



TRAFFIC CONTROL REGULATIONS

Applies to:	<i>Vehicles and Traffic in the Town of Southampton</i>
Select Board Original Adoption:	<u>November 2, 2017</u>
Amended on:	--
Last Reviewed by Select Board:	

Purpose

This policy is pursuant to Massachusetts General Laws Chapter 40, §22. Officers of the Southampton Police Department shall have the authority to enforce these regulations through the issuing of non-criminal ticketing.

Policy

1. Definitions

- a. **Motor Vehicle**: Any motorized vehicle as defined in Massachusetts General Laws Chapter 90, Section 1, or any motorized vehicle or vehicle capable of motorized operation, not so defined in Chapter 90, Section 1, to include but not limited to automobiles, trucks, motorcycles, snow vehicles, mopeds, scooters, dirt bikes, All Terrain Vehicles, Utility Vehicles.
- b. **Fire Lane**: The portion of a public or private parking lot, private driveway, or public or private road which is designed to provide access for fire trucks to any building or location and which is specifically posted for such access.
- c. **Parking**: The standing of a vehicle, whether occupied or not, other than temporary standing for the purpose of and while actually engaged in loading or unloading or in obedience to an law enforcement officer or traffic signs or signals, or while making emergency repairs, or if disabled, while arrangements are made to immediately move such vehicle
- d. **Sidewalk**: The portion of a street or highway set aside for pedestrian travel.
- e. **Crosswalk**: The portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections or at any portion of a roadway clearly indicated for pedestrian crossing by lines on the road surface.



2. Enforcement:

- a. Officers of the Southamton Police Department shall have the authority to enforce violations of these regulations.
- b. Violation Assessment Schedule: All violations of the regulations established in this by-law are civil infractions with a penalty of \$50 per violation, unless another penalty amount is expressly set forth herein.

3. Prohibited Operation:

- a. Following Too Closely: The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street or highway.
- b. Compliance with Traffic Control Devices and Signs: No person shall operate a motor vehicle as defined herein in a manner whereas such operation is not in compliance with the instruction of any official traffic control signal, sign, marker, roadway paint markings, or legend, to include posted speed zones, unless otherwise directed by a law enforcement officer.
- c. Care in Starting, Stopping, Turning, or Backing: The operator of any vehicle, before starting, stopping, turning from a direct line, or backing, shall first see that such movement can be made in safety. If such movement cannot be made in safety or if it interferes unduly with the normal movement of other traffic, said operator shall wait for a safer opportunity to make such a movement. If the operation of another vehicle should be affected by a stopping or turning movement, the driver of such other vehicle shall be given a plainly visible signal, as required by MGL c. 90, § 14B.
- d. Driving within Marked Lanes: When any roadway has been divided into marked lanes, a driver of a vehicle shall drive so as to be entirely within a single lane and shall not move from such lane until such movement can be made safely.

4. Handicap Parking Accessibility

- a. Any person or entity that has lawful control of a public or private property that has been improved or enclosed for use of off-street parking areas for business, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential



dwellings, or for any other place where the public has a right of access as invitees or licensees, shall be required to reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by section two of Chapter 90 of the Massachusetts General Laws, according to the following formula: If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, two parking spaces; more than forty but not more than one hundred, four percent of such spaces but not less than three; more than one hundred but not more than two hundred, three percent of such spaces but not less than four; more than two hundred but not more than five hundred, two percent of such spaces but not less than six

- b. Parking spaces designated as reserved under the provisions of paragraph (a) shall be identified by the use of above grade signs with white lettering against blue background and shall bear the words “Handicapped Parking: Special Plates Required. Unauthorized Vehicles May Be Removed at Owner’s Expense”; shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramp or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be twelve feet wide or two eight-foot wide areas with four feet or cross hatch between them.

5. Authority to Establish Parking Regulations and Removal of Parked Vehicles:

- a. The Superintendent of the Southampton Highway Department and/or the Superintendent of Public Works shall possess the authority to regulate parking on public and private ways maintained or owned by the Town of Southampton.
- b. The Chief of Police or his designee is hereby authorized to prohibit parking temporarily where it is otherwise allowed or allow parking temporarily where it is otherwise prohibited on any street or highway or part thereof, or parking lots maintained by the Town of Southampton in an impending or existing emergency or for a lawful assemblage or demonstration or procession. Vehicles parked in places where parking is prohibited may be towed under the direction of an officer. However, such officer shall make reasonable efforts to notify the owner of such vehicle to have such vehicle moved prior to the vehicle being towed.
- c. A police officer, who, while in the performance of his or her official duties, conducts a lawful motor vehicle stop on a public way as defined by Massachusetts General Laws Chapter 90 Section 1 and where the results of such enforcement prohibits the continued operation of said vehicle, shall have the authority to order the towing of said vehicle,



unless the vehicle is registered and parked in a location specifically designated for the parking of a motor vehicle.

- d. A police officer may cause a vehicle to be towed and removed if said vehicle is in violation of Sections 6(a) or 6(b) of this regulation set forth below.

6. Prohibited Conduct:

- a. Handicap and Disabled Parking: No person shall park a motor vehicle in a designated parking space that is reserved for vehicles owned and operated by disabled veteran or handicapped persons and bearing the distinctive number plates or, for vehicles transporting a handicapped person, displaying the special parking identification plate authorized by M.G.L c. 90, §2, or for any vehicle bearing the official identification of a handicapped person issued by any other state or any Canadian province. Any vehicle parked in violation of this section may be removed in accordance with the M.G.L. c. 266 § 120D.
 - i. A violation of Section 4(a) is a civil infraction with a penalty of \$200 per violation.
- b. Illegal Parking: No person shall park, allow, or permit a vehicle to be parked in any of the following places unless specifically exempt by law.
 - i. On any public way between the hours of 12:00 a.m. and 6:00 a.m. from November 1st to March 31st.
 - ii. On any public way during a snow event
 - iii. On any public way during which time the Superintendent of Department of Public Works or the Superintendent of the Highway Department issues a parking ban due to inclement weather.
 - iv. Within 10 feet from a fire hydrant, whether on a public or private way or location.
 - v. Upon any public way where the location of the parked vehicle obstructs the view or line of sight of vehicular traffic so as to not leave a clear and unobstructed view for approaching or intersecting vehicles.
 - vi. In front of a public or private driveway without the consent of the owner.



- vii. Within a fire lane or obstructing fire lane access.
- viii. Upon a public way marked with designated travel lanes where the posted or unposted speed limit is 30 mph or greater and the parked vehicle does not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.
- ix. Upon a sidewalk
- x. Upon a crosswalk
- xi. In a restricted area where parking is prohibited by posted signs.
- xii. Parked in the opposite direction of the travel lane, whereas a vehicle's passenger side wheels are not closest to the curb or roadway shoulder.

7. Liability for Removal and Towing

- a. Pursuant to Massachusetts General Laws Chapter 266, §120D, the Town and its officers and employees shall not be liable for any damage arising out of the removal and/or storage of any vehicle ordered removed by the Police Department.