

**Town of
Waterville Valley
New Hampshire 03215**

Selectmen's Ordinance #25

Parking

1. **Declaration of Purpose:** The purpose of this Ordinance is to regulate parking upon the Streets and Public Places in the Town of Waterville Valley, New Hampshire.
2. **Title:** This Ordinance shall be known and may be cited as the "Parking Ordinance of the Town of Waterville Valley."
3. **Authority:** RSA 47:17.
4. **Definitions:** For the purpose of this Ordinance, the following words shall have the definitions as provided:
 - A. **"Chief of Police"** shall mean the Police Chief of the Town of Waterville Valley, New Hampshire.
 - B. **"Controlled Parking Space"** shall mean any Parking Space that is designated for a specified purpose and to be used by certain vehicles only, as defined below.
 - C. **"Notice"** shall mean the notice, ticket or Parking Citation Notice of Violation issued by an Officer of the Town of Waterville Valley informing the Owner or Operator of a vehicle that such vehicle is parked contrary to the provisions of this Ordinance.
 - D. **"Officer"** shall mean an authorized Public Safety Officer of the Waterville Valley Department of Public Safety.
 - E. **"Official Vehicles"** shall mean any authorized vehicle operated by the Town of Waterville Valley, the State of New Hampshire, or a political subdivision thereof, for official purposes, including but not limited to vehicles operated by the Waterville Valley Department of Public Safety, Public Works Department, Employees on Official Business, and any other emergency vehicle.
 - F. **"Operator"** shall mean and include every individual who operates a vehicle as the owner thereof, or as the agent, employee or licensee of the Owner, who is in actual control of a vehicle.
 - G. **"Owner"** shall mean the registered Owner of a vehicle, according to the records maintained by the State Division of Motor Vehicles.

- H. **"Park"** or **"Parking"** shall mean the standing or stopping of a vehicle, whether occupied or not, upon a Street, except temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers; loading or unloading goods or merchandise; or in the obedience to traffic regulations, signs or signals.
- I. **"Parking Space"** shall mean any area or space on a street or public place where a vehicle legally may park, including, but not limited to, controlled parking spaces, and temporary permitted parking areas.
- J. **"Person"** shall mean and include any individual, firm, partnership, corporation, or other association.
- K. **"Public Place"** shall mean any real property owned or leased by the Town of Waterville Valley, New Hampshire, including but not limited to public parking areas.
- L. **"State Division of Motor Vehicles"** shall mean any state governmental agency responsible for the issuance of certificates of title and/or certificates of registration for vehicles. In the State of New Hampshire this agency is the Division of Motor Vehicles in the Department of Safety (RSA 106-A:1 and RSA 260:1).
- M. **"Street or Roadway"** shall mean the entire width between the boundary lines of any public highway, street, road, right-of-way, alley, or way, located in the Town of Waterville Valley and maintained by the State or Town or subdivisions thereof.

Unless otherwise specified in this Ordinance, all terms used herein shall have the meaning as they have in RSA Chapters 259 through 266.

- 5. **Authority to Regulate Parking and Designate Parking Spaces:** The Board of Selectmen may after holding a public hearing and by resolution, establish or modify the location of any Parking Space.
- 6. **Authority of the Police:**
 - A. No Person shall stop or park a vehicle on any Street, except when necessary to avoid conflict with other traffic, or in compliance with law, permit or official traffic control device, no person, other than an individual driving an emergency vehicle, shall park within the right of way of any street or roadway within the town without prior permission from the Board of Selectmen or the Chief of Police or his designee.
 - B. The Chief of Police or his designees may, for the purpose to address temporary or unanticipated traffic conditions, post "Official traffic signage" to limit or alter parking regulations set forth herein for a period of not more than 30 consecutive days and on a non-recurring basis without further Board of Selectmen approval.

PART A - RESTRICTED PARKING

1. Restrictions on Parking:

A. **No Parking in Specified Areas:** No Person shall stop or park a vehicle on any street unless in a designating parking area.

B. **Authority to Designate Controlled Parking Areas:** The Board of Selectmen may, after providing notice to the general public, by resolution, establish or modify the location of any Controlled Parking Space. After consultation with the Board of Selectmen, the Chief of Police or his designees, shall mark areas designated in the appendices of this Ordinance as loading zones, bus zones, Official Vehicle Parking Spaces, or handicapped parking zones or any other Controlled Parking Space with signs or with painted markings upon the surface of the Street or pavement.

C. Controlled Parking Spaces

(1) **Loading and Bus Zones:** No Person shall stop or park any vehicle in any area designated as:

(a) a loading zone, except temporarily for the purpose of and while actually engaged in loading and unloading of passengers or merchandise.

(b) a bus zone, except buses actually loading or unloading passengers.

(2) No Person shall stop or park any vehicle in any area designated as an Official Vehicle Parking Space, unless the vehicle is an Official Vehicle.

