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CHAPTER 6. OFFENSES - MISCELLANEOUS

ARTICLE 1. LITTER CONTROL

It shall be unlawful for any person to operate any vehicle on any street or highway or alley of the town in such a manner that material, rubbish, refuse, junk or litter of any kind drips, sifts, leaks, drops, or otherwise escapes therefrom upon any street, highway or alley.

ARTICLE 2. MUNICIPAL AIRPORT

Section 201. Operation of Vehicles on Runway

It shall be unlawful for any person or persons to operate any vehicle other than aircraft upon the runways of the Municipal Airport. This ordinance shall not apply to ambulances, fire equipment or any vehicle required in case of emergency or maintenance.

Section 202. Depositing Litter on Runway

It shall be unlawful for any person or persons to throw, cause to be thrown, deposit or leave on the runways of the airport or lands adjacent thereto, any bottles, broken glass, refuse, tin cans or other scrap of any kind.

ARTICLE 3. PARADE PERMIT

It shall be unlawful for any person to parade or march on a public way within the Town limits without first obtaining a permit from the Town Manager. Such permit shall be issued only after written recommendations by the Police Chief. The Council shall promulgate the standards for issuing permits. An appeal may be made to the Council at the next regular Council meeting following the denial of such permit.

ARTICLE 4. BICYCLE RIDING

Section 401.

It shall be unlawful for any person to operate or use a bicycle propelled by muscular power, inline skates, skateboards, or roller skates upon any sidewalk located on Main Street from railroad tracks to the north side of Park Street and on Park Street from the intersection of Park Street and Main Street west to Middle Street.

Section 402.

It shall be unlawful for any person to ride or propel a bicycle, or use inline skates, roller skates, or skateboards upon any sidewalk not located on Main Street from the railroad tracks to the north side of Park Street and on Park Street from the intersection of Park Street and Main Street west to Middle Street in such a manner as to interfere with any pedestrian thereon.

ARTICLE 5. SIDEWALK TRAFFIC

It shall be unlawful for any person to drive any motor vehicle, motorized snow vehicle, carriage, horse, or to drive or lead any cow upon or over any sidewalk, or foot path by the side of any street except for the purpose of crossing such sidewalk or foot path as nearly as may be at right angles and in order to go into or out of an adjoining yard or enclosure.

4ARTICLE 6. CURFEW

Section 601.

It shall be unlawful for any child under the age of eighteen years to stand, walk, wander or stroll about the streets of the town after 10:00 PM, unless accompanied by parent or other guardian having legal authority or control of such minor.

Section 602.

Any policeman, constable, or peace officer shall be hereby authorized to detain or charge any child under the age of eighteen years violating any of the curfew provisions of Chapter 6, Article 6, Section 601. Such parents or guardian shall be subject to the penalty provisions contained in Article 9A of Section 9A02.2.

ARTICLE 7. DOGS

Section 701. Definitions

(a) "Dog" shall be intended to mean both male and female dogs.

(b) "Owner" shall be intended to mean any person or persons, firm, association or corporation, owning, keeping, harboring or in possession of, or having the control of, a dog.

"Owner" shall also be intended to mean and include when used in this ordinance the parents or guardian of a minor who owns, keeps or has in his possession a dog.

(c) "At Large" shall be intended to mean off the premises of the dog's owner, and not under the control and restraint of the dog's owner, or a member of his immediate family, either by leash, cord, chain, "at heel" or under command.

Section 702. Running at Large

No owner or person having custody of any dog shall cause or permit any dog owned or kept by him, or in his possession or under his control, to run at large within the Town. A dog, while in or on any public way or place, except as hereinafter provided, shall be under restraint, within the meaning of this ordinance, if it is controlled by a leash, cord, chain or "at heel," or under the control of a person and obedient to that person's commands, or on or within a vehicle being driven or parked on the streets, or within the property limits of its owner or keeper. Nothing in this ordinance shall be held to require the

leashing or restraint of any dog while on its owner's or keeper's premises, or in or on any premises used or occupied as a dwelling house. A leash, cord, or chain shall not be more than eight (8) feet long.

