

TOWN OF MIDDLEBURY
AN ORDINANCE FOR THE REGULATION OF
PARKING

We, the Selectmen of the Town of Middlebury, pursuant to Section 104B of the Middlebury Town Charter and such other state laws as are applicable do hereby make the following ordinance as to the parking and removal of motor vehicles on and from the highways and streets within the limits of the Town.

ARTICLE I

Section I. DEFINITION OF PARK OR PARKING

The stopping or standing of motor vehicles on a roadway whether occupied or unoccupied, attended or unattended, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or goods, or while making emergency repairs if disabled, while arrangements are being made to move such vehicle.

ARTICLE II

Section I. STOPPING PROHIBITED IN SPECIFIED PLACES AT ALL TIMES

No operator or owner of any motor vehicle shall stand, be stopped or be parked in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic sign; 1) within fifteen feet of an intersection; 2) five feet from a crosswalk, unless specifically designated for parking; 3) within ten feet of a fire hydrant, unless specifically designated for parking; 4) in front of a driveway; 5) on any sidewalk; 6) abreast of another vehicle in any street; 7) alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic; 8) in green areas within the Town right-of-way between the property owner's line and existing curbing. 9) in an area marked as a fire zone or area restricted for emergency vehicle access.

ARTICLE III

Section I. PARKING PROHIBITED

It shall be unlawful for the operator or owner of any motor vehicle to be parked on the following designated streets and highways:

Adirondack View

1. On the easterly side from the intersection with College Street southerly to the end of the paved surface.
2. On the westerly side from the intersection with College Street southerly for a distance of 380 feet.

Bakery Lane

1. Northerly entrance to both sides of Bakery Lane from Main Street easterly to the bottom of the hill to the right-of-way belonging to Woody's Restaurant.
2. Southerly entrance to Bakery Lane and Municipal Parking Lot, near the Mobil Station, both sides from Main Street to the power pole (No. 1 & 2) at the bottom of the hill.

Buttolph Drive

1. On both sides extending from the intersection with Washington to the intersection with Brookside.

Charles Avenue

1. In front of all residences located on the easterly side of the street.
2. On the westerly side of the road commencing at the point at the beginning of the curbed sidewalk and proceeding in a northerly and then north-westerly direction to the intersection of Duane Avenue between the hours of 7:30 A.M. and 5:00 P.M. Monday through Friday.
3. On the westerly side of the road from the end of the existing curbed sidewalk southerly to the stop sign.

Chipman Park

1. On the northwest corner of Chipman Park 50' in either direction from the center of the outside curve and 25' in either direction from the center of the inside curve.

College Street

1. The northerly side from the intersection of Shannon Street westerly to the intersection of Chateau Road. Parking for services at St. Mary's Church excepted.
2. The northerly side from Chateau Road westerly 244' to an existing crosswalk.
3. The southerly side from the entrance to the Twilight Hall parking lot westerly to the intersection of Franklin Street.
4. The northerly side from the end of the fifteen-minute parking zone westerly to the beginning of State Highway Route 125.
5. The southerly side from the intersection of Hepburn Road westerly to the beginning of State Highway Route 125.

Court Square

1. On the southerly, westerly and easterly sides of Court Square and the roadway lines directly across from same.
2. On the northerly side of Court Square opposite the Middlebury Inn.

Court Street

1. On the easterly side of the highway from the crosswalk in front of 5 Court Street, southerly to the northern entrance of 35 Court Street.
2. On the easterly side of the highway from the southern entrance of 35 Court Street, southerly to the intersection of Creek Road.
3. On the westerly side of the highway from the intersection of Court Square southerly 50 feet from the crosswalk.
4. On the westerly side of the highway from 2 Court Street southerly to the intersection of Creek Road.

Cross Street

1. On either side from South Pleasant Street easterly to Court Street, Route 7.

Elm Street

1. On the south side of Elm Street from the junction of Seymour Street easterly to North Pleasant Street.
2. On the northerly side from the intersection with North Pleasant Street westerly for a distance of 90 feet.

Exchange Street

1. On the easterly side of Exchange Street from the junction of Elm Street northerly for a distance of 150 feet.

Franklin Street

1. On the northern side from South Main Street westerly to the intersection with Storrs Avenue.
2. On the south side from its intersection with Storrs Avenue easterly a distance of 460 feet.

