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# TOWN OF PROVINCETOWN

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## PARKING AND TRAFFIC REGULATIONS

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The Board of Selectmen of the Town of Provincetown Pursuant to Provincetown Charter Chapter 4, § 4-2-2, and the General Laws of the Commonwealth of Massachusetts, Has Adopted the Following Regulations for Parking and Traffic Upon the Street and Byways of the Town of Provincetown

### Adopted and Revised:

July 7, 1949	July 14, 1949	August 1954	March 29, 1955	November 9, 1970
November 16, 1970	November 19, 1970	April 1971	April 26, 1972	May 4, 1972
May 11, 1972	April 2, 1973	April 5, 1973	April 12, 1973	April 29, 1974
May 6, 1974	May 13, 1974	May 2, 1976	May 17, 1976	May 31, 1976
December 14, 1976	December 21, 1976	December 28, 1976	May 11, 1981	May 14, 1981
June 4, 1981	June 11, 1981	May 24, 1982	May 31, 1982	June 7, 1982
November 22, 1982	December 2, 1982	December 9, 1982	October 15, 1983	October 20, 1983
October 27, 1983	April 24, 1984	April 26, 1984	May 3, 1984	November 19, 1984
November 22, 1984	November 29, 1984	April 25, 1985	May 2, 1985	May 9, 1985
November 12, 1985	November 22, 1985	November 29, 1985	April 28, 1986	May 1, 1986
May 8, 1986	October 14, 1986	October 23, 1986	October 30, 1986	April 27, 1987
April 30, 1987	May 7, 1987	October 26, 1987	November 5, 1987	November 12, 1987
April 25, 1988	May 5, 1988	May 12, 1988	October 31, 1988	November 10, 1988
November 17, 1988	May 15, 1989	May 26, 1989	June 1, 1989	June 12, 1989
June 15, 1989	June 22, 1989	April 30, 1990	May 10, 1990	May 17, 1990
October 31, 1990	November 10, 1990	November 17, 1990	February 20, 1992	March 5, 1992
March 9, 1992	March 12, 1990	March 19, 1992	May 15, 1992	May 25, 1992
February 16, 1993	February 25, 1993	February 7, 1994	February 22, 1994	March 27, 1994
February 21, 1995	February 20, 1996	February 22, 1996	July 19, 1996	January 25, 1996
March 2010	March 2011	March 2012	March 2013	March 2014
March 2015	March 2016	October 24, 2017	March 26, 2018	June 11, 2018
June 25, 2018	July 23, 2018	November 19, 2018	January 8, 2020	

# CONTENTS

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<b>PARKING AND TRAFFIC REGULATIONS.....</b>	<b>1</b>
<b>CHAPTER 1.....</b>	<b>6</b>
<b>DEFINITIONS.....</b>	<b>6</b>
<b>CHAPTER 2.....</b>	<b>9</b>
<b>AUTHORITY AND DUTIES OF PUBLIC OFFICIALS.....</b>	<b>9</b>
<i>Article 1: COMMISSIONER of Public Safety.....</i>	<i>9</i>
<i>Article 2: CHIEF of Police.....</i>	<i>9</i>
<i>Article 3: DIRECTOR of Public Works.....</i>	<i>10</i>
<i>Article 4: PARKING Department.....</i>	<i>10</i>
<b>CHAPTER 3.....</b>	<b>14</b>
<b>SNOW REMOVAL.....</b>	<b>14</b>
<i>Article 1: TOWING on Town Ways.....</i>	<i>14</i>
<i>Article 2: DESIGNATED Snow Plowing Routes.....</i>	<i>14</i>
<b>CHAPTER 4.....</b>	<b>15</b>
<b>PARKING.....</b>	<b>15</b>
<i>Article 1: GENERAL Prohibitions.....</i>	<i>15</i>
<i>Article 2: Handicapped Parking.....</i>	<i>19</i>
<i>Article 3: Taxicab Zones.....</i>	<i>20</i>
<i>Article 4: Bus Offloading &amp; Parking.....</i>	<i>21</i>
<i>Article 5: Fire/Rescue Zones &amp; Fire Lanes.....</i>	<i>22</i>
<i>Article 6: Unloading Zones.....</i>	<i>22</i>
<i>Article 7: TOWN Hall Parking.....</i>	<i>23</i>
<i>Article 8: Camper &amp; Trolley Parking.....</i>	<i>23</i>
<i>Article 9: RESIDENT Only Parking Zones.....</i>	<i>23</i>
<i>Article 10: electric vehicle charging zones.....</i>	<i>24</i>
<b>4-10-1 ELECTRIC VEHICLE CHARGING SPACES.....</b>	<b>24</b>
<b>4-10-2 LOCATIONS.....</b>	<b>24</b>

4-10-3 SERVICE FEES .....	24
4-10-4 PROHIBITIONS .....	25
<b>CHAPTER 5.....</b>	<b>26</b>
FEES.....	26
<i>Article 1: FINES.....</i>	26
<i>Article 2: GENERAL Provisions.....</i>	26
<i>Article 3: Parking Meter &amp; kiosk Fees.....</i>	27
<i>Article 4: Standards and Installation .....</i>	27
<b>CHAPTER 6.....</b>	<b>28</b>
PARKING PERMITS.....	28
<i>Article 1: Rates and Rules .....</i>	28
<i>Article 2: Eligibility .....</i>	29
<i>Article 3: General Provisions.....</i>	29
<i>Article 4: Special Permits &amp; Provisions.....</i>	30
6-4-4 Boat and kayak winter storage.....	31
<i>Article 5: REVOCATION &amp; Denial of Issue.....</i>	31
<b>CHAPTER 7 .....</b>	<b>33</b>
MUNICIPAL PARKING LOTS.....	33
<i>Article 1 Regulation of Municipal Parking Lots .....</i>	33
<i>Article 2 General Provisions .....</i>	33
<b>CHAPTER 8.....</b>	<b>35</b>
OPERATION OF VEHICLES.....	35
<i>Article 1: GENERAL Provisions.....</i>	35
<i>Article 2: One Way Streets .....</i>	35
<i>Article 3: Speed Limits.....</i>	37
<i>Article 4 Stop Signs .....</i>	37
<i>Article 5: OVERSIZED Vehicles .....</i>	38
<i>Article 6: BICYCLES.....</i>	39
<i>Article 7: WALKWAYS.....</i>	39
<i>Article 8: Motorized bicycles and scooters.....</i>	39

<b>CHAPTER 9</b> .....	<b>42</b>
<b>TRAFFIC</b> .....	42
<i>Article 1: TOW Zones</i> .....	42
<i>Article 2: SIGNS</i> .....	42
<i>Article 3: INTERSECTIONS</i> .....	44
<i>Article 4: BLIND Driveways</i> .....	45
<i>Article 5: CHILDREN</i> .....	45
<i>Article 6: SCHOOL Zones</i> .....	46
<b>APPENDIX A</b> .....	<b>47</b>
<b>CURB CUT PROCÉDURES</b> .....	47
<i>Article 1: GENERAL Provisions</i> .....	47
<i>Article 2: APPLICATION Procedures</i> .....	47
<i>Article 3: PUBLIC Hearing Requirements</i> .....	47
<b>APPENDIX B</b> .....	<b>48</b>
<b>MACMILLAN PIER PARKING REGULATIONS</b> .....	48
<i>Article 1: MACMILLAN Pier</i> .....	48
<i>Article 2: General Provisions</i> .....	49
<b>APPENDIX C</b> .....	<b>50</b>
<b>CONDUCT OF ANNUAL SPRING TRAFFIC HEARINGS</b> .....	50
<i>Article 1: General Provisions</i> .....	50
<b>APPENDIX D</b> .....	<b>51</b>
<b>STATE STATUTES, REGULAION AND PROCEDURES</b> .....	51
<i>MASSACHUSETTS GENERAL LAWS Chapter 85, Section 2</i> .....	51
<i>Commonwealth of Massachusetts DPW Blanket Permits</i> .....	51
<i>Commonwealth of Massachusetts DPW Special Permits</i> .....	51
<i>Procedure for Establishing Legal Speed Zones</i> .....	51
<i>Purpose of a Stop Sign</i> .....	51
<i>Truck and Oversized Vehicle Exclusions</i> .....	51
<i>Reason for Exclusion</i> .....	52
<i>Pedestrian Control Regulations</i> .....	52

*Tow Zones*.....52

*Procedures for Establishing School Zones*.....53

*School Zone Speed Limit*.....53

*Parking Violation Fines*.....53

**APPENDIX E** .....55

**BICYCLE REGULATIONS** ..... 55

***MASSACHUSETTS GENERAL LAWS Chapter 85, § 11B*** .....55

# CHAPTER 1

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## DEFINITIONS<sup>1</sup>

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For the purpose of these regulations, the words and phrases used herein shall have the following meanings except in the instances where the context clearly indicates a different meaning.

**Bus Stop**-An area designated and set aside for the loading and unloading of buses.

**Cross-Walk**-That portion of the roadway ordinarily included within the prolongation or connection of the curb line 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 marking or signs.

**Official Curb/Pavement Marking**-That portion of a curbing or the roadway, that has been painted as one means of indication, in certain but not all cases, the prohibition of parking of vehicles adjacent thereto, or specifically to indicated certain instances of limited or controlled unloading or parking thereon.

**Intersection**-The area embraced within the extensions of the lateral curb lines or, if none, then the lateral boundary lines of intersecting ways as defined in Section 1 Chapter 90, of the General Laws of the Commonwealth, including divided ways.

**Lane**-A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles.

**Officer**-Any sworn officer, constable, or special officer of the Town or Commonwealth.

**Parking**-The standing of a vehicle, whether occupied or not, otherwise that temporarily stopped by the flow of traffic ahead of said vehicle, or by traffic signs or signals, or under the specific direction of an officer or, if said vehicle is disabled, while immediate action is being taken for removal of the vehicle.

**Parking Meter**-Any mechanical device consistent with the provisions of these regulations, and placed upon any public way or municipal off street parking area within the Town for the regulation of parking. Each parking meter installed shall indicate by proper legend, the legal parking time established by this ordinance and when operated, shall at times indicate the balance of legal parking time permitted and at the expiration of such period shall indicate illegal or overtime parking.

**Kiosk**- a solar powered, wireless device that manages single space paid parking. Each kiosk installed shall indicate by proper legend, the legal parking time established by this ordinance and when operated, shall at times indicate the balance of legal parking time permitted and at the expiration of such period shall indicate illegal or overtime parking.

**Parking Zone**-Any street or portion thereof or municipal off-street parking area upon which signs, parking meters, or kiosks are installed and in operation, and upon which parking of vehicles is permitted for a limited time, subject to compliance with the further provisions of this regulation.

**Parking Space**-Any space designated for the parking of a single vehicle by the means of lines painted on the surface of the street or parking area adjacent thereto, or designated by a sign, parking meter, or numbered space.

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<sup>1</sup> Approved Traffic Rules and Orders 03-29-1955, updated 01-1987

**Pedestrian**-Any person afoot or riding on a conveyance moved by human muscular power, except bicycles or tricycles, as defined in Chapter 90, Section 18A of the General Laws.

**Person**-Any individual, firm, co-partnership, association or corporation.

**Resident Zone**<sup>2</sup>-A parking zone reserved for the exclusive use of persons whose vehicles bear Resident Parking permits.

**Roadway**-That portion of the street or highway between the regularly established curb lines or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic.

**Street or Highway**-The road layout or entire width between properties lines of every way open to the use of the public for purposes of travel.

**Official Street Marking**-Any painted line, legend, marking or marker of any description painted or placed upon any way which purports to direct or regulate traffic.

**Taxicab Stand**-An area specifically designated for the standing of licensed taxicabs which have been issued specific permits for this purpose by the Parking Department and the Board of Selectmen. In said designated areas, taxicabs are authorized and required to park with driver in the vehicle, while waiting to be engaged.

**Traffic**-Pedestrians, ridden or herded animals, vehicles, street cars or other conveyances either single or together, while using any street or highway for the purpose of travel.

**Traffic Control Area**-Any area along any way, other than an intersecting way, at which drivers are to be controlled by traffic control signs or signals.

**Traffic Control Signal**-Any device which conforms to the standards prescribed by the Commonwealth Department of Public Works, manually, electronically or mechanically operated, by which traffic may be directed.

**Traffic Island**-Any area or space set aside, within a roadway, which is not intended for use by vehicular traffic.

**Traffic Sign, Official**-Any sign, marking, or device, other than a signal, consistent with these regulations, and which conforms to the standards prescribed by the Commonwealth Department of Public Works, placed by authority of the public body or official having jurisdiction for the purpose of guiding, directing, warning or regulating traffic.

**Vehicle**-Any device, in, or upon which any person or property may be transported or drawn, upon a highway, including bicycles, when the provisions of these regulation are applicable, except other devices moved by human power or used exclusively upon stationary rails or tracks and devices which derive their power for operation from stationary overhead wires.

**Vehicle, Commercial**-Any vehicle registered to a corporation or business or for the purpose of the transportation of goods, wares, or merchandise for commercial purposes.

**Vehicle, Emergency**-Police and Fire Department vehicles, ambulances and emergency vehicles of federal, state and municipal departments or public services corporations when the latter are responding to an emergency in relation to the Police and Fire Departments.

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<sup>2</sup> Approved 04-24-1984, updated 04-27-1987 Traffic Hearings, 07-08-1996 Special Hearing

**Vehicle, Heavy Commercial**-Any commercial vehicle of over two and one half ton capacity.



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## CHAPTER 2

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### AUTHORITY AND DUTIES OF PUBLIC OFFICIALS

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#### ARTICLE 1: COMMISSIONER OF PUBLIC SAFETY<sup>3</sup>

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##### 2-1-1 COORDINATOR OF PUBLIC SAFETY EFFORTS

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The Commissioner of Public Safety shall coordinate the efforts of all public safety measures.

##### 2-1-2 PROMOTE SAFE DRIVING

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The Commissioner of Public Safety shall strive to promote safe driving; and shall contact citizens, civic and business organizations, associations, and churches to solicit input and assistance with ideas on promoting public safety awareness and its importance to the welfare of the citizens of Provincetown.

##### 2-1-3 PUBLIC EDUCATION

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The Commissioner shall design, print and distribute safety posters and information about safe driving methods and safe, law abiding, considerate, ways of operating motor vehicles and non-motorized vehicles, bicycles, and information about pedestrian safety.

#### ARTICLE 2: CHIEF OF POLICE<sup>4</sup>

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##### 2-2-1 SIGN REVIEW

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The Chief of Police shall be designated to review all signs on streets and report his findings to the Board of Selectmen.

##### 2-2-2 SPEED LIMITS

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All speed limit enforcement on town ways shall be the jurisdiction of the Chief of Police.

##### 2-2-3 TRAFFIC DIRECTION

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Traffic direction shall be the authority and duty of the Chief of Police to enforce the provisions of these regulations either by means of an officer, or visible or audible signal in conformance with the provisions of these traffic regulations.

