

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.

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.