

## Town of Marlow Parking Ordinance – FINAL

The intent of this ordinance is to give our highway and police departments the tools they need to ensure all town residents' and visitors' safe passage over our town roads.

If parking on a public right-of-way impedes the flow of traffic and/or creates a safety hazard, it may be a fineable offense. Emergency vehicles must have unimpeded access. Police may tow vehicle at owner's expense.

It shall be unlawful for the driver of a motor vehicle to park 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 traffic control:

- Within an intersection
- On privately owned property without the express consent of the property owner
- On any town road or section of road posted as No Parking
- Within six (6) feet of the driveway entrance to the fire station
- In front of a fire hydrant
- In front of a private driveway

There shall be no overnight parking on any public street or right-of-way between 12:00AM – 6:00AM.

**Winter Parking Ban:** The Town of Marlow has adopted the following winter parking regulations. There shall be no parking on town roads November 1<sup>st</sup> through April 15<sup>th</sup>. The purpose of this parking ban is to allow winter maintenance crews unobstructed snow removal and ice control routes, as much as possible, to maintain the maximum effectiveness of their efforts.

- a. RSA 262:32 gives the Town the authority to tow any vehicles that violate the winter parking regulations at the owner's expense. Any vehicle which otherwise interferes with the reasonable efforts of the Town's winter maintenance is subject to ticketing and/or towing after a reasonable attempt has been made to notify the owner/operator.
- b. The Town is not responsible for damages to such vehicles arising out of Winter Maintenance Operations or as a result of towing.

**Enforcement:** The police department shall be notified of any vehicle obstruction and/or damage. The following procedure will be utilized:

- a. When a violation of the winter parking ban occurs, the Town employee will attempt to locate the owner/operator of the vehicle.

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- b. If this is not possible or practical, the Marlow Police will be notified as well as the Road Agent or the Road Agent's designee.
- c. Written notice of the violation containing a description of the parking offense and applicable schedule of penalties must be affixed to the vehicle at the time of the offense. This notice shall be deemed adequate service of process to the vehicle owner.
- d. If an officer is not available to serve the notice, the Road Agent or the Road Agent's designee must document the violation through photos and text messages or email to the Chief of Police. Section c still applies. An officer will serve notice on the vehicle as soon as practical after the vehicle is towed.
- e. Informational cards notifying a vehicle owner/operator that they are in violation of the winter parking ban may be affixed to a vehicle at any time between November 1<sup>st</sup> and April 15<sup>th</sup> by any town employee, regardless of whether or not snow removal operations are occurring at that time.

Any person violating any of the provisions of this ordinance shall be subject to a fine not to exceed two hundred dollars (\$200.00).

The Marlow Select Board affirmed the adoption of New Hampshire RSA 231:130-a, Notification of Unpaid Fines.

Adopting the provisions of this statute allows the Town of Marlow to block vehicle registrations for those with outstanding parking violations more than 90 days old. Under this provision, individuals with parking violations that meet these criteria will not be able to register their vehicle(s) until they have satisfied their parking debt.

Note that this ordinance supersedes all prior versions of the Town of Marlow parking ordinances.

The Board of Selectmen approved the final version of this ordinance on Oct. 31, 2022.

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