

## **TRAFFIC RULES AND ORDERS**

At a meeting of the Board of Selectmen held in Wellfleet on July 8, 1966, the following vote was duly passed:

The Board of Selectmen of the Town of Wellfleet, 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 known as Traffic Rules and Orders of the Town of Wellfleet 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.

### **ARTICLE I**

#### **DEFINITIONS**

For the purpose of these rules and orders, the words and phrases used herein shall have the following meanings 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 opens to the use of the public for the purpose of travel.
- (b) Roadway That portion of 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, including bicycles when the provisions of these rules are applicable to them, except other 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 an officer shall be construed to mean nay officer, any 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 Department 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 painted 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.
- (j) Person The word “person” shall mean and include any individual, firm, co-partnership, association or corporation.

## **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 Departments may direct traffic as conditions may require, notwithstanding the provisions of these rules and orders.

#### Section 2. Police May Close Streets Temporarily

The Police may close temporarily any street or highway in an impeding or existing emergency or for any lawful assemblage, demonstration or procession provided there is reasonable justification for the closing of such 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 of others.

### **ARTICLE III**

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

##### **Section 1. 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 2.**

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

### **ARTICLE IV**

#### **PARKING**

##### **Section 1. General Prohibitions**

No person shall stand or park and no person shall allow, permit or suffer any vehicle registered in his name to stand or park in any of the following places:

- (a) within an intersection.
- (b) upon any sidewalk.
- (c) upon any crosswalk.
- (d) upon a roadway where parking is permitted unless both wheels on the right side of the vehicle are within twelve (12) inches of the curb or edge of the roadway.
- (e) 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.
- (f) in front of any private road or driveway.
- (g) upon any street or highway within twenty (20) feet of an intersecting way, except alleys.

##### **Section 2. Prohibited on Certain Streets**

Upon the following streets or highways or parts thereof parking is hereby prohibited.

MAIN STREET Both sides from Route 6 to Commercial Street, thence to Holbrook Avenue on the north side, thence both sides to Route 6, this being one continuous road through the business section of the Town of Wellfleet.

HOLBROOK AVENUE Both sides from Railroad Avenue to Commercial Street and from the Town Marina to Mayo's Beach Extension.

EAST COMMERCIAL STREET North side from Main Street to Commercial Street.

COMMERCIAL STREET Both sides from Main Street to Holbrook Avenue.

GROSS HILL ROAD Both sides westerly from a Town Parking Area for a distance of 2,000 feet to Ocean View Drive.

CAHOON HOLLOW ROAD Both sides westerly from a Town Parking Area for a distance of 500 feet to Ocean View Drive and on the westerly side for a distance of 500 feet both north and south of a Town Parking Area at Great Pond.

LECOUNT HOLLOW ROAD North side 600 feet westerly from beach end of road to Ocean View Drive.

DUCK HARBOR ROAD Both sides 1,000 feet westerly from a Town Parking Area.

GULL POND LANDING Northerly side from Gull Pond Landing to Schoolhouse Hill Road.

LONG POND ROAD Both sides 500 feet easterly and westerly from Town Parking Area.

KENDRICK AVENUE Both sides westerly from the Marina for a distance of 1,000 feet.

CHEQUESSETT NECK ROAD Northerly side from Mayo's Beach Extension to Duck Harbor Road.

OCEAN VIEW DRIVE Easterly side from LeCount Hollow Road to Gross Hill Road.

SCHOOL STREET Southerly side from Gross Hill Road to Main Street.

WEST MAIN STREET Both sides from Main Street to Cross Street.

WILSON AVENUE Both sides from LeCount Hollow Road to Ocean View Drive.

OCEAN VIEW DRIVE Westerly side from LeCount Hollow Road to Gross Hill Road a distance of approximately 15,800 ft.

CAHOON HOLLOW ROAD Both sides westerly from Ocean View Drive for a distance of 500 feet.

CROSS STREET Both sides between Chequessett Neck Road and West Main Street.

CHEQUESSETT NECK ROAD/HERRING RIVER DIKE Easterly side of the Herring River Dike approximately 1,000 feet.

HOLBROOK AVENUE West side from the intersection of Main Street, southerly to Chequessett Neck Road.

HOLBROOK AVENUE East side from the intersection of Main Street southerly for a distance of approximately 130 feet.

SCHOOL HOUSE ROAD EXTENSION AND STEELE ROAD Both sides northerly and easterly from Schoolhouse Road approximately 1900 feet.

UNNAMED TOWN WAY AND WEST ROAD Both sides for approximately 300 feet.

