

City Ordinances

Title 9

Vehicles And Traffic

Chapter 9.04

Administration*

9.04.010 Traffic commission--Established--Composition--Organization--Term.

A. There is established a traffic commission consisting of the executive director of the Springfield Parking Authority or his duly authorized representative, the chief of the fire department or his duly deputized representative, the chief of police or his duly deputized representative; the director of public works or his duly deputized representative; the city solicitor or one (1) of his assistants; three (3) residents of the city, to be appointed by the mayor; and one (1) member of the city council, to be appointed by the mayor who shall serve for the duration of his term of office unless sooner removed by the mayor in accordance with law or ordinance.

B. Each member of such commission shall be entitled to one (1) vote. The traffic commission shall annually elect a chairman and secretary from its own members who shall serve in their respective offices until December thirty-first of the year in which they are elected and until their successors are elected and qualified. The chairman shall preside at all meetings of the commission and the secretary shall keep an accurate record of all meetings of the commission and the actions taken therein. Five (5) members shall constitute a quorum for the transaction of business. (Prior code §11-2) (as amended 01/25/1993)

*Editor's Note: Traffic regulations, including parking, bus stops, one-way streets, etc, are not made in the city by ordinance, but by order of the board of aldermen, under General Laws, Chapter 40, Section 22 (now by city council Plan A form of government).

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Chapter 9.04

Administration*

9.04.020 Traffic commission--Powers and duties.

A. The traffic commission shall have the powers vested by law in the city council to grant and issue licenses, as provided in Section 5.04.010, subject to the approval of the mayor.

B. Such commission shall advise the city council on matters relating to the regulation of street traffic, parking, parking meters, traffic accident prevention and traffic lights. It shall have such other powers or duties as provided by law or ordinance. (Prior code §11-3)

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Chapter 9.04

Administration*

9.04.030 Deputy traffic engineer.

- A. There shall be a deputy traffic engineer appointed by the traffic engineer, in accordance with General Laws, Chapter 31.
- B. The deputy traffic engineer shall have had, prior to his appointment, five (5) years experience in traffic engineering, one (1) of which shall have been in a supervisory capacity.
- C. The deputy traffic engineer shall aid and assist the traffic engineer in the performance of all his duties.
- D. His compensation shall be fixed by the city council. (Prior code §11-6)

*Editor's Note: Traffic regulations, including parking, bus stops, one-way streets, etc, are not made in the city by ordinance, but by order of the board of aldermen, under General Laws, Chapter 40, Section 22 (now by city council Plan A form of government).

Title 9
Vehicles And Traffic
Chapter 9.08
Restricted Use Of Certain Streets

9.08.010 Certain commercial vehicles on Thompson Street and Pine Street.

Except as otherwise by ordinance or order provided and except for the purpose of receiving or discharging a load at any residence or place of business along the streets specified in this chapter; no person having charge of any commercial motor vehicle, not a passenger vehicle, and having a carrying capacity of over two (2) tons, shall cause or permit the same to pass in any direction over any part of Thompson Street, between St. James Avenue and State Street, at any time, or over any part of Pine Street between the hours of six (6:00) p.m. and six (6:00) a.m. of any day. (Prior code §11-8)

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Restricted Use Of Certain Streets

9.08.020 Commercial vehicles on part of Forest Park Avenue.

Except as otherwise by ordinance or order provided and except for the purpose of receiving or discharging a load at any residence or place of business along the street specified in this chapter, no person having charge of any commercial motor vehicle, not a passenger vehicle, shall cause or permit the same to pass in any direction over any part of Forest Park Avenue, between Fort Pleasant Avenue and Sumner Avenue.

(Prior code §11-9)

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9.08.030 Regulation of vehicular traffic on Stearns Square East.

A. The public way known as Stearns Square, located within the city, running north and south between Bridge Street and Worthington Street for a distance of about two hundred and sixty (260) feet in length and about twenty-eight (28) feet in width, situated on the easterly side of Stearns Square Park shall be closed to vehicular traffic.

B. The closure shall exclude all vehicular traffic except for emergency and necessary maintenance vehicles. (Ord. 5/10/84 (part); prior code §11-9A)

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Chapter 9.08

Restricted Use Of Certain Streets

9.08.040 Certain commercial vehicles on Pasco Road, Page Boulevard and Essex Street.

A. Except as otherwise by ordinance or order provided and except for the purpose of receiving or discharging a load at any residence or place of business along the street specified herein, no person having charge of any commercial motor vehicle, not a passenger vehicle, shall cause or permit the same to pass in any direction over any part of Pasco Road, between Page Boulevard and Essex Street.

B. Whoever shall violate or fail to comply with any of the provisions of the aforesaid section shall for each and every offense pay a fine of one hundred dollars (\$100.00). (added 10/03/2000) (amended 05/31/2001)

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9.08.050 Certain commercial vehicles on Edgemont Street.

A. Except as otherwise by ordinance or order provided and except for the purpose of receiving or discharging a load at any residence or place of business along the street specified herein, no person having charge of any commercial motor vehicle, not a passenger vehicle, shall cause or permit the same to pass in any direction over any part of Edgemont Street.

B. Whoever shall violate or fail to comply with any provisions of the aforesaid section shall for each and every offense pay a fine of one hundred dollars (\$100.00). (added 04/12/2001)

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9.08.060 Certain commercial vehicles on Holly Street, Indian Orchard.

A. Except as otherwise by ordinance or order provided and except for the purpose of receiving or discharging a load at any residence or place of business along the street specified herein, no person having charge of any commercial motor vehicle, not a passenger vehicle, shall cause or permit the same to pass in any direction over any part of Holly Street, Indian Orchard.

B. Whoever shall violate or fail to comply with any provisions of the aforesaid section shall for each and every offense pay a fine of one hundred dollars (\$100.00). (added 05/31/2001)

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9.08.070 Certain commercial vehicles on South Branch Parkway.

A. Except as otherwise by ordinance or order provided and except for the purpose of receiving or discharging a load at any residence or place of business along the street specified herein, no person having charge of any commercial motor vehicle, not a passenger vehicle, shall cause or permit the same to pass in any direction over any part of South Branch Parkway.

B. Whoever shall violate or fail to comply with any provisions of the aforesaid section shall for each and every offense pay a fine of one hundred dollars (\$100.00). (added 05/31/2001)

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Chapter 9.12
Parking Lots

9.12.010 Report of vehicles left on premises more than twenty-four (24) hours.

Every person engaged in the business of parking motor vehicles on any lot within the city shall report to the police department of the city within six (6) hours thereafter any motor vehicle left on the premises for more than twenty-four (24) hours continuously, giving the registration number of such motor vehicle and any other information which the police department may require. (Prior code §11-10)

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Chapter 9.12
Parking Lots

9.12.010 Report of vehicles left on premises more than twenty-four (24) hours.

Every person engaged in the business of parking motor vehicles on any lot within the city shall report to the police department of the city within six (6) hours thereafter any motor vehicle left on the premises for more than twenty-four (24) hours continuously, giving the registration number of such motor vehicle and any other information which the police department may require. (Prior code §11-10)

Title 9
Vehicles And Traffic
Chapter 9.16
Emergency Snow And Ice Ban On Parking Vehicles

9.16.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Driver" means and includes any person having the guidance or control over any vehicle.

B. "Vehicle" means and includes automobiles, semi-trailer units, motorcycles and bicycles. (Prior code §11-12)

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Chapter 9.16
Emergency Snow And Ice Ban On Parking Vehicles

9.16.020 Declaration of emergency generally.

If, as a result of severe weather, the accumulation of snow and ice on the public ways of the city causes or results in the parking of vehicles in a position or manner that may impede or prevent the passage of emergency service vehicles, or police department vehicles, so as to interfere with the protection of the property, health and lives of people, a state of emergency shall exist, and the mayor, by a declaration advertised in a daily newspaper published in the city or by a public declaration issued to all local radio and television stations, shall make known that the aforesaid conditions exist, and shall declare that a state of emergency exists. (Ord. 1984 Ch. 2 (part); prior code §11-13)

Title 9

Vehicles And Traffic

Chapter 9.16

Emergency Snow And Ice Ban On Parking Vehicles

9.16.030 Issuance of temporary emergency regulations by chief of police--Publication.

A. Upon such declaration of a state of emergency, the chief of police shall issue temporary emergency regulations preventing and prohibiting, during the emergency, the parking or driving of any vehicle on the whole or any part of any or all public ways or in the alternative the parking of any vehicle on that side of all public ways where any building is designated with an odd number.