##### 2-2-4 STREET CLOSURES

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The Chief of Police shall have the authority to temporarily close any street or highway for an impending or existing emergency, or for any lawful assembly, parade, demonstration or procession.

##### 2-2-5 TEMPORARY PROHIBITION OF PARKING

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The Chief of Police shall have the authority to temporarily prohibit parking on any street or part thereof, for impending emergency or for a lawful assemble, parade, demonstration or procession. Vehicles parked

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<sup>3</sup> Approved Resolution 04-27-1987 Traffic Hearing

<sup>4</sup> 03-29-1955 Traffic rules and Orders, 10-31-1988 Traffic Hearing, see also MASSACHUSETTS GENERAL LAWS Chapter 41, Section 97A, Provincetown Charter, Provincetown Bylaws

in places where parking is temporarily prohibited, may be removed at the direction of an officer or the Chief of Police.

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### **2-2-6 REMOVAL OF UNAUTHORIZED SIGNS**

The Chief of Police shall have the authority to remove any prohibited sign, marking or device, or cause it to be removed, without notice when any person places or maintains or displays 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 or marking or device, or which hides from view any official sign, or signal.

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### **2-2-7 EXEMPTIONS**

The Chief of Police shall have the authority to exempt vehicles from these regulation as needed: vehicles engaged in work upon a street or highway closed to travel or under construction or repair; officers engaged in the performance of public duties, emergency vehicles operating in any emergency and those in the performance of public duties when the nature of the work necessitates a departure from these regulations.

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## **ARTICLE 3: DIRECTOR OF PUBLIC WORKS<sup>5</sup>**

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### **2-3-1 TRAFFIC CONTROL AND PEDESTRIAN ACCESS**

The Director of Public Works shall coordinate all traffic control and pedestrian access requests with the State Department of Public Works, and report his findings to the Board of Selectmen.

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### **2-3-2 TRAFFIC SIGNS AND SIGNALS**

The Director of Public Works shall be authorized to coordinate with the Chief of Police and Parking Department, as to those signs and signals required hereunder and it shall be their duty, to place and maintain, or cause to be placed and maintained, all official traffic and parking signs, signals, and markings, which shall adhere to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts.

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## **ARTICLE 4: PARKING DEPARTMENT**

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### **2-4-1 PARKING SYSTEMS ADMINISTRATION**

The Parking Department shall be authorized to administer and manage all aspects of the parking system in Provincetown, and shall ensure that all regulations promulgated by the Selectmen pertaining to said system and operation be instituted and enforced. They shall assist the Chief of Police with enforcement issues as well as curb cuts, sign review, speed limits, traffic flow and regulation, parking and planning.

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### **2-4-2 COIN COLLECTION**

Two members of the Parking Department are hereby designated to collect monies deposited in parking meters and kiosks or to cause the same to be so collected. Such monies shall be immediately deposited in an account so designated by the Finance Department in a town-owned vehicle escorted by one member of the Police Department. The deposit slips and lot tally sheets shall then be submitted to the Treasurer's Office within twenty four (24) hours of the bank deposit.

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<sup>5</sup> Traffic Hearing 10-15-1983, Uniform Traffic Control Devices and Standard Municipal Code, 01-1987, 04-30-1990 and 02-20-1992 Traffic Hearings

## **2-4-3 MASSACHUSETTS GENERAL LAWS CHAPTER 90, SECTION 20A ½**

The Parking Department shall be designated by the Town and the Commonwealth to enforce the provisions of Chapter 90, § 20A ½ of the General Laws of the Commonwealth and ensure that any person who violates and provisions thereof, or of these regulations, shall be subject to the penalties provided by the General Laws of the Commonwealth, or of the Town. A representative from the Parking Department shall be designated as Hearing Office for the Town of Provincetown, and therefore, an Officer of the Court of the Commonwealth, and act in this capacity pursuant to the General Laws of the Commonwealth.

### **PART I. ADMINISTRATION OF THE GOVERNMENT<sup>6</sup> TITLE XIV. PUBLIC WAYS AND WORKS MASSACHUSETTS GENERAL LAWS CHAPTER 90. MOTOR VEHICLES AND AIRCRAFT**

#### **Chapter 90: Section 20A½. Cities of Boston and Cambridge; parking violations; tags; appearance; failure to appear; adjudication by mail**

Section 20A½. In the cities of Boston and Cambridge and in any city or town which accepts the provisions of this section, each manager in a city having a Plan D or E form of charter or the mayor, with the approval of the city council or board of aldermen in any other city, or the town council or board of selectmen of a town shall designate or appoint a parking clerk. The parking clerk shall report to the council or aldermen of a city, the council or board of selectmen of a town and shall supervise and coordinate the processing of parking notices in such city or town. The parking clerk shall have the authority, after such authorization by the mayor and city council in a city or town council or selectmen in a town, to hire and designate such personnel as may be necessary or contract by competitive bid for such services, subject to appropriation, to implement the provisions of this section; provided, however, that such positions shall be filled in the city of Boston and Cambridge by granting preference to persons who had been employees of said cities in the fire, police or traffic crossing guard service, and all such positions in said city of Boston and Cambridge shall be subject to chapter thirty-one, and in no case in the city of Boston and Cambridge shall the amount expended for administration of this section exceed eleven per cent of the total amount of the annual receipts collected by the parking clerk.

It shall be the duty of every police officer who takes cognizance of a violation of any provision of any rule, regulation, order, ordinance or by-law regulating the parking of motor vehicles established for their respective city or town, forthwith to give the offender a notice, which shall be in tag form as provided in this section, to appear before the parking clerk of the city or town wherein the violation occurred at any time during regular office hours, not later than twenty-one days after the date of such violation. All tags shall be prepared in triplicate and shall be pre-numbered.

Said tag shall be affixed securely to the motor vehicle and shall contain, but shall not be limited to, the following information: the make, color and registration number of the vehicle involved and the state of issuance of said registration number, the date, time and place of the violation, the specific violation charged and, if a meter violation, the number of said meter, the name and badge number of the officer and his division, a schedule of established fines, instructions for the return of the tag and a notice which reads: This notice may be returned by mail, personally or by an authorized person. A hearing may be obtained upon the written request of the registered owner. Failure to obey this notice within twenty-one days after the date of violation may result in the non-renewal of the license to drive and the registration of the registered owner.

At or before the completion of each tour of duty, the officer shall give to his commanding officer those copies of each notice of such violation taken cognizance of during such tour. Said commanding officer shall

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<sup>6</sup> Massachusetts General Laws

retain and safely preserve one of such copies and shall at a time no later than the beginning of the next business day of the city or town after receipt of such notice deliver another of such copies to the parking clerk before whom the offender has been notified to appear. The parking clerk shall maintain a docket of all such notices to appear.

Any person notified to appear before the parking clerk, as provided herein, may appear before such parking clerk, or his designee, and confess the offense charged, either personally or through an agent duly authorized in writing or by mailing to such parking clerk the notice accompanied by the fine provided therein, such payment to be made only by postal note, money order or check made out to the parking clerk. Payment of the fine established shall operate as a final disposition of the case. Notice affixed to a motor vehicle as provided in this section, shall be deemed a sufficient notice, and a certificate of the officer affixing such notice that it has been affixed thereto, in accordance with this section, shall be deemed prima facie evidence thereof and shall be admissible in any judicial or administrative proceeding as to the facts contained therein.

*[ Sixth paragraph effective until April 7, 2009. For text effective April 7, 2009, see below.]*

The traffic and parking commission of the city of Boston, the traffic commission or traffic director of any other city or town having such a commission or director with authority to promulgate traffic rules, the city council of any other city, and the board of selectmen of any other town, shall, from time to time, establish by rule or regulation a schedule of fines for violations subject to this section committed within such city or town; provided, however, that all such fines shall be uniform for the same offense committed in the same zone or district, if any; and provided, further, that the fine for the violation of the parking of motor vehicles within ten feet of a fire hydrant shall not be more than one hundred dollars, and provided, further, that any fine established under the provisions of this section for all other parking violations shall not exceed \$50, if paid within 21 days, nor shall it exceed \$55, if paid thereafter, but before the parking clerk reports to the registrar, as provided below and shall not exceed \$75 if paid thereafter.

*[ Sixth paragraph as amended by 2008, 465, Sec. 2 effective April 7, 2009. For text effective until April 7, 2009, see above.]*

The traffic and parking commission of the city of Boston, the traffic commission or traffic director of any other city or town having such a commission or director with authority to promulgate traffic rules, the city council of any other city, and the board of selectmen of any other town, shall, from time to time, establish by rule or regulation a schedule of fines for violations subject to this section committed within such city or town; provided, however, that all such fines shall be uniform for the same offense committed in the same zone or district, if any; and provided, further, that the fine for the violation of the parking of motor vehicles within ten feet of a fire hydrant shall not be more than one hundred dollars, and provided, further, that the fine for the violation of parking a motor vehicle within a posted bus stop shall be \$100; and provided further, that any fine established under the provisions of this section for all other parking violations shall not exceed \$50, if paid within 21 days, nor shall it exceed \$55, if paid thereafter, but before the parking clerk reports to the registrar, as provided below and shall not exceed \$75 if paid thereafter.

Should any person notified to appear hereunder fail to appear and, if a fine is provided hereunder, to pay the same, or having appeared desire not to avail himself of the benefits of the procedure established by this section, the parking clerk shall forthwith schedule the matter before a person hereafter referred to as a hearing officer, said hearing officer to be the parking clerk of the city or town wherein the violation occurred or such other person or persons as the parking clerk may designate. Written notice of the date, time and place of said hearing shall be sent by first-class mail to the registered owner. Said hearing shall be informal, the rules of evidence shall not apply and the decision of the hearing officer shall be final subject to judicial review as provided by section fourteen of chapter thirty A.

If any person fails to appear in accordance with said notice, the parking clerk shall notify the registrar of motor vehicles who shall place the matter on record and, upon receipt of two or more such notices, shall

not renew the license to operate a motor vehicle of the registered owner of the vehicle or the registration of said vehicle until after notice from the parking clerk that all such matters have been disposed of in accordance with law. Upon such notification to the registrar, an additional twenty dollar charge, payable to the registrar of motor vehicles, shall be assessed against the registered owner of said vehicle. It shall be the duty of the parking clerk to notify the registrar forthwith that such case has been so disposed of in accordance with law, provided however, that a certified receipt of full and final payment from the parking clerk of the city or town in which the violation occurred shall also serve as legal notice to the registrar that said violation has been disposed of. The notice to appear provided herein shall be printed in such form as the registrar of motor vehicles may approve. The parking clerk shall distribute such notices to the commanding officer of the police department of the city or town upon request, and shall take a receipt therefore. The registrar shall approve such other forms as he deems appropriate to implement this section, and said forms shall be printed and used by the cities and towns.

If any person shall have failed to appear in accordance with five or more said notices, notwithstanding any notification to the registrar, the parking clerk may notify the chief of police or director of traffic and parking of said city or town that the vehicle involved in said multiple violations shall be removed and stored, or otherwise immobilized by a mechanical device, at the expense of the registered owner of said vehicle until such time as the matter has been disposed of in accordance with law.

As used in this section, the words "motor vehicle" shall, so far as apt, include trailer, semi-trailer and semi-trailer unit.

The provisions of this section shall apply to violations of rules and regulations relative to the use of parking areas subject to the control of the county commissioners adjacent to or abutting county buildings, and county commissioners are hereby authorized to make such rules and regulations. Said provisions shall also apply to violations of rules and regulations relative to the parking of motor vehicles established by any commission or body empowered to make such rules and regulations.

Any person notified to appear before the parking clerk, as provided herein, may without waiving his right to a hearing before the parking clerk or hearing officer as provided by this section, and also without waiving judicial review as provided by section fourteen of chapter thirty A, may challenge the validity of the parking violation notice and receive a review and disposition of the violation from the parking clerk or a hearing officer by mail. The alleged parking violator may, upon receipt of the notice to appear, send a signed statement explaining his objections to the violation notice as well as signed statements from witnesses, police officers, government officials and any other relevant parties. Photographs, diagrams, maps and other documents may also be sent with the statements. Any such statements or materials sent to the parking clerk for review shall have attached the persons' name and address as well as the ticket number and the date of the violation. The parking clerk or hearing officer shall, within twenty-one days of receipt of said material, review the material and dismiss or uphold the violation and notify, by mail, the alleged violator of the disposition of the hearing. If the outcome of the hearing is against the alleged violator, the parking clerk or hearing officer shall explain the reasons for the outcome on the notice. Such review and disposition handled by mail shall be informal, the rules of evidence shall not apply, and the decision of the parking clerk shall be final subject to any hearing provisions provided by this section or to judicial review as provided by section fourteen of chapter thirty A. Each parking violation issued shall carry a statement explaining the procedure to adjudicate the violation by mail.

## CHAPTER 3

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### SNOW REMOVAL

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#### ARTICLE 1: TOWING ON TOWN WAYS

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##### 3-1-1 SNOW CLEANING OPERATIONS<sup>7</sup>

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Pursuant to Chapter 40, Section 22D of the General Laws of the Commonwealth, the towing of motor vehicles shall be allowed if said vehicles are parked in violation of snow cleaning regulations, which prohibit parking on those streets designated as Emergency Snow Routes.

##### 3-1-2 EMERGENCY SNOW ROUTES<sup>8</sup>

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All snow plowing areas shall be posted during the winter months with signs displaying the wording, "Emergency Snow Route, Tow Away Zone, No Parking in the Event of Snowfall".

#### ARTICLE 2: DESIGNATED SNOW PLOWING ROUTES

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##### 3-2-1 SNOW PLOWING AREAS<sup>9</sup>

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The following streets shall be designated as snow plowing areas:

Alden Street	Montello Street (upper & lower)
Atlantic Avenue	Nickerson Street (upper and lower)
Brewster Street	Pearl Street (upper and lower)
Center Street	Pleasant Street
Commercial Street	Priscilla Alden Road
Conant Street (upper & lower)	Prince Street
Cottage Street (upper)	Ryder Street
Cudworth Street	Standish Street (upper and lower)
Johnson Street	
Miller Hill Road	

##### 3-2-2 PROCEDURES<sup>10</sup>

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In order to legally designate snow plowing routes, and enforce snow removal regulations, the town shall accept the provisions of Chapter 40, Section 22D shall adopt snow removal regulations, shall post signs in specified areas, and shall advertise the regulations.

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<sup>7</sup> MASSACHUSETTS GENERAL LAWS Chapter 44 Section 22D, Standard Municipal Code, 01-1987

<sup>8</sup> Approved 04-23-1984 Traffic Hearing

<sup>9</sup> Approved 10-26-1987 Traffic Hearing, updated Spring Traffic Hearing 2014

<sup>10</sup> State DPW Regulations as listed 1987 Municipal Traffic Code, see also 03-29-1955 Traffic Rules and Regulations

## CHAPTER 4

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### PARKING

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#### ARTICLE 1: GENERAL PROHIBITIONS

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##### 4-1-1 RESTRICTED PARKING

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No person shall allow, permit or suffer any vehicle registered in his name to stand or park in any street, way, highway, road or roadway under the control of the Town of Provincetown in violation of any of the parking and traffic rules and orders adopted by the Board of Selectmen, or in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic sign or signal. Vehicles found parking in violation of the provisions of this section may be moved by or under the direction of an officer and at the expense of the owner.

a. Within an intersection, except within those areas where the installation of parking meters has been approved by the Department of Public Works of the Commonwealth of Massachusetts.

