

**COPY**



# TOWN OF GILFORD, NEW HAMPSHIRE

## PARKING REGULATIONS

### (CHAPTER 24)

KNOW ALL PERSONS BY THESE PRESENTS, the Gilford Board of Selectmen hereby ordains to adopt these regulations as local ordinances by which the Town shall regulate the parking of motor vehicles along public streets, within Town-owned property and at parking areas that are open for public use.

#### 24.1 AUTHORITY

24.1.1 These regulations are adopted pursuant to the authority granted under RSA 41:11, 41:11-a, 47:17, 231:59-a, 231:132-a, 259:83, 259:125, and 265:70. In addition, these regulations are intended to incorporate specific provisions from RSA 265:68, 265:69, 265-69-a, and 265:71 as a local ordinance to be enforced as parking regulations applicable within the Town of Gilford. (See Appendix A for copies of the relevant language from each statute cited.)

24.1.2 These regulations shall not apply to the Glendale Facility (see Chapter 15 – Glendale Facility Regulations); the Town Beach (see Chapter 3 – Town Beach Regulations); boat trailer parking next to the Ice Rink (see Chapter 15-A – Boat Trailer Parking Facility Regulations); or overnight parking of recreational vehicles (see Chapter 18 – Ordinance to Prohibit Overnight Parking of Recreational Vehicles).

#### 24.2 PURPOSE

24.2.1 The purposes of these regulations are as follows:

- (a) To ensure emergency vehicle access throughout the Town of Gilford as may be necessary.
- (b) To prevent vehicular obstructions, travel inconveniences, and visibility impairments along travel ways; in so much as practical.

- (c) To implement and provide local enforcement methods for the motor vehicle laws promulgated by the State of New Hampshire; in addition to establishing enforcement methods for these regulations as otherwise set forth herein.
- (d) To regulate the manner of parking upon particular highways for the safety and welfare of the general public, (including, but not limited to motorists and pedestrians) as may be necessary on a case-by-case basis, taking into account the needs and observations of local residents as well as the Town's duty of care for maintenance and emergency response purposes.
- (e) To protect and preserve Town-owned property, especially during such periods of time when facilities are not open to the public; while striving to enhance the peaceful enjoyment and safety of private property situated adjacent to public lands.
- (f) To establish a system of fines and penalties for violations.

### 24.3 REPEAL OF PREVIOUS REGULATIONS

24.3.1 These regulations shall supersede and replace the Ordinance Related to Parking Regulations as originally adopted on May 28, 1970 and subsequently repealed and/or amended through July 11, 2007. In addition, these regulations shall supersede and replace the following regulations: An Ordinance with Respect to Nighttime Parking on Streets and Public Ways from November 15 to April 1<sup>st</sup> (Chapter 16); An Ordinance Relating to Parking Regulations at 9 Lakeshore Road Shopping Plaza (Chapter 19); An Ordinance Relating to Parking Regulations at 18 Weirs Road Shopping Plaza (Chapter 20); An Ordinance Relating to Parking Regulations at 1401 Lakeshore Road Shopping Plaza (Chapter 21); An Ordinance Relating to Parking Regulations at One Gilford Place Shopping Center (Chapter 22); and An Ordinance Relating to Parking Regulations at 1458 Lakeshore Road Shopping Plaza (Chapter 23).

### 24.4 GENERAL PARKING RESTRICTIONS

#### 24.4.1 Parking Lots

A. Notwithstanding the authority of the Selectmen to declare emergency lanes pursuant to the provisions of RSA 231:59-a; (see also Section 24.4.9 and Appendix C); nor the authority of the Planning Board to determine the alignment and configuration of parking spaces as part of a site plan approval process under RSA 674:43, the following regulations shall apply to all parking areas, (including privately owned facilities) for shopping plazas and malls where fifty (50) or more parking spaces are provided:

- (1) It shall be a violation of these regulations to park any vehicle within twenty feet (20') of a walkway immediately in front of the main entrances and exits.