B. The chief of police shall advertise such temporary emergency regulations in a daily newspaper published in the city.

C. When the conditions creating the emergency no longer exist, the chief of police shall publish a notice terminating such temporary emergency regulations in a daily newspaper published in the city. (Prior code §11-14)

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Chapter 9.16

Emergency Snow And Ice Ban On Parking Vehicles

9.16.040 Obedience to regulations required.

Upon the declaration of such an emergency, no owner or driver of a vehicle shall cause, permit, allow or suffer any vehicle owned by or driven by him to be parked or driven contrary to the regulations of the chief of police. (Prior code §11-15)

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Chapter 9.20

Parking Meters

I. General Provisions

9.20.010 Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Parking meter" means and includes any mechanical device or meter not inconsistent with this article placed or erected for the regulation of parking by authority of this article. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate

illegal or overtime parking.

B. "Parking meter space" means any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the surface of the street adjacent to or adjoining the parking meters.

C. "Parking meter zone" means and includes that part of any street upon which the parking of vehicles is permitted for limited periods of times subject to regulations established by the city and upon which parking meters are installed and in operation.

D. "Park" or "parking" means the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading, unloading and delivering merchandise, or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the vehicle operator.

E. "Street" means the entire width between property lines of any public street, avenue, road, alley, highway, lane, path or other public place located in the city and established for the use of vehicles.

F. "Vehicle" means any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks, or motivated by human power. (Prior code §11-16)

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Parking Meters

I. General Provisions

9.20.020 Parking meter zones established.

In accordance with this article, parking meter zones are established in the following streets or parts of streets. All frontages in such squares, streets or avenues defining such zones shall be included except those restricted to parking by specific order or as defined under Section 9.20.090.

A. Both sides of the following streets for their entire length:

Alderman Street;

Auburn Street;

Barnes Street;

Beaumont Street;

Beaumont Terrace;

Berendo Street;

Bliss Street;

Bond Street;

Boylston Street;

Bradford Street;

Bridge Street;
Broadway;
Burlington Street;
Cliftwood Street;
Clinton Street;
Congress Street;
Continental Street;
Court Square Avenue;
Court Street;
Crossett Street;
Cross Street;
Cypress Street;
East Court Street;
Edwards Street;
Elliot Street;
Elm Street;
Emery Street;
Essex Street;
Fairbanks Place;
Ferry Street;
Fort Street;
Grays Avenue;
Greenwood Street;
Grenada Terrace;
Hampden Street;
Harrison Avenue;
Hillman Street;
Holyoke Street;
Howard Street;

Kaynor Street;
Lenox Street;
Lyman Street;
Market Street;
Mattoon Street;
New Dwight Street;
New Street;
Ormond Street;
Park Street;
Patton Street;
Pearl Street Court;
Pomona Street;
Pynchon Street;
Railroad Street;
Salem Street;
Sanford Street;
Sargeant Street;
Seventh Street;
Sharon Street;
Sorrento Street;
Stearns Square;
Stockbridge Street;
Temple Street;
Tenth Street;
Trenton Street;
Ventura Street;
Vernon Street;
Vine Street;
Walden Street;

Willow Street;

Winter Street.

B. Both sides of the following streets for the areas indicated:

Belmont Avenue, from Beaumont Street to Walden Street. Carew Street, from Main Street to Chestnut Street. Chestnut Street, from Carew Street to State Street. Columbus Avenue, from Cypress Street to Main Street. Commonwealth Avenue, from Belmont Avenue to Walden Street.

Dickinson Street, from Beaumont Street to Walden Street. Dwight Street, from State Street to Jefferson Avenue. Franklin Street, from Main Street to Chestnut Street. High Street, from Maple Street to School Street. Liberty Street, from Main Street to Chestnut Street. Locust Street, from Main Street to Mill Street. Lyman Street, from Main Street to Chestnut Street. Main Street, from Bliss Street to Mill Street. Main Street, from Liberty Street to Chicopee Line. Maple Street, from State Street to Union Street. Pearl Street, from Chestnut Street to Spring Street. Plainfield Street, from Sargeant Street to Bradford Street.

Rutland Street, from State Street to Wilbraham Road. School Street, from State Street to Union Street. Spring Street, from Taylor Street to State Street. State Street, from Columbus Avenue to Benton Street. Sumner Avenue, from Continental Street to Pomona Street. Sumner Avenue, from Converse Street to East Alvord Street.

Taylor Street, from Main Street to Spring Street. Union Street, from Columbus Avenue to School Street. White Street, from Kimberly Avenue to Priscilla Street. Wilbraham Road, from Eastern Avenue to Rutland Street. Worthington Street, from Columbus Avenue to Spring Street.

(Prior code §11-17)

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Chapter 9.20

Parking Meters

I. General Provisions

9.20.030 Installation, control and maintenance of meters.

A. In parking meter zones the traffic commission shall cause parking meters to be purchased and installed upon the curb or sidewalk immediately adjacent to the parking spaces provided in Section 9.20.020.

B. The division of traffic engineering of the department of public works shall be responsible for the control, operation, maintenance and use of such parking meters.

C. Each meter shall be installed not less than twelve (12) inches from or more than twenty-four (24) inches from the face of the curb. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed by Section 9.20.060.

D. Each device shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper visible signal that the lawful parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties provided in Section 9.20.120. (Prior code §11-18)

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Parking Meters

I. General Provisions

9.20.040 Designation of spaces--Manner of parking.

A. The division of traffic engineering of the department of public works is directed and authorized to mark off individual parking spaces in the parking zones designated and described in Section 9.20.020 when and where ordered by the traffic commission and in such other zones as may hereafter be established, such parking spaces to be designated by lines painted or durably marked on the surface of the street.

B. At each space so marked off it is unlawful to park any vehicle in such a way that such vehicle shall not be entirely within the limits of the space so designated, excepting such vehicles whose length, width or load overlap the length or width of such lines or marks. (Prior code §11-19)

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Parking Meters

I. General Provisions

9.20.050 Hours of operation.

A. Parking meters shall be operated in the parking meter zones established in Section 9.20.020 every day between the hours of eight (8:00) a.m. and six (6:00) p.m., unless otherwise specified by the city council and indicated on such meters.

B. Such parking meters shall not be operated on Sundays or during the hours of legal holidays during which certain retail stores are required by law to remain closed under the provisions of the general statutes regulating the observance of the Lord's Day. (Prior code §11-20)

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Chapter 9.20

Parking Meters

I. General Provisions

9.20.060 Parking time limits and required deposits.

A. During the hours that parking time limit restrictions are in effect, the fee to be deposited in a parking meter adjacent to a parking meter space shall be as follows:

1. In those zones restricted to a maximum of thirty (30) minutes of parking, one nickel (\$0.05) each fifteen (15) minutes;
2. In those zones restricted to a maximum of sixty (60) minutes of parking, one nickel (\$0.05) for thirty (30) minutes or two nickels (\$0.10) for sixty (60) minutes of parking;
3. In those zones restricted to a maximum of two (2) hours of parking, four nickels (\$0.20) for two (2) hours, or two nickels (\$0.10) for one (1) hour.

B. The number of minutes for which parking will be permitted in any zone shall be set by order of the council. (Prior code §11-21)

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Parking Meters
I. General Provisions

9.20.070 Exception as to commercial vehicles.

A. Operators of commercial vehicles may park in a metered space without depositing a coin for a period not to exceed thirty (30) minutes for the purpose of loading, unloading or delivering.

B. All of the provisions of this article shall apply to the parking of such vehicles in excess of this time limit. (Prior code §11-22)

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I. General Provisions

9.20.080 Operation of meters.

A. When any vehicle is parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering such parking meter space, immediately deposit or cause to be deposited in such meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon.

B. Except as otherwise provided in this article, it shall constitute a violation of this article to permit a vehicle to occupy a designated parking meter space during the period which has been prescribed for that part of the street in which such parking space is located unless forthwith after such parking the proper coin shall be deposited and the timing mechanism shall be set in operation.

