

# Town of Nantucket Police Department

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January 29, 2020

Ms. Libby Gibson, Town Manager  
Town of Nantucket  
16 Broad Street  
Nantucket, MA 02554

Re: Suggested Changes to the Parking Regulations

Dear Ms. Gibson,

As requested I have drafted several suggested changes to the parking regulations. The language in suggested change #1 has been reviewed by Town Counsel already. These changes to the regulations are being proposed so that the Town can implement the goals of the Select Board to implement a paid parking program. The Parking Management Program being recommended by the work group provides the opportunity to accomplish several objectives that facilitate the eventual implementation of the goal.

- Enhanced enforcement and data collection by utilizing hand held LPR devices.
- Implementation of a Parking Management Program that will immediately support the parking program in several ways too include:
  1. e-permitting
  2. on-line ticket processing
  3. on-line appeals process
  4. on-line report function that provides data on tickets issued, fines collected, inventory utilization, etc.
- Eventual integration of the goals paid parking objectives by utilizing cell phone-based apps and stand-alone kiosks which utilize license plate data for paid parking.

Attached are the suggested changes need to the parking regulations to implement these goals by the summer of 2020. Please let me know if you have any questions.

Best Regards,

*William J. Pittman*

William J. Pittman  
Chief of Police

cc: G. Tivnan  
J. Schulte

Attachment: Suggested parking regulation changes.

## Select Board Strategic Transportation Goal #1 - PARKING REGULATIONS UPDATE

As part of the process of implementing the Strategic Goals of the Select Board, specifically, Transportation Goal #1, the following changes are recommended to the *Town of Nantucket Parking Rules and Regulations*. Changes 1, 2 & 3 are necessary to implement the Parking Management Program that is being recommended to the Select Board. Changes 4 & 5 are being recommended by the Police Department to make management to the parking programs more efficient.

**CHANGE #1: NECESSARY TO IMPLEMENT A PAID PARKING PROGRAM.** Amend Section 200.6 (PARKING PROHIBITIONS AND RESTRICTIONS IN CERTAIN PLACES) by adding the following language hi-lighted in red. This language is recommended in order to grant Town Administration the authority required to implement a Paid Parking Program:

### Section 200.6 PARKING PROHIBITIONS AND RESTRICTIONS IN CERTAIN PLACES

200.6.1 No Changes

200.6.2 No Changes

200.6.3 No Changes

**200.6.4 The Select Board is hereby authorized to establish a Paid Parking Plan in the Core District as set forth in these Regulations.**

**200.6.4.1 The Town Manager, with the approval of the Select Board, may procure paid parking stations, software programs, and such other equipment and services that are determined necessary to implement the Paid Parking Plan. The location of paid parking stations shall be approved by the Select Board.**

**200.6.4.2 Whenever any vehicle shall be parked in a parking space owned or controlled by the Town in the Core District, the owner or operator of said vehicle shall, subject to the grace period set forth in 200.6.4.3, deposit in a paid parking station the required coins or currency of the United States, or credit card, for a maximum legal parking period or part thereof, both as indicated on the paid parking station. In the alternative, the owner or operator may pay the required parking fee utilizing a payment app provided by the Town to pay the required fee.**

- 200.6.4.3 Vehicles parking in the Core District shall not be required to pay the parking fee for the first        minutes of parking.
- 200.6.4.4 Any motor vehicle owned and bearing indicia of ownership by the Town of Nantucket or federal or state government, or handicap placards shall not be required to deposit any fee.
- 200.6.4.5 Operators of commercial motor vehicles may park in a parking space without depositing any fee in accordance with any provision of the Town Code regarding commercial vehicle loading and unloading.
- 200.6.4.6 A Parking Fee Schedule shall be published by the Select Board prior to the commencement of operation of the Paid Parking Program.
- 200.6.4.7 Each paid parking station or parking app shall indicate the days and hours of operation, duration of permitted parking, and the proper fee as set forth in the Parking Fee Schedule.
- 200.6.4.8 It shall be unlawful for any unauthorized person to tamper with, break, injure or destroy any pay station or to deposit or cause to deposit into said pay station any slugs, devices, metallic substance or other substitute for the payment required.