- (2) It shall be a violation of these regulations to park any vehicle within twenty feet (20') of the side walls or rear walls of a mall or plaza building as regulated herein, except for vehicles that are actively engaged in the loading/unloading process.

B. The regulations in subsections (1) and (2) as noted above may be waived by the Fire Chief upon a written determination (on a case-by-case basis) that sufficient space is otherwise available for emergency apparatus. (See Appendix D for applicable correspondence related thereto.)

C. Owners, lessees and/or operators of such malls and plazas shall be required to post “no parking” signs and refrain from designating parking spaces in accordance with this section of the regulations.

D. The installation of any gates or fences within a travel lane in a regulated public parking lot travel area shall be prohibited except when otherwise approved by the Fire Chief, provided that a lock box is made available for access by emergency service providers.

#### 24.4.2 Winter Parking Ban

A. During the period November 15 through April 1; and during such other times as snow or ice may be accumulating on the ground, it shall be a violation of these regulations to park any vehicle on a public street or way between the hours of 12:00 midnight and 7:00am.

#### 24.4.3 Special Parking Regulations

A. The following areas are specifically designated as no parking zones, to include the entire width of the travel lanes and road shoulders:

- (1) Varney Point Road, on the westerly side in its entirety, and on the easterly side between Route 11 and Casey Road;
- (2) Varney Point Road Left, both sides, in its entirety;
- (3) Varney Point Road Right, both sides, in its entirety;
- (4) Potter Hill Road on the easterly side from Belknap Mountain Road to the entrance for Gilford Village Knolls; and on the westerly side from Belknap Mountain Road to the intersection with Tannery Hill Road north of the Soldier’s Memorial Monument;
- (5) Kimball Road from Weirs Road (a.k.a. Route 11-B) for a distance of five hundred feet (500') on both sides;
- (6) Glendale Place, both sides, in its entirety;

- (7) Route 11, both sides, between the Alton town line and Ames Cemetery and between the Laconia city line and Liscomb Circle;
- (8) Belknap Mountain Road, both sides, in its entirety within the limits of the Gilford Village District, except for the eleven (11) diagonal spaces on the north side in the vicinity of the Old Library which are hereby authorized;
- (9) Weirs Road (a.k.a. Route 11-B), both sides, for a distance of nine hundred feet (900') for a total distance of one thousand eight hundred feet (1,800') within the southern-most intersection of Dockham Shore Road;
- (10) Roberts Road, both sides, in its entirety;
- (11) Route 11-A, both sides, between the southernmost intersection of Intervale Road (a.k.a. Route 11-B) and Potter Hill Road;
- (12) Summit Avenue, both sides in its entirety.

B. The six (6) diagonal parking spaces on Easy Street are hereby authorized.

#### 24.4.4 General Rules

A. No person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the roadway or upon any public way when it is practicable to park such vehicle off the travel portion of a roadway; nor shall any person park a vehicle in such a way as to create a hazard to other users of a roadway or block the orderly flow of traffic, including the unrestricted passage of emergency vehicles.

B. No person shall stop, park, or leave standing any vehicle, whether attended or unattended, unless necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, in the following manner:

- (1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street (double parked);
- (2) On a sidewalk;
- (3) Within an intersection or within 30 feet of a curb, except momentarily to pick-up or discharge passengers;
- (4) On a crosswalk or within 20 feet of a crosswalk at an intersection, except momentarily to pick-up or discharge passengers;
- (5) Alongside or opposite any street excavation or construction;

- (6) Upon any bridge or other elevated structure upon a public way;
- (7) On any railroad tracks or within 50 feet of a railroad crossing;
- (8) On any controlled access highway;
- (9) In the area between roadways of a divided highway, including crossovers;
- (10) In or overlapping into any access aisle;
- (11) Within 15 feet of a fire hydrant, except momentarily to pick-up or discharge passengers;
- (12) Within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway;
- (13) On the “wrong” side of the road (parked vehicles within a roadway must have the right-hand wheels parallel to the right-hand side of the traveled portion of the way, except in locations where diagonal parking is otherwise delineated);
- (14) Too far from the edge of roadway (parked vehicles within a roadway must have the right-hand wheels within 12 inches of the right-hand curb or edge of the roadway, except in locations where diagonal parking is otherwise delineated);

#### 24.4.5 Handicap Designations

A. It shall be a violation of these regulations for any person to park or stop a motor vehicle in a parking place specially designated for a person with a disability by means of a sign or symbol as required by RSA 265:73-a , unless that person has a special plate or placard issued or recognized pursuant to NH law, and the person who qualifies for the plate or placard is being transported to or from the parking place.