C. It is further provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time. If such vehicle remains parked in any such parking space beyond the parking time limit set for such parking space, and if the meter shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this article. (Prior code §11-23)

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I. General Provisions

9.20.090 Reservation of powers.

Nothing in this article shall be construed as prohibiting the city from providing for bus stops, taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans, or other commercial vehicles. (Prior code §11-24)

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I. General Provisions

9.20.100 Collection of deposits.

The police department shall be responsible for the collection of moneys deposited in parking meters, which duty or function may be awarded by contract by the purchasing agent to an independent bonded contractor in accordance with General Laws, Chapter 43, and with Chapters 4.04, 4.08 and 4.12, if the mayor, in his discretion, deems it to be for the best interest of the city. (Prior code §11-25)

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I. General Provisions

9.20.110 Prohibited acts.

No person shall park a vehicle contrary to the provisions of this article nor shall any person cause, allow, permit or suffer any vehicle registered in his name to violate any of the following provisions:

A. To be parked overtime, or beyond the period of legal parking time established for any parking meter zone as described in this chapter, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone;

B. To permit any vehicle to remain in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space;

C. To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings, excepting such vehicles whose length, width or load overlaps the width or length of such lines or marks;

D. To deface, injure, tamper with, open or wilfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this article, except that a person may open such parking meter when authorized to do so by the director of public works;

E. To deposit or cause to be deposited in any parking meter any slugs, device or metal substance, or other substitute for lawful coin. (Prior code §11-26)

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I. General Provisions

9.20.120 Violation of subsections A, B and C of Section 9.20.110--Penalty.

Any person who violates the noncriminal parking provisions of subsections A, B and C of Section 9.20.110, shall be punishable by a fine of two dollars (\$2.00). (Prior code §11-27)

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Parking Meters

II. Off-street Parking Areas

9.20.130 Applicability of Sections 9.20.050, 9.20.080 and Sections 9.20.100 through 9.20.120.

The provisions of Sections 9.20.050, 9.20.080 and Sections 9.20.100 through 9.20.120 pertaining to parking meters in streets shall apply to the operation and maintenance of parking meters in off-street parking areas. (Prior code §11-32)

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II. Off-street Parking Areas

9.20.140 Parking meter zones established.

Parking meters in off-street parking areas are established in the following location: Certain park land on the westerly side of Columbus Avenue, bounded on the north by the northerly line of Court Street extended westerly to the Connecticut River, westerly by the Connecticut River, southerly by the northerly boundary of the land of the Western Massachusetts Electric Company (formerly the United Electric Light Company) lying westerly of the land of the New York, New Haven and Hartford Railroad Company and by the northerly boundary of that portion of Elm Street lying easterly of the land of such railroad company and extending to its intersection with Columbus Avenue to its intersection with Court Street. Certain areas in the municipal grouping known as the "horseshoe" bounded on the north side by the southerly street of Pynchon Street, easterly by City Hall, southerly by the Campanile, and westerly by Symphony Hall. (Prior code §11-28) (as amended 07/25/1986)

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II. Off-street Parking Areas

9.20.150 Installation, control and maintenance of meters.

A. The traffic commission may cause parking meters to be purchased and installed within the bounds of off-street parking areas which have been placed under the jurisdiction of the traffic commission by the city council and designated by the city council as off-street parking areas.

B. The traffic commission shall designate the areas or portion thereof in which parking meters shall be installed.

C. The police department shall be responsible for the control, operation and maintenance of all parking meters located in off-street parking areas. (Prior code §11-29)

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II. Off-street Parking Areas

9.20.160 Designation of spaces--Manner of parking.

A. The director of public works is directed and authorized to mark off individual parking spaces in the location designated and described in Section 9.20.140, with lines or marks in any off-street parking area under the jurisdiction of the traffic commission when so ordered by such commission.

B. At each space so marked off it is unlawful to park any vehicle in such a way that such vehicle shall not be entirely within the limits of the space so designated, excepting such vehicles whose size or load overlap such lines or marks. (Prior code §11-30)

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II. Off-street Parking Areas

9.20.170 Parking time limits and required deposits.

The traffic commission, subject to the approval of the city council, shall designate the parking time limits and the fees to be established in such off-street parking areas; provided, however, that the fees shall not exceed a rate of five cents (\$0.05) per thirty (30) minute period of parking. (Prior code §11-31)

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II. Off-street Parking Areas

9.20.180 Traffic-control devices--Private ways.

A. Except as otherwise provided in Section 18 of Chapter 90 and subject so far as applicable to Section 2 of Chapter 85 and Sections 8 and 9 of Chapter 89, the city council with the approval of the mayor may make rules and regulations for the regulation of vehicles in the city to promote public safety and convenience. Such rules and orders shall not take effect until they have been published at least once in a newspaper published within Springfield and violations of such rules and regulations may be punished by a fine not exceeding twenty dollars (\$20) for each offense.

B. The traffic engineer is authorized and empowered to recommend that rules and regulations as aforesaid be enacted to control traffic on those private ways where in his judgment they are necessary to control the flow of motor vehicle and other traffic and reduce either a possible or existing danger to the safety and convenience of the public. The traffic engineer is authorized and empowered to install traffic-control devices in accordance with the requirements of any rules and regulations adopted as aforesaid. Such traffic-control devices may include but are not limited to, direction signs, warning signs or lights, curb, street or other traffic markings, mechanical traffic signal systems, stop signs, stop lights or any other traffic-control devices which are necessary to carry out the rules and regulations enacted as aforesaid.

C. The traffic engineer is authorized to notify owners of traffic-control devices which are located on private ways in violation of rules and regulations enacted as aforesaid to remove such traffic-control devices.

D. The traffic engineer may, with the consent of the owner of such device, remove such device from the private way. If such owner fails to remove a traffic device which directs motorists to violate a rule and regulation enacted as aforesaid after notice from the traffic engineer, said owner shall be punished by a fine not exceeding twenty dollars (\$20) for each offense. (Prior code §11-33)

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Parking Meters

II. Off-street Parking Areas

9.20.190 Handicapped parking spaces--Required--Penalty.

A. Any person who has lawful control of improved or enclosed private property used as off-street parking for businesses, auditoriums, sporting or recreational facilities, or cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees shall reserve parking spaces in said off-street parking areas for vehicles of handicapped persons if the number of parking spaces in any such area is fifteen (15) or more.

B. The parking spaces reserved for vehicles of such handicapped persons shall be clearly marked as such by pavement markings and signs or other designation approved by the director of public works of the city or his designee. The parking spaces reserved for vehicles of such handicapped persons shall be of such size as may be determined by the director of public works or his designee but not to be less than twelve (12) feet in width and shall be located on such property in close proximity to the main pedestrian exit from the parking area which exit is safe and suitable for use by handicapped persons.

C. Parking spaces reserved for the vehicles of handicapped persons required by this section shall be no less than the number specified by the following formula: If the number of parking spaces in any such area is more than fifteen (15) but not more than twenty-five (25), one space, but not more than forty (40), five percent (5%) of such spaces but not less than two (2); more than forty (40) but not more than one hundred (100), four percent (4%) of such spaces but not less than three (3); more than one hundred (100) but not more than two hundred (200), three percent (3%) of such spaces but not less than four (4); more than two hundred (200), two percent (2%) of such spaces but not less than six (6); more than five hundred but not more than one thousand, one and one-half percent (1 1/2%) of such spaces but not less than ten (10); more than one thousand but not more than two thousand, one percent of such spaces but not less than fifteen (15); more than two thousand but not more than five thousand, three-fourths of one percent of such spaces but not less than twenty (20); and more than five thousand, one-half of one percent of such spaces but not less than thirty (30).

D. Any person who does not reserve and mark as reserved such parking spaces as are required by this section by December 1, 1981, shall be punished by a fine of no more than twenty-five dollars (\$25.00) per day of such violation. Any person who does not reserve and mark as reserved such parking spaces as are required by the 1986 amendments to this section by December 1, 1986, shall be punished by a fine of no more than twenty-five dollars (\$25.00) per day of such violation.

E. This section shall not apply to off-street parking areas owned or controlled by the United States of America or the Commonwealth of Massachusetts. (Prior code §11-34)(as amended 09/25/1986)

Title 9

Vehicles And Traffic

Chapter 9.20

Parking Meters

II. Off-street Parking Areas

9.20.200 Handicapped parking spaces--Open air parking business.

A. Any person applying for a license for an open air parking business under the provisions of General Laws, Chapter 148, Section 56 shall, if parking is to be done by customers of the licensed business, provide to the licensing authority with its application a plan showing the proposed flow of traffic within the parking area.

B. The licensing authority shall refer such plan to the director of public works of the city who shall report to the licensing authority whether such proposed flow of traffic presents a danger to the safety of the customers of the licensed business or to the general public.

C. If such danger exists, the director of public works may recommend to the licensing authorities such conditions to the license as would tend to reduce the danger to customers of the licensed business or the general public resulting from the proposed traffic flow.

D. Any person licensed for an open air parking business under the provisions of General Laws, Chapter 148, Section 56 shall, if parking is to be done by customers of the licensed business, reserve and mark parking spaces for the handicapped as provided in Section 9.20.190 and shall be subject to penalty thereunder for failure to do so.

E. Parking in such reserved spaces shall be subject to Section 9.20.210; provided, however, that no penalty shall be imposed under the provisions of Section 9.20.210 if all spaces other than those reserved for handicapped parking are filled by motor vehicles at the time the violation of Section 9.20.210 first occurs. (Prior code §11-35)

Title 9

Vehicles And Traffic

Chapter 9.20

Parking Meters

II. Off-street Parking Areas

9.20.210 Handicapped parking--Use of parking space in violation of chapter--Penalty.

A. No person shall allow, permit or suffer any vehicle registered in his name to stand or park in the spaces designated as reserved for handicapped persons under Sections 9.20.190 and 9.20.200, unless the motor vehicle is owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by G.L., Chapter 90, section 2, or is a motor vehicle transporting a handicapped person and displaying the special identification plate authorized by G.L., Chapter 90, section 2, or is a vehicle bearing the official identification of a handicapped person issued by any other state.

