

TOWN OF WEATHERSFIELD, VERMONT
PARKING ORDINANCE

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I: AUTHORITY

This civil ordinance is adopted by the Select Board of the Town of Weathersfield pursuant to the authority granted in Title 24, Chapter 59; Title 24, Section 2291 (4); Title 23, Section 1008; Title 19, Section 304 (a) (6); Title 4, Section 437; all of the Vermont Statutes Annotated, and Vermont Rules of Civil Procedure, Rule No. 80.9.

II: PURPOSE

The purpose of this ordinance is to promote public safety, provide effective traffic flow, and assist the Town in the maintenance of Town streets and highways.

III: DEFINITIONS

For purposes of this Ordinance, the following words and/or phrases shall be defined as follows:

- (A) ‘Highway’ shall be as defined in Title 19, Sections 1 (12) and (21), of the Vermont Statutes Annotated.
- (B) ‘Intersection’ shall mean any point at which a highway joins another at an angle, whether or not it crosses the other.
- (C) ‘M.U.T.C.D.’ shall mean the Manual for Uniform Traffic Control Devices, issued by the Federal Highway Administration.
- (E) ‘Town Highway’ shall be as defined in Title 19, Sections 1 (12) and (21), of the Vermont Statutes Annotated.

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IV: WINTER PARKING BAN

It shall be unlawful to park a motor vehicle in any Town highway right-of-way of between the hours of 10:00 o' clock, P.M., and 6:00 o' clock, A.M., from November 1, through until April 15, inclusive.

V: "NO PARKING" AREAS

It shall be unlawful to park a motor vehicle:

- (A) Within twenty-feet of any dry hydrant;
- (B) Along the north side of Town Highway 77, School House Road, from the intersection of U.S. Route 5 to the entrance to the Weathersfield School;
- (C) Along both sides of Town Highway 77, School House Road, from the entrance to the Weathersfield School south to the end of the Road;
- (D) Both sides of Town Highway 90, High Meadows Road, from the terminus of High Meadows Road southerly for a distance of forty-six feet (46');
- (E) Town Highway 20, Upper Falls Road, from the northern end of the Upper Falls Covered Bridge to the intersection with Vermont Route 131;

VI: PENALTIES

(A) The penalties for violation of this Ordinance shall be:

- (1) First Offense: \$25.00 full penalty
\$10.00 waiver penalty;
- (2) Second Offense: \$50.00 full penalty
\$25.00 waiver penalty;
- (3) Third Offense: \$100.00 full penalty
\$50.00 waiver penalty;
- (4) Subsequent Offenses: \$125.00 full penalty.

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- (B) In addition to any penalty, a motor vehicle parked in violation of this Ordinance may be removed by order of any properly qualified Vermont law enforcement officer. The cost of removal and storage of the motor vehicle shall be charged against the owner of the motor vehicle, and the motor vehicle shall not be released to the owner until all penalties, removal, and storage costs have been paid.

VII: ENFORCEMENT

This Ordinance may be enforced by any properly qualified Vermont law enforcement officer.

VIII: APPEAL PROCESS

- (A) Within fifteen (15) days of the date of issuance, a person receiving a parking ticket may appeal the violation by submitting a statement of objections to the Weathersfield Select Board.
- (B) The Select Board, at a duly warned public meeting, will review the objections and respond, in writing, within fifteen (15) days of receipt of the appeal. The Select Board may uphold or overturn the violation, or reduce the penalty.
- (C) If, after exhausting this administrative appeal process, the violator has not paid the penalty assessed for the violation of this Ordinance, the law enforcement officer shall institute an action on behalf of the Town against the violator in a court of competent jurisdiction, in accordance with Rule 80.9 of the Vermont Rules of Civil Procedure.

IX: INCONSISTENT ORDINANCES REPEALED

Any provisions of any Ordinance of the Town of Weathersfield in effect at the time of enactment of this Ordinance governing any activity included in this Ordinance is hereby revoked.

X: SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof.

The Select Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

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XI: EFFECT

No section of this Ordinance shall be construed to supersede or replace any Vermont statute.

This Ordinance shall be entered in the minutes of the Select Board's meeting, and posted in at least five (5) conspicuous places with the Town of Weathersfield and published in a newspaper circulating in the Town on a day not more than fourteen (14) days following the date when the Ordinance is adopted.

This Ordinance will become effective on the thirtieth day of June, 2008, sixty (60) days after the date of its adoption by the Select Board, unless a petition is filed with the Town Clerk by the fifteenth day of June, 2008, forty-four (44) days after the date of its adoption. The petition should be addressed to the Select Board, should be signed by at least five per cent (5%) of the qualified voters of this municipality, and should ask for a special meeting to be called on the question of disapproving the Ordinance. Questions about the Ordinance may be directed to the Municipal Offices, Weathersfield, Vermont, or by calling telephone number [802] 674-2626.

The foregoing Ordinance is hereby adopted by the Select Board of the Town of Weathersfield, Vermont, this first day of May, 2008.

	Norman John Arrison, Chairperson	
Daniel E. Boyer, Vice Chairperson		Patricia W. Daniels, Board Clerk Glenn S. Fisher, Selector