

TITLE 10

VEHICLES AND TRAFFIC

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I. UNREGISTERED MOTOR VEHICLES

10-1 Placement upon property--Penalty for violation.

- A. Unregistered motor vehicles which are unfit for use and permanently disabled, or have been dismantled or are otherwise inoperative, shall not be stored, parked or placed upon land in the city unless the same shall be within a building or in an area unexposed to the view of the public and abutters or in an area properly approved for the keeping of the same by licensed junk dealers and automobile dealers. The board of health will investigate complaints and advise violators. Failure to rectify the situation should be reported to the police for further action.

- B. For violation of this Section, a notice shall be delivered by the Board of Health to the landowner of record, according to the records on file with the Board of Assessors, ordering that the property shall be brought in compliance with this Section within fourteen (14) days after delivery of said notice. The Board of Health may serve the notice by delivering in hand to the landowner or by leaving the notice at the property in a conspicuous location. If at the expiration of the said fourteen (14) day period, the condition is not remedied, a penalty shall be imposed upon the landowner in the amount of fifty dollars (\$50.00) per vehicle per day for violation of this Section. (Prior Ch. 30 sec.2(A); amended 5/8/98).

II. IMPOUNDMENT OF VEHICLES

10-2 Removal.

Any vehicle on the public way violating the all night parking ordinances of the city or interfering with the work of removing or plowing snow, or removing ice therefrom, may be removed by or under the direction of either the chief of police or the superintendent of public works to a public garage or any convenient place. If time allows, an attempt should be made to contact the owner of said vehicle and warn him of the action. If the removal is under the direction of the superintendent of public works he shall, within a reasonable time, notify the chief of police of the removal of any such vehicle and of the place to which it has been removed and the chief of police in all cases shall give notice to the registered owner of the vehicle. The owner, before being permitted to remove the vehicle, shall establish his right to do so and pay to the city or to the keeper of the place of storage, the cost of removal not exceeding thirty (\$30) dollars and any storage charges resulting therefrom, not exceeding three (\$3.00) per day. (Prior Ch. 30 sec. 2(B)); new Ord. dated 03/12/87).

III. OVERLOADING OF VEHICLES

10-3 Escape of vehicle contents unlawful.

- A. No vehicle shall be driven or moved on any street or highway nor shall any owner of any vehicle knowingly permit such vehicle to be driven or moved on any street or highway unless such vehicle is so constructed or so loaded as to prevent its contents from spilling, dropping, sifting, leaking or other wise escaping therefrom. Vehicles loaded with any material which may be blown about by the wind shall be suitably covered with canvas or some other suitable covering to prevent the contents from being blown upon the streets.
- B. A penalty shall be provided as set forth in Ch. 40, Massachusetts General Laws. (Prior Ch. 30 sec. 2(C)).

IV. PARKING IN FIRE LANES

10-4 Prohibited--Penalty.

- A. It is unlawful to leave any vehicle unattended within the limits of private ways furnishing means of access for fire apparatus to any building.
- B. It is unlawful to leave any vehicle unattended within the limits of private ways furnishing means of access for fire apparatus to any building or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities or for any other place where the public has a right of access as invitees or licensees.
- C. The penalty for violation of any ordinance or bylaw made hereunder shall be as follows: fifteen dollars. In addition the vehicle may be removed according to the provisions of Sections 120D of Chapter 266, Massachusetts General Laws. (Ord of 2/5/85).

10-5 Prohibited Truck Deliveries to Woburn Nursing Center on Frances Street before 8:00 A.M.

There shall be no truck deliveries to the Woburn Nursing Center on Frances Street before 8:00 A.M., with a sign being posted at the entrance of the street indicating such restriction as imposed on the Special Permit granted August 14, 1989 by the Woburn City Council.

Said Ordinance to be enforced by the Woburn Police Department, and the expense of purchase, installation and maintenance of the sign shall be borne by the Woburn Nursing Center. (Added 6/19/92)

V. MOTORIZED SCOOTERS

10-6 Definitions

MOTORIZED SCOOTER – Any two wheeled device that has handlebars, designed to be stood or sat upon by the operator, powered by electric or “gasoline powered” motor that is capable of propelling the device with or without human propulsion, and which is not a “motor vehicle” or “motorized bicycle” as defined in Chapter 90 of the Massachusetts General Laws, except that a “Segway” personal mobility assistance device that is intended for use and operated by a person with a disability shall be exempt from the provisions of this regulation.

10-7 Regulations

- A. A person may not operate a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn unless he or she has a valid driver's license.
- B. A person may not operate a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn at a speed in excess of twenty-five miles per hour.
- C. A person may not operate a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn in a careless, reckless, or negligent manner so as to endanger the life or safety of any person or the property of any other person.
- D. A person may not operate a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn while under the influence of alcohol as set forth in Massachusetts General Laws Chapter 90, Section 24.
- E. A person may not operate a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn in violation of any federal, state, or local traffic and parking laws, ordinances, rules, or regulations.
- F. Every person operating a motorized scooter shall operate such motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn in designated bicycle lanes, where such lanes are provided within ten (10) yards of the location at which such motorized scooter is operated.
- G. Every person operating a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn shall wear protective headgear conforming with standards governing bicycles.
- H. A person operating a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn may not permit any person to ride as a passenger on such scooter.
- I. A person may not operate a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the

City of Woburn unless such motorized scooter is equipped with a braking system to enable the operator to bring the scooter traveling at a speed of fifteen miles per hour to a smooth safe stop within thirty feet on a dry, clean, hard level surface.

- J. A person may not operate a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn during the hours of darkness (one half hour before sunrise or one half hour after sunset), unless the motorized scooter is equipped with white lighting at the front visible from a distance of at least 300 feet, and a red reflector or light mounted on the rear, or attached to the rider, visible from a distance of at least 500 feet.
- K. A person may not operate a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn unless the handlebars are below shoulder height of the operator.
- L. A person operating a motorized scooter upon any way, street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn may not pass or overtake another motorized scooter traveling in the same direction.
- M. A person may not operate a motorized scooter in the following locations under the control of the City of Woburn:
 - 1. Any sidewalk, except as may be necessary to enter or leave adjacent property.
 - 2. On any way, street, highway, boulevard, avenue, court, lane alley, square, and place under the control of the City of Woburn prohibiting bicycles.
 - 3. Any street, highway, boulevard, avenue, court, lane, alley, square, and place under the control of the City of Woburn with a posted speed limit greater than 35 m.p.h.
- N. A person who is charged with violating this regulation shall give his or her name and address to the enforcing authority.
- O. A person who violates this section or knowingly permits another to violate this section shall be punished by a fine in the manner provided by Massachusetts General Laws Chapter 40, Section 21D and Title 1, Article V, Section 1-18 of the 1989 Woburn Municipal Code, as amended. The police department is the enforcing authority for violations of this section. Each day a violation occurs shall be a separate violation subject to another fine. The fine shall be \$25.00 for the first violation and \$50.00 for each subsequent violation.

P. This section shall not be constructed to impair any common law or statutory cause of action or other legal remedy available to the City.

(Added 11/30/2004)