^{1,6} Any dog found running at large in violation of this section may be impounded by any duly authorized police officer, constable or dog officer and transported to the Animal Shelter. The owner or keeper of any dog so impounded may claim the dog, providing it is properly licensed, upon payment to the Town of Pittsfield an impounding fee of \$35.00 for the first offense; \$50.00 for the second offense; and \$75.00 for the third offense in any one calendar year, in addition to such boarding fees as may be due and payable. The Town of Pittsfield shall issue to the owner or keeper of the dog a receipt for the impound fee upon payment. Such receipt will need to be shown to the Animal Shelter before the animal will be released. Boarding fees are to be paid directly to the Animal Shelter by the owner before the Animal Shelter will release the animal to the owner. Any dog unclaimed within six (6) days of the date of impounding shall become the property of the Animal Shelter and may be disposed of in a suitable manner.

⁶ Any dog held by the Town of Pittsfield while searching for the owner or keeper, and the owner or keeper is located prior to transportation of the animal to the Animal Shelter, shall be subject to a temporary custody fee of \$35.00 for the first offence; \$50.00 for the second offense; and \$75.00 for the third offence in any one calendar year, and any actual costs for food and veterinary care. The temporary custody fee shall be payable to the Town of Pittsfield. The Town of Pittsfield, its employees and contractors shall be authorized to take custody of stray dogs for a temporary period of time to not exceed forty-eight (48) hours.

Section 703. Noise, Disturbances Prohibited; Complaint, Notice to Abate, Penalty

No owner or person having custody of any dog kept within the legal limits of the Town shall allow such dog to unnecessarily annoy or disturb any person by continued or repeated barking or making other loud or unusual noises.

Upon written complaint, the Chief of Police or any duly authorized police officer, constable or dog officer shall investigate such complaints and may give written notice to the owner or keeper of such dog(s) that such annoyance or disturbance must cease. Failure to comply with any such written order may result in the impounding of such dog(s) in accordance with paragraph 2 of Section 702. Additionally, such owner or keeper may be subject to the penalty provisions of Article 12 of Chapter 6.

Section 704. Animal Waste

It is a violation of this section for any person who owns, possesses or controls a dog ~~or other animal(s)~~ to fail to properly remove and dispose of any feces left by his or her animal(s) on public or private land within the Town of Pittsfield.

Exception: If the person who owns, possesses, or controls a dog ~~or other animal(s)~~ and it/they are on real property owned, rented, leased, or otherwise under possession of that individual.

Section 705. Penalties

For the first offense of this ordinance by an owner, the owner shall be ordered to pay a penalty of not less than \$25.00. In determining the amount to be forfeited, the court shall consider any evidence in mitigation, extenuation, or aggravation it considers pertinent to the offense, including but not limited to the civility and degree of cooperation exhibited by the owner. The penalty shall be \$50.00 for the second offense and no less than \$75.00 for the third and any subsequent offenses. All penalties awarded, and all sums recovered, shall accrue to benefit the Town of Pittsfield. An owner found to have violated this ordinance shall pay all fees and surcharges assessed or required by a court or court order or rule and shall pay any applicable court costs.

ARTICLE 7A. STRAY CATS

Section 7A01. Definition of a Stray Cat

For the purpose of this Article, a “stray cat” means a cat on the premises of a person other than the owner of the cat, without the consent of the owner or occupant of the premises, on a public street or on other public property, except under the physical control of the owner.

Section 7A02. Seizure of Stray Cats

An animal control officer or any duly authorized police officer acting in that capacity may seize a stray cat and deliver it to an animal shelter or to the owner, if the owner is known. If ownership can not be established, such a cat may be handled as a stray cat for the purposes of acceptance and disposition by an animal shelter.

Section 7A03. Procedure for Acceptance/Disposition of Stray Cats by Animal Shelter

An animal shelter to which a cat is taken may accept the cat unless the shelter is in quarantine and it shall comply with the provisions of this section. An animal shelter that accepts a cat with cat identification shall make a reasonable attempt to notify the owner by telephone or by sending a written notice within 24 hours.

⁶The animal shelter shall release the cat to the owner or keeper upon payment to the Town of Pittsfield of an impound fee of \$35.00 for the first offense; \$50.00 for the second offense; and \$75.00 for the third offense in any one calendar year. Any actual fees incurred for food, shelter and veterinary care are due and payable directly to the Animal Shelter. Any cat unclaimed within six (6) days of the date of impounding shall become the property of the animal shelter and may be disposed of in a suitable manner.