High Street

1. On the easterly side of High Street from the junction of North Pleasant Street, Route 7, southerly to Washington Street.
2. On the westerly side of High Street from the junction of North Pleasant Street, Route 7, southerly to a point 130 feet south of the intersection of Seminary Street.

Hillcrest Avenue

1. On the easterly side of Hillcrest Avenue from Route 125 southerly to the cemetery.
2. On the westerly side of Hillcrest Avenue from a point 25 feet south of Route 125 to the cemetery, only parallel parking is permitted.

Main Street

1. On both sides of the street from the intersection of Seymour Street to the intersection of Pleasant Street.
2. On the easterly side of Main Street from the northerly edge of Merchants Row to the fire hydrant in front of Ilsley Library.
3. On the westerly side of Main Street from the northern boundary line of 34 Main Street to the intersection of Park Street.

Mary Hogan Drive

1. On either side of the traveled portion of the highway from Court Street, Route 7 easterly to the property line of the Mary Hogan School.
2. On the easterly side of the street commencing at the northern access at Court Street to the southern most turnaround of the Recreation Park parking lot.
3. On the westerly side of the street commencing at the northern access at Court Street to the northern access to the Recreation Park parking lot.

Mill Street

1. On the northerly side of Mill Street from it's intersection with Main Street westerly to its intersection with Weybridge Street.
2. On the southerly side of Mill Street from Main Street westerly to the intersection of Weybridge Street.
3. Section 1 & 2 above are not intended to restrict private, off street parking.

North Pleasant Street

1. Both sides of North Pleasant Street from the northerly side of Court Square, northerly on both sides to a point marked by a prolongation line of the northerly side of Main Street.

2. On the east side of North Pleasant Street between the north driveway of and the northern driveway entrance to the Methodist Church basement area.
3. On the west side from Main Street to a point forty feet north.
4. On the west side from Elm Street to a point 134 feet northerly of the southerly most boundary of the driveway access to 62 - 64 North Pleasant Street.

Park Street

1. On the northern edge of Park Street from a point at the northeastern most point of intersection of Park Street and Mill Street, and said point marked by a retaining wall, proceeding westerly along the retaining wall to a telephone pole "XI" located in front of the Star Mill.
2. On the westerly side commencing at a point at the southwesterly corner of the Star Mill courtyard and proceeding in a westerly direction to the crosswalk located in front of the Brock Building.
3. On the easterly edge of Park Street from a point marked by the northeast corner of Conn property (Tipton Block), southerly to a point twenty feet south of the point of beginning.

Seymour Street

1. On the west side from Main Street to a point fifty feet north of Main Street.
2. On the east side between Elm Street and the southerly driveway access to the Fire and Ice Restaurant.

South Street

1. On the westerly side of the road from Main Street to the end of pavement on South Street Extension.
2. On the easterly side of the road from Porter Field Road intersection to the end of pavement on South Street Extension.

South Main Street

1. On the northerly and southerly sides of the road from the intersection of Porter Field Road to the Cornwall Town Line.
2. On the west side of the road from a point 125 feet north of Franklin Street to the Cornwall Town line.
3. On the east side of the road from a point 365 feet north of Porter Field Road to the Cornwall Town line.

Springside Road

1. On both sides of the street from the Battell Woods property line southerly 560 feet.

Storrs Avenue

1. On any part of Storrs Avenue not marked for parking. Parking is lawful only within areas designated by pavement markings for parking.

Washington Street

1. On the southerly side of Washington Street from the easterly line of Court Square easterly to a point marked by a prolongation in a straight line, of the easterly line of High Street to said southerly line of Washington Street.
2. On the northerly side of Washington Street from High Street easterly to the intersection with Seminary Street.

Washington Street Extension

1. On the northerly side commencing at the intersection of Seminary Street and extending easterly to the intersection of the eastern most entrance to Colonial Drive.
2. On the southerly side commencing at the intersection of Seminary Street and extending easterly to the intersection with Peterson Terrace.

Weybridge Street

1. On both sides extending from the intersection with College Street northwesterly for a distance of 100 feet.
2. On the east side from the intersection of College Street to the Weybridge Town Line.
3. From the center of the intersection at Freeman Way (pvt) southerly for a distance of 315 feet.
4. From the center of the intersection at Freeman Way (pvt) northerly for a distance of 70 feet.
5. From a point 60 feet south of the intersection at Gorham Lane northerly to a point 115 feet north of the center of the intersection at Morningside Street.

