**TOWN OF HOLDERNESS, NEW HAMPSHIRE**
**PARKING ORDINANCE**

BE IT ORDAINED, BY THE SELECTMEN OF THE TOWN OF HOLDERNESS AS FOLLOWS: THE TOWN OF HOLDERNESS PARKING ORDINANCE OF 2012, AS ADOPTED BY THE TOWN OF HOLDERNESS BY ITS BOARD OF SELECTMEN, PURSUANT TO RSA 41:11 AND RSA 47:17,XVIII.

## A. PREAMBLE:

1. This Ordinance shall be captioned "Town of Holderness Parking Ordinance" and shall take effect on its adoption by the Town.

2. In addition to any other remedy established by law, the selectmen shall be authorized to enforce the provisions of this ordinance by any proceeding commenced in the Grafton County Superior Court or the Plymouth District Court, and shall be entitled to recover from any violator hereof all their costs, including attorney's fees, in connection with such enforcement, to the extent allowed by said Court.

3. If any word, term, phrase, sentence or clause of this ordinance is found to be invalid by any court of competent jurisdiction, or any other agency, such finding shall not affect the validity of any other word, term, phrase, sentence, or clause of this ordinance.

**B. DEFINITIONS:** Wherever in this ordinance the following terms are used, they have the meanings respectively ascribed to them in this section.

1. Roadway: The portion of a public way or highway between the regularly established curb and lines or that part improved and intended to be used for vehicular travel.

2. Sidewalk: The portion of a public way between the curb lines and the adjacent property lines.

3. Crosswalk: The portion of a public way ordinarily included within the prolongation or connection of curb and property lines at intersections, or any other portion of a public way clearly indicated for pedestrian crossing by lines, distinctive materials or other markings on the surface or appropriate signs.

4. Public way or highway: The entire width between the boundary lines of any public way, highway, avenue, road, alley, park or parkway for the purpose of vehicular travel, or any private way laid out under authority of statute, or any such way provided and maintained by a public institution to which state funds appropriated for public use, or any such way which had been used for public travel thereon, other than to and from a toll bridge ferry, for 20 years, or any public or private parking lot which is maintained primarily for the benefit of paying customers.

5. Motor Vehicles: Every vehicle, as defined in RSA 259:60.

6. Pedestrian: Any person afoot.

7. Traffic: Pedestrians, ridden or herded animals, motor vehicles and other conveyances either singly or together while using any public way for purposes of travel.

8. Parking: The standing of a motor vehicle, whether occupied or not, upon a public way, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in the obedience of traffic regulations or traffic signs or signals.

9. Official Traffic Signs: All signs, markings and devices, other than signals, not inconsistent with this ordinance, placed or erected by the authority of a public body or Chief of Police, for the purpose of guiding, directing, warning or regulating traffic.

10. Police Officer: Every officer of the Town or any officer authorized to direct regulate traffic or to make arrests for violations of traffic regulations.

## C. STOPPING, STANDING OR PARKING:

1. Stopping Prohibited in Specific Places: It shall be unlawful for the driver of a motor vehicle to stop, stand, or park such motor vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a Police Officer.

    a. Within an intersection, or within fifteen (15) feet of any intersection unless otherwise marked.

    b. On a crosswalk.

    c. Within fifteen (15) feet of a fire hydrant.

    d. In front of a private driveway.

    e. On a sidewalk.

    f. Alongside or opposite any public way, when such stopping, standing, or parking would block or obstruct traffic.

    g. On the roadway side of any vehicle stopped or parked at the edge or curb of a street "double parking".

    h. At any place where official traffic signs have been erected prohibiting standing, parking and/or loading or unloading.

    i. The provisions of this ordinance shall apply to commercial vehicles loading and unloading. The Police Department shall have authority, if they deem necessary to permit commercial vehicles for a period -of Twenty (20) minutes in which to load or unload whereby the provisions of this ordinance shall not apply.

    j. Park a motor vehicle with driver's side wheels closest to the curb.

## D. PENALTIES:

1. The Following penalties shall be assessed for parking violations if paid within forty-eight hours for the issuance of a parking ticket:

   a. Parking within a fire lane or within 15 feet of a fire hydrant- one-hundred dollars ($100.00).

   b. Parking upon a side walk- fifty dollars ($50.00)

   c. Parking in front of driveway- fifty dollars ($50.00).

   d. Parking or blocking a designated handicapped parking space without authority- one-hundred dollars ($100.00).

   e. Overnight parking violation- fifty dollars ($50.00).

   f. Snow removal violation- fifty dollars ($50.00).

   g. Parking within a no parking zone- fifty dollars ($50.00).

   h. Within an intersection or within 15 feet or any intersection unless otherwise marked- fifty dollars ($50.00).

   i. Permit parking violation- fifty dollars ($50.00).

   j. Improper parking, alongside or opposite any public way, when such stopping, standing, or parking would block or obstruct traffic-fifty dollars ($50.00).

   k. Any person who fails to pay a parking violation, snow removal violation, overnight parking violation within the prescribed forty-eight hour period from the time of issue of said citation shall be guilty of a separate violation of failure to pay parking violation(s) and shall be fined no more than five-hundred dollars ($500.00).

## E. OVERNIGHT PARKING:

1. No person shall park a motor vehicle on any public way between the hours of 1:00 AM and 5:00 AM, between November 1st and May 1st.

2. No person shall park a motor vehicle on US Route 3 from the intersection with NH Route 113, south to the intersection with Shepard Hill Road, between the hours of 1:00 AM and 5:00 AM.

## F. SNOW REMOVAL:

1. No person shall park any motor vehicle on any public way or sidewalk within the Town of Holderness in such a way to hinder the removal of snow from the roadways.

2. The Road Agent and/or Police Chief may authorize a snow removal parking ban. Broadcasting of the ban shall be in the following manner:

   a. Notification on a local radio station and/or,

   b. Notification of the community access channel and requesting broadcast and/or,

   c. Broadcasting of the ban over all Town owned radio frequencies.

3. Subsequent to the snow removal parking ban, all motor vehicles found in violation of F-(1) may be towed by the Holderness Police Department at the owner's expense.

This Ordinance shall take effect upon passage and shall remain in full force and effect until amended or repealed by appropriate authority. This Ordinance supersedes all prior ordinances on similar subject matter.

Passed and approved by the Board of Selectmen of the Town of Holderness,

New Hampshire, this 27th day of August, 2012

Signed this 27th day of August, 2012

Peter Webster, Chairman

Shelagh Connelly

Christopher Devine, Co-Chairman

Jill White

John W. Laverack Jr.

Board of Selectmen
Holderness, New Hampshire

Received and Recorded August 28, 2012 at 9:30 o'clock am/pm.

Ellen King, Town Clerk