



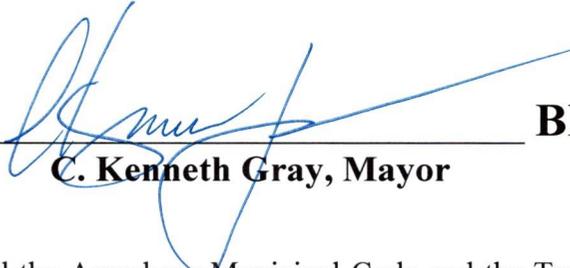
CITY OF AMESBURY
IN THE YEAR TWO THOUSAND NINETEEN

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CITY CLERK

SPONSORED BY:


C. Kenneth Gray, Mayor

BILL No. 2019- 74

An Ordinance to amend the Amesbury Municipal Code and the Traffic and Parking Regulations for the purpose of altering and modernizing the City's winter parking regulations.

Summary: This Ordinance will update the Traffic and Parking Regulations adopted in Bill No. 2015-077 and will amend the Amesbury Municipal Code in order to modernize the City's winter parking regulations. This bill proposes to eliminate the standing overnight parking ban currently in effect from December 1 – April 1, and replace it with new procedures that would allow the City to temporarily issue parking bans on a case-by-case basis during Snow Emergencies.

Be it Ordained by the City Council of the City of Amesbury assembled, and by the authority of the same, as follows:

Section 1.

Section 5-5 of the Traffic and Parking Regulations is hereby amended to read as follows:

SECTION 5-5 - Snow Emergency Parking Ban

No Person shall allow, permit, or suffer any vehicle registered in his name, other than one acting in an emergency, to be parked on any street during a declared Snow Emergency.

Section 2.

Subsection A of Section 400-5 of the Amesbury Municipal Code is hereby amended to read as follows:

- A. The Mayor may declare a Snow Emergency for the purpose of removing or plowing snow, or removing ice from any way. During a Snow Emergency, the Director of Public Works or his agent is authorized to remove any vehicle interfering with such work to some convenient place, which term shall include a public garage, and the owner of any vehicle so removed shall be liable for the cost of such removal and the storage charges, if any, resulting therefrom. The Director of Public Works shall maintain a policy on Snow Emergency notification procedures subject to approval by the Mayor.



**CITY OF AMESBURY
IN THE YEAR TWO THOUSAND FIFTEEN**

SPONSORED BY: Councilor Anne R. Ferguson BILL No. 2015-077

At the meeting of the Amesbury City Council held on December 8, 2015, in the City Hall Auditorium the following action was taken:

An Ordinance to: Request the City Council to accept the updated Traffic & Parking Regulations

Summary: The original Traffic Regulations were adopted on October 19, 1964 and updated on November 9, 1999. The Traffic Commission has recently updated these regulations to include changes since 1999.

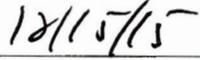
Be it Ordained by the City Council of the City of Amesbury assembled and by the authority of the same, as follows: To accept the updated Traffic & Transportation Regulations as submitted by the Traffic & Transportation Commission and attached to the bill; with further recommendation that the Council specify the date of June 30, 2015 as the date to which the schedules have been updated together with the recommendation that the schedules be updated on an annual basis.

Councilor Lavoie moved to approve as recommended by the Ordinance Committee. Councilor Bartley seconded. Roll Call Vote – 8-Yes

Witness my hand and seal for the City of Amesbury, this 14th day of December, 2015


Boniyo Kitchen, City Clerk


C. Kenneth Gray, Mayor


Date

**CITY
OF
AMESBURY
MASSACHUSETTS
TRAFFIC AND PARKING
REGULATIONS**



Adopted: December 8, 2015
Revised To: June 30, 2015

As Attested City of Amesbury, City Clerk

Date: December 14, 2015

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ARTICLE I – DEFINITIONS

For the purpose of this code, the words and phrases used herein shall have the following meanings:

Bus Stop: An area in the roadway set aside for the boarding of or alighting from buses.

Crosswalk: That portion of a roadway ordinarily included within intersections, or at any portion of a roadway clearly indicated for pedestrian crossing by lines on the road surface or by other marking or signs.

Curb Marking, Official: That portion of a curbing, the painting of which has been authorized by the Municipal Council, in compliance with statute and regulations.

Emergency Vehicle: Vehicles of the Fire Department, police vehicles, ambulances and emergency vehicles of federal, state and municipal departments or public service corporations when the latter are responding to an emergency.

Funeral Procession: Any procession of mourners properly identified as such accompanying the remains of a human body.

Handicap Ramp: A means of egress located in the sidewalk with a sloped surface leading to the roadway.