B. Upon any sidewalk.

C. Upon any crosswalk.

d. Upon a roadway where the parking is permitted unless both wheels on the right side of the vehicle are within twelve (12) inches of the curb or edge of the roadway, except upon those streets designated as one-way streets. On such one-way streets, vehicles shall be parked in the direction in which said vehicle is moving and with both wheels within twelve (12) inches of the curb. This shall not apply to streets or parts of streets where angle parking is required by these regulations.

e. Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten feet wide for passing traffic.

F. Upon any street or highway within ten feet of a fire hydrant.

G. Upon or in front of any private road, gate or driveway.

H. Upon any street or highway within twenty feet of an intersecting way, except alleys.

I. Within fifteen feet of the wall of a fire station or directly across the street from such station.

J. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic.

##### 4-1-2 NO PARKING

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No operator shall park a vehicle in the following designated prohibited locations:<sup>11</sup>

Allerton Street east side Commercial Street to Bradford Street.

Alden Street west side its entire length, both sides, Cemetery Street to Jerome Smith Road<sup>12</sup>

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<sup>11</sup> Unless otherwise noted all restricted zones designated or affirmed 03-29-1955 Traffic Rules and Orders

<sup>12</sup> Approved 05-17-1976, updated 05-11-1981 Traffic Hearings

Anthony Street both sides between Commercial Street and Bradford Street

Arch Street both sides entire length

Aunt Sukey's Way east side<sup>13</sup>

Atlantic Avenue west side from Bradford Street to Commercial Street

Bangs Street both sides entire length

Bradford Street north side from Allerton Street to Shank Painter Road in front of the Patrician Shop<sup>14</sup>, both sides of Johnson Street to Baker Avenue, both sides Dyer Street to Bangs Street<sup>15</sup>, north side of Nickerson Street to West Vine Street<sup>16</sup>, south side from Shank Painter Road to West Vine Street, south side of Gosnold Street to a point forty (40) feet east of Carver Street, both sides of Alden Street to Carver Street<sup>17</sup>, in front of '24' Bradford Street<sup>18</sup>, amend parking space between Carver Street and west side of driveway at '67' Bradford Street to compact cars only<sup>19</sup>, from Westerly boundary of '263' Bradford Street to easterly boundary of '267' Bradford Street, from westerly boundary of '261' Bradford Street to easterly boundary of '263' Bradford Street

Brown Street north side between Pleasant Street and Winthrop Street

Brewster Street east side entire length

Carver Street both sides entire length

Center Street west side entire length, east side between Bradford Street and '9' Center Street<sup>20</sup>

Central Street both sides entire length

'211' Commercial Street extend brick sidewalk four (4) feet into Commercial Street across from the post office in order to create a visual as well as physical barrier for the 'NO PARKING' zone so mail delivery trucks can take turn into and out of post office driveways<sup>21</sup>

Commercial Street Parking Ban<sup>22</sup> Parking shall be prohibited at all times on Commercial Street between Pearl Street and Central Street from April 1st, to October 31st, each year. Street Sweeping<sup>23</sup> on Commercial Street shall take place each year from Memorial Day weekend to Columbus Day weekend. Time restrictions for street sweeping zones shall be from 9:00am to 11:00am, street sweeping zones shall be:

Monday-Commercial Street and Bradford Street to Kendall Lane  
Tuesday-Kendall Lane to Bangs Street  
Wednesday-Bangs Street to Pearl Street  
Thursday-Winthrop St. to the Provincetown Inn

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<sup>13</sup> Approved 03-23-2004 Traffic Hearing

<sup>14</sup> Approved 05-11-1981 Traffic Hearing

<sup>15</sup> Approved 02-16-1993 Traffic Hearing

<sup>16</sup> Approved 04-24-1985 Traffic Hearing

<sup>17</sup> Approved 03-03-1998 Traffic Hearing

<sup>18</sup> Approved 03-14-2000 Traffic Hearing

<sup>19</sup> Approved 03-14-2000 Traffic Hearing

<sup>20</sup> Approved 11-09-1970 Traffic Hearing

<sup>21</sup> Approved 03-14-2000 Traffic Hearing

<sup>22</sup> Approved 04-24-1985 Traffic Hearing, updated 05-17-1989

<sup>23</sup> Approved 05-17-1971 Traffic Hearing, updated 04-24-1984 and 11-13-1984



“No Parking, Tow Zone” at ‘404’ Commercial Street, the Landmark Inn<sup>24</sup>

“Tow Zone” both sides of Pearl Street to Central Street, south side entire length<sup>25</sup>

To close Commercial Street to all parking beginning three (3) hours before any Parade Events that has been approved by the Board of Selectmen.<sup>26</sup>

Conant Street west side entire length

Conway Street Both sides from Bradford Street to Harry Kemp Way<sup>27</sup>

Cook Street both sides of Commercial Street to Bradford Street

Cottage Street west side entire length, east side between Bradford Street and Tremont Street

Court Street both sides entire length

Dyer Street both sides from Commercial Street to Bradford Street

Franklin Street both sides entire length except two (2) spaces, west side at ‘46–50’ Franklin Street<sup>28</sup>

Freeman Street both sides entire length<sup>29</sup>

Fritz’s Way

Gosnold Street both sides entire length<sup>30</sup>

Holway Avenue both sides between Prince Street and Court Street

Hancock Street both sides of Commercial Street to Bradford Street

Harry Kemp Way both sides entire length<sup>31</sup>

Howland Street both sides entire length<sup>32</sup>

Johnson Street east side to Bradford Street to Commercial Street, opposite the driveway at ‘8’ Johnson Street<sup>33</sup>

Jerome Smith Road both sides entire length<sup>34</sup>

Kendall Lane both sides, Commercial Street to Bradford Street

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<sup>24</sup> Approved 04-29-1974 Traffic Hearing, updated 04-24-1984 and 04-29-1987

<sup>25</sup> Approved 04-29-1974 Traffic Hearing

<sup>26</sup> Approved 03-28-2005 Traffic Hearing

<sup>27</sup> Approved 11-09-1070 Traffic Hearing

<sup>28</sup> Approved 02-18-1992 Traffic Hearing

<sup>29</sup> Approved 04-26-1972 Traffic Hearing

<sup>30</sup> Approved 04-26-1972 Traffic Hearing

<sup>31</sup> Approved 11-09-1970 Traffic Hearing

<sup>32</sup> Approved 04-29-1974 Traffic Hearing

<sup>33</sup> Approved 07-27-1981 Traffic Hearing

<sup>34</sup> Approved 04-26-1972 Traffic Hearing Next two areas also

Kiley Court Two 'No Parking' signs shall be posted on the north side of Commercial Street between Kiley Court and Lovetts Court<sup>35</sup>

Law Street both sides entire length

Lopes square both sides

Maple Court both sides entire length

Masonic Place both sides entire length

Mechanic Street both sides entire length

Miller Hill Road east side entire length<sup>36</sup>

'7' Miller Hill Road, eliminate two (2) parking spaces on west side of Miller Hill Road approaching the intersection at Bradford Street<sup>37</sup>

Montello Street west side entire length, twenty (20) feet on east side opposite phone pole twenty (20) feet north from the intersection of Commercial Street<sup>38</sup>

Nickerson Street both sides from Commercial Street to Tremont Street, west side entire length<sup>39</sup>

Oak Drive either side entire length<sup>40</sup>

Pearl Street east side from Commercial Street to Bradford Street, 'No Parking Tow Zone' on either side of the entrance to Fishburn Court<sup>41</sup>

'No Parking Tow Zone' sign posted in front of the Hudson Walker Building at the Fine Arts Work Center

Pleasant Street east side entire length

Priscilla Alden west side entire length<sup>42</sup>

Prince Street Parking allowed on the west side of Prince Street between a point 20 feet north of the intersection of Cudworth Street to the north boundary of property owned by John Cook, no parking the entire east side

Ryder Street east side of Commercial Street to Bradford Street

Shankpainter Road Both sides entire length

Snows Lane both sides between Bradford Street and Commercial Street

Soper Street both sides entire length

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<sup>35</sup> Approved 04-29-1973 Traffic Hearing

<sup>36</sup> Approved 03-03-1998 Traffic Hearing

<sup>37</sup> Approved 03-03-1998 Traffic Hearing

<sup>38</sup> Approved 02-16-1993 Traffic Hearing

<sup>39</sup> Approved 11-09-1970 Traffic Hearing

<sup>40</sup> Approved 10-31-1988 Traffic Hearing

<sup>41</sup> Approved 04-24-1984 Traffic Hearing

<sup>42</sup> Approved 04-29-1973 Traffic Hearing

Standish Street east side entire length

Tremont Street both sides entire length

Washington Street both sides entire length

West Vine both sides entire length

Willow Drive both sides entire length<sup>43</sup>

Winthrop Street both sides from Commercial Street to Bradford Street<sup>44</sup>

Winslow Street both sides from Bradford Street to VMES, west side to Jerome Smith Road<sup>45</sup>

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### **4-1-3 LONG TERM PARKING WITHIN THE PUBLIC WAY<sup>46</sup>**

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No operator shall park a vehicle continuously at one location within the public way for a period greater than 14 days. Vehicles found parking in violation of the provision of this section may be ticketed or towed at the expense of the owner.

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## **ARTICLE 2: HANDICAPPED PARKING<sup>47</sup>**

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### **4-2-1 AMERICANS WITH DISABILITIES ACT**

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The Town of Provincetown shall provide handicapped accessible parking to those persons displaying legally issued handicap placards, plates or permits, in compliance with the regulation, specifications and requirements of the Americans with Disabilities Act. Effective June 10, 1992:

MacMillan Pier Lot.....three (3) spaces at the southeast corner of the lot, five (5) spaces at the northeast corner of the lot, two (2) spaces at the northwest corner of the lot; handicapped parking to be charged the full rate for parking.<sup>48</sup>

Grace Hall Lot.....six (6) spaces at the southwest corner of the lot adjacent to Prince Street, handicapped parking to be charged the full rate for parking.<sup>49</sup>

Harry Kemp Way.....two (2) spaces at the northwestern corner of Harry Kemp Way, closest to Conwell Street.

Johnson Street Lot.....two (2) spaces at the northeast corner of the lot.

Alden Street Lot.....two (2) spaces at the southeast corner of the lot closest to Bradford Street.

Ryder Street Lot.....one (1) space at the southwest corner of the lot closest to Ryder Street.

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<sup>43</sup> Approved 10-31-1988 Traffic Hearing

<sup>44</sup> Approved 12-14-1976 Traffic Hearing, updated 05-24-1980

<sup>45</sup> Approved 04-26-1986 Traffic Hearing

<sup>46</sup> Approved 03-15-2016 Traffic Hearing

<sup>47</sup> Approved by Board of Selectmen Meeting 05-26-1992, updated spring 2015

<sup>48</sup> 6-26-2008 Approved by the Board of Selectmen; amended 10-25-2016 Traffic Hearing; amended 10-24-2017 Traffic Hearing

<sup>49</sup> 6-26-2008 Approved by the Board of Selectmen; amended 10-25-2016 Traffic Hearing

Standish Street.....one (1) space directly across the street from the taxi zone.

West End Lot.....three (3) spaces at the south central portion of the lot, closest to the bench.

Winslow Street.....three (3) spaces at the top of the hill on Winslow Street, directly across from VMCC.

School Street Lot.....two (2) spaces at the southeast corner of the lot closest to Tremont Street.

Ryder Street Extension.....six (6) spaces at the east side of Ryder Street Extension.

Jerome Smith lot.....two (2) spaces.

Fire Station lot.....one (1) space.

Provincetown Inn.....two (2) spaces.

Bradford Street and Howland Street .....one (1) space at basketball court.

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#### **4-2-2 ON STREET HANDICAP PARKING ZONES**

There shall be handicapped parking spaces designated at the following locations in accordance with ADA:

646 Commercial Street

552 Commercial Street

496 Commercial Street

480 Commercial Street

460 Commercial Street

432 Commercial Street

398 Commercial Street

226 Commercial Street

210 Commercial Street

170 Commercial Street

148 Commercial Street

8 Brewster Street

14 Prince Street

6 Montello Street

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#### **4-3-1 GENERAL PROVISIONS**

The location of all special parking zones, including bus stops, taxicab stands and service zones shall be specified by the Board of Selectmen and in the case of taxicab stands, the Board of Selectmen shall

designate who may use them as such. No person shall park a specially designated vehicle under these rules and orders in any other place on any street other than in those zones designated below for said vehicles.

A. Six (6) spaces at the corner of Standish Street and Commercial Street shall be designated for Dune Tour vehicles from 9:00am to 9:00pm and as taxi cab stands after 9:00pm. Dune Tour and taxicab operators must obtain permits in accordance with section 4-3-2 of these regulations in order to use this zone.<sup>51</sup>

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#### **4-3-2 YEARLY FEES<sup>54</sup>**

Dune tour vehicles and trolleys shall be charged a rate of \$1,000 per vehicle per year for utilizing the parking spaces designated at various locations in town.

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#### **4-3-3 PARKING RESTRICTIONS**

No person shall park a vehicle other than a taxicab within any taxicab stand. No person shall park a taxicab upon any street within a business district at any location other than a taxicab stand except while engaged with a fare.

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### **ARTICLE 4: BUS OFFLOADING & PARKING**

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#### **4-4-1 GENERAL PROHIBITIONS**

No person shall park a vehicle other than a bus in a bus stop or bus parking area as designated below in these regulations.

No person shall park a bus upon any street within a business district at any place other than a bus stop.

---

#### **4-4-3 OFFLOADING & PARKING ZONES**

A. An off-loading area for eight (8) tour buses shall be designated, in diagonal parking pattern along the curb adjacent to the public restrooms at MacMillan Pier.<sup>60</sup> Signs shall be erected in this area which read 'Bus loading and unloading only'.<sup>61</sup>

B. Tour bus parking, after offloading, shall be designated in the Jerome Smith Parking Lot along the north guardrail area, adjacent to Route 6.<sup>62</sup>

C. Plymouth and Brockton Street Railway bus offloading shall be so designated at the area along the curb adjacent to the MPL restrooms at MacMillan Pier, immediately east of the tour bus offloading area.<sup>63</sup>

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<sup>51</sup> Approved 09-24-1993 Selectmen's meeting

<sup>54</sup> Approved 04-24-1984 Traffic Hearing

<sup>60</sup> Approved 02-20-1996 Traffic Hearing

<sup>61</sup> Approved 05-24-1982 Traffic Hearing, updated 10-26-1987

<sup>62</sup> Approved 10-31-1990 Traffic Hearing, see Jerome Smith Road management plan approved by Board of Selectmen, November 1988

<sup>63</sup> Approved 02-22-1996 Traffic Hearing

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## **ARTICLE 5: FIRE/RESCUE ZONES & FIRE LANES**

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### **4-5-1 GENERAL PROVISIONS**

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No person shall park a vehicle in a designated fire lane, or within fifteen feet of a wall of a fire station or directly across the street from such station, or upon a street or highway within ten feet of a fire hydrant.

