

*July 8, 1966  
Amended March 13, 1995;  
Feb. 24, 2003; March 23, 2004;  
June 22, 2004; Feb 22, 2011;  
June 18, 2013; May 13, 2014*

## **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.

By vote under Article 5 of the October 5, 1981 Special Town Meeting the Town accepted Chapter 90, Section 20A½ of the General Laws, (Ter. Ed.)

### **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 any 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 impending 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.

BRIAR LANE – Both sides from Main Street to Route 6.

CAHOON HOLLOW ROAD - both sides from Route 6 to the town owned parking area at Cahoon Hollow.

CHEQUESSETT NECK ROAD Northerly side from the intersection with Kendrick Avenue to the terminus of the road (The Gut). Southerly side from the intersection with Kendrick Avenue to the eastern side of the Herring River Dike and from the western side of the Herring River Dike to the terminus of the road (The Gut). Parking is specifically allowed along the property line / road frontage located at 915 Chequessett Neck Road.

COMMERCIAL STREET Both sides from Main Street to Kendrick Avenue.

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.

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

EAST COMMERCIAL STREET Both sides from Main Street to Commercial Street.

GRIFFIN ISLAND ROAD Both sides from Chequessett Neck Road to the Duck Harbor parking area.

GROSS HILL ROAD Both sides westerly from Route 6 to the Newcomb Hollow parking area.

HOLBROOK AVENUE Both sides from Main Street to Commercial Street.

KENDRICK AVENUE Both sides westerly from the Marina to Keller's Corner.

LECOUNT HOLLOW ROAD Both sides from Route 6 to Ocean View Drive.

LONG POND ROAD Both sides from the intersection with Main Street to Ocean View Drive.

MAIN STREET On the North side from Route 6 to Briar Lane. On the South side from Route 6 to Bank Street and from Holbrook to West Main Street.

NAUSET ROAD (*amended 2/24/03*) East side from the intersection with Indian Neck Road and Samoset Road to the town owned parking area at Indian Neck; West side from the intersection with Indian Neck Road and Samoset Road to the area designated as beach parking and thence to the town owned parking area at Indian Neck.

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

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

SCHOOL STREET Both sides from Gross Hill Road to Main Street.

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

WEST MAIN STREET Both sides from Main Street to Pole Dike Road.

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

### Section 3. Time Limited in Designated Areas

No person shall park a vehicle for a period of time longer than hereafter specified daily between the hours of 7 a.m. and 6 p.m. Parking regulations will be enforced from June 15 through Labor Day. (*amended May 13, 2014*)

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 two (2) hours between June 15<sup>th</sup> and Labor Day. (*amended May 13, 2014*)

MAIN STREET MUNICIPAL PARKING LOT (OPPOSITE PRESERVATION HALL)PARKING LOT Two (2) hour parking.

TOWN HALL PARKING LOT Two (2) hours between June 15<sup>th</sup> and Labor Day except four (4) hours for spaces marked as four hour parking and except for spaces marked as Town Hall employees only.

SOUTH WELLFLEET PARKING LOT Two (2) hours as marked, otherwise no time limit.

### Section 4. Tow-away Zone Regulations

#### Section 4.1 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

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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 Main Street to Route 6.

CAHOON HOLLOW ROAD – Both sides from Route 6 to the Cahoon Hollow parking area.

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 from Main Street to Ocean View Drive.

OCEAN VIEW DRIVE – Both sides from LeCount Hollow Road to the intersection with Gross Hill Road.

WEST MAIN STREET – Both sides westerly from Briar Lane to Pole Dike Road,

#### Section 4.7 Official Traffic Signs

The provisions of Section 4.6 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. Obedience to Isolated Stop Signs. Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign or a flashing red signal indication shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways. 720CMR9.06(13) shall not apply when the traffic is otherwise directed by an officer or by a lawful traffic-regulating sign, signal or device or as provided in 720 CMR 9.06(24)(c).

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;*  
*May 13, 2014*

### **SCHEDULE OF FINES**

1. No Beach Permit - \$75
2. Unauthorized Beach Permit - \$75
3. Within 20' of Intersection - \$50
4. Over 1 Foot From Curb - \$50
5. Within an Intersection - \$50
6. Upon a Sidewalk or Crosswalk - \$50
- 7A. Upon a Roadway in Rural District - \$75
- 7B. Off Road in Woods - \$75
- 8A. Upon a Private Road - \$50
- 8B. Across a Driveway - \$50
9. Upon a Street or Highway Posted No Parking - \$50
10. Bus Stop - \$50
11. Load Zone - \$50
12. All Night Parking When Restricted - \$50
13. Snow Removal - \$50
14. Obstructing Fire/Police Station - \$50
15. Street Cleaning - \$50
16. Rescue/Fire Lane - \$75
17. Handicapped Parking - \$300
18. No Stopping or Standing on Roadway - \$50
19. Double Parking - \$50
20. Restricted Area - \$75
21. Improper Parking - \$50
22. Beach Parking Regulations - \$75
23. Tow Zone - \$75
24. Town Hall Parking Lot - \$50
25. Town Hall Employee Parking Area - \$50
26. Municipal Parking Lot - \$30
27. Other - \$50