B. The Board of Selectmen and/or Director of Public Works is authorized to establish specific parking places that are specially designated for a person with a disability. Such places shall be identified with signs and/or symbols as otherwise required by law.

#### 24.4.6 Public Recreation Areas

A. It shall be unlawful to park or leave any vehicle between the hours of 11:00 P.M. and 5:00 A.M. at any public recreation area, including, but not limited to Lincoln Park, Stonewall Park, Gilford Village Field, Sarah Peck Park, Arthur A. Tilton Ice Rink, the Lockes Hill Trail Parking Area, Saltmarsh Pond Parking Area, Weeks Town Forest, Weeks Woods, etc. (Note: the Selectmen may vote to extend these hours for special events upon written request or for good cause.)

B. It shall be unlawful to park or leave any vehicle at any Town Park, Forest, Recreation Facility or Conservation Area unless the occupants of such vehicle are utilizing the facility for its intended purpose or some other official purpose during normal hours. In addition, the use of the Gilford Village Field parking lot is hereby authorized for student parking during weekday daylight hours whenever the access gate is left open.

C. The Board of Selectmen may authorize the installation of gates and the limiting or closing of public access to Town Recreation Areas for any reason that may be in the Town's best interest.

#### 24.4.7 Temporary Parking Regulations

A. The Board of Selectmen and/or Police Chief may issue temporary parking bans under extraordinary circumstances or during special events. It shall be a violation of these regulations to stop or park a motor vehicle in a manner that is contrary to the official posted signs indicating a temporary parking ban is in effect.

B. The Board of Selectmen may temporarily waive any of the parking regulations set forth herein for extraordinary circumstances or during special events.

C. A written record of temporary parking regulation decisions with dates and locations shall be recorded in Exhibit E.

#### 24.4.8 Signs

A. The Board of Selectmen may vote at any time to have "no parking" signs installed at any location within the Town of Gilford, provided that any vote intended to establish a permanent "no parking" area shall require a public hearing. A record of such vote shall be attached hereto and incorporated herein under Appendix B.

B. It shall be a violation of these regulations to stop or park a motor vehicle at any place where an official sign indicates that parking is not allowed.

#### 24.4.9 Emergency Lanes

A. The Board of Selectmen may declare an emergency lane pursuant to the authority of RSA 231:59-a. A record of such vote and the specific description of the emergency lane shall be attached hereto and incorporated herein under Appendix C.

B. It shall be a violation of these regulations to park or leave any vehicle within an emergency lane as designated and marked pursuant to these regulations.

C. Owners, lessees and/or operators of property that has been declared an emergency lane shall be required to post "no parking" signs and refrain from designating parking spaces in accordance with this section of the regulations.

## 24.5. ENFORCEMENT

24.5.1 These regulations may be enforced by any duly appointed Gilford Police Officer by the issuance of a ticket. In addition, Gilford Police Officers are authorized to have any motor vehicle towed at the expense and liability of the owner, for repeated violations or to remove a safety hazard pursuant to the provisions of RSA 262:32-33.

24.5.2 Any person who stops or parks a motor vehicle in a manner that does not comply with these regulations shall be guilty of a Class B violation. The following fines shall apply in a manner prescribed by law, (see RSA 231:132-a for a presumption of guilt), except for violations of Section 24.4.5 (handicap parking) which are set forth in Section 24.5.3:

- First Offense: The amount due shall be fifty dollars (\$50.00)
- Second Offense: The amount due shall be one hundred dollars (\$100.00)
- Third (or subsequent) Offense: The amount due shall be two hundred fifty dollars (\$250.00)

(Note: Each day of violation shall constitute a separate offense.)

