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Article I. In General.

Sec. 17-1. Definitions.

The following words and phrases when used in this chapter shall, for the purpose of this chapter have the meanings respectively ascribed to them in this section, except as hereinafter specifically provided:

"Authorized emergency vehicles." Vehicles of the Fire Department, police vehicles, ambulances and emergency vehicles as are designated or authorized by the Chief of Police.

"Bicycle." Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over twenty inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

"Crosswalks."

(1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway.

(2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Driver." Every person who drives or is in actual physical control of a vehicle.

"Intersection." The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two streets which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

"Motor vehicle." Every vehicle which is self-propelled or designed for self propulsion except vehicles operated exclusively on rails.

"Official traffic-control devices." All signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of the town or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

"Park." Park means to halt a vehicle, whether or not it is occupied, other than temporarily: (i) when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device; or (ii) for the purposes of and while actually engaged in loading or unloading property or passengers. (Ordinance 264 effective 1/5/1994)

"Pedestrians." Any person afoot.

"Policeman or police officer." Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

"Sidewalk." That portion of a street between the curb lines, or the lateral lines of a roadway and the adjacent property intended for the use of pedestrians.

"Stop." When required, means complete cessation of movement.

"Stop, stopping or standing." When prohibited, means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or traffic-control sign or signal.

"Street." The term "street" shall include all avenues, lanes, alleys and highways in the town.

"Traffic." Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any street for the purpose of travel.

"Traffic - control signal." Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

"Truck." "Any motor vehicle with a registered gross weight of ten thousand (10,000) pounds or greater." (Ordinance 338 effective 3/4/1996, historical reference 264)

"Vehicle." Every device in, upon or by which any person or property is or may be transported, or drawn upon a street, except devices moved by human power or used exclusively upon stationary rails or tracks. (1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

Sec. 17-2. Obedience to police officers.

No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control or regulate traffic. (1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

Sec. 17-3. Drivers of all vehicles subject to provisions of chapter.

The provisions of this chapter, applicable to the drivers of vehicles upon the streets, shall apply to the drivers of all vehicles regardless of ownership, subject to such specific exceptions as are set forth in this chapter, and it shall be unlawful for any such driver to violate any of the provisions of this chapter. (1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

Sec. 17-4. Persons propelling pushcarts, riding bicycles or animals.

Every person propelling any pushcart or riding an animal or bicycle upon a roadway, and every person driving any animal shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions of this chapter which by their nature can have no application. (1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

Article II. Operation Of Vehicles.

Sec. 17-5. Publication of traffic resolutions.

The council shall publish resolutions affecting traffic regulations in one or more newspapers published in the town in the same manner as ordinances are published. (Ordinance 3 effective 1/1/1941)

Sec. 17-6. Emergency traffic regulations.

The chief of police or the police board shall make such temporary additional regulations governing vehicular traffic or parking of vehicles as he or it may deem necessary in case of emergency, which regulations shall be enforced in the same manner as are the rules herein set forth, provided signs or notices setting forth the changed regulations are prominently displayed at each location where such change is effective. (Ordinance 3 effective 1/1/1941)

Sec. 17-7. Driving while under influence of intoxicating liquor or drugs.

It shall be unlawful for any person who is under the influence of intoxicating liquor or narcotic drugs to drive, steer or operate any vehicle within the town. (1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

Sec. 17-8. Driving on one-way streets.

On any street or part thereof in the town which has been designated by the council by resolution for travel in one direction only and on which street or part thereof signs have been placed indicating such designated direction, all vehicles shall travel in the direction so indicated. (Ordinance 3 effective 1/1/1941)

Sec. 17-9. U-turns.

Except at such places as may be allowed by posted signs, "U" turns shall be prohibited. (Ordinance 3 effective 1/1/1941)

Sec. 17-10. Limitations on trucks entering streets.

It shall be unlawful for any truck to enter any street or block in the town on which such truck traffic has been prohibited by resolution of the town and upon which signs have been posted setting forth such prohibition. (Ordinance 3 effective 1/1/1941)

Sec. 17-11. Traffic during fires.

(a) All traffic in any block of a street in which a fire is in progress shall cease during said fire. (Ordinance 3 effective 1/1/1941)

(b) On any block of a street on which a fire engine house is located, all vehicular traffic, except that of firefighting equipment, shall be prohibited during the sounding of a fire alarm at such fire engine house. Vehicles carrying active members of the Easton Volunteer Fire Department, Inc. are excluded from the application of this subsection. (Ordinance 3 effective 1/1/1941)

(c) It shall be unlawful to operate any vehicle in front of the entrance to the fire engine house while the fire siren is sounding. (Ordinance 36 effective 10/16/1951)

(d) The passage of any vehicle over a hose line or any traffic movement interfering with firemen or fire apparatus during a fire is prohibited. (Ordinance 3 effective 1/1/1941)

Article III. Traffic-Control Devices.

