

**Town of Tuftonboro, NH**

**DOCKING AND PARKING ORDINANCE**

Pursuant to RSA 31:39, RSA 41:11, RSA 41:11-a, RSA 47:17, and any other applicable state statutes, the Town of Tuftonboro (the "Town") has adopted the following regulations for (1) parking in Town-owned and/or Town-maintained parking lots and (2) use of Town-owned docks and wharves.

All parking or docking on any Town-owned property is at sole risk of the owner and/or operator of the vehicle or watercraft. The Town assumes no liability for lost, damaged or stolen items, or damage or theft of vehicles or watercraft. The Town does not guarantee the availability of a parking space or a dock space. Parking and docking is available day-to-day on a first-come, first-served basis.

This ordinance replaces and supersedes the following ordinances and policies:

Overnight Docking (adopted March 10, 1987);  
Overnight Parking (adopted March 9, 1988, revised August 22, 1988);  
Docking Commercial Barges (adopted March 9, 1988); and  
Lake Access Parking Ordinance (adopted May 5, 2003).

**A. Nineteen Mile Bay Parking Lot**

This Town parking lot is located on the easterly side of Governor Wentworth Highway across from Bay Road and south of the Route 109 bridge over Nineteen Mile Brook and is called the "Nineteen Mile Bay Parking Lot."

This parking lot is intended for the temporary parking of an automobile belonging to owners of island property in Tuftonboro and owners' guest(s). This parking lot is also intended for parking an automobile after launching a watercraft at Union Wharf and during the time the watercraft is in use. The parking lot is not intended for long-term or seasonal parking or storage. Town-issued parking permits are required for this parking area.

No trailer or other motor vehicle shall be parked the Nineteen Mile Bay parking lot between the hours of 10:00 PM and 6:00 AM without written permission of the Board of Selectmen or its designee unless the trailer or other vehicle is attached to a motor vehicle publicly displaying a parking permit at the Nineteen Mile Bay Parking lot.

As space is available, seasonal parking/storage of trailers is possible at the recycling center for the months of May through September. Long-term parking is not available on Town property from October through April. Arrangements for seasonal parking/storage of trailers can be made at the Town Office at 240 Middle Road, Center Tuftonboro, NH (telephone 603-569-4539). The fee for such trailer parking/storage is \$5.00 per week, paid in advance.

**B. Nineteen Mile Bay Beach Parking Lot**

This Town parking lot is located at the northerly end of Bay Road adjacent to the Nineteen Mile Bay Beach and is intended for temporary use by those people who are using the public beach and/or picnic facilities. No parking is allowed between the hours of 10:00 PM and 6:00 AM without written

permission of the Town board of selectmen or designee. No permit is required. This parking lot is only for the use of private passenger automobiles. A "private passenger automobile" shall mean:

- I. A motor vehicle of the private passenger, station wagon, or motorcycle type that is not used as a public or livery conveyance for passengers and is not rented to others; or
- II. Any other 4-wheel motor vehicle with a gross weight not exceeding 9,000 pounds which is not principally used in the occupation, profession or business of the owner.

Trailers, ice houses, and commercial vehicles are not allowed in this parking lot at any time.

#### **C. Union Wharf**

This Town-owned wharf and boat launch facility is available for use by the public as a temporary docking and boat launching facility. No overnight docking is allowed, except for the Town's fire boat and the New Hampshire Fish & Game Department boat, which are permanently docked there.

Construction vehicles may use Union Wharf to load and unload supplies and material for lakeside construction projects in accordance with the restrictions set forth herein.

Parking is allowed along the northern side of property between Route 109 and the east end of the wharf. The wharf may be used for temporary loading and unloading of watercraft and passengers. Other than a vehicle designated for a person with a walking disability, no vehicle will be parked at Union Wharf for more than two hours between the hours of 6:00 AM and 10:00 PM. Other than a vehicle designated for a person with a walking disability, no parking is allowed between the hours of 10:00 PM and 6:00 AM without written permission of the Board of Selectmen or designee. No permit is required.