⁶Any cat held by the Town of Pittsfield while searching for the owner or keeper, and the owner or keeper is located prior to transportation of the animal to the Animal Shelter, shall be subject to a temporary custody fee of \$35.00 for the first offence; \$50.00 for the second offense; and \$75.00 for the third offence in any one calendar year. The temporary custody fee shall be payable to the Town of Pittsfield. If the Town incurs any fees for food and veterinary care, these fees shall also be paid directly to the Town of Pittsfield prior to release of the animal. The Town of Pittsfield, its employees and

contractors shall be authorized to take custody of stray cats for a temporary period of time to not exceed forty-eight (48) hours.

ARTICLE 7B. HORSES

Section 7B01. Animal Waste

The owner or individual in possession of a horse shall be responsible for the removal and disposal of any waste left by his/her animal upon any public walk, path, street, park, recreation areas, or private property not their own.

Section 7B02. Penalties and Fines

Any law enforcement officer shall have authority to enforce the provisions of this Ordinance. Fines and penalties shall be imposed in the following manner:

A. A person who does not dispose of Animal Waste properly will be fined \$25 upon the first offense, \$50 for the second offense and \$200 for the third offense.

B. A law enforcement officer may require the offending party to remove unlawfully discarded animal waste and dispose of it in an approved manner in lieu of penalty with a written warning.

ARTICLE 8. DISCHARGE OF FIREARMS

Section 801.

It shall be unlawful for a person to discharge or cause to be discharged any rifle, shotgun, pistol, revolver or other firearm on that land or premises belonging to and used by the Town as a Transfer Station.

Section 802.

It shall be unlawful for a person to discharge or cause to be discharged any rifle, shotgun, pistol, revolver, or other firearm in an area zoned as residential, commercial, or industrial, or within the limits of the Pittsfield Airport.

Section 803.

The provisions of Sections 801. and 802. of Article 8 shall not apply to the use by Maine Central Institute of its shooting range for meets and practices.

ARTICLE 9. LOAFING

Section 901.

It shall be unlawful for any person to loaf, wander, stand or remain idle either alone and/or in consort with others in a public place in such a manner as to:

(1) Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering or impeding or tend to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians.

(2) Commit in or upon any public street, public highway, public sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress, egress and regress therein, thereupon and thereto.

ARTICLE 9A. NOISE AND PUBLIC CONDUCT

The Town of Pittsfield has determined, by virtue of complaints by its citizens to the Police Department and to the Town Council and by complaints from downtown merchants and other communications, that certain conduct being undertaken, particularly within the so-called “Pittsfield Urban Area Boundary,” (hereinafter defined in Section 9A03., is preventing persons residing within these areas from fully enjoying their property and having a reasonable degree of quiet, particularly during night time hours.

The Council also determines that in order to protect residents and visitors to the Town from being threatened, accosted, and/or verbally assaulted upon the Town streets and in public places within the “Pittsfield Urban Area Boundary” (hereinafter defined), it is necessary to implement and adopt an ordinance to prevent undesirable and unwanted activities and actions as above described from taking place within the Town.

The Council further finds that to protect the ability for downtown Pittsfield merchants and public service facilities to attract customers and maintain a non-threatening environment within the downtown it is necessary to adopt reasonable regulations as herein provided.

The Town Council further finds that existing State laws and regulations presently in effect do not fully and adequately address the difficulties sought to be addressed herein and experienced within the Town of Pittsfield. The prosecution of such cases is sometimes due to financial or time constraints or other factors or policies, not sufficiently vigorous or timely so as to meaningfully deal with the problems experienced by the Town of Pittsfield.

Accordingly, exercising the powers conferred upon the Town of Pittsfield by Maine Statute and by the Maine Constitution and all other powers held by the Town of Pittsfield, the Town of Pittsfield does hereby ordain and adopt the following ordinance, which shall hereinafter be referred to as the “Public Noise and Conduct Ordinance,” as follows, to wit:

Section 9A01. Prohibited Conduct and Acts

The following acts undertaken within the Town of Pittsfield are hereby declared to be in violation of this Ordinance, to wit:

Section 9A01.1

Yelling, shouting, hooting, whistling, and singing between the hours of 9:00 PM and 7:00 AM of the following morning, so as to annoy or disturb the quiet, comfort or repose of any persons located within or upon the premises of any dwelling, hotel, or other type of residence or business establishment.

