

# PARKING ORDINANCE

## TOWN OF FERRISBURGH VERMONT

**SECTION 1. AUTHORITY.** This civil ordinance is adopted by the Selectboard of the Town of Ferrisburgh under the authority granted in 24 V.S.A. Chapter 59, 24 V.S.A. § 2291(4), 23 V.S.A. § 1102(a)(2), 23 V.S.A. § 1008, 19 V.S.A. § 1105 19 V.S.A. § 304(a)(6), 4 V.S.A. § 32(11) and Vermont Rule of Civil Procedure 80.9.

**SECTION 2. PURPOSE.** The purpose of this ordinance is to promote public safety, to provide good traffic flow, and to allow for efficient and effective use and maintenance of public streets and highways in the Town of Ferrisburgh.

### SECTION 3. DEFINITIONS.

- a. "Park" or "parking" is the stopping or standing of any motor vehicle, whether occupied or unoccupied, attended or unattended, otherwise than temporarily for the purpose and while actually engaged in loading or unloading persons or property.
- b. "Motor vehicle" or "vehicle" shall include all vehicles propelled or drawn by power other than by muscular power.

### SECTION 4. GENERAL PARKING RESTRICTIONS.

- a. It shall be unlawful to park in a manner that obstructs or impedes the flow of traffic or to park in excess of fifteen (15) minutes on the travelled portion of any town road or highway in the Town of Ferrisburgh without the express consent of the Town of Ferrisburgh Selectboard, Ferrisburgh Road Foreman, Ferrisburgh Fire Department Chief, any Law Enforcement Officer, or others designated by the Selectboard;
- b. It shall be unlawful to leave a vehicle parked on property owned, leased, or maintained by the Town for more than twelve (12) hours continuously without written consent from the Ferrisburgh Selectboard, Ferrisburgh Road Foreman, or Ferrisburgh Fire Department Chief;
- c. It shall be unlawful to park less than twenty (20) feet from an intersection;
- d. It shall be unlawful to park in any area where official "NO PARKING" signs are posted;
- e. It shall be unlawful to park in any area that is designated as a fire lane where official "FIRE LANE" signs are posted;
- f. It shall be unlawful to park outside of designated parking places in areas where parking places are designated by lines or markings that are painted or placed upon the curb and/or upon the street;
- g. It shall be unlawful to park a vehicle which blocks or otherwise obstructs the use of any fire hydrant or emergency vehicle(s).
- h. It shall be unlawful for any motor vehicle to park in a space designated as parking for persons with disabilities except when the motor vehicle is equipped with a valid

handicapped registration plate(s) or a properly displayed handicap permit from the Vermont Department of Motor Vehicles in accordance with 23 V.S.A. § 304(a), or as otherwise provided by the law of the state in which the vehicle is registered, and an occupant is a person with a disability.

**SECTION 5. SIGNAGE.** Signs conspicuously printed with the words "No Parking" and indicating that vehicles may be towed away at the expense of the owner shall be erected and maintained at all such areas where parking is prohibited by Section 4, above.

**SECTION 6. WINTER PARKING.** It shall be unlawful to park any vehicle(s) of any type upon any town road or highway from November 1<sup>st</sup> to the following April 15<sup>th</sup> between the hours of twelve midnight (12AM) and eight in the morning (8AM).

**SECTION 7. PENALTIES AND ENFORCEMENT.**

**A.** The penalty for violating the provisions of this ordinance shall be:

\$ 10 for the first offense; and

\$ 25 for the second or subsequent offenses within 30 days of previous offense.

All penalties for violation of this ordinance shall be paid to the Ferrisburgh Treasurer within seven (7) days of the offense.

**B.** In addition to any penalty listed above, a vehicle parked or abandoned in violation of this ordinance may be removed by order of any properly qualified law enforcement officer in the State of Vermont. The cost of removal and storage of the vehicle shall be charged against the owner of the motor vehicle. The vehicle shall not be released to the owner until all removal and storage costs have been paid.

**SECTION 8. ADMINISTRATIVE APPEAL.** Within 15 days of the date of the ticket date, a person receiving a parking ticket may appeal the violation by submitting a statement of objections to the Selectboard. The Selectboard will review the objections and respond in writing within 15 days. The Selectboard shall have the authority, in its discretion, to uphold the parking ticket, to overturn the parking ticket, or to reduce the amount of the fine. If, after exhausting this administrative appeal process, the violator has not paid the penalty assessed for the violation of this ordinance, the Town attorney, at the direction of the Selectboard, shall institute an action on behalf of the Town against the violator in District Court in accordance with Rule 80.9 of the Vermont Rules of Civil Procedure.

**SECTION 9. REPEAL OF PRIOR ORDINANCES.** Any other ordinance or regulation in conflict with this ordinance is hereby repealed. Ordinances or parts thereof in force at the time

this ordinance takes effect and inconsistent herewith are hereby repealed as of the effective date of this ordinance.

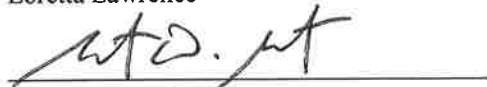
**SECTION 10. SEVERABILITY.** The sections of this ordinance are declared to be severable, and if any section thereof be adjudged invalid such judgment shall not affect the validity of ant other section.

**SECTION 11. EFFECTIVE DATE.** This ordinance shall become effective sixty (60) days after its adoption by the Ferrisburgh Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Adopted on this 15<sup>th</sup> day of July 2014 at Ferrisburgh, Vermont.

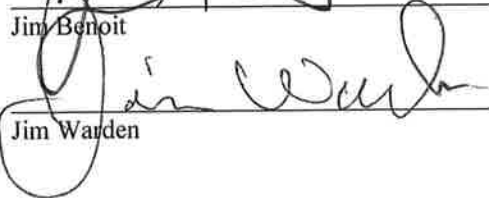
BY THE TOWN OF FERRISBURGH SELCTBOARD:

  
Loretta Lawrence

  
Steve Gutowski

  
Sally Torrey

  
Jim Benoit

  
Jim Warden

#### Adoption History

1. Ordinance introduced as an agenda item at regular Selectboard meeting held on May 6, 2014.
2. Ordinance read and approved at regular Selectboard meeting on July 15, 2014 and entered in the minutes of that meeting which were approved on August 5, 2014.
3. Ordinance posted in public places on July 16, 2014.
4. Notice of adoption of Ordinance published in the Addison Independent newspaper on July 21, 2014 with a notice of the right to petition.
5. Other actions [petitions, etc.]: Effective September 13, 2014.