Sec. 17-12. Council action on traffic controls.

The council may, from time to time, authorize by resolution the placing of such traffic lights, traffic signs, parking meters and/or painted lines or painted curbs as it may deem necessary. (Ordinance 3 effective 1/1/1941)

Sec. 17-13. Presence of traffic controls as notice for enforcement.

The presence of any traffic lights, traffic signs, parking meters and/or painted lines or painted curbs shall constitute due notice at points so designated for the enforcement of the sections of this chapter applying to same. (Ordinance 3 effective 1/1/1941)

Sec. 17-14. Traffic-control signal legend.

Whenever traffic is controlled by traffic-control signals exhibiting the words "Go", "Caution", or "Stop", or exhibiting different colored lights successively one at a time, the following colors only shall be used and such terms and lights shall indicated as follows:

(a) Green alone or "go."

(1) Vehicles facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. All vehicles shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.

(2) Pedestrians facing the signal may proceed across the street within any marked or unmarked crosswalk.

(b) Amber alone or "caution" when shown following the green or "go" signal.

(1) Vehicles facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety a vehicle may be driven cautiously through the intersection.

(2) Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right of way to all vehicles.

(c) Red alone or "stop."

(1) Vehicles facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line and shall remain standing until green or "go" is shown alone.

(2) No pedestrian facing such signal shall enter the street unless he can do so safely and without interfering with any vehicles.

(d) Red with green arrow.

(1) Vehicles facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall not interfere with other traffic or endanger pedestrians lawfully within a crosswalk.

(2) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicles.

(e) Any other provisions of this section to the contrary notwithstanding, it shall be lawful for a funeral procession to continue through an intersection facing a red light; provided, that the first vehicle in such procession has already entered the intersection before the light has changed from green to red and provided further, that the vehicles in the

procession have their headlights on. While the funeral procession is proceeding through such intersection, it shall be unlawful for any vehicle not in such procession to enter such intersection although facing the green light. (1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

Sec. 17-15. Stop signs.

All vehicles when approaching a "stop" sign shall make a complete stop before reaching the intersection so marked, and said vehicles shall yield the right of way to all vehicles approaching from either right or left. (Ordinance 3 effective 1/1/1941)

Article IV. Stopping, Standing and Parking.

DIVISION 1. IN GENERAL.

Sec. 17-16. Manner of parking generally.

All vehicles, not in motion, shall stand, or be parked with their right side as near the right-hand side of the street as practicable and not more than twelve (12) inches from any curb, except in streets where traffic is permitted, or may hereafter be permitted to move in one direction only, in which case they shall stand with their right side as near as practicable to the right-hand side, or their left side as near as practicable to the left-hand side of said street and not more than twelve (12) inches from any curb; provided, however, that where a series of three (3) or more lines are painted in a diagonal direction extending from the curb toward the center of any street, on either one or both sides of said street, parking of vehicles on the side of said street so marked or painted shall be in the general direction of and between said lines and at the angle indicated by said lines; and the vehicle shall face the curb with the right-hand front wheel against the curb, and, in moving away from said parking place the vehicle shall be driven in the direction prescribed for traffic. (Ordinance 263 effective 1/5/1994, historical reference 3)

Sec. 17-17. Parking so as to obstruct traffic.

It shall be unlawful to park any vehicle on the streets of the town in a manner as to obstruct traffic. (Ordinance 3 effective 1/1/1941)

Sec. 17-18. Parking near fire hydrant.

It shall be unlawful to park any vehicle on any street within 15 feet of a fire plug. (Ordinance 3 effective 1/1/1941)

Sec. 17-19. Parking near intersection.

It shall be unlawful to park any vehicle on any street within 15 feet of an intersection, unless otherwise indicated by painted line or symbol. (Ordinance 3 effective 1/1/1941)

Sec. 17-20. Parking on sidewalk.

It shall be unlawful for any truck or vehicle to stand upon or be driven over, along, or upon any sidewalk in the town, except at regularly established driveways or entrances from street roadways or private property. (Ordinance 3 effective 1/1/1941)

Sec. 17-21. Stopping for purposes of washing, repairing, or altering.

The washing, repairing, or altering of any motor vehicle on any of the public streets, lanes, alleys, and sidewalks within the corporate limits of the town shall be unlawful, except in those cases where it may be necessary to make

emergency repairs in order to permit the moving of any such vehicle so as to clear the street, lane, alley and sidewalk of traffic. (Ordinance 10 effective 1/1/1941)

Sec. 17-22. Restrictions on truck parking on improved streets.

It shall be unlawful for any motor truck to be parked or stand on any of the improved streets of the town for a period exceeding two (2) hours. (Ordinance 3 effective 1/1/1941)

Sec. 17-23. No parking areas.