Section 9A01.2

The playing, using or operating of any radio, receiving set, musical instrument, or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet, comfort or repose of any other persons in the vicinity with a volume louder than is necessary for the reasonably convenient hearing for the person or persons or voluntary listeners thereto who are in the immediate vicinity, vehicle or chamber in which such machine or device is operated, between the hours of 9:00 PM and 7:00 AM the following morning within the areas hereinafter set forth.

Section 9A01.3

The sounding of any horn or signaling device for an unnecessary or unreasonable length of time or for a purpose not associated with the proper and legitimate signaling activity undertaken in conjunction with the operation of a motor vehicle.

Section 9A01.4.

The following activities shall be considered as exempt from this Ordinance: 1) Noise being generated from a legitimate activity conducted for the entertainment of the general public; 2) all authorized school events; and 3) all events conducted by the Town or permitted by the Town.

Section 9A02. Enforcement Procedure

Section 9A02.1.

Any violation of this Ordinance shall be a civil violation, which shall be prosecuted through the issuance of a civil summons by the Pittsfield Police Department in the same form and in the same manner of prosecution as would be the case with a parking violation. Actions shall be prosecuted by the Town of Pittsfield Attorney in the Somerset County District Court located in Skowhegan.

Section 9A02.2.

For any first violation of this Ordinance, there shall be imposed a civil fine or penalty in the amount of not less than Fifty Dollars (\$50) and not more than One Hundred Dollars (\$100). Each subsequent violation within a two year period from date of first violation shall carry with it a minimum civil fine or penalty which shall increase for each subsequent conviction within said period by the amount of Fifty Dollars (\$50) to a maximum of Two Hundred Fifty Dollars (\$250) for a violation within said two year period.

Section 9A02.3.

In addition to the civil penalties, for any violation hereof, the Court shall require the violator to pay the Town's reasonable attorney's fees incurred in connection with the enforcement action plus the violator shall be ordered to pay the Town's costs and filing fees reasonably incurred in the prosecution of this Ordinance.

Section 9A03.

Section 9A01., herein, shall apply to the area within the so designated "Pittsfield Urban Area Boundary," so-called, as set forth on the attached map of the Town of Pittsfield.

Section 9A04.

If any provision herein shall be held to be illegal, it is the intent that all remaining provisions shall remain in full force and effect.

ARTICLE 10. DRUG PARAPHERNALIA

Section 1001. Definitions

(a) The term "drug paraphernalia" for purposes of this article means all equipment, products, and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a scheduled drug in violation of 17A MRSA, Section 1101, at seq., it includes, but not limited to:

(1) Kits used, intended for use, or designed for use in planting propagating, cultivating, growing, or harvesting of any species of plant which is a scheduled drug or from which a scheduled drug can be derived;

(2) Kits used or intended for use, or designed for use in manufacturing, compounding, producing, or processing, or preparing scheduled drugs;

(3) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a scheduled drug;

(4) Testing equipment used, intended for use, or designed for use in identifying or analyzing the strength, effectiveness or purity of scheduled drugs;

(5) Scales and balances used, intended for use, or designed for use in weighing or measuring the scheduled drugs;

(6) Dilutants and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose, lactose, used, intended for use, or designed for use in the cutting of scheduled drugs;

(7) Separation gins and filters, used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining marijuana;

(8) Blenders, bowls, containers, spoons and mixing devices, used, intended for use or designed for use in compounding scheduled drugs;

(9) Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of scheduled drugs;

(10) Containers and other objects used, intended for use, or designed for use in storing or concealing scheduled drugs;

(11) Hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting scheduled drugs into the human body; and

(12) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

(a) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, any permanent screens, hashish heads or punctured metal bowls;

(b) Water pipes;

(c) Carburetion tubes and devices;

(d) Smoking and carburetion masks;

(e) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette which has become too small, or too short to be held in the hand;

(f) Miniature cocaine spoons and cocaine vials;

(g) Chamber pipes;

(h) Carburetor pipes;

(i) Electric pipes;

(j) Air driven pipes;

(k) Chillums

(l) Bongs; or

(m) Ice pipes or chillers.

