

# DRAFT

## TOWN OF PELHAM, NEW HAMPSHIRE

### PARKING ORDINANCE

An ordinance regulating parking upon the public streets of Pelham, New Hampshire adopted in accordance with New Hampshire Revised Statutes Annotated 31:39. Except for otherwise provided herein, the regulations of stopping, standing, or parking of a motor vehicle shall be controlled by New Hampshire Revised Statutes Annotated 265:68 – 74 inclusive.

#### SECTION I

***Method of Parking:*** Except as otherwise may be provided by local ordinance, every vehicle stopped or parking upon a public roadway shall be stopped or parked with the right-hand wheels of such vehicle parallel to and within 12 inches of the right-hand curb or edge of the roadway, where no curb exists, in the direction of traffic movement.

#### SECTION II

***Parking Prohibited in Specified Places:*** Except when necessary to avoid conflict with other traffic; or in compliance with the law; or the direction of a police officer; or official traffic control device, no person shall:

- A. Stop, stand, or park a vehicle:
  1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
  2. On a sidewalk;
  3. Within an intersection;
  4. On a crosswalk;
  5. Along side or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
  6. Upon a bridge;
  7. At any place where signs prohibit stopping.

# DRAFT

8. At any place where signs specifically designated for handicapped persons, unless said vehicle is displaying a special number plate; decal; or a card issued pursuant to New Hampshire Revised Statutes Annotated 261:86 – 88; or similar number plate; decal; or card issued by another state or country displaying the international symbol.

Comment [g1]: New Section

B. Stop, standing, or park, whether occupied or not, except momentarily to pick-up or discharge a passenger:

1. In front of any public or private driveway;
2. Within 15 feet of a fire hydrant;
3. Within 20 feet of an intersection;
4. Within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal;
5. Within 20 feet of the driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within 75 feet of said entrance.

C. Stop, stand, or park, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

1. On the northerly side of Main Street between the intersection of Rte 38 and Windham Road;

Comment [g2]: Replaces Old Gage Hill Road

2. On the southerly side of Main Street from the intersection of Woodbury Avenue to the intersection of Common Street;

Comment [g3]: Replaces Old gage Hill Rd.

3. On the northerly side of Burns Road from the intersection of Marsh Road to the intersection of Stephanie Drive, between the hours of 7am and 3pm on Monday thru Friday;

Comment [g4]: Removes "to a point 84 feet west of said intersection and in front of Town Hall."

Comment [g5]: New Section

4. On the southerly side of Burns Road from the intersection of Marsh Road to the intersection of Quail Run Lane, between the hours of 7am and 3pm on Monday thru Friday;

Comment [g6]: New Section

5. On both sides of the roadway on Quail Run Lane, between the hours of 7am and 3pm on Monday thru Friday;

Comment [g7]: New Section

6. On both sides of the roadway on Theodore Street, between the hours of 7am and 3pm on Monday thru Friday;

Comment [g8]: New Section

# DRAFT

7. On both sides of the roadway on Economu Drive, between the hours of 7am and 3pm on Monday thru Friday; Comment [g9]: New Section
8. On both sides of Marsh Road from the intersection of Willow Street to the entrance of Pelham Elementary School, between the hours of 7am and 3pm on Monday thru Friday; Comment [g10]: New Section
9. On the grounds of Pelham High School between the hours of 7am thru 3pm on Monday thru Friday, unless specifically authorized by the Administration of Pelham High School by use of a school parking permit. This section shall not be enforceable upon individuals visiting the school during these hours; Comment [g11]: New Section

## SECTION III

***Parking during Snow Removal/Emergency Period:*** Except when necessary to avoid conflict with other traffic; or in compliance with the law; or the direction of a police officer; or official traffic control device, no person shall:

- A. No person shall park a vehicle or permit such vehicle to be parked on any street or highway between the hours of 12 midnight and 7am during the period of December 1 thru April 1, annually. Comment [g12]: Removal of "Any vehicle found parked in violation of this section shall be towed at the owner's expense." Addressed in Section V, B
- B. No person shall park a vehicle or permit such vehicle to be parked on any street or highway between the hours of a declared snow emergency. A snow emergency may be declared by the Chief of Police. Comment [g13]: New Section

## SECTION IV

***Fire Lanes:*** All premises and buildings, with the exception of one and two family dwellings, which the fire department may be called upon to protect in case of fire, shall, at the discretion and upon the direction of the Fire Chief, be provided with suitable gates, access roads, and fire lanes so as to be accessible to fire fighting apparatus.

