

CHAPTER 7

VEHICLES, TRAFFIC and PARKING

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ARTICLE I: PARKING METERS

Section 7.101: DEFINITION

The word "vehicle" as used herein shall mean any device by which any person or property may be transported upon a highway except those operated upon rails or tracks.

The word "meter" shall mean any device for buying parking time that displays the length of time for which a vehicle may remain legally parked in a parking space. Such devices include but are not limited to public meters such as a meter at an individual parking space or a central meter, or personal meters such as an in-vehicle meter, coupon or any other metering device including mobile phone applications as shall be approved from time to time by the City Council. The display of the parking time purchased may be on the meter itself, a paper receipt or by other duly authorized means of display.

Section 7.102: PARKING METER ZONES AND PARKING METER RATES

All of those streets, parts of streets and off-street parking lots, the time for parking upon which is limited by any ordinance of the City of Portsmouth and where parking meter rates apply are designated as parking meter zones. The rate for such parking shall be:

A. ZONE A: DOWNTOWN HIGH OCCUPANCY ZONE

The following streets or parts of streets are within Zone A, the Downtown High Occupancy Zone:

1. Daniel Street, starting at Bow Street through to Market Square
2. Bow Street, starting at Daniel Street through to Market Street
3. Congress Street, starting at Market Square through to Chestnut Street
4. Pleasant Street, starting from Court Street through to Market Square
5. Market Street, starting from Moffatt-Ladd House through to Market Square
6. Deer Street, starting at Market Street through to Maplewood Avenue
7. Fleet Street, starting at Hanover Street through to State Street
8. Hanover Lot, at intersection with Market Street
9. Penhallow Street, starting at State Street through to Bow Street
10. Chapel Street, starting at Daniel Street through to State Street
11. Hanover Street from Maplewood Avenue to Market Street
12. Portwalk Place from Deer Street to Hanover Street
13. High Street from Deer Street to Hanover Street
14. State Street from Marcy Street to Middle Street
15. Ladd Street Lot at Hanover Garage

B. ZONE B: STANDARD OCCUPANCY ZONE

Any street outside the Downtown High Occupancy Zone is within the Standard Occupancy Zone, which includes the Bridge Street, Court Street, and Memorial Bridge Off-Street Parking Areas and the worth Lot, excluding those parking spaces subject to contractual agreement with the City.

C. NONRESIDENT PARKING RATES FOR DOWNTOWN HIGH OCCUPANCY ZONE A

Parking shall be at the following hourly rates for nonresidents in Downtown High Occupancy Zone A during the hours of enforcement Monday through Saturday, from 9:00 a.m. – 8:00 p.m., and Sunday from 12:00 p.m. to 8:00 p.m., holidays excepted:

| | |
|--------------------|------------------|
| Hours 1, 2 and 3 | \$2.00 each hour |
| Hours 4 through 11 | \$5.00 each hour |

D. RESIDENT PARKING RATES FOR DOWNTOWN HIGH OCCUPANCY ZONE A

Portsmouth residents using an approved personal meter device, as defined in Section 7.101, shall be charged reduced hourly parking rates in the Downtown High Occupancy Zone A. Proof of residency shall be determined using standards established by the Portsmouth Revenue Administrator. Parking shall be at the following hourly rates for residents during the hours of enforcement Monday through Saturday, from 9:00 a.m. to 8:00 p.m., and Sunday from 12:00 p.m. to 8:00 p.m., holidays excepted:

| | |
|--------------------|------------------|
| Hours 1, 2 and 3 | \$1.50 each hour |
| Hours 4 through 11 | \$2.50 each hour |

E. NONRESIDENT PARKING RATES FOR STANDARD OCCUPANCY ZONE B

Parking shall be at the following hourly rates for nonresidents in Standard Occupancy Zone B during the hours of enforcement Monday through Saturday, from 9:00 a.m. to 8:00 p.m. and Sunday from 12:00 p.m. to 8:00 p.m., holidays excepted:

| | |
|--------------------|------------------|
| Hours 1, 2 and 3 | \$1.50 each hour |
| Hours 4 through 11 | \$3.00 each hour |

F. RESIDENT PARKING RATES FOR STANDARD OCCUPANCY ZONE B

Portsmouth residents using an approved personal meter device, as defined in Section 7.101, shall be charged reduced hourly rates in the Standard Occupancy Zone B. Proof of residency shall be determined using standards established by the Portsmouth Revenue Administrator. Parking shall be at the following hourly rates during the hours of enforcement Monday through Saturday, from 9:00 a.m. to 8:00 p.m., and Sunday from 12:00 p.m. to 8:00 p.m., holidays excepted:

| | |
|--------------------|------------------|
| Hours 1, 2 and 3 | \$1.00 each hour |
| Hours 4 through 11 | \$2.00 each hour |

Section 7.103: PARKING AND TRAFFIC SAFETY COMMITTEE

There is hereby created a Parking and Traffic Safety Committee under the terms and conditions described herein:

- A. The Parking and Traffic Safety Committee (“Committee”) shall consist of nine (9) regular members and one (1) alternate appointed by the Mayor and City Council. The composition of the Committee shall be the City Manager, Police Chief, Fire Chief, Public Works Director or their respective designees as well as a member of the City Council and five (5) residents of the City (4 regular members and one alternate). The City Manager, Police Chief, Fire Chief and Public Works Director (or their respective designees) shall serve during their terms of employment with the City. The City Council member shall serve co-terminus with his/her as a member of the Council. Each of the five (5) resident members of the Committee shall serve a term of three (3) years from the date of appointment. The Committee shall take office upon completed appointment of the five (5) resident members. In the first instance the City Council member of the Committee shall serve as Chairperson until the first meeting of the subsequent calendar year. Thereafter, at its first meeting of any calendar year the Committee shall select a Chair who shall serve until another member is selected Chair at the first meeting of the subsequent calendar year.
- B. The Committee shall have the authority to recommend temporary parking and traffic regulations to the City Council by means of the presentation of written minutes. The acceptance of such minutes by the City Council shall constitute the authorization to implement such temporary regulations for a period not to exceed one (1) year. The implementation shall begin at the time designated in the Parking and Traffic Safety recommendation unless otherwise determined by the City Council. After any such change has been implemented for up to one (1) year, or such lesser time as might be determined by the City Council, the City Council may consider making the temporary regulation permanent by means of a duly adopted ordinance. Failure to adopt such an ordinance shall cause the temporary regulation to expire at the end of one (1) year at which time the prior ordinance in effect shall become operable.

- C. The Committee may accept requests from any City land use regulatory body on any matter concerning parking and/or traffic safety. In response to such requests the Committee may issue written reports and recommendations.
- D. The Committee shall have the authority on its own volition to issue reports to the City Council on any matter related to parking and/or traffic safety. In addition, to the temporary regulations described in item herein, the Committee may recommend ordinance changes to the City Council addressing any parking or traffic safety issue deemed appropriate by the Committee.

Section 7.104: AUTHORITY

The City Manager is hereby vested with the authority to purchase, install and maintain public parking meters and/or any other type of parking regulation equipment or technology necessary to implement any action taken by the City Council or the Parking and Traffic Safety Committee.

Section 7.105: PARKING

- A. When any vehicle shall be parked in a parking meter zone the owner or operator of said vehicle shall park within the area designated by the curb or street marking lines as indicated for parallel or diagonal parking and upon entering said parking space shall immediately deposit in said meter the required meter fee or purchase the time requested through a central meter, in vehicle meter, coupon or other metering device including mobile phone applications, and display proof of purchase on the vehicle's interior dashboard, or other approved means of display, including meter devices defined in Section 7.101. It shall be unlawful for any person parking any vehicle or permitting any vehicle registered in his name to be parked within any designated area where parking meters are installed, to fail or neglect to pay for parking as required. Said parking space may then be used by such vehicle during the legal parking limit provided by the Ordinance of the City and said vehicle shall be considered as unlawfully parking if it remains in said space beyond the legal parking limit and/or after payment for metered space has expired. It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parked unlawfully as set out in this section.
- B. Parking meter fees shall be enforceable Monday through Saturday, from 9:00 a.m. to 8:00 p.m., and Sunday from 12:00 p.m. to 8:00 p.m., holidays excepted.

C. MOTORCYCLE PARKING

- A. Designated Motorcycle Parking Area.

The following location is established as an exclusive "Designated Motorcycle Parking Area" for the months of April 1st through November 30th only:

- 1. Pleasant Street: On the easterly side of Pleasant Street, beginning at a point 24 feet south of the extension of the southerly curb line of Market Square running southerly the distance of 24 feet.

Motorcycles parking in the Designated Motorcycle Parking Area shall pay the "Designated Motorcycle Parking Area Rate" which is \$0.50 less than the

Downtown High Occupancy Rate. Parking for verified Portsmouth residents shall be \$0.50 less than the Designated Motorcycle Parking Area Rate. Payment of the reduced rate is achieved through the use of a mobile phone application.

B. Motorcycle Parking.

Motorcycles parking in parking spaces other than the Designated Motorcycle Parking Area shall pay the rate of the parking meter zone in which the parking space is located less the verified Portsmouth resident reduction of \$0.50 per hour if applicable. One or more motorcycles may park in a single parking space. When more than one motorcycle parks in a single parking space, payment is required from only one of the motorcycles occupying the parking space.

Motorcycles are subject to reduced parking meter fees for the posted hourly time limits within the hours of enforcement as set forth in this Chapter.

Section 7.106: UNLAWFUL EXTENSION

It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any additional payment for the purpose of extending the parking time beyond the maximum time fixed by the Ordinances of the City of Portsmouth.

Section 7.107: SLUGS

It shall be unlawful to deposit or cause to be deposited in any parking meter, any slug, device or metallic substitute for a coin of the United States or token approved by the City Council.

Section 7.108: TAMPERING, ETC.

It shall be unlawful for any person to tamper, open willfully, break or destroy any parking meter.

Section 7.109: ENFORCEMENT

The administration and enforcement of this ordinance by the Portsmouth Police Department, the Department of Public Works, or any other municipal agencies authorized to perform those actions by direction of the City Manager.

Section 7.110: PENALTY / VIOLATION

Whoever violates or permits or allows anyone to violate Section 7.105 or Section 7.106 of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be liable to the penalty provided in this Chapter, Section 7.334.

Section 7.111: PENALTY/VIOLATION

Whoever violates or permits or allows anyone to violate Sections 7.107 or 7.108 of this Ordinance shall upon conviction be fined not more than \$100.00 and costs.

Section 7.112: PURPOSE

The fee required for said meters is hereby levied as a police regulation and inspection fee to cover the cost of providing parking spaces, parking meters, and inspection, operation, installation and maintenance thereof, the cost of regulation and control and use of the parking meter spaces, and zones created therein, for the regulation and control of traffic moving in and out of and parking in said parking spaces and zones so created and for the cost of any resultant traffic administration expense and for the maintenance and improvement of streets and highways and for the acquisition, construction, improvement, maintenance and management of public parking areas.

Section 7.113: SEPARABILITY

If any provision of part of any provision of this act or the application thereof, to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. Reference Chapter 249.1 of N.H. RSA.

Section 7.114: CONSTRUCTION PERMIT

The Department of Public Works may issue to a contractor or person actually engaged in construction and repair work, a temporary permit for exclusive use of a metered parking space for the parking of a vehicle or other equipment being used in construction or repair work. The issuance of such temporary permits shall be in accordance with the following terms and conditions:

- A. The permittee shall be issued a “meter bag” for a fee to be determined in accordance with Chapter 1, Article XVI or similar wording
- B. The permittee shall also pay a non-refundable fee to reimburse the City for the cost of the meter bag.
- C. In the event that the permittee secures the use of the meter bag through misrepresentation, the permittee shall be subject to a fine of fifty dollars (\$50.00).
- D. Any person using a meter bag other than at the times or in the manner specifically authorized by the Department of Public Works shall be subject to a fine of one hundred dollars (\$100.00) per day, per meter bag, of such unauthorized use.

Section 7.115 SIGN PERMIT REQUIRED FOR PRIVATE PARKING LOT

A business that provides public parking on a private lot will not be permitted unless the owner receives a sign permit from the Department of Public Works. The sign permit will be approved by the Department of Public Works if the sign complies with the following requirements:

- A. SIGN REQUIREMENTS:
 - 1. The Department of Public Works shall review the location of the sign prior to the sign being erected;

2. The sign shall be located at the entrance to the private lot;
3. The sign shall not be permanently affixed to a structure or the land;
4. Specific standards regarding sign dimensions and the style, color and size of lettering will be determined by the Department of Public Works;
5. The sign shall state that the private lot is not owned, operated or maintained by the City and the City does not provide for parking enforcement;
6. The sign permit will be issued only for private lots that are in compliance with all municipal land use regulations; and
7. Any owner of a private lot used for public parking who has not obtained a sign permit or whose sign does not comply with the criteria set forth above shall have their sign permit revoked and be subject to a fine of \$100 per day.

B. INFORMATION REQUIRED FOR SIGN PERMIT APPLICATION

The Department of Public Works shall require the following information on its sign permit application:

1. Identity of property owner, including address and telephone number for contact person for business hours and 24 hour emergency contact;
2. Identity of operator of private parking lot, including address and telephone number for contact person for business hours and 24 hour emergency contact;
3. Description of parking services provided, including hours of operation, parking rates charged and description of private parking enforcement methods; and
4. Owner and operator must provide updated information in A – C above to the Department of Public Works and failure to do so will result in the revocation of the sign permit and a fine of \$100 per day.

ARTICLE II: TAXIS (Effective 02/01/2017)

SECTION 7.201: PURPOSE

It is the intention of this ordinance to provide a structure for the regulation of motor vehicle operators who seek to hold themselves out as operators of a taxi, accepting the special benefits and burdens of that particular designation.

SECTION 7.202: TAXI DEFINED

The term “Taxi” shall mean any motor vehicle used for the transportation of passengers for hire, the destination and route of which are under the direction and control of the passenger; except that this Ordinance shall not apply to the following:

- A. Limousine services, which provide designated luxury or specialty vehicles by prior appointment for discrete functions;
- B. Limousine services whose operator is limited to the transport of passengers by prior appointment from locations within the City of Portsmouth to destinations located outside of the City or the reverse;
- C. Transportation services that carry seven (7) or more passengers;
- D. Transportation services operated by the municipality or other entity free-of-charge; and
- E. Transportation network companies and their operators who are regulated under the laws of the State of New Hampshire.

SECTION 7.203: OPERATOR AND OWNER DEFINED

- A. The term “Operator” as used in this Ordinance shall mean the person driving or having control or possession of a motor vehicle while it is being used as a Taxi.
- B. The term “Owner” as used in this Ordinance shall mean the person or business entity having the ownership or leasehold of any vehicle used or licensed to be used as a Taxi.

SECTION 7.204: MEDALLION REQUIRED

No vehicle shall be operated as a Taxi unless that vehicle has been issued a Medallion and such Medallion has not been suspended or revoked. The word “Medallion” shall mean the permission granted by the City of Portsmouth for a vehicle to be used as a Taxi.

SECTION 7.205: TAXI LICENSE REQUIRED

No person shall operate a motor vehicle as a Taxi within the City of Portsmouth unless such person holds a valid Taxi License issued by the City Clerk and is operating a vehicle with a valid Medallion.

SECTION 7.206: TAXI LICENSE REQUIREMENTS

- A. Any person seeking a Taxi License shall submit an application to the City Clerk. Such application shall require the applicant to provide a residential history for the preceding ten (10) years and submit the results of a multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide data base with validation (primary source search) and motor vehicle record history covering each jurisdiction in which the applicant has resided in the 10 year time period. In addition, the applicant shall provide a passport photograph and such other information as the City Clerk reasonably deems necessary to determine if the applicant meets all minimal requirements for the issuance of a Taxi License. The City Clerk has the authority to require the submission of results of criminal background checks and motor vehicle history records from multiple jurisdictions depending on the residency and residential history of the individual applicant.
- B. The City Clerk shall have the authority to issue a Taxi License upon submission of documentation satisfactory to the City Clerk and Taxi Coordinator that the applicant meets the following criteria:
1. Possesses a valid motor vehicle operator's license;
 2. Maintains a satisfactory motor vehicle record as defined in Section 7.206 (C);
 3. Has no disqualifying criminal conduct as defined in Section 7.206 (D); and
 4. Has received no more than three (3) violations of this ordinance in the year preceding the application and no more than six (6) total in all preceding years; and
 5. Is not a match on the United States Department of Justice National Sex Offender Public Website.

The City Clerk reserves the right to deny a Taxi License to an unsuitable person.

- C. A motor vehicle record shall be deemed not satisfactory if:

The applicant has had more than 3 moving violations in the prior 3-year period, or one major violation in the prior 3-year period, including, but not limited to, attempting to evade the police, reckless driving, or driving with a suspended or revoked license.

- D. Disqualifying criminal conduct is defined as:

The applicant has been convicted, within the past 7 years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, acts of violence, or acts of terror.

- E. By submitting an application, applicant authorizes the City to undertake such investigation as it deems reasonably necessary to verify the applicant's statements and eligibility to hold a Taxi License.

- F. Administrative appeal of any decision of the City clerk relative to issuance or denial of a Taxi License shall be made in writing and delivered to the City Attorney within thirty (30) days of the decision. Appeals shall be to the Taxi Coordinator, with notice of the opportunity to be heard and to respond; such opportunity to occur within thirty (30) days of receipt of the appeal.

SECTION 7.207: MEDALLION REQUIREMENTS

- A. Any Owner seeking a Medallion for a vehicle shall submit an application to the City Clerk. Such application shall require the Owner to provide the vehicle identification number, proof of insurance and such other information as the City Clerk reasonably deems necessary to determine if the application meets all minimal requirements for the issuance of a Medallion.
- B. The City Clerk shall have the authority to issue a Medallion upon the submission of documentation satisfactory to the City Clerk and Taxi Inspector that the following criteria have been met:
1. Vehicle registration;
 2. Proof that the vehicle is current in its State inspection;
 3. Proof of adequate personal injury and property damage liability insurance coverage for the term of the Medallion; and
 4. Payment of Medallion Application Fee.
- C. Adequate insurance shall be personal injury coverage of not less than three hundred thousand dollars (\$300,000) for injury to one person with a total coverage of not less than five hundred thousand dollars (\$500,000) for each accident. The property damage coverage shall be not less than fifty thousand dollars (\$50,000) per occurrence.
- D. Administrative appeal of any decision of the City Clerk relative to issuance or denial of a Medallion shall be made in writing and delivered to the City Attorney within thirty (30) days of the decision. Appeals shall be to the Taxi Coordinator, with notice of the opportunity to be heard and to respond; such opportunity shall occur within thirty (30) days of receipt of the appeal.

