

Introduced: 10/06/03
Second Read/Public Hrg.: 00/00/00
Adopted: 00/00/00

ORDINANCE 2003-08
AN AMENDMENT TO THE MUNICIPAL CODE
RELATING TO THE TRAFFIC SAFETY ORDINANCE

WHEREAS the Londonderry Traffic Safety Committee voted in April, 2002 to amend the Traffic Safety Ordinance of the Town of Londonderry to reflect certain changes, and which changes were subsequently adopted by the Town Council; and,

WHEREAS the Londonderry Town Council wishes to further amend the Ordinance to reflect changes to Section II - Thru Trucking Permitted/Prohibited, and is vested with the power to effect such changes to the Municipal Code; and,

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title II - Traffic Safety Ordinance, Chapter VI - Stopping, Standing and Parking, Section A.14, is hereby amended as attached.

Tom Dolan - Chairman
Town Council

Meg Seymour
Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
00/00/00

CHAPTER VI - STOPPING, STANDING AND PARKING

SECTION I PLACES PROHIBITED

- A. It shall be unlawful for the driver of a vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police officer or other emergency official, or traffic control sign or signal:**
- 1. Within an intersection**
 - 2. On a crosswalk**
 - 3. Between a Safety Zone and the adjacent curb or within twenty feet (20') of points of the curb immediately opposite the ends of the Safety Zone unless indicated otherwise by signs or markings**
 - 4. Within twenty feet (20') from the intersections of curb lines, or if none, within fifteen feet (15') of the intersection of property lines at an intersection, except at alleys.**
 - 5. Within twenty feet (20') upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway.**
 - 6. Within six feet (6') of a fire hydrant**
 - 7. In front of a private driveway**
 - 8. On a sidewalk**
 - 9. Alongside or opposite to any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.**
 - 10. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.**
 - 11. At any place where official traffic signs have been erected, prohibiting standing or parking**
 - 12. Within thirty feet (30') of the nearest rail of a railway crossing.**
 - 13. In any parking place, whether on public or private property, specifically designated for the physically handicapped by means of a sign stating that the space is reserved for the physically handicapped or displaying the wheelchair symbol as defined in RSA 275-C:9, I (a), unless that person has a special number plate, number plate decal, tag or card issued pursuant to RSA 260:17, 18 or 18-a, which is prominently displayed on or in the vehicle.**
 - 14. In any place, on public property, specifically designated for their patrons or employees and which is so designated by signs identifying time and day(s) of enforcement, inclusive of the Town Library except while visiting the Library, the Cable Access Studio except while visiting the facility, the School Superintendent's office except while conducting business with that office or the Police Department while conducting Police Business.**

CHAPTER VI - STOPPING, STANDING AND PARKING

SECTION I PLACES PROHIBITED (Cont'd)

- B. It shall be unlawful for any driver to stop, stand or park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic.**
- C. Any driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations, traffic signs or signals, a Police Officer or other emergency official.**
- D. The operator of any vehicle, other than one on official business related to a fire call, shall not follow, drive, or park, within five hundred feet (500') of any fire apparatus traveling, or which has stopped, in response to a fire alarm.**

SECTION II LOADING/UNLOADING AREAS

- A. The Traffic Safety Committee shall have authority to determine the location of Passenger Zones and Loading Zones and shall erect and maintain, or cause to be maintained, appropriate signs indicating same.**
- B. It shall be unlawful for the driver of a vehicle to stop, stand or park the vehicle for a period of time longer than is necessary for the expeditious loading/unloading of passengers in any place marked as a Passenger Zone.**
- C. It shall be unlawful for the driver of a vehicle to stop, stand or park the vehicle for a period of time longer than is necessary for the expeditious loading/unloading, delivery and/or pickup of materials in any place marked as a Loading Zone. In no case shall the stop for loading and loading of materials exceed thirty (30) minutes.**

SECTION III BUS STOPS, TAXICAB STANDS, AND NO PARKING AREAS

- A. The Traffic Safety Committee is authorized and required to establish bus stops, taxicab stands and no parking areas on such public streets and in such places and in such manner as it shall determine to be of the greatest benefit and convenience to the public and shall so designated such areas by appropriate signs.**