24.5.3 Any person who stops or parks a motor vehicle in a manner that does not comply with the provisions of Section 24.4.5 (handicap parking) shall be guilty of a Class A violation. The following fines shall apply in a manner prescribed by law, (see RSA 231:132-a for a presumption of guilt):

- First Offense: The amount due shall be two hundred fifty dollars (\$250.00)
- Second Offense: The amount due shall be five hundred dollars (\$500.00)
- Third (or subsequent) Offense: The amount due shall be one thousand dollars (\$1,000.00)

(Note: Each day of violation shall constitute a separate offense.)

24.5.4 Failure to make payment for a fine as indicated on a citation within seven (7) days of issuance shall result in prosecution in Laconia District Court. Any person found guilty in a court of law for violating these regulations who fails to pay the fine shall be subject to having their vehicle towed and/or impounded; and may thereafter also lose their eligibility for a Town Decal and Glendale Facility privileges.

24.5.5 Any person aggrieved by the issuance of a parking regulation citation (ticket), may appeal in writing to the Chief of Police for a review, whereupon the decision of the Police Chief (or his/her designee) shall be final. However, appeals may also be made to the Laconia District Court upon issuance of a summons for failure to pay a fine.

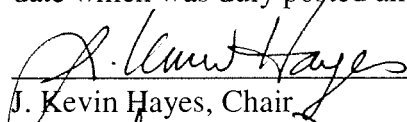
24.6 SEVERANCE

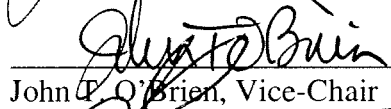
24.6.1 In the event that any word, sentence or section of these regulations is found to be invalid as a result of judicial or legislative action, the remainder of these regulations shall remain in full force and effect.

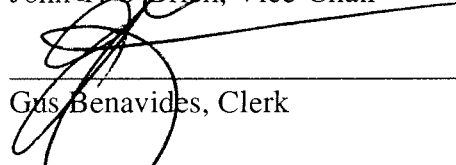
24.7 EFFECTIVE DATE

24.7.1 These regulations shall take effect as of June 1, 2010.

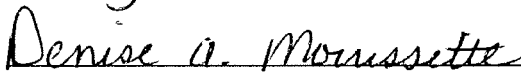
IN WITNESS WHEREOF, these Parking Regulations are adopted and approved on the 12th day of May, 2010 by the Gilford Board of Selectmen, following a public hearing held on the same date which was duly posted and published. ATTEST:

  
\_\_\_\_\_  
J. Kevin Hayes, Chair

  
\_\_\_\_\_  
John P. O'Brien, Vice-Chair

  
\_\_\_\_\_  
Gus Benavides, Clerk

UNDER SEAL OF THE TOWN, RECEIVED AND RECORDED ON THIS 13<sup>th</sup> DAY OF May, 2010, BY:

  
\_\_\_\_\_  
Denise A. Morrissette, Town Clerk



TOWN OF GILFORD  
PARKING REGULATIONS  
APPENDIX A

APPLICABLE LAWS OF THE STATE OF NEW HAMPSHIRE

**RSA 41:11 Regulation of Use of Highways, etc.**

Unless regulated by the commissioner of the department of transportation as provided in RSA 236:1, the selectmen may regulate the use of all public highways, sidewalks, and commons in their respective towns and for this purpose may exercise all the powers conferred on city councils by RSA 47:17, VII, VIII, and XVIII, and by any other provisions of the laws upon the subject.

**RSA 41:11-a Town Property.**

I. The selectmen shall have authority to manage all real property owned by the town and to regulate its use, unless such management and regulation is delegated to other public officers by vote of the town, or is governed by other statutes, including but not limited to RSA 31:112, RSA 35-B, RSA 36-A:4, and RSA 202-A:6.