**CHANGE #2 REQUIRED TO INCREASE THE FINES FOR OVERTIME PARKING VIOLATIONS IN THE CORE DISTRICT.** The Town was granted the authority by special legislation to raise the fines for some parking offenses in the Town of Nantucket to a maximum of \$50. Although this authority was signed into law back in 2003 the Town only raised certain fines at that time leaving the fine for overtime parking at \$25 per violation. It is believed that by raising the fine for overtime parking to the maximum allowed by the Special Legislation, this will discourage those who are willing to pay a fine for parking. We also added the relevant sections from the paid parking authorization to the schedule of fines for failure to pay the appropriate rate as required and for damaging or utilizing a slug in the parking meters. These changes will only apply to the Core District or where paid parking is designated. This change is accomplished by amending Appendix J (SCHEDULE OF FINES) of the regulations by adding Sub-Section E as follows:

**APPENDIX J  
SCHEDULE OF FINES**

A. The maximum non-criminal penalty shall be three hundred dollars (\$300.00) for any violation of sections:

200.2.1	200.2.2	200.2.3	200.3.1	200.3.2	200.8.1
200.8.2	200.8.4	200.15.1	200.15.2	200.16.5	

B. The maximum non-criminal penalty shall be one hundred dollars (\$100.00) for any violation of sections:

200.4.7	200.4.17	200.4.20	200.4.21	200.4.22	200.9.1
200.22.1	200.22.2	200.22.3	200.22.4	200.23.1	

C. The maximum non-criminal penalty shall be fifty dollars (\$50.00) for any violation of sections:

200.3.3	200.4.1	200.4.2	200.4.3	200.4.4	200.4.5
200.4.6	200.4.8	200.4.9	200.4.10	200.4.11	200.4.12
200.4.13	200.4.14	200.4.15	200.4.16	200.4.18	200.4.23
200.4.24	200.4.25	200.4.26	200.5.1	200.5.2	200.6.1
200.6.2	200.6.4.2	200.6.4.8	200.7.1	200.7.2	200.10.1
200.11.1	200.13.1	200.13.2	200.13.3	200.13.4	200.14.1
200.14.2	200.19.1	200.21.0	200.21.1	200.21.2	200.21.3
200.21.4	200.21.5	200.21.6	200.21.7	200.21.8	200.21.9
200.21.10	200.21.11	200.21.12	200.21.13	200.21.14	200.21.15
200.21.16	200.21.17	200.21.18	200.21.19	200.21.20	200.21.21
200.21.22	200.21.23	200.21.24	200.21.25		

D. The maximum non-criminal penalty shall be twenty-five dollars (\$25.00) for any violation of sections:

200.4.19	200.4.27	200.12.1	200.12.5	200.12.6	200.12.7
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E. The maximum non-criminal penalty shall be fifty dollars (\$50.00) for any violation that occurs in the Core District as defined in Section 200.1 of these regulations in sections:

200.12.5	200.12.6	200.12.7
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**CHANGE #3 NECESSARY TO IMPLEMENT AN E-PERMITTING PROGRAM.** This change will allow us to take advantage of the e-permitting function available in the Parking Management Software. The use of digital permits will replace many of the visible paper permits or stickers. This change will require the insertion of language specific to digital permits and subsequent renumbering of the following sections.

200.16.2 Proper Display of permits.

**200.16.2.1 Permits shall be either digital permits, adhesive stickers or placards at the discretion of the permitting agency. Said permits shall be properly displayed as follows:**

**200.16.2.1.1 In the case of a digital permit, no other permit(s) (adhesive sticker or placard) will be required to be displayed along with a valid digital permit.**

**200.16.2.1.2** Adhesive Stickers shall be inscribed with the license plate number of the so-permitted Vehicle and shall be affixed to the left rear bumper of the Vehicle so as to be easily seen.

**200.16.2.2 1.3** Placard Permits shall be inscribed with the license plate number of the so-permitted Vehicle or the name of the business or organization to which the permit is issued. Any conditions imposed on the use of the permit by the permit issuing authority shall be clearly indicated on the permit. Said permits shall be clearly displayed on the dashboard of the Vehicle above the speedometer while it is parked in the area requiring a permit **or hung from the rear-view mirror in the case of a hanging placard.** Copies of placard permits shall not be considered valid.

