

## 5.07 PARKING ENFORCEMENT

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# PARKING ENFORCEMENT

POLICY & PROCEDURE NO. <b>5.07</b>	<b>18-GO-7</b>	PAGES: 4
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: <b>61.1.13</b>		ISSUE DATE: May 8, 2018
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ISSUING AUTHORITY: <i>Kenneth M. Paulhus</i> Chief Kenneth M. Paulhus		REVISION DATE:

## I. GENERAL CONSIDERATIONS AND GUIDELINES

A parking enforcement program is an important part of the transportation plan for most communities. Parked cars on major thoroughfares and near intersections not only hinder the orderly flow of traffic, but they also create a hazard for traffic and pedestrians. Illegally parked vehicles in commercial areas make it difficult both for customers and for the delivery of business supplies. Denying handicapped persons access to designated parking spots impacts the ability of those persons to function. Parking prohibitions on state highways are generally safety-based in dealing with the safe flow of vehicular and pedestrian traffic.

This community depends upon police employees to enforce local and state traffic laws.

## II. POLICY

It is the policy of this department that police employees shall enforce parking regulations with reasonableness and impartiality in all areas of the community.

### **III. DEFINITIONS**

- A. *Parking*: The standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engaged in loading or unloading, in obedience to an officer or traffic signs or signals, or while making emergency repairs or, if disabled, while arrangements are being made to move such vehicle.

### **IV. PROCEDURES [61.1.13]**

#### **A. Local Ordinances**

##### **1. TEMPORARY PROHIBITION OF PARKING BY POLICE**

- a. The Chief of Police or officer in charge may prohibit, temporarily, parking on any street or highway, or part thereof, in an impending or existing emergency or for a lawful assemblage demonstration or procession. Vehicles parked in places where prohibited may be moved by or under the direction an officer.
- b. Locations chosen for temporary parking prohibition shall be posted as "NO PARKING" using temporary signs.

##### **2. ENFORCEMENT BY PATROL OFFICERS.**

- a. Patrol officers will enforce local parking ordinances during their normal patrol.
- b. Particular attention shall be given to offenses specified by a supervisor and those that impact the quality of life in the community, such as:
  - 1) Handicapped parking violations;
  - 2) Obstructing public travel, driveways and roads;
  - 3) Prohibited zones that affect the flow of traffic;
  - 4) Parking on sidewalks; and
  - 5) Parking in bus stops.
- c. Time and seasonal specific parking violations include:
  - 1) Overnight parking ban;
  - 2) Parking prohibited by duration, time of day and time of year; and
  - 3) Obstructing snow removal.

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**B. Enforcement on State Highway****1. AUTHORITY**

- a. Police employees have the authority to cite and tow vehicles parked in a prohibited manner for certain violations if authorized by a supervisor. <sup>1</sup>
- b. Offenses prohibited by local ordinance which occur on a state highway may be cited as a local ordinance using the municipality's parking violation form.
- c. Offenses not prohibited by local ordinance, but prohibited by 720 CMR 9.03 or 720 CMR 9.04 may be cited using a Registry of Motor Vehicles Uniform Citation.

**2. STATE PARKING VIOLATIONS, AUTHORITY TO TOW INCLUDE:**

- a. General Prohibition Tow Zone if so marked;
- b. Impeding snow or ice removal;
- c. Within a crossover;
- d. Within a cross walk;
- e. Leaving less than twelve (12) feet of unobstructed lane;
- f. Within twenty (20) feet of an intersection way (except alleys);
- g. Within ten (10) feet of a fire hydrant;
- h. Upon or in front of any private road or driveway without consent of the owner;
- i. Double parked;
- j. With one or more wheels more than twelve (12) inches from the curb unless otherwise permitted;
- k. On the roadway in a rural or sparsely settled district within any "No Passing Zone";
- l. For more than twenty-four (24) hours, without permission of the Mass Highway;
- m. On any bridge or in any tunnel, or approaches to unless a sign permitting parking has been posted or a breakdown lane has been designated;
- n. In any acceleration or deceleration lane, on ramp, or off ramp of any express state highway; or
- o. In any bus stop.

**3. EXCEPTIONS TO TOW AUTHORITY: The following vehicles may not be towed for these offenses:**

- a. Any government vehicle: and

- b. Any vehicle registered to a foreign consular corps or consular officer bearing a distinctive number plate or conspicuously marked.

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<sup>1</sup> 720 CMR 9.04(1).