SECTION 7.208: TAXI COORDINATOR

There shall be a Taxi Coordinator who shall be an officer of the Portsmouth Police Department assigned by the Chief of Police. That officer, in addition to his or her regular duties, shall assist the City Clerk with the implementation of this Ordinance, conduct background investigations and have the enforcement powers set forth in this ordinance.

SECTION 7.209: FEES AND TERMS FOR LICENSES AND MEDALLIONS

- A. All Medallions and licenses granted under this chapter shall continue to remain in full force and effect for a period from the first day of April each year until midnight on the 31st day of March of the following year.
- B. All applications for renewals of Medallions or licenses must be filed with the City Clerk no earlier than February 1 and not later than March 1.
- C. Fees shall be set by the City Council as part of its annual budget adoption process as set forth in chapter 1, Article XVI.
- D. Until such time as the fees are set by the City Council under paragraph 7.209 (C). the fees are as follows:
 - 1. The first time fee for a Medallion shall be one hundred twenty-five dollars (\$125.00) each year or any part of a year commencing on April 1st for each Taxi payable in advance on application for the Medallion. The renewal fee shall be one hundred dollars (\$100.00)
 - 2. The fee for restoration of any Medallion that has been revoked shall be one hundred dollars (\$100.00), except when the revocation is due to failure to meet vehicle inspection requirements, no fee shall be due if the vehicle is repaired to the satisfaction of the Taxi Coordinator within 1 business day of the revocation.
- E. If required insurance coverage terminates, expires or is suspended, Owner shall immediately suspend service until insurance coverage is in place. All required insurance policies shall contain a provision, which will provide for the automatic notification by the insurer to the City of the cancellation or expiration of the policy. Notice shall be mailed to the City Clerk.

SECTION 7.210: TAXI OPERATOR CONDUCT

A Taxi Operator shall:

- A. Use only a vehicle that has been issued and displays an Medallion;
- B. Display a copy of his/her Taxi License in a conspicuous place within the Taxi where it may be seen by any passenger;
- C. Not laminate, deface or alter the Taxi License;
- D. Not stand or park on any street except at designated Taxi stands or bus stops, except while actually engaging in taking on or discharging passengers;
- E. Not engage in any conduct that endangers the health, welfare or safety of passengers or the public; and
- F. Report in writing to the City clerk any and all of the following:

1. Any change of address within thirty (30) days of such change;
2. Any motor vehicle moving violation within seven (7) days;
3. Any motor vehicle license suspension or revocation within (7) days; and
4. Any misdemeanor or felony arrest within seven (7) days.

Any failure to report will result in the imposition of a late fee of \$50.00 and may result in the revocation of the Taxi License and/or the finding of a violation.

SECTION 7.211: MEDALLION OWNER REQUIREMENTS

- A. Each Taxi shall utilize a roof light with the firm name or the word “Taxi” inscribed thereon and operating during evening hours when the Taxi is on duty. There shall be no other lights on a Taxi, except those required by law.
- B. Each Taxi shall display two license plates furnished by the City of Portsmouth with the word “TAXI” on the plates; such plates shall be attached in a conspicuous place on the front and rear of the motor vehicle operated.
- C. Provide proof of vehicle inspection renewal to the City clerk within ten (10) days of the end of the month for which inspection is due. Failure to provide such notice will result in a \$50.00 late fee for the untimely compliance and may result in the revocation of the Medallion and/or the finding of a violation.
- D. Return to the City any Medallion which has not been renewed within five (5) business days after the expiration of the term set forth in Section 7.209.

SECTION 7.212: TAXI STANDS AND HAILS

- A. The term “Taxi stand” as used in this Ordinance shall be construed to mean such portion or portions of the public street or highway as shall be designated by the City Council of the City of Portsmouth as a place in which Taxis may stand or park.
 1. No Owner or Operator of any Taxi shall allow or permit a Taxi to remain standing or parked unattended for longer than fifteen (15) minutes at any Taxi stand.
 2. No Operator shall park a Taxi in a double line at a public stand nor shall any Operator park a Taxi in such a manner as to interfere with traffic, either vehicular or pedestrian, at any location.
 3. No more than two (2) Taxis owned by the same person or business entity shall occupy any one Taxi stand at any one time.
- B. Taxis may accept street hails.

SECTION 7.213: ADDITIONAL OPERATOR AND OWNER REQUIREMENTS

All Operators and Owners shall:

- A. Ensure that fares are posted, published or otherwise available to the passenger before engagement of the fare;
- B. Provide a written receipt if requested;
- C. Decline multiple fares unless each passenger consents;
- D. Prohibit the use of smoking materials of any kind within the Taxi at any time; the Owner of each Taxi shall post a notice in each Taxi, plainly visible to all occupants of the Taxi, reading, "No Smoking"; and
- E. Maintain the Taxi in a safe, clean and sanitary condition at all times.

SECTION 7.214: ENFORCEMENT

- A. If the Taxi Coordinator reasonably believes that a Taxi may no longer be safe during the term of the Medallion period, the Taxi Coordinator may order the Owner to have the Taxi re-inspected, at Owner's cost.
- B. Any Portsmouth Police Department officer may:
 - 1. Issue a written notice of violation of this Ordinance.
 - 2. Issue a Defective Equipment notice to the Owner and/or Operator of the Taxi requiring correction of the defect within five (5) business days with proof of correction provided to the Police Department to avoid automatic suspension of the Medallion. The Medallion will be immediately surrendered to the City Clerk after five (5) business days if proof of correction is not provided to the Police Department.
 - 3. Suspend immediately an Operator's Taxi License or an Owner's Medallion upon a reasonable belief that there is an imminent danger to the health, safety, or welfare of passengers or the public.
- C. Administrative appeals of any notice of violation, defective equipment notice, suspension or revocation shall be made in writing by the Operator or Owner and delivered to the City Attorney within fourteen (14) days of the suspension, revocation or notice of violation. Appeals shall be to the Taxi Coordinator, with notice to the Operator or Owner of the opportunity to be heard and to respond.

- D. If the Taxi Coordinator determines after notice and response that any violation of state law or this Taxi ordinance has occurred, the Taxi Coordinator may, in addition to the actions set forth in Section 7.214(A), take one (1) or more of the following actions:
1. Remove the Medallion from the Taxi in violation until the violation is corrected and proof of correction is provided to the Taxi Coordinator;
 2. Suspend or revoke any Medallion or License;
 3. Refer for prosecution any violation of this Ordinance.
- E. Any person or entity in violation may be subject to a fine of no more than \$300 upon conviction by the Portsmouth District Court.

SECTION 7.215: APPEALS

Written final decisions of the City Clerk and the Taxi Coordinator relative to the issuance, suspension and revocation of licenses, medallions and other actions of enforcement made pursuant to this Ordinance are final. Persons aggrieved of the decisions of the City Clerk and/or Taxi Coordinator shall have all rights and remedies available to them in the courts of the State of New Hampshire.

SECTION 7.216: RECIPROCITY WITH OTHER MUNICIPALITIES

Taxis which are licensed in other municipalities may deliver passengers from outside the City to destinations within the City or pick up passengers by prior arrangement in the City for delivery to destinations outside the City.

SECTION 7.217: TRANSITION PERIOD

Owners and Operators operating a Taxi upon the effective date of this Ordinance may continue to operate while Taxi License and Medallion applications are pending under this Ordinance and a final decision has been made to approve or deny the Taxi License or Medallion application.

ARTICLE III: TRAFFIC ORDINANCE

Section 7.301: DEFINITIONS

Wherever in the Ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this Section:

- A. "Street or Highway" means every way or place of whatever nature open to the use of the public, as a matter of right, for purposes of vehicular travel.
- B. "Private Road or Driveway" means every road or driveway not open to the use of the public for purposes of vehicular travel.
- C. "Roadway" means that portion of a street or highway between the regularly established curb lines or that part improved and intended to be used for vehicular travel.
- D. "Sidewalk" means that portion of a street between the curb lines and the adjacent property lines.
- E. "Intersection" means the area embraced within the prolongation or connection of the lateral curblines or, if none, then of the lateral boundary line of two or more streets or highways which join one another at an angle, whether or not one such street or highway crosses the other.
- F. "Crosswalk" means that portion of a roadway ordinarily included within the prolongation or connection of curb and property lines at intersection or any other portion of a road way clearly indicated for pedestrian crossing by lines or other marking on the surface.
- G. "Safety Zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is as marked or indicated by adequate signs to be plainly visible at all times while set apart as a safety zone.
- H. "Vehicle" means every device in, upon or by which, any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.
- I. "Motor Vehicle" means every vehicle, as herein defined, which is self propelled.
- J. "Authorized Emergency Vehicles" means vehicles of the Fire Department (fire patrol), police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Chief of Police.
- K. "Pedestrian" means any person afoot.
- L. "Traffic" means pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances whether singularly or together while using any street for purposes of travel.
- M. "Right of Way" means the privilege of the immediate use of the street or highway.

- N. "Parking" means the standing of a vehicle, whether occupied or not, upon a roadway, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to traffic regulations or traffic signs and signals.
- O. "Official Traffic Signs" means all signs, markings, and devices not inconsistent with this Ordinance, placed or erected by authority of a public body or official having jurisdiction, for the purpose of guiding, directing, warning or regulating traffic.
- P. "Official Traffic Signals" means all signals, not inconsistent with this Ordinance, placed or erected by authority of a public body or official having jurisdiction, for the purpose of directing, warning or regulating traffic.
- Q. "Traffic Control Signal" means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed.
- R. "Police Officer" means every officer of the Municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Section 7.301.I: PRESUMPTION OF LIABILITY

The fact that an automobile which is illegally parked is registered in the name of the person shall be considered prima facie proof that such person was in control of the automobile at the time of such parking.

Section 7.302: ENFORCEMENT AUTHORITY

- A. It shall be the duty of the Police Department of this City, or civilian parking officials where appropriate to enforce the provisions of this Ordinance. Officers of the Police Department are hereby authorized to direct all traffic whether in person or by means of visible or audible signals in conformance with the provisions of the Ordinances, provided, that in the event of a fire or other emergency, or to expedite traffic and safeguard pedestrians, officers of the police and fire department may direct traffic, as conditions may require, notwithstanding the provisions of this Ordinance.
- B. Any vehicle or object parked or placed in violation of this ordinance shall be cited for such violation and may be towed at the vehicle owners expense at direction of the enforcement authority, the Chief of Police or the Director of Public Works.

Section 7.303: EMERGENCY REGULATIONS

The Chief of Police is authorized and empowered to make and enforce temporary regulations to cover emergencies or special conditions.

Section 7.304: OBEDIENCE TO POLICE

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer.

Section 7.305: PUBLIC EMPLOYEES

The provisions of this Ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this State, County or City and it shall be unlawful for any said driver to violate any of the provisions of this Ordinance, except as otherwise permitted in this Ordinance.

Section 7.306: EXEMPTIONS

The provisions of this Ordinance regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles as defined in this Ordinance while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

Section 7.307: PUSH CARTS, BICYCLES AND ANIMALS

Every person propelling any push cart or riding a bicycle, or an animal upon a roadway and every person driving any animal, shall be subject to the provisions of this Ordinance applicable to the driver of any vehicle, except those provisions of this Ordinance with reference to the equipment of vehicles and except those provisions which by their very nature can have no application.

Section 7.308: TRAFFIC SIGNALS

No person shall drive a vehicle past any traffic signal on any highway in the City of Portsmouth when such signal shows a red light in the direction such vehicle is being driven or otherwise indicates that vehicles are to be stopped, and no person shall drive a vehicle past such signal until it shows a green light in the direction such vehicle is being driven or otherwise gives indication that traffic in the direction in question is permitted.

Section 7.309: STOP SIGNS

No person shall drive a vehicle into any street at any intersection at which a "STOP" sign or "SLOW DOWN" sign is maintained without first having stopped or slowed down said vehicle in accordance with the instruction given on such sign, and no person shall drive a vehicle past any "STOP" sign or "SLOW DOWN" sign on any highway wherever such sign shall be located without having previously stopped or slowed down such vehicle.

Section 7.310: RIGHT OF WAY

The driver of any vehicle shall yield the right of way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at the end of the block, except at intersections where the movement of traffic is being regulated by police officers or control signals, or at any point where a pedestrian tunnel or overhead crossing has been provided.

Section 7.311: JAY WALKING

Every pedestrian crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right of way to vehicles upon the roadway, provided that this provision shall not relieve the driver of a vehicle from the duty to exercise due care for the safety of pedestrians.

Section 7.312: STOPPING

Whenever any vehicle has stopped at a marked crosswalk or at any intersection to permit a pedestrian to cross the roadway, it shall be unlawful for the driver of any other vehicle approaching from the rear to overtake and pass such stopped vehicle.

Section 7.313: KEEPING TO RIGHT

Pedestrians shall walk, whenever practicable, upon the right half of the sidewalk.

Section 7.314: SOLICITING RIDES OR HITCH-HIKING

It shall be unlawful for any person to stand in a roadway for the purpose of soliciting a ride from the operator of any private vehicle.

Section 7.315: STOPPING PROHIBITED

It shall be unlawful for the driver of a vehicle to stop, stand, or park such vehicle 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 sign or signal or in case of emergency:

- A. Within an intersection;
- B. On a crosswalk;
- C. Within fifteen (15) feet on either side of a hydrant; (Amended 2/4/85)
- D. Within 15 feet of the driveway entrance of the Fire Station;
- E. In front of a private driveway;
- F. On a sidewalk;
- G. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
- H. On the roadway side of any vehicle stopped or parked at the edge of the curb of a street;
- I. At any place where official traffic signs have been erected, prohibiting standing or parking;

- J. On the edge of any roadway headed in the direction of lawful traffic movement so that the wheels of the driver's side of the vehicle are adjacent to the curbing.

Section 7.316: BACK TO CURB

No vehicle shall remain backed up to the curb, except when actually loading or unloading, and only when same can be done without obstructing travel.

Section 7.317: ANGLE AND PARALLEL PARKING

Except when necessary in obedience to traffic regulations or traffic signs or signals, the driver of a vehicle shall not stand, stop, or park such vehicle in a roadway other than parallel with such roadway or curb headed in the direction of traffic except upon those streets which have been marked or signed for angle parking where vehicle shall be parked at the angle to the curb indicated by such marks or signs headed toward the curb.

Section 7.318: ANGLE PARKING

Angle parking is permitted on the following streets:

- A. Bow Street: northerly side, from Ceres Street to easterly side of building #67 on Bow Street.
- B. Bow Street: parallel parking only shall be permitted only on the south side of Bow Street between Penhallow Street and Chapel Street.
- C. Market Square.
- D. Pleasant Street: easterly side from Market Square to State Street.
- E. Pleasant Street: westerly side from State Street to Court Street.
- F. Pleasant Street: westerly side between State Street and Porter Street.

Section 7.319: DISTANCE FROM CURB

When parallel parking is permitted vehicles shall be parked not more than 12 inches from the curb or edge of the roadway. Where angle parking is permitted, no vehicle shall be parked so as to project more than 16 feet into the street from the curb line, measured perpendicularly from the curb.

Section 7.320: OBSTRUCTING STREET

No vehicle shall stop or park in such a way as to obstruct any street or crossing for the purpose of taking on or setting down a passenger or for loading or unloading freight or for any other purpose unless in case of an accident or emergency, or when directed to do so by a police officer.

Section 7.321: SNOW EMERGENCY PARKING BAN

- A. The Director of Public Works shall be empowered to declare a snow emergency for the purpose of snow plowing during snow storms. The Director's authority to declare such an emergency shall begin when there is an accumulation of two (2) inches or more of snow. Once the emergency is declared, then the emergency shall continue until such time as it is terminated pursuant to the provisions of this ordinance.
- B. No person having custody or control of any vehicle shall park or cause any vehicle to be parked on any street or highway in the City of Portsmouth when a snow emergency is in effect. The Director of Public Works shall be empowered to cause any vehicle, which violates this ordinance to be ticketed and towed.
- C. Once the Director has declared a snow emergency, he or she shall then immediately notify the local media, radio, newspapers, and television. Whenever feasible, the Director shall also provide advance notification to the public of snowstorms likely to generate snow emergencies. The Director shall give notice to the local media as to when the snow emergency is terminated; when feasible, the Director shall provide notice as to the anticipated termination of the emergency based upon weather predictions.
- D. The Director's authority to declare a snow emergency shall be operable both during the daytime and the nighttime.
- E. The Director's authority to declare a snow emergency shall exist in addition to the emergency powers reserved to the Chief of Police under Section 7.303, Article III of this ordinance; however, the Director of Public Works and the Chief of Police shall consult with each other concerning the need for and the timing of any snow emergencies.
- F. The Director of Public Works shall cause appropriate signs to be posted at the City boundaries at: all exits from I-95, NH33 (formerly known as NH Route 101), US Rte 1, Woodbury Avenue, Ocean Road, Sagamore Avenue and US Route 1A/B. Such signage should provide notice regarding potential snow emergencies and should advise travelers where to seek further information on the snow emergency.
- G. City residents may park in the High-Hanover Parking Facility during snow emergencies by paying a flat fee to be determined by the City Council commencing with a declared parking ban advanced notice until a time deemed appropriate by the Public Works Director or his/her designee following termination of the snow ban. The time period allowed for such parking shall not terminate less than 2 hours after the end of the snow ban. To be eligible for the flat rate snow ban discount, drivers must provide proof of residency by presenting a driver's license or vehicle registration showing a Portsmouth address. The fee is payable upon exit from the parking facility.

Section 7.322: VEHICLES FOR SALE

It shall be unlawful for any person to park upon a street any vehicle displayed for sale.

Section 7.323: ADVERTISING

It shall be unlawful for any person to operate or to park on any street any vehicle for the primary purpose of displaying advertising, except by permit from the Chief of Police.

Section 7.324: (Deleted)

Section 7.325: LIMITED PARKING - THIRTY MINUTES

- A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than thirty minutes at any time between the hours of 9:00 a.m. - 8:00 p.m. Monday through Saturday, and between 12:00 p.m. and 8:00 p.m. on Sunday, Holidays not included, on the following streets and locations:
1. Islington Street: Northerly side from the corner of Brewster Street easterly 110'.
 2. Islington Street: Northerly side easterly 70' from Dover Street to a point 82' westerly from Salem Street.
 3. Islington Street: Northerly side from Pearl Street to Parker Street.

