TOWN OF AUBURN
PARKING REGULATIONS ORDINANCE

SECTION 1: AUTHORITY: Pursuant to the authority granted under the New Hampshire Revised Statutes Annotated (RSA) Chapters 31:39-43; RSA 31:102; RSA 41:11; RSA 47:17; RSA 231:132-a, and other applicable statute under New Hampshire law, the following ordinance is enacted.

SECTION 2: PURPOSE: With discretion of authority, this ordinance for parking in specific places will be enforced to protect the general health, safety and welfare for the residents of the Town of Auburn and the general public. The ordinance is to utilize a system for the administrative enforcement of parking violations and collection of penalties, to be utilized prior to the service of a formal summons or complaint. This system will be administered by the police department. The system will include opportunities for persons who do not wish to contest parking violations to pay such penalties by mail. The 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 in accordance with State Statute.

SECTION 3: DEFINITION: It shall be unlawful for any person, firm or corporation to stop, stand or park, any vehicle or cause the same to stop, stand or be parked at any time, on any roadway, intersecting roadway or highway, public or private parking lot, contrary to the provisions as set forth, within the Town of Auburn, New Hampshire. Any vehicle parked in the following locations further defined by RSA 265:68 and 265:69 shall be deemed to be in violation:

a) On any public sidewalk
b) On a public crosswalk
c) In front of a public or private driveway
d) Within thirty (30) feet of any stop or yield sign
e) Within an intersection or within thirty (30) feet of an intersecting roadway
f) Parked double along the roadway side of any other vehicle stopped or parked at the edge of curb of any street
g) Upon any area of Town of Auburn property posted to prohibit parking
h) Upon any way when the principal purpose is displaying the vehicle for sale
i) Upon the travel portion of any roadway so as to obstruct the movement of traffic within the travel lane
j) Upon any roadway against traffic or facing approaching traffic
k) At any place where official signs specifically prohibit parking
l) In any designated Fire Lane
m) Within 15 feet of a fire hydrant or sprinkler supply head
n) In any area designated as Handicapped Parking

SECTION 4: INCLUSIVE: This chapter and section expressly includes, but is not limited to, the following public parking areas within the bounds of the Town of Auburn:

a) Auburn Town Hall
b) Auburn Public Safety Complex
c) Athletic Field adjacent to Safety Complex
d) Auburn Fire Department – Pingree Hill Station
e) Auburn Village School
f) Griffin Free Public Library
g) Wayne Eddows Recreational Fields
h) Circle of Fun Playground
i) Bicentennial Park
j) Appletree Park

SECTION 5: AUBURN VILLAGE SCHOOL / EATON HILL ROAD: In consideration for the specific safety considerations associated with the school zone on Eaton Hill Road, in addition to its proximity with the Auburn Safety Complex and the need for emergency vehicles to have a clear travel path to respond to calls for service, there shall be parking allowed only on the school side of the street. It shall be unlawful for any persons, firm or corporation to park a motor vehicle at any time on the south side of Eaton Hill Road opposite the Auburn Village School and the Auburn Village Cemetery.

SECTION 6: WINTER PARKING BAN: It shall be unlawful for any persons, firm or corporation to stop, stand or park a motor vehicle at any time contrary to any of the following provisions of this Section:

Within the Town of Auburn, from November 15th to April 1st, no parking is permitted on any public street or any town-owned right of way, or in any town-owned parking lot between 12:00 midnight and 6:00 AM.

In the event of a winter snowstorm requiring snow plowing and/or removal as deemed necessary by the Auburn Road Agent, it shall be unlawful for any person, firm or corporation having custody and/or control of any vehicle to park or cause the same to be parked within the public right of way, or on any public street or any town-owned parking lot during a snow storm.

Vehicles interfering with snow plowing or removal operations may be ticketed and/or towed at the owner's expense.

SECTION 7: ENFORCEMENT: The Chief of Police of the Town of Auburn or his or her duly appointed agents are hereby authorized to provide 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 offense, the notice shall be deemed adequate service of process on the vehicle owner.

If the administrative enforcement is unsuccessful at resolving the alleged parking violations, a summons may be issued as in the case of other violations of the Motor Vehicle Code, Title XXI, of the New Hampshire Revised Statues Annotated, to include the use of the procedure for plea by mail set forth in Chapter 502-A:19b of the State Statutes.

SECTION 8: RESPONSIBILITY: All violations of parking restrictions and charges shall be deemed the responsibility of the registered owner of said vehicle. Such registration may be proven as set forth in RSA 261:60. Said 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 proven as an element of the offense in accordance with RSA 231:132-A.

SECTION 9: PENALTIES: All of the prohibited conduct outlined herein shall be defined as a violation under New Hampshire RSA 625:9 V, and a person found to be guilty of said violation shall be subject to the penalties of NH RSA 651:2 IV (a), or as otherwise outlined in Statute, except that optional procedures set forth in Section 9: Procedures for Payment may be used in lieu of court proceedings for any such violations.

SECTION 10: PROCEDURES FOR PAYMENT:

a) The operator or owner may, within seven (7) days of the time when a notice of violation was attached to the vehicle, pay to the Town of Auburn by mail or personal appearance at the Auburn Police Department the applicable fine amount pursuant to fine schedule in Section 10 c.
b) Failure by the owner or operator to make a payment within fourteen (14) days may result in the issuance of a summons to the owner to appear in the District Court to answer to the charges of violating the ordinance as provided in RSA 231:132-a.

c) Administrative Enforcement of Parking Violations – Schedule of Penalties

Violation	**Fine**	**Fine after 7 Days**
No Parking Zone	$20.00	$40.00
Night Parking Prohibited	$20.00	$40.00
Snow Emergency	$25.00	$50.00
Fine Lane/Hydrant	$50.00	$100.00
Tow Zone	$15.00	$30.00
Disability Place	$250.00	$500.00

SECTION 11: REMOVAL: Any vehicle parked in violation of this ordinance may be ordered towed by the Auburn Police Department at the expense of the owner or custodian of said vehicle.

SECTION 12: EXCEPTIONS: Restrictions described in this chapter shall not apply when directed by a police officer for official or emergency purposes, or to emergency vehicles while on official business. The Chief of Police or his or her designee is authorized and empowered to make and enforce temporary parking regulations to cover emergencies, special conditions and special events

Effective Date:

The original Parking Regulations Ordinance was adopted on November 3, 2014 and took effect on December 1, 2014.

The Ordinance was subsequently amended on September 28, 2015 to take effect on October 1, 2015. And was further amended on October 26, 2015 to take effect on November 1, 2015.

Adopted by the Board of Selectmen the 26th day of October, 2015.

James F. Headd

Richard W. Eaton

Dale W. Phillips
AUBURN BOARD OF SELECTMEN

Received and recorded this 9 day of November, 2015

Joanne T. Linxweiler, Town Clerk