- A. One (1) parking spaces for motor vehicles shall be reserved for on duty fire and rescue personnel at the Johnson Street Parking Lot.<sup>64</sup>
- B. A fire lane shall be designated at '237' Commercial Street, in front of the Unitarian Universalist Meeting House.

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## **ARTICLE 6: UNLOADING ZONES**

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### **4-6-1 GENERAL PROVISIONS<sup>65</sup>**

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All unloading zones along Commercial Street, as designated in these regulations, and signed as such along said Commercial Street, shall be in effect and enforced April 1st, through October 31st, during the hours of 8:00am to 6:00pm daily, except for Sundays.

The following locations will be the only authorized unloading areas between Johnson Street and Court Street, from April 1st, through October 31<sup>st</sup> until 12pm.

- A. Center area of Johnson Street Parking Lot.
- B. Eighty (80) feet along Standish Street, starting at the corner of Standish Street and Commercial Street.
- C. Eighty (80) feet along the guardrail on the west side of Ryder Street extension, adjacent to the entrance of Fishermen's Wharf at the MacMillan Municipal Parking Lot.<sup>66</sup>
- D. '174' Commercial Street
- E. The west side of Winthrop Street, starting at the corner of Winthrop Street and Commercial Street.
- F. Alternate unloading zone on the east side of Standish Street for emergency unloading from 11:00am to 12noon only.<sup>67</sup>

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November 1st, through March 31st, each year the following zones shall be designated for unloading:

- A. '430' Commercial Street
- B. '386' Commercial Street
- C. '364' Commercial Street

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<sup>64</sup> Approved 04-27-1987 Traffic Hearing

<sup>65</sup> Approved 04-00-1971 Traffic Hearing

<sup>66</sup> Approved 02-20-1996 Traffic Hearing

<sup>67</sup> Approved 03-03-1998 Traffic Hearing

- D. '146' Commercial Street
- E. '128' Commercial Street
- F. '82' Commercial Street

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**ARTICLE 7: TOWN HALL PARKING<sup>69</sup>**

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**4-7-1 TOWN HALL BUSINESS ZONE**

There shall be three (3) parking spaces in the Ryder St. Lot, designated for Town Hall business. Those three spaces shall be reserved for town hall business from 6:00am to 6:00pm Monday through Thursday, Friday 6am to 12pm noon, and shall have a 30minute time limit. These shall be paid parking spots during Town Hall business hours.<sup>70</sup> The Ryder St. Lot shall be reserved for 3 hour maximum Resident Permit Parking Only after Town Hall business hours.<sup>71</sup>

**4-7-2 RESERVED TOWN EMPLOYEE PARKING**

There shall be eight (8) reserved parking spaces in the Ryder Street lot for use by Town Hall Employees. Assignment of these spaces shall be made at the discretion of the Town Manager. These spaces shall be reserved Monday through Thursday 6am to 6pm, Friday 6:00am to 12:00pm.

**4-7-3 PARKING FOR TOWN OFFICIALS**

Spaces directly behind Town Hall are reserved 24/7 for the Town Manager and designated town hall employees.<sup>72</sup>

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**4-8-1 GENERAL CAMPER PROVISIONS<sup>75</sup>**

Camper parking for vehicles over 20 feet shall only be allowed in the area so designated in the Jerome Smith Parking Lot. Campers over 20 feet are prohibited in all other municipal parking lots. Campers 20 feet and under may park in the Shank Painter Road parking lot on the south side of the fire station.

**4-8-2 TROLLEY<sup>76</sup>**

A sign which reads 'No Parking Town Zone, Trolley Stop' shall be placed at a designated Trolley spot in front of Town Hall.

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**ARTICLE 9: RESIDENT ONLY PARKING ZONES**

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**4-9-1 RESIDENT ONLY PARKING ZONES**

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<sup>69</sup> Approved 10-31-1990 Traffic Hearing

<sup>70</sup> Approved 02-22-1996 Traffic Hearing

<sup>71</sup> Approved 11-04-2019 Traffic Hearing

<sup>72</sup> Approved 02-18-1997 Traffic Hearing

<sup>75</sup> Approved 02-18-1992 Traffic Hearing

<sup>76</sup> Approved 05-15-1989 Traffic Hearing

Resident Only parking zones shall be so designated and allow parking of vehicles bearing only valid Resident Parking permits. Vehicles without valid permits shall not park on these designated streets.

The following streets and locations shall be designated for vehicles with valid Resident Parking permits:

Alden Street<sup>77</sup>

Alden Street angled parking spots at Bradford Street intersection.<sup>78</sup>

Lower Miller Hill Road<sup>79</sup>

Priscilla Alden Road<sup>80</sup>

Upper Standish Street

Upper Winthrop Street<sup>81</sup>

Brewster Street<sup>82</sup>

Standish Avenue four (4) spaces east of Wareham Street intersection

Center Street<sup>83</sup>

Pearl Street from Bradford Street to Brewster Street. <sup>84</sup>

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## **ARTICLE 10: ELECTRIC VEHICLE CHARGING ZONES**

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### **4-10-1 ELECTRIC VEHICLE CHARGING STATIONS**

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Electric Vehicle Charging Station locations shall be designated by the Board of Selectmen. Parking at these spaces shall be limited to electric vehicles actively charging at the metered station.

### **4-10-2 LOCATIONS**

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A. Two (2) parking spaces for the charging of electric vehicles shall be reserved outside the entrance booth of the MacMillan Pier Municipal Parking Lot.

B. Two (2) parking spaces for charging of Electric Vehicles shall be reserved at the guardrail on Ryder Street Extension near the exit of the MacMillan Pier Municipal Parking Lot.

### **4-10-3 SERVICE FEES**

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<sup>77</sup> Approved 03-03-1998 Traffic Hearing

<sup>78</sup> Approved 11-04-2019 Traffic Hearing

<sup>79</sup> Approved 03-11-2003 Traffic Hearing

<sup>80</sup> Approved 03-17-1999 Traffic Hearing

<sup>81</sup> Approved 03-17-1999 Traffic Hearing

<sup>82</sup> Approved 03-15-2011 Traffic Hearing

<sup>83</sup> Approved 03-13-2012 Traffic Hearing

<sup>84</sup> Approved 11-04-2019 Traffic Hearing



Electric Vehicle charging fees shall be based on the time spent in the space and shall be charged at a rate of \$0.25 for every 10 minutes. The fee shall apply 24 hours a day, year round.

#### **4-10-4 PROHIBITIONS**

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A sign which reads, "Electric Vehicle Charging ONLY, all other vehicles may be towed" shall be placed in front of each designated space. Electric Vehicles must be connected to the meter at all times while in the space. Violators may be towed or fined pursuant to Appendix D.

## CHAPTER 5

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### FEES

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#### ARTICLE 1: FINES<sup>85</sup>

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##### 5-1-1 EXPIRED METERS & KIOSKS

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The fine for an expired meter or kiosk violation shall be thirty five (35) dollars.

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#### ARTICLE 2: GENERAL PROVISIONS

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##### 5-2-1 MAXIMUM DURATION<sup>86</sup>

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Parking meters shall allow a maximum paid duration of ten (10) hours of parking for new meter mechanisms as installed. All vehicles shall have a 14 day maximum time limit in all municipal lots.

##### 5-2-2 ENFORCEMENT<sup>87</sup>

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No person shall park a vehicle for a period of time longer than otherwise herein provided, between the hours of 8:00am to 12am in all municipal lots.

##### 5-2-3 PARKING METER & KIOSK ZONES

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In accordance with the foregoing, parking meter and kiosk zones are hereby established in the following streets or parts of street:

Standish Street westerly side between Bradford and Commercial Street<sup>88</sup>

Ryder Street southwesterly side between Bradford Street and Commercial Street<sup>89</sup>

Bradford Street south side from Standish Street to a point 260 feet north of Ryder Street<sup>90</sup>

Winslow Street easterly side opposite the entrance to VMCC to Jerome Smith Road, campers to be excluded from parking in this area<sup>91</sup>

Commercial Street north side between properties numbered '1' through '8' Commercial Street<sup>92</sup>, north side of Commercial Street between Central and Franklin Streets.<sup>93</sup>

##### 5-2-4 PARKING AT METERS & KIOSKS<sup>94</sup>

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<sup>85</sup> Approved 10-29-1981 Traffic Hearing, updated 02-09-94

<sup>86</sup> Approved 05-24-1982 Traffic Hearing

<sup>87</sup> Approved 11-19-1984 Traffic Hearing

<sup>88</sup> Parking Rules and Orders 03-29-1955, State DPW permit 6561

<sup>89</sup> Parking Rules and Orders 03-29-1955, State DPW permit 6561

<sup>90</sup> Parking Rules and Orders 03-29-1955

<sup>91</sup> Approved 04-24-1984, updated 05-15-1988 and 02-20-1992

<sup>92</sup> Approved 02-16-1993, Traffic Hearing

<sup>93</sup> Approved 03-29-1993, Traffic Hearing

<sup>94</sup> State Statute, also 1987 Municipal Code

Whenever any vehicle shall be parked adjacent to a parking meter or kiosk, the owner of said vehicle shall park within the space designated by pavement markings and upon entering such space, shall immediately deposit in said meter or kiosk the required coins or currency of United States or credit cards, for a maximum legal parking period or portion thereof, both as indicated or show on the meter or kiosk and, if so required, set the mechanism in motion.

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### **ARTICLE 3: PARKING METER & KIOSK FEES<sup>95</sup>**

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#### **5-3-1 PARKING METER RATES**

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Parking meters shall be \$.25 for 10 minutes in the following areas: Bradford Street, Standish Street, Provincetown Inn, Victor's, and Day's Lot.

#### **5-3-2 PARKING KIOSK RATES**

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Parking kiosk fees shall be \$.50 for every 15 minutes in the following areas: Alden St. and lot, Harry Kemp Way, Johnson Street Lot, Ryder Street, Ryder Street Lot, Commercial Street (Atlantic Avenue and Coast Guard Station) West End Lot, Fire Station Lot, School St., Upper Winslow St. and the VMCC Lot.

Parking Kiosk Fees shall be \$.25 for every 10 minutes in the Jerome Smith lot, and Lower Winslow St. spots.

#### **5-3-2 OPERATION**

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Each parking meter or kiosk shall indicate the days and hours of operation, duration of permitted parking, and the proper fee as set forth in approved regulations from 8:AM to 12:PM.

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### **ARTICLE 4: STANDARDS AND INSTALLATION<sup>96</sup>**

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#### **5-4-1 PARKING METERS AND KIOSKS**

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A parking meter is a mechanical device which shall indicate by proper legend, the legal parking time established by regulation or ordinance and when operated, shall at all times indicate the balance of legal parking time permitted and at the expiration of said period, shall indicate illegal or overtime parking by dropping a signal automatically or some other mechanical operation. The Kiosk is a solar powered, wireless device which accepts currency, coin and credit cards to pay for numbered parking spots.

#### **5-4-2 INSTALLATION**

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The tops of the meters shall be between 46 and 56 inches above the sidewalk, where possible. The metered spaces should, where possible, be clearly indicated by white pavement markings and shall conform to local zoning bylaws.

#### **5-4-3 TAMPERING**

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It shall be unlawful for any unauthorized person to tamper with, break, injure, or destroy any parking meter or kiosk or to deposit or cause to deposit into said meter or kiosk any slugs, devices, metallic substance or other substitutes for the coins required.

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<sup>95</sup> Approved 11-22-1982, updated 10-31-1988 Traffic Hearing, updated 03-12-2002

<sup>96</sup> Covered by State Statute, Parking Rules and Orders 03-29-1955

## CHAPTER 6

### PARKING PERMITS

#### ARTICLE 1: RATES AND RULES

##### 6-1-1 RATES<sup>97</sup>

Provincetown parking permit rates, per vehicle, per year shall be as follows:

Type	LIMITED	EXPANDED	LIMITED	EXPANDED
<b>Location</b>		MacMillan Pier Lot		MacMillan Pier Lot
	Grace Hall Lot	Grace Hall Lot	Grace Hall Lot	Grace Hall Lot
	Kiosk/Meter Spots	Kiosk/Meter Spots	Kiosk/Meter Spots	Kiosk/Meter Spots
	Resident Only Streets	Resident Only Streets		
Resident Permit	\$55	\$150		
Resident Commercial	\$140	\$235		
Resident Senior - 64+		\$0		
Board Members <sup>98</sup>		\$0		
Guest Permit			\$175	\$350
Guest Commercial			\$260	\$435
Replacement Permit	\$10			

Special Permits			
Type	Location		
	Jerome Smith Lot	Grace Hall Lot 4	Commercial St.
7-Day Pass	\$75		
Utility Trailer	\$500		
Resident Camper/RV	\$250		
Guest Camper/RV	\$500		
Winter Kayak Storage		\$50	
Winter Boat Storage		\$50 for boats up to 17', \$40 for each additional foot up to 30'	
Work Permits			\$5

<sup>97</sup> Approved 11-04-2019 Traffic Hearing

<sup>98</sup> Approved 02-10-2020 Board of Select Public Hearing

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## **ARTICLE 2: ELIGIBILITY**

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### **6-2-1 RESIDENT STATUS FOR RESIDENT VEHICLE PERMITS<sup>107</sup>**

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A vehicle which is garaged at a Provincetown residential address and pays an excise tax to the Town of Provincetown, or an individual who pays property tax to the Town of Provincetown shall be eligible for the Resident Vehicle Parking Permit<sup>108</sup>. Taxes for Time Share units do not qualify. Property owners, whose property ownership is listed to a real estate trust, must provide proof of ownership in that trust to qualify for a permit. Any individual who owns a vehicle that qualifies for a parking permit must have a valid registration and driver's license.

### **6-2-2 RESIDENT SENIOR VEHICLE PERMITS<sup>110</sup>**

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The vehicle of a Provincetown resident over the age of 64<sup>111</sup> years shall qualify for a resident senior permit. Residency requirements and proof of residency are the same as the rules for Resident permits. A senior with two (2) vehicles shall only be entitled to one senior permit. The second vehicle will incur the requisite \$150 cost for a Resident Permit<sup>112</sup>. Two or more seniors residing at the same address shall be eligible for individual Senior permits provided the vehicles are registered in their name. The use of a senior resident permit shall be restricted to such times as the senior is operating, or a passenger in, the vehicle.

### **6-2-3 COMMERCIAL PERMITS**

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Commercial vehicles, vehicles registered to a business, or passenger vehicles registered to a business, corporation, or commercial entity shall be eligible for Commercial Permits in accordance with the aforementioned Residency Status requirements.