**CHANGE #4 THIS CHANGE IS NECESSARY TO ESTABLISH THE ABILITY TO CREATE NEIGHBORHOOD-BASED PARKING DISTRICTS.** This change will allow the Select Board to make modifications to the Residential Parking District that are neighborhood specific rather than all encompassing. These changes will also modify the notice requirements for amendments to the parking district map by eliminating the requirement to provide notice via certified mail to abutters.

Section 200.6 PARKING PROHIBITIONS AND RESTRICTIONS IN CERTAIN PLACES

200.6.3 Establishment of parking districts; map

For purposes of these regulations, ~~there are hereby established three parking districts,~~ **the Select Board may from time to time establish parking districts,** which shall show each **designated parking district** ~~are shown~~ on a map entitled "Nantucket Parking Districts Map," **with the date adopted** ~~dated May 21, 2014,~~ as amended, attached hereto and on file in the office of the Town Clerk. The Nantucket Parking Districts Map, together with all explanatory matter thereon, is hereby made a part of these regulations as Appendix L. ~~The three parking districts shown on the map include a Resident Parking Permit District, a Core Parking District and a Commercial Parking District.~~

200.6.3.1 Amendments to map

- A. Authority. The Select Board has the authority to amend the Parking Districts Map by its own initiative or after having been presented with a petition including 51% of the owners of property located on the street or streets seeking to be added to or deleted from a parking district. **Parking Districts shall be contiguous and be of a minimum size of at least 10,000 square feet.**
- B. Public Hearing. In order to adopt such an amendment to the map, the Select Board shall hold a public hearing after having published a notice of the hearing in the newspaper of general circulation in the Town at least 21 days in advance of the hearing, ~~and, after having notified, by certified mail, all record owners of property abutting the named street or streets by advising said abutters as to the time, date, place and subject of the public hearing.~~
- C. Required findings. In order to adopt an amendment to the Parking Districts Map, the Select Board shall make the following findings as part of its decision:
- ~~(1) That the street is directly connected to a street which is already part of a district.~~
  - ~~(2)~~ **(1)** That, in the case of **creation of or** additions to ~~the~~ **any parking district** ~~Resident Parking Permit District,~~ the street(s) in question **are** used regularly for parking by **a** significant numbers of persons who do not live in the immediate neighborhood, which causes a parking hardship for those living on the street during the summer. **, and;**
  - ~~(3)~~ **(2)** ~~That~~ **The** adoption of the amendment will further the purposes of the goals established by the Select Board as they relate to parking and the control of traffic **and transportation.**

- D. Notice to residents affected. In amendments involving changes to ~~a the Resident Parking Permit District~~, at least 15 days prior to becoming effective, ~~notice shall be sent to each owner of property abutting the street or streets so affected,~~ **notice shall be given to each owner of property abutting the street or streets so affected by publication in the newspaper of record**, stating the occupants of that household are required to obtain a permit for each vehicle parking in excess of the posted time limit in the designated district and notifying the resident of the date that parking restrictions will become effective.

**CHANGE #5 THIS CHANGES THE WAY PARKING PERMITS FOR GUESTS OF GUEST HOUSES AND HOTELS ARE HANDLED.** This change will make guests of guest houses or hotels located in the downtown area eligible for Temporary Residential Parking Permits issued under Section 200.16.1.6 rather than the current practice of selling a placard(s) to the guest house or hotel. The current regulation limits the number of permits for each eligible establishment based on off-street parking availability at the establishment. This will allow the Town to collect data on the use of these permits and have contact information for vehicles issued such permits. This change is accomplished by deleting Section 200.16.1.6 (Guest House and Hotel Parking Permits) and modifying Section 200.16.1.7 (Temporary Residential Parking Permit).

200.16 PARKING PERMITS

200.16.1 No Changes

200.16.1.1 No Changes

200.16.1.2 No Changes

200.16.1.3 No Changes

200.16.1.4 No Changes

200.16.1.5 No Changes

~~200.16.1.6 Guest House and Hotel Parking Permit: Licensed guesthouses and hotels located in the Core District or Residential Parking District may be issued, upon application by the owner or their agent and the payment of a fee of \$100 per permit, a fixed number of reusable, transferable Parking permit placards. Permit placards shall be issued at the rate of one placard for each three (3) guest rooms, less the number of off-street Parking spaces owned or leased by the guesthouse or hotel. Each placard~~

