

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 - Definitions

Section I.

1. Angle Parking. Any parking angle not parallel to the curb. This includes parking 90° perpendicular to the curb and any diagonal parking of a lesser degree.
2. Motor Vehicle. As used in this ordinance, a motor vehicle is any vehicle propelled or drawn by power other than muscular power, vehicles running only upon stationary rails or tracks, motorized highway building equipment when used for that purpose, road making appliances, tracked vehicles or electric personal assistive mobility devices.
3. Park or Parking. The stopping or standing of a motor vehicle 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.
4. Traffic Control Device. Any sign, signal, marking, or other device used to regulate, warn, or guide traffic; placed on, over, or adjacent to a street, highway, parking lot, pedestrian facility, or bikeway by authority of the Town of Middlebury or the State of Vermont.

ARTICLE II – General Parking Regulations

Section I. PARKING PROHIBITED AT ALL TIMES

Parking a motor vehicle is prohibited, except when necessary to avoid conflict

with other traffic or in compliance with the direction of a police officer or official traffic control device:

1. Within fifteen feet of an intersection;
2. On or within five feet of a crosswalk;
3. Within ten feet of a fire hydrant;
4. Obstructing a driveway;
5. On any sidewalk;
6. Abreast of another vehicle on the street (double parking);
7. Alongside or opposite any street excavation or obstruction when such parking would obstruct traffic;
8. On green areas within the Town right-of-way between the property owner's line and existing curbing;
9. In an area marked by a traffic control device as a fire zone or area restricted for emergency vehicle access;
10. On any state highway within the Town of Middlebury that the Vermont Agency of Transportation Traffic Committee has designated as a no parking zone;
11. On the traveled portion of any highway or street where the parking of the motor vehicle will interfere with the normal flow of traffic, and where provision is not made in this ordinance for parking of vehicles.
12. Parking so as to obstruct the movement of other vehicles.

Section II. Manner of Parking

1. Parking Orientation

When parking in areas marked for parking, Motor Vehicles shall be parked in accordance with traffic control devices designating the location and manner of parking and any special conditions.

2. Parallel Parking

Where parking is not otherwise regulated by traffic control devices, or otherwise at the direction of a police officer or person controlling traffic, motor vehicles shall be parked parallel with the curb or edge of the roadway, headed in the direction of traffic in the lane adjoining the road edge in which the motor vehicle is parked, with the curb side tires of the motor vehicle within twelve (12) inches of the curb or edge of the roadway and with a minimum three foot buffer between the motor vehicle and any other parked vehicle.

3. Angle Parking

- a. Angle parking is prohibited unless directed by traffic control devices or at the direction of a traffic control official.
- b. Where angle parking is designated, at least one tire must be not more than twelve (12) inches from the curb, road edge, or curb stop.
- c. When parked, the motor vehicle shall be parked in accordance with the pavement markings.

Section III. PARKING OF VEHICLES FOR SALE PROHIBITED

Parking an unregistered or uninsured vehicle displayed for sale on a Town highway right of way is prohibited.

Section IV. REPAIRING VEHICLES IN THE STREET PROHIBITED

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

Section V. PARKING PROHIBITED IN LOADING ZONES

1. Parking is permissible in loading zones for the purpose of loading and unloading merchandise and supplies only and only for the time necessary to deliver or pickup this material.
2. Parking in loading zones is limited to thirty (30) minutes.
3. Overnight parking in loading zones is prohibited.
4. Loading zones are designated by traffic control devices.

Section VI. LONG TERM PARKING – VEHICLE STORAGE PROHIBITED

No vehicle shall remain parked for more than seventy-two (72) consecutive hours in municipal parking lots, unless permitted for construction, service,

repair activities, event control, or public safety activities.

Section VII. Disability (Handicapped) Reserved Parking

1. Parking is permissible in a space reserved for the disabled when the space is marked in accordance with State laws and:

a. The motor vehicle is equipped with a valid disability (handicapped) registration plate (s) from any State and an occupant of the vehicle is disabled pursuant to the issuing state's requirements; or

b. The motor vehicle has any form of valid disability permit, properly displayed in accordance with the laws of the issuing State and an occupant is disabled pursuant to the issuing state's requirements.

2. A vehicle displaying a valid disability permit or registration, while parked in a disability (handicap) reserved parking space, is exempt from any time limits imposed by ordinance for the area in which it is parked.

ARTICLE III – All Night Parking Regulations

Section I. WINTER PARKING BAN

1. Parking on any Town Highway between the hours of twelve midnight and six o'clock A.M. from November 1 through March 31, is prohibited, except where specifically permitted and signed.

2. A motor vehicle parked in violation of the winter parking ban may be towed and impounded at the owner's expense by order of the police of the Town of Middlebury.

Section II. OVERNIGHT PARKING BAN

1. Parking is prohibited year-round between the hours of midnight and six o'clock a.m. in the following areas:

(a) The west side of Weybridge Street between the intersections of Gorham Lane and College Street.

(b) Shannon Street

- (c) Short Shannon Street
- (d) Storrs Avenue
- (e) College Street between Adirondack View and Storrs Avenue
- (f) South Main Street between Storrs Avenue and the eastern most driveway to the Nelson Recreational Center.