Intersection: The area embraced within the extensions of the lateral curb lines or, if none, then the lateral boundary lines, of intersecting ways as defined in Section I of Chapter 90 of the General Laws, including divided ways.

The rules and regulations herein contained governing and restricting the movement of vehicles at and near intersecting ways shall apply at any place along any way at which drivers are to be controlled by traffic control signals whether or not such place is an intersection as herein defined. (App. MA DPW 1-5-78)

Lane: A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles. A lane shall consist of twelve (12) feet in width.

Loading Zone: A designated area in the roadway set aside for the accommodation of commercial and transient vehicular traffic actively engaged in the loading and unloading of goods and equipment. (clearly designated as a service vehicle) (temporary/short term)

MHD: Massachusetts Highway Department

Officer: Any sworn officer authorized to direct or regulate traffic or to make arrests for the violation of traffic regulations.

Parking: The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to an officer or traffic signs or signals, or while making emergency repairs or, if disabled, while arrangements are being made to move such vehicle.

Pedestrian: Any person afoot or riding on a conveyance moved by human muscular power, except bicycles or tricycles, as defined in Chapter 90, Section 18A (General Laws).

Person: The word "person" shall mean and include any individual, firm, co-partnership, association or corporation.

Railroad Crossing: Any intersection of ways with a railroad right-of-way.

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

Rotary Traffic: The counterclockwise operation of a vehicle around an object or structure.

Safety Zone: Any area or space set aside within a roadway for the exclusive use of pedestrians and which has been indicated by signs, lines or markings, having the written approval of the Massachusetts Highway Department, where required by statute or regulation.

Sidewalk: That portion of a street, highway, off-street parking area controlled by the city, set aside for pedestrian travel.

Service Zone: A designated area set aside for temporary or short-term accommodation of a clearly marked commercial vehicle engaged in servicing an adjacent facility.

Street, Highway, or Road: The entire width between property lines of every way open to the use of the public for the purposes of travel.

Street Marking, Official: Any painted line, legend, marking or marker of any description painted or placed upon any way which purports to direct or regulate traffic and which has been authorized by the Municipal Council and which has the written approval of the MHD, where required by statute or regulation.

Taxicab Stands: A designated area in the roadway in which certain taxicabs are authorized and required to park while waiting to be engaged.

Traffic: Pedestrians, ridden or herded animals, vehicles, streetcars or other conveyances either singly or together while using any street or highway for the purpose of travel.

Traffic Control Area: Any area along any way, other than an intersecting way, at which drivers are to be controlled by traffic control signals or signs, devices or appurtenances.

Traffic Control Signal: Any device using colored lights which conforms to the standards as prescribed by the MHD, whether manually, electrically or mechanically operated, by which traffic may be alternately directed to stop and to proceed.

Traffic Island: Any area or space set aside within a roadway, which is not intended for use by vehicular traffic.

Traffic Signs, Official: All signs, markings and devices, other than signals, not inconsistent with these rules and orders, and which conform to the standards prescribed by the MHD and placed or erected by The Traffic & Transportation Commission or official having jurisdiction for the purpose of guiding, directing, warning or regulating traffic.

Traffic Signals, Official: All signals, conforming to the standards as prescribed by the MHD, not inconsistent with these rules and orders, placed or erected by authority of the Traffic & Transportation Commission or police officer having jurisdiction. For the purpose of directing or warning traffic.

U-turn: The turning of a vehicle by means of a continuous left turn whereby the direction of such vehicle is reversed.

Vehicle: Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including bicycles when the provisions of these rules are applicable to them, except other devices moved by human power or used exclusively upon stationary rails or tracks and devices which derive their power for operation from stationary overhead wires.

Vehicle, Commercial: Any vehicle being used in the transportation of goods, wares or merchandise for commercial purposes.

Vehicle, Heavy Commercial: Any commercial vehicle of over two and one-half (2.5) ton capacity.

ARTICLE II - AUTHORITY AND DUTIES OF POLICE

SECTION 2-1 - Traffic, Police to Direct

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

SECTION 2-2 - Close Street, Police May Temporarily

The Chief of Police or his designee is hereby authorized to close temporarily any street or highway in an impending or existing emergency, construction, lawful assemblage, demonstration or procession.

SECTION 2-3 - Parking, Police May Prohibit Temporarily

The Chief of Police or his designee is hereby authorized to prohibit, temporarily, parking on any street or highway or part thereof in an impending or existing emergency; or for a lawful assemblage, demonstration or procession; or for construction or repairs for up to thirty (30) days. Provided there is a reasonable justification of the closing of such street. Vehicles parked in places where parking is prohibited temporarily may be moved by or under the direction of an officer.

SECTION 2-4 - Road Details

The Chief of Police shall make the final determination for private duty detail officers in the event of any construction, repair or maintenance in, upon, or adjacent to any street or highway.

