

**TOWN OF DORSET, VERMONT
PARKING ORDINANCE**

1. Purpose and Authority

This Parking Ordinance is enacted by the Dorset Selectboard to promote the public health, safety and welfare of Town residents under the authority it is granted to regulate parking of vehicles as set forth in 4 V.S.A. §32, 19 V.S.A. §304a, 20 V.S.A. §2904, 23 V.S.A. Chapter 19, and 24 V.S.A. §2291. This Ordinance shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 59.

2. Parking Prohibition

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a law enforcement officer or official traffic control device, no person shall park a vehicle:

- A. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- B. On a sidewalk or so as to interfere with the pedestrian use or maintenance of a sidewalk.
- C. Within fifty (50) feet of an intersection.
- D. On any crosswalk.
- E. Alongside or opposite any street excavation when parking would obstruct traffic.
- F. Upon any bridge or other elevated structure.
- G. Upon any railroad tracks or within fifty (50) feet of the nearest rail of a railroad crossing.
- H. Within fifteen (15) feet of a fire hydrant.
- I. Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic control light located at the side of a roadway.
- J. In front of a public or private driveway.
- K. In any space specified as reserved for a bus stop.
- L. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite and within seventy-five (75) feet of the entrance to any fire station.
- M. On any public street or highway, or portion thereof, designated by order of the Town Manager as a place where parking is temporarily prohibited because of street or highway construction, repair or maintenance.
- N. On any public street or highway, or portion thereof, designated by resolution of the Selectboard as a place where parking is prohibited and indicated as such by “No Parking” signs.

O. On any public street or highway for a period of more than seventy-two (72) consecutive hours in the same location.

P. On any public street or highway for the purpose of selling or renting the same or for the purpose of displaying or advertising the same for sale or rent.

Q. So as to interfere with the plowing or removal of snow.

R. On any public street or highway between the hours of 12 o'clock midnight and 8 o'clock a.m. during the period from December 1 of each year to April 1 of the following year.

S. In a space designated as parking for persons with disabilities except when the motor vehicle is equipped with a valid handicapped registration plates or properly displayed handicap permit from the Vermont Department of Motor Vehicles in accordance with 23 V.S.A. §304a, or as otherwise provided by the law of the state in which the vehicle is registered, and an occupant is a person with a disability.

3. Unregistered Motor Vehicles and Unattached Trailers

In addition to the prohibitions set forth in Section 2, no person shall park an unregistered motor vehicle, or a camper, recreation vehicle, travel trailer or unattached trailer on any Town highway for a period of more than twelve (12) consecutive hours. As used herein, an unattached trailer shall mean a vehicle without motive power designed to be drawn by a motor vehicle that is not attached to a motor vehicle.

4. Parking Tickets; Penalty

Any law enforcement officer may issue a parking ticket for any vehicle parked in violation of Sections 2 or 3 of this Ordinance, which shall set forth the penalty to be paid for such violation. Parking tickets shall be paid to the Dorset Treasurer within fifteen (15) days of issuance. The penalty for violating any provision of Sections 2 or 3 of this Ordinance shall be:

| Section | First Offense | Second Offense | Third Offense | Fourth and Subsequent Offenses |
|----------------|----------------------|-----------------------|----------------------|---------------------------------------|
| 2(A)-(Q) | \$15 | \$25 | \$50 | \$100 |
| 2(R) | \$25 | \$50 | \$100 | \$200 |
| 2(S) | \$50 | \$100 | \$200 | \$400 |
| 3 | \$15 | \$25 | \$50 | \$100 |

A late payment fee of \$10.00 shall be imposed for each parking ticket not paid within fifteen (15) days of issuance.

5. Administrative Appeal and Enforcement of Parking Tickets

Within fifteen (15) days of the date of issuance of a parking ticket, a person receiving a parking ticket may appeal the violation by submitting a written statement of appeal to the Town Manager. The written statement shall state the facts supporting the appeal and an explanation of why such ticket is believed to be unlawful. The Town Manager, or his or her designee, will review the statement within fifteen (15) and shall issue a brief written decision on the appeal which shall be final.

If, after exhausting this administrative appeal process, the violator has not paid the penalty assessed for violation of this Ordinance, the Town may institute an action against the violator in accordance with Rule 80.9 of the Vermont Rules of Civil Procedure.

6. Use of Immobilization Devices

Law enforcement officers are authorized to impound, by use of a so-called "Denver Boot" or other immobilizing device, any motor vehicle, the owner of which has four or more unpaid parking violations in a calendar year, provided that notice that the vehicle in question is subject to impoundment is sent to the offender by first class mail at least fifteen (15) days prior to impoundment.

7. Removal of Unlawfully Parked Vehicles

In addition to issuance of a parking ticket under Section 4 of this Ordinance, law enforcement officers are authorized to remove vehicles parked in violation of Sections 2 or 3 this Ordinance at the expense of the owner of the vehicle. The cost of removal and impoundment of the motor vehicle shall be charged against the owner of the motor vehicle. The motor vehicle shall not be released to the owner until all removal and impoundment costs have been paid to the Town of Dorset. All charges for towing and impoundment of vehicles imposed pursuant to Section 7 of this Ordinance shall be a lien upon the vehicle and such lien may be foreclosed in accordance with the procedure provided in the law for foreclosure of artisan's liens. No charges made or incurred under Section 7 of this Ordinance shall be considered a fine, penalty or forfeiture. The removal and storage of any vehicle under this Ordinance shall not be a bar to the institution and prosecution of civil proceedings against the owner or operator of such vehicle.

8. Other Laws

This ordinance is in addition to all other ordinances of the Town of Dorset and all applicable laws of the State of Vermont.

9. Severability

In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance.

10. Effective Date

This Ordinance shall become effective 60 days after its adoption by the Dorset Selectboard. If a petition is filed under 24 V.S.A. Section 1973, the taking effect of this Ordinance shall be governed by that statute.

Adopted this day of , 2020.

Town of Dorset Selectboard

Megan Thörn, Vice Chair

Henry Chandler, Vice Chair

Jim Salsgiver

Tom Smith

Liz Ruffa