(A) It shall be unlawful for any vehicle to be parked on any street or part thereof in the town, which street or part thereof has been designated by the council, by resolution, as a "no parking" area and posted by signs setting forth that fact. (Ordinance 3 effective 1/1/1941)

(B) It shall be unlawful to park any vehicle at or along the curb of any street at any point where the curb is painted or between lines painted on the street indicating a walkway or driveway. (Ordinance 267 effective 1/28/1994, historical reference 3)

(C) It shall be unlawful to park any vehicle at or along any area located in the Town, whether publicly or privately owned, which has been designated by resolution of the Town Council as a "Fire Lane Area", and which has been posted by signs or designated by markings on the curb setting forth that fact. Notwithstanding the foregoing, it shall not be unlawful to park a vehicle at or along those portions of a Fire Lane Area posted by a "Parcel Pick-Up Only" sign so long as the vehicle is parked for parcel pick-up, or by a "Handicapped Parking" signs so long as the vehicle displays a lawfully issued registration plate for disabled persons or a lawfully issued parking permit for disabled person.

Before designating an area of property privately owned a Fire Lane Area, the Town shall sent to the last known address of the owner of the property, by certified mail, return receipt requested, a request that written consent be given to such a designation. In the event such written consent in not given within thirty (30) days after it has been requested, the Town Council may proceed to designate the area privately owned a Fire Lane Area after consideration of the following factors:

(i) whether or not designating the area of property privately owned as a Fire Lane Area is necessary to protect the safety of persons and property;

(ii) the recommendation of the Town's Fire Board; and

(iii) the recommendation of the Town's Police Board.

(Ordinance 182 effective 9/18/1990)

(D) It shall be unlawful for any vehicle to be parked on any street or part thereof in the Town, which street or part thereof has temporarily been designated for a period of time not to exceed thirty (30) days as a "no parking area" by the Town's Chief of Police or his agent and posted setting forth the fact. (Ordinance 266 effective 1/5/1994)

Sec. 17-24. Parking time limits.

(a) Between the hours of 7:00 A.M. and 7:00 P.M. the parking of all vehicles shall be limited in time on those streets as may be designated by the town council, by resolution, and posted by signs setting forth the limits. (Ordinance 460, effective 10/11/2005, historical reference 3, 85)

(b) No person shall park a vehicle for more than three hours in one or more free, time controlled parking spaces between the hours of 7:00 A.M. and 7:00 P.M. This regulation does not apply to metered spaces or spaces reserved for permitted parking. (Ordinance 460, effective 10/11/2005, historical reference 3)

Sec. 17-25. Nighttime parking limits.

Between the hours of 1:00 A.M. and 5:00 A.M. parking of all vehicles shall be limited to one hour on those streets in the town as may be designated by the council, by resolution, and posted by signs setting forth the limit. (Ordinance 3 effective 1/1/1941)

Sec. 17-26. 1 Parking Meter rates.

On-street and off-street parking meter rates for the Town of Easton shall be established from time to time by the Town Council by resolution. (Ordinance 109 effective 11/7/1982, historical reference 52, 67, 77, 108)

Sec. 17-26.2 Penalty for overtime parking.

The fine for overtime parking shall be at those rates as the town council shall from time to time determine by resolution. (Ordinance 77 effective 7/8/1977, historical reference 67, 92)

Sec. 17-27. Illegally parked vehicles to be removed.

The members of the town police force are empowered to remove, or cause to be removed, any vehicle which may be parked contrary to the provisions of this code, and to place the same in some garage within the limits of the Town of Easton and hold the same until the costs of moving such vehicle and the storage charges thereon, shall have been paid. (Ordinance 3 effective 1/1/1941)

Sec. 17-28. Notice to owner that vehicle has been impounded.

It shall be the duty of the chief of police to notify the owner, claimant, or other person in charge on an impounded vehicle as soon as possible of the nature and circumstances of the traffic violation for which or as a result of which the vehicle was impounded and the procedure for repossessing the same; provided, the vehicle has not already been released. In the event the person has not been contacted within 12 hours from the time of removal of any vehicle, then the chief of police shall notify the owner of record of that vehicle by certified mail; provided, that person can be ascertained, giving the same information as above stated. (1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

Sec. 17-29. Repossession of impounded vehicles.

The owner of any vehicle impounded under this code or other duly authorized person shall be permitted to repossess the vehicle up to the time of sale by paying the cost of moving the vehicle and the storage charges thereon. (1967 Code by Ordinance 519 aka E-34 effective 5/7/1967)

Sec. 17-29.1 Fines and penalties.

The fines for illegal or unauthorized parking in the Town of Easton shall be those amounts that the Town Council shall from time to time determine by resolution. (Ordinance 197 effective 5/27/1991, historical reference 52.)

DIVISION 2. MUNICIPAL PARKING LOT.

Sec. 17-30. Regulations.

(A) Parking in the lots shall be available to the public in accordance with the rules and regulations as may not or hereafter be promulgated by the council, or by the police department. However, the town shall not be responsible or liable for any loss, damage, or injury which may occur to any person or motor vehicle while on the lot.

