

**TOWN OF LEICESTER**  
**COMMONWEALTH OF MASSACHUSETTS**

**PARKING RULES & REGULATIONS**

The following rules and orders regulating the parking of vehicles upon streets and highways within the Town of Leicester are hereby enacted by the Board of Selectmen under the provisions of Section 22 of Chapter 40 of the Massachusetts General Laws.

- I. **Definitions** – for the purpose of these rules and orders, the words and phrases used herein shall have the following meanings, except in these instances where the context clearly indicates a different meaning:
- A. Parking Clerk – the person appointed by the Board of Selectmen under the provisions of MGL Chapter 90, Section 20A to supervise and coordinate the processing of parking violations in the Town.
  - B. MHD. – The Massachusetts Highway Department of the Commonwealth of Massachusetts.
  - C. Officer – any police officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
  - D. Vehicle – every device in, upon, or 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.
  - E. Bus Stop – an area in the roadway set aside for the board of or alighting from buses.
  - F. Caution Signal – a flashing yellow signal having the same general functions as a warning signal.
  - G. Channelizing Island – a traffic island located to guide traffic streams along certain definite paths and to prevent the promiscuous movement of vehicles in what would otherwise be a widely extended roadway area.
  - H. Crosswalk – that portion of a roadway ordinarily included within the extensions of the sidewalk lines, or, if none, then the footpath lines, and at any place in a highway clearly indicated for pedestrian crossing by lines or markers upon the roadway surface.
  - I. Pedestrian – any person afoot or riding on a conveyance moved by human power, except bicycles or tricycles.
  - J. Sidewalk – that portion of a highway set aside for pedestrian travel.

- K. Bus – every vehicle designed for carrying more than eight (8) passengers and used primarily for the transportation of persons either for compensation, as a service, or as an adjunct to a school program.
- L. Bicycle – any wheeled vehicle propelled by pedals and operated by one or more persons.
- M. Highway Department – The Highway and Street Department of the Town of Leicester.
- N. Traffic Island – any area or space set aside, within a roadway, which is not intended for use by vehicular traffic.
- O. Roadway – that portion of a highway between the regularly established curb lines or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic.
- P. Lane – a longitudinal division of a roadway of sufficient width to accommodate the passage of a single line of vehicles, whether or not such lane is indicated by pavement markings or longitudinal construction joints.
- Q. Emergency Vehicles – vehicles of the fire department, police vehicles, and such ambulance and emergency vehicles of federal, state or municipal departments or public service corporations as are commonly recognized as such.

## **II. Authority and Duties of Police**

- A. The Chief of Police is authorized to prohibit parking on any street or highway, or part thereof, in an impending or existing emergency, or for a lawful assembly, demonstration or procession.
- B. The Chief of Police is authorized to close, temporarily, any street or highway in an impending or existing emergency, or for any lawful assembly, demonstration or procession.
- C. It shall be the duty of every police officer to take cognizance of any violation of any rule or regulation regulating the parking of motor vehicles and give the offender a notice as provided in Section 20A of Chapter 90 of Mass. General Laws.
- D. Police officers may remove or cause to be removed vehicles found in violation of Article 4, Section C, of the Parking Rules & Regulations of the Town of Leicester.

## **III. Official Traffic Signs**

- A. The provisions of these rules and regulations shall be effective only during such time as a sufficient number of parking signs are installed, erected, maintained and located so as to be visible to approaching drivers; said signs shall conform to the standards prescribed by MHD.

#### **IV. Parking**

- A. No person shall stand or park any vehicle in any street, way or highway under the control of the Town, and no person shall allow, permit, or suffer any vehicle registered in his name to stand or park in any street, way or highway under the control of the Town in violation of any rules and regulations of the Town as authorized under Section 22 of Chapter 40 of the Mass. General Laws except with the direction of a police officer or traffic sign.
- B. No person shall stand or park any vehicle in any street, way or highway under the control of the MHD in violation of Section 1, Article II of the rules and regulations of the MHD as authorized by Section 2 of Chapter 85 of the Mass. General Laws.
- C. In accordance with Article IV, Section A of these rules and regulations in particular, in any of the following places, no person shall park a vehicle:
  - 1. within any crosswalk
  - 2. within any bus stop
  - 3. within any intersection
  - 4. upon any sidewalk
  - 5. upon any channelizing or traffic island
  - 6. upon any roadway in a rural or sparsely settled district
  - 7. upon any street or highway within ten feet of a fire hydrant
  - 8. upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane ten feet wide in each direction for passing traffic
  - 9. upon any roadway within twenty feet of any intersecting way
  - 10. upon or in front of any private road or driveway without the consent of the owner of said road or driveway
  - 11. upon any roadway where parking is permitted unless both wheels on the right side of the vehicle are within twelve inches of the curb or edge of the roadway
  - 12. upon any roadway between the hours of 1:00am and 7:00am from December 1<sup>st</sup> to April 1<sup>st</sup> in any year
  - 13. upon any roadway at any time when there is in excess of four inches of snowfall
  - 14. upon any roadway where the parking of a vehicle will obstruct or hide from view any traffic control signal
  - 15. upon any roadway facing towards the direction of oncoming traffic
- D. No person shall stop, stand, or park any vehicle upon any roadway, or in a fire lane established by the authority of the Leicester Fire Department, or within a private way or alley open to public use or furnishing means of access for fire apparatus or other emergency equipment to any dwelling, building, or any other place that might require services of such fire apparatus or other emergency equipment in such a manner as to leave available less than fourteen feet for clear and unobstructed passage of vehicular traffic.
- E. No person shall stop, stand or park any vehicle upon or within any handicapped parking space designated as such within a private parking lot, which is open to the public, unless such vehicle bears proper registration plates or permit as authorized by the Massachusetts Registry of Motor Vehicles.