### **6-2-4 DELINQUENT TAXPAYERS<sup>113</sup>**

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Pursuant to the Provincetown General Bylaw, permits may be denied or withheld from individuals who have any unpaid local taxes, fees, assessments, betterments or other municipal charges with the Town.

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## **ARTICLE 3: GENERAL PROVISIONS**

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### **6-3-1 FREE PARKING<sup>114</sup>**

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<sup>106</sup> Approved 03-18-2017 Annual Traffic Hearing

<sup>107</sup> Approved 03-11-2014 , Annual Traffic Hearing

<sup>108</sup> Approved 11-04-2019 Traffic Hearing

<sup>110</sup> Approved 03-12-2013, Annual Traffic Hearing

<sup>111</sup> Approved 11-04-2019 Traffic Hearing

<sup>112</sup> Amended 02-06-2020 to reflect the results of the 11-04-2019 Traffic Hearing

<sup>113</sup> Approved 02-10-2020 Board of Select Public Hearing

<sup>114</sup> Approved 05-24-1982, updated 04-24-1984, 1985 and 11-19-1984, Annual Traffic Hearing

Anyone bearing a Provincetown parking permit shall be allowed to park for free in Provincetown municipal parking lots and at parking meters or kiosk zones in accordance with the maximum time limits stated herein.<sup>115</sup>

- A. Limited Resident Permits allow for free parking in the Grace Hall lot, meter and kiosk zones, and all Resident Only zones.
- B. Expanded Resident Permits allow for free parking in the MacMillan Pier lot, Grace Hall lot, meter and kiosk zones, and all Resident Only zones.
- C. Limited Guest Permits allow for free parking in the Grace Hall lot, and meter and kiosk zones only.
- D. Expanded Guest Permits allow for free parking in the Macmillan Pier lot, Grace Hall lot, and meter and kiosk zones only.

### **6-3-2 RESIDENT ONLY PARKING<sup>117</sup>**

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Areas designated as Resident Only parking shall be limited to those vehicles bearing a valid Resident Parking permit.

### **6-3-3 PARKING PERMIT TIME LIMITS<sup>118</sup>**

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All parking permits shall have a 48-hour maximum time limit in the MacMillan Pier Municipal Parking Lot. Stays exceeding 48 hours shall be charged at the prevailing hourly/daily rate. All parking permits shall have a 7-day maximum time limit in the Grace Hall Parking Lot. Stays exceeding 7 days shall be charged at the hourly/daily rate. Parking permits are limited to three hours at Ryder St. lot<sup>119</sup> and kiosk spots.

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## **ARTICLE 4: SPECIAL PERMITS & PROVISIONS**

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### **6-4-1 TOWN BOARDS<sup>120</sup>**

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- A. Free permits shall be issued to members of the Provincetown Fire Department and members of the Provincetown Rescue Squad. The list of eligible members will be submitted to the Parking Department by the fire Department secretary and updated each year in the spring.
- B. Free permits shall be issued to members of Provincetown Town Boards who maintain a 75% annual attendance rate at board meetings and who have a current State Ethics Certificate on file with the Town Clerks Office. The list of eligible members will be submitted to the Parking Department by the Town Clerk and updated each year in the spring.

### **6-4-2 SPECIAL BUSINESS PERMIT<sup>121</sup>**

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- A. The Board of Selectmen shall specify the parking zones for sightseeing vehicles and shall designate who may use them as such. No person shall park a specially designated vehicle under these rules and orders in any other place on any street other than in those zones designated below for said vehicles.

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<sup>115</sup> Amended 02-06-2020 to reflect the results of the 11-04-2019 Traffic Hearing

<sup>117</sup> Approved 04-24-1984, updated 04-27-1987, updated 07-08-1996 Special Hearing

<sup>118</sup> Approved 02-22-1996, Annual Traffic Hearing

<sup>119</sup> Amended 02-06-2020 to reflect the results of the 11-04-2019 Traffic Hearing

<sup>120</sup> Approved 02-10-2020 Board of Select Public Hearing

<sup>121</sup> Approved 03-23-2004, Annual Traffic Hearing

- B. Sightseeing Vehicles shall be defined as dune tour operators, trolleys, tours and other similar services that are intended to provide primarily tourist activities rather than transportation services.
- C. Sightseeing Vehicles shall only use reserved parking spaces designated by the Town pursuant to a permit issued by the Board of Selectmen. Such permits shall be issued on a competitive basis pursuant to a Request for Proposals. Permits will be issued based on evaluation criteria set forth in the Request for Proposals. Permits shall be issued for terms of five years and shall be revocable for cause after a public hearing. The minimum fee for such permits shall be \$1,000 per vehicle per year.
- D. Six (6) spaces at the corner of Standish Street and Commercial Street shall be designated for permit holders of Sightseeing Vehicles from 8:00am to 9:00pm. Any entity permitted in these designated spaces reserved for Sightseeing Vehicles during the 2014 season shall be considered grandfathered from the bidding process subject to a license agreement between the operator and the Board of Selectmen.
- E. One (1) space in front of Town Hall, 260 Commercial Street shall be designated for permit holders of Sightseeing Vehicles from 6:00am to 9:30pm. Any entity permitted in these permit designated spaces reserved for Sightseeing Vehicles during the 2014 season shall be considered grandfathered from the bidding process subject to a license agreement between the operator and the Board of Selectmen.
- F. One (1) space on Standish Street north of the existing Spaces identified in Section D and north of the handicapped parking space shall be designated for permit holders of Sightseeing Vehicles from 6:00am to 9:30pm. The space shall be approximately 60 feet in length.

**6-4-3 7 DAY PASS PERMITS**

Individuals eligible for the 7 Day pass may purchase said permit for wheeled vehicles and will be granted a spot in the Jerome Smith lot subject to availability.

Boats and trailers up to 17 feet is \$50, plus \$40 a foot for each additional foot up to 30 feet		
17'1" to 18 feet \$90	22'1" to 23" feet \$290	27'1" to 28' feet \$490
18'1" to 19 feet \$130	23'1" to 24' feet \$330	28 '1" to 29' feet \$530
19'1" to 20 feet \$170	24'1" to 25' feet \$370	29'1" to 30' feet \$570
20'1" to 21 feet \$210	25'1" to 26' feet \$410	
21'1" to 22 feet \$250	26'1" to 27' feet \$450	

**ARTICLE 5: REVOCATION & DENIAL OF ISSUE**

**6-5-1 PAST DUE FEES<sup>129</sup>**

The Parking Department shall refuse the right to issue a Provincetown parking permit, or revoke as an assigned permit, without any refund of fees paid, for any vehicle, person or business with past due Provincetown financial obligations including taxes, water and sewer charges and parking violations

<sup>126</sup> Approved 11-04-2019 Traffic Hearing  
<sup>128</sup> Approved 11-04-2019 Traffic Hearing  
<sup>129</sup> Approved 03-13-2012, Annual Traffic Hearing

### **6-5-2 INOPERABLE VEHICLES<sup>130</sup>**

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The Parking Administrator shall refuse to issue or may revoke a Provincetown parking permit for any non-operable vehicle, including any vehicle without a current state inspection sticker from all applicable states, and may remove such vehicles, at the owner's expense, from any public way or municipal parking lot. Notice of revocation will be made by registered letter.

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<sup>130</sup> Approved 04-24-1985, Annual Traffic Hearing



## CHAPTER 7

### MUNICIPAL PARKING LOTS

#### ARTICLE 1 REGULATION OF MUNICIPAL PARKING LOTS

##### 7-1-1 FEE STRUCTURE<sup>131</sup>

The fee structure for the MacMillan Pier Lot and Grace Hall Lot shall be as follows:

MacMillan Pier Parking Lot: 0 to 10 hours @ \$3.50 an hour, Maximum of \$35 for 24 hours

Grace Hall Parking Lot: 0 to 10 hours @ \$2.50 an hour, Maximum of \$25 for 24 hours<sup>132</sup>

#### ARTICLE 2 GENERAL PROVISIONS

##### 7-2-1 SIZE LIMITS<sup>133</sup>

No vehicle in excess of 18 feet in length, including but not limited to campers, semi-truck trailers, or large commercial vehicles, shall be allowed to park in any municipal lot or standard 8 foot by 18 foot town parking space, unless written approval or an appropriate permit is obtained from the Parking Department. Permitted recreational vehicles or boats exceeding 18 feet in length may be parked at the Jerome Smith Lot, or Grace Hall Lot #4 respectively, at the discretion of the Parking Department.

##### 7-2-2 SIGNAGE<sup>134</sup>

Municipal signs shall be installed directing motorists to municipal and private parking lots.

##### 7-2-3 PARKING LOT VIOLATION<sup>135</sup>

No person, without permission, may exit a public parking without paying the established parking fee, and may be arrested without a warrant. Payment shall be made by currency, coin, or credit card.<sup>136</sup> No personal checks or travelers checks shall be accepted. Attendants shall not accept any payment substitutions, including IOU's, written or verbal, or personal items. If payment is refused, attendant is instructed to call for a police officer. A sign shall be posted on the ticket dispenser so as to be clearly visible to lot patrons explaining above payment procedure.

##### 7-2-4 FISH/GEAR UNLOADING SPACE<sup>137</sup>

The parking space in the MPL lot that is immediately opposite the gangway of the courtesy float shall be designated as "Unloading Zone for Courtesy Float Only – All Others Towed".<sup>138</sup>

##### 7-2-5 UNATTENDED ANIMALS IN VEHICLES<sup>139</sup>

<sup>131</sup> Approved 06-09-2014 by the Board of Selectmen

<sup>132</sup> Approved 03-12-2002, Annual Traffic Hearing, Approved increase 03-21-2006; Approved increase 11-19-2018 Annual Traffic Hearing

<sup>133</sup> Approved 04-27-1987, Annual Traffic Hearing, Updated to reflect approval at the 11-04-2019 Traffic Hearing

<sup>134</sup> Approved 05-15-1989, Annual Traffic Hearing

<sup>135</sup> Provincetown General By-Law Chapter 10, § 7 (Art. 47, 1987 ATM)

<sup>136</sup> Updated 02-06-2020

<sup>137</sup> Approved 02-19-1997, Annual Traffic Hearing

<sup>138</sup> Approved 02-19-1997, Annual Traffic Hearing

No person shall leave animals unattended in vehicles parked in any municipal parking lot in Provincetown.

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<sup>139</sup> Approved 02-21-1995, Annual Traffic Hearing

## CHAPTER 8

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### OPERATION OF VEHICLES<sup>140</sup>

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#### ARTICLE 1: GENERAL PROVISIONS

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##### 8-1-1 OBSTRUCTION OF TRAFFIC

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No driver shall operate a vehicle in such a manner as to obstruct the normal movement of traffic upon any street or highway

No driver shall enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk and on the right half of the roadway, to accommodate the vehicle he is operating without obstructing the passage of the other vehicles or pedestrians, notwithstanding any traffic control or officer's signal to precede.

##### 8-1-2 EMERGING FROM AN ALLEY OR PRIVATE DRIVEWAY

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The operator of a vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across said alleyway or driveway.

##### 8-1-3 OWNER *PRIMA FACIE* RESPONSIBLE

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If any vehicle is found upon any street or highway in violation of any provision of these rules regulations and the identity of the driver cannot be determined, the owner or the person to whom said vehicle is registered, shall be held *prima facie* responsible for such violation.

#### ARTICLE 2: ONE WAY STREETS

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##### 8-2-1 SIGNALS, MARKINGS AND ZONES

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Any section of these regulations relating to one way streets shall be effective only during such time as a sufficient number of official signs are erected and maintained at each of the exits for each one way street, so that at least one sign shall be clearly visible for a distance of at least 75 feet to drivers approaching such an exit.

##### 8-2-2 ONE WAY STREETS<sup>141</sup>

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Upon following streets or parts of streets vehicular traffic shall move in the direction indicated:

Arch Street.....one way southbound<sup>142</sup>

Alden Street.....one way southbound between Bradford Street and Cemetery Road

Atlantic Avenue...one way southbound

Brewster Street.....one way northbound to Pearl Street<sup>143</sup>

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<sup>140</sup> All traffic zones are governed by state statute as listed in the Standard Municipal code, 1987 as denoted in appendices, or as otherwise noted in footnoted for traffic hearings. See Parking and Traffic rules and Orders 03-29-1955

<sup>141</sup> Approved 03-29-1955, Annual Traffic Hearing, except where otherwise noted

<sup>142</sup> Approved 05-11-1981, Annual Traffic Hearing

Carnes Avenue.....one way northbound between Pleasant Street and Race Road<sup>144</sup>

Carver Street.....one way southbound between Bradford Street and Commercial Street

Central Street.....one way westbound from Bradford Street to Provincetown Inn

Court Street.....one way northbound from Commercial Street to Holway Avenue

Creek Road.....one way west bound Franklin to Nickerson Street<sup>145</sup>

Dyer Street.....one way southbound from Bradford to Commercial Street

Freeman Street.....one way northwest bound from Commercial Street to Standish Street<sup>146</sup>

Gosnold Street.....one way northbound from Commercial Street to Bradford Street

Fritz's Way.....one way north from Conant Street to Brown Street<sup>147</sup>

High Pole Hill Road.....one way from Pilgrim Monument to Bradford Street<sup>148</sup>

Kendall Lane.....one way southbound from Bradford to Commercial Street

Law Street.....one way southbound

Lopes Square.....one way southbound on the west side of the square between Commercial Street and MacMillan Pier, one way northbound on the eastside of the square between MacMillan Pier and Commercial Street

Mechanic Street.....one way northbound from Tremont Street to Bradford Street and one way northwest bound from Bradford Street to Creek Road<sup>149</sup>

Montello Street.....one way southbound

Nickerson Street.....one way southbound from Bradford to Tremont Street<sup>150</sup> and one way southbound from Tremont Street to Commercial Street<sup>151</sup>

Pearl Street.....one way southbound from Bradford Street to Commercial Street

Pleasant Street.....one way northbound from Commercial Street to Race Road

School Street.....one way southbound from Bradford Street to Tremont Street<sup>152</sup>

Standish Street.....one way northbound from Bradford Street to Cemetery Road

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<sup>143</sup> Approved 04-07-1973, Annual Traffic Hearing

<sup>144</sup> Approved 10-14-1988, Annual Traffic Hearing

<sup>145</sup> Approved 02-09-1994, Annual Traffic Hearing

<sup>146</sup> Approved 05-24-1982, Annual Traffic Hearing

<sup>147</sup> Approved 03-14-2000, Annual Traffic Hearing

<sup>148</sup> Approved 02-18-1992, Annual Traffic Hearing

<sup>149</sup> Approved 04-17-1970, Annual Traffic Hearing

<sup>150</sup> Approved 02-16-1993, Annual Traffic Hearing

<sup>151</sup> Approved 03-12-2002, Annual Traffic Hearing

<sup>152</sup> Approved 04-17-1970, Annual Traffic Hearing

Washington Street.....one way northbound from Commercial Street to Bradford Street