B. Any police officer who takes cognizance of a violation of this section shall affix to the motor vehicle a notice of such violation in conformity with Chapter 90 of the General Laws.

C. Any person who allows, permits or suffers any vehicle registered in his name to stand or park in the spaces designated as reserved for handicapped persons in violation of this section shall be punished by a fine of fifteen dollars (\$15) if paid within twenty-one (21) days and twenty dollars (\$20) if paid thereafter.

D. This section shall not apply to off-street parking areas owned or controlled by the United States of America of the Commonwealth of Massachusetts.

E. This section shall not apply to vehicles owned by the Commonwealth of Massachusetts or a political subdivision thereof or by the United States or an instrumentality thereof or vehicles registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing a distinctive number plate or otherwise conspicuously marked as so owned. (Prior code §11-36) (as amended 09/25/1986)

Title 9

Vehicles And Traffic

Chapter 9.21

Permit Parking

9.21.010 Permit parking purpose.

A. The City Council of the City of Springfield finds and declares that the provisions of this ordinance are enacted for the following reasons:

1. To protect the designated residential streets or districts from polluted air, excessive noise, and litter caused by the entry of vehicles parked by persons not residing within the residential streets or districts;
2. To reduce hazardous traffic congestion, and the danger of obstruction of fire lanes, fire hydrants, and access required by emergency vehicles;
3. To encourage the use of public transportation;
4. To protect the residents of the designated residential streets or districts from unreasonable burdens in gaining access to their homes;
5. To preserve the value of property in the designated residential streets or districts; and
6. To promote the peace, comfort, convenience, and welfare of all inhabitants of the City.

(added 09/22/1990)

Title 9
Vehicles And Traffic
Chapter 9.21
Permit Parking
9.21.020 Definitions.

The following words as used in this chapter shall, unless the context otherwise requires, have the following meanings:

- A. Residential Parking Permit - the permit issued by the parking clerk to residents of restricted residential parking streets or districts for their vehicles and the vehicles of their visitors and for visitors of business establishments with said streets or districts, as described herein;
 - B. Restricted Residential Parking Street or District - any street or district or public way which the City Council after a report from the Traffic Commission, approves as a designated restricted residential parking street or district;
 - C. Residential Parking Permit Fee - one hundred dollars (\$100.00). Any individual sixty-five (65) years old or older shall be entitled to a permit parking fee reduction of fifteen (15) percent for each residential parking permit; provided, however that the individual has a principal place of residence within a restricted parking street or district;
 - D. Applicant - a natural person who has a principal place of residence within a restricted residential parking street or district or who owns a residence therein; in the case of businesses, the legal entity or person who has a principal place of business within such street or district;
 - E. Holder - an applicant to whom a residential parking permit has been issued. (added 09/22/1990) (as amended 01/14/1991)
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Title 9
Vehicles And Traffic
Chapter 9.21

Permit Parking

9.21.030 Parking by permit.

No person shall park a motor vehicle at any time upon any street or portion thereof designated by the City Council as a restricted residential parking street or district without a residential or visitor parking permit for that street or district. (added 09/22/1990)

Title 9

Vehicles And Traffic

Chapter 9.21

Permit Parking

9.21.040 Issuance of residential parking permits.

A. Upon an applicant's payment of the residential parking permit fee and submission of a residential parking permit application, the applicant shall receive one (1) residential parking permit for the vehicle described in the application. Such permit shall be securely affixed to the inside bottom left corner of the rear window of the vehicle and shall display the permit number and the expiration date of the permit, which shall be one (1) year after the date of issuance.

B. Applicants who reside within a restricted residential parking street or district may apply and pay for one (1) or more additional permits for vehicles owned or principally operated by them. (added 09/22/1990)

Title 9

Vehicles And Traffic

Chapter 9.21

Permit Parking

9.21.050 Renewal of residential parking permits.

A. Upon the holder's payment of the residential parking permit fee and submission of a residential parking permit application, the holder shall receive a new residential parking permit;

B. The expiration date to be displayed on the new residential parking permit shall be one (1) year following the expiration date of the existing permit. (added 09/22/1990)

Title 9

Vehicles And Traffic

Chapter 9.21

Permit Parking

9.21.060 Transfer of residential parking permits.

A. Upon the holder's payment of a ten dollar (\$10.00) transfer fee, submission of an application for transfer of a residential parking permit, and surrender of his existing permit, the holder shall receive a new residential parking permit for use on another vehicle;

B. The transfer of a residential parking permit shall not affect its expiration date. (added 09/22/1990)

Title 9

Vehicles And Traffic

Chapter 9.21

Permit Parking

9.21.070 Issuance of permits for visitors.

- A. Each holder of a residential parking permit, other than a non-residential owner, shall be issued two (2) visitor parking permits, which shall expire on the same date as the holder's permit;
 - B. Each resident within the restricted residential parking street or district, who is not a holder of a residential parking permit shall upon application and payment of the residential parking permit fee, receive two (2) visitor parking permits, which shall expire one (1) year after the date of issuance;
 - C. No resident or business shall be entitled to more than two (2) visitor parking permits;
 - D. Each resident and business to whom or to which visitor parking permits have been issued shall be responsible for the use and misuse of such permits;
 - E. Visitor's parking permits shall be displayed in the rear window of the vehicle so as to be readily visible from outside the vehicle;
 - F. Each visitor parking permit shall bear an identifying number and its expiration date. (added 09/22/1990)
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Title 9
Vehicles And Traffic
Chapter 9.21
Permit Parking
9.21.080 Exceptions.

- A. Notwithstanding Section 9.21.030 above, the following motor vehicles may be parked within a restricted residential parking street or district without a residential parking permit;
- B. Emergency vehicles including ambulances and police and fire department vehicles;
- C. Delivery vehicles and service vehicles while the operator is actually engaged in business within the restricted residential parking street or district;
- D. Disabled veterans or handicapped person, whose vehicle bears the distinctive plates, or displays the special parking identification plate authorized by section two of chapter ninety or bears the official identification of handicapped person issued by other states or any Canadian Province;
- E. Vehicles of contractors with commercial registration plates or clearly marked with the name of the contractor or contracting company while the operator is in fact working within the restricted residential parking street or district;
- F. Such other vehicles as may be described in the order designating the Residential Parking Street or District.

(added 09/22/1990)

Title 9
Vehicles And Traffic
Chapter 9.21
Permit Parking
9.21.090 Effect on other traffic rules and regulations.

A. Other laws, ordinances, rules and regulations now or hereafter applicable to parking within restricted residential parking streets or districts shall remain in full force and effect to the extent they are not inconsistent herewith;

B. A residential parking permit, including a visitor parking permit, shall not guarantee or reserve a particular parking space, or any parking space, within the restricted residential parking street or district. (added 09/22/1990)

Title 9
Vehicles And Traffic
Chapter 9.21
Permit Parking
9.21.100 Applications.

A. The parking clerk shall collect such information from applicants as will enable him to administer and enforce the provisions of this ordinance;

B. The parking clerk may require such evidence of residence, ownership or conduct of business as it deems reasonable and proper, including and but not limited to motor vehicle operator's license, motor vehicle registration, rent receipt, utility bill, electric bill, gas bill, telephone bill, cable T.V. bill, monthly bank statement (except mortgage statement), Medicaid eligibility card;

C. The parking clerk may make such other investigation and inquiry as he deems reasonable and proper upon receipt of an application hereunder. (added 09/22/1990)

Title 9
Vehicles And Traffic
Chapter 9.21
Permit Parking
9.21.110 Effective date; notice to residents and public.

A. No petition for a designation of a Restricted Residential Parking Street or District shall be ordered by the City Council until:

1. A petition for a Restricted Residential Parking Street or District has been initiated by submission to the City Council of a petition signed by seventy percent (70%) of the owner/occupant of a particular street or district;

2. The City Council has referred the petition to the Traffic Commission for review;

3. The Traffic Commission has held a public hearing at which all persons interested shall be given an opportunity to be heard; and

4. The Traffic Commission has submitted a report on the proposed street or district with recommendations to the City Council.