**V. Towing**

- A. The Chief of Police, such sergeants or police officer of higher rank as said officer or officials, may from time to time designate and are hereby authorized to remove or cause to be removed to some convenient place any vehicle parked or standing in violation of any of the provisions set forth in Article IV, Section C and D, of these regulations.
- B. The Superintendent of the Highway Department, or other employees as the Superintendent may designate, may remove or cause to be removed to some convenient place any vehicle parked or standing in violation of Article IV, Sections 12 and 13, subject to the following limitation: the vehicle found to be parked or standing in violation of these Sections must be hampering in-progress snow removal operations.
- C. The Chief of the Fire Department, the Fire Inspector, or any Officer of the Leicester Fire Department may remove or cause to be removed to some convenient place any vehicle parked or standing in violation of Article IV, Section D, subject to the following limitations: the vehicle found to be parked or standing in violation of this Section must be hampering fire apparatus that are responding to an alarm of fire. This limitation shall not apply to the Fire Inspector, who, in addition to Article IV, Section D, may also remove or cause to be removed vehicles found in violation of Article IV, Section C, Part 7, of these regulations.

**VI. Penalties – violation fines effective March 1, 2010 – amended by Selectmen 1/25/10**

- A. Group A - \$10 each:
  - 01 – Sidewalk
  - 02 – More than 12” (inches) from curb
  - 03 – Facing the wrong direction
- B. Group B - \$20 each:
  - 04 – Within 20’ (feet) of intersecting way
  - 05 – Double parking
  - 06 – Blocking entrance to public building
  - 07 – On or under a bridge
  - 08 – Loading zone
  - 09 – Parked faced into traffic
  - 10 – Crosswalk
  - 11 – Channelized strip or island
  - 12 – Posted “no parking” zone
  - 13 – Bus stop
  - 14 – Within an intersection
  - 15 – Winter parking ban
  - 16 – Parking after 4” of snowfall
  - 17 – Interfering with snow removal
  - 18 – Less than 10’ (feet) unobstructed lane
- C. Group C - \$50 each:
  - 19 – Posted “tow zone”
  - 20 – Within 10’ (feet) of hydrant

- D. Group D - \$200 each:
  - 21 – Fire lane
  - 22 – Handicapped violation
- E. Failure to obey parking violation notice within twenty-one (21) days will be subject to all penalties as provided in Section 20A of Chapter 90 of the Mass. General Laws.
- F. Tampering or destruction of parking violations notice will be subject to all penalties as provided in Section 20D of Chapter 90 of the Mass. General Laws.

**VII. Appeals Procedure**

- A. Any person receiving a parking violation notice may request, in writing, within twenty-one (21) days, a hearing before the parking clerk as authorized in Section 20A of Chapter 90 of the Mass. General Laws.

**VIII. Massachusetts General Laws, Chapter 90, Section 20A**

- A. (refer to statute)

**IX. Massachusetts General Laws, Chapter 90, Section 20D**

- A. (refer to statute)

**X. Massachusetts General Laws, Chapter 40, Section 22**

- A. (refer to statute)

**XI. Exemptions**

- A. These regulations shall not apply to any vehicle owned by the Commonwealth of Massachusetts or a political sub-division thereof, or by the United States or any instrumentality thereof, or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing a distinctive number plate or otherwise conspicuously marked and so owned or registered.

**ADOPTED BY THE BOARD OF SELECTMEN ON AUGUST 29, 1994.**

**Amended by the Board of Selectmen on December 11, 1995.**

**Amended by the Board of Selectmen on January 25, 2010 – parking fines changed.**