- (B) Parking in any municipally owned or operated parking lot shall be limited to 24 hours at any one time.
- (C) Passenger vehicles and pickup trucks without overhanging loads are permitted, but no unlicensed motor vehicle and no trucks shall be parked in the lots.
- (D) Motor vehicles permitted to park in the lots shall park within the marked lines and against the barriers with care.
- (E) The speed limit in the municipally owned or operated parking lots shall be 10 miles per hour.
- (F) All vehicles shall exit from the lots by the center lane only.
- (G) All keys are to be removed from the locks of the vehicles while parked.
- (H) Being rowdy, the throwing of bottles, cans, papers, or other trash is forbidden.
- (I) All vehicles using the lots shall obey the traffic signs there placed and shall enter the lanes as directed. (Ordinance 39 effective 1/20/1953, historical reference 3, 31)
- (J) Parking permits shall be available for purchase from the town in those numbers, for these periods of time, and at such fees as the Council shall by motion provide. Said parking permits shall be permanently affixed and prominently displayed on the lower right corner of the rear window of the authorized vehicle and shall authorize said vehicle to be parked at any municipally owned or operated parking lot without payment of parking meter charges. Use of Parking Permits is not authorized for on-street metered parking. Any vehicle having an Easton Parking Permit incurring three or more unpaid parking tickets during any six-month period shall result in revocation of said permit with no refund of fees paid. (Ordinance 69 effective 6/10/1973)
- Upon the sale, transfer, or disposal of an authorized vehicle, the Parking Permit shall be surrendered to the Police Department or destroyed under their supervision. A nominal fee will be charged for the issuance of a replacement permit covering the unexpired term of the original. (Ordinance 69 effective 6/10/1973)
- (K) All motor vehicles parked in a lot owned by the town shall have the front end of the vehicle parked closest to the meter. (Ordinance 265 effective 1/5/1994)

Sec. 17-31. Enforcement.

The members of the police force of the town shall have the same authority over the traffic in said lots as on the public streets of the town. (Ordinance 39 effective 1/20/1953)

Sec. 17-32. Violation.

For the purposes of this division, every vehicle parked for more than twenty-four (24) hours shall be deemed to be in violation, and every twenty-four (24) hour period or fraction thereof shall be considered a separate violation. (Ordinance 39 effective 1/20/1953)

Sec. 17-33. Removal of illegally parked vehicles.

The members of the police force are empowered to remove or cause to be removed any motor vehicle which violates the provisions of this division and to place the same in some garage within the limits of the town and hold the same until the cost of moving the vehicle, the storage charges thereon, and the fine or penalty for violating this division shall have been paid. (Ordinance 39 effective 1/20/1953)

Sec. 17-33.1 Fines and penalties.

The fines for illegal or unauthorized parking in a municipal parking lot of the Town of Easton shall be those amounts that the Council of the Town of Easton shall from time to time determine by resolution. (Ordinance 198 effective 5/27/1991, historical reference 95)

DIVISION 3. TRAILERS.

Sec. 17-34. Definition.

1. Trailer means a vehicle that has no motive power and is designed to carry people or property and to be towed by a motor vehicle. The term trailer includes, but is not limited to: "boat trailers", "camping trailers", "pole trailers", "semi-trailers", and "travel trailers", as those terms are defined in the Maryland Vehicle Law (Title 11, Annotated Code of Maryland Transportation Article.)

2. Motor Home means a motor vehicle that is designed and constructed primarily to provide living quarters for recreational, camping or travel use.

3. Bus means a vehicle that is designed to carry more than ten passengers and is used to carry people, or any other motor vehicle that is designed and used to carry people for compensation except for a taxicab. (Ordinance 337 effective 4/4/1996, historical reference 43)

Sec. 17-35. Parking Restrictions.

It shall be unlawful for any trailer, motor home or bus to be parked or stand on any of the public streets of the Town for a period exceeding two (2) hours. (Ordinance 337 effective 4/4/1996, historical reference 43, 80)

Article V. Snow emergency regulations.

Sec. 17-36. Declaration and effect of snow emergency Phase I.

(A) Whenever the Chief of Police (or, in the absence of the Chief of Police from the town, the most Senior officer of the Police Department then on duty) and the Superintendent of the Department of Public Works of the town determine that conditions exist, or shall exist, for a declaration of a Snow Emergency Phase I, (which determination may be made as a result of the forecast of weather conditions) the Chief of Police, (or, as the case may be, the most Senior officer of the Police Department then on duty), and the Superintendent of the Public Works shall declare a Snow Emergency Phase I to be in existence.

(B) During a Snow Emergency Phase I, no motor vehicle shall be permitted to use the streets of the town unless it is equipped with chains or tires permitted by the state for use during snow emergencies. (Ordinance 128 effective 12/9/1985, historical reference 61, 111)

Sec. 17-37. Declaration and effect of snow emergency Phase II.