(3) **Handicapped Parking Zones:** No Person shall stop or park a vehicle in any area designated as "Handicap Parking," except vehicles that have either a special license plate, decal, tag or card, issued pursuant to RSA 261:86 through 88, indicating the vehicle is for the use of a handicapped Person.

(a) In addition, no person shall stop or park a vehicle in any area designated as "Handicap Parking – Vans Only", except vehicles that have either a special license plate, decal tag or card issued pursuant to RSA 261:86 through 88, indicating the vehicle is for the use of a handicapped person and said handicapped person is wheelchair bound and the vehicle stopped or parked in the space is equipped with a wheelchair lift or ramp that deploys onto an adjacent access aisle or sidewalk.

(4) **Fire Lane Parking Zones:** No person, except a person operating an emergency vehicle, shall park within any fire lane so designated by the Fire Chief and/or the Planning Board of the Town of Waterville Valley.

The following areas have been accepted or designated as Fire lanes in the Town of Waterville Valley:

1. VALLEY INN
The oval driveway at the front of the building including the paved area immediately in front of the entrance way steps.
2. SILVER FOX
 - (a) The area to the left and right of the main entrance in front of the building.
 - (b) The driveway along the back of the building.
3. WATERVILLE VALLEY CONFERENCE CENTER
 - (a) The driveway loop in front of the main entrance.
 - (b) The driveways on the east and west of the building.
4. SNOWSTAR INN
 - (a) The driveway loop in front of the main entrance.
 - (b) The driveway to the western side of the building.
5. THE BIRCHES
The paved area immediately in front of the entrance way steps.
6. THE GOLDEN EAGLE LODGE
 - (a) The driveway loop in front of the main entrance.
 - (b) The driveway leading to the loading dock on the left of the building.
 - (c) The grassy lane from the front entrance to the service entrance.
7. WHITE MOUNTAIN ATHLETIC CLUB
The oval driveway at the front of the building and adjacent to the driveway side of the field house.
8. WINDSOR HILL
The private way (Rita's Way) from Windsor Hill parking lot to Noon Peak Road.
9. WATERVILLE VALLEY ELEMENTARY SCHOOL
The area of the parking lot in front of the main entrance to the school along the curb to Noon Peak Road.

10. TOWN SQUARE

- (a) Fifteen (15) feet on either side of the fire hydrant at the main entrance.
- (b) The loading area to the east side of the “A” Building, adjacent to “R” Building, and the Ice Arena.
- (c) The driveway around the Ice Arena starting at the Town Square parking lot around the outside perimeter of the Ice Arena to the interior courtyard in Town Square. This fire lane extends from the roof overhang of the Ice Arena out twenty (20) feet.
- (d) The driveway and loading area southwest of Building B and adjacent to Building D.
- (e) The interior courtyard.

11. SNOWY OWL INN

The driveway at the front of the building along the curb.

12. BLACK BEAR LODGE

The driveway at the front of the building to include the lane from the entrance to exit of the driveway along Black Bear Lane.

13. SNOW’S MOUNTAIN SKI AREA/WVBBTS ACADEMY

- (a) The driveway behind #98 Boulder Path Road (Barbeau Training Center)
- (b) The driveway on the southern side of the academic building twenty (20) feet past the corner of the building.

14. STONE TOWER LANE

In its entirety.

15. TOWN OFFICE/DEPARTMENT OF PUBLIC SAFETY

The front and side of the Department of Public Safety building apparatus bays.

16. MOUNT TECUMSEH SKI AREA

- (a) The driveway access on the southern end of lot #1.
- (b) The driveway and loading area behind the food service area of the Base Lodge.
- (c) The paved area immediately in front of the Crane Clinic.
- (d) The driveway and immediately in front of the Admin Building.
- (e) The driveway along the eastern side of the Snow Factory.

*Above fire lanes may be marked by signs, paint, other devices, or a combination of each.

(5) **Fire Hydrant Parking Zones:** No person, except a person operating an emergency vehicle, shall park within fifteen (15) feet of a fire hydrant in the Town of Waterville Valley.

(6) **Electric Vehicle Parking Zone:** No person shall stop or park any vehicle in a parking space designated as "Electric Vehicle Parking", except vehicles that are propelled or powered by electricity.

(7) **Restricted Parking Area:** No unauthorized person shall stop or park vehicle in any area designated as restricted parking.

C. **Zoning Ordinance Restrictions**

(1) **No Parking in Violation of Site Plan Approval:** No Person shall stop or park a vehicle upon any Street or other Public Place in violation of any condition of a "Notice of Action" or other site plan approval. This section shall apply to all Persons, regardless of the recipient of the site plan approval.