Section 7.326: LIMITED PARKING - FIFTEEN MINUTES

- A. No person having control or custody of any vehicle shall cause the same to stop or park for longer than 15 minutes at any time between 9:00 a.m. and 8:00 p.m., Monday through Saturday, and between 12:00 p.m. and 8:00 p.m. Sunday, Holidays not included, on the following streets and locations:
1. Bow Street:
 - a. northerly side, first metered space east from Ceres Street
 2. Cabot Street: northeasterly side, from a point which is sixty-five (65) feet northwest from the intersection of Austin Street to a point which is one hundred (100) feet northwest from the intersection of Austin Street.
 3. Congress Street:
 - a. southerly side, first two metered spaces west from Fleet Street
 - b. northerly side, first two metered spaces west from High Street
 4. Daniel Street:
 - a. northerly side, first four metered spaces west from the parking lot entrance at 80 Daniel Street
 - b. southerly side, first three metered spaces running between 102 and 160 feet west of Penhallow Street
 - c. south side, first space west of Memorial Bridge Parking Lot
 6. Hanover Street:
 - a. northerly side, first five spaces east from High Street

- b. northerly side, first space west of Bridge Street
- 7. High Street: easterly side, first three spaces north from Congress Street
- 8. Islington Street:
 - a. southerly side the space in front of 404 Islington Street, no person having control or custody of any vehicle shall cause the same to stop or park for longer than 15 minutes at any time, including Sundays and holidays.
 - b. northerly side, the space in front of 371 Islington Street.
- 9. Marcy Street: beginning at the southerly curb line of South Mill Street and running 95 feet southerly (from 8:00 am to 6:00 pm) Monday through Sunday.
- 10. Market Street: easterly side, third space north from Market Square.
- 11. Portwalk Place: westerly side, one space beginning 117 feet north of the northerly curb line of Hanover Street.
- 12. State Street:
 - a. southerly side, first two metered spaces east from Atkinson Street.
 - b. southerly side, first metered space east from Pleasant Street
- 13. South Street: northerly side, from Mount Vernon Street easterly for a distance of 40 feet.

Section 7.327: LIMITED PARKING - TWO HOURS

- A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than two hours at any time between the hours of 9:00 a.m. and 8:00 p.m. Monday through Saturday, and between 12:00 p.m. and 8:00 p.m. Sunday, Holidays excluded, on the following streets and locations:
 - 1. Hancock Street:
 - a. First three parking spaces on the northerly side closest to Marcy Street.
 - 2. Islington Street:
 - a. northerly side from Tanner Street to Parker Street
 - b. northerly side from Pearl Street to a point westerly 335'
 - c. northerly side from Cabot Street to a point easterly 515'
 - 3. Sheafe Street: northerly side from a point 40 feet easterly from Penhallow Street to Chapel Street.
 - 4. Summer Street:
 - a. southwesterly side between Chatham Street and Austin Street.

Section 7.328: (Deleted)

Section 7.328-1: UTILIZATION OF MULTIPLE PARKING SPACES:

No person having custody or control of a single vehicle shall park or cause any vehicle to be parked (or partially parked) on two adjacent spaces on any street in the City of Portsmouth at a time and in a location in which a parking fee is required. Vehicles with trailers or boats may occupy up to two spaces when parking fees are paid for both spaces.

Section 7.329: LIMITED PARKING – FOUR HOURS

No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than four hours at any time between the hours of 9:00 a.m. and 8:00 p.m. Monday through Saturday, and between 12:00 p.m. and 8:00 p.m. Sunday. Holidays excluded, on the following streets and locations:

1. Livermore Street: westerly side, entire length.

Section 7.330: NO PARKING

A. Unless otherwise designated by ordinance, parking shall be prohibited at all times in the following described streets and locations:

1. Alder Way: both sides, entire length.
2. Aldrich Road: both sides from Sewall Road a distance of 150 feet easterly.
3. Andrew Jarvis Drive: southerly side.
4. Atkinson Street: both sides from State Street to Court Street.
5. Austin Street: on the northerly side of Austin Street between Union Street and Madison Street.
6. Barberry Lane: from the northerly side of Barberry Lane from Islington Street to the first set of railroad tracks
7. Bartlett Street: easterly side from Islington Street to Clinton Street.
8. Blossom Street: both sides commencing 100 feet north of the intersection of South and Blossom Streets.
9. Borthwick Avenue: both sides, from the Route #1 By-Pass to Greenland Road, excepting only 20 parking spaces located on the southerly side of Borthwick Avenue, commencing at a point twenty (20) feet easterly of the western-most driveway of the Jackson Gray Medical Building and continuing to the east with the allowance of twenty (20) feet on either side of the Jackson Gray Medical building driveways.
10. Bow Street:

- a. southerly side, starting at the westerly corner of Penhallow Street; thence running in a westerly direction 60 feet more or less to the easterly corner of Market Street.
 - b. easterly side from Daniel Street to Chapel Street.
11. Brewster Street:
 - a. westerly side from Islington Street to McDonough Street
 - b. entire easterly side, north of Sudbury Street
 - c. easterly side, no parking in front of Map 138, Lot 11, except from a point beginning 108 feet from the northerly curblineline of Islington Street, and running 20 feet in a northerly direction.
 12. Bridge Street: westerly side, 35' northerly from the intersection with Hanover Street
 13. Cabot Street: westerly side from Islington to McDonough Street.
 14. Cass Street: Westerly side, 110 feet from the intersection of Cass Street and Middle Street in a northerly direction to the first telephone pole.
 15. Ceres Street:
 - a. both sides from Bow Street 310 feet northwesterly.
 - b. land of the City of Portsmouth Assessor's Plan #13, Lot 85, from Ceres Street to the waterfront and also including that portion of the westerly half of Lot 85 which is not included in Chapter 31(e), Article 5, Section 11, paragraph l(c), of the Revised Ordinances of 1946 as amended.
 16. Chapel Court: southerly side.
 17. Chapel Street:
 - a. both sides from Daniel Street to Bow Street.
 - b. easterly side from State Street to Daniel Street.
 18. Chase Drive: northerly side, from Michael Succi Drive to a point 30 feet of the driveway located at 355 Chase Drive.
 19. Chatham Street: both sides, Summer Street to Winter Street, except the first 66 feet on the southerly side from Summer Street to Winter Street.
 20. Chestnut Street:
 - a. westerly side starting at the corner of Congress Street and Chestnut Street, thence running in a southerly direction to the northerly corner of Porter. Restriction of this area to be modified to the extent that hotel arrival and departure intervals shall be allowed.
 - b. easterly side from Congress Street to Porter Street.
 - c. both sides, entire length of street between State Street and Court Street.
 21. Circuit Road: both sides.

22. Coakley Road: No parking, both sides; extending from Rt. 1 Bypass one thousand feet to a point located at the first telephone pole (#271/5).
23. Congress Street:
 - a. southerly side from Middle Street to Chestnut Street.
 - b. northerly side starting at a point in line with the southerly corner of the Athenaeum Building; thence running northerly a distance of 95 feet more or less to the Market Street tangent point.
 - c. northerly side from Fleet Street to Maplewood Avenue.
24. Cornwall Street:
 - a. easterly side starting at the corner of Islington Street and Cornwall Street, thence running northerly a distance of 95 feet.
 - b. westerly side starting at the corner of Islington Street and Cornwall Street, thence running northerly a distance of 186 feet.
25. Cottage Street: both sides from Route 1 By-Pass
 - a. the southerly side from Route 1 By-Pass easterly three hundred feet (300')
 - b. the northerly side from Route 1 By-Pass easterly four hundred feet (400')
26. Court Street:
 - a. southerly side from 50 feet easterly of the easterly side of Chestnut Street to Pleasant Street
 - b. both sides from Marcy Street to Pleasant Street.
 - c. northwesterly side from Pleasant Street to Middle Street.
27. Crescent Way:
 - a. south side from Kearsarge Way to 40' west of Saratoga Way
 - b. south side from Porpoise Way to end of street
 - c. north side from Kearsarge Way to 80' west of Porpoise Way
28. Custom House Lane: both sides (off Penhallow Street).
29. Cutts Avenue: northerly side
30. Cutts Street: easterly side, between Maplewood Avenue and Leslie Drive
31. Daniel Street:
 - a. southerly side from the Piscataqua River to Bow Street.
 - b. southerly side from a point 63 feet easterly of Penhallow Street to a point 95 feet westerly of Penhallow Street.
 - c. from a point 92 feet west of Penhallow Street to Market Square provided that trucks may load or unload in an area beginning 92 feet west of Penhallow Street to a point 95 feet westerly of Penhallow Street.
32. Dearborn Lane: both sides, from Dearborn Street westerly to property line of 39 Dearborn Street, a distance of 60 feet.
33. Dearborn Street:

- a. westerly side from Maplewood Avenue to the easterly end of Dearborn Lane (entire westerly side).
 - b. easterly side, from the North Mill Pond running northerly for a distance of 25 feet
34. Deer Street: southerly side, an area 40 feet in length in front of the Senior Citizen Center located at 40 Deer Street.
35. Dennett Street:
- a. northerly side, beginning at the westerly pavement edge of Hunters Hill Avenue and running 60 feet in a westerly direction.
 - b. both sides from Myrtle to Maplewood Avenue.
36. Dutton Avenue: both sides, from Wright Avenue to Memorial Bridge.
37. Edwards Street: both sides
38. Elm Court: on the westerly side of Elm Court
39. Elwyn Avenue: southerly side between Lafayette Road and a point 415 feet easterly of Lafayette Road.
40. Essex Avenue: westerly side from Islington Street to a point 105' southerly from Islington Street.
41. Farm Lane: both sides from the Spaulding Turnpike to the driveway of Lot 56, Map 237 now known as New England Marine & Industrial, Inc.
42. Fleet Street:
- a. Easterly side from Court Street to Hanover Street.
 - b. Westerly side from State Street to Court Street and the parking space nearest Hanover Street, provided that trucks may load or unload in said parking space.
 - c. Westerly side, from Congress Street to a point 135 feet in a northerly direction.
43. Franklin Drive: northerly side from Woodbury Avenue to the end of Franklin Drive.
44. Franklin Street: southeasterly side from Pleasant Street to South Mill Pond.
45. Frenchman's Lane: westerly side, 150' from Islington Street.
46. Friend Street: easterly side of Friend Street.
47. Gardner Street: both sides from Marcy Street to Mechanic Street.
48. Gates Street:

- a. southerly side from Pleasant Street to Mechanic Street.
 - b. northerly side from Mechanic Street to Marcy Street.
49. Gosling Road: southerly side of Gosling Road from the Spaulding Turnpike to Woodbury Avenue.
50. Granite Street: both sides.
51. Green Street: both sides from Russell Street to Vaughan Street.
52. Greenland Road: northerly side from westerly boundary of neighborhood business zone to easterly side of I-95, including the turnaround.
53. Greenleaf Avenue:
 - a. both sides from Route #1 Bypass to Peeverly Hill Road.
 - b. northerly side between Hillside Drive and Route 1 Bypass.
54. Hancock Street:
 - a. southerly side, between Washington Street and Marcy Street.
 - b. northerly side of Hancock Street from Marcy Street a distance of 115 feet.
55. Hanover Street:
 - a. (Hanover Street Extension): northerly side from Pearl St. to Brewster St.
 - b. (Hanover Street Extension): southerly side from Brewster Street easterly 40'
 - c. southerly side from Market Street to a point 285 feet east of Fleet Street
56. Harding Road: westerly side, beginning at a point 250' from the southerly curb line at the intersection of Harding Road and Elwyn Road continuing in a southerly direction to a point 200' from the point of beginning.
57. High Street:
 - a. westerly side from Market Square to Ladd Street.
 - b. west side from Vaughn Mall Entrance to Deer Street.
58. Highland Street: westerly side, beginning at the southerly curblines of Middle Street and running southerly for a distance of 90 feet.
59. Hill Street: Both sides, entire length between Bridge Street and Autumn Street.
60. Howard Street: both sides from Washington Street to Manning Street.
61. Hunking Street: both sides from Marcy Street to Mechanic Street.
62. Islington Street:
 - a. southerly side from Middle Street 305 feet westerly.
 - b. southerly side from Cass Street to the Route 1 By-Pass Overpass

- c. northerly side from the corner of Congress Street/Maplewood Avenue/Middle Street running westerly to the easterly corner of Tanner Street.
 - d. southerly side starting at the junction of Congress and Islington Streets; thence running westerly for a distance of 1,640 feet, more or less, to the corner of Cabot Street.
 - e. northerly side from Dover Street to Bartlett Street and from Bartlett Street westerly 500 feet, excepting 55 feet measured easterly from the northeast corner of the intersection of Elm Court and Islington Street.
 - f. southerly side from Essex Avenue to a point 180 feet westerly.
 - g. northerly side – easterly from a point 145’ from Salem Street to a point 73’ westerly of Cabot Street
 - h. southerly side, beginning 220 feet east from Columbia Street, for 20 feet.
63. Jenkins Avenue: northerly and southerly sides. Westerly end between the hours of 7:00 a.m. – 3:00 p.m. Monday through Friday.
64. Joffrey's Terrace: both sides.
65. Junkins Avenue: both sides.
66. Johnson Court: both sides.
67. Kane Street: on the northerly side for a distance of ninety (90) feet from the intersection of Kane Street and Alder Way.
68. Ladd Street: both sides from High Street to Market Street.
69. Langdon Street:
- a. entire easterly side north of Islington Street.
 - b. entire westerly side, north of McDonough Street
70. Lincoln Avenue:
- a. southerly side, between the intersection of Miller Avenue continuing to Richards Avenue.
 - b. northerly side
 - 1. From Richards Avenue, 25 feet westerly
 - 2. From Miller Avenue, 135 feet easterly
 - 3. Between Miller Avenue and Broad Street
71. Little Harbor Road: Both sides of the roadway, beginning at the east side of the Wentworth Coolidge Mansion driveway, running easterly for a distance of 155 feet to the gate at the end of the pavement.
72. Livermore Street: the easterly side from Pleasant Street to the dead end.
73. Longmeadow Road: both sides, from Route 1 to the beginning of the Speakeasy's cud-de-sac.

74. Manning Place: both sides from Marcy Street to Pleasant Street.
75. Manning Street: both sides from Marcy Street to Pleasant Street.
76. Maplewood Avenue:
 - a. south side from the corner of Dennett Street to a point 81 feet east of the corner of Dearborn Street.
 - b. westerly side, 457 feet, beginning at 230 Maplewood Avenue and extending to 154 Maplewood Avenue.
 - c. easterly side of Maplewood Avenue from Raynes Avenue to 287 Maplewood Avenue.
 - d. westerly side, 40 feet in both a northerly and a southerly direction from the intersection at Dearborn Street.
 - e. from the US Route 1 Bypass northbound off ramp to Prospect Street.
77. Marcy Street:
 - a. easterly side from the intersection of State Street to Pleasant Street.
 - b. westerly side from a point 100 feet south of Court Street to Pleasant Street.
 - c. easterly side of Marcy Street from New Castle Avenue to Holmes Court.
78. Market Street:
 - a. westerly side from the southerly boundary line of the premises of the Moffatt-Ladd House to Deer Street.
 - b. easterly side between Ceres Street and a point located 18 feet north of Ceres Street.
 - c. between November 1 through March 30 westerly side between Russell Street and Deer Street except as allowed by Section 7.601 and 7.602.
 - d. westerly side in front of the former Standard Plumbing building at the corner of Market Street and Hanover Street.
79. McDonough Street: both sides, from the easterly curb line of Dover Street to a point 90 feet east of Dover Street
80. Mechanic Street:
 - a. southerly side, from Marcy Street to the Peirce Island Bridge
 - b. northerly side of Marcy Street to the Peirce Island bridge between the hours of 11 P.M. to 6 A.M.
 - c. westerly side, from Peirce Island Road to Gates Street
 - d. easterly side, beginning at the extension of the northerly curblineline of Gates Street and running a distance of 27 feet in a northerly direction.
 - e. westerly side, between Gardner Street and Hunking Street.
81. Meeting House Hill Road: southerly side of the Children's Museum, both sides.
82. Melcher Street:
 - a. easterly side from Pleasant Street to South Mill Pond.

- b. northerly side from Pleasant Street to South Mill Pond.
83. Middle Road:
- a. northerly side from the intersection of Middle Street to the intersection of Kensington Road.
 - b. northerly side from Sylvester Street to Sweet Avenue
84. Middle Street:
- a. westerly side from State Street to Austin Street.
 - b. easterly side from Haymarket Square to Richards Avenue.
 - c. both sides from Islington Street to State Street.
 - d. easterly side in front of the building located at 517 Middle Street.
 - e. westerly side, beginning at the southerly curb line of Union Street and running 73 feet southerly.
 - f. westerly side, beginning at the northerly curb line of Union Street and running northerly to a point 85 feet north of the northerly curb line of Union Street.
 - g. easterly side, beginning at the southerly curb line of Union Street and running 88 feet southerly.
 - h. easterly side, beginning at the northerly curb line of Union Street and running northerly to a point 40 feet north of the northerly curb line of Union Street
85. Miller Avenue:
- a. westerly side, starting at the junction of Middle Street and Miller Avenue; thence running in a southerly direction for a distance of 780 feet, more or less, at the corner of Rockland Street.
 - b. both sides one hundred fifty feet (150') northerly from the intersection at South Street.
86. Mirona Road: both sides from Lafayette Road westerly a distance of 525 feet.
87. Morning Street:
- a. northerly side, from Bartlett Street, 108 feet southwest.
 - b. southerly side, from Bartlett Street to the ell of Morning Street.
88. Mount Vernon Street: westerly side.
89. New Castle Avenue: north side from New Castle town line to Marcy Street.
90. Northwest Street: both sides, from Maplewood Avenue to the beginning of Jackson Hill Extension.
91. Parker Street: both sides from Islington Street to Hanover Street.
92. Parrott Avenue:

- a. between Junkins Avenue and Edward Street, both sides.
 - b. on the northerly side from 300' easterly of Richards Avenue to a point 355' easterly of Richards Avenue
 - c. on the southerly side from 310' easterly of Richards Avenue to a point 355' easterly of Richards Avenue
93. Partridge Street: both sides, entire length of street.
94. Pearl Street: westerly side of Pearl Street after 8:00 a.m. and before 5:00 p.m. Monday through Friday.
95. Penhallow Street:
 Portsmouth Police Station: Portsmouth Police Station Yard (28 Penhallow Street) except that employees of the Portsmouth Police Department and the Portsmouth District Court at such times as they are actually engaged in official business with the Portsmouth Police Department and Portsmouth District Court.
- a. easterly side from State Street to Daniel Street.
 - b. westerly side from southerly entrance of Police grounds, north to exit of the N.H. National Bank; and from the intersection of Daniel Street to a point 160 feet north of said intersection.
96. Pickering Street: both sides from Marcy to Mechanic Street.
97. Peirce Island Road:
- a. northerly side, from a point 270 feet east of the intersection of Marcy Street and Mechanic Street easterly for a distance of 900 feet; and southerly side from a point 364 feet east of the intersection of Marcy Street and Mechanic Street easterly for a distance of 806 feet.
 - b. both sides of the street from most easterly access to the City pool to the access/egress of the sewer treatment plant.
98. Pleasant Street:
- a. easterly side from Court Street to State Street.
 - b. easterly side from Livermore Street to Marcy Street, except for two spaces located southerly of a point fifteen feet south of the fire hydrant in front of 337 Pleasant Street
 - c. westerly side from Court Street to 438 Pleasant Street.
99. Porter Street:
- a. northerly side from Middle Street to Fleet Street and Church Street to Pleasant Street.
 - b. southerly side from Middle Street to Pleasant Street.
100. Pray Street: both sides from the intersection of Marcy Street for a distance of 306.4 feet.
101. Preble Way:
- a. south side from Ranger Way to Kearsarge Way

- b. north side 20 feet ease of Ranger Way to Kearsarge Way
 - c. north side, from easternmost point, westerly for a distance of 65 feet.
102. Profile Avenue: both sides.
103. Prospect Street: northwesterly side.
104. Raitts Court: both sides.
105. Raleigh Way:
 - a. southerly side from Kearsarge Way to a point 65' westerly of Kearsarge Way
 - b. northerly side from Saratoga Way to a point 55' westerly of Saratoga Way
106. Ranger Way: both sides, from Preble Way, 70 feet on the easterly side and 50 feet on the westerly side.
107. Raynes Avenue, southerly side, beginning at a point 192 feet east of the easterly curblin of Maplewood Avenue and running easterly to the end of Raynes Avenue.
108. Richards Avenue:
 - a. westerly side from Middle Street to South Street.
 - b. easterly side from Parrott Avenue to Middle Street.
109. Richmond Street: both sides from Pleasant Street to Washington Street.
110. Rogers Street: both sides.
111. Rock Street: northeasterly side from Islington Street to Hanover Street.
112. Rockhill Avenue: both sides.
113. Rockingham Street: westerly side from Islington Street to McDonough Street.
114. Salem Street: westerly side from McDonough Street to Islington Street.
115. Salter Street: both sides.
116. School Street:
 - a. northerly side from Vaughan Street to High Street.
 - b. southerly side starting at the corner of Vaughan and School Streets; thence running northeasterly for a distance of 179 feet, more or less.
117. Scott Avenue
118. Sheafe Street:
 - a. southerly side, from Penhallow Street to Chapel Street.