(A) Whenever the Mayor, or the most Senior member of the Council, if the Mayor is absent from the town, determines that conditions exist, or shall exist, for a declaration of a Snow Emergency Phase II, (which determination may be made as a result of the forecast of weather conditions) then the Mayor, (or, as the case may be, the most Senior member of the Council) shall by proclamation declare that a Snow Emergency Phase II exists, and the regulations prescribed in this Article shall govern the use of streets within the town during the duration of the emergency.

(B) During a Snow Emergency Phase II:

(1) No motor vehicle shall be permitted to use the streets of the town unless it is equipped with chains or tires permitted by the state for use during snow emergencies; and

(2) No parking shall be permitted on streets at any metered parking space or in any location designated by "No Parking During Snow Emergency" signs. If any motor vehicle is parked at such a location at the time a Snow Emergency Phase II is declared, its owner or operator shall remove the vehicle from its location as quickly as possible under the circumstances.

(Ordinance 128 effective 12/9/1985, historical reference 61, 111)

The Easton Police Department is authorized to have any vehicle parked in violation of this subsection towed from the street. The vehicle owner will be liable for any towing costs incurred. The Easton Police Department will notify the owner of the towed vehicle pursuant to Section 17-28. (Ordinance 382 effective 1/12/1999)

(3) The following snow emergency routes are designated for purposes of a Phase II Snow Emergency:

All of Washington Street: North Easton Parkway to Lee Terrace

Dover Street: Higgins Street to Municipal Lot beyond the District Court Building (West Side)

West Street: Bay Street to Glenwood Avenue

Federal Street: Washington Street to West Street

Harrison Street: Goldsborough Street to South Lane

Goldsborough Street: Washington Street to Aurora Street

Idlewild Avenue: Aurora Street to Washington Street

Glenwood Avenue: North Side of Street Only from Washington Street to the Easton Parkway

(Ordinance 382 effective 1/12/1999)

Sec. 17-38. Termination of snow emergency.

At the termination of a snow emergency (whether Phase I or Phase II), the Mayor, or the most Senior member of the Council, if the Mayor is absent, shall, by proclamation, declare that the snow emergency no longer exists, and that following the proclamation, the snow emergency regulations shall no longer be in effect until such time as the officials of the town again determine that a snow emergency exists according to the procedures set forth in Sections 17-36 and 17-37. (Ordinance 128 effective 12/9/1985, historical reference 61, 111)

Sec. 17-39. Restrictions on gasoline stations and parking lots.

No gasoline station or parking lot shall be permitted to deposit snow from its premises upon the streets or parking lots of the town. (Ordinance 128 effective 12/9/1985, historical reference 61, 111)

Sec. 17-40. RESERVED.

(Ordinance 128 effective 12/9/1985, historical reference 519 aka E-34, 111)

Article VI. Night-time truck regulations.

Sec. 17-41. Prohibitions in truck movement; permit required.

No motor truck larger than a three-quarter ton truck or one which is generally known as a "pick-up" or "panel" truck shall use the streets of Easton as a means of passage from one place to another between the hours of 8:00 P.M. and 6:00 A.M. on the following day unless a permit for such movement is obtained prior thereto. (Ordinance 66 effective 9/11/1972)

Sec. 17-42. Permits.

(A) A permit for truck movement during the hours herein prescribed may be obtained from the Easton Police Department by advising the Department of the location of the truck, the place to which it is desired to move the truck and by providing the Easton Police Department with such other information as the Chief of Police may deem necessary.

(B) Upon application for a permit as herein provided, the Police Department will advise the applicant of the route to be taken. In the event that the same route is to be taken upon regular occasions by the same truck then the Police Department shall issue the permit which shall be good for a period of one year.

(C) A separate permit shall be issued for each truck and shall be carried in the vehicle during the prohibited hours. (Ordinance 66 effective 9/11/1972, historical reference 207, 339)

Sec. 17-43. Exemptions to article.

The following streets and vehicles are hereby exempt from this Article.

(A) U.S. Route 50.

(B) The Easton Parkway.

(C) All emergency vehicles which are hereby defined to mean any vehicle owned by a public utility and being used at the time for emergency service or repairs, as well as any firefighting equipment, ambulances, police cars and auto tow trucks; and

(D) Any three-quarter ton truck including but not limited to "pick-up" and "panel" trucks. (Ordinance 66 effective 9/11/1972)

Sec. 17-44. Penalty.

The penalty for violation of this Article shall be a fine not exceeding \$25 (twenty-five dollars) for each offense. (Ordinance 66 effective 9/11/1972)

Article VII. Abandoned motor vehicles.

Sec. 17-45. Definitions.

For the purpose of this article, the terms used herein are defined as follows.