B. Notice and hearing.

1. The Traffic Commission hearing shall be held within sixty (60) days of submission of the petition to the City Council. No order by the City Council shall be voted until a report has been submitted to the City Council from the Traffic Commission or twenty-one (21) days have elapsed since the Traffic Commission hearing without the submission of such report.

a. Notice of the date, day, time, place and subject matter of the hearing shall be published in a newspaper of general circulation in the city in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before such hearing. This notice shall be prepared and published by the city clerk at the expense of the petitioners;

b. Notice of the hearing shall be sent by mail, postage prepaid ten (10) days at least before the hearing to all residents within the proposed restricted residential parking street or district, as shown on the most recent city census. The mailing of such notice shall be done by the city clerk at the expense of the petitioners;

c. For purposes of implementation and enforcement, any approval by the City Council designating a restricted residential parking street or district shall take effect no earlier than three (3) months after its approval;

d. Immediately following the approval of any petition designating a restricted residential parking street or district, the City Clerk shall mail or deliver to every residence within the designated restricted residential parking street or district, as shown on the most recent census, written notice of the effective date of the permit parking, the areas affected thereby, the fact that parking will be restricted to residents with a permit, and the procedure for obtaining a permit, together with an application for a permit;

e. Prior to the effective date of the permit parking signs shall be erected in the restricted residential parking street or district sufficient to inform persons of ordinary intelligence that parking is restricted to vehicles with permits.

(added 09/22/1990)

Title 9
Vehicles And Traffic
Chapter 9.21
Permit Parking
9.21.120 Revocation of permit.

A. The permit or permits of any holder who violates the provisions of this ordinance on two (2) or more occasions in any calendar year may be revoked by the parking clerk.

B. Notice of revocation shall be sufficient if mailed or delivered to the holder at his or her address as shown on the records of the parking clerk. (added 09/22/1990)

Title 9
Vehicles And Traffic
Chapter 9.21
Permit Parking
9.21.130 Reporting of loss, theft, or destruction of permits.

A. Loss, theft, or destruction of any residential parking permit shall be promptly reported by the holder to the parking clerk.

B. Each holder shall notify the parking clerk promptly of any changes of address, change of vehicle registration, change of name, or transfer of vehicle registration.

(added 09/22/1990)

Title 9
Vehicles And Traffic
Chapter 9.21
Permit Parking
9.21.140 Violations.

A. It shall be a violation of this ordinance for any person to:

1. To obtain a residential parking permit by fraud or

deceit;

2. To retain or use a residential parking permit after his or her principal residence or principal place of business has been changed to a location outside the restricted residential parking street or district or after revocation or expiration of the permit;

3. To permit any person to retain or use a visitor parking permit when such person is not visiting the resident or business to which or to whom the permit was issued;

4. To park within the restricted residential parking street or district without, a residential or visitor parking permit for that street after signs have been posted at such places within said street as the Traffic Bureau may require;

5. To use or allow to be used a residential parking permit on any vehicle other than the one for which it was issued, except upon a vehicle bearing a dealer's registration plate and actually in the custody of the permit holder;

6. To make, cause to be made, or to use any copy, facsimile, or duplicate of a residential parking permit;

7. Any violation of this ordinance shall be punishable by a fine of fifteen dollars (\$15.00). Each day that a violation

continues shall be punishable as a separate offense. (added 09/22/1990)

Title 9
Vehicles And Traffic
Chapter 9.24
Miscellaneous Regulations

9.24.010 Riding, holding on or hanging onto vehicle so that person protrudes therefrom.

No unauthorized person shall ride on, hold on or hang onto any moving vehicle or any portion of the load of such vehicle in any public street in the city, so that his person or any part thereof is or protrudes beyond the limits of the vehicle. (Prior code §11-7)

Title 9
Vehicles And Traffic
Chapter 9.24
Miscellaneous Regulations

9.24.011 Crossing to Avoid Traffic Signals and Signs Prohibited.

No motor vehicle in the City on any street, road, avenue, alley, lane, boulevard or way (hereinafter collectively referred to as "street") shall cross public or private property within two hundred feet (200) of an intersection controlled by a traffic signal or sign and immediately travel on any street beyond the controlled intersection without first complying with the traffic signal or sign. The preceding sentence shall not apply if otherwise provided in section eighteen of chapter ninety and shall be subject, so far as applicable, to section two of chapter eighty-five and section eight and nine of chapter eighty-nine. The penalty for violation of this ordinance shall be fifty dollars (\$50.00). (added 11/27/1987)

Title 9

Vehicles And Traffic

Chapter 9.24

Miscellaneous Regulations

9.24.020 Abandoned Motor Vehicles--Removal and Disposal.

A. Effective upon passage of this Ordinance, the Director of Public Works acting through his designee, the Police Commissioner acting through the watch captain on duty, a lieutenant designated by the Police Commissioner or Parking Control Officers appointed by the Police Commissioner shall be officers in charge of the public ways of the city for purposes of enforcement of Massachusetts General Laws, Chapter 90, sections 22B and 22C, relative to the removal and disposal of abandoned motor vehicles.

B. Whoever abandons a motor vehicle registered or unregistered, upon any public or private way or upon any property other than his own without the permission of the owner or lessee of said property shall be fined two hundred and fifty dollars for the first such abandonment and five hundred dollars for each such abandonment thereafter, pursuant to Massachusetts General Laws, chapter 90, sections 22B.

C. If said officers reasonably deem that any motor vehicle has been apparently abandoned by its owner and standing for more than seventy-two hours (72) upon a public or private way in the city or on any property within the city, they may cause said vehicle to be removed in a manner consistent with the provisions of Massachusetts General Laws, Chapter 90, section 22C . (added 07/30/1987) (as amended 05/28/2009)

TITLE 9

VEHICLES AND TRAFFIC

CHAPTER 9.24

MISCELLANEOUS REGULATIONS

9.24.030 Parking vehicles on public ways without valid registration.

A. No person shall park a vehicle upon the public way, whether or not such vehicle is an otherwise permissible parking space, which is determined to be:

1. Unregistered;
2. Invalidly registered as required by M.G.L. Chapter 90;
3. Unregistered due to expired registration;
4. Unregistered due to revoked registration;
5. Unregistered due to canceled registration.

B. Any violation of this ordinance shall be punishable by a fine of twenty-five dollars (\$25.00). Each day that a violation continues shall be punishable as a separate offense. (added 05/28/2009)

Title 9

Vehicles And Traffic

Chapter 9.26

Skateboards

9.26.010 Definitions.

A. Skateboard shall mean a single platform mounted on wheels, which is propelled solely by human power.

(added 12/17/1990)

Title 9
Vehicles And Traffic
Chapter 9.26
Skateboards

9.26.020 Applications.

A. Skateboarding shall be prohibited upon the property of any municipal buildings, including but not limited to steps, landings, and esplanades.

B. Skateboarding shall be prohibited upon any roadway, street or sidewalk in any portion of the city specifically designated as a central business district.

C. A person in violation of this section may be cited for a violation of this chapter and the skateboard he or she was riding may be seized as evidence until final disposition by hearing before the parking clerk and/or held until the fine is paid.

D. Skateboard operators in non-prohibited areas shall yield the right-of-way to all vehicular and all other pedestrian traffic upon the sidewalk and not otherwise endanger or interfere with pedestrian traffic.

E. The department of public works of this city is authorized to erect official traffic control devices on those areas where skateboarding is prohibited. (added 12/17/1990)

Title 9
Vehicles And Traffic
Chapter 9.26
Skateboards

9.26.030 Penalties.

There shall be no fine for the first violation of this chapter; the fine for the second violation and each subsequent violation shall be fifteen (\$15.00) dollars per violation. All fines shall be payable to the parking clerk and no criminal record shall be made as a result of any violation of this chapter. If the fine is not paid within twenty-one (21) days or if the violator has not requested a hearing before the parking clerk within said twenty-one (21) days the fine shall increase to thirty dollars (\$30.00) for the violation. A police officer or a meter maid shall take cognizance of any such violation and shall request the violator to state his name and address. (added 12/17/1990)

Title 9
Vehicles And Traffic
Chapter 9.28
Motorized Scooter Regulations

9.28.010 Purpose.

A. The City Council finds and declares the followings:

1. That because of the severely congested streets, roadways and alleys of the city these regulations banning motorized scooters would serve the public interest and safety.
 2. That motorized scooters adversely affect traffic flow and the response time of emergency vehicles in the city.
 3. That motorized scooters leads to motor vehicle accidents for the operator and other motor vehicles and pedestrians in the city. (added 08/19/2003)(as amended 05/19/2005)
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Title 9
Vehicles And Traffic
Chapter 9.28
Motorized Scooter Regulations
9.28.020 Definition.

For purposes of this chapter a "motorized scooter" shall mean any two-wheeled device, including but not limited to, the so-called mini-bikes, pocket bikes, mini choppers, gas scooters, electric scooters or motorized skateboard, that has handlebars, and are designed to be stood upon or seated upon by the operator, and is powered by a gas or electric motor that is capable of propelling the device with or without human propulsion at any speed on any street, roadway or alley in the city that is not defined as a motor vehicle, under the laws of the Commonwealth of Massachusetts.