- b. northerly side, from Penhallow Street a distance of 40 feet in an easterly direction.
119. Sherburne Road: northerly side from Greenland Road to the I-95 Bridge, a distance of approximately 375 feet, effective from 6:00 a.m. to 6:00 p.m.
120. Sheridan Avenue: easterly side
121. South Street:
- a. both sides from Marcy Street to Blossom Street.
 - b. southerly side, forty feet (40') on either side of the intersection at Summit Avenue
122. South School Street: southerly side.
123. Spinney Road: both sides, entire length
124. State Street:
- a. northerly side, from the point of intersection of the easterly street line of Middle Street and the northerly curb line of State Street 85 feet easterly.
 - b. southerly side from Middle Street 90 feet easterly.
 - c. northerly side from Fleet Street to Pleasant Street.
 - d. southerly side, beginning at the intersection of Pleasant Street, westerly to the intersection of Church Street.
 - e. northerly side, from 507 State Street, westerly 67 feet.
 - f. both sides, from the Piscataqua River edge, southwesterly for 76 feet, to the end of State Street and the beginning of the extension of State Street.
 - g. South side, between Fleet Street and Court Place, when reserved for use by licensed vendor.
124. Sudbury Street: northerly side from Brewster Street to Rock Street.
125. Summer Street:
- a. southwesterly side from the corner of Austin Street to a point 20 feet back from curb on both sides of the street.
 - b. at Telephone Pole J10, 2 spaces wide on Summer Street across from Immaculate Conception Church.
126. Summit Avenue: easterly side.
127. Tanner Street: both sides, from Islington Street to Hanover Street.
128. Tanner Court: northerly side
129. Thaxter Road, both northerly and southerly sides, beginning at the easterly curbline of Islington Street and running easterly for a distance of 60 feet.

130. Union Street: westerly side, from State Street to a point 45 feet north of State Street
131. Vaughan Street:
 - a. northerly side of Vaughan Street, beginning 303 feet west of the easterly curbline of Green Street, running 20 feet in a westerly direction.
 - b. southerly side of Vaughan Street, beginning 345 feet west of the extension of the easterly curbline of Green Street, running westerly to the end of Vaughn Street.
 - c. northerly side of Vaughan Street, beginning 150 east of the easterly curbline of Maplewood Avenue, running 44 feet in an easterly direction along the curve of Vaughan Street.
132. Walker Street: both sides.
133. Washington Street:
 - a. westerly side, from State Street to a point 340 feet south of the intersection of Court Street.
 - b. easterly side, from Court to Hancock Street.
 - c. both sides from Hancock Street to Howard Street
134. Weald Road: west side from Gosling Road to corner of Winsor Road.
135. Wedgewood Road: east side from Windsor Road to Gosling Road.
136. Wentworth Street:
 - a. easterly side, entire length.
 - b. westerly side, beginning at the southerly curbline of Pleasant Street and running southerly for a distance of 215 feet.
137. Whidden Street: southerly side from Pleasant Street to South Mill Pond.
138. Winsor Road: east side from Gosling Road to Weald Road
139. Woodbury Avenue: both sides, from Thornton Street to the access road to the New Franklin School.

B. No Parking - School Zones

Parking shall be prohibited within the following areas:

1. Parrott Avenue: north side from Rogers Street to a point 585 feet west of Rogers Street, between the hours of 7:00 a.m. to 4:00 p.m. on days when school is in session.
- C. Parking of Trucks having more than two axles or gross vehicle weight in excess of 10,000 pounds on public streets in residential zones.

Notwithstanding any other provisions of the traffic ordinance, no truck having more than two axles or gross vehicle weight in excess of 10,000 pounds shall be parked on a public street adjacent to land zoned Single Residence I, Single Residence II, General Residence, Garden Apartment or Apartment, as determined by the Zoning Ordinance; provided, this prohibition on parking shall not apply to such vehicles as are used in conjunction with valid non-conforming business uses in said residential districts, pursuant to the Zoning Ordinance, so long as each vehicle is parked adjacent to the business premises where it is used. For streets which constitute the boundary between one of said residential zoning districts and a non-residential zoning district, this prohibition on parking shall apply only to the side of the street which abuts the residentially zoned land.

D. Public Parks and Playgrounds

It shall be unlawful for any individual to park any vehicle, or to allow any vehicle registered to him or under his control, to be parked in any public park, public playground, or on any other premises owned by the City of Portsmouth other than in parking spaces so designated by the City.

Section 7.331: STREETS, INTERSECTIONS, CORNERS, JUNCTIONS

Parking shall be restricted within all streets, highways, or right of way intersection areas for a distance of no less than twenty feet. Said restriction shall apply to both sides of all traveled ways and may be extended by the Police Department and/or the Department of Public Works as may be deemed necessary by those Departments for the safety and welfare of the public.

Section 7.332: NO PARKING (SUNDAYS EXCLUDED)

Parking shall be prohibited at all times, except on Sunday, between the hours of 8:00 a.m. and 9:00 p.m. on the following described streets and locations:

- A. Chapel Street:
 - 1. easterly side from Bow Street to a point 162 feet from the northerly sideline of Daniel Street.
 - 2. westerly side from Bow Street to a point 192 feet from the northerly sideline of Daniel Street.
- B. Church Street: both sides from Congress Street to State Street.

Section 7.333: NO PARKING (7:00 A.M. TO 6:00 P.M.)

Parking shall be prohibited at all times between the hours of 7:00 a.m. and 6:00 p.m. on the following described streets and locations:

- A. South Street: northerly side from the intersection of Miller Avenue and Middle Road.
- B. State Street: northerly side from the intersection of Summer and State Streets easterly for a distance of 258 feet.

Section 7.334: LIMITED STOPPING

A vehicle may stand or stop during the hours between 10:00 p.m. and 8:00 a.m. in those locations in which parking is otherwise prohibited or restricted, solely for the purpose of loading or unloading, provided it does not obstruct any street or sidewalk.

Section 7.335: USE OF PARKING LOT

- A. It shall be unlawful for the driver of any vehicle to stand or park or to leave unattended any vehicle in a municipally owned parking lot for a period of time greater than 72 hours in any one week.
- B. The Chief of Police may, for good and sufficient reason, issue a written permit to any driver allowing him to exceed the limitations imposed by the subsection A. The permit shall state the time for which the permit is issued and the location to which the permit applies.
- C. The City Manager shall be permitted to block off any portion or portions of any municipality owned parking lot at any time, so as to prohibit the use of such portion or portions of such parking lots in order that repairs might be made to and/or in order that snow or ice might be removed from such lot.
- D. Reserved for future use.
- E. The Chief of Police or the Department of Public Works shall be authorized to remove, cause to be removed, or to be towed to a garage any vehicle found in violation of the above named chapter, said towing and removing to be at the owner's expense.

Section 7.336: ONE-WAY STREETS

- A. Vehicular traffic shall move only in the indicated directions on the following streets:
 - 1. Bow Street: westerly from Daniel Street to Chapel Street.
 - 2. Brewster Street: northerly from Islington Street to McDonough Street.
 - 3. Chapel Street: southerly from Bow Street to State Street.
 - 4. Chestnut Street: southerly from Congress Street to Porter Street.
 - 5. Concord Street: in an easterly direction from Crescent Way to Preble Street
 - 6. Congress Street: westerly from Market Square to Islington Street.
 - 7. Coolidge Drive: along the westerly branch of Coolidge Drive, southerly from Wilson Road to the main line of Coolidge Drive.
 - 8. Cornwall Street: northbound to intersection of McDonough Street.
 - 9. Church Street: southerly from Congress Street to Court Street.
 - 10. Daniel Street: westerly from Bow Street to Market Square.
 - 11. Gates Street: easterly from Hancock Street to Mechanic Street.

12. Hanover Street: easterly from Pearl Street to Bridge Street.
13. Hanover Street Extension: westerly from Rock Street to Brewster Street.
14. High Street: northerly from Market Square to Ladd Street.
15. High Street: northerly from Hanover Street to Deer Street.
16. Ladd Street: easterly from High Street to Market Street.
17. Langdon Street: southerly from McDonough Street to Islington Street.
18. Market Street: southerly from Bow Street to Market Square.
19. Penhallow Street: northerly from State Street to Bow Street.
20. Pleasant Street: northerly from State Street to Market Square.
21. Porpoise Way: in a westerly direction from Saratoga Way to Crescent Way
21. Porter Street: easterly from Middle Street to Pleasant Street.
23. Raleigh Way: in a westerly direction from Ranger Way to Crescent Way
24. Rock Street: northerly from Islington Street to Hanover Street.
25. Rock Street: southerly from Sudbury Street to Hanover Street.
26. Rockingham Street: northerly from Islington Street to McDonough Street.
27. Salem Street: northerly from Islington Street to McDonough Street.
28. Stark Street: southerly from the New Franklin School driveway to a point 120 feet north of the northerly curb line of Dennett Street.
29. State Street: easterly from Middle Street to Wright Avenue.
30. Sudbury Street: easterly from Brewster Street to Rock Street.
31. Tanner Street: northerly from Islington Street to Hanover Street.
32. Thornton Street: easterly from Woodbury Avenue to Bartlett Street.
33. Union Street: southerly between State and Islington Streets.
34. Woodbury Avenue: easterly from Cottage Street to Bartlett Street.
35. Wright Avenue: southerly from Daniel to State Street.

Section 7.337: LEFT HAND TURNS

All motor vehicles are prohibited from making left hand turns for the following movements:

- A. No left turn from Bridge Street onto Islington Street.
- B. Jewell Court onto Islington Street.

Section 7.338: RIGHT HAND TURNS (Deleted in its entirety 7/30/84)

Section 7.339: PROCESSIONS

It shall be unlawful for the driver of any vehicle to drive between the vehicles comprising a funeral or other authorized procession while they are in motion, provided that said vehicles are conspicuously so designated.

Section 7.340: U-TURNS

It shall be unlawful for the driver of any vehicle to turn such vehicle upon any street to proceed in the opposite direction upon said street or at any intersection within the City of Portsmouth.

Section 7.341: DRIVING ON SIDEWALK

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

Section 7.342: CLINGING TO MOVING VEHICLES

It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, roller skates or any type vehicle to cling or attach himself or his vehicle to any other moving vehicle upon any roadway.

Section 7.343: RIDING HANDLEBARS, FRAME OR TANK OF BICYCLE OR MOTORCYCLE

It shall be unlawful for the operator of any bicycle or motorcycle, when upon any public street or highway, to carry any other person upon the handle bar, frame or tank of any such vehicle, or for any such person to ride on such vehicle.

Section 7.344: USE OF ROLLER SKATES, COASTERS, AND SKATE BOARDS

The use of roller skates, coasters and skateboards is prohibited on all sidewalks and streets in any area designated as Central Business District in the Portsmouth Zoning Ordinance, as those districts may be amended from time to time. The use of such devices is permitted on all other streets and sidewalks in the City, subject to the following requirements:

1. All persons under the age of 16 utilizing such devices on City streets or sidewalks must at all times be wearing a helmet.
2. The utilization of such devices for jumping, acrobatic tricks, traversing benches, railings or the like on City streets or sidewalks is expressly prohibited.
3. It shall be unlawful to utilize such devices on any street, alley or highway of the City of Portsmouth after sunset unless the user is wearing reflective clothing.

4. It shall be unlawful to utilize such devices in any manner which causes damage or destruction to the property of any person or of the City.
5. Where marked bicycle lanes exists the use of such devices shall be limited to within those lanes.

Section 7.345: ROLLERBLADING REGULATIONS

All use of in-line skates or rollerblades shall be done in accordance with the provisions of this ordinance on all public streets, alleys, and highways within the City of Portsmouth. For purposes of this ordinance, the term “rollerblade” shall include in-line skates, rollerskates, and any wheeled device worn on feet which is used for recreation or transportation. The term “rollerblade” shall not include skateboards.

A. Riding on Sidewalks

No person shall use rollerblades upon sidewalk in the City of Portsmouth

B. Manner and Speed of Operation

No person shall use rollerblades upon a public street, alley, or highway except in a prudent and careful manner and at a reasonable rate of speed.

C. Equipment Required

No person shall use rollerblades upon any public street, alley or highway in the City of Portsmouth unless the users is equipped with a helmet and wrist guards.

D. Nighttime Use

It shall be unlawful to use rollerblades on any street, alley or highway of the City of Portsmouth after dark unless the user is wearing reflective clothing.

E. Observance of Traffic Regulations

Persons using rollerblades shall observe all traffic signs and signals; shall stop at all stop signs and shall further observe all traffic rules and regulations.

F. Riding Abreast on Roadway

No person shall use rollerblades upon a public street, alley or highway in the City of Portsmouth abreast of any other person using rollerblades.

G. Rollerblading Prohibited in Downtown

The use of rollerblades is prohibited at all times on any alley, street or highway in the downtown business district. This district includes any area designated as Central Business District in the Portsmouth Zoning Ordinance, as those districts may be amended from time to time.

H. Penalties

Any person or persons violating any act or provision of this Ordinance shall be fined not more than \$100 for each offense and may have his rollerblades impounded by the Chief of Police for a period not to exceed 30 days.

Section 7.346: NO THROUGH TRAFFIC

No person shall operate any vehicle on the following streets or ways unless that vehicle has a point of origin or a point of destination on that street or way, except that emergency vehicles may operate in emergency situations during the necessary performance of public duties:

1. South School Street.
2. Suzanne Drive, between Ocean Road and Route 1;

Section 7.347: HEAD-IN LIMITED PARKING (ONE HOUR)

A. No person having control or custody of any vehicle shall stop or cause the same to be stopped or parked for longer than one hour at any time between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday and Saturdays and between the hours of 8:00 a.m. to 9:00 p.m. on Fridays (Sundays and holidays, not included) on the following streets and locations:

1. Pleasant Street: along easterly side of North Church.

Section 7.348: PENALTIES

Any person who violates the provisions of Section 7.343 of this ordinance shall be guilty of a violation, to be fined as follows: First Offense - \$25.00; Second Offense - \$50.00; Subsequent Offenses - \$100.00.

Section 7.349: OFF HIGHWAY RECREATIONAL VEHICLE

As defined in N.H. RSA Chapter 215-A:1 VI inclusive as amended, no off highway recreational vehicle may be operated on any City property excluding all streets which are regulated by state statutes.

Section 7.350: PENALTIES

Any person who violates the provisions of Section 7.347 of this Ordinance shall be guilty of a violation, to be fined as follows:

| | |
|---------------------|----------|
| First Offense | \$100.00 |
| Second Offense | \$200.00 |
| Subsequent Offenses | \$500.00 |

ARTICLE IV: OFF-STREET PARKING AREAS

Section 7.401: DEFINITIONS AND AUTHORITY

- A. The words "Off-Street Parking Area" used herein shall mean any area acquired by the City of Portsmouth by vote of the City Council, and designated for the parking of vehicles.
- B. The word "vehicle" shall be as defined in Section 7.301 of this Code of Ordinances.
- C. It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parked in violation of this Section and said violation shall be subject to a fine pursuant to Section 7.901, paragraph H, and removal by towing.

Section 7.402: AREAS ESTABLISHED, DESIGNATED, AND DESCRIBED

- A. Bridge Street Off-Street Parking Area

The following area, to be known as the Bridge Street Off-Street Parking Area, is hereby established for the off-street parking of motor vehicles. Said area is more particularly bounded and described as follows:

Beginning at a point at the intersection of Maplewood Avenue, and Islington Street, thence running in a generally northerly direction along said Maplewood Avenue to the intersection of Hanover Street; thence turning at a right angle and running in a westerly direction along said Hanover Street to Bridge Street; thence turning at a right angle and running in a generally southerly direction along said Bridge Street to the intersection of Islington Street; thence turning at a right angle and running in a generally easterly direction along said Islington Street to point of beginning.

All of said area in the Bridge Street Off-Street Parking Lot is designated as a parking meter zone. All off-street area within the Bridge Street Off-Street Parking Lot is hereby designated as a four-hour parking zone.

- B. Dennett and Kane Streets Off-Street Parking Area:

The following area, to be know as the Dennett/Kane Off-Street Parking Area, is hereby established for the off-street parking of motor vehicles. Said area is more particularly bounded and described as follows:

The triangular area 100 feet westerly from the intersection of Dennett and Kane Streets abutting the easterly side of the property at 197 Dennett Street. The space provides parking for five (5) vehicles.

C. Hanover-Fleet Street Off-Street Parking Area

The Municipal Parking Garage located on Hanover Street shall be known as the High Hanover Parking Garage. The area within the garage shall be designated for off-street parking and shall be striped for that purpose to include spaces for handicapped access and compact cars. Fees for parking in the garage to be determined in accordance with Chapter 1, Article XVI, or as may be adopted by vote of the City Council.

