

PARKING ORDINANCE TOWN OF CLARENDON, VERMONT

SECTION 1. AUTHORITY. This civil ordinance is adopted by the Select Board of the Town of Clarendon under the authority granted in 24 V.S.A. Chapter 59, 24 V.S.A. § 2291(4), 23 V.S.A. § 1008, 19 V.S.A. § 304 (a)(6), 4 V.S.A. § 437, and Vermont Rule of Civil Procedure 80.9.

SECTION 2. 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.

SECTION 3. NO PARKING AREAS. It shall be unlawful to park a motor vehicle:

- A. On either side of the Gorge Road, from the intersection of Route 7B Central and Gorge Road to the intersection of East Street and Gorge Road.
- B. On Grange Hall Road, on the side opposite from the Clarendon Fire House, between the "No Parking" signs; on the same side of the road as the firehouse, extending from the northwest corner of the firehouse driveway to the "No Parking" sign; and in the cleared field on the north side of the firehouse, extending north to the "No Parking" sign (except as provided in Section 4 below).
- C. On Fire House Road, within fifty feet (50') on either side of the driveway entrance to the Clarendon Fire House, and, on the side of Fire House Road opposite the firehouse, within one hundred fifty feet (150') on either side of the firehouse driveway if it were extended. This prohibition shall not include emergency vehicles.
- D. On East Clarendon Road, at the beginning of the land now owned by the Squires extending through the land now owned by the Carraras, on both sides of the road, between the "No Parking" signs.
- E. In front of a public or private driveway.
- F. Within or otherwise blocking an intersection.
- G. Upon any bridge within the town.
- H. At any location where there are official signs prohibiting stopping or parking.

SECTION 4. SCHOOL OVERFLOW PARKING. The Fire Chief, in his sole discretion, may temporarily allow parking in prohibited areas around the Grange Hall Road firehouse, during school events. In such instance, the Fire Chief shall either erect temporary signs allowing parking in the areas he designates, or he shall cover signs that prohibit parking.

SECTION 5. PENALTY. Each violation of a provision of this ordinance shall be deemed a separate offense. The penalty for violation of this ordinance shall be \$15.00. Any parking violation not paid within 10 days of issuance shall double.

In addition to any other penalty, a motor vehicle parked in violation of this ordinance may be removed by order of any State, County, or Clarendon law enforcement official. The cost of removal and storage 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 storage costs have been paid.

SECTION 6. IMMOBILIZATION. Any unattended motor vehicle found parking at any time upon a public highway or public parking area within the Town of Clarendon, the owner of which has four or more unpaid Clarendon parking violations, may be immobilized by any State, County, or Clarendon law enforcement official, by use of a so-called "Denver Boot", provided that the

owner has received a notice by first class mail, at least 15 days prior to the immobilization, that the vehicle is subject to being immobilized due to unpaid parking violations. At the time of immobilization, the officer shall cause to be placed on the vehicle, in a conspicuous manner, a notice sufficient to warn any individual that any attempt to move the vehicle will result in damage.

The owner of such immobilized vehicle, or the agent of the owner, shall be permitted to secure the release of the vehicle by paying all outstanding fines and a \$50.00 booting fee. In the event that the outstanding fines and booting fee are not paid within 72 hours of the immobilization, the vehicle may be towed, at the owner's expense, upon order of a State, County, or Clarendon law enforcement official. Nothing herein shall limit the Town of Clarendon from seeking enforcement in the District Court as provided in 24 V.S.A. § 1974a (e) and Rule 80.9 of the Vermont Rules of Civil Procedure.

SECTION 7. ADMINISTRATIVE APPEAL AND ENFORCEMENT. Within 15 days of the issuance of a parking violation, or a notice of potential immobilization, an owner may appeal the violation by submitting a statement of objections to the Clarendon Select Board. The select board shall review the objections and either respond in writing within 15 days or, in its sole discretion, conduct a hearing on the appeal. If the select board decides to conduct a hearing, the appellant shall be given at least a seven day notice of the hearing. The appellant may attend the hearing and shall be given an opportunity to present testimony. The select board may uphold or overturn the violation or reduce the penalty. Its written decision shall be sent by first class mail to the appellant.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Clarendon Select Board. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

SECTION 9. REPEAL OF PRIOR ORDINANCES. Any other ordinance or regulation in conflict with this ordinance is hereby repealed.

SECTION 10. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

Signed on this 9th day of November 2009, at Clarendon, Vermont.

Clarendon Select Board

Michael J. Klopchin, Chair /S

George Ambrose /S

Robert Bixby /S

Nancy Buffum /S

Robert Sebasky /S

Ordinance as adopted posted: November 17, 2009

The Ordinance was amended October 23rd, 2017.

Clarendon Board of Selectmen

Robert Bixby

Robert Congdon

Michael Klopchin

Daniel Pinkowski

Richard Wilbur

CITIZEN'S RIGHT TO PETITION:

Citizen's Right to Petition for a vote on the ordinance at the Annual or Special Meeting, as provided for in 24 V.S.A. § 1973. The Parking Ordinance (set forth in this notice) may be disapproved by a vote of a majority of the qualified voters of the Town of Clarendon voting on the question at an annual or special meeting duly warned for that purpose, pursuant to a petition signed and submitted in accordance with 24 V.S.A. § 1973 (b). A petition for a vote on a question of disapproving the above Parking Ordinance amendment shall be signed by not fewer than five percent of the qualified voters of the Town of Clarendon, and presented to the Selectboard or the Town Clerk within 44 days following the date of adoption of the ordinance. If you have questions about the Parking Ordinance set forth in this notice you can write to the Clarendon Board of Selectmen, PO Box 30, Clarendon, Vermont 05759 or telephone the Administrative Assistant at 747-4074.

Unless a petition is filed in accordance with 24 V.S.A. § 1973, the ordinance amendment will become effective December 22nd, 2017.