CHAPTER VI - STOPPING, STANDING AND PARKING (Cont'd)

SECTION III BUS STOPS, TAXICAB STANDS, AND NO PARKING AREAS (Cont'd)

A. Authorized....(Cont'd)

1. No Parking Areas (Cont'd)

a bus to stand or park in an officially designated bus stop, or for the driver of any vehicle other than a taxicab to stand or park in an officially designated taxicab stand, or for the driver of any vehicle to stand or park in any officially designated no parking area, except that the driver of any passenger vehicle may temporarily stop in any such area, stand, or no parking area for the purpose of, and while actually engaged in, the loading or unloading of passengers.

2. Designated Stands for Buses, Taxicabs - It shall be unlawful for the driver of any bus or taxicab to stand or park upon any street in any business district at any place other than that designated as a bus stop or taxicab stand, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

3. It shall be unlawful for the driver of a bus, public conveyance or other vehicle to drive over or through a safety zone as defined this Chapter at any time.

4. It shall be unlawful for any person to board or alight from any bus, public conveyance or other vehicle while such vehicle is in motion.

SECTION IV PARKING AT CURBS, IN STALLS

A. Except when necessary, in obedience to traffic regulations or traffic signs or signals, the driver of a vehicle shall not stop, stand or park such vehicle:

1. In a roadway other than parallel with the edge of the roadway, headed in the direction of traffic and with the curbside wheels of the vehicle within eighteen inches (18") of the edge of the roadway, or

2. In a parking district where stall parking has been established in a manner such that the vehicle will occupy more than one stall, unless the vehicle is of such length as to require an additional stall or stalls.

CHAPTER VI - STOPPING, STANDING

AND PARKING (Cont'd)

SECTION IV PARKING AT CURBS, IN STALLS (Cont'd)

- B. Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs and in such a manner whereby they will not occupy more than one stall.**
- C. In places where and at hours when stopping for the loading/unloading of merchandise or materials is permitted, vehicles used for the transportation of same may, when it is absolutely necessary, back into the curb to take on or discharge loads provided the owner of such vehicle holds a specific permit granting such privilege. Such permit shall be either in the possession of the driver or on the vehicle. It shall be unlawful for any owner or driver to violate any of the special terms or conditions of any such special permit.**

SECTION V ALL NIGHT PARKING

- A. Parking of vehicles throughout the night on any street or highway is prohibited.**

SECTION VI PARKING VEHICLE FOR SALE

- A. It shall be unlawful for any person to park upon a street any vehicle displayed for sale.**

SECTION VII NO PARKING

- A. It shall be unlawful for the driver of any vehicle to stop, stand or park on the most southerly portion of Buttrick Road from the intersection with Rote 102 northerly to the northerly boundary of Tax Map 6, Lot 33-a, at the New Hampshire Highway Department concrete bound. (Art. 21, TM 1993)**
- B. Any vehicle parked in a "NO PARKING" zone which is clearly indicated by legally posted signs indicating that parking is prohibited within the area will be declared to be an obstruction to traffic and a public nuisance.**

SECTION VIII USE OF VEHICLES FOR DISPLAY ADVERTISEMENT

- A. It shall be unlawful for any person to operate or to park on any street such vehicle for the primary purpose of displaying advertising except by permit from the Chief of Police issued to said person and in accordance with the rules and regulations adopted by the Traffic Safety Committee.**

CHAPTER VI - STOPPING, STANDING AND PARKING (Cont'd)

SECTION IX LIGHTS ON PARKED VEHICLES

- A. Whenever a vehicle is parked or stopped on a street during the time between one half hour after sunset, and one half hour before sunrise, or at any other time when there is not sufficient light to render clearly discernable any vehicle upon the street from a distance of two hundred feet (200'), there shall be displayed upon such vehicle one or more lamps:**
- 1. One of which shall be on the roadway side and project a light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle, and**
 - 2. One of which lamps shall project a red light visible under like conditions from a distance of five hundred feet (500') to the rear.**
 - 3. Such parking lights need not be displayed upon any vehicle stopped or parked in accordance with other provisions of this Code upon any street so designated by the Traffic Safety Committee where there is sufficient light to reveal any person within a distance of two hundred feet (200').**