Section II. GENERAL PROVISION

On the traveled portion of any other highway or street within the Town of Middlebury where the parking of such motor vehicle will interfere with the normal flow of traffic, and where provision is not made in this ordinance for parking of vehicles.

ARTICLE IV

Section I. Handicapped Reserved Parking

- It shall be unlawful for any motor vehicle to be parked in a space reserved for handicapped parking when such space is marked in accordance with State laws except when:

- 1. The motor vehicle is equipped with a valid handicapped registration plate (s) from any State and an occupant is handicapped pursuant to the State of Vermont requirements; or
- 2. The motor vehicle has any form of valid, handicap permit, properly displayed in accordance with the laws of the issuing State and the occupant is handicapped pursuant to the State of Vermont requirements.

ARTICLE V

Section I. ONE HOUR PARKING

It shall be unlawful for the operator or owner of any motor vehicle to be parked for more than one (1) hour on the following designated streets, from seven o'clock AM to six o'clock PM. Excluded from such time limitations are spaces within these designated areas, which have been also designated for Handicapped Parking.

Main Street

1. On the northwesterly side of Main Street from the junction of College Street westerly to the sidewalk entrance to the Municipal Building. Parking to be parallel to curb.

South Pleasant Street

1. On the westerly side of South Pleasant Street from the intersection of Merchants Row and Route 7, Court Square so-called southerly to Cross Street. Parking to be parallel with the curb.

Washington Street

1. On the northerly side of Washington Street from the northerly line of Court Square easterly to High Street. Parking to be parallel to the curb.

ARTICLE VI

Section I. TWO HOUR PARKING

It shall be unlawful for the operator or owner of any motor vehicle to be parked for more than two (2) hours from seven o'clock AM to six o'clock PM. Excluded from such time limitations are spaces within these designated areas, which have also been designed for Handicapped Parking.

College Street - On the northerly side of College Street from the crosswalk in front of 5 College Street, said point being in line with the westerly edge of the building, easterly to the most easterly property line of #1 College Street.

Main Street - Parking shall be in accordance with the designated pavement markings.

1. Northerly Side

a) From the intersection of Seymour Street westerly to the driveway access into the U.S. Post Office.

b) From the third parking space west of the crosswalk in front of the U.S. Post Office westerly to the western most boundary of the National Bank of Middlebury.

c) From the easterly side of the so-called Benjamin Block, westerly 100 feet to the easterly property line of the John Warren House.

2. Southerly Side

a) From the intersection with South Street and extending northeasterly to 89 Main Street;

b) From the intersection of Seymour Street westerly to the intersection with Merchants Row;

c) From the eastern most boundary of the Ilsley Library westerly to the eastern boundary of lands owned by Mobil Oil;

d) The curbed area in front of the lands owned by Mobil Oil.

Merchants Row - Parking shall be in accordance with the pavement markings.

1. On the north side from the intersection of Main Street easterly to Pleasant Street.

2. On the south side from Main Street easterly to the driveway between 66 Merchants Row and the 68 South Pleasant Street.

Park Street

1. Parallel parking to the curb is permitted on both sides of the street, except as otherwise provided for in Article III. Section 1 of this ordinance.

2. The four parking spaces located in front of the Star Mill.

South Pleasant Street

3. On the east side of South Pleasant Street 25 feet from the intersection

of Court Square southerly to Cross Street. Parking to be parallel with the curb.

ARTICLE VII

Section I. THREE HOUR PARKING

It shall be unlawful for the operator or owner of any motor vehicle to be parked for more than three (3) hours in the Municipal Parking Lot located behind the Ilsley Library, except where specifically permitted and appropriately signed, from seven o'clock AM to six o'clock PM.

ARTICLE VIII

Section I. FIFTEEN MINUTE PARKING

It shall be unlawful for the operator or owner of any motor vehicle to be parked for more than fifteen (15) minutes in the following areas:

College Street

1. On the northerly side from a point 244' west of Chateau Road westerly as marked to the crosswalks at Hepburn Road.

Court Street

1. On the east side of Court Street between the north and south entrances of the County Jail.

Main Street

1. In front of the Post Office the four parking spaces, excluding the handicap space, two on either side of the crosswalk.

ARTICLE IX

Section I. ALL NIGHT PARKING

It shall be unlawful for the operator or owner of any motor vehicle to be parked anywhere else on the roadway, street, or Municipal Parking Lots, in the Town of Middlebury between the hours of twelve midnight and six o'clock AM from November 1 until April 1, except where specifically permitted and appropriately

signed. A motor vehicle parked in violation of this Town ordinance may be towed away by order of the police of said Town of Middlebury.