"Abandoned automobile." Any motor vehicle, including automobiles and trucks, located on private property, not within a completely enclosed structure or building which can be easily secured against potential health and safety hazards and whose engine or motor or any other essential part is inoperable or has been removed, or whose tires or any tire has been deflated or its wheel or wheels have been removed.

"Zoning Inspector. The Zoning Inspector of the Town of Easton. (Ordinance 94 effective 8/11/1980)

Sec. 17-46. Prohibition and removal.

(A) It shall be unlawful to store or deposit an abandoned automobile or part thereof on private property, vacant or occupied.

(B) If the Zoning Inspector determines that any abandoned automobile or part thereof presents a threat to the public health, safety, or welfare, the Zoning Inspector shall order by certified mail, return receipt requested, the owner of the property on which the abandoned automobile or part thereof within five days of the date of the order. If, after the expiration of the five-day period, the abandoned automobile or part thereof is not removed from the property, the Zoning Inspector may arrange for the removal of the material by employees of the town or by other persons. Any cost or expense incurred thereby shall be payable by the property owner and shall constitute a lien upon the real property upon which the abandoned automobile was located.
(Ordinance 94 effective 8/11/1980)

Article VIII. Night Time Commercial Refuse Collection.

Sec. 17-47. Purpose.

The purpose of this Article is to reduce the noise associated with the collection of refuse at properties within the Town during the hours that persons traditionally sleep, so that the residents of the Town will have available to them a period of relative quiet which they may obtain restful sleep. (Ordinance 383 effective 2/2/1999)

Sec. 17-48. Prohibited Conduct.

(A) A commercial reuse hauler, and an owner, officer employee or agent of a commercial refuse hauler, shall not, at any time between the hours of 10:00 o'clock p.m. and 6:00 o'clock a.m., local time, commit or cause to be committed upon any property within the Town, any of the following acts:

1. The deployment or delivery of a dumpster by a motor vehicle; or
2. The loading of a dumpster onto a motor vehicle: or
3. The unloading, emptying or collection or refuse from a dumpster

Each of the above-described prohibited acts, which is committed by the owner, officer, employee or agent of a commercial refuse hauler, and which is committed with the prior knowledge, consent or authorization of that commercial refuse hauler, shall be considered to have committed by that commercial refuse hauler.

(B) A person shall not, at any time between the hours of 10:00 o'clock p.m. and 6:00 o'clock a.m., local time, cause, authorize or permit to be committed upon any property which he/she owns, occupies or operates within the Town, any of the following acts:

1. The deployment or delivery of a dumpster by a motor vehicle; or
2. The loading of a dumpster onto a motor vehicle; or
3. The unloading, emptying or collection of refuse from a dumpster.

Each of the above-described prohibited acts which is committed by the owner, officer, employee or agent of a non-residential property owner, occupant or operator, and which is committed with the prior knowledge, consent or authorization of that non-residential property owner, occupant or operator, shall be considered to have committed by that non-residential property owner, occupant or operator.

(Ordinance 383 effective 2/2/1999)

Sec. 17-49. Penalties for Violations.

(A) A violation of any provision of this ordinance shall be a municipal infraction and shall be subject to the penalties set forth in Section 1-8(b) of the Town Code.

(B) Each instance in which a refuse container is deployed, delivered, loaded or emptied by a commercial refuse hauler, and each property at which a violation of this ordinance occurs, shall constitute a separate violation.

(C) The violation of each section or provision of this ordinance shall constitute a separate offense.

(D) For the purpose of this section, a subsequent violation of this ordinance shall mean:

1. A violation by the same person on a parcel of real property owned, occupied or operated by a different person on the same date as a previous violation, and for which subsequent violation the same person is charged as was charged with the previous violation; or
2. A violation by the same person on the same parcel of real property on a date subsequent to a previous violation, and for which subsequent violation the same person is charged as was charged with the previous violation; or
3. A violation by the same person on a parcel of real property owned, occupied or operated by a different person on a date subsequent to a previous violation, and for which subsequent to a previous violation, and for which subsequent violation the same person is charged as was charged with the previous violation.

(E) Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violations of this ordinance, including seeking an abatement order from the District Court or any other court having jurisdiction, pursuant to Maryland Annotated Code Article 23A §3 or any successor statute. The Town may also enforce this ordinance by civil action for declaratory judgment and/or injunction, in addition or, as an alternative to, citing the violator for a municipal infraction. In the case of a civil action for declaratory judgment and/or injunction, the Town may recover its legal fees and court costs from the violator.

(Ordinance 383 effective 2/2/1999)

Sec. 17-50. Definitions.

Except for those words and terms defined herein, all other words and terms shall have their normal and ordinary meaning within the context of this ordinance. For the purpose of this ordinance, the following words and terms shall be defined and interpreted as follows:

(A) The term "commercial refuse hauler" shall mean any person who is in the business of collecting refuse from the land of another for a fee by means of a dumpster which is loaded onto a truck, or by means of a dumpster which is emptied into a truck, but shall not include employees of the Town of Easton.