(b) In determining whether an object is paraphernalia, a court or other authority should consider, in addition to all logically relevant factors the following:

- (1) Statements by an owner or anyone in control of the object concerning its use;
- (2) Prior convictions, if any, of an owner or anyone in control of the object, under any state or federal law relating to any scheduled drug;
- (3) The proximity in time and space, to a direct violation of 17A MRSA, Section 1101 et seq.; known to the person in possession of such object.
- (4) The proximity of the object to scheduled drugs; known to the person in possession of such object.
- (5) The existence of any residue of scheduled drugs on the object;
- (6) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows, or should reasonably know, intend to use the object to facilitate violation of 17A MRSA, Section 1101 et. seq.: the innocence of an owner, or of anyone in control of the object, as to a direct violation of 17A MSA, Section 1101 et.seq., shall not prevent a finding that the object is intended for use or designed for use as a drug paraphernalia;
- (7) Instructions, oral or written, provided concerning its use;
- (8) Descriptive materials accompanying the object which explain or depict its use;
- (9) National and local advertising concerning its use;
- (10) The manner in which the object is displayed for sale;
- (11) Whether the owner, or anyone in control of the object is a legitimate supplier of the like or related items to the community, such as a licensed distributor or dealer of tobacco products;
- (12) Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
- (13) The existence and scope of legitimate uses for the object in the community;
- (14) Expert testimony concerning its use.

Section 1002. Offenses

- (a) It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in Violation Of 17A MSA, Section 1101 et. seq.
- (b) It is unlawful for any person to deliver, possess with intent to deliver or manufacture with intent to deliver drug paraphernalia, knowing (or under circumstances where one reasonably should know) that it

will be used to plant, propagate, cultivate, grow, harvest, manufacture compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a scheduled drug in violation of 17A MRSA, Section 1101 et. seq.

(c) Any person eighteen (18) years of age or over who violates subsection (b) by delivering drug paraphernalia to a person under eighteen (18) years of age who is at least three (3) years his junior is guilty of a separate offense.

(d) It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertising, knowing (or under circumstances where one reasonably should know) that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

Section 1003. Penalties

(a) If any person violates any provision of this article, he shall be liable for a fine of up to five hundred dollars (\$500). Each instance of conduct violating any provision of Section 1002. shall constitute a separate offense.

(b) Any drug paraphernalia possessed in violation of this article is declared to be contraband and may be seized and confiscated by the Town of Pittsfield, but in the case of stock in trade confiscation shall only occur after notice to the owner of the business and a hearing as to the merits of the confiscation.

Section 1004. Severability

If any provision of this article, or application thereof, to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the article which can be given effect without the invalid provision or application and, to this end, the provisions of this article are severable.

ARTICLE 11. JUNKED MOTOR VEHICLES OR OTHER PROPERTY

²The Town of Pittsfield shall follow the procedures of the then-current State Law for Junkyards and Automobile Graveyards as stated in Title 30-A MRSA.

⁴ARTICLE 12. GENERAL PENALTY

Whenever in this Code or in any ordinance of the Town any act is prohibited or is made or declared to be unlawful or a misdemeanor, or whenever in such Code or ordinance the doing of any act is required or failure to do any act is declared to be unlawful or a misdemeanor, where no specific penalty is provided therefor, the first violation of any such provision of this Code or any ordinance there shall be imposed a civil fine or penalty in the amount of not less than Fifty Dollars (\$50) and not more than One Hundred Dollars (\$100). Each subsequent violation within a two year period from date of first violation shall carry with it a minimum civil fine or penalty which shall increase for each subsequent conviction within said period by the amount of Fifty Dollars (\$50) to a maximum of Two Hundred Fifty Dollars (\$250) for a violation within said two year period. Each day any violation of any provision of this Code or of any ordinance shall constitute a separate offense.

ARTICLE 13. BRIDGE/CULVERT SAFETY

No person shall jump, slide, or dive from any bridge or structure extending across the Sebec River within the boundaries of the Town of Pittsfield. Violators of this Article shall be subject to the penalties set forth in Article 12.