(added 08/19/2003)(as amended 05/19/2005)

Title 9
Vehicles And Traffic
Chapter 9.28
Motorized Scooter Regulations
9.28.030 Motorized scooters--Skateboards and so-called mini-bikes, etc.

A. Prohibited Absent Express Written Permission. No person shall operate a motorized scooter, motorized skateboard, or other similar motorized vehicle (hereinafter referred to as "personal motorized vehicles") on any city owned or controlled: public way, sidewalk, park, playground, recreational area, public school property or any other property owned or controlled by the city, without the express written permission to do so from the city official(s) or officer having jurisdiction over the use of said city property or their respective designee (hereinafter referred to as the "authorizing official"). The following vehicles shall be exempt from the provisions of this ordinance:

1. Vehicles licensed by the Commonwealth of Massachusetts as motor vehicles;
2. Vehicles licensed or used by the Federal Government or any federal agency; instrumentality or entity, including the United States Postal Service, performing service to the public;
3. Personal motorized vehicles used by disable persons;
4. Personal motorized vehicles used by governmental law enforcement personnel including police officers; and
5. Landscaping equipment.

B. Conditions on the Grant of Written Permission. Any grant of written permission to use a personal motorized vehicle issued by the authorizing official pursuant to Section 9.28.030(A) shall include the following conditions/restrictions: No personal motorized vehicle shall be operated:

1. No person under the age of sixteen (16) shall operate a motorized scooter without a valid learners permit or drivers license;
 2. Without being equipped with a braking system;
 3. Without the rider wearing a helmet;
 4. In a careless or reckless manner so as to endanger the safety of any person or the property of any person; and
 5. Without complying with applicable federal and state laws and regulations. Authorizing official is further authorized to impose such other restrictions and limitations as deemed appropriate or necessary to protect the public safety, interest and welfare. All persons using city property pursuant to a grant of permission shall comply with the restrictions and limitations referenced herein or imposed pursuant hereto. (added 08/19/2003)(as amended 05/19/2005)
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Title 9
Vehicles And Traffic
Chapter 9.28
Motorized Scooter Regulations
9.28.040 Enforcement--Violation--Penalties.

A. Enforcement. The provisions of this ordinance may be enforced by any police officer, or any special police officer designated by the board of police commissioner to do so.

B. Violations--Penalties. The following penalties shall be applicable for violations of this ordinance:

1. Any person who violates the provisions of this ordinance shall be subject to a fine in the amount of one hundred dollars (\$100.00) for the first offense, two hundred dollars (\$200.00) for a second offense, and three hundred dollars (\$300) of a third or any subsequent offense.
2. As an alternative to initiating criminal proceedings, violations of this ordinance may be enforced in a manner provided in chapter 1.16, section 1.16.010 of city ordinances and Chapter 40, Section 21D of the General Laws, which procedures are incorporated herein by reference. The penalty for each violation shall be as set forth in B(1) above for each day or part of a day during which the violation is committed, continued, or permitted; provided, however, that if a violator fails to follow the procedures and requirement of said Section 21D, the fine or fines shall be recovered by indictment or an complaint pursuant to General Laws, Chapter 40, Section 21.
3. Upon the violation of any provision of the ordinance any police officer, or any special police officer designated by the board of police commissioner may impound ,the motorized scooter, until the operator appears in court. If an operator is an adult and is convicted of violating any provision of this ordinance, the motorized scooter may be subjected to a forfeiture proceeding under the General Laws. if the operator is a minor the motorized scooter may be subjected to a forfeiture proceeding under the General Laws, if the minor is adjudicated delinquent, or have their case continued without a finding.

(added 08/19/2003)(as amended 05/19/2005)

Title 9
Vehicles And Traffic
Chapter 9.32

Automated Red Light Violations

9.32.010 Purpose.

The purpose of this ordinance is to create an automated enforcement system for red light violations. The city expects a decrease in accidents as a result of drivers modifying their operation of motor vehicles in response to these cameras. Civil penalties would inure to the municipality. (enacted by the Finance Control Board on 09/11/2006)

Title 9

Vehicles And Traffic

Chapter 9.32

Automated Red Light Violations

9.32.020 Definitions.

For the purpose of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Automated Red Light System" is the equivalent of "traffic control signal monitoring device" or "traffic control photographic system." Said system/device is an electronic system consisting of a photographic, video, or an electronic camera and a vehicle sensor installed to work in conjunction with an official traffic controller and to automatically produce photographs, video or digital images of each vehicle violating a standard traffic control.

B. "System location" is the approach to an intersection toward which a photographic, video or electronic camera is directed and is in operation. It is the location where the automated camera system is installed to monitor offenses under this section.

C. "Vehicle owner" is the person(s) or entity identified by the Massachusetts Registry of Motor Vehicles as the registered owner or, in the case of a motor vehicle registered under the laws of another state or jurisdiction, the persons or entity on record as the registered owner with such other state or jurisdiction's vehicle registration office. Vehicle owners of unregistered vehicles shall be established by substantial evidence (i.e. such evidence as reasonable minds might accept as adequate to support a conclusion). (enacted by the Finance Control Board on 09/11/2006)

Title 9

Vehicles And Traffic

Chapter 9.32

Automated Red Light Violations

9.32.030 Offenses, Enforcement and Appeal.

A. Generally:

1. Notwithstanding any other provision of this vehicle and traffic ordinance, the city of Springfield hereby adopts a civil enforcement system for Automated Red Light System violations as outlined in this chapter. A fine shall be imposed on the owner of a vehicle for failure of an operator thereof to comply with traffic control indications in the city of Springfield in accordance with the provisions of this chapter.

2. The Springfield Police Department shall be responsible for administering the Automated Red Light System. Specifically, the Springfield Police Department (SPD) in conjunction with the Department of Public Works shall be empowered to install and operate Automated Red Light Systems within the city. The SPD shall maintain a list of system locations where red light camera systems are installed. The SPD shall make the determination as to which locations will be utilized. The Department of Public Works shall ensure Automated Red Light Systems remain in good working order.

B. Offenses:

1. A penalty shall be imposed pursuant to this chapter if a vehicle crosses a marked stop line or the intersection plane at a system location when the traffic signal for that vehicle's direction is emitting a steady red light.

2. Prima Facie Responsibility. The vehicle owner is prima facie responsible for payment of the fines assessed in accordance with this chapter UNLESS:

a. Stolen Vehicle. The vehicle owner has reported in a timely manner to a police agency that the violating vehicle has been stolen, and the violating vehicle remained stolen at the time of the violation; or

b. Leased or Rented Vehicle. The vehicle owner is in the business of leasing or renting motor vehicles and provides a copy of a lease, rental, or similar contract document indicating that the violating vehicle was leased or rented at the time of the violation and the identity and address of the person entitled to possession is discernible from the document, in which case that person is prima facie responsible for the payment of the fines assessed in accordance with this chapter.

C. Notice of Liability Enforcement System.

1. Enforcement. The Springfield Police Department shall enforce the provisions of this chapter.

2. Content of Liability. Notice.

a. Information Regarding the Specific Offense. A notice of liability includes, but is not limited to, the following information: the registration number and state of issuance of the registration number of the vehicle involved; the name of the registered owner of the vehicle; the type and color of the vehicle; the date, time and place of the violation; the name of the authorizing officer; the applicable fine; and such other information as the Police Commissioner or his or her designee may deem appropriate.

b. Notice of Requirement to Respond. A notice of liability shall state that the registered owner must pay the fine stated in the notice of liability or appeal the notice within thirty (30) calendar days after the date of the issuance of the notice and shall describe the method for payment or appeal.

3. Issuance of Notice of Liability.

a. Delivery of Notice of Liability. An authorized officer issues and certifies the notice of liability and authorizes delivery of the notice as soon as practicable by first class mail to the registered owner of the vehicle at the address of the registrant on record with the Massachusetts Registry of Motor Vehicles, or, in the case of a motor vehicle registered under the laws Of another state or jurisdiction, at the address of the registrant on record with the official in the state or other jurisdiction having charge of the registration of the vehicle, or lessee of the vehicle as applicable.

b. Prima Facie Evidence of Notice. Delivery of a copy of the notice of liability by first class mail at the address of the registrant on record with the Massachusetts Registry of Motor Vehicles, or, in the case of a motor vehicle registered under the laws of another state or jurisdiction, at the address of the registrant on record with the official in the state or other jurisdiction having charge of the registration of the vehicle, or lessee of the vehicle as applicable is sufficient notice of the liability. Certification of the notice by an officer is prima facie evidence of the facts contained therein and is admissible in any administrative or judicial proceeding to adjudicate the liability.