No watercraft shall be docked at a Town dock between the hours of 10:00 PM and 6:00 AM. No watercraft shall be docked for more than four (4) hours at a Town dock between the hours of 6:00 AM and 10:00 PM. No commercial watercraft may use or dock at a Town dock or wharf for more than one (1) hour without written permission of the Town board of selectmen or its designee.

#### **D. Melvin Wharf**

Melvin Wharf is a Town-owned wharf and is available for use by the public as a temporary docking facility. There is a small public beach for swimming adjacent to Melvin Wharf. Watercraft shall not be launched from the beach adjacent to Melvin Wharf. Parking of motor vehicles is allowed along Wharf Road only within the road right-of-way. No parking is allowed between the hours of 10:00 PM and 6:00 AM without written permission of the Town board of selectmen or its designee. No permit is required.

No watercraft shall be docked at a Town dock between the hours of 10:00 PM and 6:00 AM. No watercraft shall be docked for more than four (4) hours at a Town dock between the hours of 6:00 AM and 10:00 PM. No commercial watercraft may use, or dock at, a Town dock or wharf for more than one (1) hour without written permission of the Town board of selectmen or its designee.

#### **E. Lake Road**

The boat launch at Lake Road is open to the public. Lake Road is a Town road and, as such, temporary public docking is allowed in Melvin River along Lake Road. There is also a boat slip on the northern side of the northernmost dock at the River Reach Boat Club. That slip is only to be used for launching and retrieving watercraft and for no longer than 15 minutes. Parking of motor vehicles is allowed along Lake Road only within the road right of way and shall not obstruct the passage of vehicles. No parking is allowed between the hours of 10:00 PM and 6:00 AM without written permission of the Town board of selectmen or its designee. No permit is required.

No watercraft shall be docked at a Town dock between the hours of 10:00 PM and 6:00 AM. No watercraft shall be docked for more than four (4) hours at a Town dock between the hours of 6:00 AM and 10:00 PM. No commercial watercraft may use or dock at a Town dock or wharf for more than one (1) hour without written permission of the Town board of selectmen or its designee.

#### **F. Mirror Lake Boat Launch**

The Mirror Lake Boat Launch is intended for public access to launch watercraft. It is a small area and is no parking is allowed.

#### **G. Other Water Access**

Except as otherwise permitted under this ordinance, all other Town-owned waterfront access properties are open to the public for swimming, picnicking and the like.

#### **H. Other Parking Areas**

Temporary parking on Town-owned property is allowed. Except as otherwise permitted under this ordinance, no vehicles or trailers are to be parked on Town property between the hours of 10:00 PM and 6:00 AM without written permission of the Town board of selectmen or its designee.

#### **I. Parking Permits**

Parking permits are available at the Town Office and will be issued to landowners and their guests as well as others who show cause. On weekends, they may be obtained at the Tuftonboro Police Station. The purpose of the permit is to allow overnight parking at the Nineteen Mile Bay Parking Lot. At the time of obtaining a permit, the applicant shall provide their name, address and phone number. All permits expire on December 31 of the year of issue. The permit must be publicly displayed so it is clearly visible from outside of the vehicle. The fee for the permit shall be established by the Town board of selectmen.

#### **J. Prohibited Acts**

- I. No motor vehicle shall be parked at the Nineteen Mile Bay Parking Lot between the hours of 10:00 PM and 6:00 AM without a Tuftonboro Parking Permit publicly displayed.
- II. No trailer, watercraft, or other vehicle shall be parked at the Nineteen Mile Bay parking lot between the hours of 10:00 PM and 6:00 AM unless attached to a motor vehicle publicly displaying a parking permit at the Nineteen Mile Bay Parking lot.