ARTICLE 14. MANSON PARK SPEED LIMIT

Section 1401.

A speed limit not to exceed 15 M.P.H. shall be maintained at Manson Park for all vehicles.

ARTICLE 15. RULES GOVERNING MANSON PARK

1. Manson Park shall be closed to all motor vehicles except law enforcement vehicles between one-half hour after sunset and one-half hour before sunrise, except by special permission of the Parks and Recreation Committee.
2. No person shall operate any vehicle in any part of the park except on roadways established for such vehicular traffic or in areas specifically designated for parking. A permit to drive or park in other areas of the park may be given by the Committee under certain conditions.
3. Vehicular use of the park is restricted and limited to automobiles, trucks and trailers, bicycles, and to snowmobiles provided they are operated within designated snowmobile trails as posted by local, regional, or State-wide snowmobile organizations, with the concurrence of the Parks and Recreation Committee.
4. No person shall ride or lead a horse into or upon lawns or other prohibited areas of the park.

5. No person owning or being custodian of any animal, livestock, or poultry shall cause or permit same to go at large in the park. A dog may be brought into the park provided that such dog is continuously restrained by a leash not exceeding 6 feet in length, except that no dog or other such animal shall be permitted in the immediate vicinity of the bathhouses, wading pools, and children's play areas, or other areas designated by signs as prohibited areas.
6. No person shall enter the park in an intoxicated condition, nor shall any person have in his possession, drink, or use in the park any alcoholic beverage.
7. No person shall have in his possession or use in the park any type of illegal drug or drug paraphernalia.
8. No person shall have in his possession, bring into, or use in the park, whether carried concealed or open, any firearms, slingshots, firecrackers, torpedoes, fireworks, B.B. guns, or other missile-propelling instruments or explosives, or arrows (except as allowed in a designated archery area), or other dangerous weapons which have such properties as to cause annoyance or injury to any person or property.
9. No person shall throw, cast, lay, deposit, or propel any missile except in the performance of an authorized recreational activity.
10. No person shall throw, cast, catch, kick, play with, or strike any game ball, or engage in any sport game or competition, except in places designated for such purpose; nor shall a person engage in or play a game or sport or contest of a nature different from the one for which the designated area was created, except in such areas as are officially set aside for diversified games.
11. No person shall use threatening, abusive, insulting, profane, or obscene language or words in the park.
12. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property; or pluck, pull up, cut, take, or remove any shrub, bush, plant or flower; or mark, or write upon any building, monument, fence, bench, or other structure in the park. Any person or persons violating any part of this rule is liable for cost of damage; in case of minors, parents shall be held liable.
13. No person shall, within the park, molest, frighten, injure, kill, remove, or have in his possession any wild animal, bird, bird's nest, or squirrel's nest, or remove the young of any such animal or the eggs or young of any such bird.
14. No person shall throw, cast, lay, drop, or discharge into or leave in any body of water in the park, or in any storm sewer or drain flowing into said waters, or in any gutter, sewer, or basin, any substance, matter, or thing whatsoever.
15. No person shall deposit, drop, or leave any papers, bottles, debris, or other waste matter or refuse of any kind in the park, or part thereof, except in such receptacles as may be provided for that purpose. Any person or persons violating this rule shall be subject to a fine as provided by the State Law on litter.

16. No person shall disturb the peace in the park by any act.
17. No fires shall be set in any area of the park except in areas where fires are designated as permitted, or except as authorized by permit issued under the authority of the Parks & Recreation Committee.
18. No person shall enter a comfort station or toilet set apart for the use of the opposite sex, nor shall any person loiter in or near any comfort station or toilet at any time.
19. No person shall solicit money, subscriptions, alms, or contributions for any purpose in the park unless authorized by the Park Committee.
20. No person shall advertise in the park in any manner whatsoever or for any reason whatsoever, except by permit.
21. No person shall hold a circus or professional carnival in the park.
22. There shall be no golfing at any time.
23. Whenever any group, association, or organization desires to use the park facilities for a particular purpose between one-half hour after sunset and one-half hour before sunrise, such as for picnics, parties, or theatrical or entertainment performances, or for preparation therefor, a representative of said group, association, or organization shall first obtain a permit from the Parks and Recreation Committee. The Committee may adopt an application form to be used for such situations.
24. No person shall in the park disobey a proper order of a Police Officer or any park employee designated by the Committee or Town Manager to give orders, nor shall any person in the park disobey, disregard, or fail to comply with any rule or regulation, warning, prohibition, instruction or direction posted or displayed by sign, notice, bulletin, card, or poster, or when notified or informed as to its existence by a park employee or other authorized person.
25. Any person or persons violating the above rules shall be subject to a fine of not less than twenty dollars (\$20) and not more than (\$100).

