

SECTION 706 PARKING PROHIBITED

(Reg., Art V, Sec. 1) / (ATM, Art.24, 5-17-04)

• **Violations:** No person shall park a vehicle and/or trailer (hereinafter "vehicle") or be the registered or unregistered owner of vehicle parked upon a street or highway or way as defined in M.G.L. C.90 s.1, as defined in section 700 of this general By-law, or in any of the following places or in a manner in violation of the provisions of this section. Enforcement shall be pursuant to M.G.L. C.90 s.20A1/2, accepted by the Town of Wilbraham, Annual Town Meeting, 1988.

1. Within a designated no parking zone
2. Within a designated no passing zone
3. So as to obstruct snow or ice removal
4. So as to obstruct a sidewalk
5. So as to obstruct a driveway or private way
6. So as to obstruct a crosswalk
7. Over (1) foot from the curb or edge of the way
8. Within an intersection
9. Within (20) feet of an intersecting way
10. With the left wheels to the curb or edge of the way
11. Within (15) feet of a bus stop sign
12. So as to leave less than ten (10) feet wide unobstructed lane to the curb, edge or solid center line(s) of a street, highway or way
13. Which is unregistered on a street, highway or way
14. Within a restricted area during a winter parking ban
15. Within a restricted area during an emergency parking ban
16. Within any grassed, lawn, landscaped or maintained area on the grounds of any municipal or school building, park or playground, or other tree belt or landscaped buffer area
17. While displaying a temporary sign advertising the sale of the vehicle or any other service or product
18. An unattended or unattached trailer as defined by M.G.L. C.90 s.1
19. Within a fire lane
20. On any street, highway or way for a period of time longer than one (1) hour between the hours of 1:00am and 7:00 am of any day
21. On town property, except as a business or social invitee
22. On school district property without a current parking sticker or except as a business or social invitee
23. Impeding traffic within a school zone
24. Impeding traffic within a designated parade route
25. Within ten (10) feet of a fire hydrant
26. So as to obstruct or occupy a designated disabled veterans or handicap ramp, cross hatch area (as defined by M.G.L. C.40 s.22a and/or 521 CMR, as amended from time to time) or parking area without proper plate or permit

b. Exemptions:

1. Official Town, State, Federal, Diplomatic or Consular vehicles are exempt from the application of Sec. (e 1), (e 2), (f 2), (f 3),(g2) and (g 3) of this By-law while on official business or otherwise within applicable immunities. See M.G.L. C.40 s.22d.

2. The Chief Of Police, his designee, or the Board of Selectmen may waive enforcement of this section on any street, highway, or way, place or violation as appropriate for cause, including without limitation, a bona fide emergency.

c. Fines: The following shall be the established schedule of fines for the above vehicle referenced parking offenses:

1. Pursuant to M.G.L. C.90 s.20 A1/2, the penalty for offenses in Subsections (a. 1 through 24) shall be a fine in the amount of fifteen dollars (\$15) if paid within twenty one (21) days; the fine shall increase to twenty five (\$25) dollars if paid thereafter. If not paid within sixty days (60) Registry of Motor Vehicles is notified and additional penalties will be added as prescribed by law.

2. Pursuant to MGL C90 S 20 A ½, the penalty for offense in Subsection (a. 25)(Fire Hydrant) shall be a fine in the amount of fifty dollars (\$50) if paid within twenty one (21) days, the fine shall increase to sixty dollars (\$60) if paid thereafter. If not paid within sixty days (60) Registry of Motor Vehicles is notified and additional penalties will be added as prescribed by law.

3. Pursuant to MGL C 40 S 22A the penalty for the offenses in Subsection (a. 26) (Disabled Veterans/Handicap Persons, etc.) shall be a fine in the amount of one hundred dollars \$100 if paid within twenty-one (21) days; the fine shall increase to one hundred twenty five dollars (\$125) if paid thereafter. Subsequent offenses shall be a fine in the amount of two hundred dollars (\$ 200), if paid within twenty-one days (21); the fine shall increase to two hundred fifty dollars (\$250) if paid thereafter. If not paid within sixty days (60) the Registry Of Motor Vehicles is notified and additional penalties will be added as prescribed by law.

d. **Hearing:** A hearing, with the parking clerk, may be obtained upon written request of the registered owner of the vehicle within twenty-one days (21) of the issue date of the violation(s), pursuant to M.G.L. C.90 s.20 A1/2.

e. Removal of vehicle parked in violation; fine

1. The Chief of Police or his designee may remove or cause to be removed any vehicle parked in violation of this section

2. Any person whose vehicle is removed shall be subject to additional charge of twenty-five (\$25) and is fully responsible for all charges and expenses incurred for removal and storage of such vehicle.

f. Winter parking ban: fine

1. The Superintendent of the Department of Public Works, or his designee may declare a limited parking ban on any street, highway or way within the town during the period beginning November 1 through April 30 for the purposes of snow and ice removal. The superintendent or his designee shall announce all such limited parking bans to the press prior to their enforcement.

2. The Superintendent of Public Works or his designee may remove or cause to be removed any vehicle parked in violation of the winter ban.

3. Any person whose vehicle is removed shall be subject to additional charge of twenty-five (\$25) and is fully responsible for all charges and expenses incurred for removal and storage of such vehicle.

g. Emergency parking ban: fines

1. The Chief of Police or his designee may declare an emergency limited parking ban on any street, highway or way within the town during the period of any emergency. The Chief or his designee shall announce all such limited parking bans to the press if their duration shall exceed twenty-four (24) hours.

2. The Chief of Police or his designee may remove or cause to be removed any vehicle parked in violation of the emergency parking ban.

3. Any person whose vehicle is removed shall be subject to additional charge of twenty-five (\$25) and is fully responsible for all charges and expenses incurred for removal and storage of such vehicle.