Any vehicle remaining in the garage after seven (7) days will be subject to towing or immobilization at the owner's expense. Fees to be determined in accordance with Chapter 1, Article XVI.

Contracted Group Rates:

The City Council may authorize a separate rate as it determines for group licenses. A group shall be considered twenty-five (25) spaces per month or more.

License cards shall be used to admit and exit a single vehicle of the cardholder on any particular admittance to the garage. Use of the card to procure the exit of a vehicle other than the same vehicle, which was admitted, is expressly prohibited. Such use shall be deemed a violation of the license terms and a violation of this ordinance. Any license cardholder found to be in violation shall be fined no more than \$500.00 and the license shall be canceled.

D. Worth Lot

The following area to be known as the Worth Lot is hereby established for off-street parking of motor vehicles said area being more particularly bounded and described as follows:

Beginning on the westerly sideline of Vaughan Street where said westerly sideline of said Vaughan Street intersects the northerly sideline of a certain right of way which extends from said Vaughan Street in a westerly direction to land now or former of the YMCA; thence running westerly by said right of way and the land of said YMCA a distance of 394.3 feet to a point; thence turning and running in a southerly direction 15 feet, more or less, to a point; thence turning and running by land now or formerly of Whitaker a distance of 75 feet, more or less, to the easterly sideline of Bridge Street; thence turning and running along said easterly sideline of said Bridge Street, a distance of 94.9 feet to the land now or formerly of Norman Munday; thence turning and running in an easterly direction along land of Munday, Knott, Roylos and Savramis a distance of 256 feet; thence turning and running in a northerly direction along land of Savramis a distance of 105.4 feet to the southerly sideline of Hanover Street; thence turning and running along said southerly sideline of said Hanover Street in an easterly direction a distance of 69.9 feet to land now or formerly of Rirado Realities, Inc.; thence turning and running in a southerly direction along land of said Rirado Realities, Inc. a distance of 118 feet to a point; thence turning and running in an easterly direction a distance of 141 feet to the

westerly sideline of Vaughan Street; thence turning and running along said westerly sideline of said Vaughan Street in a southerly direction, a distance of 104.9 feet to the point of beginning. All of said area within the Worth Lot is hereby designated as parking meter zones.

All of said area in the Worth Lot is designated as a parking meter zone. All off-street area within the Worth Lot is hereby designated as a three hour parking zone except as follows:

1. To the extent that contractual obligations of the City of Portsmouth require otherwise.
2. Two spaces in the northeastern corner of the lot shall be designated and marked "Fifteen Minute Parking Only".

E. Court Street Off-Street Parking Area

The following area to be known as Court Street Off-Street Parking Area is hereby established for off-street parking of motor vehicles said area being more particularly bounded and described as follows:

Beginning on the southerly sideline of Court Street a land of the City of Portsmouth; thence running in a westerly direction a distance of 83.53 feet to land nor or formerly of Ruth E. Chase; thence turning and running in a southerly direction along said land of said Chase and land of Paul V. Brown a distance of 246.2 feet to land of the Home for Aged Women and land of the City of Portsmouth a distance of 83 feet; thence turning and running in a northerly direction along other land of the City of Portsmouth a distance of 242 feet to the point of beginning.

All said land within the Court Street Off-Street Parking Lot is hereby designated as parking meter zones.

F. Rockingham Street Off-Street Parking Area

The following area to be known as the Rockingham Street Off-Street Parking Area is hereby established for off-street parking of motor vehicles:

Assessor's Plan 19, Lot Number 23.

All of said area shall be used for off-street parking not to exceed 72 hours at any one time.

It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parked in violation of this Section and said violation shall be subject to removal by towing.

G. Wright Avenue Off-Street Parking Area

The following area to be known as the Wright Avenue Off-Street Parking Area is hereby established for off-street parking of motor vehicles:

That piece of land bounded by State Street on the South, the Memorial Bridge Traffic Island on the East, Daniel Street on the North and the Community Center on the West.

All of said area not otherwise designated by the placement of parking meters shall be limited to parking not to exceed 4 (four) hours at any one time.

It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parked in violation of this Section and said violation may be subject to be removed by towing.

H. Prescott Park Off-street Parking Areas

The following areas to be known as the Prescott Park Off-street Parking Areas are hereby established for off-street parking of motor vehicles:

1. Water Street
2. The Lot at the northerly end of the Park.
 - A. No person having control or custody of any vehicle shall stop or cause same to stop for longer than two (2) hours at any time between the hours of 8:00 a.m. and 6:00 p.m., on any day of the week.
3. The lot on the westerly side of Prescott Park at the corner of Marcy and Dutton Streets and the paved area adjacent to the Sheafe Warehouse between the Piscataqua River and Marcy Street.
 - A. No person having control or custody of any vehicle shall stop or cause same to stop for longer than two (2) hours at any time between the hours of 8:00 a.m. and 6:00 p.m., on any day of the week.

I. Meeting House Hill Off-Street Parking Area

The following area to be known as the Meeting House Hill Off-Street Parking Area is hereby established for off-street parking of motor vehicles:

The property located at 280 Marcy Street, formerly known as the Children's Museum.

All of said area shall be used for off-street parking not to exceed 72 hours at any one time.

J. Business Validation Program

The City Manager may implement a business validation program whereby stamps, tokens or the like may be purchased by business owners within a designated geographical area at a discount rate for use by clients or customers. Authority is hereby provided to the City Manager to establish the terms and conditions under which the validation program will operate. All such terms and conditions shall be submitted to the City Council for review and approval. Amendments to such terms and conditions may be submitted from time to time as necessary by the City Manager to the City Council, for further review and approval. The approved terms and conditions for the Business Validation Program shall be kept on file as a public record with the Office of the City Clerk.

K. Leary Field Parking Area – Off-Street Parking Area

The approximately 90' x 90' fenced paved lot that is at the address of 161 Rockland Street (Map 0129, Lot 0045) is hereby established as the Leary Field Off-Street Parking Area for off-street parking of motor vehicles not to exceed 72 hours at any one time.

L. Foundry Place Off-Street Parking Area

The Municipal Parking Garage located at 100 Foundry Place shall be known as the Foundry Place Parking Garage. The area within the garage shall be designated for off-street parking and shall be striped for that purpose to include parking spaces for handicapped access and electric vehicle charging stations. Fees for parking in the Foundry Place Parking Garage to be determined in accordance with Chapter 1, Article XVI, or as may be adopted by vote of the City Council.

Any vehicle remaining in the garage after seven (7) days will be subject to towing or immobilization at the owner's expense. Fees to be determined in accordance with Chapter 1, Article XVI.

Section 7.403: LENGTH OF VEHICLES

Vehicles parking in Off-Street Parking Areas shall not exceed 19 feet in length.

Section 7.404: RESERVED FOR FUTURE USE

Section 7.405: AUTHORITY GIVEN TO REGULATE AREAS

A. The City Manager, with the authority and approval of the City Council, hereby granted, shall provide for the installation of metering devices and the painting of necessary lines for the regulation and operation of vehicle parking in accordance with the ordinances of the City. This authority shall be applicable to all off-street parking areas owned or controlled by the City.

Section 7.406: RESERVED FOR FUTURE USE

Section 7.407: APPLICABILITY OF SECTIONS 7.107 THROUGH 7.113

Chapter 7, Sections 7.107 to 7.113 inclusive, of the Code of Ordinances of the City of Portsmouth shall also apply to said off-street parking area.

Section 7.408: PEIRCE ISLAND BOAT LAUNCH OVERNIGHT PARKING

Notwithstanding any other provision of these ordinances, the Director of Public Works may issue permits to allow persons to lawfully utilize the Peirce Island Boat Launch parking lot for the purpose of parking a vehicle overnight. The issuance of such permits shall be in accordance with the following terms and conditions:

- A. The permittee shall be issued an overnight parking permit from the Parking Clerk's Office for a deposit and fee to be determined in accordance with Chapter 1, Article XVI.
- B. Each permit would be valid only for the time stated upon issuance.
- C. The vehicle must prominently display the overnight parking permit on the vehicle's dashboard.
- D. The permitted vehicle shall not be designed for human occupation, such as a motor home, recreational vehicle or trailer.
- E. The vehicle and/or vessel shall remain unoccupied for the duration of the permitted time. In the event that the permittee secures the use of the overnight parking permit through misrepresentation, the permittee shall be subject to a fine of one hundred dollars (\$100.00).
- F. The Department of Public Works is authorized to adapt and enforce rules and regulations to implement this ordinance.
- G. Any person using an overnight parking permit other than at the times or manner specifically authorized by the Department of Public Works shall be subject to forfeiture of any deposit and to a fine of two hundred dollars (\$200.00) per violation.
- H. For purposes of this provision, the term "overnight parking" shall mean the continuous parking of a vehicle from dusk until dawn.

ARTICLE IVA: BUS STOPS AND TAXICAB STANDS

Section 7-A.400: STOPPING

It shall be unlawful for the driver of any bus or taxicab to stand or to park upon any street in any business district at any place other than at a bus stop or taxicab stand, except while actually engaged in taking on or leaving passengers.

Section 7-A.401: PARKING IN TAXI STANDS OR BUS STOPS

- A. It shall be unlawful for the driver of any vehicle other than a bus to stand or park in any officially designated bus stop, or for any vehicle other than a taxi cab to stand or park in any officially designated taxi stand, with the following exceptions:
1. The driver of any vehicle may temporarily stop in any such stop or stand for the purpose of actually engaging in leaving or taking passengers or loading or unloading merchandise, such period not to exceed five minutes in overall length.
 2. When deemed necessary for the public safety or convenience, the Chief of Police or his/her designee may grant an extension to the five minute period referenced in the previous section.
 3. During the hours after 10:00 PM in the evening and before 5:00 AM in the morning, taxi cabs may utilize any designed bus stop located in Market Square in the manner allowed by law for taxi cabs to use designed taxi stands.

Section 7-A.402: BUS STOPS DESIGNATED

For the purpose of this Ordinance, the following sections of the streets in the business section of the City are hereby designated as Bus Stops:

- A. Congress Street:
1. two parallel strips 10 feet wide adjacent to the sidewalk on the northerly side of said street from the point of intersection of said street and the westerly side of High Street and extending westerly along Congress Street a distance of 70 feet.
 2. a strip 10 feet wide adjacent to the sidewalk on the northerly side of said street, beginning at the intersection of Bridge Street and running along said sidewalk, easterly a distance of 36 feet.
- B. Deer Street: south side, from a point 15 feet easterly of a hydrant located near the intersection of Deer Street and Maplewood Avenue to a point 95 feet easterly of said hydrant.

- C. Fleet Street: a strip 10 feet wide adjacent to the sidewalk on the westerly side of said street beginning at a point of intersection of Porter Street and running northerly along said street a distance of 30 feet.
- D. Hanover Street: southerly side of Hanover Street from Fleet Street to a point 285 feet east of Fleet Street.
- E. Market Street: easterly side from Isle of Shoals Steamship Company Entrance a distance of 90 feet southerly.
- F. Market Square: two parallel strips 10 feet wide adjacent to the sidewalk on the northerly side of said square from the point of intersection of said square and the easterly side of High Street and extending easterly along Market Square a distance of 70 feet.
- G. Middle Street:
1. a strip 10 feet wide adjacent to the sidewalk on the westerly side of said street from the point of intersection of said street and Islington Street and running southerly along Middle Street a distance of 40 feet.
 2. a strip 10 feet wide adjacent to the sidewalk on the east side of the street extending forty feet in a southerly direction from a point 80 feet south of the intersection of State Street to be reserved as a bus stop from 8:00 a.m. to 1:00 p.m. Sundays only.
 3. a strip 10 feet wide adjacent to the sidewalk on the westerly side of said street from the point of intersection of Madison Street and running northerly along Middle Street a distance of 40 feet.
- H. Pleasant Street: a strip 10 feet wide adjacent to the sidewalk on the easterly side of said street beginning at the intersection of State Street and running southerly along Pleasant Street a distance of 30 feet.
- I. State Street:
1. a strip 10 feet wide adjacent to the sidewalk on the southerly side of said street beginning at the southwesterly intersection of said street and Pleasant Street and running westerly along said State Street a distance of 30 feet.
 2. a strip 10 feet wide adjacent to the sidewalk on the southerly side of said street beginning at the southwesterly intersection of said street and Fleet Street and running westerly along said State Street a distance of 30 feet.

Section 7A.403: PARKING TIME LIMITS IN BUS STOPS

- A. No bus shall stand or park in the following designated bus stops for longer than five minutes:
 - 1. Bus Stop No. G1.
 - 2. Bus Stop No. A1.
 - 3. Bus Stop No. A3.

- B. No bus shall stand or park in the following designated bus stops for longer than fifteen minutes:
 - 1. Bus Stop No. A2.
 - 2. Bus Stop No. B1.
 - 3. Bus Stop No. B2.
 - 4. Bus Stop No. E.
 - 5. Bus Stop No. F.
 - 6. Bus Stop No. G2.
 - 7. Bus Stop No. H1.
 - 8. Bus Stop No. I1.
 - 9. Bus Stop No. I2.

- C. No bus shall stand or park in the following designated bus stop for longer than two hours:
 - 1. Bus Stop No. C.
 - 2. Bus Stop No. D.

Section 7A.404: PARKING OF BUSES

Except as provided in Section 7A.400 of this Article, it shall be unlawful to park any bus on any street in the City of Portsmouth or on any property of the City of Portsmouth or on any parking lot of the City of Portsmouth between the hours of 7:00 p.m. and 7:00 a.m. except as provided in Section 7A.400 or 7A.402.

Sections 7A.405 and 7A.406: RESERVED FOR FUTURE USE

Section 7A.407: LIVERY VEHICLES

The following spaces shall be reserved on a twenty-four hour a day, seven day a week basis for limousines or livery vehicles:

- A. Russell Street: westerly side, first space north of intersection with Deer Street.

Section 7A.408: TAXI STANDS DESIGNATED

The following areas are hereby designated as Taxi stands:

- A. Hanover Street: southerly side, first parking space west from Fleet Street from 7:00 p.m. to 6:00 a.m.
- B. Market Street:
 - 1. easterly side, second parking space from Market Square.
 - 2. easterly side, south for a distance of 40 feet, beginning at Bow Street, from 7 p.m. to 6 a.m., Monday through Sunday
- C. Pleasant Street: easterly side, first parallel parking space north of State Street.
- D. State Street: northerly side, 40 feet east from Pleasant Street for a distance of 20 feet, from 7 p.m. to 6 a.m., Monday through Sunday

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ARTICLE V: BICYCLE REGULATIONS

Section 7.501: RIDING ON SIDEWALKS

No person shall ride or propel any bicycle with wheels of 16" or more in diameter upon any sidewalk in the City of Portsmouth. This shall not prohibit operation of a bicycle on a path that is signed and marked as a designated share-use path with a minimum width of 8'.

Section 7.502: MANNER AND SPEED OF OPERATION

No person shall ride or propel a bicycle upon any public way, except in a prudent and careful manner and at a reasonable rate of speed and must exercise due care around pedestrians and must yield to pedestrians.

Section 7.503: EQUIPMENT REQUIRED

No person shall ride or propel a bicycle upon any public way in the City of Portsmouth unless the steering, brakes, tires and other required equipment are in safe condition. Helmets are required for all persons riding on or operating a bicycle under the age of sixteen.

Section 7.504: LIGHTS, WHEN REQUIRED

Every bicycle operated upon a public way during darkness shall be equipped with a lamp emitting a white light visible from a distance of 300 feet in front of the bicycle and with a red reflector or red light on the rear, which shall be visible from a distance of 300 feet to the rear. Every bicycle operated upon a public way during darkness shall have reflectors on both pedals or wear reflector leg bands on operator's lower extremity or other reflectors on legs or shoes visible from 200 feet. Any person operating a bicycle during the period from one half hour before sunrise and one half hour after sunset must wear at least one item of reflective outerwear apparel such as a reflective vest, jacket, helmet or helmet strip.

Section 7.505: OBSERVANCE OF TRAFFIC REGULATIONS

Every person riding a bicycle shall have all of the rights and be subject to all of the duties applicable to the driver of any other vehicle under the rules of the road except as follows:

- A. A person propelling a bicycle may pass a slower-moving vehicle in the same lane provided such movement can be made with reasonable safety.
- B. A person propelling a bicycle may pass a stationary or stopped motor vehicle on the right.
- C. A person propelling a bicycle upon a way at a speed less than the normal speed of traffic moving in the same direction at that time and place shall remain on the right portion of the way as far as practicable except when it is unsafe or impractical to do so or where signage or pavement markings are provided which indicate that it is acceptable for bicycles to use the full lane.

Section 7.506: HANDS ON HANDLEBARS

No person shall operate or propel any bicycle without having at least one of his/her hands upon the handlebars thereof.

Section 7.507: RIDING ON HANDLEBARS

No person operating or propelling a bicycle having only one saddle shall carry any other person on said bicycle.

Section 7.508: CLINGING TO VEHICLES

It shall be unlawful for any person while riding or propelling a bicycle to hold onto a moving bus, truck or any other vehicle.

Section 7.509: RIDING ABREAST ON ROADWAYS

Persons riding bicycles 2 or more abreast on a public way shall not impede the normal and reasonable movement of traffic and, on a laned roadway shall ride within a single lane.

Section 7.510: UNATTENDED BICYCLES

No person shall park a bicycle in a manner that:

- A. Impedes the flow of motor vehicle traffic on roadways or the normal and reasonable movements of pedestrian traffic, including but not limited to crosswalks, sidewalks, and building entrances.
- B. Prevents or impedes the operation of or access to a parking meter, parking pay station, traffic control device.
- C. Hinders or restricts access to handrails or ramps.
- D. Hinders, obstructs or impedes the movement of a legally parked motor vehicle.
- E. Bicycles shall not be parked on public roadways except in an area signed and otherwise designated for bicycle parking.
- F. Bicycles shall not be secured to or parked against a tree.
- G. At no time shall bicycles be secured or parked against a fire hydrant or monuments.
- H. At no time shall bicycles be left unattended on private property without the consent of the owner or legal tenant.
- I. Bicycles may park on a public way or on public property for a maximum consecutive time period of 72 hours except in an area signed and otherwise designated for long-term parking.

Section 7.511: PENALTIES

Any person violating any provision of this ordinance shall be subject to a civil infraction of \$35. Made payable to the Parking Clerk of the City of Portsmouth or the operator may be deprived of his/her bicycle until the provisions and requirements of this chapter have been complied with.

Section 7.512: APPLICABILITY

The foregoing Ordinances and rules and regulations herein contained shall apply to bicycles with wheels of 16 inches or more in diameter only.