COVE ROAD As shown on a plan entitled "Plan of a Town Way in Wellfleet, MA, as laid out by the Selectmen and accepted at a Town Meeting held 2/13/50." Said plan of a Town Way in Wellfleet, MA, to be found at Book & Page 91/87-91 in the Barnstable County Record of Recorded Deeds and to prohibit said parking on both sides of the road, between station 66 + 75.20 and station 70 and 86.65 as shown on said plan, and including that portion of Samoset Road running S. 24 – 38' – 20" E. a distance of 75.46' from station 68 + 90.98 as shown on said plan.

NAUSET ROAD (amended 2/24/03)

PINE POINT WAY (amended 2/22/11)

### Section 3. Time Limited in Designated Areas

No person shall park a vehicle for a period of time longer than hereafter specified between the hours of 7 a.m. and 6 p.m., Monday through Saturday. Parking regulations will be enforced from June 15 through Labor Day.

No person shall park a vehicle on Main Street, on-street curb parking on South side between Bank Street and Holbrook Avenue, between the hours of 2:00 AM and 5:00 AM.

No person shall park a vehicle on Main Street, on-street curb parking on South side between Bank Street and Holbrook Avenue, for a period of time longer than four (4) hours between Labor Day and June 15<sup>th</sup>.

MAIN STREET On-street curb parking on South side only from Commercial Street to Holbrook Avenue (one-hour parking).

OUR LADY OF LOURDES PARKING LOT Two-hour parking.

TOWN HALL PARKING LOT All spaces along the back of the lot are four-hour parking. All other spaces are for two-hour parking.

### Section 4. Tow-away Zone Regulations

#### Section 4.1 In General

In accordance with the provisions of Chapter 40, Section 22D of the General Laws, the Board of Selectmen of the Town of Wellfleet hereby enacts the following regulations authorizing the removal to a convenient place of vehicles parked or standing in such manner, or in such areas as are hereinafter described on any way under the control of the

Town of Wellfleet. Vehicles specifically exempt by Chapter 40, Section 22D shall not, however, be subject to such removal.

#### Section 4.2 Authorization of Police

The moving or towing of any vehicle under the provisions of this Article shall be by and at the direction of the Chief of Police or such officer of the rank of Sergeant or higher as he may from time to time designate.

#### Section 4.3 Fees

The owner of any vehicle moved or towed to a convenient place, under the provisions of this article, shall be subject to the following fees:

- (a) Removal or towing fee not to exceed that which is provided in or as authorized by Statute Law.
- (b) Storage Fees:  
Not to exceed that which is provided in or as authorized by Statute Law.

#### Section 4.4 Liability for Damage During Removal or Storage

The towing company shall be liable to the owner for any damage arising out of negligence caused to a vehicle in the course of removal and storage.

#### Section 4.5 General Prohibition Towing Zones

No person shall stand or park or allow, permit or suffer any vehicle registered in his name to stand or park in any of the following places. Vehicles found in violation of the provisions of this Section except those specifically exempt by law, shall be removed to a convenient place under the direction of an officer of the Police Department and the owner of the vehicle so removed or towed away shall be liable to the cost of such removal and storage, if any, as set forth in Section 3 of this Article. The owner of any vehicle removed or towed away under the provisions of this Section shall also be subject to the penalties of fines or parking violations in the Town of Wellfleet in effect at the time of violation.

- (a) Upon any way in such a manner as to impede the removal or plowing of snow or ice except vehicles parked in accordance with approved regulations governing All Night Parking.
- (b) Upon any sidewalk.
- (c) Upon any crosswalk
- (d) Upon any way within twenty (20) feet of an intersecting way except alleys.
- (e) Upon a way within ten (10) feet of a fire hydrant.
- (f) On a roadway side of any vehicle stopped or parked at the edge or curb of the way.
- (g) In front of a public or private driveway.
- (h) Upon any way where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.

#### Section 4.6 Parking Prohibitions, Towing Zone

No person shall stand or park or allow, permit or suffer any vehicle registered in his name to stand or park on any of the ways or parts of ways hereinafter described and during the periods of time set forth. Vehicles found in violation of the provisions of this section

except those specifically exempted by law shall be removed to a convenient place under the direction of an Officer of the Police Dept., and the owner of the vehicle so removed, or towed away shall be liable to the cost of such removal and storage, if any, as set forth in Section 3 of this Article. The owner of any vehicle removed or towed away under the provisions of this section shall be subject to the penalties of fines for parking violations in the Town of Wellfleet in effect at the time of the violation.

BRIAR LANE – Both sides northerly from West Main Street approximately 870 feet to Mill Hill Road.

