

## **SECTION XIII TRAFFIC REGULATIONS**

At a meeting of the Board of Selectmen held in Rochester on March 11, 1963, the following vote was duly passed.

The Board of Selectmen of the Town of Rochester acting by virtue of the power given to it by Chapter 40 section 22 of the General Laws (Ter. Ed) and by virtue of any other power it hereto enabling, hereby adopts and makes the following rules and orders for the regulation of traffic upon the streets and highways of said Town, the same to be know as *Traffic Rules and Orders of the Town of Rochester* insofar as the said Rules and Orders or any of them are the same as any valid regulations, rules and orders now in force, they shall be deemed to be a continuation thereof.

*(Amended: Article XIII, April 14, 1975 Annual Town Meeting – Accepted the provisions of M.G.L. Chapter 90, S. 20C & 20D)*

### **ARTICLE 1 DEFINITIONS**

For the purpose of these Rules and Orders, the words and phrases used herein shall have the following meaning except in those instances where the context clearly indicates a different meaning.

#### **A. Street or Highway**

The entire width between property lines of every way open to the use of the public for the purpose of travel

#### **B. Roadway**

That portion if a street or highway between the regularly established curb lines or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic

#### **C. Lane**

A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles

#### **D. Vehicle**

Every device in, upon, or by which any person or property is or may be transported or drawn upon any street or highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

#### **E. Parking**

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

**F. Official Traffic Signs**

All signs, markings and devices, other than signals, not inconsistent with these rules and orders, and which conform to the standards prescribed by the department of public works of the Commonwealth of Massachusetts and placed or erected by authority of a public body or official having jurisdiction for the purpose of guiding, directing, warning or regulating traffic.

**G. Officer**

For the purpose of these rules and orders name officer shall be construed to mean any officer, or constable or special officer, provided he has his badge of office displayed over his left breast and upon his outer garment.

**H. Emergency Vehicles**

Vehicles of the fire department, police vehicles, ambulances and emergency vehicles of federal, state and municipal departments or public service corporations when the latter are responding to an emergency in relation to the police or fire departments.

**I. Official Street Marking**

Any paint line, legend, marking or marker of any description painted or placed upon any way which purports to direct or regulate traffic and which has been authorized by the Board of Selectmen and which has the written approval of the department of public works, Commonwealth of Massachusetts.

**ARTICLE II  
AUTHORITY AND DUTIES OF POLICE**

**Section 1. Police to Direct Traffic**

It shall be the duty of the police officers to enforce the provisions of these rules and orders. Police officers are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of these rules and orders, provided that in the event of a fire or other emergency to expedite traffic or safeguard pedestrians, officers of the police or fire department may direct traffic, as conditions may require, notwithstanding the provisions of these rules and orders.

**Section 2. Police May Close Street Temporarily**

The police may prohibit, temporarily, parking on any street or highway or part thereof in an impending or existing emergency or for a lawful assemblage, demonstration or procession provided there is reasonable justification for such prohibition. Vehicles parked in places where parking is prohibited temporarily may be moved by order of the direction of any officers.

### **Section 2A. Police May Close Street Temporarily**

The police may close temporarily any street or highway in an impending or existing emergency or for any lawful assemblage, demonstration or procession provided there is reasonable justification for the closing of each street.

### **Section 3. Police May Prohibit Parking Temporarily**

The police may prohibit, temporarily, parking on any street or highway or part thereof in an impending or existing emergency or for a lawful assemblage, demonstration or procession provided there is reasonable justification for such prohibition. Vehicles parked in places where parking is prohibited temporarily may be moved by or under the direction of an officer.

### **Section 4. Exemptions**

The provisions of these Rules and Orders shall not apply to operators actually engaged in work upon a street or highway closed to travel or under construction or repair, to officers when engaged in the performance of public duties nor to drivers of emergency vehicles while operating in an emergency and in performance of public duties when the nature of the work of any of these necessitates a departure from any part of these Rules and Orders. These exemptions shall not, however, protect the driver of any vehicle from the consequences of a reckless disregard of the safety or others.

## **ARTICLE III**

### **TRAFFIC SIGNS, SIGNALS, MARKING AND ZONES**

#### **Section I. Interference with Signs, Signals and Markings Prohibited**

It shall be unlawful for any person to willfully deface, injure, move, obstruct or interfere with any official traffic sign, signal or marking.

#### **Section II.**

No driver of any vehicle shall disobey the instructions of any official traffic control signal, sign, marking, marker or legend, unless otherwise directed by a police officer.

## **ARTICLE IV**

### **PARKING**

#### **Section I. General Prohibitions**

No person shall park a vehicle in any of the following places:

- a. within an intersection
- b. upon any sidewalk
- c. upon any crosswalk
- d. upon the roadway in a rural or sparsely settled district

- e. upon a roadway where parking is permitted unless both wheels on the right side of the vehicles are within twelve (12) inches of the burg or edge of the roadway. This shall not apply to streets or parts of streets where angle parking is required by these regulations.
- f. upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic
- g. Upon any street or highway within five (5) feet of a fire hydrant
- h. In front of any private road or driveway
- i. Upon any street or highway within twenty (20) feet an intersecting way, except alleys

**Section 2. Prohibited on Certain Streets and Roads**

Upon the following or highways or part thereof parking is generally prohibited:

Mary’s Pond Road Both sides of Mary’s Pond Road from the junction of Pierce Street and Mary’s Pond Road to a point one quarter of a mile southwest of Perry’s Lane.

Part 2 of this section shall be effective only during such times that official traffic signs are displayed setting forth the provisions of this section.

**Article V**

**OPERATION OF VEHICLES**

**Section 1. Obedience to Isolated Stop Signs**

Every driver of a vehicle, or other conveyance, approaching an intersection of ways where there exists facing him an official sign, bearing the words “STOP” and authorized by this section, said sign having apart from this regulation, the written approval of the department of public works, Commonwealth of Massachusetts, and such approval being in effect, shall before proceeding through the intersection, bring such vehicles, or other conveyance to a complete stop at such point as may be clearly marked by a sign or line, or if a point is not so marked, then at a place between the said “STOP” sign and the nearer line of the street intersection. In the case of a line of two or more vehicles approaching such “STOP” sign, the drivers of the second and third vehicles in line in any group shall not be required to stop more than once before proceeding through the intersection. This section shall not apply when the traffic is otherwise directed by an officer or by a lawful traffic regulating sign, signal or device.

**ARTICLE VI**

**RESPONSIBILILTY, PENALTIES AND REPEALS**

**Section 1. Owner Prima Facie Responsible for Violations**

If any vehicle is found upon any street or highway in violation of any provisions of these rules and orders and the identity of the driver cannot be determined, the

owner or the person in whose name such vehicles in registered, shall be held Prima Facie responsible for such violation.

## **Section 2. Penalties**

Any person convicted of a violation of any rule, regulation or order made hereunder, except as otherwise provided, shall be punished by a fine not exceeding twenty dollars for each offense.

## **Section 3. Repeal**

These rules are adopted with the intent that each of them shall have force and effect separately and independently of every other except insofar as by express reference or necessary implication any rule or any part of a rule is made dependent upon another rule or part thereof.

The provisions of these rules so far as they are the same in effect as those of any valid existing rules, orders or regulations heretofore made by the Selectmen of Rochester relative to or in connection with official signs, lights, markings, signal systems or devices shall be construed as a continuation thereof, but all other existing rules, orders and regulations so made for the regulation of vehicles are hereby expressly repealed. This repeal, however, shall not affect any punishment or penalty imposed or complaint or offense committed under any of the valid rules, orders or regulations hereby repealed.