**RSA 47:17 Bylaws and Ordinances.**

The city councils [*and selectmen*] shall have power to make all such salutary and needful bylaws as towns and the police officers of towns and engineers or firewards by law have power to make and to annex penalties, not exceeding \$1,000, for the breach thereof; and may make, establish, publish, alter, modify, amend and repeal ordinances, rules, regulations, and bylaws for the purposes stated in this section. Provisions in this section granting authority to establish and collect fines for certain violations shall not be interpreted to limit the authority hereunder to establish and collect fines for any other violations:

II. Order and Police Duty. To ... prescribe the powers and duties of police officers and watchmen.

VII. Use of Public Ways. To regulate all streets and public ways, wharves, docks, and squares, and the use thereof, and the placing or leaving therein any carriages, sleds, boxes, lumber, wood, or any articles or materials, and the deposit of any waste or other thing whatever; the removal of any manure or other material therefrom; the erection of posts, signs, steps, public telephones, telephone booths, and other appurtenances thereto, or awnings; the digging up the ground by traffic thereon or in any other manner, or any other act by which the public travel may be incommoded or the city subjected to expense thereby; the securing by railings or otherwise any well, cellar, or other dangerous place in or near the line of any street; to prohibit the rolling of hoops, playing at ball or flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets and sidewalks, or to frighten teams of horses within the same; ...

XVIII. Automobile Parking Controls. The city councils shall have the authority to adopt such bylaws and ordinances as are necessary to control the parking, standing and stopping of automobiles within the city limits, including ordinances allowing for the towing or immobilization of automobiles for nonpayment of parking fines and creating parking fines recoverable by means of civil process.

**RSA 231:59-a Emergency Lanes.**

I. Notwithstanding RSA 231:59 or any other provision of law, a town may raise and appropriate, and the selectmen may expend, money for the repair of any class VI highway or private way which has been declared an emergency lane under paragraph II. Such repair may include removal of brush, repair of washouts or culverts, or any other work deemed necessary to render such way passable by firefighting equipment and rescue or other emergency vehicles. A capital reserve fund under RSA 35 or a trust fund under RSA 31:19-a may be established for this purpose.

II. No expenditures shall be made under paragraph I unless the selectmen, following a public hearing, declare the relevant class VI highway, private way, or portion thereof, as an emergency lane, and make written findings, recorded in the minutes of the meeting, that the public need for keeping such lane passable by emergency vehicles is supported by an identified public welfare or safety interest which surpasses or differs from any private benefits to landowners abutting such lane.

III. In the case of a private way, notice shall be mailed to all persons known to have a legal interest in the way, 10 days prior to the hearing, and the emergency lane shall not be declared if permission is denied by any person with a legal right to deny such permission. Neither the appearance nor non-appearance of such persons at the hearing shall prevent such permission from later being denied or withdrawn.

IV. A declaration under this section may be rescinded or disregarded at any time without notice. This section shall not be construed to create any duty or liability on the part of any municipality toward any person or property. Utilization of this section shall be at the sole and unfettered discretion of a town and its officials, and no landowner or any other person shall be entitled to damages by virtue of the creation of emergency lanes, or the failure to create them, or the maintenance of them, or the failure to maintain them, and no person shall be deemed to have any right to rely on such maintenance. This section shall not be deemed to alter the classification or legal status of any highway or private way, or to limit or restrict the authority of towns to regulate the use of class VI highways pursuant to such statutes as RSA 41:11, RSA 236:9--13, and RSA 674:41, or to authorize any person to pass over any private way when permission has been denied. This section shall not be deemed to alter the duties or powers of any party under RSA 227-L concerning forest fires.

## **RSA 231:132-a Parking Enforcement Provisions.**

Notwithstanding any other provision of law, a municipality which ... establishes other parking restrictions pursuant to RSA 41:11 or 47:17, or which seeks to enforce the stopping, standing and parking restrictions set forth in RSA 265:68-74, may utilize the following provisions in the enforcement of such parking restrictions ... :

I. All violations of such parking restrictions and charges shall be deemed the responsibility of the registered owner of the vehicle. Such registration may be proven as set forth in RSA 261:60. Such 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 proved as an element of the offense. It shall be an affirmative defense that at the time of the infraction the vehicle was beyond the control of the registered owner as a result of a violation of RSA 262:12, 637:3 or 637:9 or a similar statute in another jurisdiction.