SECTION 2-5 - Exemptions

The provisions of these rules and orders shall not apply to drivers actually engaged in work upon a street or highway closed to travel or under construction or repair, to officers when engaged in the performance of public duties nor drivers of emergency vehicles while operating in an emergency and in performance of public duties when the nature of the work of any of these necessitates a departure from any part of these rules and orders. These exemptions shall not, however, protect the driver of any vehicle from the consequences of a reckless disregard of the safety of others.

ARTICLE III - TRAFFIC SIGNS, SIGNALS, MARKINGS AND ZONES

SECTION 3-1 - Bus Stops, Taxicab Stands and Service Zones, Location of

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

SECTION 3-2 - Interference with Signs, Signals and Markings Prohibited

Any person who willfully defaces, injures, moves, obstructs or interferes with any official traffic signs, signals or marking shall be liable to a penalty of two-hundred (\$200.00) for each and every offense.

SECTION 3-3 - Obedience to Traffic Signs, Signals and Markings

No driver of any vehicle or of any street car shall disobey the instructions of any official traffic control signal, sign, marking, marker or legend unless otherwise directed by a police officer or shall be liable to a penalty of fifty (\$50.00) dollars for each and every offense.

SECTION 3-4 - Traffic Signs and Signals

- a. The Director of Public Works is hereby authorized, and as to those signs and signals required hereunder it shall be his duty, to install, remove and maintain all official traffic signs, signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the MHD.
- b. Sections 2-2 and 2-3 of Article II and Section 5-2 and 5-3 and 5-6 to 5-10 inclusive of Article V relating to parking and Sections 7-7 and 7-10 of Article VII concerning turning movements and Section 7-20 of Article VII pertaining to exclusion shall be effective only during such time as official signs are erected

and maintained in each block designating the provisions of such sections and located so as to be easily visible to approaching drivers.

- c. Sections relating to one-way streets shall be effective only during such time as a sufficient number of official signs are erected and maintained at the entrance and each of the exits for each one-way street, so that at least one sign will be clearly visible for a distance of at least seventy-five (75) feet to drivers approaching such an exit.

SECTION 3-5 - Signals, Signs and Markings Prohibited, Display of Unauthorized

No person or corporation shall place, maintain or display upon or in view of any street any unofficial device, sign, signal, curb marking or street marking which purports to be or is an imitation of or resembles an official traffic device, sign, signal, curb marking or street marking or which attempts to direct the movement of traffic or which hides from view any official sign, signal, marking or device and shall be liable to a penalty of one-hundred (\$100.00) dollars for each and every offense. The Chief of Police or his designee is hereby empowered to remove every such prohibited sign, signal, marking or device or cause it to be removed without notice.

SECTION 3-6 - Experimental Regulation

For the purpose of trial the Traffic & Transportation Commission may make temporary rules regulating traffic, or test under actual conditions traffic signs, markings, or other devices. No such experimental rules relating to traffic shall remain in effect for a period longer than 30 days.

ARTICLE IV - ZONES OF QUIET

All of the territory within two-hundred (200) feet of the premises of each medical facility or other equally appropriate facility designated by the Traffic & Transportation Commission in this city, is hereby created and established as a Zone of Quiet. The Chief of Police or his designee is hereby authorized to erect and maintain in a conspicuous manner within this area such signs and markings as are necessary to designate it as a Zone of Quiet.

The Traffic & Transportation Commission may temporarily establish a Zone of Quiet upon any street where a person is seriously ill, if requested of at least two registered physicians certifying to its necessity. Said temporary zone of quiet shall embrace all territory within a radius of two-hundred (200) feet of the building occupied by the person named in the request of said physicians. Said temporary zones of quiet shall be designated by the police by placing at a conspicuous place in the street a sign or marker bearing the words "Zone of Quiet".

- No person operating a motor vehicle within any designated and signed zone of quiet shall sound the horn or other warning device of said vehicle except in an emergency.
- No person shall play a radio or other audio device so as to be heard outside of the vehicle when the windows are open.
- No person shall make a harsh or objectionable noise within the "Zone of Quiet."

ARTICLE V - STOPPING, STANDING, PARKING

SECTION 5-1 - General Prohibitions

No person shall stand or park and no person shall allow, permit or suffer any vehicle registered in his name to stand or park in any street, way, highway, road or parkway under the control of the City of Amesbury in violation of any of the Traffic Rules or Orders adopted by the Municipal Council and in particular in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic sign or signal.

- Within an intersection.
- Upon any sidewalk.
- Upon any crosswalk.
- Upon the roadway in a rural or sparsely settled district.
- Upon a roadway where parking is permitted unless both wheels on the right side of the vehicle are within twelve (12) inches of the curb or edge of the roadway, except upon those streets that are designated as one-way streets. On such one-way streets, vehicles shall be parked in the direction in which said vehicle

is moving and with both wheels within twelve (12) inches of the curb.