shall be numbered and shall bear the name of the establishment. Placards shall be displayed on the dashboard of the guest Vehicle above the speedometer while it is parked in the Residential Parking Permit District. Permit placards issued to the guesthouses and hotels shall only be considered valid when properly displayed in a Vehicle owned or rented by a guest of the establishment and shall not be deemed valid when improperly displayed or displayed in Vehicles of employees or others not temporarily residing in the guesthouse or hotel. Replacement of lost or stolen guesthouse or hotel placards shall be granted upon payment of a replacement fee of \$10 per placard and upon the reporting of the number of the placard so lost or stolen. [Fee established by the Board of Selectmen on January 21, 2009, effective February 13, 2009]

200.16.1.7 **6** Temporary Licensed Contractor Parking Permit: Licensed Contractors who are engaged in work within the Core District or the Residential Parking District and require the use of their Vehicle to perform said work may be issued a temporary parking permit by the Town; provided that a fee of \$10 per day has been paid to the Town. [Fee established by the Select Board on October 22, 2014, effective October 30, 2014]

200.16.1.8 **7** Temporary Residential Parking Permit: Operators of rented Vehicles who own or rent dwellings which front on streets included in the Residential Parking District or the Core District, and owners of vehicles who rent or hold a short term lease for dwellings which front on streets included in the Residential Parking District, and guests of Licensed Guest Houses and Hotels located in the Core District or a Residential Parking District may be issued a Temporary Residential Parking Permit for a period of time indicated on the Permit; provided that a fee of \$10 per day has been paid to the Town; the applicant shows satisfactory proof that they own or rent and reside in a dwelling which fronts on a Public Way in one of the districts during the period between June 1 and September 30 of the year for which they are seeking a temporary permit by using a tax bill, an executed lease 90 day or less short-term, or other acceptable documentation as proof; and a valid vehicle rental/lease agreement or a valid registration card for the Vehicle to be permitted is shown. [Fee established by the Select Board on October 22, 2014, effective October 30, 2014]

200.16.1.9 **8** Long Term Parking Permit: Owners of vehicles ~~that~~who desire to park a vehicle for longer than 7 days, may make application providing such information as the Town requires, for a permit to allow for the long-term parking of a vehicle within a Municipal Parking Lot where such long-term parking is permitted. The fee for this permit shall be \$10.00 per day commencing upon the eighth day that the vehicle is permitted to park, (no charge for days 1 thru 7). A long-term parking permit shall not be valid beyond 30 days.

200.16.1.10 ~~9~~ Courtesy Vehicle Permit: Where Stopping, Standing or Parking is not otherwise prohibited, permits may be, upon application, issued or reinstated to owners or operators of Courtesy Vehicles subject to the following:

- Vehicle must be properly commercially registered and inspected in Massachusetts;
- Vehicle must be well maintained and in good condition;
- Vehicle must be clean inside and outside and be well-painted;
- Vehicle must have all wheels covered with hubcaps;

The annual fee, (January 1 through December 31) for a Courtesy Vehicle Permit shall be \$100.00. Permits so issued shall be displayed pursuant to Section 200.16.2.2. If the permit is lost or suspended pursuant to Section 200.16.6, a replacement/reinstatement fee of \$50.00 shall apply. [Fee established by the Select Board on February 17, 2016]

200.16.1.11 ~~10~~ Live-Aboard Parking Permit: Owners of Vehicles who live full-time aboard a vessel moored on a Town licensed mooring shall be eligible for up to three "Live-Aboard" Parking Permits under this section. Provided that: a fee of \$50 for the first vehicle, \$100 for the second vehicle and \$200 for the third vehicle has been paid to the Town; the applicant shows satisfactory proof that he or she lives full-time on a vessel moored within the Nantucket Harbor anchorage for a minimum of ten consecutive weeks and that the vessel is properly documented by the U.S. Coast Guard or properly registered by the Commonwealth of Massachusetts and tied to a permitted mooring during the period between June 1 and September 30 of the year for which they are seeking a permit and, that a valid motor vehicle registration is shown for each vehicle. The Signature of the Harbor Master is required to verify proof of full-time live-aboard status. Said permit is valid only for the Municipal Parking Lot at 37 Washington Street [Fee established by the Select Board on June 22, 2016, effective June 22, 2016]