(B) The term "dumpster" shall mean any container used, or intended for use, in the collection of refuse.

(C) The term "non-residential property" shall mean real property which is used or occupied, in whole or in part, other than as a single family residence.

(D) The term "person" shall include a natural person, as well as a firm, association, organization, partnership, company, or corporation.

(E) The term "refuse" shall include debris, garbage, junk, rubbish, trash or waste of any type.

(F) The word "shall" is mandatory; the word "may" is permissive.

(G) The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular.

(Ordinance 383 effective 2/2/1999)

Sec. 17-51. Separability Clause.

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid. (Ordinance 383 effective 2/2/1999)

Article IX. Residential Parking Districts.

Section 17-52. Statement of Purpose.

The Town Council finds that the health, safety and welfare of certain residents of the Town are adversely affected by burdens placed upon them by the use of streets within residential areas of the Town for the parking of motor vehicles by persons using nearby governmental, educational or other public or quasi-public facilities and that the use of said streets for such purposes has resulted in congested traffic conditions, the overburdening of existing streets, and the inability of residents of certain areas to obtain adequate parking adjacent to or reasonably close to their places of residence, and to secure ease of access to their places of residence. To alleviate these conditions, the Town has established residential parking districts in certain areas of the Town; the purpose of this Subarticle is to provide regulations for on-street parking within such districts. (Ordinance 486 effective 6/8/2005)

17-53 Establishment of Residential Parking Districts.

There is established within the Town limits of the Town of Easton Residential Parking District No. 1, Residential Parking District No. 2 and Residential Parking District Number 3, the boundaries of which are more specifically set forth in this in Section 17-53. In addition to (Ordinance 486 effective 6/8/2005, historical reference 126)

Section 17-54. Boundaries and times of application.

The boundaries and times of application of each parking district are:

Residential Parking District No. 1:

Adkins Avenue, East side;

Wye Avenue, both sides;

Earle Avenue, both sides, from Wye Avenue to South Washington Street;

Biery Street, both sides, from Wye Avenue to West Street;

South Harrison Street, both sides, from Earle Avenue to South Street;

South Washington Street, both sides, from Brookletts Avenue to Vine Street excluding the west side south of Biery Street;

Brookletts Avenue, both sides, from South Washington Street to South Hanson Street;

Brookwood Avenue, both sides, from Wye Avenue to the intersection of the North property line of 233 Brookwood Avenue with Brookwood Avenue.

Parking District No. 2:

Mecklenburg Avenue, both sides, from Bridge Street to Talbot House Access Roadway;

Note: The west side of Mecklenburg Avenue is reserved for residential permit parking. The east side of Mecklenburg Avenue (abutting the campus of Easton High School is a "School Parking Area" and is reserved for Easton High School permit parking.

Elwood Avenue, both sides, from Bridge Street to Elm Avenue;

Bridge Street, both sides, from Elwood Avenue to Mecklenburg Avenue;

East Oak Avenue, both sides, from Elwood Avenue to Mecklenburg Avenue;

Decatur Place, both sides;

Bainbridge Place, both sides.

Parking District No. 3:

1. Choptank Avenue from its intersection with High Street to its southerly terminus.

Note: The west side of Choptank Avenue and the cul-de-sac are reserved for residential permit parking; the east side of Choptank Avenue (abutting the campus of the Saints Peter and Paul Schools) is a "School Parking Area" and its reserved for Saints Peter and Paul School permit parking.

2. East Needwood Avenue from its intersection with Choptank Avenue to its intersection with Ted Avon Avenue.

3. Prospect Avenue from its intersection with High Street to its southerly terminus.

The provisions of this Ordinance shall apply to Residential Parking District No. 1 from 8:00 a.m. to 6:00 p.m. Monday through Saturday. The provisions of this Ordinance shall apply to Residential Parking Districts No. 2 and No. 3 from 8:00 a.m. to 6:00 p.m. Monday through Friday. (Ordinance 486 effective 6/8/2005, historical reference 126)

17-54 Residential Parking District Parking with Permit; Two Hour Limitation on Parking Without Permit.

No motor vehicle, other than one displaying a valid Residential Parking Permit for that District or a valid Residential Visitor Parking Permit for that District shall park on any street within that District for more than two (2) hours within the time periods set forth in Section 17-53. A person parking a vehicle on a Residential Parking District's streets without either permit shall be limited to two hours of parking per day in the District during the effective hours of the provisions of this Subarticle. (Ordinance 486 effective 6/8/2005, historical reference 126)

17-55 Qualifications for Permits.