II. Municipalities may establish, by ordinance, systems for the administrative enforcement of parking violations and collection of penalties, to be utilized prior to the service of a formal summons and complaint. Such a system may be administered by a police department or other municipal agency. Such a system may include opportunities for persons who do not wish to contest parking violations to pay such penalties by mail. Such a system may also provide for a schedule of enhanced penalties the longer such penalties remain unpaid; provided, however, that the penalty for any separate parking offense shall in no case exceed the maximum penalty for a violation as set forth in RSA 651:2.

III. A written notice of violation containing a description of the parking offense and any applicable schedule of penalties, affixed to the vehicle at the time of the offense, shall be deemed adequate service of process on the vehicle owner for purposes of any administrative enforcement system established under paragraph II.

IV. If the administrative enforcement system established under paragraph II is unsuccessful at resolving alleged parking violations, or in the case of municipalities which have not established such a system, a summons may be issued as in the case of other violations of RSA title XXI, including the use of the procedure for plea by mail set forth in RSA 502-A:19-b.

Notwithstanding any other provision of law, a complaint and summons for a parking offense may be served upon the defendant by postpaid certified mail, return receipt requested. Return receipt showing that the defendant has received the complaint and summons shall constitute an essential part of the service. If service cannot be effected by certified mail, then the court may direct that service on the defendant be completed as in other violation complaints.

**RSA 259:83 Public Way.**

"Public way" shall mean:

II. As used elsewhere in this title, the same as "way".

**RSA 259:125 Way.**

"Way" shall mean:

I. Except as provided in paragraph II, the entire width between the boundary lines of any public highway, street, avenue, road, alley, park or parkway, 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 are appropriated for public use, or any such way which has been used for public travel thereon, other than to and from a toll bridge or ferry, for 20 years, or any public or private parking lot which is maintained primarily for the benefit of paying customers;

II. For the purposes of RSA 265:71, IV, RSA 265:79, RSA 265-A:2, I, and RSA 265-A:3, any public highway, street, avenue, road, alley, park, parking lot or parkway; any private way laid out under authority of statute; ways provided and maintained by public institutions to which state funds are appropriated for public use; any privately owned and maintained way open for public use; and any private parking lots, including parking lots and other out-of-door areas of commercial establishments which are generally maintained for the benefit of the public.

**RSA 261:88 Walking Disability Plates and Placards.**

I. In this section:

(a) "Removable windshield placard" means a two-sided, hanger style placard which includes on each side the international symbol of access, which is at least 3 inches in height, centered on the placard, and which is white on a blue shield, has an identification number, a date of expiration, and a seal or other identification of the department of safety.

(b) "Temporary removable windshield placard" means a two-sided, hanger style placard which includes on each side the international symbol of access, which is at least 3 inches in height, centered on the placard, and which is white on a red shield, has an identification number, a date of expiration, and the seal or other identification of the department of safety.

(c) "Walking disability" means a disability which limits or impairs a person's ability to walk, as determined by a licensed physician, podiatrist, or advanced practice registered nurse, to such an extent that such person:

(1) [Repealed.]

(2) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(3) Is restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than 1 liter, or the arterial oxygen tension is less than 60 mm/hg on room air at rest; or

(4) Uses portable oxygen; or

(5) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class 3 or class 4 according to standards set by the American Heart Association; or

(6) Is severely limited in the ability to walk due to an arthritic, neurological, orthopedic, or other medically debilitating condition.

II. The director shall design and issue, with the approval of the commissioner, special number plates which shall incorporate the international accessibility symbol. The director shall make such plates available as an optional number plate to be used on a motor vehicle:

(a) Owned by a person with a walking disability.

(b) Owned by an organization in this state and primarily used to transport persons with walking disabilities.

(c) Owned by a relative of a person with a walking disability when such person is a resident of this state, member of the relative's household, and dependent on the owner of the motor vehicle as the person's primary means of transportation.

II-a. A person with a walking disability may receive separate special number plates for each motorcycle owned by the person.