Winthrop Street.....one way northbound from Bradford Street to Brown Street

Winslow Street.....one way northbound from Bradford Street to Pilgrim Monument and one way northbound from Pilgrim Monument to Jerome Smith Road, from September 1st through June 30th, 7:45am to 8:15am, and 1:45pm to 2:15pm, while school is in session.<sup>153</sup>

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### ARTICLE 3: SPEED LIMITS

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#### 8-3-1 SPEED LIMIT ZONES

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Speed limit zones in accordance with these regulations shall be established and marked according to state DPW standards as listed below.<sup>154</sup>

Alden Street 20 mph with signs to be posted facing north and south

Arch Street 10 mph, entire length

Bradford Street .5 mile @ 25 mph east from Winslow; .25 mile @ 30 mph

Bradford Street 25 mph from Kendall Lane to Allerton Street<sup>155</sup>

Commercial Street .25 mile @ 25 mph Texaco Station west and .5 mph @20 mph and 1.5 miles at 15 mph and .2 mile @ 25 mph to Provincetown Inn

Shank Painter Road 25 mph, entire length

Howland Street 15 mph Commercial Street north to Bradford Street; .25 mile @ 35 mph

Bradford Street Extension .9 mile @ 25 mph

Harry Kemp Way 25 mph entire length

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### ARTICLE 4 STOP SIGNS

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#### 8-4-1 OBEDIENCE TO STOP SIGNS

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The operator of a vehicle, railway car or other conveyance, approaching an intersection of ways where there exists facing said operator, an official "Stop" sign, the written approval of the Department of Public Works of the Commonwealth being a matter of record and in effect, shall, before proceeding through the intersection, bring said vehicle, railway car or other conveyance, to a complete stop at such point as may be clearly marked by a sign or line, or if a point is not so marked, then at a place between said "Stop" sign and the nearer line of the intersection. In accordance with the foregoing, the installation and maintenance of an official stop sign or signs in the following locations are authorized as follows:

Permit	Issue Date	Location
1780	September 12, 1939	Northbound on Cook Street at Bradford Street

<sup>153</sup> Approved 10-14-1986, Annual Traffic Hearing

<sup>154</sup> Approved 04-29-1974, Annual Traffic Hearing

<sup>155</sup> Approved 03-12-2002, Annual Traffic Hearing

1781	September 6, 1939	Northbound on Pearl Street at Bradford Street
1782	September 6, 1939	Northbound on Winthrop at Bradford Street
1783	September 6, 1939	Southbound on Franklin Street at Bradford Street
3322	July 16, 1946	Southeast bound on Court at Commercial Street
3327	July 16, 1946	Northbound on Johnson Street at Bradford Street
3328	July 16, 1946	Southeast bound on Johnson Street at Commercial Street
3329	July 16, 1949	Southeast bound on Carver Street at Commercial Street
3330	July 16, 1946	Northeast bound on Carver Street at Bradford Street
3331	July 16, 1946	Southbound on Conwell at Bradford Street
1783A	June 10, 1958	Northbound on Franklin at Bradford Street
7540	June 10, 1958	Northeast bound on Court Street at Bradford Street
7541	June 10, 1958	Northbound and Southbound on Cottage Street at Tremont Street
7542	June 10, 1958	Eastbound and Westbound on Browne Street at Shankpainter Road
7543	June 10, 1958	Southbound on Shankpainter Road at Bradford Street
8554	July 19, 1960	Southbound on Jerome Smith Road at Shankpainter Road
8572	July 26, 1960	Southbound on Winslow Street at Bradford Street
8573	July 26, 1960	Northbound and Southbound on Mechanic Street at Tremont Street
7-141	October 15, 1968	Southeast bound on West Vine Street extension at Bradford Street extension
7-142	October 15, 1968	Northwest bound Lopes Square entering Commercial Street from MacMillan Pier
7-143	October 15, 1968	Snail Road at Route 6
	March 17, 2009	Install 4 way stop sign at the intersection of Bradford Street and Howland Street and paint lines and warning signs Stop Ahead

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**ARTICLE 5: OVERSIZED VEHICLES<sup>156</sup>**

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**8-5-1 HEAVEY VEHICLES EXCLUDED**

The use and operation of heavy commercial vehicles is hereby restricted on those streets or parts of streets described in this section except as otherwise herein provided:

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<sup>156</sup> The following exclusions were approved at the annual traffic hearings but did not comply with the standards set forth in state statute. Central Street (04-23-1984), Arch Street (05-11-1981), Law Street (05-11-1981), Tremont Street (05-11-1981), West Vine Street (05-11-1981) and Winslow Street (02-20-1990). All other approved 03-29-1955 rules and Orders.

Washington Avenue.....entire length

Dyer Street.....entire length

Carver Street.....entire length

Standish Avenue.....entire length

**8-5-2 EXEMPTIONS**

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The forgoing section of this article shall not apply to commercial or heavy commercial vehicles going to, or coming from places upon said streets or adjoining streets to which access cannot otherwise be gained, to municipal vehicles, public service vehicles having emergency work to do on said streets or adjoining streets, to United States main service vehicles, to police and fire department vehicles or ambulances.

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**ARTICLE 6: BICYCLES**

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**8-6-1 BICYCLE TRAFFIC<sup>157</sup>**

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Bicycle traffic in the Town shall be regulated by MASSACHUSETTS GENERAL LAWS Chapter 85, § 11B (see Appendix E of these regulations). Special Legislation (chapter 264 of the Regular Session of 1991, adopted October 11, 1991) exempts Provincetown from the sections of Chapter 85, § 11B with respect to the regulation of the operation of bicycle traffic on Commercial Street by allowing the Town to adopt rules for this said Commercial Street traffic. Said regulation was adopted by the Board of Selectmen at the February 18, 1992 Annual Traffic Hearing to read “The direction of the travel for bicycles on Commercial Street shall be in either direction.”

**8-6-2 BIKE RACK**

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Bike Racks are to be installed at the direction and discretion of the Board of Selectmen.

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**ARTICLE 7: WALKWAYS**

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**8-7-1 WALKWAYS**

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Walkways are to be created and maintained at the direction and discretion of the Board of Selectmen.

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**ARTICLE 8: MOTORIZED BICYCLES AND SCOOTERS**

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**8-8-1 PURPOSE AND AUTHORITY**

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<sup>157</sup> Article 29, October 12, 1976, Special Town Meeting adopted Special legislation (Acts of 1977 - Chapter 419) with regard to MGL CH 85 § 11B, allowing bicycle traffic on Commercial Street in Provincetown, to operate in either direction. Said Act was voted at the April 18, 1978 Annual town Election/Updated further by Article 76 of the April, 1990 annual Town Meeting, requesting that Chapter 419 of the Acts of 1977 be rescinded. This article was amended on the floor, resulting in a motion to request the Board of Selectmen to clarify with Town Counsel and the State Attorney General as to the status of this act. Remedy to this was adopted via Article 38 of the April, 1991 Annual Town Meeting by Home Rule Petition allowing the Town to adopt rules providing for the operation of bicycle traffic on Commercial Street relative other direction of the travel and passing on said Commercial Street. Final remedy to this was the enactment of said regulations at the February 18, 1992 Annual Traffic Two – Way traffic on Commercial Street This action was finalized by Chapter 264 of the 1991 Regular Session of the Legislature of the Commonwealth

This Regulation is adopted pursuant to General Laws c. 40, §22, General Laws c. 90, §§1B and 1E, and Chapter 264 of the Acts of 1991. The purpose of this Regulation is to facilitate the safe travel of vehicles, including motorized bicycles and motorized scooters, bicycles, and pedestrians on public ways within the Town.

### **8-8-2 DEFINITIONS**

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"Motorized bicycle", a pedal bicycle which has a helper motor, or a non-pedal bicycle which has a motor, with a cylinder capacity not exceeding fifty cubic centimeters, an automatic transmission, and which is capable of a maximum speed of no more than thirty miles per hour.

"Motorized scooter", any 2 wheeled tandem or 3 wheeled device, that has handlebars, designed to be stood or sat upon by the operator, powered by an electric or gas powered motor that is capable of propelling the device with or without human propulsion. The definition of "motorized scooter" shall not include a motorcycle or motorized bicycle or a 3 wheeled motorized wheelchair.

### **8-8-3 COMPLIANCE WITH ALL TRAFFIC RULES AND REGULATIONS GOVERNING MOTORIZED VEHICLES**

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All persons operating a motorized bicycle or motorized scooter within the Town must comply with all applicable rules of the road, including but not limited to posted speed limits and flow of traffic rules, and all requirements of Massachusetts General Laws, Chapter 90, Section 1B (Motorized Bicycles) and Massachusetts General Laws, Chapter 90, Section 1E (Motorized Scooters). No person under the age of 16 may operate a motorized bicycle or motorized scooter, nor may such vehicles be operated while the driver is impaired as defined in Massachusetts General Laws, Chapter 90, Section 24. All operators and riders of Motorized Bicycles and Motorized Scooters must wear a helmet.

### **8-8-4 ONE WAY DIRECTIONAL TRAFFIC ON COMMERCIAL STREET**

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Motorized bicycles and motorized scooters shall comply with the one way directional traffic flow on Commercial Street.

### **8-8-5 USE OF DESIGNATED PARKING SPACES TO INITIATE RENTAL**

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Any person engaged in the rental or hire of motorized bicycles and/or motorized scooters within a public way or located in a Town-owned parking lot shall not obstruct traffic during loading and unloading, and shall confine such activity to designated public parking spaces.

### **8-8-6 BIKE RACKS MAINTAINED BY THE TOWN**

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Bike racks maintained by the Town are intended for the sole and exclusive use of bicycles or unregistered /unlicensed motorized vehicles. No motorized bicycle or motorized scooter, which is required to be licensed and registered by the Massachusetts Registry of Motor Vehicles, may be placed or stored at Town-owned bike racks or otherwise left unattended, whether locked or not, on any Town property, in a public way or on a Town sidewalk, except designated parking spaces. Any licensed motorized bicycle or motorized scooter left unattended on Town-owned bike racks, on Town property or within a public way or sidewalk shall be deemed abandoned property and shall be removed from the premises by the Department of Public Works. The Department of Public Works (DPW) will transport the bike to Police Headquarters, and the sector officer will generate a report identifying the vehicle and removal date. The report will include make, model, color, serial number (if possible) and a brief description of the vehicle's condition. The serial number will be checked with the Criminal Justice Information system. The Property/Evidence Officer will log the vehicle into the IMC System and secure it for safekeeping in a designated storage area for a period of thirty days. The Property/Evidence Officer will use reasonable means to identify and notify



the owner, in writing, if known. If the vehicle is not claimed in this period, the Property Evidence Officer will release it for auction. The Town shall not be liable for any damage to such vehicles, which occurs as a result of the removal and storage of such vehicles by the Town.

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### **8-8-7 MACMILLAN PIER**

This Regulation shall apply to the operation of motorized bicycles and motorized scooters on MacMillan Pier, and may be further subject to regulations issued by the Provincetown Public Pier Corporation.

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### **8-8-8 NOTIFICATION OF REGULATION TO OPERATORS**

Every person engaged in the rental or offering for hire of motorized bicycles and/or motorized scooters shall provide to the person renting or hiring such vehicle a copy of these Regulations and shall require, as a condition of rental, that the person renting such vehicle sign an acknowledgement form stating that the person has read and acknowledges the Regulation.

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### **8-8-9 PENALTIES AND ENFORCEMENT**

Pursuant to Chapter Two of the Town of Provincetown General Bylaws, this Regulation may be enforced by any Provincetown Police Officer through any of the means stated in the bylaw. Penalties for violations of Sections 8-8-3 and 8-8-4 shall be assessed against the operator. Penalties for violations of Section 8-8-5 and 8-8-8 shall be assessed against the owner. Violations of Section 8-8-6 shall be assessed against the owner or operator or both. The penalty for violation of this Regulation shall be \$100 for the first offense, \$200 for the second offense, and \$300 for the third and any subsequent offense. Each day that a violation continues shall be deemed a separate offense.

Nothing in this Regulation is intended to limit or restrict the authority of any Town officer or official to enforce the provisions of the Massachusetts General Laws, or any other applicable Federal, State or local law concerning the operation and use of Motorized Bicycles and Motorized Scooters in the Town of Provincetown, and, to the extent that the requirements of this Regulation conflict with any such Federal, State or local laws, the more stringent will apply.

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### **8-8-10 SEVERABILITY**

The invalidity of any section, provision, paragraph, sentence, or clause of this Regulation shall not invalidate any other section, provision, paragraph, sentence, or clause thereof.

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## CHAPTER 9

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### TRAFFIC<sup>161</sup>

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#### ARTICLE 1: TOW ZONES<sup>162</sup>

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##### 9-1-1 GENERAL PARKING PROVISIONS

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No person shall stand, park, allow, or permit any vehicle registered in his name to stand or park in any TOW ZONE. Vehicles found in violation of the provisions of this section, except those specifically exempt by law, shall be removed to a convenient place under the direction of an officer of the police department and the owner of the vehicle so removed or towed away shall be liable to the cost of such removal and storage, if any, as set forth in Massachusetts General Law. The owner of any vehicle removed or towed away under the provisions of this section shall also be subject to the penalties provided in Chapter 90, Section 20A ½ of the General Laws.

##### 9-1-2 GENERAL TRAFFIC PROVISIONS

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The police are authorized to remove any vehicle parked or standing on any part of any way under the control of the Town in such a manner as to impede in any way the removal or plowing of snow or ice or in violation of any rule or order or regulation which prohibits the parking or standing of all vehicles on such ways or portions thereof. The owner of the vehicle so removed or towed away, shall be liable to the cost of such removal and storage, if any, as set forth in Massachusetts General Law Chapter 40, § 22D.

##### 9-1-3 STREET CLOSURE

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Vehicle traffic on designated Commercial Street segments is to be restricted to essential public safety vehicles only on Summer Friday and Saturday nights with the exception of pedicabs and vehicles bearing passengers who seek to check in to guest accommodations, at the discretion of the Police Department.<sup>165</sup>

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#### ARTICLE 2: SIGNS

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##### 9-2-1 GENERAL PROVISIONS

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Pursuant to Massachusetts General Law, the Commissioner of Public Safety and/or the Chief of Police, may, as a matter of public safety, order the installation of signs on Town roads, at any time deemed necessary. The following, lists signs that were voted and prescribed as specifically noted therein:

##### 9-2-2 LOPES SQUARE<sup>166</sup>

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- a. East side two lanes shall be northbound traffic
- b. West side left lane shall be for wharf traffic only or to return to Commercial Street West side right lane for parking lot access only

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<sup>161</sup> Traffic regulation are governed by statute, as listed in Standard Municipal Code 1987 see 03-29-1955 Traffic Rules and Orders

<sup>162</sup> Tow zones governed by state statute as noted in 1987 Standard Municipal Code. Subsequent acceptance of Chapter 90, Section 20A ½ in 1983 with creation of the Parking Department. All restricted parking zones designated tow zones

<sup>165</sup> Approved 11-04-2019 Traffic Hearing

<sup>166</sup> Approved 05-11-1981, Annual Traffic Hearing

- c. When MacMillan Pier Parking lot is full, wharf traffic only may be allowed into Lopes Square southbound. Overflow from MacMillan Pier Parking lot can proceed west to Ryder Street Extension, then north
- d. A solid yellow line shall be painted north and south dividing the west side of Lopes Square into two lanes. A sign shall be located on the parking lot booth “Parking Lot is full when red light is on, turn right for additional parking”.