- A. Where required, fire lanes shall provide clear and unobstructed access for fire fighting apparatus and other emergency vehicles;
- B. The designation of fire lanes on private property shall be accomplished as specified by the Fire Chief;
- C. The provisions of said fire lanes shall be the responsibility of the property owner;

# DRAFT

- D. It shall be the responsibility of the property owner to post with approved signs and mark all fire lanes as specified by the Fire Chief;
- E. It shall be unlawful for the owner or operator of any motor vehicle to stop, stand, or park or allow to be parked any motor vehicle, whether occupied or not, for any length of time in a designated fire lane.

## **SECTION V**

**Comment [g14]:** Combination of old section V, VI, VII, IX

### ***Enforcement and Authorization:***

- A. Enforcement shall be the responsibility of the Pelham Police Department.
- B. Any vehicle found parked in violation of any provisions of this ordinance may be towed away, at the direction of a police officer, by commercial towing service. Vehicles towed for a violation of this ordinance shall be stored in a safe place and shall be restored to the owner upon payment of all fees for towing and storage.
- C. If any vehicle is found in violation of any provisions of this ordinance the owner or person in whose name such vehicle is registered shall be held Prima Facie responsible for such violation.
- D. A police officer observing a violation of any of the provisions of this ordinance may attach to the vehicle a notice to the owner or serve a notice upon the operator that the vehicle has been parked in violation of this ordinance. The notice shall contain the location of the violation, the registration number and description of the vehicle, the date and time of the violation, the officer's identity, and any other facts necessary for a thorough understanding of the circumstance attending such violation.
- E. Neither the Town of Pelham nor its agents shall be liable for any damage to any vehicle that may be in violation of this ordinance or does the provision for towing said vehicle exclude the assessment of a penalty as set forth in section VI of this ordinance.
- F. Payment of penalty as indicated in Section VI shall be made in envelopes provided by the Pelham Police Department at the Pelham Police Department, 14 Village Green, Pelham, NH 03076 within 72 hours of the date of issuance.

# DRAFT

- G. Any person, firm, or corporation who violates any provisions of this ordinance and who fails to pay the penalty as prescribed in Section VI within 72 hours may, upon conviction thereof in the Salem, NH District Court, be subject to a fine of not less than \$50.00 nor more than \$200.00.
- H. Severability; if any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.
- I. Repeal; All ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed.
- J. Effective Date; this ordinance shall take effect upon passage by the Board of Selectmen.

## **SECTION VI**

**Comment [g15]:** New Fine Schedule  
– based on surrounding Towns and Cities

***Penalties:*** The following penalties shall apply for violations of the provisions of this ordinance;

|    |   |          |
|----|---|----------|
| A. | Parking in a restricted Place                               | \$ 25.00 |
| B. | Parked on a Crosswalk                                       | \$100.00 |
| C. | Parked on a Sidewalk  | \$ 50.00 |
| D. | Fire Lane   | \$100.00 |
| E. | Handicap Parking  | \$200.00 |
| F. | Parked within 15 feet of a Fire Hydrant                     | \$ 50.00 |
| G. | Parking during Snow Removal Or Snow Emergency               | \$200.00 |
| H. | Parking with left wheels to the curb or edge of the roadway | \$ 10.00 |
| I. | Blocking a Driveway   | \$ 50.00 |
| J. | Dangerous, Double, or Improper Parking                      | \$ 25.00 |
| K. | Parking within 20 feet of an Intersection                   | \$ 25.00 |

# DRAFT

|    |  |          |
|----|--|----------|
| L. | Parking within 20 feet of the driveway to the Fire Station | \$ 25.00 |
| M. | Parking beyond 12 inches from the edge of the roadway      | \$ 10.00 |
| N. | Parked blocking egress to the Fire Station                 | \$100.00 |
| O. | Other  | \$ 10.00 |