2. A motor vehicle parked in violation of this section may be towed and impounded at the owner's expense by order of the police of the Town of Middlebury

Section III. ALL NIGHT PARKING - AUTHORIZED LOCATIONS

Motor vehicles, with the exception of commercial motor vehicles, may be parked all night in sections of municipal parking lots year-round that are posted for that purpose.

Section IV. COMMERCIAL MOTOR VEHICLES – ALL NIGHT PARKING PROHIBITION.

Commercial vehicles are prohibited from parking between midnight and 6:00 a.m. in municipal parking lots.

Article IV

Downtown Parking District

Section I. The downtown parking district consists of the following streets and municipal parking lots:

Academy Street
Bakery Lane
College Street
Court Square
Court Street
Cross Street
Elm Street

Franklin Street
Main Street
Merchants Row
Mill Street
North Pleasant Street between Court Square and High Street
Park Street
Seymour Street between Elm Street and North Pleasant Street
Shannon Street
South Main Street
South Pleasant Street
Storrs Avenue
Washington Street
Municipal Lots – Bakery Lane
Municipal Lot – College Street
Municipal Lot – Franklin Street
Municipal Lot – Mill Street
Municipal Lot – Seymour Street

Section II. Parking Prohibited

Parking is prohibited on Downtown District streets or in municipal lots except where marked for parking by traffic control devices.

Section III. Manner of Parking

Where marked for parking, parking shall be in accordance with pavement markings or other traffic control devices.

Section IV. Fifteen Minute Parking

1. Between 7 a.m. – 6 p.m., Monday-through Saturday, parking is limited to fifteen minutes in spaces in the following areas:

College Street: Off the westbound lane from a point 244' west of Chateau Road westerly as marked to the crosswalks at Hepburn Road.

Court Street: Fronting the office of the Addison County Sheriff.

Main Street: Two spaces, as marked, fronting the Post Office

Section V. Two-Hour Parking

Between the hours of 7 a.m. – 6 p.m., Monday-Saturday, parking is limited to two-hours in spaces on the following streets:

College Street: Between the intersections with Main Street and Weybridge Street

Main Street: All on-street parking unless otherwise posted

Merchants Row: All on-street parking

Mill Street: All on-street parking as marked

Park Street: All on-street parking

Washington Street: All on-street parking between the intersections with Court Square and High Street.

Section VI. Three-Hour Parking

Between the hours of 7 a.m. and 6 p.m. Monday – Saturday, parking is limited to three hours in spaces in the following municipal lot:

Upper Municipal Lot North of Cross Street.

Section VII. 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 V

Section I. DESIGNATED NO PARKING AREAS - STREETS

Parking is prohibited on the following designated streets and highways or parts thereof:

Adirondack View

1. Parking is prohibited on the easterly side of Adirondack View
2. On the westerly side from the intersection with College Street southerly for a distance of 380 feet.

Buttolph Drive Extension

1. On both sides of Buttolph Drive Extension between the northern property boundary of the Vermont State Housing Authority/Middlebury Commons property and the intersection with Brookside Drive.

Charles Avenue

1. In front of all residences located on the east 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 Court 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.

Creek Road

1. On both sides of Creek Road between the intersection with Court Street and the end of the paved portion of the road.

Cross Street

1. No parking on either side of the road along its entire length.

Elm Street

1. On-Street parking is prohibited on Elm Street

Exchange Street

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

Foster Circle

1. On both sides of Foster Circle from the intersection with Rogers Road to a point 126' east of the intersection, at the point where the road widens for the cul de sac.

High Street

1. Parking is prohibited on the easterly side of High Street.
2. Parking is prohibited 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.

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.
4. On the easterly side between the bus circle and the Recreation parking lot, between the hours of 7:30 a.m. and 8:30 a.m. and 2:30 p.m. to 3:30 p.m. on days when school is open.

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.

Springside Road

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

Washington Street Extension

1. On the northerly side between the intersections of Seminary Street and the eastern most intersection with Colonial Drive.
2. On the southerly side between the intersections of Seminary Street and 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.

Willow Street

1. On both sides of the road between Wilson Road and Route 7, South

ARTICLE VI

Section III. Drop-off/Pick-up Only

Operators of motor vehicles are prohibited from parking and leaving their vehicle unattended in the drop-off/pick-up areas, as designated by traffic control devices.

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.

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 \$10.00 (ten dollars) is assessed for the following violation:

Crosswalks (Article II, Section I. 2.)

b. A fine of \$25.00 (twenty-five dollars) is assessed for the following violations:

Fire hydrant (Article II, Section I.3.)

Fire zone (Article II, Section I.9.)

Disability (handicap) parking violation (Article II, Section VII).

c. A \$5.00 fine is assessed for all other violations of this ordinance.

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 though 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

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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

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
Amended:	September 14, 2004	Effective:	October 25, 2004
Amended:	October 14, 2008	Effective:	November 24, 2008
Amended:	July 29, 2014	Effective:	September 15, 2014
Amended:	March 22, 2016	Effective:	March 22, 2016