Section II.

Motor vehicles shall be permitted to park all night in the Municipal Parking Lots where specifically designated and properly signed, but in no case shall commercial vehicles be permitted to park overnight, nor shall a non-commercial vehicle remain parked for more than seventy-two (72) hours.

Section III. Perpetual Overnight Parking Prohibition

Parking is prohibited between the hours of 12:00 midnight and 6:00 a.m. in the following areas:

The west side of Weybridge Street between its intersection with Freemay Way in the north to its intersection with College Street in the south.

1. Shannon Street
2. Short Shannon Street

ARTICLE X

Section I. PARKING CLOSE TO CURB

Except when necessary in obedience to traffic regulations or traffic signs or signals, the operator or owner of a motor vehicle shall not park or cause to be parked a motor vehicle in a roadway other than parallel with the curb or edge of such roadway, headed in the direction of traffic, with the motor vehicle within six inches of the curb or edge of such roadway and with a clear space of three feet left ahead and behind the same except where diagonal parking is provided.

Section II. Parking Within Designated Pavement Markings

Where parking is permitted and pavement markings designate the manner of parking -parallel, diagonal, or otherwise, - it is unlawful to park any part of a motor vehicle contrary to or outside the pavement markings.

ARTICLE XI

Section I. DOUBLE PARKING

Double parking on any street is prohibited at all times.

ARTICLE XII

Section I. PARKING OF VEHICLES FOR SALE

It shall be unlawful to park upon a street any vehicle displayed for sale.

ARTICLE XIII

Section I. REPAIRING OF VEHICLES IN STREETS

It shall be unlawful for any person or corporation engaged in the garage, repair or automobile service business to park any motor vehicle in a street or highway for the purpose of assembling, dismantling or repairing any vehicle.

ARTICLE XIV

Section I. OPERATION IN LOADING ZONE

No operator or owner of a non-commercial motor vehicle shall be parked in an area designed as a loading zone. Commercial operators may use this area for loading and unloading of merchandise only. No commercial vehicle shall be permitted to park more than thirty (30) minutes or overnight in said area.

Section II. LOADING ZONES

Loading zone signs shall be erected in the following areas:

1. Mill Street on the southerly side from a point 15 feet from the intersection of Mill Street and Main Street to the northwest corner of the Anderson Block; and, on Mill Street running parallel to the Star Mill.
2. Main Street on the west side, south from the permitted parking zone for a distance of 45 feet.

Section III. Drop-off/Pick-up Only

Operators of motor vehicles shall be restricted from parking and leaving their vehicle unattended in the areas, which have been appropriately signed and marked as Drop-off/Pick-up only.

1. MUHS Campus - area adjacent to the auditorium.
2. MUHS Campus - area commencing at a point south east of the bus circle and extending to the sidewalk entrance to the Hannaford Career Center.

Section IV. Bus Zone

Between the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. and 4:00 p.m. on the MUHS campus, only buses shall be permitted in the bus circle in front of the main entrance.

Section V. Limited Parking

1. Shannon Street - Parking is prohibited on the west side of Shannon Street between College Street and Short Shannon Street Monday through Friday, between 7:00 a.m. and 5:30 p.m.

ARTICLE XV

Section I. POLICE AND EMERGENCY VEHICLES

Police and other emergency vehicles shall be exempt from the provisions of this ordinance.

ARTICLE XVI

- Section I. Owner Responsibility

-

For purposes of this ordinance, the primary registered owner of the vehicle in violation, on the date of the violation, shall be responsible and held liable for any such violation. Any notice of fine or other civil action as a result of the violation will be sent to the primary registered owner who will be held liable for responding to any such notice and/or paying such fine as may be assessed.

In the absence of any registered owner of the vehicle in violation, the person who has been assigned title to same on the date of the violation, shall be deemed, for the purposes of this ordinance, the responsible party.

