

# **TOWN ORDINANCE 2018-01**

## **PARKING**

### **Section 1.0 Authority**

By authority of New Hampshire Revised Statutes Annotated 1955, Chapter 41, Section 11, Chapter 41, Section 14(b) and Chapter 47, Section 17(I)

### **Section 2.0 Purpose**

This ordinance is designed to reduce or eliminate illegal parking as outlined by the Board of Selectmen, Town of Lyndeborough. It is intended to enforce illegally stopped or parked vehicles regardless of whether the vehicle is attended or unattended.

### **Section 3.0 Definitions**

**PUBLIC STREETS:** All ways maintained and/or accepted by the town.

**SIDEWALKS:** Any walkway or area designated or intended for pedestrian use.

**PRIVATE AREAS:** Any way, business or area which is considered private.

**VEHICLE:** Includes but not limited to any car, truck, bus, highway equipment, motorcycle or any other vehicle defined in RSA 259:1.

### **Section 4.0 Parking Restrictions**

A. **Handicap Parking:** Any area designated as parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol, unless that person has a special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88, and the person who qualifies for the plate or placard is being transported to or from the parking place.

B. **Roadway Parking:** No portion of a vehicle shall be parked on any paved portion of a roadway which would impede the smooth flow of traffic.

C. Prohibited Areas: No vehicle shall be parked in an area that is designated as no parking areas by order of the Board of Selectmen, Town of Lyndeborough and/or by signs indicating a “No Parking” or “No Parking between said Signs”.

D. Sidewalk: No vehicle shall park any portion of the vehicle on a sidewalk.

E. Winter Parking Ban: No vehicle shall be parked on any street in the Town of Lyndeborough between the dates of November 1st and April 1st, and the hours of 11:00 p.m. and 7:00 a.m. of each year. Dates and times may be changed by the Board of Selectmen.

F. Snow Removal: No vehicle shall be parked on any street in such a manner as to impede snow removal operations. No person shall stop or cause to be stopped or park a vehicle so as to impede or interfere with the proper snow clearing operations of the town when snow removal operations are in effect.

G. Blocking: No vehicle shall be parked in a manner which causes driveways, crosswalks or fire hydrants to be blocked under New Hampshire RSA 265:69.

H. Distance: Any vehicle parked on the roads in the Town of Lyndeborough shall be parked in a manner to allow operators of moving vehicles a clear view of the parked vehicle(s), a minimum distance of 200 feet in each direction under New Hampshire RSA 265:68

### **Section 5.0 Towing**

A. All vehicles found in violation of this ordinance may be removed (towed) at the discretion of the Police Department. Costs of such removal and subsequent storage of removed vehicles shall be at the expense of the owner of the vehicle.

B. Unless safety dictates otherwise the Police Department will not have the vehicle removed until they have attempted to contact the owner and/or operator of the vehicle.

### **Section 6.0 Fines**

A. Any first time offense will result in a fine of \$25.00

B. Any second time offense will result in a fine of \$50.00

C. Any third or subsequent offense will result in a summons to appear in court. At that time the fine will be left up to the discretion of court upon conviction.

D. For first and second time offenses the fine shall be paid to the Town Clerk, Town of Lyndeborough within ten (10) business days, excluding Fridays, Saturdays, Sundays and Holidays. Checks should be made payable to Town of Lyndeborough,.

E. If the fine is not paid to the Town Clerk within the ten (10) business days, excluding Fridays, Saturdays, Sundays and Holidays then the operator or owner shall be issued a summons to appear in court. Upon a conviction, the fine amount will be left up to the discretion of Circuit Court.

### **Section 7.0 Severability**

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

### **Section 8.0 Effective Date**

This Ordinance shall become effective upon adoption by the Lyndeborough Board of Selectmen, and upon the recording of an Attested Copy of the same with the Town Clerk.

### **Section 9.0 Certification**

The foregoing Ordinance (2018-01) enacting Parking, within the Town of Lyndeborough, New Hampshire was delivered to the Town Clerk for recording.

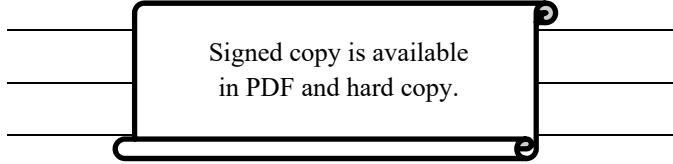
### **Section 10.0 Passage**

This Ordinance shall be in full force and effect from and after its passage, approval, recording, and publications as provided by law.

Passed and adopted by the Lyndeborough Board of Selectmen on behalf of the Town of Lyndeborough, New Hampshire.

Final Vote: the 26<sup>th</sup> day of September 2018

Ayes 3 Namely (signed):



Nays 0 Namely (signed):

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Approved: the 26<sup>th</sup> day of September 2018

Attested: \_\_\_\_\_