Any resident of a Residential Parking District, who is the owner of a motor vehicle, may apply for a Residential Parking Permit for the District in which the person resides for each motor vehicle owned by said person. For the purposes of this Section, the term "resident" means any person over the age of 16, who resides in a structure approved for residential occupancy except dormitories. Any permit shall expire and be void when the permit holder no longer resides within the District and the permit holder shall remove the permit sticker from any vehicle registered to park upon its expiration or upon the resident's moving outside of the District. Permits may be transferred from one vehicle to another during a permit year solely in accordance with regulations governing such transfers as provided for herein. Residential permits shall be issued without cost to eligible residents. (Ordinance 486 effective 6/8/2005, historical reference 126)

17-56 Residential Visitor Parking Permit.

Each household located within a Residential Parking District shall receive, upon request, not more than two (2) Residential Visitor Parking Permits, the use of which shall be restricted to bona fide visitors or guests to said household. Upon payment of a fee in the amount of One Dollar (\$1.00), a household may apply for, and receive, additional Residential Visitor Parking Permits upon establishing to the Chief of Police, or the Chief's designate, the necessity for such additional permits. (Ordinance 486 effective 6/8/2005, historical reference 126)

17-57 School Parking Permits for Districts Two and Three.

The Chief of Police may issue School Parking Permits to the principals of Easton High School (for District Two) and Saints Peter and Paul Schools (for District Three) for the areas designated for within each District for the respective use of each school. The number of permits to be issued for the use of each school shall be determined by the Chief. The principals of the schools shall issue the School Parking Permits to students or staff of each school. The Chief of Police may issue regulations for the design, issuance and use of such permits. No person without a properly issued permit shall park in any space designated for School Parking Permits during the times that this Subarticle is in effect. All expenses related to the issuance of School Parking Permits shall be borne by the school for whose use the permits are issued. (Ordinance 486 effective 6/8/2005)

17-58 Application for Permit; Issuance of Permit.

An application for a Residential Parking District Permit shall be made by a resident of a Residential Parking District to the Chief of Police on a form provided by the Easton Police Department. The application for a permit shall contain information to verify that the applicant is a bona fide resident of the District for which the application has been made and has legal title or the right to possession of the motor vehicle to be registered, including, but not limited to, the following information: (1) The name and address of the owner of the motor vehicle; (2) the applicant's name and address; (3) the make, model, color, State of registration and license number of the motor vehicle, and (4) the motor vehicle registration, operator's permit and other relevant documents. The Chief of Police shall issue a parking permit upon finding that the applicant meets the requirements set forth herein. If issuance of the permit is otherwise barred by law, the permit shall not be issued. (Ordinance 486 effective 6/8/2005, historical reference 126)

17-59 Regulations.

The Chief of the Easton Police Department is hereby authorized to prepare written regulations and procedures with regard to the procedures for application for Residential Parking Permits and Residential Visitor Parking Permits, display of permits, and other matters necessary and incidental to the carrying out of the purposes of this Subarticle. (Ordinance 486 effective 6/8/2005, historical reference 126)

17-60 Display of Permit; Transfer of Permit.

- (a) Display of Permit: The Residential Parking Permit shall be affixed to the vehicle as set forth in regulations to be prepared by the Chief of Police. The design and content of the Permit shall be prescribed by the regulations.
 - (b) Transfer or Replacement of Permit: When a vehicle to which a permit is affixed is sold, transferred or in any other manner rendered unusable to the permit holder, the permit holder shall remove the permit from the vehicle and may request the issuance of a replacement permit. The application for a permit shall be in accordance with the provisions for an application for any original or renewal permit, with the exception that no charge shall be made for a replacement permit.
- (Ordinance 486 effective 6/8/2005, historical reference 126)

17-61 Violations; Penalties:

- (a) The parking of any vehicle within the boundaries of a Residential Parking District in a manner contrary to the provisions of this Ordinance shall be considered as "Exceeding the Posted Time Limit", except parking in designated School Parking areas shall be considered "Improper Parking", and the fine for such offenses shall be that as is established from time to time by the Easton Town Council.
- (b) The use of any permit in a manner contrary to the provisions of this Ordinance is prohibited and the same is hereby declared to be unlawful. Any person violating the same shall, on conviction thereof by a court of

competent jurisdiction, be guilty of a municipal infraction and shall subject to a fine or fines in the amounts specified in Article XII Section 6 of the Town Code. Each day the violation continues shall constitute a separate violation.

(Ordinance 486 effective 6/8/2005, historical reference 126)

17-62 Other Parking Regulations Unaffected.

Nothing in this Subarticle limits the authority of the Town to designated streets or alleys, or portions thereof, as “No Parking” zones. All other provisions of the Town Code pertaining to parking shall be applicable within the Residential Parking Districts unless there is a specific contrary provision in this Subarticle. (Ordinance 486 effective 6/8/2005)

17-63 Severability.

The provisions of this Subarticle are severable and if any provision hereof is held to be illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions of this Ordinance in their application to other persons or circumstances. (Ordinance 486 effective 6/8/2005, historical reference 126)