WEST MAIN STREET – Both sides westerly from Briar Lane approximately 770 feet to Howland Lane.

OCEAN VIEW DRIVE – Both sides from LeCount Hollow to Town Parking Area for a distance of approximately 17,800 feet.

CAHOON HOLLOW ROAD – Both sides westerly from Town Parking Area for a distance of approximately 500 feet to Ocean View Drive.

CAHOON HOLLOW ROAD – Both sides westerly from Ocean View Drive for a distance of approximately 8,000 feet to Old County Road.

CHEQUESSETT NECK ROAD – Northerly side from Duck Harbor Road to “The Gut” and southerly side from the terminus of the road easterly to the trail access point.  
(amended March 23, 2004)

LONG POND ROAD – Both sides 500 feet easterly and westerly from Town Parking Area.

LONG POND ROAD – Both sides westerly from Ocean View Drive approximately 1000 feet.

#### Section 4.7 Official Traffic Signs

The provisions of Section 6 shall be effective only during such time as a sufficient number of official traffic signs bearing the legend TOW-AWAY ZONE are installed, erected, maintained and located so as to be visible to approaching drivers, said signs to be appended above or incorporated into the legend of Parking Prohibition Signs.

#### Section 4.8 Police to Keep Record of Towed Vehicles

The Police Department shall keep a record of all vehicles towed or removed under the provisions of the Article. Such record shall be retained for one (1) year and shall contain the following information:

1. The registration of the vehicle.
2. The location from which it was towed, and the time and date of tow order.
3. The location to which it was moved.
4. Name of towing contractor, if any.
5. Name and rank of officer who authorized towing.

## ARTICLE VI

### OPERATION OF VEHICLES

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

- a. Every driver of a vehicle, railway car or other conveyance approaching an intersection of ways where there exists facing him an official sign bearing the word "STOP" or a flashing red signal indication, said sign or signal having apart from these rules and orders 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 vehicle, railway car 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 the nearer line of crosswalk of the said intersection. In the case of a line of two or more vehicles approaching such "STOP" sign, or flashing red signal indication, the drivers of the second and third vehicles 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.

In accordance with the foregoing, the erection and maintenance of an isolated stop sign, or signs or flashing red signals, as the case may be, are authorized as shown in **Appendix A**.

- b. FLASHING RED – When a red lens is illuminated in a traffic control signal by rapid intermittent flashes, and its use has been specifically authorized by the Department of Public Works, Commonwealth of Massachusetts, drivers shall stop before entering the nearer line of crosswalk of the street intersection, or at a stop line when marked, and the right to proceed shall then be governed by provisions of Chapter 89, Section 8 of the General Laws (Ter. Ed.).

## ARTICLE VII

### RESPONSIBILITY, 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 vehicle is registered, shall be held prima facie responsible for such violation.

#### Section 2. Penalties

Any person convicted of a violation of any rule, regulations or order made hereunder, except as otherwise provided, shall be punished by a fine not exceeding twenty dollars (\$20) for each offense. See schedule of fines attached.

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 Wellfleet 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 prosecution pending at the time of the passage hereof or an offense committed under any of the valid rules, orders or regulations hereby repealed.

July 8, 1966  
Amended June 24, 2002;  
March 23, 2004

### **SCHEDULE OF FINES**

1. No Beach Permit - \$50
2. Unauthorized Beach Permit - \$50
3. Within 20' of Intersection - \$30
4. Over 1 Foot From Curb - \$30
5. Within an Intersection - \$30
6. Upon a Sidewalk or Crosswalk - \$30
- 7A. Upon a Roadway in Rural District - \$30
- 7B. Off Road in Woods - \$50
- 8A. Upon a Private Road - \$30
- 8B. Across a Driveway - \$50
9. Upon a Street or Highway Posted No Parking - \$30
10. Bus Stop - \$30
11. Load Zone - \$30
12. All Night Parking When Restricted - \$30
13. Snow Removal - \$30
14. Obstructing Fire/Police Station - \$50
15. Street Cleaning - \$30
16. Rescue/Fire Lane - \$50
17. Handicapped Parking - \$300
18. No Stopping or Standing on Roadway - \$30
19. Double Parking - \$30
20. Restricted Area - \$50
21. Improper Parking - \$30
22. Beach Parking Regulations - \$50
23. Tow Zone - \$50
24. Town Hall Parking Lot - \$30
25. Town Hall Employee Parking Area - \$50
26. Our Lady of Lourdes Parking Lot - \$30
27. Other - \$30

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ATTACH APPENDIX A – a separate excel file