Section II. Penalties

- 1. A person who violates any provisions of this ordinance shall be fined not more than \$200.00. A separate violation shall occur for each period of parking greater than the parking time allowed in a time restricted zone.
- 2. A vehicle, which by virtue of its parked position, is in violation of more than one section of this ordinance may be issued a notice for each violation and the fine shall be the sum total of all the fines for each section.
- 3. Schedule of Fines
 - a. A fine of \$5.00 (five dollars) shall be charged for the following violations:
 - Blocking Driveway
 - Double Parking
 - Improper Parking
 - Other
 - Overtime Parking
 - Restricted Area
 - Sidewalk
 - Winter Ban
 - b. A fine of \$10.00 (ten dollars) shall be charged for the following violation (s):
 - Crosswalks
 - c. A fine of \$25.00 (twenty-five dollars) shall be charged for the following violations:
 - Fire Hydrant
 - Fire Zone
 - Handicapped Violation
- 4. If the fine is not paid within (10) ten days, a notice of failure to pay the fine shall be issued to the owner of the vehicle. Upon issuance of said notice, the original amount of the fine shall be doubled as a non-payment penalty.
-

ARTICLE XVII

The police of the Town of Middlebury may cause any motor vehicle parked in violation of this ordinance, or parked on privately owned land without authorization, including by illustration and not limitation, private parking lots, drives and ways, to be removed at the expense of the owner of the vehicle. The owner of the motor vehicle shall pay to the Town the cost of towing, (fee to be established by the legislative body) and the cost of storage charges, not to exceed \$10.00 per day. The Town shall have a lien upon the motor vehicle so removed until such towing and storage charges are paid in full which lien shall be in addition to any criminal penalty imposed by the ordinance.

ARTICLE XVIII

Section I. EMERGENCIES

In an emergency, the Chief of Police with the approval of the Town Manager, may impose a parking ban on designated streets or may waive the prohibition of parking on a designated street, for a period not to exceed one week. The Selectmen may prohibit parking on a designated street for a period not to exceed three months.

ARTICLE XIX

Section I. REPEAL OF PRIOR ORDINANCE

The special regulation as to the parking of motor vehicles in the Town of Middlebury adopted by the Selectmen of the Town of Middlebury on 22 November 1966 together with all subsequent amendments thereto, are repealed as to the effective date of this ordinance. However, any violation, which occurred prior to the effective date of this ordinance, may be prosecuted under the provisions of 22 November 1966 ordinance, or any amendments thereto, as through such earlier ordinance and amendments thereto had not been repealed.

Section II.

This ordinance shall become effective as provided in Section 107 of the Middlebury Town Charter.

Adopted as draft by Board of Selectmen: 25 July 1972
Public Hearing held by Board of Selectmen: 8 August 1972
Final Adoption by Board of Selectmen: 22 August 1972
Amended: 24 May 1977

Amended: 25 April 1978

Amended: 7 November 1978

| | | | |
|------------|--|-----------------|----------------------------|
| Amended: | 5 June 1979 | | |
| Amended: | 7 December 1980 | | |
| Amended: | 20 December 1981 | | |
| Amended: | 30 May 1982 | | |
| Amended: | 29 August 1982 | | |
| Amended: | 1 May 1983 | | |
| Amended: | 1 April 1986 | | |
| Amended: | 19 August 1986 | | |
| Amended: | 30 December 1986 | | |
| Amended: | 30 June 1987 | | |
| Amended: | | 1 November 1988 | Effective 11 December 1988 |
| Amended: | | 6 June 1989 | Effective 16 July 1989 |
| Amended: | | 2 January 1990 | Effective 11 February 1990 |
| Amended: | November 5, 1990 | | |
| Effective: | December 15, 1990-Amended Changes to #2-Charles Avenue | | |
| Adopted: | June 16, 1992 | | |
| Effective: | July 26, 1992 | | |
| Adopted: | May 25, 1993 | | |
| Effective: | July 6, 1993 | | |
| Amended: | June 27, 1995 | Effective: | August 6, 1995 |
| Amended: | June 25, 1996 | Effective: | August 4, 1996 |
| Amended: | October 22, 1996 | Effective: | December 1, 1996 |
| Amended: | April 8, 1997 | Effective: | May 18, 1997 |
| Amended: | June 10, 1997 | Effective: | July 20, 1997 |
| Amended: | August 25, 1998 | Effective: | October 4, 1998 |
| Amended: | July 27, 1999 | Effective: | September 5, 1999 |
| Amended: | August 10, 1999 | Effective: | September 19, 1999 |
| Amended: | July 10, 2001 | Effective: | August 19, 2001 |
| Amended: | July 24, 2001 | Effective: | September 2, 2001 |
| Amended: | July 9, 2002 | Effective: | August 18, 2002 |