III. An applicant for such special plates shall furnish the director with satisfactory proof, as the director may require, that the applicant meets the requirements of paragraph II. Such proof must be submitted every 5 years except in the case of a veteran who has been evaluated by the United States Department of Veterans Affairs to be permanently and totally disabled from service-connected disability. Such proof shall only have to be made upon initial application. Satisfactory proof of a walking disability, at a minimum, shall consist of the certification of a licensed physician, podiatrist, or advanced practice registered nurse that the applicant has a walking disability, as defined in paragraph I. Upon request and for the fee set forth in RSA 261:75, I, the director shall exchange special plates for regular plates currently issued to an applicant who qualifies for special plates.

VIII. Any person who finds or has reason to believe that such special plates or placards are being improperly used may report any such violation to the department. Any police officer of a city or town who finds that such special plate or placard is being improperly used shall report such violation to the department. The director may, at his or her discretion, revoke such special plate

or placard for violation of any provision or law related to the use of special plates or placards.

IX. The state of New Hampshire shall recognize removable windshield placards, temporary removable windshield placards, and special license plates which have been issued by issuing authorities of other states and countries, for the purpose of identifying vehicles permitted to utilize parking spaces reserved for persons with walking disabilities.

X. Special license plates, removable windshield placards, or temporary removable windshield placards displaying the international symbol of access shall be the only recognized means of identifying vehicles permitted to utilize parking spaces reserved for persons with walking disabilities.

### **RSA 262:32 Reasons for Removal and Impoundment.**

An authorized official may cause the removal and storage of a vehicle if he has reasonable grounds to believe that:

I. A vehicle has been left unattended on the paved portion of a toll road, turnpike, or interstate and defense highway for a period of greater than 4 hours;

II. A vehicle has been left unattended on any way or the right-of-way thereof for a period of greater than 24 hours;

III. A vehicle is obstructing any way or the access thereto, or access to a public building, or is or will be a menace to traffic if allowed to remain, or is obstructing snow removal or highway maintenance operations;

IV. The owner or legal occupant of private property has complained that a vehicle is obstructing the passage of vehicles from a public street or highway onto the driveway of such private property;

V. A vehicle is reported stolen, or is apparently abandoned, or without proper registration, or apparently unsafe to be driven;

VI. The owner or custodian of the vehicle is under arrest or otherwise incapacitated, and the vehicle will be a menace to traffic if permitted to remain; or

VII. A vehicle has been left unattended within a state-owned park and ride facility for a period of greater than 21 days.

### **RSA 262:33 Procedure for Removal and Impoundment.**

I. Upon satisfying the requirements of RSA 262:32, such vehicle may be removed and stored in a suitable place, and all reasonable charges incurred as a result of such removal and storage shall be a lien against the vehicle which shall be paid by the owner, custodian, or person claiming such

vehicle, except as otherwise provided in this section.

II. Whenever a vehicle is towed pursuant to RSA 262:32 the owner or other person lawfully entitled to the possession of the vehicle shall be entitled to recover said vehicle and release of the above lien by payment of all reasonable towing and storage charges. If the owner or other person lawfully entitled to possession of the vehicle wishes to challenge whether there was sufficient grounds for towing and impoundment, he may pay over to the custodian of the vehicle an amount equal to the towing and storage charges to secure the release of such vehicle, and, within 15 days of the towing and impoundment, request in writing a hearing.

III. The hearing shall be held before the head of the law enforcement agency which employs the authorized official who caused the vehicle to be removed and stored, or his designee. In the event such agency head or his designee determines sufficient grounds did not exist for the removal and storage of the vehicle, the law enforcement agency shall reimburse the owner or other person lawfully claiming possession for any amount paid to the custodian to secure release of the vehicle.

IV. Nothing in this section shall prevent a review of the reasonableness of the towing or other action as may be permitted by laws of this state by a court of competent jurisdiction.