**9-2-3 PRINCE STREET<sup>167</sup>**

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Parking shall be allowed on the west side of Prince Street between points 20 feet north of the intersection of Cudworth Street to the north boundary of property owned by John Cook.

**9-2-4 RYDER STREET EXTENSION<sup>168</sup>**

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There shall be a sign posted in the south west corner of Commercial Street at the intersection of Ryder Street Extension, facing south which reads “Parking Straight Ahead”, with arrow pointing north.

**9-2-5 ROUTE 6<sup>169</sup>**

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A sign shall be posted facing east reading “To Route 6 and Parking” at Commercial Street and Ryder Street Extension.

**9-2-6 RYDER STREET EXTENSION<sup>170</sup>**

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A sign shall be posted facing north at Ryder and Commercial Street reading “Do Not Enter for Parking”.

**9-2-7 LOPES SQUARE<sup>171</sup>**

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A sign shall be posted on the southeast corner of Lopes Square and Commercial Street reading “Route 6 Straight Ahead”.

**9-2-8 WINSLOW STREET<sup>172</sup>**

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A directional sign for Route 6 shall be posted at the top of Winslow Street by the Monument entrance.

**9-2-9 130 COMMERCIAL STREET<sup>173</sup>**

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Move present sign from the edge of the property at ‘130’ Commercial Street to the edge of the curb to prevent vehicles from illegally parking.

**9-2-10 17 CONANT STREET**

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Designate parking for one (1) car only by extending yellow line four (4) feet away from driveway of ‘17’ Conant Street.

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<sup>167</sup> Approved 05-11-1981, Annual Traffic Hearing  
<sup>168</sup> Approved 05-11-1981, Annual Traffic Hearing  
<sup>169</sup> Approved 05-11-1981, Annual Traffic Hearing  
<sup>170</sup> Approved 05-11-1981, Annual Traffic Hearing  
<sup>171</sup> Approved 05-11-1981, Annual Traffic Hearing  
<sup>172</sup> Approved 05-11-1981, Annual Traffic Hearing  
<sup>173</sup> Approved 03-03-1998, Annual Traffic Hearing

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## **ARTICLE 3: INTERSECTIONS**

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### **9-3-1 BRADFORD STREET AND ARCH STREET<sup>174</sup>**

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A “Caution, Pedestrians and Children” sign shall be posted on Bradford Street, at the intersection of Arch Street.

### **9-3-2 CARNES AVENUE AND PLEASANT STREET<sup>175</sup>**

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A “Slow, Children” sign shall be posted at the corner of Carnes Avenue and Pleasant Street.

### **9-3-3 CEMETERY ROAD AND CONWELL STREET<sup>176</sup>**

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“Warning” signs shall be posted on Court Street facing north and south, at the intersection with Bradford Street.

### **9-3-4 COURT STREET AND BRADFORD STREET<sup>177</sup>**

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Two “Slow” signs shall be posted on Court Street facing north and south, at the intersection with Bradford Street.

### **9-3-5 WEST VINE STREET AND COMMERCIAL STREET<sup>178</sup>**

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A “Caution, Dangerous Intersection” shall be posted on Court Street facing north and south, at the intersection with Bradford Street.

### **9-3-6 WEST VINE STREET AND BRADFORD STREET<sup>179</sup>**

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A “Yield” sign shall be posted facing north on the traffic island at West Vine Street and Bradford Street.

### **9-3-7 BRADFORD STREET AND CONWELL STREET<sup>180</sup>**

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Crosswalk shall be painted by DPW.

### **9-3-8 CONWELL STREET AND HARRY KEMP WAY**

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A stop line will be installed on Harry Kemp Way.

### **9-3-9 CEMETERY ROAD AND CONWELL STREET**

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A stop line will be painted on Cemetery Road and a 20 foot center line added on Cemetery Road.

### **9-3-10 ROUTE 6 TO CEMETERY ROAD.**

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Painted Lines will be added for traffic calming effect.

### **9-3-11 SAND BARREL**

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<sup>174</sup> Approved 05-11-1981, Annual Traffic Hearing

<sup>175</sup> Approved 04-28-1986, Annual Traffic Hearing

<sup>176</sup> Approved 10-14-1986, Annual Traffic Hearing

<sup>177</sup> Approved 05-11-1981, Annual Traffic Hearing

<sup>178</sup> Approved 04-24-1985, Annual Traffic Hearing

<sup>179</sup> Approved 04-24-1985, Annual Traffic Hearing

<sup>180</sup> Approved 03-14-2000, Annual Traffic Hearing

A barrel weighted with sand with a crosswalk sign placed in the middle of the crosswalk running from Cumberland Farms to the west corner of Standish Street.

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## **ARTICLE 4: BLIND DRIVEWAYS**

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### **9-4-1 BLIND DRIVE**<sup>181</sup>

A “Caution, Blind Drive” sign shall be posted in the area of the Provincetown Tennis Club on Bradford Street.

### **9-4-2 WEST VINE STREET**<sup>182</sup>

Two “Slow, Children, Hidden Driveway” signs shall be posted, one at the west side of West Vine Street at Bradford Street, and the other at the east side of West Vine Street at Commercial Street.

### **9-4-3 CAPE END MANOR**<sup>183</sup>

“Slow, Hidden Driveway” signs shall be posted along Alden Street, in both directions, near the Cape End Manor nursing home.

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## **ARTICLE 5: CHILDREN**

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### **9-5-1 2001 COMMUNITY CENTER**<sup>184</sup>

Two flashing lights shall be attached to the existing signs on Bradford Street, near the Community Center, which read, “Slow, Children at Play”.

### **9-5-2 CARNES AVENUE**<sup>185</sup>

“Slow, Children” signs shall be posted along Carnes Avenue.

### **9-5-3 CONWAY STREET**<sup>186</sup>

A “Slow” sign shall be posted on Conway Street.

### **9-5-4 WINTHROP STREET**<sup>187</sup>

A “Slow” sign shall be posted on Winthrop Street.

### **9-5-5 ALLETON STREET**<sup>188</sup>

A “Stop” sign shall be posted on Allerton Street at corner of Allerton Street and Commercial Street and a “Children at Play” sign shall be posted on Allerton Street at the Bradford Street end of Allerton Street.

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<sup>181</sup> Approved 04-24-1985, Annual Traffic Hearing

<sup>182</sup> Approved 04-17-1971, Annual Traffic Hearing

<sup>183</sup> Approved 10-31-1990, Annual Traffic Hearing

<sup>184</sup> Approved 04-28-1986, Annual Traffic Hearing

<sup>185</sup> Approved 10-14-1986, Annual Traffic Hearing

<sup>186</sup> Approved 10-31-1988, Annual Traffic Hearing

<sup>187</sup> Approved 04-29-1976, Annual Traffic Hearing

<sup>188</sup> Approved 03-23-2004, Annual Traffic Hearing

**9-5-5 PLEASANT STREET<sup>189</sup>**

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A “Slow, Children at Play” sign shall be posted on Pleasant Street, just north of the intersection with Bradford Street.

**9-5-6 PLAYGROUNDS<sup>190</sup>**

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“Playground” and “Children” signs shall be posted at both the east and west end playgrounds.

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**ARTICLE 6: SCHOOL ZONES**

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**9-6-1 SCHOOL ZONE<sup>191</sup>**

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The area along the edge of Motta Field on Winslow Street shall be designated a school zone, and appropriate signs shall be posted in the area.

**9-6-2 SCHOOL UNLOADING ZONE<sup>192</sup>**

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The eastern portion of Winslow Street along Motta Field shall be designated a school unloading zone while school is in session.

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<sup>189</sup> Approved 04-26-1986, Annual Traffic Hearing

<sup>190</sup> Approved 11-09-1971, Annual Traffic Hearing

<sup>191</sup> Approved 05-11-1981, Annual Traffic Hearing

<sup>192</sup> Approved 05-17-1987, updated 10-14-1988, Annual Traffic Hearing

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## **APPENDIX A**

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### **CURB CUT PROCEDURES<sup>193</sup>**

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#### **ARTICLE 1: GENERAL PROVISIONS**

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##### **A-1-2 RESTRICTIONS<sup>194</sup>**

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No curb cuts will be granted where a car will obtrude into the public way.

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#### **ARTICLE 2: APPLICATION PROCEDURES**

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##### **A-2-1 SELECTMEN'S SECRETARY**

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All applications for curb cuts shall be submitted to the Selectmen's Secretary.

##### **A-2-2 REQUIRED PLOT PLAN**

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Applications must be complete and include a plot plan of abutting areas.

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#### **ARTICLE 3: PUBLIC HEARING REQUIREMENTS**

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##### **A-3-1 PUBLIC HEARING**

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The Selectmen's Secretary will schedule a public hearing before the Board of Selectmen, at which time the applicant or their representative should be present to act as proponent.

##### **A-3-2 ABUTTERS LIST**

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Applicants must secure a certified abutters list from the Assessor's Office (abutters to abutters within 300 feet) and applicant must notify all listed abutters via certified mail. The Selectmen's Secretary will provide notice of public hearing to applicant to be mailed to abutters. Applicant must present a majority of return receipts for certified mail to the Selectmen's Secretary either prior to, or at the public hearing.

##### **A-3-3 ADVERTISING PUBLIC HEARING**

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The public hearing will be advertised by the Selectmen's Secretary for two weeks (at least fifteen days prior to the public hearing date).

##### **A-3-4 NOTIFICATION OF DEPARTMENT HEADS**

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The Selectmen's Secretary will distribute hearing notice and copies of the application to all appropriate department heads as well as the Commissioner of Public Safety, for their input and sign off prior to the hearing. The applicant must be available to answer questions any department head has regarding the plan.

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<sup>193</sup> Provincetown General By – Law, §9-3-1A – See also Selectmen's Procedures for application for curb cuts.

<sup>194</sup> Approved 11-13-1984, Annual Traffic Hearing

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## APPENDIX B

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### MACMILLAN PIER PARKING REGULATIONS<sup>195</sup>

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#### ARTICLE 1: MACMILLAN PIER

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##### Applicable Harbor Regulations for MacMillan Pier as promulgated December 19, 1991

##### **B-1-1 VEHICLES AND PARKING**

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Use of the pier by vehicles shall be limited to those vehicles actively serving vessels and businesses at the pier and casual vehicular travel by the general public. No vehicles shall be parked as to block the access of other vehicles to the pier.

##### **B-1-2 PARKING DESIGNATED BY HARBORMASTER**

---

Parking of vehicles and heavy trucks shall be prohibited on the pier, except in the space and times designated by the Harbormaster. No vehicle shall be left unattended on the pier, except with the written permission of the Harbormaster.

##### **B-1-3 OUTER TEE**

---

No vehicles shall enter, leave, or move within the Outer Tee area while pedestrians are coming from the Boston passenger vessel, or other large passenger vessel, except at the direction of the Harbormaster. The Harbormaster and the police department may close the pier to vehicular traffic during unloading and loading of passengers from and to the Boston passenger vessel if, in their judgment, closing is required in the interest of public safety.

##### **B-1-4 VEHICLE WEIGHT**

---

The maximum gross vehicle weight for the approach pier, intermediate pier and finger piers is (13) tons for a two axle truck, (17) tons for a three axle truck, (24) tons for a four axle truck and (36) tons for a five axle truck. No person using the pier shall cause the load limit to be exceeded.

##### **B-1-5 MAXIMUM WEIGHT, OUTER TEE**

---

The maximum gross vehicle weight for the Outer Tee is (11) tons for a two axle truck, (13) tons for a three axle truck, (22) tons for a four axle truck, and (36) tons for a five axle truck.

##### **B-1-6 SPACE REQUIREMENTS**

---

The minimum space between vehicles on the Tee area shall be as outlined in Appendix A of the Provincetown Harbor Regulations. The minimum space between vehicles on the approach and intermediate pier shall be 5 feet as outlined in Appendix A of the Provincetown Harbor Regulations.

##### **B-1-7 SPEED LIMIT**

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No person shall operate a motor vehicle in excess of 5 mph on any portion of the pier.

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<sup>195</sup> Approved 10-31-1988, Annual Traffic Hearing, see also MacMillan Pier Regulations dated 12019-91, see also Marine Superintendent's Policy dated 07-24-1992



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## **ARTICLE 2: GENERAL PROVISIONS**

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### **B-2-1 PARKING RESTRICTIONS**

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Parking of vehicles on MacMillan Pier is prohibited with the exception of the following:

- a. Vehicles which display a temporary parking permit in their windshield or rear view mirror. Said temporary permit shall be issued by the Harbormaster, Chief of Police, or Parking Administrator, must clearly display a date and time of term of permit.
- b. Vehicles which are parked within Pier Space (1) and Pier Space (2), as authorized by the lessees of said pier spaces. Per court order there must be a minimum of 5 feet between vehicles.
- c. Vehicles which are parked on the west side of the approach pier which are actively unloading, have their flashers on, and are parked for no longer that 15 minutes.

### **B-2-2 TEMPORARY PARKING PERMITS**

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Temporary parking permits will be available at the Harbormaster's office, or at the police station.

## APPENDIX C

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### CONDUCT OF ANNUAL SPRING TRAFFIC HEARINGS

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#### ARTICLE 1: GENERAL PROVISIONS<sup>196</sup>

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##### C-1-1 ADOPTION OF PARKING REGULATIONS

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Any proposed parking or traffic regulation may be adopted by a majority vote of those members of the Board of Selectmen present and voted on at a Traffic Hearing, or any regular meeting of the Selectmen. The traffic proposal proponent or their representative must attend the hearing.

##### C-1-2 DATE OF SPRING TRAFFIC PARKING HEARING

---

The Annual Parking and Traffic Hearing shall be conducted by the Board of Selectmen on an appropriate date designated at their discretion. All proposals will be submitted to the board of Selectmen's secretary no later than four weeks prior to the date of the traffic hearing. Traffic Hearing proposal forms are located on a table outside the office of the Town Manager on the first floor of Town Hall.

##### C-1-3 REVIEW OF PROPOSALS

---

All traffic hearing proposals will be directed to the appropriate department head and committee prior to the date of the hearing. Recommendations and pertinent information will be provided to the Board of Selectmen's Secretary by 5:00pm, seven days prior to the traffic hearing date, on the approved form provided.

##### C-1-4 ADVERTISEMENT

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Each traffic hearing proposal will be advertised in accordance with Provincetown Bylaws.

