TOWN OF BARRINGTON, NH

PARKING ORDINANCE

PARKING, STOPPING, STANDING

AUTHORITY: The Board of Selectmen adopt the following Parking, Stopping and Standing Ordinance pursuant to the provisions of RSA 41:11, RSA 265:69 and RSA 231:132-a.

GENERAL PARKING PROVISIONS.

1. **Stopping, Standing or Parking** is prohibited in Specified Places.- Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic control device, no person,except a person driving an emergency vehicle shall:

   I. Stop, stand or park a vehicle:
      (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
      (b) On a sidewalk;
      (c) Within an intersection;
      (d) On a crosswalk;
      (e) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone;
      (f) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
      (g) Upon any bridge or other elevated structure upon a way or within a highway tunnel;
      (h) On any railroad tracks;
      (i) At any place where official signs prohibit stopping;
      (j) In any 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. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined a minimum of $250;

(k) On any controlled access highway;

(l) In the area between roadways of a divided highway, including crossovers;

(m) In or overlapping into any access aisle. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined a minimum of $50 for a first offense and a minimum of $100 for each subsequent offense.

II. Stand or park a vehicle, whether occupied or not, except momentarily, to pick up or discharge a passenger or passengers:

(a) In front of a public or private driveway;

(b) Within 15 feet of a fire hydrant;

(c) Within 20 feet of a crosswalk at an intersection;

(d) Within 30 feet upon the approach to any flashing signal, stop sign or traffic control signal located at the side of a roadway;

(e) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signposted;

(f) At any place where official signs prohibit standing.

(g) Firelanes

III. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

(a) Within 50 feet of the nearest rail of a railroad crossing;
(b) At any place where official signs prohibit parking. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

2. No Parking at Any Time

The parking of vehicles is prohibited at all times on Class V and Class VI roads, or special permit authorizing same, is issued by the Chief of Police.

3. Interference with Snow Removal

Any vehicle which is parked on any public way and is interfering with municipal snow removal operations shall, after diligent attempt to locate the owner or operator thereof, be towed from its place and stored, the expenses of both to be paid by the owner of the vehicle before reacquiring the same.

POLICE OFFICER'S REPORT

Any police officer observing a violation of this Ordinance shall issue a parking ticket, the copy of which shall be considered his report of the violation. The report shall contain information as follows:

A. The location of the vehicle in violation of this Ordinance.

B. The state license plate number of the vehicle in violation.

C. The time and date such vehicle is parked in violation.

D. Any other pertinent facts which are necessary for a thorough understanding of the circumstances of the violation.

FIRST NOTICE OF VIOLATION; PAYMENT SCHEDULES

A. The police officer shall attach the completed parking ticket to the vehicle. The parking ticket shall constitute notice to the owner and/or operator that the vehicle is parked in violation. The parking ticket shall instruct the owner or operator to pay, to the police department, the appropriate sum for a "first notice of violation" as provided on the payment schedule for that violation.

B. All parking violations shall be Schedule A Violations except violations of handicap parking and fire lanes, which shall be Schedule B Violations.

C. Parking violation schedules shall be as follows:

1. Schedule A.

   a. First notice: twenty-five dollars ($25).

   b. Final notice: fifty dollars ($50).

   c. Minimum court fine: fifty dollars ($50).

2. Schedule B.

a. First notice: two hundred fifty dollars ($250).

b. Final notice: two hundred seventy-five dollars ($275).

c. Minimum court fine: two hundred seventy-five dollars ($275).

SUBSEQUENT NOTICE OF VIOLATION

A. Final notice. If the fine indicated for the first notice is not paid within ten (10) days, the Chief of Police shall send a final notice of violation to the owner of the vehicle. Such notice shall be sent to the address listed with the State Motor Vehicle Department of the state in which the vehicle is registered, shall be sent by certified mail, return receipt requested and shall instruct him/her that he/she may avoid further action or prosecution and fine by paying the Town of Barrington the final notice payment in the applicable payment schedule for that violation. The receipt provided by the United States Postal Service at the time of the sending of a certified letter shall be considered evidence that the police department has complied with this section.

PAYMENT NOT AN ADMISSION OF GUILT

Such payment as outlined in this Ordinance shall not constitute an admission of guilt nor a determination of guilt. On receipt of payment, no further action shall be taken by the Barrington Police Department on such violation. The charge in the aforementioned cases is not a fine or penalty.

SUMMONS TO COURT

Any person to whom is sent or issued notification of violations of the preceding sections of this Ordinance and who does not pay the charges prescribed above shall be summoned upon complaint, or by post-paid certified mail, return receipt requested, pursuant to RSA 231:132-A, IV, to the Rochester District Court. The penalty for violation of this Ordinance in such case shall be no less than the fine indicated in the applicable payment schedule, no portion of which may be suspended.

SEPARABILITY

If any section of this ordinance shall be declared invalid, the remaining sections shall not be affected thereby.

TAKES EFFECT

This ordinance shall take effect upon passage.

Approved as to form

Mitchell S Bates
Town Attorney

August 21, 2006
Date of Passage

Selectman

Selectman

Selectman

Selectman

Selectman