SECTION X PENALTIES

- A. Each owner or operator of a vehicle who violates the provisions of this Chapter may, within seven calendar days of the time when such notice was attached to such vehicle, pay to the person in charge and on duty at Police Headquarters, as a penalty for and in full satisfaction of such violation, the following sums:**
- 1. Fifty dollars (\$50) - Unauthorized parking in a parking space designated for the handicapped when free standing signs are posted**
 - 2. Thirty dollars (\$30) - Unauthorized parking in space designated as a fire zone or fire lane when free standing signs are posted.**
 - 3. Twenty five dollars (\$25) - All other parking violations (except for violations of the Snow removal provisions hereinafter propounded)**

CHAPTER VI - STOPPING, STANDING AND PARKING (Cont'd)

SECTION X PENALTIES (Cont'd)

- B. The failure of such owner or operator to make such payment within the seven day period shall render such owner or operator subject to the penalties hereinafter provided for violation of the general provisions of this Chapter.**
- C. Other Violations - any person who shall violate any of the provisions of this Chapter and who shall fail to report within seventy two hours and pay the penalty prescribed herein, or shall violate any other provisions of this Chapter, shall, upon conviction thereof, be subject to a fine of not less than twenty five dollars (\$25) and not more than one hundred dollars (\$100).**

SECTION XI PRESUMED OWNERSHIP

- A. If any vehicle is found upon a street, highway, parking lot or other way as defined under RSA 259:125 II, in violation of any provision of this Chapter, and the driver is not immediately ascertainable, the person in whose name such vehicle is registered is presumed to be the driver. This presumption is rebuttable upon the production of sufficient evidence to warrant a finding that the presumed fact does not exist.**

SECTION XII TOWING AND STORAGE CHARGES

- A. The owner of a motor vehicle impounded hereunder shall be responsible for towing and storage charges.**

SECTION XIII IMPOUNDMENT OF VEHICLES

- A. Members of the Police Department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety:**
 - 1. Any vehicle left unattended upon any bridge where such vehicle constitutes an obstruction to traffic.**
 - 2. Any vehicle upon a highway so disabled as to constitute an obstruction to traffic and the person in charge of such vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.**

CHAPTER VI - STOPPING, STANDING AND PARKING (Cont'd)

SECTION XIII IMPOUNDMENT OF VEHICLES (Cont'd)

A. Members of the Police Department... (Cont'd)

- 3. Any vehicle left unattended upon a street and parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic**
- 4. Any vehicle left unattended during snow removal or is impeding the snow removal operations, or is parked overnight in violation of this Chapter.**
- 5. Any vehicle left unattended in such a manner as to obstruct the ingress or egress of a driveway or entryway to a public or private building, parking lot or garage, or when such vehicle is parked in a "NO PARKING" zone which is clearly indicated by legally posted signs indicating that parking is prohibited within the area. Any vehicle so left unattended or so parked is hereby declared to be an obstruction to traffic and a public nuisance.**

SECTION XIV NOTICE TO OWNER

- A. Whenever an officer removes a vehicle from a street as authorized in this Chapter and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall attempt to give or cause to be given notice in writing to such owner of the fact of such removal, the reasons therefor, and the place to which such vehicle has been removed.**
- B. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage. Such notice shall include a complete description of the vehicle, the date, time and place from which it was removed, and the reasons for such removal.**

CHAPTER VI - STOPPING, STANDING AND PARKING (Cont'd)

SECTION XV NOTICE TO STATE

- A. Whenever an officer removes a vehicle from a street and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give notice to the owner as herein provided, and in the event the vehicle is not returned to the owner within a period of three days, then the officer shall:**
 - 1. Immediately send or cause to be sent by mail a written report of such removal to the State Department of Motor Vehicles, Registration Division, and**
 - 2. File a copy of such notice with the proprietor of any public garage in which the vehicle may be stored.**
- B. Such notice shall include a complete description of the vehicle, the date, time and place from which it was removed, and the reasons for such removal and the name of the garage where the vehicle is stored.**