ARTICLE VA: DISTRICT COURT PARKING

Section 7A.501: DISTRICT COURT HOUSE PARKING

Spaces in the District Court House Parking Lot shall be designated as reserved between the hours of 6:00 a.m. and 5:00 p.m. Monday through Friday as follows:

- A. Two spaces for the Judges;
- B. Two spaces for the Police;
- C. Five spaces for other building employees.

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ARTICLE VI: LOADING ZONES

Section 7.601: LIMITED HOURS LOADING ZONES

The following locations are established as “Limited Hours Loading Zones” during “Loading Zone Hours” which are defined as Mondays through Saturdays between the hours of 6:00 a.m. and 7:00 p.m. or as otherwise described below. During Loading Zone Hours only licensed commercial vehicles, vehicles marked for commercial purposes and unmarked noncommercial vehicles with Loading Zone Permits may utilize Limited Hours Loading Zones for up to 30 consecutive minutes if actively engaged in loading or unloading product, merchandise or equipment. At all other times these Loading Zones shall be open parking for all vehicles.

1. Bow Street: northerly side beginning 40 feet west from Chapel Street and continuing west for a distance of 70 feet. In addition to Monday through Saturday, this location shall also be a loading zone from 6:00 a.m. to 12:00 p.m. on Sunday.
2. Brewster Street: easterly side, beginning 40 feet north of the northerly curbline of Islington Street and running 40 feet in the northerly direction, between the hours of 7 AM and 3 PM, Monday through Friday.
3. Bridge Street: westerly side, beginning 50 feet north from the intersection of Bridge Street and Islington Street for a distance of 40 feet.
4. Congress Street:
 - a. northerly side, beginning 9 feet west from the intersection of Fleet Street and Congress Street running for a distance of 136 feet.
 - b. southerly side, beginning 130 feet east from the intersection of Fleet Street and Congress Street running for a distance of 49 feet.
5. Daniel Street: southerly side, beginning 37 feet west from Penhallow Street for a distance of 65 feet
6. Deer Street: southerly side, west from Market Street a distance of 60 feet.
7. Hanover Street:
 - a. northerly side, beginning at a distance of 106 feet from the western most point of the southwesterly curbline of Market Street for a distance of 45 feet.
 - b. southerly side, beginning at the westerly curbline of Fleet Street and running westerly for 90 feet, from 6:00 a.m. to 11:00 a.m.
 - c. all parking spaces on the northerly side between Portwalk Place and Maplewood Avenue from 6:00 a.m. to 9:00 a.m.
8. High Street: easterly side, in a southerly direction from Ladd Street a distance of 50 feet.
9. Market Street:
 - a. easterly side, south for a distance of 50 feet, beginning at Commercial Alley
 - b. easterly side, south for a distance of 40 feet, beginning at Bow Street from 6:00 a.m. to 7:00 p.m. In addition, from 7:00 p.m. to 6:00 a.m., Monday through Sunday, this area shall be designated as a taxi stand per Section 7A.408.

- c. westerly side between Russell Street and Deer Street, from November 1st through March 30th, 2:00 a.m. to 5:00 p.m. Monday-Friday, 2:00 a.m. to 1:00 p.m. Saturday.
- 10. Pearl Street: easterly side from a point thirty feet (30') north of Islington Street to a point seventy feet (70') north of Islington Street.
- 11. Penhallow Street: westerly side, beginning at Commercial Alley and running northerly for a distance of 45 feet. In addition to Monday through Saturday, this location shall also be a loading zone from 6:00 a.m. to 12:00 p.m. on Sunday.
- 12. Pleasant Street: easterly side, beginning 94 feet south of the southerly curblineline of Daniel Street and running southerly for a distance of 45 feet.
- 13. State Street:
 - a. northerly side, beginning 40 feet east from Pleasant Street for a distance of 40 feet. In addition, from 7:00 p.m. to 6:00 a.m., Monday through Sunday, this area shall be designated as a taxi stand per Section 7A.408.
 - b. southerly side, beginning 20 feet west from Atkinson Street for a distance of 57 feet.
- 14. Vaughan Street: westerly side, beginning at the intersection with Raynes Avenue and running southerly for a distance of 60 feet, from 6 AM to 9 AM.

Section 7.602: 24-HOUR LOADING ZONES

The following locations are established as “24-Hour Loading Zones” at all times, 24 hours a day, seven days a week. Only licensed commercial vehicles, vehicles marked for commercial purposes and unmarked non-commercial vehicles with Loading Zone Permits may utilize the 24-Hour Loading Zones for 30 consecutive minutes if actively engaged in loading or unloading product, merchandise or equipment. No other vehicles may utilize the 24-Hour Loading Zones.

- 1. Ceres Street
 - a. westerly side, beginning 27 feet from Bow Street for a distance of 25 feet.
 - b. easterly side, beginning 95 feet from Bow Street for a distance of 40 feet.
- 2. Chestnut Street: westerly side, south from Congress Street for a distance of 100 feet
- 3. Daniel Street: northerly side, beginning 123 feet east from Bow Street for a distance of 35 feet.
- 4. Haven Court: both sides, entire length
- 5. Maplewood Avenue: easterly side, beginning 35 feet north from the intersection of Congress Street and Maplewood Avenue running for a distance of 70 feet.
- 6. Pleasant Street: westerly side, beginning 21 feet south from the intersection of Pleasant Street and State Street running southerly for a distance of 30 feet.
- 7. Porter Street

- a. northerly side, beginning 15 feet west from Fleet Street for a distance of 40 feet.
- b. southerly side, beginning 145 feet east from Middle Street for a distance of 45 feet

Section 7.603: LOADING AND UNLOADING OF LIVE PARKED VEHICLES

1. Middle Street: easterly side, beginning 188 feet southwesterly from intersection with Miller Avenue, for a distance of 20 feet (in front of 375 Middle Street).

Section 7.604: LOADING ZONE PERMITS

The Director of Public Works may issue a Loading Zone Permit to allow unmarked non-commercial vehicles to utilize Limited Hours Loading Zones and 24-Hour Loading Zones for 30 consecutive minutes if actively engaged in loading or unloading of product, merchandise or equipment. The issuance and use of such permits shall be in accordance with Article VI and the following terms and conditions:

- a. The permittee shall be issued a Loading Zone Permit from the Parking Clerk's Office for a fee to be determined in accordance with Chapter 1, Article XVI.
- b. Each Loading Zone Permit would be valid for one calendar year, January 1st through December 31st.
- c. Each Loading Zone Permit is non-transferable and is valid for only one vehicle per application.
- d. The vehicle must prominently display the Loading Zone Permit on the vehicle's dashboard.
- e. In the event that the permittee secures the use of the Loading Zone Permit through misrepresentation, the permittee shall be subject to a fine of one hundred dollars (\$100.00).
- f. Any person using a Loading Zone Permit other than at the times or manner specifically authorized by the Department of Public Works shall be subject to a fine of two hundred dollars (\$200.00) per use, per permit, of such unauthorized use.

Section 7.605: EMERGENCY REPAIR TRUCKS EXEMPT (PENALTY)

This Ordinance shall not apply to trucks being used upon said streets for emergency purposes or while engaged on highway maintenance or repairs.

Anyone who violates or causes to be violated any provision of this Ordinance shall be fined not exceeding \$100 for each offense.

ARTICLE VII: TRUCK AND BUS TRAVEL

Section 7.701: PROHIBITED ON CERTAIN STREETS

Notwithstanding any other provision of this ordinance, no tractor – trailer truck may travel on the following streets at any time for any reason.

1. Maplewood Avenue from Central Avenue to Woodbury Avenue
2. Woodbury Avenue from Dennett Street to Bartlett Street.

Section 7.702: TRUCK TRAFFIC PROHIBITED

It shall be unlawful for any truck with a box, body or platform of over 12 feet in length to use the following streets subject to the exceptions of Section 7.704 of this Article.

1. Adams Avenue
2. Banfield Road
3. Bartlett Street*
4. Broad Street (between South Street and Jones Avenue).
5. Burkitt Street (between Dennett Street and the Maine/New Hampshire Interstate so-called).
6. Cate Street (between Cottage Street and Hodgdon Way)*
7. Chestnut Street (from Congress Street to Porter Street)
8. Circuit Road
9. Cleveland Drive
10. Coolidge Drive
11. Dennett Street*
12. Dwight Avenue
13. Echo Avenue
14. Edgewood Road
15. Farm Lane
16. Fillmore Road
17. F.W. Hartford Drive
18. Garfield Road
19. Granite Street
20. Grant Avenue
21. Greenleaf Avenue
22. Harding Road
23. Hayes Place
24. Hoover Drive
25. Mangrove Street
26. Maplewood Avenue (from Central Avenue to Woodbury Avenue)
27. McKinley Road
28. Myrtle Avenue (between Dennett St. and the Maine/New Hampshire Interstate so-called)
29. Nixon Park
30. Pickering Street
31. Polk Avenue
32. Profile Avenue

33. Ranger Way
 34. Rockhill Avenue
 35. Sherburne Road
 36. Taft Road
 37. Taylor Lane
 38. Thornton Street (between Woodbury Avenue and Bartlett Street)
 39. T.J. Gamester Avenue
 40. Truman Place
 41. Van Buren Avenue
 42. Wilson Road
 43. Woodbury Avenue, between Market Street and Bartlett Street
- *Effective when Hodgdon Way is open for public travel

Section 7.703: BUS TRAFFIC PROHIBITED ON CERTAIN STREETS

Notwithstanding any other provision of this ordinance, no bus may travel on the following streets at any time for any reason.

1. Ceres Street (all public sections).

Section 7.704: EXCEPTIONS TO PROHIBITION OF TRUCK TRAFFIC

The following streets are exceptions to the prohibition against truck traffic on the streets set forth in Section 7.702:

- A. The operation of trucks upon any street where necessary to the conduct of business at the destination point accessible only through use of streets where truck traffic is prohibited as set forth in Section 7.702.
- B. Emergency vehicles: The operation of emergency vehicles upon any street in the City.
- C. Public Utilities, Etc.: The operation of trucks owned or operated by the City, Public Utilities, any contractors, subcontractors or materialman, while engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the City.
- D. Residential Home Delivery Vehicles: The operation of delivery trucks actually engaged in making residential deliveries.

Section 7.705: ENFORCEMENT

The Public Works Department shall cause those streets which are through truck routes and local delivery routes to be posted to give notice that this Ordinance is in effect. Where applicable, the Public Works Department shall coordinate sign posting with the New Hampshire Department of Transportation.

The Chief of Police shall cause enforcement of this Ordinance to occur through local, county and state law enforcement sources.

Section 7.706: VACANT

Section 7.707: TRUCK OR BUS PARKING

It shall be unlawful for any person to park any truck or bus any size on the following streets:

- A. Hancock Street: either side
- B. Woodbury Avenue: westerly side from Route #1 Bypass bridge to Boyd Road.

Section 7.708: DEFINITION

Construction sites shall mean and include any private or public property upon which repairs to existing buildings, construction of new buildings, or demolition of existing structures is taking place. It shall also include areas upon which repairs, reconstruction, or additions are being made to existing streets and public ways within the City of Portsmouth and shall include the construction of new streets, roadways, the repair, reconstruction, or addition of new bridge or overpass surfaces and shall also include those areas where backfilling is being performed and will include travel to and from areas where fill material is being obtained or disposed of.

Section 7.709: CONDITION OF CONSTRUCTION SITES

The property owners, whether they be public or private, and the prime contractors in charge of any construction site as defined in this ordinance shall maintain the construction site in such a manner that litter, cement, plastic, building materials, or any other construction materials will be prevented from being carried by the elements to adjoining premises or to roadways within the construction site or to roadways on which construction vehicles travel for the purpose of obtaining or dumping any type of construction material. All litter or any other type of construction material as defined above shall be picked up at the end of each work day and placed in such containers as will prevent the material from being carried by the elements to adjoining premises or roadways.

Section 7.710: VEHICLES DROPPING CONTENTS ON STREETS

It shall be unlawful for any person, company, or business to transport in any vehicle or by any other means or manner, any loose material or articles likely to sift, fall, spill, or be blown about on any public street, alley, or other public way within the City of Portsmouth. In the event of any of the contents of such vehicles being blown, scattered, or dispersed in any way upon any public street, alley, or other public way or place within the City, the person in charge of said vehicle shall immediately gather up or cause to be gathered up any such blown or scattered material. In the event that such material cannot be gathered up in a reasonable manner, then such person in charge of said vehicle shall cause the area to be cleaned by the use of such other means as may be required to clean the area.

Section 7.711: COVERING OF VEHICLE LOADS REQUIRED

It shall be unlawful for any person, business, or company transporting any materials mentioned in the above sections to transport any vehicle load without a cover to prevent the contents of said load to sift, fall, spill, or be blown about on any public street, alley, or other public way within the City of Portsmouth.

Section 7.712: PENALTY

Any person, business or company violating any provision of this Article VII shall be fined up to \$100 for each offense. A separate offense shall be deemed to be committed for each day in which a violation occurs or continues to occur except as follows:

- A. The penalty for parking on a sidewalk in the Central Business District pursuant to Section 7.315 shall be \$25.00 per violation.

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ARTICLE VIII: HAZARDOUS MATERIALS

Section 7.801: LIQUEFIED PETROLEUM, LIQUEFIED NATURAL GAS, METHYL METHACRYLATE, OR ANY FLAMMABLE LIQUID (AS DEFINED BY THE NATIONAL FIRE PROTECTION ASSOCIATION)

ROUTES TO BE TAKEN: Unless there is some type of emergency existing and there is no practical alternative, a motor vehicle which

- A. is designed to transport 4,000 or more gallons of liquified petroleum, liquified natural gas, methyl methacrylate, or any flammable liquid as defined by the National Fire Protection Association; and
- B. contains liquified petroleum, liquified natural gas, methyl methacrylate, or any flammable liquid as defined by the National Fire Protection Association, or the vapor fumes of any;

must be operated over only the following routes and in accordance with all State and Federal regulations on the transportation of hazardous materials:

1. Interstate 95;
2. Spaulding Turnpike (Route #16);
3. Route #1 Bypass between Portsmouth Traffic Circle and Interstate Bridge;
4. Route #101 (west of Interstate 95)
5. Barberry Lane and that portion of Islington Street and Greenland Road necessary to connect Barberry Lane to Interstate 95 by the most direct route.

Operating convenience is not a basis for determining whether it is practical to operate a motor vehicle in accordance with this Section.

Section 7.802: LIQUIFIED PETROLEUM, LIQUIFIED NATURAL GAS, METHYL METHACRYLATE, OR ANY FLAMMABLE LIQUID (AS DEFINED BY THE NATIONAL FIRE PROTECTION ASSOCIATION)

PARKING AND STANDING: No motor vehicle described in Section 7.801 shall be parked or left standing within the limits of the City of Portsmouth, except for valid public safety reasons requiring such motor vehicle to be parked or left standing or for refueling of such motor vehicle. Immediately upon completion of refueling or elimination of the public safety reason requiring a stop, such vehicles shall continue on their way.

Section 7.803: INTERPRETATION AND SPECIFIC PERMITS

Section 7.801 and 7.802 shall be interpreted so as to provide the maximum safety to the general public and the burden shall be upon the owner or driver of motor vehicles described in said Sections to justify a deviation from the specific routs or the need for such exceptions to the provisions of Sections 7.801 and 7.802 may be granted by the Portsmouth City Council after hearing with good cause shown.

Section 7.804: RAILROAD TRANSPORTATION OF HAZARDOUS MATERIALS

Unless a special permit is obtained beforehand from the Portsmouth City Council, railroad tank cars which

- A. are designed to transport liquified petroleum, liquified natural gas, methacrylate, or any flammable liquid as defined by the National Fire Protection Association and;
- B. contain liquified petroleum, liquified natural gas, methacrylate, or any flammable liquid as defined by the National Fire Protection Association or vapor fumes of any ?? shall not be parked or stored on tracks within the City of Portsmouth.

Section 7.805: SAFETY PRECAUTIONS CROSSING HIGHWAYS

All trains containing tank cars described in Section 7.804 shall not cross any Class I, IV, and V highway within the City limits of Portsmouth without the presence of electronic signal devices or a flagman in the road to stop traffic.