4. Payment or Appeal of Violation Notice. Within thirty (30) calendar days after the date of the issuance of the notice of liability, the vehicle owner to whom the notice of liability is issued must make one of the following responses: pay the fine as provided by this chapter, or request a hearing as provided by this chapter.

a. Payment of Civil Penalty. The vehicle owner shall pay the civil penalty as specified in the notice of liability or within thirty (30) days after the date of issuance of the appeal decision, as applicable.

b. Request for Hearing. A person issued a notice of liability may make a written request for an appeal hearing before a notice of liability clerk designated by the Mayor or his designee. The clerk then notifies the registered owner in writing by first class mail of the date, time, and place of the hearing. The hearing is informal, the rules of evidence do not apply, and the decision of the clerk is final. Parties are notified in person or by mail of the decision following the hearing. Each written appeal decision shall state the reasons) for the decision. Failure to appear at the date, time, and place specified on the hearing notice shall result in a determination based on any written documentation submitted with the request for hearing, including but not limited to signed statements from witnesses, police officers, government officials, or other relevant parties or photographs, diagrams, maps or other relevant documents that the registered owner determines to submit. Payment of the civil penalty is due within thirty (30) calendar days after the date of the issuance of the appeal decision.

c. The failure to give notice of appeal or pay the civil penalty within thirty (30) calendar days after the date of the issuance of the notice of liability shall constitute a waiver of the right to contest the notice of liability.

D. Penalties:

1. Any violation of section 9.32.030 (B)(1) above shall be deemed a non-criminal violation for which a civil penalty of fifty dollars \$50.00) shall be assessed.

2. Failure to pay the fine within the time periods required in this Ordinance shall result. in an additional penalty of fifty dollars (\$50.00), for a total penalty of one hundred dollars \$100.00).

E. Collection.

The City of Springfield may establish procedures for the collection of the civil penalties imposed herein, and may enforce the penalties by a civil action in the nature of a debt. If the penalties set forth in section 9.32.030(D) above remain . unpaid for more than thirty (30) days after the date on which the notice of liability or appeal decision was issued, the penalties shall be collected, together with any interest and costs thereon, by civil suit or other appropriate means of collection. Failure of the violator to pay such fine or penalty may also result in other enforcement methods allowed by law. (enacted by the Finance Control Board on 09/11/2006)

Title 9

Vehicles And Traffic

Chapter 9.32

Automated Red Light Violations

9.32.040 Miscellaneous.

A. Co-owners of violating vehicles shall be jointly and severally liable under this Ordinance.

B. The provisions of this Ordinance do not apply to uniform traffic citations issued by Springfield Police officers or Massachusetts State Police officers pursuant to M.G.L. c. 90C (Procedure for Motor Vehicle Offenses).

C. The provisions of this Ordinance shall not affect drivers' "points" authorized by Massachusetts General Laws ("Point System for License Suspension").

D. An imposition of liability under this Ordinance shall not be deemed a conviction as an operator and shall not be made part of the operating record upon whom such liability is imposed.

E. Nothing in this Ordinance shall be construed to limit the liability of an operator of a vehicle for any violation of section 9.32.030(B)(1) above.

F. An imposition of liability under the section shall not bar, estop, or preclude the violator from contesting the underlying facts in any other administrative or judicial proceeding. (enacted by the Finance Control Board on 09/11/2006)

TITLE 9
VEHICLES AND TRAFFIC
CHAPTER 9.34
VALET PARKING REGULATIONS
9.34.010 Purpose.

A. The primary purpose of public streets and rights-of-way is the free and unobstructed right of travel. The city of Springfield recognizes that the use of public streets and rights-of-way for valet parking operations will provide a public benefit and enhance our ability to attract retail and other businesses downtown. The city may therefore permit and restrict valet parking operations as a special privilege, not as a matter of right. The approval of any permit under this chapter for the use of the public right-of-way is on a temporary and nonpermanent basis and is for a nonexclusive use of that public right-of-way. Those persons granted permits under this chapter shall have neither property interest in nor any entitlement to the granting or continuation of any permit for the use of any public right-of-way.

B. The city of Springfield has implemented a valet parking ordinance to regulate valet parking services within the city, assist visitors and residents in parking vehicles within the city and promote the more efficient use of limited on-street parking spaces. This ordinance is written to govern valet parking operations, the issuance of valet parking permits and to prohibit valet parking of a car in any space that is not in a licensed off-street parking facility except at the end of daily valet operations. These regulations seek to ensure that valet parking personnel do not park cars illegally or in spaces that would otherwise be available to visitors and residents in a neighborhood. (as enacted on 02/12/2010)

TITLE 9
VEHICLES AND TRAFFIC
CHAPTER 9.34
VALET PARKING REGULATIONS
9.34.020 Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Park" or "Parking" means the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading, unloading and delivering merchandise, or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the vehicle operator.

B. "Parking Area" means an off street parking facility which is used for commercial parking.

C. "Street" means the entire width between property lines of any public street, avenue, road, alley, highway, lane, path or other public place located in the city and established for the use of vehicles.

D. "Valet Parking Operation" means the receiving, taking possession of, driving, moving; parking or leaving standing, any vehicle that is left at one location to be driven to another location for parking, whether or not a charge is levied, and whether or not done under contract to the business or organization for which the vehicles are being parked, or done independently. It does not include operators of public or private off-street parking operations or facilities where customers park their own vehicles and remove the keys themselves or if the valet operation takes place solely on private property.

E. "Valet Parking Operator" means any employee or agent of a person, business, establishment, or corporation granted a valet parking permit who is engaged in receiving or discharging passengers or loading or unloading baggage from a vehicle, making arrangements to remove a vehicle to a designated off-street parking facility, parking a vehicle, or otherwise in control of a vehicle subject to valet parking

requirements.

F. "Valet Parking Permit" means a permit issued to a person, business, establishment or corporation pursuant to approval of the city of Springfield traffic commission.

G. "Valet Space" means a single vehicle space, normally twenty (20) to twenty-two (22) feet in length on a public way along the curb, in which the loading and unloading of possessions is legal.

H. "Vehicle" means any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks, or motivated by human power. (as enacted on 02/12/2010)

TITLE 9

VEHICLES AND TRAFFIC

CHAPTER 9.34

VALET PARKING REGULATIONS

9.34.030 Procedure for Obtaining Valet Parking Permit.

A. An operator of the proposed valet parking program shall submit an application to the city of Springfield traffic commission forty-five (45) days prior to the proposed starting date. Valet parking operations in business prior to the passage of this ordinance may remain in business during the application process on the condition that such operator meets all other requirements of this ordinance.

B. The application shall include, but is not limited to the following:

1. Name, address, phone number of valet operator;
 2. Name, address, phone number of the establishment for whom valet service is proposed;
 3. A plan of the proposed pick-up/drop-off area, the number of spaces required; and
 4. A detailed plan of the proposed valet operation, including hours and days of operations; routes to and from the parking area (s); and number of valet.
 5. Proof that the valet operator maintains the minimum levels and standards of liability insurance or claims reserves as required by the Springfield traffic commission. A certificate of insurance or insurance policy coverage declaration page shall be acceptable forms of proof of coverage in the amount of one million dollars (\$1,000,000). (as enacted on 02/12/2010)
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TITLE 9

VEHICLES AND TRAFFIC

CHAPTER 9.34

VALET PARKING REGULATIONS

9.34.040 Indemnification.

A. The valet parking operators, and any person acting under or pursuant to an operator's or sponsor's permit, agrees to indemnify, hold harmless, release and defend, to the maximum extent permitted by law, and covenants not to sue the city, its council and each member thereof, employees, commission members and representatives, from any and all liability, loss, suits, judgments, costs, and expenses (including attorney's fees and costs of litigation) which in whole or in part result from, or arise out of, directly or indirectly, wholly or in part, or are claimed to result from, or arise out of: (1) any use or performance under the permit; (2) the activities and operations of the operator or sponsor and their employees, subcontractors or agents; (3) any condition of property used in the operation; or (4) any acts, errors or omissions (including, without limitation, professional negligence) of the operator or sponsor and their employees, subcontractors or agents in connection with the valet parking operation.

B. This indemnity includes, but is not limited to, personal injury (including death at any time) and property or other damage sustained by any person or persons (including, but not limited to, companies, or corporations, valet parking operators and employees, valet parking customers and members of the general public). (as enacted on 02/12/2010)

TITLE 9

VEHICLES AND TRAFFIC

CHAPTER 9.34

VALET PARKING REGULATIONS

9.34.050 Procedure for Obtaining Valet Parking Space(s).

A. The public works department of the city of Springfield may issue a special street obstruction permit good for one (1) year for valet parking, for the period beginning July 1 and ending on June 30 of the following year.