ATTACH APPENDIX A – a separate excel file

## Wellfleet Traffic Rules and Orders

### Appendix A

#### Article VI, Operation of Vehicles, section 1 Obedience to Isolated Stop Signs

##### STOP SIGNS

Road	Description (signs are to be erected as to face as follows)	Date Adopted
Anawan Road	Westbound drivers on Anawan Road at King Phillip Road	6/22/2004
Bank Street	Northbound drivers on Bank Street at Main Street	6/22/2004
Billingsgate Road	Northeast bound drivers on Billingsgate at King Phillip Road	6/22/2004
Briar Lane	Southbound drivers on Briar Lane at Main Street	6/22/2004
Browns Neck Road	Westbound drivers on Browns Neck Road at Brown's Neck Road	7/8/1966
Cahoon Hollow Road	Eastbound drivers on Cahoon Hollow Road at Ocean View Drive	6/22/2004
Cahoon Hollow Road	Westbound drivers on Cahoon Hollow Road at Intersection with Ocean View Drive	7/8/1966
Chequessett Neck Road	Eastbound drivers on Chequessett Neck Road at Holbrook Avenue	7/8/1966
Chequessett Neck Road	Southbound drivers on Chequessett Neck Road at Kendrick Avenue (Mayo Beach Extension)	7/8/1966
Coles Neck Road	Eastbound drivers on Coles Neck Road at Old Truro Road	6/22/2004
Cottontail Road	Southbound drivers on Cottontail Road at Old County Road	6/22/2004
Disposal Road	Southbound drivers at Bound Brook Island Road	6/22/2004
DPW Lot	Westbound drivers on DPW Lot at Pole Dike Road	6/22/2004
East Commercial Street	Northeast bound drivers on East Commercial street at Main Street	7/8/1966
Gross Hill Road (2 signs)	Eastbound drivers on Gross Hill Road at Ocean View Drive	7/8/1966
Gull Pond Road	Eastbound drivers on Gull Pond road at Gross Hill Road	7/8/1966
Holbrook Avenue	Northbound drivers Holbrook Avenue at Main Street	7/8/1966
Howland lane	Northbound drivers on Howland Lane at West Main Street	6/22/2004
King Phillip Road	Northbound drivers on King Phillip Road at Billingsgate	6/22/2004
King Phillip Road	Northbound drivers on King Phillip Road at Indian Neck Road	6/22/2004
Lawrence Road	Northbound drivers on Lawrence Road at Gross Hill Road	6/22/2004
Lawrence Road	Southbound drivers on Lawrence Road at Long Pond Road	6/22/2004
LeCount Hollow Parking Lot (AKA Maguire Landing)	Westbound drivers LeCount Hollow Parking Lot at Ocean View Drive and LeCount Hollow Road	6/22/2004
Long Pond Road	Southwest bound drivers on Long Pond Road at Main Street	7/8/1966

## Wellfleet Traffic Rules and Orders

### Appendix A

#### Article VI, Operation of Vehicles, section 1 Obedience to Isolated Stop Signs

##### STOP SIGNS

Road	Description (signs are to be erected as to face as follows)	Date Adopted
Long Pond Road (2 signs)	Eastbound drivers on Long Pond Road at Ocean View Drive	6/22/2004
Mill Hill Road	Northbound drivers on Mill Hill Road at Briar Lane	6/22/2004
Ocean View Drive	Northbound drivers on Ocean View Drive at Gross Hill Road	6/22/2004
Old Chequessett Neck Road	Eastbound drivers on Old Chequessett Neck Road at West Main Street	7/8/1966
Paine Hollow Road	Eastbound drivers on Paine Hollow Road at Pleasant Point Road	7/8/1966
Pilgrim Spring Road	Westbound drivers on Pilgrim Spring Road at Cove Road and Indian Neck Road	7/8/1966
Railroad Avenue	Westbound drivers on Railroad Avenue at Holbrook	7/8/1966
Railroad Avenue	Eastbound drivers on Railroad Avenue at Commercial Street	7/8/1966
School Street	Southbound drivers on School Street at Main Street	7/8/1966
Spring Valley Road	Northeast bound drivers on Spring Valley Road at Old Kings Highway	6/22/2004
Unnamed Road	Westbound drivers on Unnamed Road at Intersection with West Road	7/8/1966
West Main Street	Eastbound drivers on West Main Street at Briar lane and Main Street	7/8/1966
Wilson Avenue	East and Westbound drivers on Wilson Avenue at Ocean View Drive	7/8/1966

##### OLD STOP SIGNS

Road	Description (signs are to be erected as to face as follows)	Date Removed
Holbrook Lane	Northbound drivers Holbrook Lane at Main Street	6/22/2004
Commercial Street	Northbound drivers on Commercial Street at Main Street	6/22/2004