TOWN OF BOWDOIN

TRAFFIC ORDINANCE

An Ordinance Governing Truck Traffic Through the Town of Bowdoin.

Article 1 - Purpose

The purpose of this Ordinance is to regulate the use of certain vehicles on certain Town Ways within the Town of Bowdoin. The restrictions imposed prevent safety hazards and damage that has been and will continue to be caused by the passage of vehicles that are too heavy for the designated Town Ways. Preventing safety hazards and damage to the roads reduce the cost of maintenance, reduces the danger of injury, and generally improves the use of roads by the public. In no way is the purpose of this ordinance meant to eliminate or create financial hardship to any individual or firm engaged in business within or outside the corporate limits of the Town of Bowdoin.

Article 2 - Truck Route Ordinance

A.) If the road is posted no person shall operate any truck in excess of gross vehicle registered weight of 23,000 pounds on any street/road in Bowdoin except: Route 201, Route 138, Route 125, Store Road, Litchfield Road and Meadow Road.

B.) Exceptions: This Ordinance shall not prohibit the operation of:

1. Emergency vehicles or public utilities vehicles engaged on repairs.

2. MSAD # 75 owned vehicles or vehicles owned or leased by individuals or corporations under contract for road maintenance/repair to the Town of Bowdoin.

C.) The Road Commissioner may issue emergency permits for use of streets otherwise prohibited when the Road Commissioner finds such warranted.

Article 3 – Enforcement

A.) This Ordinance shall be enforced by any duly sworn law enforcement officer of the Sagadahoc County Sheriff's Department, or any duly appointed law enforcement officer of the Maine State Police.

B.) This Ordinance shall be enforced according to the provisions of 20 M.S.R.A § 2300, 2301, and 2301-A which are hereby incorporated by reference.

C.) The operation of any vehicle shall be prima facie evidence that said operation was caused by the person, firm or corporation holding title to the vehicle from the Secretary of State or a leasehold agreement from another individual, firm or corporation and shall be liable for any and all penalties incurred in Article #4 of this Ordinance.

D.) The Maine District Court shall have original and exclusive jurisdiction over all prosecutions for violations of this Ordinance.

Article 4 - Penalties

A.) Any person found guilty of violating any provisions of this Ordinance shall be subject to a fine of not more than one hundred ($100.00) dollars. Each violation shall be considered a separate offense and violation of this Ordinance. All fines imposed pursuant to this Ordinance shall accrue to the Agency initiating the complaint.

B.) In addition to any fines imposed under this Ordinance, any person violating this Ordinance shall be responsible for all damage which said Town Way may sustain as a result thereof and the amount may be recovered in a civil action brought by the municipality. Any amount so recovered shall be used for repair of the ways so damaged. Any amount recovered in excess of the amount needed to repair the road shall accrue to the Town. If the Town prevails in a civil action brought pursuant to this section, it shall be entitled to an award of reasonable attorney's fees in addition to any damages awarded.

Article 5 - Severability

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid or invalid as applied, such decision shall not invalidate any other section, clause or provision of this Ordinance.