

# **TOWN OF HARWICH MUNICIPAL TRAFFIC CODE**

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The Harwich Traffic Safety Committee learned that the Harwich Department of Highways and Maintenance Department had difficulty identifying some specific locations to repost No Parking signs. An inquiry by the Committee with the previous Town Administrator and the Town Clerk revealed that any Traffic Rules and Orders adopted by the Board of Selectmen have not been maintained in a Municipal Traffic Code. Mass Highway has a sample Municipal Traffic Code suggested for use for Massachusetts cities and towns. The Committee has modified the sample and developed a draft Municipal Traffic Code for consideration by the Town of Harwich.

The Municipal Traffic Code includes

1. Traffic Rules and Orders for the regulation of carriages and vehicles
2. Pedestrian Regulations and
3. Tow Away Zone Regulations.

The Committee has worked with the Police, Fire and Highway Departments in the development of the Manual. The Committee has suggested that a section be included for Fire Zones that are established by the Fire Chief..

The traffic rules and orders adopted in the Municipal Traffic Code are the legal basis for the Harwich Department of Highways and Maintenance to cause the placement of appropriate traffic control devices to notify the motorists of the traffic regulations and the appropriate enforcement by the Police Department of violators.

Additional consideration for the draft should include the identification of numerous traffic control device locations that have no documentation readily available.

MGL Chapter 40, Section 22 authorizes the Board of Selectmen to enact “Rules and Orders for the regulation of carriages and vehicles used therein”. The statute does not require local acceptance by Town Meeting.

MGL Chapter 90, Section 18A authorizes the Board of Selectmen to regulate the use of ways by pedestrians. The statute requires local acceptance by Town Meeting. That vote of acceptance was approved by the 1963 Town Meeting.

MGL Chapter 40, Section 22D authorizes the Board of Selectmen to regulate the removal of vehicles from designated tow zones. The statute does require local acceptance by Town Meeting. The 1978 Annual Town Meeting accepted the statute.

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The following information is intended to explain the recommendations that modify the sample Municipal Traffic Code provided by MassHighway.

### **Article I Definitions**

Section 1-1 The regulations are identified as Harwich Traffic Rules and Orders using the language in the enabling statute.

### **Section 1-5A Flagger**

The term “Flagger” is used in the Manual for Uniform Traffic Control Devices.

The Flagger was added to the traffic code in response to the recent state identification of the use of flag men at road construction sites.

### **Section 1-12 Railroad Crossings**

Sgt. Sayers recommended the deletion of this term because Harwich has no railroad crossings. (also section 5-1-L)

### **Section 1-14 Rotary-Traffic/Roundabout Intersection**

The term “Roundabout Intersection” was added to recognize the term used for the recent intersection construction term.

### **Section 1-19 Taxicab Stands**

Sgt. Sayers recommended the deletion of this term because Harwich does not use Taxicab Stands. (also section 5-10.)

### **Section 1-26 U Turn**

Sgt. Sayers recommended the deletion of this term because Harwich does prohibit U Turns. (also section 7-10)

### **Section 1-31 through 1-33 (also 5-7.1 through 5-7.11 Parking Meter, Zones and Space).**

Sgt. Sayers recommended the deletion of this term because Harwich does not use parking meters. The Selectmen may want to restore it because of recent discussions by the Town of metering some parking lots.

### **Section 3-1 Bus Stops, Taxi Stands and Service Zones**

Sgt. Sayers recommended the deletion of Taxi Stands and Service Zones because Harwich does not use them. (also section 5-2)

### **Section 4-1 Zone of Quiet**

Sgt. Sayers recommended the deletion of this section because Harwich does not designate such zones.

### **Section 5-3 Diagonal Parking**

Sgt. Sayers recommended the deletion of this section because Harwich does not authorize diagonal parking.

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### **Section 5-5 All Night Parking**

The Committee did not alter this recommendation. It should be reviewed based on the desired method of regulation. The Tow Zone regulations authorize the removal of vehicles that obstruct snow removal.

### **Section 5.7.12 repeal of existing regulations.**

Sgt. Sayers recommended that the repeal of inconsistent regulations does not occur.

### **Section 5-11 Fire Zones**

The Committee recognized that the Fire Chief establishes fire zones, not the Board of Selectmen. It made sense to the Committee and the Deputy Fire Chief that these regulations become part of the Harwich Municipal Traffic Code. The Fire Department does not have a current inventory of designated Fire Zones.

### **Section 6-2 Rotary Roundabout**

The Committee recommends that the term “Roundabout” be added to the manual.

### **Section 7-1 No Passing Zones**

The Committee recommends that “No Passing Zones” be added to the manual. State statute (MGL Ch89, section 4) identifies conditions when passing is not allowed. It also authorizes the Board to establish other such areas.

### **Section 7-7 Prohibited and Mandatory Turning Movements**

Sgt. Sayers recommended the deletion of this section. The Committee found at least one regulation adopted by the Board Of Selectmen (Mandatory left turn on Sisson Road at Route 28) and recommends that it remain in the manual.

### **Section 7-9 Obedience to Traffic Control Signals**

#### **Subsection 4 Red and Yellow Indication**

Link Hooper, Highway Director, recommended the removal of this description for pedestrian crossing. Harwich does not use this signal. It is no longer authorized for use by MassHighway. Its’ presence in the Code would only address existing lights constructed prior to the current prohibition.

### **Section 7-11B For Yield Signs**

The Committee copied the preamble for Stop Signs as suggested in the sample regulation.

### **Section 7-15 No Driving on Sidewalks or Bike Paths**

The Committee specified “motor” vehicles so as to not exclude bicycles from sidewalks or bike paths. The Committee also added “Bike Paths” to this section.

### **Section 7-17 Funerals to be Properly Identified**

The Committee recommended that the display of headlights be added to the manual.

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### **Section 7-21 Special Speed Regulations**

The Committee recommends that the special speed regulations approved by MassHighway and the Registrar of Motor Vehicles be incorporated into the manual.

### **Section 8-1 Drivers Must Report Accidents**

Sgt. Sayers recommended the removal of this section because the police department does not collect such reports from motorists. The State Statue requires such reporting, therefore the Committee recommends that it remain in the manual.

### **Section 9-1 Penalties**

The Committee recommends that the penalty be increased from twenty (\$20) to Two Hundred (\$200) dollars.

### **Traffic Rules and Orders Schedules**

The sample has a schedule at the end of the regulation. It is used to add amendments to the regulations from time to time. The schedule does not accommodate amendments to all of the sections. The Committee has added language throughout the regulation that will accommodate each section. The schedules would be maintained electronically. This will accommodate for an alphabetical listing of amendments as well as the chronological method.

## **PEDESTRIAN REGULATIONS**

### **Section 1 Pedestrian Crossing Ways**

The Highway Director recommends that the description of the crosswalks be limited. He does not believe that all crosswalks in town would comply with this regulation.

The Committee recommends the addition of the schedule for authorized crosswalks be added to the manual. The location of crosswalks will establish authorized routes of travel and provide an inventory of crosswalks for maintenance.

## **TOW AWAY ZONE REGULATIONS**

The Town Meeting authorized in 1978 and The Board of Selectmen enacted Tow Zone Regulations in 1981.

The Committee recommends the adoption of a new draft.

The original regulations do not accommodate a schedule for amendments to the regulations. One Amendment was found outside of the original regulations.