#### **RSA 265:68 Stopping, Standing or Parking Outside Business or Residence Districts.**

I. Upon any way outside of a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the way when it is practicable to stop, park or so leave such vehicle off such part of said way, but in every event an unobstructed width of the way opposite a standing vehicle shall be left for the free passage of other vehicles and clear view of such stopped vehicles shall be available from a distance of 200 feet in each direction upon such way.

II. This section shall not apply to the driver of any vehicle which is disabled while on the paved or main-traveled portion of a way in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

#### **RSA 265:69 Stopping, Standing or Parking 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.

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.

**RSA 265:69-a Enforcement of Parking Prohibition in Parking Spaces and Access Aisles Designated for Persons With a Walking Disability.**

Testimony under oath with clear photographic evidence from a person with a walking disability pursuant to RSA 261:86 or RSA 261:88 or the driver of a vehicle transporting such a person that a vehicle that does not display a special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88 was parked in a designated parking space for persons with a walking disability or any vehicle parked in or overlapping into an access aisle shall be sufficient evidence to prove that the owner of the vehicle has violated RSA 265:69, I(j) or (m), unless such evidence is rebutted or contradicted.

**RSA 265:70 Local Ordinances Not Superseded.**

The provisions of RSA 265:69 shall not supersede the provisions of any local ordinance which has been adopted to regulate parking in restricted areas in the compact part of any city or town.

**RSA 265:71 Additional Parking Regulations.**

I. Except as otherwise provided in this section every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to the right-hand curb, or if upon a roadway where there are no curbs said vehicle shall be so stopped or parked with the right-hand wheels of such vehicle parallel to the right-hand side of the traveled portion of the way.

II. Except when otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement with its right-hand wheels within 12 inches of the right-hand curb or edge of the roadway, or its left-hand wheels within 12 inches of the left-hand curb or edge of the roadway.

III. Local authorities may by ordinance permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state way unless authorized by the

commissioner of transportation.

IV. The commissioner of transportation with respect to ways under the department's jurisdiction may place signs to prohibit or restrict the stopping, standing or parking of vehicles on any way where in the commissioner's opinion such stopping, standing or parking is dangerous to those using the way or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon or to control the parking of vehicles at a park and ride facility. Such signs shall be official signs and no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs.

**RSA 265:73-a Parking Signs; Disabled.**

A parking space on private or public property that is reserved for persons who are disabled shall be marked by a sign affixed to a post or a building. Said sign shall be clearly visible to anyone directly approaching that particular space.

**RSA 651:2 Sentences and Limitations.**

III-a. A person convicted of a violation may be sentenced to conditional or unconditional discharge, or a fine.

IV. A fine may be imposed in addition to any sentence of imprisonment, probation, or conditional discharge. The limitations on amounts of fines authorized in subparagraphs (a) and (b) shall not include the amount of any civil penalty, the imposition of which is authorized by statute or by a properly adopted local ordinance, code, or regulation. The amount of any fine imposed on:

(a) Any individual may not exceed \$4,000 for a felony, \$2,000 for a class A misdemeanor, \$1,200 for a class B misdemeanor, and \$1,000 for a violation.

(b) A corporation or unincorporated association may not exceed \$100,000 for a felony, \$20,000 for a misdemeanor and \$1,000 for a violation. A writ of execution may be issued by the court against the corporation or unincorporated association to compel payment of the fine, together with costs and interest.

**RSA 674:43 Power to Review Site Plans.**

I. A municipality, having adopted a zoning ordinance as provided in RSA 674:16, and where the planning board has adopted subdivision regulations as provided in RSA 674:36, may by ordinance or resolution further authorize the planning board to require preliminary review of site plans and to review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or for multi-family dwelling units, which are defined as any structures containing more than 2 dwelling units, whether or not such development includes a subdivision or resubdivision of the site.

TOWN OF GILFORD  
PARKING REGULATIONS  
APPENDIX B

“NO PARKING”  
SIGN AUTHORIZATIONS

TOWN OF GILFORD  
PARKING REGULATIONS  
APPENDIX C

EMERGENCY LANE DECLARATIONS



TOWN OF GILFORD  
PARKING REGULATIONS  
APPENDIX E

TEMPORARY PARKING REGULATIONS