fastened.

4-782 Unlawful Acts on Highway: Littering Prohibited

No person shall throw or place or cause to be thrown or placed upon highway any glass, glass bottle, nails, tacks, wire, scraps metal, crockery, can, or any other substance injurious to the feet of persons or animals or to the tires or wheels of vehicles. Whoever accidentally, or by reason of an accident, drops from his hand or a vehicle any such substance upon any highway shall forthwith make all reasonable efforts to clear such highway of the same.

4-783 State Law

All State motor vehicles laws are hereby incorporated herein by reference. No person shall violate any motor vehicle law of the State of Maine within the limits of the City of Calais.

4-790 (Reserved)

4-791 Pedestrians Subject to Traffic-Control Signals

Pedestrians shall be subject to traffic-control signals as heretofore declared in **Section 4-724** of this ordinance but all other places pedestrians shall be granted those rights and be subject to the restrictions in this article.

4-792 Pedestrians' Right of-Way in Crosswalk

- (1) When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within any crosswalk when the pedestrian is upon half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.
- (2) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicles.

4-793 Driver to Exercise Due Care

Notwithstanding the foregoing provisions of this article, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon the roadway.

4-800 Procedure on Arrest, Penalties: Miscellaneous

4-801 Penalties

General Penalty: Unless another penalty is expressly provided by State Law, any person convicted of a violation of any provision of this ordinance shall be punished by a fine of not less than \$25 and not more than \$250, except as otherwise provided in the following sections of this section.

4-802 Bicycle Violations

Any person violating any provision of this ordinance shall be subject to a penalty imposed for violation of this ordinance; however, such person may elect in lieu of the penalty to surrender his bicycle to the Police Department in accordance with the following schedule: three days for the first violation, 10 days for second violations, or 30 days for the third violation of any one provision of this ordinance in any one calendar year, the general penalty provided by **Section 4-801** hereof shall be applied, except that the violator with the approval of the Chief of Police may elect to surrender his bicycle for 30 days.

4-803 Violations

Any person violating **Section 4-713** of this ordinance shall be subject to the general penalty provided in **Section 4-801** hereof.

4-804 Other Violations

Any person violating any other provision of this ordinance shall be subject to the general penalty imposed for violation of this ordinance; however, such person may elect in lieu of such penalty to pay the sum of not less than twenty five dollars (\$25.00) and not more than two hundred and fifty dollars (\$250.00) for each such violation, provided said sum is paid within seventy-two (72) hours of the time of the violations, said sum to be paid at the Office of the City Treasurer. Any person parking within five (5) feet of a fire hydrant shall be subject to the general penalty provided in **Section 4-801** hereof, or may elect to pay the sum of twenty-five dollars (\$25.00) to be paid at the Office of the City Treasurer, which sum shall be increased to fifty Dollars (\$50.00) if not paid within seventy-two (72) hours of the time of said violation. Any construed as an enforcement imposition of a fine or penalty, but on the other hand shall be construed as an amount which an offender may voluntarily contribute toward the cost and expense of furnishing to the public a less expensive alternative method of regulating and administering traffic law violations. Any violators making such payments shall be given a receipt for every such payment and copies of said receipts shall be retained by the City Treasurer. If however, such payment as specified above is not made within the

two-week period, then this alternative method is not available or applicable, and the penalty provided by this ordinance shall be imposed.

4-805 Exception for Non-Residents

Anything in this ordinance to the contrary notwithstanding, the Police Chief is authorized to waive payment on any traffic violation ticket issued to a non-resident when in the opinion of the Police Chief such violation is due to lack of knowledge of the violation provision of this ordinance; provided, however, that this benefit shall not be extended to any violation deemed by the Police Chief to be deliberate, continued or flagrant, and provided that in no event shall this benefit extend to a violation of the provision prohibiting parking in front of a hydrant area.

4-806 Regulation Not Exclusive

The provisions of this ordinance imposing a time limit on parking or governing loading and unloading shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles or governing the loading and unloading in specified places or at specified times.

4-807 Separability

If any part or parts of this ordinance are held by a court of competent jurisdiction to be invalid, it is the legislative intent of the City Council that such decision shall not affect the validity of the remaining portions of his ordinance.

4-810 Street Schedules

4-811 Parking Prohibited at All Times Upon Following Streets

1. Monroe Street: even numbered side, Main to Lowell Street
2. Union Street: Both sides, Main to Buick Avenue
3. Salem Street: Both sides
- 4.
- 5.
6. Customs Street: odd numbered side from Main Street
7. Calais Avenue: Main Street to Washington Street on the sides of each lane furthest from the center sidewalk strip.
8. Odd numbered side of Academy Street from Calais Avenue to North Street
9. Even numbered side of Church Street from Academy Street to Washington Street

The following named streets formerly designated as locations for parking meters shall hereafter be restricted as to parking by the imposition of a two hour limit and proper signs shall be posted as provided in

Section 4-812

1. Main Street: Southerly side, from River Street to Calais Avenue.
2. Main Street: Northerly side, from Union Street to Triangle Park
3. North Street: From Main Street to Lowell Street
4. North Street: From Main Street to Washington Street.
5. Church Street: From Main Street to the New England Telephone Company property
6. Church Street: From Main Street to the Calais Fire Station.
- 7.
8. North Street: Both sides, from Main Street to Union Street
9. Monroe Street: Southerly side, from Main Street to Lowell Street

4-813 One-Way Streets

Upon the following streets or parts thereof, traffic shall move only in the following direction:

1. Blacksmith Street: North from Main Street to Union Street
2. Monroe Street: South from Main Street to Lowell Street
3. Salem Street: North from Main Street to Municipal Parking Lot Entrance

4-814 Through Streets

1. Main Street
2. North Street

Adopted:

Amended: July 14, 2005; September 22, 2005; April 24, 2008

Repealed: Section 4-758 Heavy Loads—April 24, 2008