

Revisions are in RED

Article II **Parking Areas on Private Property**

§ 161-8 **Statutory authority; purpose.**

[Amended 1-27-2003]

The Town of Old Lyme, acting herein by authority of Chapter 97 of the Connecticut General Statutes, hereby establishes this article concerning traffic and parking regulations for off-street parking on private property situated in the Town of Old Lyme for the purpose of protecting and promoting the safety, health and general welfare of the community; for the purpose of lessening the congestion in the streets and property; for the purpose of preventing the overcrowding of land; for the purpose of regulating and providing for the safe flow of traffic to and from Town roads and streets from and to private property; and for the purpose of preventing fire, panic and disastrous conditions created by the parking of vehicles in close proximity to each other and near buildings or other structures.

§ 161-9 **Definitions.**

Whenever in this article the following terms are used, they shall have the meanings ascribed to them as herein set forth and, without limiting their generality, shall mean:

PARKING AREA

Any lot or area located within the Town of Old Lyme and designated as a parking lot for which a permit from the First Selectman or his designee has been issued to the owner, lessee or permittee thereof and for which the owner, lessee or permittee charges a fee, the substantial consideration of which is the right to park vehicles at said area. The First Selectman or his designee shall decide whether the right to park is in substantial consideration of the fee charge, based upon the amount of the fee; the consideration received in addition to the right to park; and the similarity between the area in question and areas wherein a fee is charged specifically for parking.

[Amended 11-18-1974; 4-20-1999]

PARKING, PARK or PARKED

The standing of a vehicle, whether occupied or not, upon the parking area or right-of-way, otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or in obedience to traffic regulations or traffic signs. Loitering will be absolutely prohibited in each licensed area.

VEHICLE

Includes any device suitable for the conveyance of passengers or materials or the drawing or other transportation of persons

or property, whether operated on wheels, runners, cushion of air between it and the surface or by any other means, except those used exclusively upon tracks.

[Amended 1-27-2003]

§ 161-10 Parking permit.

A. No person or organization shall operate a parking area on private property in the Town of Old Lyme without receiving a permit issued by the First Selectman or his designee. Each permit shall terminate on the 31st day of December of each year, unless earlier terminated under § **161-12** of this article, as amended. The permit shall be available for inspection at all times. This article regulates existing parking lots and this § **161-10** shall not be construed to authorize the establishment of any new parking area which does not conform to the applicable provisions of the Old Lyme Zoning Regulations.

[Amended 4-20-1999]

B. A fee for each permit so issued shall be paid to the Town of Old Lyme by the recipient thereof at the time of receipt. The amount of such fee shall be determined by the Board of Selectmen with the concurrence of the Board of Finance and may be changed by them at any time and from time to time. The Board of Selectmen is hereby authorized, but shall not be required, to classify parking lots and parking areas by category on the basis of the number of vehicles they accommodate or other factors differentiating one such parking lot or area from another. The amount of the permit fee charged for a parking lot or parking area belonging to one such category may be different from that charged for a parking lot or parking area belonging to a different category.

[Amended 5-20-1985]

C. The issuance of a permit or renewal or renewals shall not obligate said Town to issue any further permit or renewal.

§ 161-11 **Parking areas.**

All parking areas shall meet the following requirements:

A. All parking areas shall provide nine feet by 20 feet for each parking space within the parking area.

B. Each parking area shall have a maximum capacity for parked vehicles. The maximum capacity shall be determined annually at the time the permit is issued by the First Selectmen or his designee.

[Amended 1-27-2003]

C. No parking area shall allow a greater number of vehicles than its maximum capacity to be parked at its area at any time.

D. All parking spaces shall be marked by distinctive lines or stakes.

E. No vehicle shall be parked within six feet of any building normally occupied by people, such as a residence, place of employment and/or place of business.

F. Each parking area shall have a gravel or stone base or surface.

G. Each parking area shall have a 12" X 18" sign posted in a prominent place which shall:

- Bear the name of owner, lessee, permittee or organization that operates the parking area.
- List the period for which the permit is valid.
- List the maximum number of vehicles allowed for the parking area.
- ***Hours of operation must be noted- State the days, times during the year and daily hours.***

H. Each parking area shall have a designated area 18 feet in width free from any parked vehicles for the purpose of providing a safe entrance and exit from the parking area.

I. Leased lots for businesses will be used for the exclusive use of their patrons and employees. *Patrons and employees cannot be charged a fee for parking, nor can the normal price of goods sold by a business be increased with a special surcharge for parking. The hours of operation will not exceed the hours of business operation.*

J. Leased lots adjacent to permitted lots may be monitored by an attendant shared with the permitted lot, unless a dedicated attendant is required by the Old Lyme Zoning Commission.

§ 161-12 Penalties for offenses.

[Amended 4-20-1999]

A. Any owner, lessee, permittee or organization who or which operates any land as a parking area within the Town of Old Lyme and who violates § **161-10** or any portion of § **161-11** shall be fined \$200 for each violation thereof and \$100 for each day such violation continues. Upon five repeated violations, the parking permit will be revoked by the Board of Selectmen.

B. In the event a complaint shall be made to the office of the First Selectman alleging a violation of § **161-10** and/or § **161-11** of this article by a permittee, the First Selectman or his designee shall notify the holder of the permit in writing, at the permittee's address on file, of such complaint and of a scheduled hearing before the Board of Selectmen no earlier than 15 days and no later than 21 days following the date of issuance of the written notice, at which hearing the permittee may present testimony and other evidence regarding the imposition of a penalty by the Board of Selectman under this section.

C. Any use of private property in Old Lyme for the parking of vehicles for a fee without such property having been designated by the Board of Selectmen as a parking area, as defined in § **161-9**, is prohibited. A citation for violation of this provision shall be issued by the First Selectman or his designated appointee, and served either by hand to the occupant of such private property or by certified mail to the address of the record owner thereof. The fine for the first violation shall be \$500. The fine for a second and any subsequent violations at the same property shall be \$1000/day. Any person issued a citation shall be entitled to contest the citation, and all procedures in connection therewith shall be in accordance with C.G.S. § 7-152c, Hearing Procedures for Citations.

[Added 1-23-2006]

D.

(1) Each Parking Lot MUST have a property/parking business owner or designated physical attendant on the site from opening of the lot to its closing to ensure that all rules and regulations are complied with and have the capability to contact public safety in emergency situations. This is required of ALL lots whether charges are

collected by the owner/attendant or charges are collected electronically or by other means.

(2) Each Parking Lot MUST have its INGRESS/EGRESS areas clearly marked and be secured by metal chain (or similar type) and lock. Chain must also include a sign (not to exceed 9" x 18" in size) noting "LOT CLOSED".

(3) No Parking Lot is allowed to display any type FEATHER FLAG Per SECTION 19 of the Old Lyme Zoning Regulations. These type flags ARE NOT permitted in the Town of Old Lyme.

(4) Parking lots may have additional rules/regulations in certain areas of town that MUST be complied with for those areas or special events or seasonal uses.

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