B. The director of public works or the city of Springfield traffic commission shall reject any application which would adversely affect public safety or interfere with the free flow of pedestrian or vehicular traffic during the valet operating hours. The city of Springfield traffic commission shall hold public hearings on any request to issue a valet parking permit prior to issuance.

C. If the city of Springfield traffic commission approves the application the valet parking permit will be forwarded to the applicant.

D. The director of public works may promulgate the required traffic regulations for valet parking operators.

E. The cost for valet space shall be two dollars (\$2.00) per year per foot of curb required to operate the service safely between 6 P.M. and 6 A.M. in parking areas without parking meters on the days required.

F. If the city of Springfield traffic commission approves the application, the applicant will be responsible for covering the parking meter(s) during the hours of valet operation. The bag used to cover the meter(s) shall be approved by the city of Springfield. The valet operator will be charged the cost noted above in paragraph (E) and an additional fee equal to the parking meter hourly rate multiplied by the number of regular operating hours per business day for the length of time the valet parking permit is issued.

G. The fees listed in 9.34.050 Sections E and F will be pro-rated monthly if a valet parking operation begins service prior to July 1 of any year. Any part of a month will be charged as a full month.

H. There shall be a one (1) day fee of ten dollars (\$10) for one-day special street obstruction permits. Such permit applications shall be filed at least seventy-two (72) hours prior to the scheduled event. (as enacted on 02/12/2010)

TITLE 9

VEHICLES AND TRAFFIC

CHAPTER 9.34

VALET PARKING REGULATIONS

9.34.060 Prohibition.

A. It is unlawful for any person to operate, engage in, conduct, manage, or cause to be operated, any valet parking operation or any related activity upon any portion of a public street or right-of-way or other city property, except under the terms and conditions of a current operator's valet parking permit and, if using the public street or right-of-way in any manner for drop off and pick up of vehicles, under the terms and conditions of a current establishment's valet parking permit and with the posting of an official valet parking sign authorized for that location. On private property, the additional authorization of the owner or lessee of such property is required.

B. No valet parking operator who is engaged in providing valet services, including but not limited to receiving or discharging passengers or loading or unloading baggage from a vehicle, making arrangements to remove the vehicle to a designated off-street parking facility, parking a vehicle, or otherwise in control of a vehicle subject to valet parking requirements, may engage in such activities unless the valet parking operator is wearing a jacket or shirt clearly identifying him or her as a valet.

C. Nothing in this chapter is intended to authorize or authorizes the parking of motor vehicles by valet parking operators in a manner contrary to, and all valet parking operators shall comply with, applicable state laws and local parking and traffic regulations.

D. If any provision of these sections imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, order, or policy then the provisions of these sections shall control. (as enacted on 02/12/2010)

TITLE 9

VEHICLES AND TRAFFIC
CHAPTER 9.34
VALET PARKING REGULATIONS

9.34.070 Violation Enforcement and Penalties.

A. The city of Springfield code enforcement department and city of Springfield police department, and their designees shall have the authority to enforce the provisions of this ordinance. The enforcing person shall give the violator a notice of the violation and fine, and the violation and fine may be disposed of pursuant to General Laws, Chapter 40, Section 21D.

B. Any violation of this ordinance shall be subject to a fine of fifty dollars (\$50.00). A penalty of thirty dollars (\$30.00) shall be assessed if the fine remains unpaid twenty-one (21) days after issuance of a notice of such violation. All fines hereunder may be recovered by the non-criminal disposition procedures stated in Chapter 1.16, section 1.16.010 of this ordinance and Chapter 40, Section 21D of the General Laws, which procedures are incorporated herein by reference; provided, however, that if a violator fails to follow the procedures and requirement of said Section 21D, the fine or fines shall be recovered by indictment or an complaint pursuant to General Laws, Chapter 40, Section 21.

C. Three (3) or more violations of this ordinance in a calendar year by a valet parking operator may result in the suspension or revocation of the valet parking permit.

D. No valet parking permit may be renewed, be removed from suspension, or be reinstated following revocation until all fines issued thereunder have been fully satisfied. (as enacted on 02/12/2010)

TITLE 9
VEHICLES AND TRAFFIC
CHAPTER 9.34
VALET PARKING REGULATIONS

9.34.080 Revocation or suspension--When.

A. The director of public works or the city of Springfield traffic commission may temporarily suspend any operator's or sponsor's permit, without a hearing, whenever the continued valet parking operation by the valet parking operator would, in his/her/its discretion, constitute a danger to public health, safety or welfare, including, without limitation:

1. The operations have interfered with, or threaten to interfere with, the public's use of the streets, the normal flow of vehicular or pedestrian traffic on any public right-of-way or city-owned property;
2. The operations would threaten a hazard to public safety; or
3. The valet parking operator has failed to maintain the minimum levels and standards of liability insurance or claims reserves.

B. The notice of temporary suspension may be personally delivered to the party named or to the address given on the application pursuant to which such permit was issued, or mailed by registered or certified mail to the party named at the address given on the application pursuant to which such permit was issued. The temporary suspension is effective upon the earlier of either receipt or the expiration of five (5) days from the date of mailing. The notice of temporary suspension shall include a notice of hearing and all other information required by Section 9.34.090. The temporary suspension shall remain effective until the decision on revocation or suspension is final, or, until the condition is corrected.

C. The director of public works or the city of Springfield traffic commission, from time to time, with or without temporary suspension, suspend or revoke any operator's or sponsor's permit whenever it is determined, after notice and bearing as set forth in Section 9.34.090, and based upon substantial evidence, that the permit holder, or any of its drivers, employees, agents, or subcontractors:

1. Have operated or parked vehicles, or operated the valet parking operations, contrary to law, including the use of unlicensed drivers or the failure to comply with the Revised Ordinances of the city of Springfield, this chapter or the regulations hereunder, or state law in connection with the operation under permit;
2. Have failed to comply with or violated any permit condition, including failure to maintain the minimum levels and standards of liability insurance or claims reserves for any period of time;
3. False or incomplete permit application information was provided;
4. Any reason exists for which the permit might have been denied in the first instance;

5. The operations constitute a danger to public health, safety or welfare, including without limitation, interference with the public use of the streets, the normal flow of vehicle or pedestrian traffic on any public right-of-way or city owned property; or
6. The operations constitute a public nuisance, including, but not limited to, a visual blight.
- D. The parking clerk may charge the sponsor and/or operator a revocation fee, in an amount set from time to time by resolution of the city council, for each notice of revocation.
- E. Any revocation, suspension or modification of any permit shall be in addition to any other penalties otherwise provided by law.
- F. Should the valet parking operator continue to operate after the permit has been terminated and should the city be forced to file suit to restrain valet parking operator, the valet parking operator shall, in addition to criminal and other penalties herein, reimburse the city for its reasonable costs and expenses in connection therewith, including attorney's fees. (as enacted on 02/12/2010)
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TITLE 9

VEHICLES AND TRAFFIC

CHAPTER 9.34

VALET PARKING REGULATIONS

9.34.090 Revocation or suspension--Notice and hearing.

- A. A notice of intent to revoke or suspend an operator's or sponsor's permit shall be personally delivered or mailed, at the direction of the director, to the party named and to the address given on the application pursuant to which such permit was issued; shall state grounds for suspension or revocation; and shall give the permit holder notice of a hearing thereon which shall be convened within ten (10) days of notice. The notice shall advise the party of the date, time and place of the hearing that they may be represented by counsel and any other information deemed proper.
- B. An independent hearing officer shall preside over the hearing and shall consider testimony of city staff and the permit holder, if present, and any other evidence determined to be relevant to any matter at issue.
- C. At the hearing, the hearing officer may revoke or suspend the permit by making one of the findings under subsection C of Section 9.34.080 based upon substantial evidence.
- D. Within fifteen (15) days after the conclusion of the hearing, the hearing officer shall render a decision, and shall mail notice of the decision to the permit holder.
- E. A decision to revoke or suspend a permit shall become effective on the fifteenth (15th) day after the date of notice of the decision.
- F. Upon delivery of a notice of decision to revoke or suspend a sponsor's permit, the city shall have the right to require the immediate removal of all obstructions in the public right-of-way, and may perform such removal if the valet parking operator fails to do so.
- G. The valet parking operator shall reimburse the city for any expense incurred by the city in removing any obstruction.
- H. Should the valet parking operator continue to use the public right-of-way after the permit has been revoked or suspended, the city may, in addition to other remedies and actions, take appropriate action to restrain the use of the public right-of-way by valet parking operator and, in such event, the valet parking operator shall reimburse the city for its reasonable costs and expenses in connection therewith, including reasonable attorney's fees and court costs.
- I. If a permit is revoked or suspended by the city, the valet parking operator shall be entitled to a pro rata refund of the regular permit fee. (as enacted on 02/12/2010)