

ORDINANCE

TOWN OF HOLDEN

1. Title

This Ordinance shall be known and may be cited as the "Traffic Ordinance of the Town of Holden, Maine," and will hereinafter be referred to as the "Ordinance."

2. Authority

This Ordinance is adopted pursuant to the authority granted to the Municipal Officers by Title 30-A, M.R.S.A., Section 3009.

3. Purpose

The purpose of this Ordinance is to protect the health, safety, and welfare of the public by regulating traffic on town roads and ways and on public property where such regulation is not provided or pre-empted by state law or regulation.

4. Definitions

- A. Prior to July 1, 2002, the term "municipal officers" shall refer to the Selectmen. Thereafter, that term shall refer to the Town Council.
- B. A prior offense is measured from the date of the first violation conduct to the date of the second violation conduct.

5. Regulation by Municipal Officers

The municipal officers of the Town of Holden may, from time to time, as they deem necessary, regulate the operation of all vehicles on the public roads and ways, and on publicly owned property except where speed and/or traffic control limits are imposed or regulated by the Maine Department of Transportation Pursuant to Title 23 or Title 29-A.

6. Penalties

Any violation of this Ordinance or any regulation adopted hereunder is a civil offense. Except as provided in Section 8, below, such offense is punishable by a fine of not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00) for a first offense, not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) for a second offense occurring within four (4) years; and not less than one hundred dollars (\$100.00) nor more than four hundred dollars (\$400.00) for a third or subsequent offense occurring within four (4) years.

7. Posting of Regulations

Any regulation of traffic adopted pursuant to this Ordinance shall be recorded in the Town Office. Suitable traffic signs shall be posted in the regulated areas notifying the public of such regulations.

8. Enforcement: Waiver of Court Action

This Ordinance may be enforced in any court of competent jurisdiction. A person cited for violating this Ordinance or any regulation adopted hereunder may waive court action by paying a fine equal to the minimum fine applicable for that offense within thirty (30) days of the date of the offense. Thereafter, the minimum fine shall increase to fifty dollars (\$50.00) for a first offense, one hundred dollar (\$100.00) for a second offense, and two hundred dollars (\$200.00) for a third offense.

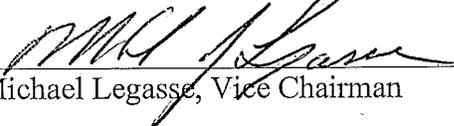
9. Severability

In the event that any section, subsection or any regulation or provision of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such invalidation shall be not be deemed to affect the validity of any other section, sub section or portion of this Ordinance. To this end, the provisions of this Ordinance are hereby declared to be severable.

HOLDEN BOARD OF SELECTMEN

APRIL 22, 2002
Date Adopted


Joel Dearborn, Chairman


Michael Legasse, Vice Chairman

Ellen Campbell


Clare Hudson Payne


Ralph McLeod