

## **CHAPTER 01-19- PARKING ON JACK RABBIT LANE AND JACK RABBIT PARKING LOT**

**Adopted by the Select Board April 3, 2023**

01-19-01 AUTHORITY: Pursuant to the authority under the NH RSA 31:39, RSA 31:102, RSA 41:11, RSA 47:17, RSA 231:132a, and any other applicable statute under New Hampshire law, the following ordinance is enacted.

01-19-02 PURPOSE: With discretion of authority, this ordinance for parking on Jack Rabbit Lane and in the Jack Rabbit Lane parking area will be enforced to protect the public peace, preserve public law and order, promote safety and welfare, and ensure proper and decent conduct of the residents of Stratham and the general public.

01-19-03 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 park at any time on Jack Rabbit Lane. 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 park at any time on Jack Rabbit Lane parking area unless the vehicle has a Town of Stratham Resident sticker affixed to the passenger side front windshield.

01-19-04 ENFORCEMENT: The Chief of Police of the Town of Stratham or their duly appointed agents are hereby authorized to cite, summons, prosecute in the District Court or any other court having jurisdiction thereof, any person deemed to be in violation of this ordinance.

01-19-05 RESPONSIBILITY: All violations of this ordinance and charges shall be deemed the responsibility of the operator of said vehicle.

01-19-06 PENALTIES: All 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 1-19-08 PROCEDURES FOR PAYMENT may be used in lieu of court proceedings for any such violations.

01-19-07 PENALTY:

- A) For the first offense, the owner or operator shall pay the fine of twenty-five (\$25.00) within 72 hours of time when the violation was served or attached to the vehicle. For each subsequent offense within a calendar year period, the owner or operator shall pay the fine of fifty (\$50.00) within 72 hours of time when the violation was served or attached to the vehicle.
- 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 of the owner or operator to make payment within five (5) business days after the second notice sent,

may result in the issuance of a summons to the operator to appear in the District Court to answer charges of violating the ordinance as provided in RSA 231: 132-a.

**01-19-08 PROCEDURES FOR PAYMENT:**

- A) The owner or operator may, within 72 hours of time when a notice of a violation was served or attached to a vehicle, pay to the Stratham Police Department by mail or personal appearance the sum indicated by the issuing officer taken from the penalty schedule as a penalty in lieu of court proceedings.
- B) Payment must be made by check or money order, cash or credit card will not be accepted.
- C) 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 of the owner or operator to make payment within five (5) business days after the second notice sent, may result in the issuance of a summons to the operator to appear in the District Court to answer charges of violating the ordinance as provided in RSA 231: 132-a.

**01-19-09 EXCEPTIONS:** Restrictions described in this chapter shall not apply when directed by a police officer or official or emergency purposes, or to emergency vehicles, town public works, building and maintenance vehicles, or school buses in the normal process of their duties. The Chief of Police or their designees is authorized and empowered to make and enforce temporary parking regulations to cover emergencies, special conditions and special events. Vehicles displaying either a handicap or veteran status designations are also exempt from the parking restrictions at Jack Rabbit parking lot.

**01-19-10 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.

**01-19-11 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, force, or effect any of other section, or sections, or part of sections, or chapter and provisions of the ordinance.

Adopted April 4, 2023

By: Select Board Members Michael Houghton, Allison Knab and Joseph Anderson