



## TOWN OF LEE, NEW HAMPSHIRE

### PARKING REGULATIONS

KNOW ALL PERSONS BY THESE PRESENTS, the Lee Select Board 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.

#### I. AUTHORITY

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 Lee.

#### II. PURPOSE: The purposes of these regulations are as follows:

- (a) To ensure emergency vehicle access throughout the Town of Lee 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.

#### III. REPEAL OF PREVIOUS REGULATIONS

These regulations shall supersede and replace all of the Ordinances related to Parking Regulations as originally adopted on November 1, 1973 and subsequently repealed and/or amended through

February 11, 2002. In addition, these regulations shall supersede and replace the following regulation: Regulation and Establishment of Restricted Parking Ordinance on Recycling Center Road, as originally adopted on June 26, 2008.

#### IV. GENERAL PARKING RESTRICTIONS

##### i. Parking Lots

A. Notwithstanding the authority of the Selectmen to declare emergency lanes pursuant to the provisions of RSA 231:59-a; 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) 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 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.

C. Owners, lessees and/or operators of such locations 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 Knox box is made available for access by emergency service providers.

##### ii. Winter Parking Ban

A. During the period November 1 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 any public street, town parking lot, or way between the hours of 12:00 a.m. and 6:00 a.m.

B. No vehicle shall be parked on any public street, town parking lot, or way maintained by the town at any time during or immediately after a snow storm so as to restrict the removal of snow from the public way.

### iii. Special Parking Regulations

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

- (1) The westerly side of Old Bennett Road for its entire length
- (2) Either side of Stepping Stones Road from the intersection of Sheep Road westerly to 99 Stepping Stones Road (aka Dube Brook)
- (3) The northerly side of West Mill Pond Road from the intersection of Calef Highway (Rte. 125) westerly to the Nottingham town line
- (4) Either side of High Road from the corner of Harvey Mill Road (Rte. 152) to the Birch Hill Road intersection
- (5) The northern side of Recycling Center Road from the intersection of Mast Road (Rte. 155) westerly to the entrance to the Transfer Station.
- (6) The northerly side of Thompson Mill Road from Calef Highway a distance of 1200 feet to the brook

### iv. 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 controlled access highway;
- (8) In the area between roadways of a divided highway, including crossovers;
- (9) In or overlapping into any access aisle;
- (10) Within 15 feet of a fire hydrant, except momentarily to pick-up or discharge passengers;
- (11) Within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway;

- (12) 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);
- (13) 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);

v. 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 Select Board and/or Public Works Manager are 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.

vi. Public Recreation Areas

A. It shall be unlawful to park or leave any vehicle between the hours of 10:00 p.m.. and 5:00 a.m. at any public recreation area, including, but not limited to Little River Park, Stevens Field, Town Field, etc. (Note: the Select Board 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, including Old Mill Road Reserve, unless the occupants of such vehicle are utilizing the facility for its intended purpose or some other official purpose during normal hours.

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

vii. Temporary Parking Regulations

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

viii. Signs

A. The Select Board may vote at any time to have “no parking” signs installed at any

location within the Town of Lee, provided that any vote intended to establish a permanent “no parking” area shall require a public hearing.

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.

ix. Emergency Lanes

A. The Select Board 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 A.

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.

V. ENFORCEMENT

A. These regulations may be enforced by any duly appointed Lee Police Officer by the issuance of a ticket. In addition, Lee 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.

B. 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 IV.iv (handicap parking) which are set forth in Section V.C:

- First Offense: The amount due shall be twenty-five dollars (\$25.00)
- Second Offense: The amount due shall be fifty dollars (\$50.00)
- Third (or subsequent) Offense: The amount due shall be one hundred dollars (\$100.00)

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

C. Any person who stops or parks a motor vehicle in a manner that does not comply with the provisions of Section IV.iv (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 one hundred dollars (\$100.00)
- Second Offense: The amount due shall be one hundred fifty dollars (\$150.00)
- Third (or subsequent) Offense: The amount due shall be two hundred dollars (\$200.00)

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

D. Failure to make payment for a fine as indicated on a citation within seven (7) days of issuance shall result in a court summons. 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.

E. 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 Dover District Court upon issuance of a summons for failure to pay a fine.


#### VI. SEVERANCE

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.

#### VII. EFFECTIVE DATE

These regulations shall take effect as of Aug. 1, 2019.

IN WITNESS WHEREOF, these Parking Regulations are adopted and approved on the 29 day of July, 2019 by the Lee Select Board, following a public hearing held on the same date which was duly posted and published. ATTEST:

  
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Scott Bugbee, Chairman

  
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John LaCourse, Selectman

  
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Cary Brown, Selectman

TOWN OF LEE  
PARKING REGULATIONS  
APPENDIX A

EMERGENCY LANES