

ORDINANCE #
Town of Goffstown
ORDINANCE OF THE Board of Selectmen

The Board of Selectmen of the Town of Goffstown ordain as follows:

- I. This ordinance shall be known and may be cited as the “Snow Emergency Ordinance” of the Town of Goffstown.
- II. AUTHORITY: RSA 31:39 (I) (g), 41:11, 41:14-b, & 47:17, VII
- III. DECLARATION OF PURPOSE: To provide for the safe, and unimpeded removal of snow and ice from the town’s roadways; and to promote safe operation of snow removal and emergency service vehicles during times of significant snow or ice events as declared by the Director of Public Works or his designee, by prohibiting all parking on roadways during the time frame set for said snow emergency.
- IV. DEFINITIONS: For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:
 - A. *Director*: The Public Works Director, or in his/her absence, his/her duly designated and acting representative.
 - B. *Street or Highway*: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel including the road shoulders.
- V. PARKING ON TOWN STREETS:
 - A. Whenever the DPW Director finds, on the basis of falling snow, sleet, or freezing rain, or on the basis of a forecast by the U.S. Weather Bureau or other weather service, of snow, sleet, or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on town streets be prohibited or restricted for snow plowing and other purposes, the Director shall declare a snow emergency. Such declaration shall be effective to prohibit the parking of any vehicle on all or some town streets, parking facilities and schoolyards as described in the declaration, in a manner prescribed by this ordinance.
 - B. Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the Director in accordance with this ordinance. While the prohibition is in effect, no person shall park or allow remaining parked any vehicle on any portion of a town street to which it applies. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.
- VI. DECLARATIONS OF THE DIRECTOR:
 - A. The Director shall cause each declaration made by him/her pursuant to this ordinance to be publicly announced by means of broadcasts or telecasts from, NIXLE notifications, Social Media, the town’s website, T.V. stations, or Radio stations with a normal operating range covering the town, and he/she may cause such declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the Director, including the time that

the declaration became, or will become effective, and shall specify the streets or areas affected.

- B. The Director shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section.

VII. TERMINATION OF PARKING PROHIBITION BY DIRECTOR:

Whenever the Director shall find that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this ordinance no longer exist, he/she may declare the prohibition terminated, in whole or in part, in a manner prescribed by this ordinance, effective immediately upon announcement.

VIII. TEMPORARY PROVISIONS TO TAKE PRECEDENCE:

Any provision of this ordinance which becomes effective by declaration of the Director shall, while temporarily in effect, take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency traffic directions by a police officer.

IX. SIGNS TO MARK SNOW REMOVAL AND TEMPORARY PARKING PROHIBITION:

- A. If no declaration is in effect but the Director determines that any street or portion thereof requires sanding, salting, or snow removal, he/she may establish a temporary parking prohibition for that purpose. Any such prohibition shall be advertised by temporary signs placed on the street(s) involved.
- B. If, as a result of one or more storms, the Director determines that snow has accumulated to a point that creates a hazard, he/she may establish a special prohibition limiting parking to one side of a street or prohibiting it entirely.
- C. A special parking prohibition may be established on a town-wide basis for any area of the town, or for any street or portion thereof. Any such prohibition shall be advertised as required above for an emergency declaration. Additionally, on any street located within the business districts in town that is affected by the prohibition, temporary signs prohibiting parking shall be erected. Special prohibitions shall be terminated when the unsafe condition has abated and, in no event, shall extend beyond May 15th.

X. REMOVAL, IMPOUNDING, AND RETURN OF VEHICLES:

- A. Removal, impounding, and return of vehicles shall be handled in the same manner as towing of abandoned or disabled vehicles found on town streets. The police department shall follow its normal protocols for contacting tow providers to remove vehicles found parked in violation of the declared snow emergency.
- B. Vehicle owners must contact tow providers to recover possession of vehicles towed during the declared emergency. Upon payment of all fees due, tow operators shall return vehicles towed to their rightful owner or their designee.

XI. CITATION ON VEHICLE LEFT PARKED IN VIOLATION OF THIS CHAPTER:

Whenever any motor vehicle without a driver is found parked or left in violation of any provision of this chapter, and is not removed and impounded as provided for in this chapter, the officer finding such vehicle shall take its registration number and any other information displayed on the vehicle which may identify its user, and shall conspicuously

affix to such vehicle a traffic citation, on a form provided by the Police Department, for the driver to answer to the charge against him within 36 hours during the hours and at a place specified in the citation.

XII. FAILURE TO COMPLY WITH TRAFFIC CITATION:

If a violator of this chapter does not respond to a traffic citation affixed to such motor vehicle in accordance with this chapter within a period of 36 hours, the clerk of the Goffstown Police Department Records Division, or other appropriate person shall issue a court complaint requiring the owner/operator of the vehicle to appear in the 9th Circuit Court, Goffstown District Division to answer the citation.

XIII. EVIDENCE WITH RESPECT TO VEHICLES IN VIOLATION:

In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this ordinance, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this ordinance, together with proof that the defendant named in the complaint was at the time the registered owner of such vehicle, shall constitute prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this ordinance.

XIV. ENFORCING AUTHORITY: Goffstown Police Department

XV. PENALTIES: Fine \$100 per violation

XVI. EXCLUSIONS: None

XVII. PROCEDURE:

Public Hearing Dates: 8/3/15 and 8/17/15

Public Hearing Notices: Published in Union Leader on 7/24/15; posted at Town Hall, Library, and town website on 7/24/15

Adoption Date: 8/31/15

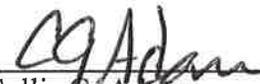
Effective Date: 10/1/15

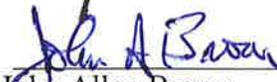
XVIII. SIGNATURES:

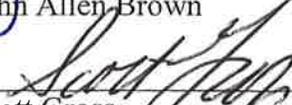
BOARD OF SELECTMEN


Peter Georgantas, Chairman


Mark T. Lemay, Vice Chairman


Collis G. Adams


John Allen Brown


Scott Gross

TOWN CLERK/NOTARY PUBLIC:



Date: August 31, 2015