(2) **Trailers, Snowmobiles, Boats and Commercial Vehicles**

- (a) Travel trailers, tent trailers, pick-up trucks equipped with camper bodies, or other so-called recreational vehicles, shall not be parked for more than seven (7) days, nor used overnight if so parked, within sight of any residence or commercial establishment serving the public, or visible from any road within Waterville Valley, except that such vehicles may be parked under such rules as may be promulgated by the Selectmen.
- (b) Any OHRV as defined in NH RSA 259:69 or OHRV trailer, boat or boat trailer, other than a canoe or rowboat, stored on any property shall be stored so as to be out of view from any public street or neighboring property. The Selectmen may approve permits for temporary storage where such storage would not interfere with the purposes of this paragraph.
- (c) Any vehicle registered as a commercial vehicle (other than a private passenger vehicle, a pickup truck or small van, or other similar vehicle) shall not be kept on any property unless such vehicle is regularly used by an occupant of the residence in the normal course of that person's occupation. The Selectmen may approve permits for temporary storage of such a commercial vehicle or may issue a permit for permanent storage where such storage would not interfere with the purposes of this paragraph.
- (d) Construction trailers may be permitted on site only during the construction period of a specific building and shall be promptly removed following occupancy. Efforts shall be made to screen such trailers from public view.
- (e) No OHRV shall be used in any district without approval of the Selectmen.

D. **Miscellaneous Restrictions**

(1) **Unregistered Vehicles**

No inoperative or unregistered motor vehicle or parts thereof may be kept on any property for more than seven consecutive days, or more than 30 days within any 365-day period.

PART B - CHARGES, PENALTIES, AND ENFORCEMENT

1. **Owner Responsibility for Improper Parking:** No person shall permit or cause a vehicle registered in his name to park contrary to any provision of this Ordinance. If the identity of the Operator of a vehicle used or parked contrary to this Ordinance cannot be determined, the name of the person listed as the Owner of the vehicle with the State Division of Motor Vehicles shall be prima facie evidence that the registered Owner was the Operator of the vehicle.
2. **Notice of Charge:** Whenever an Officer observes a vehicle that is parked contrary to any provision of this Ordinance, he shall attach to the vehicle a Notice informing the Operator or Owner that the vehicle has been parked contrary to the provisions of this Ordinance. The Notice shall include the following information:
 - A. the location where the vehicle is parked
 - B. the state registration or license number of the vehicle;
 - C. the date and time that the Officer observed the vehicle parked or operated contrary to the provisions of this Ordinance;
 - D. any other facts which the Chief of Police may determine necessary for a thorough understanding of the circumstances.
3. **Authority and Procedures for Issuing Notices:**
 - A. Officers shall have the authority to issue notices to any vehicle parked contrary to the provisions of this Ordinance or to any Owner or Operator of any vehicle parked contrary to the provisions of this Ordinance.
 - B. Officers shall have the authority to issue notices by using: a pre-printed Parking Citation Notice of Violation to be filled in manually by the Officer.
4. **Payment of Parking Citation Notice of Violation:** The Operator or Owner of a vehicle receiving a Notice that the vehicle was observed by an Officer to be parked contrary to the provisions of this Ordinance shall submit full payment of the

appropriate Improper Parking Charge within 30 days of the time the Notice was attached to the vehicle by: (1) delivering the Notice and payment to the Waterville Valley Town Office; or (2) mailing the Notice and payment to the Waterville Valley Town Office at P.O. Box 500, Waterville Valley, NH 03215; or (3) paying the notice on-line at the web address printed on the notice.

5. **Failure to Submit Timely Full Payment of the Parking Citation Notice of Violation is a Violation:** The failure, neglect, or refusal of an Owner or Operator to submit full payment of a Parking Citation Notice of Violation within (30) days of the time the Notice was attached to the vehicle owned or operated by him shall be unlawful and constitute a violation of this Ordinance.

6. **Enforcement Procedures:**

A. **Issuance of Summons:** If an Owner or Operator fails, neglects, or refuses to make full payment of the Parking Citation Notice of Violation or Towing Charge, within (30) days of the time the Notice was attached to the vehicle or the date that the Towing Notice was issued, then the Chief of Police, or an Officer, may issue a summons to the Operator or Owner of the vehicle used in a violation of this Ordinance to appear in court to answer to the charges of violating this Ordinance.

B. **Schedule of Fines:** Any person found by a court of law to be guilty of a violation of this Ordinance shall be required to pay not less than the maximum amount for the particular violation and not more than \$1,000.00.

7. **Removal of Vehicles:** The Chief of Police or his designees may cause the removal and storage of a vehicle for the reasons specified in RSA 31:102 and 262:32 by using the procedures set forth in RSA 262:33 through 40-b.

8. **Fee Schedule for Parking Violations:**

- 1. Handicap Parking: \$50.00 dollars within 48 hrs. and \$75.00 dollars after 48 hrs.
- 2. Fire Lane Parking: \$50.00 dollars within 48 hrs. and \$75.00 dollars after 48 hrs.
- 3. Fire Hydrant Parking: \$50.00 dollars within 48 hrs. and \$75.00 dollars after 48 hrs.
- 4. Prohibited Parking: \$30.00 dollars within 48 hrs. and \$50.00 dollars after 48 hrs.

This Ordinance rescinds the following Selectman’s Ordinances:

10	Parking-Fire Hydrants	May 23, 1990
12	Fire Lane Parking	June 27, 1990

Amended at Town Meeting, March ____, 2022.