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<sup>196</sup> Selectmen Policy directive 92-1, dated 03-02-1992

## **APPENDIX D**

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### **STATE STATUTES, REGULAION AND PROCEDURES**

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#### **MASSACHUSETTS GENERAL LAWS CHAPTER 85, SECTION 2**

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Directs the stat DPW to post and maintain on state highways and ways leading thereto and there from, and on all main highways between cities and towns, such direction signs, warning signs or lights, curb, street or other traffic markings, mechanical traffic signal systems or traffic devices as it may deem necessary for promoting the public safety and convenience, and to make rules and regulations relative thereto.

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#### **COMMONWEALTH OF MASSACHUSETTS DPW BLANKET PERMITS**

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Blanket Permits are issued to Cities and Town's having approved traffic regulations. Said blanket permits cover warning signs, school sign, pavement markings, regulatory signs, parking meters etc.

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#### **COMMONWEALTH OF MASSACHUSETTS DPW SPECIAL PERMITS**

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Special Permits are required in the following instances: pedestrian regulations; areas involving traffic control agreements; school zones funded by Massachusetts DPW or on Massachusetts State Highway Department; mid-block on ways; traffic lights or bacons (unless community employs a Massachusetts registered P.E.); one ways between adjoining communities; any way at intersection or junction with state highway; exclusion of heavy commercial vehicles.

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#### **PROCEDURE FOR ESTABLISHING LEGAL SPEED ZONES**

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The Town shall prepare a study of the area, and submit a plan to the Commonwealth of Massachusetts DPW. After the plan and recommended speed zones, proposed by the town, are reviewed by the state DPW, they shall be returned to the town for formal adoption by the Board of Selectmen. Upon receipt of formal notice of adoption by the town, the Massachusetts DPW, acting jointly with the Massachusetts Registry of Motor Vehicles, will certify and approved said plan. The certified regulation is returned to the Town. Official speed limit signs may then be installed in accordance with the specific provisions of the approved speed regulation. This speed regulation is then enforceable by the Town

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#### **PURPOSE OF A STOP SIGN**

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The purpose of a stop sign is to prevent cross collisions. It is not intended, nor shall it be used for the control of speed or to forestall pedestrian, rear end or turning movement accidents. To insure uniformity in stop sign use, the character of the roadway should have the type of volume of traffic and traffic movements for which a stop sign will serve the purpose for which it is intended, and sere the right of the respective drivers in the area.

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#### **TRUCK AND OVERSIZED VEHICLE EXCLUSIONS**

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A truck exclusion from a municipal way may be authorized, provided a suitable alternate route is available. The alternate route shall have an effective width and pavement structure which can safely accommodate the additional truck traffic. In addition, the alternate route must meet the conditions set by the

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Commonwealth. An engineering study, with vehicle count, map of the area, physical characteristics of the street, buildings and properties on the street, zoning, alternate route, traffic controls, duration of the exclusion, and written statement from the municipality explaining the need for the exclusion, must be submitted.

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### **REASON FOR EXCLUSION**

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A truck may be excluded from a street if:

1. The volume of heavy commercial vehicles, (5-8%), reduces the utilization of the facility and is cause for a substantial reduction in capacity or safety; or
2. The condition of the pavement structure of the route to be excluded indicates that further repeated heavy wheel loads will result in severe deterioration of the roadway; or
3. That in certain instances where land use is primarily residential in nature and municipality has requested exclusion only during hours of darkness.

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### **PEDESTRIAN CONTROL REGULATIONS**

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1. Pedestrians shall obey the direction of police officers directing traffic, and whenever there is an officer directing traffic, a traffic control sign or signal, or a marked crosswalk within 300' of the pedestrian, no such pedestrian shall cross a way or roadway except within the limits of a marked crosswalk and as hereinafter provided in these regulations. For the purpose of these regulation, a marked crosswalk shall only be construed to be that area of a roadway reserved for pedestrian crossing located between two solid white pavement markings not less than six inches wide, with said markings or lines being no less than six feet apart.
2. There shall be no parking allowed on any sidewalk or in any crosswalk.
3. No pedestrian shall suddenly leave a sidewalk or safety island and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield the right of way. Pedestrians shall at all times attempt to cross the roadway using the crosswalks.
4. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway whenever the sidewalk is open to pedestrian use. Where sidewalks are not provided, a pedestrian walking along and upon a highway shall walk on the left side of the roadway on its unfinished shoulder facing traffic which may approach from the opposite direction.

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### **TOW ZONES**

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No person shall stand or park or allow, permit or suffer any vehicle registered in his name to stand or park in a designated tow zone. The following areas are tow zones under state statute:

1. Upon any way in such a manner as to impede the removal of plowing of snow or ice.
2. Upon any sidewalk or crosswalk.
3. Upon any way within twenty feet of an intersecting way except alleys.
4. Upon a way within ten feet of a fire hydrant.
5. On a roadway side of any vehicle stopped or parked at the edge or curb of the roadway (double parking)
6. In front of a public or private gate, or driveway.
7. Upon any way where the parking of a vehicle will not leave a clear and unobstructed lane at least ten feet wide for passing.

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## **PROCEDURES FOR ESTABLISHING SCHOOL ZONES**

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A School Zone is that section of any way which abuts the grounds of a school and is posted and marked in accordance with the State DPW standards to indicate the applicability of the statutory speed limits of 20 mph for all vehicles in accordance with the terms of the permit for the zone. School Zones are warranted if:

1. The school property about the public way within the limits of the proposed zone;
2. School children have direct access to the street or roadway from school property;
3. The zone contains a marked crosswalk; and
4. The school involves one or more grades below Grade '9'

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## **SCHOOL ZONE SPEED LIMIT**

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School Zone Speed Limit Sign may be used at all location to establish legal school zone speed limits of 20 mph where the school building on the grounds thereof about the street or highway, and should be placed within 50 feet of the limits of the zone.

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## **PARKING VIOLATION FINES**

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Parking Violations Fines<sup>197</sup>

Group a \$35

1. Meter Violation
2. No Parking Restricted Tow Zone
3. Loading Zone
4. Resident Zone
5. Not in a Proper Space
6. Taxi/bus Zone
7. Overtime Parking
8. Snow Removal
9. Campers Excluded
10. Other

Group B \$100

1. Street Cleaning
2. Obstructing Sidewalk/Crosswalk/Marked Bike Lane <sup>198</sup>
3. Obstructing Driveway/Gate
4. Within 20' of Intersection
5. Fire lane/Fire station
6. Obstructing Public Transportation
7. Long Term Parking within the public way<sup>199</sup>
8. Other

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<sup>197</sup> Approved 02-09-1994, Annual Traffic Hearing, updated 03-11-2003, updated 10-2014 Fall Traffic Hearing

<sup>198</sup> Approved 10-25-2016, Annual Traffic Hearing

<sup>199</sup> Approved 03-15-2016, Spring Traffic Hearing

**Group C \$150**

1. Violation Handicapped Unloading
2. Violation Handicapped Private Property
3. Within 10' of a Fire Hydrant
4. Other

**Group D \$300**

1. Violation Handicapped Public Property
2. Other

## APPENDIX E

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### BICYCLE REGULATIONS

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#### MASSACHUSETTS GENERAL LAWS CHAPTER 85, § 11B

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#### PART I. ADMINISTRATION OF THE GOVERNMENT<sup>200</sup>

#### TITLE XIV. PUBLIC WAYS AND WORKS

#### CHAPTER 85. REGULATIONS AND BY-LAWS RELATIVE TO WAYS AND BRIDGES

##### **Chapter 85: Section 11B. Bicycles; operation and equipment; regulations; federal product safety standards, effect; races; violations; penalties**

*[ First paragraph effective until April 15, 2009. For text effective April 15, 2009, see below.]*

Section 11B. Every person operating a bicycle upon a way, as defined in section one of chapter ninety, shall have the right to use all public ways in the commonwealth except limited access or express state highways where signs specifically prohibiting bicycles have been posted, and shall be subject to the traffic laws and regulations of the commonwealth and the special regulations contained in this section, except that: (1) the bicycle operator may keep to the right when passing a motor vehicle which is moving in the travel lane of the way, (2) the bicycle operator shall signal by either hand his intention to stop or turn, and (3) bicycles may be ridden on sidewalks outside business districts when necessary in the interest of safety, unless otherwise directed by local ordinance. A person operating a bicycle on the sidewalk shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian.

*[ First paragraph as amended by 2008, 525, Sec. 3 effective April 15, 2009. For text effective until April 15, 2009, see above.]*

Every person operating a bicycle upon a way, as defined in section one of chapter ninety, shall have the right to use all public ways in the commonwealth except limited access or express state highways where signs specifically prohibiting bicycles have been posted, and shall be subject to the traffic laws and regulations of the commonwealth and the special regulations contained in this section, except that: (1) the bicycle operator may keep to the right when passing a motor vehicle which is moving in the travel lane of the way, (2) the bicycle operator shall signal by either hand his intention to stop or turn; provided, however, that signals need not be made continuously and shall not be made when the use of both hands is necessary for the safe operation of the bicycle, and (3) bicycles may be ridden on sidewalks outside business districts when necessary in the interest of safety, unless otherwise directed by local ordinance. A person operating a bicycle on the sidewalk shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian.

Operators of bicycles shall be subject to the following regulations:

*[ Clause (1) of the second paragraph effective until April 15, 2009. For text effective April 15, 2009, see below.]*

(1) The operator shall ride single file on any way except when passing.

*[ Clause (1) of the second paragraph as amended by 2008, 525, Sec. 4 effective April 15, 2009. For text effective until April 15, 2009, see above.]*

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<sup>200</sup> Massachusetts General Laws

(1) Bicyclists riding together shall not ride more than 2 abreast but, on a roadway with more than 1 lane in the direction of travel, bicyclists shall ride within a single lane. Nothing in this clause shall relieve a bicyclist of the duty to facilitate overtaking as required by section 2 of chapter 89.

(2)(i) the operator shall ride only upon or astride a permanent and regular seat attached to the bicycle; a passenger shall ride only upon or astride a permanent and regular seat attached to the bicycle or to a trailer towed by the bicycle.

(ii) The operator shall not transport another person between the ages of one to four years, or weighing forty pounds or less, on a bicycle, except in a "baby seat", so-called, attached to the bicycle, in which such other person shall be able to sit upright; provided, however, that such seat is equipped with a harness to hold such other person securely in the seat and that protection is provided against the feet or hands of such person hitting the spokes of the wheel of the bicycle; or upon or astride a seat of a tandem bicycle equipped so that the other person can comfortably reach the handlebars and pedals. The operator shall not transport any person under the age of one year on said bicycle.

*[ Subclause (iii) of clause (2) of the second paragraph effective until April 15, 2009. For text effective April 15, 2009, see below.]*

(iii) Any person 16 years of age or younger operating a bicycle or being carried as a passenger on a bicycle on a public way, bicycle path or on any other public right-of-way shall wear a helmet. Said helmet shall fit the person's head, shall be secured to the person's head by straps while the bicycle is being operated, and shall meet the standards for helmets established by the American National Standards Institute (ANSI Z 90.4) or subsequent standards or the Snell Memorial Foundation's nineteen hundred and eighty-four standard for use in bicycling or subsequent standards. These requirements shall not apply to a passenger if the passenger is in an enclosed trailer or other device which adequately holds the passenger in place and protects the passenger's head from impact in an accident.

*[ Subclause (iii) of clause (2) of the second paragraph as amended by 2008, 525, Sec. 5 effective April 15, 2009. For text effective until April 15, 2009, see above.]*

(iii) Any person 16 years of age or younger operating a bicycle or being carried as a passenger on a bicycle on a public way, bicycle path or on any other public right-of-way shall wear a helmet. Said helmet shall fit the person's head, shall be secured to the person's head by straps while the bicycle is being operated, and shall meet the standards for helmets established by the United States Consumer Product Safety Commission. These requirements shall not apply to a passenger if the passenger is in an enclosed trailer or other device which adequately holds the passenger in place and protects the passenger's head from impact in an accident.

(iv) A violation of clause (ii) or (iii) shall not be used as evidence of contributory negligence in any civil action.

(3) The operator shall give an audible warning whenever necessary to insure safe operation of the bicycle; provided, however, the use of a siren or whistle is prohibited.

(4) The operator shall park his bicycle upon a way or a sidewalk in such a manner as not to obstruct vehicular or pedestrian traffic.

(5) The operator shall not permit the bicycle to be drawn by any other moving vehicle. The operator shall not tow any other vehicle or person, except that bicycle trailers properly attached to the bicycle which allow for firm control and braking may be used.

(6) The operator shall not carry any package, bundle or article except in or on a basket, rack, trailer or other device designed for such purposes. The operator shall keep at least one hand upon the handlebars at all times.



(7) Every bicycle operated upon a way shall be equipped with a braking system to enable the operator to bring the bicycle traveling at a speed of fifteen miles per hour to a smooth, safe stop within thirty feet on a dry, clean, hard, level surface.

(8) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display to the front of his bicycle a lamp emitting a white light visible from a distance of at least five hundred feet, and to the rear of said bicycle either a lamp emitting a red light, or a red reflector visible for not less than six hundred feet when directly in front of lawful lower beams of headlamps on a motor vehicle. A generator powered lamp which emits light only when the bicycle is moving shall meet the requirements of this clause.

(9) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display on each pedal of his bicycle a reflector, or around each of his ankles reflective material visible from the front and rear for a distance of six hundred feet, and reflectors or reflective material, either on said bicycle or on the person of the operator, visible on each side for a distance of six hundred feet, when directly in front of lawful lower beams of headlamps of a motor vehicle. This clause shall not prohibit a bicycle or its operator to be equipped with lights or reflectors in addition to those required by clauses (8) and (9).

(10) No bicycle shall be operated upon a way with handlebars so raised that the operator's hands are above his shoulders while gripping them. Any alteration to extend the fork of a bicycle from the original design and construction of the bicycle manufacturer is prohibited.

(11) The operator of a bicycle shall report any accident involving either personal injury or property damage in excess of one hundred dollars, or both, to the police department in the city or town in which the accident occurred.

Any federal product safety standards relating to bicycles which are more stringent than the requirements of clauses (7) through (10), inclusive, shall supersede said requirements.

Competitive bicycle races may be held on public ways, provided that such races are sponsored by or in cooperation with recognized bicycle organizations and, provided further, that the sponsoring organization shall have obtained the approval of the appropriate police department or departments. Special regulations regarding the movement of bicycles during such races, or in training for races, including, but not limited to, permission to ride abreast, may be established by agreement between the police department and the sponsoring organization.

Violations of any provision of this section except violations of sub clause (iii) of clause (2) shall be punished by a fine of not more than twenty dollars. The parent or guardian of any person under age eighteen shall not authorize or knowingly permit any such person to violate any of the provisions of this section. A bicycle operated by a person under the age of eighteen in violation of this section may be impounded by the police department, or in a town which has no police department, by the selectmen, for a period not to exceed fifteen days. A violation of any provision of this section by a minor under the age of eighteen shall not affect any civil right or liability nor shall such violation be considered a criminal offense.

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Added by St. 1961, c518, §4. Amended by St. 1962, c. 346; St. 1971, c. 484; St. 1973, c. 806, § 2; St. 1983, c. 274; St 1960, c. 476. § 1.