- This shall not apply to streets or parts of streets where angle parking is required by these regulations.
- Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least twelve (12) feet wide for passing traffic.
- Upon any street or highway within ten (10) feet of a fire hydrant.
- In front of or within 5 feet of the lateral edges of a private road or driveway.
- Upon any street or highway within twenty (20) feet of an intersecting way, except alleys.
- Within fifteen (15) feet of the wall of a fire station or directly across the street from such fire station provided signs are erected acquainting the driver of such restriction.
- Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic, including pedestrian turnouts in the Central Business District.
- Within twenty-five (25) feet of the nearest rail of a railroad crossing when there are no gates at such crossing, or otherwise within five (5) feet from the gate.
- On a bridge or boat ramp and the approach thereto.

SECTION 5-2 - Service and Loading Zones

Service and Loading Zones shall not infringe/obstruct the normal lane or lanes of travel.

No person shall park a vehicle upon any street in any loading zone for a period of time longer than 30 minutes and except while actually engaged in loading or unloading, and no person shall engage in loading or unloading within the Central Business District (CBD) as defined in the City of Amesbury Zoning By-Law during any restricted hours established by the Municipal Council and incorporated by reference in this document.

No person shall park a vehicle in any service zone within the Central Business District (CBD) as defined in the City of Amesbury Zoning By-Law except while actually engaged in providing a repair service. Service vehicle must be clearly marked as a service vehicle and the location where service is being provided must be clearly identifiable from outside of the vehicle.

Violation of any part of this section shall be liable to a penalty of one-hundred (\$100.00) dollars for each and every offense.

SECTION 5-3 - Diagonal Parking

The Traffic & Transportation Commission shall determine the street upon which diagonal parking will be permitted and shall cause said streets to be designated by signs and the surfaces thereof to be marked as directed by the Chief of Police.

Where such diagonal parking is permitted, vehicles shall be parked with one wheel within twelve (12) inches of the curb and at the angle to the curb indicated by official marks and signs. The vehicle shall be parked so that all four wheels thereof shall be placed wholly within the area indicated for parking, and headed to the curb.

SECTION 5-4 - Parking Vehicle for Sale Prohibited

It shall be unlawful for any person to park upon a street or highway any vehicle displayed for sale.

SECTION 5-5 - No All Night Parking

Winter Parking Ban - No person shall allow, permit or suffer any vehicle registered in his name, other than one acting in an emergency, to be parked on any street for a period of time longer than one (1) hour between the hours of 1:00 A.M. and 7:00 A.M. any day between December 1st and April 1st.

Central District Parking Ban - No person shall allow, permit or suffer any vehicle registered in his name, other than one acting in an emergency, to be parked on any street within the Central Business District (CBD) as defined in the City of Amesbury Zoning By-Law between the hours of 1:00 A.M. and 7:00 A.M. any day of the year.

SECTION 5-6 - Parking Location and Prohibitions

Parking is prohibited, restricted or limited as to time, space and streets in accordance with a schedule of streets designated as Schedule No. I, hereto appended to which reference is made, and which Schedule No. I is specifically incorporated in this section. No operator shall park a vehicle in the designated prohibited locations or in the restricted locations for a period longer than is designated in Schedule No. I, except as otherwise provided in this Schedule, or where there is a time limit as to parking.

Chapter 400. Streets and Sidewalks

Article I. General Regulations

§ 400-5. Snow removal.

- A. The Director of Public Works or his agent, for the purpose of removing or plowing snow, or removing ice from any way, is authorized to remove any vehicle interfering with such work to some convenient place, which term shall include a public garage, and the owner of any vehicle so removed shall be liable for the cost of such removal and the storage charges, if any, resulting therefrom.
- B. No person shall push, dump, plow, or unload snow from private property into or onto any public way in City, nor shall any person, directly or indirectly, cause or permit his premises or any part thereof to be cleared of snow by pushing, plowing, removing, dumping, or unloading such snow upon any public or other way used for travel within the City.
- C. No person shall put or place any snow, ice, or other materials in any gutter in any of the streets of the City where a culvert has been constructed so as to prevent the free passage of water into such culvert.
- D. The tenant or occupant and, in case there shall be no tenant or occupant, the owner or any person having the care of any building or lot of land bordering on any street, lane, court, square, or public place within the City, where there is a sidewalk, shall cause all snow that may be on such sidewalk to be removed therefrom within 24 hours after the snow ceases to fall. The provisions of this subsection shall apply to snow which falls from buildings as well as to that which falls from the clouds.