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ARTICLE IX: PENALTIES, FORFEITURES AND SEPARABILITY

Section 7.901: PENALTIES

- A. Any person violating any of the provisions of this Chapter or any rule or regulation made by the Chief of Police pursuant thereto, except the rules and regulations found in Section 7.105 and except those rules referenced in paragraph B, C, D, E, F and G of this provision, shall be subject to a fine or not more than \$300 upon conviction therefore in the Portsmouth District Court.
- B. Notwithstanding any other provision of this Ordinance, any person violating an emergency order issued by the Chief of Police pursuant to Section 7.303 or Section 7.321 shall forfeit to the City of Portsmouth within forty-eight (48) hours of such violation the sum of \$50. In the event that such forfeiture is not made within thirty (30) days of the violation date, then the forfeiture shall be paid to the City of Portsmouth in the amount of \$75. In the event of failure to make such forfeiture, said person shall be subject to a fine of not more than \$100 upon conviction therefore in the 10th Circuit Court, District Division.
- C. Any person receiving more than ten (10) parking violations in one (1) year, July 1 to June 30 inclusive, shall forfeit an additional charge for each subsequent violation in the amount of \$25. In the event that this additional forfeiture of \$25 is not made within thirty (30) days of the date of the violation triggering the \$25 forfeiture, then the forfeiture amount shall become \$50.
- D. Notwithstanding any other provisions of this Ordinance, any person violating the following sections of this Chapter or any rule made by the Chief of Police pursuant thereto, shall forfeit to the City of Portsmouth within thirty (30) days of such violation the amount designated below. In the event that the forfeiture amounts not paid within thirty (30) calendar days of the violation, then the forfeiture shall be the sum listed below. In the event of failure to make such forfeiture, said person shall be subject to a fine of not more than \$100.00 upon conviction.

| <u>Section</u> | <u>Parking Violation</u> | <u>Fine Amount Within 30 Days</u> | <u>Fine Amount After 30 Days</u> |
|-------------------------|---|---------------------------------------|--------------------------------------|
| 7.102, 7.105 (A) (C) | Expired Meter | \$35.00 | \$55.00 |
| 7.328.1 | Utilization of Multiple Spaces | \$25.00 | \$50.00 |
| 7.315 (A) | Parking Within an Intersection | \$25.00 | \$50.00 |
| 7.315 (B) | Parked in Crosswalk | \$25.00 | \$50.00 |
| 7.315 (C) | Parked within 15 feet of a Fire Hydrant | \$25.00 | \$50.00 |

| | | | |
|-----------|--|---------|---------|
| 7.315 (D) | Parked Within 15 Feet of Fire Station Driveway | \$25.00 | \$50.00 |
| 7.315 (E) | Parked Blocking Driveway | \$25.00 | \$50.00 |
| 7.315 (F) | Parked on Sidewalk | \$25.00 | \$50.00 |
| 7.315 (G) | Obstructing Traffic During Construction Activity | \$25.00 | \$50.00 |
| 7.315 (H) | Double Parking | \$25.00 | \$50.00 |
| 7.315 (I) | Violating Traffic Signs Prohibiting Parking | \$25.00 | \$50.00 |
| 7.315 (J) | Parked, Wrong Direction | \$25.00 | \$50.00 |
| 7.316 | Back to Curb | \$25.00 | \$50.00 |
| 7.319 | Distance from Curb | \$25.00 | \$50.00 |
| 7.320 | Obstructing Street | \$25.00 | \$50.00 |
| 7.325 | 30 Minute Parking | \$35.00 | \$55.00 |
| 7.326 | 15 Minute Parking | \$35.00 | \$55.00 |
| 7.327 | Limited Parking - Two Hours | \$35.00 | \$55.00 |
| 7.329 | Limited Parking – Four Hours | \$35.00 | \$55.00 |
| 7.330 | Parked in No Parking Area | \$35.00 | \$55.00 |
| 7.331 | Parking Too Close to Intersection | \$25.00 | \$50.00 |
| 7.601 | Limited Hours Loading Zones | \$35.00 | \$55.00 |
| 7.602 | 24-Hour Loading Zones | \$35.00 | \$55.00 |
| 7.1504 | Parking in Fire Lane | \$25.00 | \$50.00 |
| 7.1603 | Resident Only Parking | \$25.00 | \$50.00 |

- E. Notwithstanding any other provision of this Ordinance, the owner or operator of a vehicle unlawfully parked in areas designated as reserved for parking for the walking disabled pursuant to Section 7.1200 shall forfeit to the City of Portsmouth within thirty (30) days of such violation \$250. In the event that the payment of the forfeiture is not made within thirty (30) days of the violation, then the forfeiture shall be in the amount of \$300. In the event of failure to make such forfeiture, said person shall be subject to a fine of not more than \$300 upon conviction therefore in the 10th Circuit Court, District Division.
- F. Overnight Parking - Winter. Notwithstanding any other provisions of this Ordinance, any person violating the provisions of Section 7.321(A) or an emergency snow ban as directed by the Director of Public Works under Section 7.321(B) shall forfeit to the City of Portsmouth within thirty (30) days of such violation the sum of \$35. In the event that payment of such forfeiture amount is not made within thirty (30) days of the violation, then the forfeiture amount shall be \$55. In the event of failure to make such forfeiture, said person shall be subject to a fine of not more than \$100 upon conviction therefore in the 10th Circuit Court, District Division.
- G. Notwithstanding any other provision of this Ordinance, the owner or operator of a vehicle violating the provisions of Section 7.335 (72 hour parking restrictions) or 7.1000 (Tow Zone) shall forfeit to the City of Portsmouth within thirty (30) days of such violation \$50. In the event that the payment of forfeiture is not made within thirty (30) days of the violation, then the forfeiture shall be in the amount of \$100. In the event of failure to make such forfeiture, said person shall be subject to a fine of not more than \$150 upon conviction thereof in the 10th Circuit Court, District Division.

Section 7.902: SEPARABILITY

If any provision or part of any provision of this act or the application thereof, to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.

Section 7.903 SUMMONS ADMINISTRATION FEE

In addition to any fine or penalty otherwise established by this ordinance, any person or entity for whom the City serves a summons for any traffic or parking offense shall also be liable to the City for a summons administration fee in an amount to be set periodically by the City Council pursuant to its normal budget procedures.

ARTICLE X.: TOWING

Section 7.1000: TOW ZONES

- A. Establishment: The City Council may designate as a tow zone, all or any portion of any street, alley, public way, public park, or any municipal parking lot within the City of Portsmouth.
- B. Parking Prohibited: No vehicle shall park or stop nor shall any object be placed within a tow zone.
- C. Posting: Tow zones shall be designated as such by appropriate signs or markers.
- D. Removal of Vehicles or Objects: Any vehicle or object remaining in a tow zone for more than 15 minutes may be removed at the direction of the Chief of Police or the Department of Public Works. Removal of any vehicle or object shall be at the expense and risk of the owner thereof. The Chief of Police may, for good cause, permit a vehicle or object to remain in a tow zone, if in his discretion, such vehicle or object does not impede traffic or adversely affect the health, safety and welfare of the community.
- E. Limited Parking Areas: City Streets
 - 1. Any vehicle or object remaining in the same location in any controlled parking area for more than 24 hours beyond that time limit established for such area may be removed in the manner provided in Section 7.1000 D.
 - 2. Any vehicle or object remaining in the same location in any uncontrolled parking lot for more than 72 hours may be removed in the manner provided in Section 7.1000 D.
 - 3. Any vehicle or object remaining in the same location in any uncontrolled on-street parking space for more than 24 hours in the Central Business Districts A and B as bounded and shown on the City of Portsmouth Zoning Map, or more than 72 hours in any other location in the City, may be removed in the manner provided in Section 7.1000 D.
 - 4. Nothing herein shall take precedence over any Ordinance relating to the removal of vehicles interfering with snow removal or emergency operations.

Section 7.1001: TOW ZONES

- A. The following areas are designated as tow zones:
 - 1. Andrew Jarvis Drive (southerly side)
 - 2. Atkinson Street (both sides from State Street to Court Street)

3. Borthwick Avenue (from the Route #1 Bypass 4,118 feet more or less to the intersection of Borthwick Avenue with the northernmost driveway of Liberty Mutual Insurance Company, southerly side)
4. Ceres Street (both sides from Bow Street to Market Street)
5. Chestnut Street (both sides from Congress Street to Porter Street)
6. Congress Street Bus Stop #A1
7. Court Street
 - a. (northerly side from Marcy Street to Pleasant Street with the exception of 121 feet in front of the Court Street Park)
 - b. (southerly side from Pleasant Street to Atkinson Street and the first 118 feet westerly from Marcy Street)
8. District Court House (nine spaces in the parking lot designated as reserved for judges, police and other court personnel between 6:00 a.m. and 5:00 p.m. Monday through Friday)
9. Gates Street (south side from Pleasant Street to Mechanic Street between the hours of 6:00 p.m. and 10:00 p.m. June 15th to August 15th)
10. Hancock Street (southerly side, between Washington and Marcy Streets.)
11. Marcy Street
 - a. (west side from State Street to Pleasant Street between the hours of 6:00 p.m. and 10:00 p.m. June 15th to August 15th)
 - b. (east side from a point 133 feet southeasterly from the intersection with State Street south for a distance of 40 feet)
 - c. (east side from the intersection of State Street to Pleasant Street between the hours of 6:00 p.m. and 10:00 p.m. Memorial Day through midnight Labor Day)
12. Market Square Bus Stop #E1
13. Market Square Fire Lane (a strip 10 feet wide on the easterly side of Market Square starting at a point in the street 27 feet from the easterly curb at the point of intersection of said square and Daniel Street thence running in a southerly direction parallel to the sidewalk on Market Square a distance of 114 feet)
14. Market Street:

- a. (westerly side from the southerly boundary line of the Moffatt Ladd House running northerly to the intersection of Deer Street)
 - b. (easterly side from the intersection of Ceres Street running southerly along Market Street a distance of 224 feet)
 - c. Easterly side of Market Street at a point across from Ladd Street; to total a distance of 29' 5" which constitutes the existing area between No Parking signs during the hours of 6:00 A.M. to 5:00 P.M. Monday through Saturday
15. Mechanic Street (southerly side from Marcy Street to the Pierce Island Bridge)
 16. Penhallow Street (westerly side from the intersection of Custom House Alley and Penhallow Street continuing in a northerly direction for a distance of 45 feet)
 17. Pierce Island Access Road (northerly side from a point 270 feet east of the intersection of Marcy Street and Mechanic Street easterly for a distance of 900 feet and the southerly side from a point 364 feet east of the intersection of Marcy Street and Mechanic Street easterly for a distance of 806 feet)
 18. Porter Street – Both sides between Church Street and Pleasant Street.
 19. Prescott Park (the paved vehicle accessway inside the Dutton Avenue entrance extending approximately 43 feet southerly and 77 feet easterly from said entrance to an area designated for parking)
 20. Prospect Street (northwesterly side)
 21. Sheafe Street (northerly side from the intersection of Sheafe and Penhallow Streets easterly a distance of 61 feet)
 22. Summit Avenue (easterly side)
 23. State Street (northerly side from the intersection of Summer Street running easterly on said State Street a distance of 263 feet)
 24. Washington Street (westerly side from State Street to Court Street and the first 300 feet southerly from Court Street)
 25. Whidden Street (southerly side from Pleasant Street to South Mill Pond)
 26. Taxi Stands (areas designated by Ordinance as taxi stands during the hours in which they are designated to be so used)
 27. All sidewalks, intersections, crosswalks and areas within 15 feet of hydrants or within 20 feet of crosswalks and intersections.
 28. Areas designated as reserved parking for the walking disabled for any vehicle not displaying a license plate, decal or card issued pursuant to RSA 260:18-a.

29. Following Public Parking Lots:
 - a. Bridge Street Lot (two spaces)
 - b. Court House Lot (one space)
 - c. High/Hanover Lot (two spaces)
 - d. Library Lot (two spaces)
 - e. Worth Plaza Lot (four spaces)

Section 7.1002: SNOW REMOVAL OPERATIONS

- A. The Director of Public Works shall be empowered to prohibit parking on designated public streets for the purpose of removing accumulated snow.
- B. Prior to declaring such a parking ban, the Director of Public Works shall notify the local media, radio, newspapers and television. The Director of Public Works shall provide as much advance notice of the impending parking ban as is possible under the circumstances.
- C. The notification shall designate, either by street name or by district, such as "Central Business Districts", what portions of the City will be subject to the parking ban.
- D. The Director of Public Works shall cause, prior to initiating the parking ban, appropriate signage to be posted in the downtown Central Business district indicating when the parking ban will be in effect and where available off-street public parking exists.

Section 7.1003: EXCEPTIONS

- A. Buses lawfully parked in Bus Stops #A1 and E1 as per Section 7A.401 will not be towed.
- B. Taxis lawfully parked in Taxi stands during permitted hours.
- C. Vehicles in the process of loading or unloading but in no event shall such vehicles be left unattended or so parked for more than 15 minutes.

Section 7.1004: TOWING OR IMMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES

- A. Notwithstanding any other provisions of these Ordinances, motor vehicles may be towed and stored, or otherwise immobilized by a mechanical device for non-payment of parking fines, in accordance with the following terms and conditions:
 1. **PARKING CLERKS:** The City Manager is hereby authorized to designate one or more Parking Clerks. The Parking Clerk may be any individual employed by the City of Portsmouth whose position of employment is conducive to the performance of the duties contained in this section.

2. **OWNERSHIP OR CONTROL:** The fact that a motor vehicle which is illegally parked is registered in the name of a person, business, or corporation, shall be considered prima facie proof that such person, business, or corporation was in control of the motor vehicle at the time of such parking or that such person, business, or corporation had authorized the use of such registered motor vehicle.
3. **ILLEGALLY PARKED:** The term "illegally parked" as used in this particular section and all other sections concerning PARKING in the Ordinances of the City of Portsmouth shall mean:

Any motor vehicle which is parked beyond the time limit for which money has been deposited in the metered space occupied by that particular motor vehicle, any vehicle parked beyond the time limit permitted in a restricted time free parking area, any vehicle parked beyond the time permitted at a restricted time-metered parking space, any vehicle parked in a designated no-parking zone, and any vehicle although legally parked, which on that particular date and time, has accumulated five or more unpaid parking violations or which has accumulated unpaid parking violations in an amount in excess of one hundred twenty-five dollars (\$125.00) on any or all vehicles at any time registered to the owner of said vehicle as shown on the records maintained by the Parking Clerk.

4. **NOTICE:** At any time subsequent to the accumulation of unpaid parking fines in excess of one hundred twenty-five dollars (\$125.00) on any or all vehicles at the time registered to the owner of any vehicle on the records maintained by the Parking Clerk, the Parking Clerk may send a Notice by certified mail to the registered owner of said vehicle or vehicles at the address on the registration.
 - a. The date, time, and location of the violations leading to the issuance of the notice;
 - b. A statement to the clear effect that failure to resolve the violations prior to a certain specified date not less than five (5) days subsequent to the date of the notice, will lead to towing or immobilization of the vehicle pending such resolution;
 - c. A statement that the recipient of the notice may contact the Parking Clerk to arrange a hearing on the subject of the violations.
5. **HEARING:** At the request of any recipient of a notice pursuant to this section, the Parking Clerk shall arrange a hearing at the Clerk's office. Such hearing shall be scheduled during normal business hours of City Hall. The Parking Clerk shall conduct and preside over all hearings scheduled under this section. The hearings shall be informal and the rules of evidence shall not apply. At such hearings the owner of the motor vehicle which is the subject of the hearing may present any defense of law or fact which is relevant to the issue of whether or not the subject vehicle should be placed on the list of vehicles subject to towing or immobilization. The decision of the Parking Clerk shall be final, subject only to judicial review.

6. TOW OR IMMOBILIZATION LIST: The Parking Clerk shall maintain a list of vehicles which are subject to being towed and held in storage or immobilized by a mechanical device pending final resolution of unpaid parking violations. Contained on this list shall be all motor vehicles for which the notice specified in Article 4 above was provided. Motor Vehicles shall not be placed on the said list in the event that the Parking Clerk, after hearing, orders otherwise, or in the event that the fine is paid in full for all of the violations contained in the notice mailed.
7. TOWING/STORAGE OR IMMOBILIZATION: Upon the determination that any vehicle which is listed on the Tow or Immobilization List pursuant to Article 6 above is parked on any public way or in any municipal parking lot, the car may be immobilized or may be towed and stored.
8. RELEASE OF TOWED OR IMMOBILIZED VEHICLES; REMOVAL FROM LIST: Motor Vehicles may be removed from the Tow or Immobilization List, released from storage after towing or may have immobilization devices removed in the following manner:
 - (1) By order of the Parking Clerk after hearing;
 - (2) By payment in full of all parking fines attributable, arising out of the violations contained in the notice issued pursuant to Article 4 above;
 - (3) By posting a cash bond with the Parking Clerk in any amount sufficient to make payment in full of all parking fines arising out of the violations contained in the notice issued pursuant to Article 4 above to allow a judicial determination of the violations pursuant to State law;
 - (4) By a judicial determination resolving the said violations in accordance with State Law and the payment of any fine arising out of such determination.
 - (5) Any person removing an immobilization device without authority shall be guilty of a violation punishable by a fine of not more than \$500.00.

- B. In the event that a motor vehicle has been towed or immobilized pursuant to this section, a further pre-condition to release of the vehicle shall be payment by the party desiring the release of the vehicle of all fees and charges incurred by the City for the towing and storage of the vehicle.

Section 7.1005: PREVIOUS ORDINANCES

All Ordinances previously enacted that conflict with the provisions of this Chapter shall be deemed null and void.

ARTICLE XI: SPEED LIMITS

Section 7.1100: SPEED LIMITS

Where a lower speed is not required for compliance with RSA 262-A, the speed limit of any motor vehicle not in excess of the limit specified in this subsection shall be prima facie lawful, but any speed in excess of the limits specified in this subsection shall be prima facie evidence that the speed is not reasonable and prudent and that it is unlawful.

A. Speed Limit: 5MPH

1. Ceres Street

B. Speed Limit: 10MPH

1. Mt. Vernon Street

C. Speed Limit: 15 MPH

1. Circuit Road
2. Cutts Avenue
3. Daniel Street
4. Market Street (between Deer and Daniel Street)
5. Profile Avenue
6. Rockhill Avenue
7. Russell Street
8. Shaw Road
9. Walker Bungalow Road
10. Weald Road
11. Wedgewood Road
12. Winsor Road

D. Speed Limit: 20 MPH

1. Adams Avenue
2. Aldrich Road
3. Anne Avenue
4. Arthur Road
5. Atkinson Street

6. Austin Street
7. Bartlett Street
8. Broad Street
9. Buckminster Way
10. Cabot Street
11. Cass Street

12. Circuit Road
13. Cleveland Drive
14. Clinton Street
15. Colonial Drive
16. Concord Way
17. Coolidge Drive
18. Cottage Street
19. Crescent Way
20. Decatur Road
21. Dennett Street
22. Doris Avenue
23. Dwight Avenue
24. Echo Avenue
25. Edgewood Road
26. Edward Street
27. Elwyn Road Ext.
28. Essex Avenue
29. F.W. Hartford Drive
30. Falkland Way
31. Farm Lane
32. Fillmore Road
33. Franklin Street
34. Gardner Street
35. Garfield Road
36. Gates Street
37. Georges Terrace

38. Gosport Road
39. Grant Avenue
40. Greenleaf Avenue
41. Greenside Avenue
42. Hall Court
43. Hancock Street
44. Harding Road
45. Harrison Avenue
46. Harvard Street
47. Hillcrest Drive
48. Holly Lane
49. Holmes Court
50. Hoover Drive
51. Howard Street
52. Humphrey's Court
53. Hunking Street
54. Joan Avenue
55. Jones Avenue
56. Leavitt Avenue
57. Leslie Drive
58. Lincoln Avenue
59. Livermore Street
60. Madison Street
61. Manning Street
62. Marcy Street
63. Mason Avenue

- | | | | |
|-----|--------------------|------|---|
| 64. | McClintock Street | 90. | Salter Street |
| 65. | McDonough Street | 91. | Saratoga Way |
| 66. | McKinley Road | 92. | Schurman Avenue |
| 67. | Mechanic Street | 93. | Sheffield Road |
| 68. | Melcher Street | 94. | Sherburne Road |
| 69. | Mill Street | 95. | Simonds Road |
| 70. | Moffatt Street | 96. | South Street (from Ward's Corner to Blue Fin Market) |
| 71. | Newcastle Avenue | 97. | Stark Street |
| 72. | Newton Avenue | 98. | State Street |
| 73. | Nixon Park | 99. | Sutton Avenue |
| 74. | Odiorne Point Road | 100. | Suzanne Drive |
| 75. | Partridge Street | 101. | Swett Avenue |
| 76. | Peirce Island Road | 102. | T.J. Gamester Avenue |
| 77. | Pickering Street | 103. | Taft Road |
| 78. | Pierce Place | 104. | Taylor Court |
| 79. | Pine Street | 105. | Taylor Lane |
| 80. | Polk Avenue | 106. | Thaxter Road |
| 81. | Porpoise Way | 107. | Thornton Street |
| 82. | Pray Street | 108. | Truman Place |
| 83. | Preble Way | 109. | Tyler Place |
| 84. | Raleigh Way | 110. | Union Street |
| 85. | Regina Road | 111. | Van Buren Avenue |
| 86. | Ricci Avenue | 112. | Victory Road |
| 87. | Richards Avenue | 113. | Walden Street |
| 88. | Richmond Street | 114. | Wallis Road |
| 89. | Robert Avenue | 115. | Walton Street |

