

CHAPTER 1-09—PARKING REGULATIONS

1-09-01 AUTHORITY: Pursuant to the authority granted under the NH RSA 31:39-43, RSA 31:102, RSA 41:11, RSA 47:17, RSA 231:132-a, and any other applicable statute under New Hampshire law, the following ordinance is enacted.

1-09-02 PURPOSE: With discretion of authority, this ordinance for parking in specific places will be enforced to protect the public peace, preserve public law and order, promote safety and welfare, and ensure proper and decent conduct for the residents of the Town of Stratham and the general public.

1-09-03 DEFINITION: It shall be unlawful for any person, firm or corporation to stop, stand, or park, any vehicle or cause the same to stop, stand, or be parked at any time, on any roadway, intersecting roadway or highway, public or private parking lot, contrary to the provisions as set forth, within the Town of Stratham, New Hampshire. Any vehicle parked in the following locations further defined by RSA 265:68 and 265:69 shall be deemed to be in violation:

- a) On any public sidewalk
- b) On a public crosswalk
- c) In front of a public or private driveway
- d) Within thirty (30) feet of any stop or yield sign
- e) Within an intersection, or within thirty (30) feet of an intersecting roadway
- f) Parked double along the roadway side of any other vehicle stopped or parked at the edge or curb of any street
- g) Upon any area of Town of Stratham property posted to prohibit parking
- h) Upon any way when the principal purpose is displaying the vehicle for sale
- i) Upon the travel portion of any roadway so as to obstruct the movement of traffic within the travel lane
- j) Upon any roadway against traffic or facing approaching traffic
- k) At any place where official signs specifically prohibit parking
- l) In any designated Fire Lane
- m) Within 15 feet of a fire hydrant or sprinkler supply head
- n) In any area designated as Handicapped Parking

1-09-04 INCLUSIVE: This chapter and section expressly includes, but is not limited to, the following public and private parking areas within the bounds of the Town of Stratham:

- a) Stratham Municipal Center
- b) Stratham Fire Department
- c) Stratham Hill Park
- d) Stratham Memorial Elementary School
- e) The Cooperative Middle School
- f) New Hampshire Technical College
- g) Any shopping center or shopping plaza
- h) Any compact commercial or similar area
- i) Stratham Industrial Park business areas

1-09-05 ENFORCEMENT: The Chief of Police of the Town of Stratham or his duly appointed agents are hereby authorized to cite, summons, and prosecute in the District Court or any other court

having jurisdiction thereof, any person, firm, or corporation deemed to be in violation of the provisions for parking prohibited in specific places.

1-09-06 RESPONSIBILITY: All violations of parking restrictions and charges shall be deemed the responsibility of the registered owner of said vehicle. Such registration may be proven as set forth in RSA 261:60. Said registered owner shall be conclusively presumed to be in control of the vehicle at the time of the parking violation, and no evidence of actual control or culpability need be proven as an element of the offense in accordance with RSA 231:132-a.

1-09-07 PENALTIES: All of the prohibited conduct outlined herein shall be defined as a violation under New Hampshire RSA 625:9 V, and a person found to be guilty of said violation shall be subject to the penalties of NH RSA 651:2 IV (a), or as otherwise outlined in Statute, except that optional procedures set forth in Section 1-09-08 PROCEDURES FOR PAYMENT may be used in lieu of court proceedings for any such violations.

1-09-08 PROCEDURES FOR PAYMENT:

- a) The operator or owner may, within 72 hours of the time when a notice of a violation was attached to the vehicle, pay to the Stratham Police Department by mail or personal appearance the sum of twenty (\$20.00) dollars as a penalty in lieu of court proceedings, except in reference to a Fire Hydrant violation, where the penalty is a minimum of fifty dollars (\$50.00); Fire Lane violation, where the penalty is a minimum of fifty dollars (\$50.00); or Handicap Parking, where the penalty is a minimum of two hundred fifty dollars (\$250.00)
- b) Failure by the owner or operator to make such payment within fourteen (14) calendar days will result in a second written notice of the violation. Failure by the owner or operator to make payment within five (5) business days after the second notice is sent, may result in the issuance of a summons to the owner to appear in the District Court to answer to the charges of violating the ordinance as provided in RSA 231:132-a

1-09-09 EXCEPTIONS: Restrictions described in this chapter shall not apply when directed by a police officer for official or emergency purposes, or to emergency vehicles while on official business. The Chief of Police or their designee is authorized and empowered to make and enforce temporary parking regulations to cover emergencies, special conditions, and special events.

1-09-10 REMOVAL: Any vehicle parked in violation of this ordinance may be ordered towed by the Stratham Police Department at the expense of the owner, or custodian of said vehicle.

1-09-11 SEVERABILITY: If any section, part of a section, chapter, provision or amendment of this ordinance is declared or deemed invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section, or sections, or part of a section, or chapter and provision of the ordinance.

Adopted 2011

By: Selectmen David Canada, Timothy Copeland, Bruno Federico