



ORDINANCE

ALLOWING PARKING PAY STATIONS IN PLACE OF METERS

CITY OF NASHUA

In the Year Two Thousand and Eleven

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, of the Nashua Revised Ordinances, as amended, be hereby further amended as follows:

1. In Article XI “Parking Meters”, delete the struck-through language and add the new underlined language:

“§ 320-41. Definitions.

The following terms, when used in this article, shall have the following meanings, unless a different meaning clearly appears from the context:

...

PARKING METER – That mechanism having a coin-receiving and a coin-actuating or money-card-actuating mechanism all enclosed and mounted on top of a post, including electrical and/or mechanical devices designed to indicate entrance or expiration time to a parking space. Any use of the term “parking meter” or “metered” in this article can also mean a parking pay station as the mechanism to pay for the use of a parking space for a period of time.

...

§ 320-42. Purpose; operation of meters.

...

- B. Parking a vehicle within a parking zone for a period of time not longer than the established time limit shall be permitted only upon the payment of a fee ~~coin or coins of the United States, or a money-card equivalent~~, as designated on the parking meter, ~~and payment shall be made by depositing such coin, coins or money-card equivalent in the parking meter adjacent to the space occupied by such vehicle and by setting the time device upon such parking meter in operation.~~

...

§ 320-45. Installation and maintenance of meters; designation of spaces; elderly parking.

- A. ~~Streets.—~~Parking meters shall be installed, operated, maintained, policed and supervised on the restricted streets, lots and garages in such appropriate places and in ~~such an appropriate manner as the Infrastructure Committee shall direct.~~ Such parking meters shall be so devised and regulated as to provide for parking periods not in excess of the legal time limit within the restricted streets, lots and garages. ~~A parking meter shall be installed within the curbline adjacent to a space conspicuously designated by lines painted on the surface of the curb or street as a parking place for one vehicle.~~
- B. ~~Parking lots. The Infrastructure Committee shall mark off individual parking spaces in the parking lots designated in this article and in such other lots as may hereafter be established. Such parking spaces are to be designated by lines painted or durably marked on the curbing surface of the street or area. The Infrastructure Committee shall install parking meters in places immediately adjacent to the parking spaces or provide other electrical and/or mechanical devices, or an attendant, to adequately control and supervise the use of parking lots.~~

...

§ 320-52/Presumptions.

- A. The fact that ~~the time device has expired~~ on any parking meter ~~is not in operation~~ shall be presumptive evidence that the person who parked the vehicle then found standing in the parking space adjacent to controlled by the meter failed to deposit a coin or coins pay a fee as required therein; and the indication by the meter of illegal parking shall be presumptive evidence of overtime parking.

...”

2. In Article XV “Violations and Penalties”, Section 320-87 “Stopping, standing or parking violations”, delete the struck-through language and add the new underlined language:

“§ 320-87. Stopping, standing or parking violations.

- A. It shall be unlawful and a violation of the provisions of §§ 320-41 through 320-52:
 - (1) For any person to pay a fee deposit in a parking meter a coin or coins for the purpose of increasing or extending the parking meter time of any vehicle beyond the legal parking time limit.

...”

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective upon passage.

LEGISLATIVE YEAR 2011

ORDINANCE:

O-11-88

PURPOSE:

Allowing parking pay stations in place of meters

ENDORSERS:

**Mayor Donnalee Lozeau
Alderman-at-Large Brian S. McCarthy
Alderman Jeffrey T. Cox**

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE:

An increase in parking revenue is anticipated with the use of parking pay stations due to the ability to use credit/debit cards as well as cash.

ANALYSIS

This legislation amends the parking meter ordinances by allowing the city the option of using either parking meters or parking pay stations to collect parking fees. Certain detailed language only applicable to meters that was unnecessary to have in the ordinances is deleted. Language regarding administrative work being performed by the Infrastructure Committee, such as marking off individual parking spaces and installing parking meters, is also deleted.

Approved as to form:

Office of Corporation Counsel

By: Dowley Clarke

Date: October 21, 2011



ORDINANCE

ALLOWING PARKING PAY STATIONS IN PLACE OF METERS, REMOVING THE TWO-HOUR PARKING TIME LIMIT FROM THE PARKING GARAGES, AND REINSTATING THE INCREASED FINE AMOUNT IF FINE NOT PAID WITHIN SEVEN DAYS

CITY OF NASHUA

In the Year Two Thousand and Eleven

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, of the Nashua Revised Ordinances, as amended, be hereby further amended as follows:

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“§ 320-41. Definitions.