³ARTICLE 16. FIRE HYDRANTS

Section 1601. Obstruction of Fire Hydrants

No person except one duly authorized shall remove the cap from any water hydrant in the Town for other than fire suppression purposes. No person shall interfere with, meddle with, or obstruct within a 5 ft. radius, partially or wholly cover with snow or any other substance, or in any way manner change or deface any hydrant or decrease its immediate fully effective availability for use. This provision does not apply to damage caused by a bonafide vehicle accident.

Section 1602. Enforcement Procedure

Section 1602.1

Any violation of this Ordinance shall be a civil violation, which shall be prosecuted through the issuance of a civil summons by the Pittsfield Police Department in the same form and in the same manner of prosecution as would be the case with a parking violation. Actions shall be prosecuted by the Town of Pittsfield Attorney in the Somerset County District Court located in Skowhegan.

Section 1602.2

For any first violation of this Ordinance, there shall be imposed a civil fine or penalty in the amount of not less than Fifty Dollars (\$50.00) and not more than One Hundred Dollars (\$100.00). Each subsequent violation within a two year period from date of first violation shall carry with it a minimum civil fine or penalty which shall increase for each subsequent conviction within said period by the amount of Fifty Dollars (\$50.00) to a maximum of Two Hundred Fifty Dollars (\$250.00) for a violation within said two year period.

Section 1602.3

In addition to the civil penalties, for any violation hereof, the Court shall require the violator to pay the Town's reasonable attorney's fees incurred in connection with the enforcement action plus the violator shall be ordered to pay the Town's costs and filing fees reasonably incurred in the prosecution of this Ordinance.

⁵ARTICLE 17. ESTABLISHMENT AND ENFORCEMENT OF DESIGNATED SAFE ZONE AREAS

Section 1701. Purpose

The purpose of this Article is to establish safe zone areas i.e., athletic fields, parks, playgrounds or recreational facilities, within the Town of Pittsfield which are frequented by minors for the purpose of protecting them against individuals trafficking, furnishing or cultivating drugs within designated safe zones.

Section 1702. Authority

Safe Zone Areas are enacted pursuant to 30-A M.R.S.A. ss 3253 and 17A M.R.S.A. 1101 sub-ss 23.

Section 1703. Applicability

This Article shall apply to areas designated as safe zones within the Town of Pittsfield. Safe zone areas encompass a 1,000' buffer around designated athletic fields, parks, playgrounds or recreational facilities, as measured from the property line of the safe zone.

Section 1704. Signage

Safe Zone informational signage shall utilize uniform language as established by the Commissioner of Public Safety.

Section 1705. Designated Areas

Areas designated as safe zones with 1,000' buffers are as follows:

1. Fendler Park
2. Hathorn Park
3. Manson Park
4. Pinnacle Park (also known as The Pinnacle)
5. Remembrance Park
6. Snowmobile/ATV Trail along former Maine Central Railroad Tracks
7. Stein Park
8. Veterans' Park

Section 1706. Enforcement and Amendments

If a person is found trafficking, furnishing or cultivating drugs within a Safe Zone, he or she may be found guilty of an aggravated offense and subjected to increased penalties.

Section 1707. Effective Date and Amendment

This Article shall become effective 30 days from the date of adoption by the Town Council.

¹Ordinance 03-36, 1/6/2004

²Ordinance 02-20, 9/17/02

³Ordinance 02-39, 1/07/03

⁴Ordinance 06-45, 10/03/06

⁵Ordinance 09-12, 09/01/09

⁶Ordinance 10-03, 02/16/2010