- 116. Washington Street
- 117. Wentworth Street
- 118. Whidden Street
- 119. Whipple Court
- 120. Wibird Street
- 121. Willard Street

- 122. Wilson Road
- 123. Witmer Avenue
- 124. Woodbury Avenue from
Dennett Street to Bartlett
Street
- 125. Woodlawn Circle
- 126. Woodworth Avenue
- 127. Worthen Road

E. Speed Limit: 25 MPH

- 1. Arthur Brady Drive (fka Omne Road)
- 2. Borthwick Avenue from Greenland Road to the northern most driveway of Jackson Gray Medical Building.
- 3. Chevrolet Avenue
- 4. Dodge Avenue
- 5. Elwyn Road
- 6. Greenland Road – between New Hampshire Route 33 and the municipal boundary of Portsmouth and Greenland
- 7. Maplewood Avenue from Woodbury Avenue to Islington St
- 8. Market Street between the intersection at Nobles Island and Deer Street
- 9. Osprey Drive
- 10. Peverly Hill Road
- 11. Portsmouth Boulevard
- 12. South Street, from Middle Road to Lafayette Road
- 13. Spinney Road
- 14. Woodbury Avenue from Market to Dennett St Intersection

F. Speed Limit: 30 MPH

- 1. Gosling Road

G. Speed Limit: 35 MPH

1. Borthwick Avenue from northern most driveway of Jackson Gray Medical Building to Route 1 ByPass
2. Market Street (except that portion between the Nobles Island intersection and Deer Street which shall be 25 mph, see Section E and between Deer Street and Daniel Street which shall be 15 mph, see Section C)

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ARTICLE XII: PARKING FOR THE WALKING DISABLED

Section 7.1200: PARKING FOR THE WALKING DISABLED

- A. The City Council may designate portions of any street, alley, public way, public park, municipal parking lot or municipal parking facility within the City of Portsmouth as reserved - for parking vehicles displaying special license plates or windshield placards issued to persons with walking disabilities pursuant to state law (“Authorized Vehicles”);
- B. Such reserved parking spaces (“Reserved Parking Spaces”) shall be marked by the international accessibility symbol. Parking spaces that are not marked by the international accessibility symbol are unreserved parking spaces (“Unreserved Parking Spaces”);
- C. Only Authorized Vehicles may park in Reserved Parking Spaces.
- D. It shall not be a defense to a complaint alleging failure to display the required special license plate or windshield placard that the owner or operator neglected to display an otherwise valid special license plate or hanging windshield placard.
- E. Authorized Vehicles parked in Reserved Parking Spaces in parking meter zones are entitled to a three (3) hour free parking session during enforcement hours, 9:00 a.m. through 8:00 p.m. Monday through Saturday, and between 12:00 p.m. through 8:00 p.m. on Sundays. Authorized Vehicles that remain in the Reserved Parking Space after the three (3) hour free parking session has expired shall be considered unlawfully parked and subject to the penalties and enforcement provisions of this Chapter. If the Authorized Vehicle is moved to a different Reserved Parking Space or an Unreserved Parking Space during the hours of enforcement in the same day, it will not be entitled to an additional three (3) hours free parking session.
- F. Authorized Vehicles parked in Unreserved Parking Spaces in parking meter zones are entitled to a three (3) hour free parking session during enforcement hours, 9:00 a.m. through 8:00 p.m. Monday through Saturday, and between 12:00 p.m. through 8:00 p.m. on Sundays. Authorized Vehicles may remain in the same Unreserved Parking Space after the three (3) hour free parking session has expired if the parking meter is paid for a parking session. Authorized Vehicles that fail to pay a parking session after the three (3) hour free parking session has expired shall be considered unlawfully parking and subject to the penalties and enforcement provisions of this Chapter. If the Authorized Vehicle is moved to a Reserved Parking Space or a different Unreserved Parking Space during the hours of enforcement in the same day, it will not be entitled to an additional three (3) hours free parking session.

ARTICLE XIII: REQUIRED EQUIPMENT - SNOWPLOWS

Section 7.1300: EMERGENCY LIGHTS ON SNOWPLOWS

- A. All motor vehicles utilized for the plowing of snow on any premises not owned by the operator of the vehicle shall be equipped with emergency lights. Such emergency lights shall be in accordance with the terms and conditions contained in RSA 266:74 as may be from time to time amended and shall be kept in operation at all times during snow removal operations.
- B. Any person, firm, or corporation found in violation of the terms and conditions of this chapter shall be fined \$50.00.

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ARTICLE XIV: REGISTRATION EXEMPTION FOR PRISONERS OF WAR

Section 7.1400: AUTOMOBILE REGISTRATION

The automobile registration fee is hereby waived so as to permit the registration of one motor vehicle owned by a person who was captured and incarcerated for thirty (30) days or more while serving in the Armed Forces in a qualifying war or armed conflict as defined in RSA 72:28, IV, and who was honorably discharged from the service. Any person applying for this waiver must provide the City Clerk or her designee with satisfactory proof of the pre-conditions required by this Ordinance. This ordinance is adopted pursuant to the authority granted in RSA 261:157-a.

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ARTICLE XV: EMERGENCY LANES

Section 7.1500: GENERAL LOCATIONS

For places of public assembly, or any non-residential structure with a gross first floor area of over three thousand (3000) square feet, or any building containing more than seven (7) dwelling units, the Fire Chief and Traffic and Safety Committee, upon joint determination that a hazardous or potentially hazardous condition exists or may exist, may request the City Council to establish by ordinance emergency lanes within thirty (30) feet of the above-described buildings. These provisions shall apply to both new and existing buildings and may be reduced by the Fire Chief and Traffic and Safety Committee if a lesser distance is all that is reasonably required or feasible for the provision of access by emergency vehicles.

Section 7.1501: OWNER'S RESPONSIBILITIES

Within established emergency lanes prohibiting parking, the Fire Chief and Traffic and Safety Committee may require words "No Parking - Fire Lane" to be painted and maintained by the owner on the macadam of the way or lot in standard traffic-safety size letters. In conjunction with the painting, the Fire Chief and Traffic and Safety Committee may require the owner to install and maintain signs reading "No Parking - Fire Lane - Tow Zone" in conspicuous places but at a distance of no closer than every fifty (50) feet. Such markings and sign installations shall be accomplished not later than sixty (60) days of written notification by the Fire Chief that they are required and the specifications which are to be followed.

Section 7.1502: SPECIFIC LOCATIONS

A. Emergency lanes are hereby established at the following locations:

1. 95 Albany Street Extension, starting at the southwest corner of the structure known as the Malt House Exchange, northerly four hundred fifty (450) feet, then easterly one hundred sixty-four (164) feet to the southeast corner, eighteen (18) feet in width from the curb.
2. Central Fire Station, 170 Court Street: starting at the northeast corner of the building running one hundred (100) feet southwest along Court Street to the southwest corner of the building.
3. 100 Durgin Lane, starting at the easternmost corner of the structure known as ¹Costco Wholesale, northerly one hundred seventy-seven (177) feet and westerly sixty-eight (68) feet from that same corner, eighteen (18) feet in width from the curb.
4. 800 Islington Street, starting at the northeast corner of one of the two structures known as Plaza 800, southerly three hundred ninety-five (395) feet to the southeasterly corner, eighteen (18) feet in width from the curb.

5. City Hall and Police Station, One Junkins Avenue, one hundred ten (110) feet in length, eighteen (18) feet in width from the curb.
6. Seybolt Building, One Junkins Avenue, one hundred three (103) in length, eighteen (18) feet in width from the curb.
7. -581 Lafayette Road, starting at the northwest corner of the structure known as Canad Cinemas, around the entire perimeter of the structure back to the northwest corner, eighteen (18) feet in width from the foundation of the structure.
8. 599 Lafayette Road, starting at the northwest corner of the structure known as Bowl A Rama, southerly two hundred forty-five (245) feet, eighteen (18) feet in width from the curb.
9. 775 Lafayette Road, starting at the northwest corner of the structure known as Lafayette Plaza, six hundred eighty (680) feet to the southwest corner, eighteen (18) feet in width from the curb.
10. 2422 Lafayette Road, starting at the northeast corner of the structure known as Southgate Plaza, three hundred sixty-two (362) feet westerly, then five hundred (500) feet southerly to the southeast corner, eighteen (18) feet in width from the curb.
11. 2460 Lafayette Road, starting at a point fifty-five (55) feet north of the northeast corner of the building known as Wal-Mart, southerly two hundred ninety (290) feet, skipping over ten (10) handicapped parking spaces, starting again and continuing southerly one hundred and ten (110) feet to the southeast corner, then westerly sixty-one (61) feet, eighteen (18) feet in width from the curb.
12. 1500 Lafayette Road, starting at the northeast corner of the structure known as the Market Basket, southerly six hundred thirty-eight (638) feet to the southeasterly corner, eighteen (18) feet in width from the curb.
13. 1465 Woodbury Avenue, starting at the southwest corner of the structure known as Marshall's Mall, nine hundred (900) feet northerly to the northwest corner, eighteen (18) feet in width from the curb.
14. 1801 Woodbury Avenue, starting at the southwest corner of the structure known as BJ's Wholesale Club, northerly one hundred eighty (180) feet; then easterly seventy-three (73) feet from that same corner, eighteen (18) feet in width from the curb. (1811 Woodbury Ave Deleted 2/22/94)
15. 1981 Woodbury Avenue, starting at the southwest corner of the structure known as Staples Plaza, easterly one hundred forty (140) feet; then northerly two hundred thirty-two (232) feet to the northwest corner, eighteen (18) feet in width from the curb.

16. 1600 Woodbury Avenue, starting at the northeastern corner of the front face of the structure known as Durgin Square, southerly and curving along the front face of the structure seven hundred eight (708) feet, to the southeastern corner, eighteen (18) feet in width from the curb.

Section 7.1503: PROHIBITIONS

No motor vehicle may be parked either attended or unattended in any established emergency lane.

Section 7.1504: PENALTIES

- A. Any vehicle left in a duly marked emergency lane may be removed at the direction of the Chief of Police. Removal of any vehicle shall be at the expense and risk of the owner thereof.

- B. Notwithstanding any other provision of this Chapter, any person, firm or corporation violating any provision of this Chapter, shall forfeit to the City the sum of \$25. In the event that such sum is not paid within thirty (30) days of the violation, then the person, firm or corporation shall forfeit to the City the sum of \$50. In the event of failure to make such forfeiture, said person, firm or corporation shall be subject to a fine of not more than \$100 upon conviction therefore in the Portsmouth District Court.

ARTICLE XVI: RESIDENT ONLY PARKING

Section 7.1601: GENERAL STATEMENT

In addition to any other regulations or restrictions which may be placed upon the parking of vehicles on the following streets, the parking of vehicles at these locations shall be limited on Monday through Friday, excluding legal holidays, between the hours of 6:00 a.m. and 6:00 p.m., to vehicles which are registered to persons who reside or entities which are located in the City of Portsmouth.

Section 7.1602: LOCATIONS

- A. Hanover Street – both sides between Brewster Street and Bridge Street
- B. Pearl Street – Easterly side of Pearl Street, from a point ninety feet (90') north of Islington Street to the corner of Pearl Street and Hanover Street.

Section 7.1603: PENALTY

Whoever violates, or permits or allows anyone in control of their vehicle to violate, this ordinance shall forfeit to the City of Portsmouth the sum of twenty-five dollars (\$25.00). In the event that payment of such forfeiture amount is not made within thirty (30) days of the violation, forfeiture shall be in the sum of fifty dollars (\$50.00). In the event of failure to make such forfeiture the violator shall be subject of a fine of not more than one hundred dollars (\$100.00) upon conviction of the violation in the Portsmouth District Court.

ARTICLE XVII: MOPED REGULATIONS

Section 7.1701: DEFINITION

“Moped” shall mean a motor-driven cycle whose speed attainable in one mile is 30 miles per hour or less; if an internal combustion engine is used, the piston displacement shall not exceed 50 cubic centimeters and the power-driven system shall not require the operator to shift gears.

Section 7.1702: PARKING

Mopeds may park on public sidewalks, provided that they are not parked in a manner that:

- A. Impedes the flow of motor vehicle traffic on roadways or the normal and reasonable movements of pedestrian traffic, including but not limited to crosswalks, sidewalks, and building entrances.
- B. Prevents or impedes the operation of or access to a parking meter, parking pay station, traffic control device.
- C. Hinders or restricts access to handrails or ramps.
- D. Hinders, obstructs or impedes the movement of a legally parked motor vehicle.
- E. Mopeds shall not be secured to or parked against a tree.
- F. At no time shall a moped be secured or parked against a fire hydrant or monuments.
- G. At no time shall mopeds be left unattended on private property without the consent of the owner or legal tenant.
- H. Mopeds may park on a public way or on public property for a maximum consecutive time period of 72 hours except in an area signed and otherwise designated for long-term parking.

Section 7.1703:

A moped parked on a sidewalk shall display a license plate identifying the vehicle as a moped, or shall display a permit issued by the City of Portsmouth identifying the vehicle as complying with the definition of a moped as defined in Section 7.1701.

Section 7.1704: PENALTY

Whoever violates, or permits or allows anyone in control of their moped to violate this ordinance, shall forfeit to the City of Portsmouth the sum of twenty-five dollars (\$25.00). In the event that payment of such forfeiture amount is not made within thirty (30) days of the violation, forfeiture shall be in the sum of fifty dollars (\$50.00). In the event of failure to make such forfeiture the violator shall be subject of a fine of not more than one hundred dollars (\$100.00) upon conviction of the violation in the Portsmouth District Court.

ARTICLE XVIII: ELECTRIC VEHICLE CHARGING STATION AND ELECTRIC VEHICLE PARKING SPACES REGULATIONS

Section 7.1801: DEFINITION

“Electric Vehicle” shall mean a vehicle which uses one or more electric motors for propulsion.

“Electric Vehicle Charging Station” shall mean infrastructure that supplies electric energy for recharging Electric Vehicles.

“Electric Vehicle Charging Station Parking Space” shall mean parking spaces adjacent to Electric Vehicle Charging Stations that are signed as designated for the exclusive use of Actively Charging Electric Vehicles.

Section 7.1802: LOCATION OF ELECTRIC CHARGING STATIONS AND ELECTRIC CHARGING STATION PARKING SPACES

Electric Vehicle Charging Stations will be located in the High Hanover Parking Garage, the Foundry Parking Garage and the City Hall Lower Lot. Signage for Electric Vehicle Charging stations will be highly visible in color and use similar markings as No Parking, No Standing, and Loading Zone Signage.

Section 7.1803: USE OF ELECTRIC CHARGING STATIONS AND ELECTRIC CHARGING STATION PARKING SPACES

A person with an Electric Vehicle may use an Electric Vehicle Charging Station. The cost of electricity will be a component of the parking fees charged and those components may change to reflect priorities and programs that encourage Electric Vehicle adoption. These parking fees associated with charging will be paid using mobile device technology. These parking fees shall be established by the City’s Fee Committee. No Electric Vehicle that is not actively charging will remain at an Electric Vehicle Charging Station Parking Space for more than thirty minutes.

Section 7.1804: PENALTY

Any person who violates the provisions of Article XVIII shall be guilty of a violation and subject to a fine of \$25.00. The Chief of Police or the Department of Public Works shall be authorized to remove, cause to be removed, or to be towed to a garage, any vehicle found in violation of the above named Article, said towing and removing to be at the owner’s expense.

ARTICLE XIX – SHARED ACTIVE TRANSPORTATION

Section 7.1901: PURPOSE

The purpose of this ordinance is to deal with the emerging concept of Shared Active Transportation in which various types of small, wheeled vehicles such as electric scooters and bicycles are made available specifically for shared-use by the public. In particular, this ordinance is adopted to protect against the public safety hazards and visual distractions created by the indiscriminate placement of vehicles utilized in Shared Active Transportation on the streets, sidewalks and public areas of the City.

Section 7.1902: SHARED ACTIVE TRANSPORTATION

For the purpose of this ordinance Shared Active Transportation shall refer to the concept by which various types of small, wheeled vehicles are made available for shared-use by the general public by a Shared Active Transportation Provider. The vehicles used in Shared Active Transportation (shared vehicles) may include, but shall not be limited to bicycles, e-bicycles, scooters and e-scooters. Excluded are vehicles subject to registration by the State of New Hampshire Department of Motor Vehicles.

Section 7. 1903: PARKING OF UNATTENDED SHARED VEHICLES

Unattended shared vehicles may only be parked on streets, sidewalks or other City property in the following areas:

- a. Areas specifically designated and marked by the City for the parking of shared vehicles, such as bike corrals, bike racks, or other locations that are designated by the City for parking of shared vehicles.
- b. Areas in which a Shared Active Transportation Provider has received a license from the City Council pursuant to the processes for the creation of sidewalk encumbrances for the purpose of parking shared vehicles.
- c. Areas authorized by written contract with the City of Portsmouth.

Section 7.1904: ENFORCEMENT

If any shared vehicle is found unattended in violation of the provisions of this ordinance by any City official, then;

- a. If the vehicle has identification indicating the owner of the vehicle and has a telephone number or an e-mail address for that owner, then the owner shall be contacted and given two (2) hours to properly park the vehicle.
- b. If the vehicle does not contain the ownership information described above, or if two (2) hours has passed since the owner has been notified that the vehicle is improperly parked, then the City shall remove the shared vehicle from the street, sidewalk or other location of improper parking and secure the vehicle in a location to be determined by the City.
- c. If a shared vehicle is left unattended in a manner which blocks pedestrian or vehicle passage on a sidewalk or street or otherwise creates a public safety hazard it shall be removed immediately.
- d. Whenever a shared vehicle has been removed from the street, sidewalk or public areas by the City it shall not be returned to the owner unless or until:
 - i. The owner has provided satisfactory proof that the person making that request actually owns the shared vehicle; and
 - ii. The owner has paid a fee to the City in compensation for the removal of the shared vehicle, as adopted by the City Council during the annual budget process.
- e. Any shared vehicle that has been removed from the street, sidewalk or other public area in the City and not redeemed as allowed by this ordinance within thirty (30) days shall be disposed of by the City without compensation to the owner.

Section 7.1905: APPEAL

Any determination made by any City official in connection with the enforcement of this ordinance may be appealed to the Parking Clerk who shall have the authority to make a final determination with respect to the issue being appealed.