- III. No vehicle other than a private passenger automobile may be parked at the Nineteen Mile Bay Beach parking lot.
- IV. No vehicle or trailer shall be parked in a Town parking lot unless it is registered and displays a valid registration plate.
- V. No vehicles or trailers shall be parked on Town property between the hours of 10:00 PM and 6:00 AM without written permission of the Town board of selectmen or its designee.
- VI. No vehicles including trailers shall be parked in a Town parking lot unless they are registered and display valid registration decals and plates, unless written permission is previously granted by the Town board of selectmen or its designee.
- VII. No watercraft shall be docked at a Town dock unless it is registered and display valid registration information as required by law.
- VIII. No watercraft shall be docked at a Town dock between the hours of 10:00 PM and 6:00 AM.
- IX. No watercraft shall be docked for more than four (4) hours at a Town dock between the hours of 6:00 AM and 10:00 PM.
- X. No watercraft shall be docked in or interfere with the spaces reserved for the Tuftonboro Fire Department and New Hampshire Fish and Game boats.
- XI. Other than a vehicle designated for a person with a walking disability, no vehicle will be parked at Union Wharf for more than two hours between the hours of 6:00 AM and 10:00 PM.
- XII. Other than a vehicle designated for a person with a walking disability, no vehicle will be parked at Union Wharf between the hours of 10:00 PM and 6:00 AM.
- XIII. No vehicle may park on Union Wharf, west of the boat ramp, for more than fifteen (15) minutes.
- XIV. No vehicle shall be parked along Melvin Wharf Road between the hours of 10:00 PM and 6:00 AM without written permission of the Town board of selectmen or its designee.
- XV. No commercial watercraft may use or dock at a Town dock or wharf for more than one (1) hour without written permission of the Town board of selectmen or its designee.

- XVI. No watercraft shall be left at the Town boat slip at River Reach for more than 15 minutes without written permission of the Town board of selectmen or its designee.
- XVII. No vehicle may park along either side of Union Wharf Road within 300 feet of the intersection of Route 109.

**K. Penalty**

- I. A violation of sections J., I through XVI is subject to a fine of \$50 per day per violation. Fines are payable within 5 business days at the Tuftonboro Police Station.
- II. A violation of section J. XVII is subject to a fine of \$100 per day per violation. Fines are payable within 5 business days at the Tuftonboro Police Station.
- III. After due notice to the registered owner, a vehicle, watercraft, or trailer which has three (3) or more outstanding violations, if found within the jurisdictional bounds of the Town of Tuftonboro, shall be towed or removed and impounded at the owner's risk and expense. Evidence that said notice was sent to the registered owner's last known address on the registration shall constitute due notice. The custodian shall release the impounded vehicle, watercraft, or trailer only upon authorization of the Police Department or court order. Neither the Town, the towing agency, nor the custodian of said vehicle, watercraft, or trailer shall be liable for any damages incurred as a result of said removal, towing, or impoundment.
- IV. Unregistered vehicles, watercraft, or trailers left on Town premises in violation of these rules are also subject to removal and/or disposal at the owner's risk and expense. Neither the Town, the towing agency, nor the custodian of said vehicle, watercraft, or trailer shall be liable for any damages incurred as a result of said removal, towing, impoundment, or disposal.
- V. Vehicles, watercraft, trailers, or other items left on Town premises in violation of these rules are subject to removal and/or disposal at the owner's risk and expense. Neither the Town, the towing agency, nor the custodian of said property shall be liable for any damages incurred as a result of said removal, towing, impoundment, or disposal.

**L. Administrative provisions**

This ordinance supersedes and replaces earlier adopted ordinances on the use of the Town wharves, docks, and parking. Nothing contained in this ordinance shall be construed as repealing or modifying any other ordinance or regulation of the Town. Nor shall this ordinance be construed as repealing or modifying any private restrictions placed upon property by covenants running with the land to which the Town is a party, but rather shall be in addition thereto.

**M. Severability**

If a section, subsection, or provision in this ordinance is for any reason found to be invalid, such invalidity shall not affect the validity of the remaining portions.

**N. Amendments; Public Notice**

The Town board of selectmen shall have the authority to amend this ordinance. Before acting upon the amendment, the Town board of selectmen shall hold a public hearing thereon. Notice of the public hearing shall be published at least seven (7) days prior to the hearing.

Adopted on JULY 2<sup>ND</sup>, 2018 by the Tuftonboro Board of Selectmen.

Attest:   
Tuftonboro Town Clerk