

**An Ordinance Amending Chapter 11, Article II, Division 1 of the  
East Haven Code regarding Stopping, Standing, and Parking**

**WHEREAS**, Chapter 11, Article II, Division 1 of the East Haven Code presently addresses the topic of "Stopping, Standing, and Parking"

**AND WHEREAS**, the Town wishes to update and amend all of the regulations contained therein

**NOW THEREFORE, BE IT ORDAINED** that Chapter 11, Article II, Division 1 and all sections contained therein, including the respective titles of said sections, are hereby repealed in their entirety and the following shall be deemed to replace the same:

**Sec. 11-16. Stopping, standing and parking prohibited in certain places.**

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places and/or manners:

(a) Class A

(i) Within any area designated as handicapped parking without the proper permit or sticker displayed and visible on the vehicle.

(ii) Within any area designated as handicapped parking through the misuse or misappropriation of a lawfully obtained handicapped parking sticker or permit.

(b) Class B

(i) Within ten (10) feet of a fire hydrant.

(ii) Within, on, in, or so as to obstruct or interfere with a designated fire zone.

(iii) Within twenty-five (25) feet of a crosswalk.

(iv) Within twenty-five (25) feet of an intersection or corner.

(v) Within twenty-five (25) feet of a stop sign or traffic signal.

(vi) Within twenty-five (25) feet of corner.

(vii) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.

(c) Class C

(i) At any place where signs prohibit stopping, standing or parking.

(ii) On a sidewalk.

(iii) In front of a public or private driveway or such a manner as to obstruct a private driveway.

(iv) Within an intersection.

(v) On or in a crosswalk.

(vi) Within the limits of a bus stop or taxi stand.

(vii) Alongside or parallel with another vehicle such that the offending vehicle is double-parked.

(viii) On the wrong side of the street, as designated by signs.

(ix) In such a fashion as to occupy two parking spaces.

(x) At any place beyond the time limits allowed, as may be posted by appropriate signage.

(d) Class D

(i) In any area designated as "no parking" by proclamation, signed by the Mayor.

(ii) In violation of orders to remove a vehicle during a declared snow emergency.

(e) Class E

(i) Upon any street or highway longer than is reasonable so as to obstruct or interfere with the general use by the public of all parts of such a street.

(ii) Wherever there is an established curb bordering the travelway of any street or highway, on any portion of property owned or controlled by the city between such curbing and walk area or designated tree border.

#### **Sec. 11-17. Penalties for parking violations.**

(a) Fines shall be levied as follows against the owners of motor vehicles found in violation of parking regulations:

(i) For a violation of a penalty specified in Class A of Sec. 11-16 herein, the penalty shall be \$150.00 per offense.

(ii) For a violation of a penalty specified in Class B of Sec. 11-16 herein, the penalty shall be \$125.00 per offense.

(iii) For a violation of a penalty specified in Class C of Sec. 11-16 herein, the penalty shall be \$100.00 per offense.

(iv) For a violation of a penalty specified in Class D of Sec. 11-16 herein, the penalty shall be \$100.00 per offense.

(v) For a violation of a penalty specified in Class E of Sec. 11-16 herein, the penalty shall be \$85.00 per offense.

(b) Payments; late penalty.

(i) All payments shall be made within ten (10) business days to the police department. Payments may be made in person or by mail. Payments may be made in person only during the hours between 8:30 AM and 3:30 PM.

(ii) In the event the penalties set forth herein are not paid within ten (10) business days following the date of violation, said penalty shall double.

(iii) Acceptance of the payment of the fine set forth herein by the town shall constitute waiver of the right to further prosecution for each such violation. Nothing in this section shall prevent the town from prosecuting and levying fines up to the maximum provided by Connecticut General Statutes for violation of traffic regulations or pursuing civil remedies whenever the requirements of this section are not fully complied with.

(c) Towing

In addition to the monetary penalties contained herein, an officer, in his or her discretion, may effectuate the towing of any vehicle found in violation of Sec. 11-16 herein if he or she determines that the offending vehicle is a substantial public safety hazard. Nothing in this section shall be deemed to limit any other provisions contained in the Code that address the topic of towing of vehicles. This section shall be deemed cumulative and in addition to any other remedies that officers or the Town may seek.

This Ordinance shall be effective in accordance with the provisions of the East Haven Town Charter.

Submitted by: Danelle Feeley, Council Clerk

Date: \_\_\_\_\_

Approved by: Joseph Maturo, Jr., Mayor

Date: \_\_\_\_\_

Received by: Stacy Gravino, Town Clerk

Date: \_\_\_\_\_

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East Haven Code regarding Stopping, Standing, and Parking**

**WHEREAS**, Chapter 11, Article II, Division 1 of the East Haven Code presently addresses the topic of "Stopping, Standing, and Parking"

**AND WHEREAS**, the Town wishes to update and amend said regulation to include a contestment process;

**NOW THEREFORE, BE IT ORDAINED** that Chapter 11, Article II, Division 1 is amended to include the following section:

**"Sec. 11-18. Procedure for Contesting parking violations.**

- (a) Any person wishing to contest any violation of Sec. 11-16 or any fine levied pursuant to Sec. 11-17 may request and file an application for contestment at the East Haven Police Department during the hours of 9:00 a.m. to 3:00 p.m., Monday through Friday, within ten (10) business days of the time indicated on the notice of violation.
- (b) Upon receipt of an application of contestment, the application will be assigned to a hearing officer and scheduled for a contestment hearing before a contestment hearing officer within 60 days of receipt by the East Haven Police Department.
- (c) Members of the Board of Police Commissioners shall serve as contestment hearing officers and the apportionment of hearings and frequency of service by commissioners as hearing officers shall be set and determined by resolution of the Commission. At all times, the Commission shall cause to be published, on the department website, a list of all commission members presently serving as contestment hearing officers.
- (d) Contestment hearings shall be scheduled no earlier than 6:30 p.m., Monday through Thursday and held at the East Haven Police Department. At a contestment hearing, the contesting party may present any evidence in support of his or her application. The Police Department may, in its discretion, present evidence as well. At the conclusion of a contestment hearing, the contestment hearing officer shall weigh the evidence presented and render a decision, in writing, on a form prescribed by the Commission on the application for contestment. The decision of the contestment hearing officer shall be final. A copy of the final decision shall be mailed to the contesting party and shall serve as a record of the proceedings of the same.
- (e) The filing of an application of contestment shall toll the payment and penalty timelines provided for in Section 11-17(b) until a final decision is rendered regarding an application of contestment. In the event that an application for contestment is denied, the contesting party shall have ten (10) business days from the date of denial to remit any penalties due. In the event the penalties are not paid within ten (10) business days following the date of final decision, said penalty shall double."
- (f) Any written appeal of any violation of Sec. 11-16 or of any fine levied pursuant to Sec. 11-17 submitted prior to the enactment of this Section shall retroactively be addressed pursuant to the provisions of this Section as if it had been in place at the time said written appeal was submitted.

**BE IT FURTHER ORDAINED** that all other sections of Chapter 11, Article II, Division 1 shall remain in full force and effect, unchanged by this revision.

This Ordinance shall be effective in accordance with the provisions of the East Haven Town Charter.

Submitted by: Danelle Feeley, Council Clerk

Date: \_\_\_\_\_

Approved by: Joseph Maturo, Jr., Mayor

Date: \_\_\_\_\_

Received by: Stacy Gravino, Town Clerk

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