

ARTICLE VII - TRAFFIC BY-LAWS

The following By-Laws shall regulate traffic upon the streets of the Town of Wilbraham to the extent not in conflict with or superseded by state law or regulations.

SECTION 700 MEANING OF WORDS

For the purpose of these By-Laws, the words and phrases used herein shall have the following meanings except in those instances where the context indicates a different meaning. (Reg., Art. I)

a.) "Street or Highway". The entire width between property lines of every way open to the use of the public for purposes of travel.

b.) "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.

c.) "Lane". A lengthwise division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles.

d.) "Vehicle". Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway except devices moved by human power or used exclusively upon stationary rails or tracks.

e.) "Emergency Vehicle". Vehicles of the Fire Department, Fire Patrol and Police Department, ambulances and emergency vehicles of federal, state and municipal departments or public service corporations when the latter are responding to an emergency in relation to the police or fire departments.

f.) "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.

g.) "Pedestrian". Any person afoot or riding on a device moved by human power except bicycles or tricycles.

h.) "Sidewalk". That portion of a street or highway set aside for pedestrian travel.

i.) "Crosswalk". That 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 or by other markings or signs.

j.) "Railroad Crossing". Any intersection of ways with a railroad right-of-way.

k.) "Traffic". Pedestrians, horses, vehicles or other conveyance devices either single or together, while using any street or highway for the purpose of travel.

l.) "Official Traffic Signs". All signs, markings and devices, other than signals, not inconsistent with these rules and orders and which conform to the standards prescribed by the Department of Public Works of the Commonwealth of Massachusetts and placed or erected by authority of a public body or official having jurisdiction for the purpose of guiding, directing, warning or regulating traffic.

m.) "Officer". For the purpose of this By-Law, an officer shall be construed to mean any police officer, any investigator, examiner or inspector of the Registry of Motor Vehicles, any constable or special officer, provided he/she has his/her badge of office displayed over his/her left breast and upon his/her outer garment.

n.) "Official Curb Marking". That portion of a curbing, the painting of which has been authorized by the Board of Selectmen and which has the written approval of the Department of Public Works, Commonwealth of Massachusetts.

o.) "Official Street Marking". Any painted line, legend, marking or marker of any description painted or placed upon any way to direct or regulate traffic which has been authorized by the Board of Selectmen and has the written approval of the Department of Public Works, Commonwealth of Massachusetts.

SECTION 701 TEMPORARY CLOSING OF STREETS

a.) The Board of Selectmen is hereby authorized to close temporarily any street or highway in an impending or existing emergency, or for any lawful assemblage, demonstration or procession provided there is a reasonable justification for the closing of such street. (Reg. Art. II, Sec. 2)

b.) The Board of Selectmen 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 provided there is a reasonable justification for such prohibition. Vehicles parked in places where parking is prohibited temporarily may be moved by or under the direction of an officer. (Art. 2, Sec. 3)

c.) The provisions of this By-Law shall not apply to persons actually engaged in work upon a street closed to travel, under construction or repair, to officers when engaged in the performance of public duties, nor to drivers of emergency vehicles acting in the performance of their public duties when the nature of the work of any of these persons necessitates a departure from any part of these By-Laws. These exemptions shall not, however, protect the driver of any vehicle from the consequences of a reckless disregard of the safety of others. (Reg., Art. II, Sec. 4)

SECTION 702 SIGNS ON STREETS

a.) The Director of Public Works is hereby authorized and as to those signs and signals required hereunder, it shall be his duty to place and maintain or cause to be placed and maintained 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 Department of Public Works of the Commonwealth of Massachusetts. (Reg., Art. III (1)(a))

b.) Sections relating to parking shall be effective only during such time as a sufficient number of 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. (Reg., Art III (1)(b))

SECTION 703 UNAUTHORIZED SIGNS (Reg., Art. III, Sec. 2)

It shall be unlawful for any person to place or maintain or to display upon or in view of any street any unofficial sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic sign, signal, marking or device, or which attempts to direct the movement of traffic or which hides from view any official sign or signal. The Chief of Police is hereby empowered to remove every such prohibited sign, signal, marking or device or cause it to be removed without notice. (Reg., Art. III, Sec. 2)

SECTION 704 DESTRUCTION OF SIGNS (Reg., Art. III, Sec. 3)

Any person who willfully defaces, injures, moves, obstructs or interferes with any official traffic sign, street sign, signal or marking shall be penalized a sum not to exceed twenty (\$20) dollars for each and every offense. (Reg., Art. III, Sec. 3)

SECTION 705 OBEDIENCE TO TRAFFIC INSTRUCTIONS (Reg., Art. III, Sec. 4)

No driver of any vehicle shall disobey the instructions of any official traffic control signal sign, marking, marker or legend, unless otherwise directed by a police officer. (Reg., Art. III, Sec. 4)

SECTION 706 PARKING PROHIBITED (Reg., Art V, Sec. 1)(ATM, Art.24, 5-17-04)

a) 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), (g 2) 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.

SECTION 707 RIGHT TURN ON RED SIGNAL (Art. VI, Sec. 5)

The Board of Selectmen is authorized to designate those intersections in the Town where right turns on red traffic signals are prohibited.

SECTION 708 REGULATIONS GOVERNING FEDERAL AID PROJECT AT BOSTON ROAD AND STONY HILL ROAD INTERSECTION (ATM 5/4/98, Art. 29)

In compliance with the Federal Aid project for the reconstruction of the intersection of the Boston Road and Stony Hill Road intersection, it shall be mandatory for the left lane to turn left on:

Stony Hill Road northbound to Boston Road (Route 20) westbound; and

Stony Hill Road southbound to Boston Road (route 20) eastbound.

SECTION 709 REGULATIONS GOVERNING FEDERAL AID PROJECT ON SPRINGFIELD AND FACULTY STREETS (ATM, 5/7/01, Art. 37)

In compliance with the Federal Aid project for the reconstruction of Faculty Street and Springfield Street from Main Street to Stony Hill Road, including safety improvements at various intersections, the following provisions shall be mandatory on the reconstructed roadways:

- a.) There shall be no parking on the south side of Faculty Street from Main Street for a distance of 325 meters westerly.
- b.) Left lanes with mandatory left turns shall be maintained in the following three locations: Springfield Street eastbound to Faculty Street northbound; Springfield Street eastbound to Stony Hill Road northbound; and Stony Hill Road southbound to Springfield Street eastbound.

Stop signs shall be maintained at the following locations: Faculty Street at Springfield Street; Springfield Street at Main Street; and Faculty Street at Main Street.