The following terms, when used in this article, shall have the following meanings, unless a different meaning clearly appears from the context:

...

PARKING METER – That mechanism having a ~~coin-receiving and a coin-actuating or money-card-actuating~~ fee receiving and a fee actuating mechanism all enclosed and mounted on top of a post, including electrical and/or mechanical devices designed to indicate entrance or expiration time to a parking space. Any use of the term “parking meter” or “metered” in this article can also mean a parking pay station as the mechanism to pay for the use of a parking space for a period of time.

...

§ 320-42. Purpose; operation of meters.

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- B. Parking a vehicle within a parking zone for a period of time not longer than the established time limit shall be permitted only upon the payment of a fee ~~coin or coins of the United States, or a money-card equivalent~~, as designated on the parking meter, ~~and payment shall be made by depositing such coin, coins or~~

~~money card equivalent in the parking meter adjacent to the space occupied by such vehicle and by setting the time device upon such parking meter in operation.~~

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§ 320-45. Installation and maintenance of meters; designation of spaces; elderly parking.

A. ~~Streets.—~~Parking meters shall be installed, operated, maintained, policed and supervised on the restricted streets, lots and garages as designated in this chapter. ~~such places and in such manner as the Infrastructure Committee shall direct. Such parking meters shall be so devised and regulated as to provide for parking periods not in excess of the legal time limit within the restricted streets, lots and garages. A parking meter shall be installed within the curblin adjacent to a space conspicuously designated by lines painted on the surface of the curb or street as a parking place for one vehicle.~~

~~B.—~~Parking lots. ~~The Infrastructure Committee shall mark off individual parking spaces in the parking lots designated in this article and in such other lots as may hereafter be established. Such parking spaces are to be designated by lines painted or durably marked on the curbing surface of the street or area. The Infrastructure Committee shall install parking meters in places immediately adjacent to the parking spaces or provide other electrical and/or mechanical devices, or an attendant, to adequately control and supervise the use of parking lots.~~

...

§ 320-48. Parking meter lots.

The following described areas lying within the corporate limits of the City are designated as public parking areas and shall constitute parking meter lots in the listed zones:

...

B. Zone II:

...

~~(7) — Elm Street parking garage (street level only).~~

~~(8) — High Street parking garage (street level only).~~

C. Zone III:

...

~~(4) — Elm Street parking garage (street level only).~~

~~(5) — High Street parking garage (street level only).~~

...

§ 320-51. Parking meter streets.

The following streets are designated as parking meter streets in the listed zones, and authority is hereby granted to install and maintain parking meters on these streets in appropriate locations ~~deemed appropriate by the Aldermanic Traffic Committee and in accordance with the tenor of this chapter:~~

...

§ 320-52. Presumptions.

A. The fact that ~~the time device has expired~~ has expired on any parking meter ~~is not in operation~~ shall be presumptive evidence that the person who parked the vehicle then found standing in the parking space adjacent to ~~controlled by~~ the meter failed to deposit a coin or coins ~~pay a fee~~ as required therein; and the indication by the meter of illegal parking shall be presumptive evidence of overtime parking.

...”

2. In Article XV “Violations and Penalties”, Section 320-87 “Stopping, standing or parking violations”, delete the struck-through language and add the new underlined language:

“§ 320-87. Stopping, standing or parking violations.

A. It shall be unlawful and a violation of the provisions of §§ 320-41 through 320-52:

(1) For any person to pay a fee ~~deposit in a parking meter a coin or coins~~ for the purpose of increasing or extending the parking meter time of any vehicle beyond the legal parking time limit.

...

B. Any person violating Subsections A(1) through A(7) shall be fined as follows:

(1) First offense within a calendar year: \$10.00

(2) Second offense within a calendar year: \$20.00

(3) Third offense within a calendar year: \$50.00

(4) Any subsequent offense within a calendar year: \$50.00 and towing of the vehicle

Until such time as the city can record multiple offenses per year, all offenses shall be treated as the first offense. If any fine is not paid within seven (7) days, that fine shall be increased by ten dollars (\$10.00).

...”

ORDINANCE

AMENDED O-11-88

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective upon passage.