

## TOWN OF RYE ORDINANCE NO. 37

### AN ORDINANCE REGARDING OVERNIGHT PARKING

### AND CAMPING FOR THE TOWN OF RYE

#### Section 37-1: Purpose

The purpose of this regulation is to safeguard the health, safety and welfare of the citizens of the Town of Rye. The Town of Rye does not have appropriate facilities to allow overnight parking for those seeking to camp or stay overnight in vehicles in Rye. Overnight parking, and overnight camping that often results from such overnight parking, causes a significant increase in trash, noise, discharges of untreated grey water, sanitation issues, incidental public indecency, and other health and safety considerations.

#### Section 37-2: Authority

This regulation is enacted pursuant to the Select Board's authority under RSA 41:11 and RSA 41:11-A. These regulations shall not apply to employees or officials of the Town of Rye acting in their official capacities and/or reporting to work as an employee of the Town of Rye.

#### Section 37-3: Definitions

- A. Camping. Any form of temporary or permanent living in an outdoor or partially outdoor environment through use of a tent, tarp, hammock, or other similar type of equipment designed to provide at least minimal protection from the elements, or in staying or remaining in an recreation vehicle, camping trailer, pop-trailer, or similar apparatus that may or may not contain sanitation facilities such as toilets, sinks, and similar facilities.
- B. Dry Camping (without hookups) means staying within or near to a recreation vehicle, camper, pop-trailer, or similar apparatus with (i) no hookups to water, electric, or sewer, but instead using self-contained freshwater tank system that does not allow grey water or wastewater to spill, pour, drip, or release from the interior components of the recreation vehicle, camper, pop trailer, or similar apparatus to the outside environment and (ii) all power coming from batteries, solar panels, generators.
- C. Public Place. Includes any Town (i) parks, (ii) beaches (ii) public right-of-way, access ways, or roads, (iii) parking lots, (iv) facilities, or (v) other lands, properties, or facilities owned or controlled by the Town of Rye.
- D. Stealth Camping. Campers that use parking garages, public and private parking lots, street parking, and parks to blend in with regular vehicles and which uses such a parked vehicle for use as an overnight shelter against the elements.

- E. Vehicle. Vehicle is defined as in RSA 259:122, as amended or replaced. Vehicle also includes, but is not limited to any bus, recreational vehicle, highway equipment, motorcycle, motor truck, motor vehicle, semi-trailer, sidecar, tractor, trailer, camper, mobile home, and electric vehicles of the same kind mentioned immediately above.

#### **Section 37-4: Parking Overnight Prohibited**

- A. No person shall park any vehicle in any public place between the hours of 10 PM and 6:00 AM, unless the person is permitted to park on a public right-of-way in accordance with Section 5 of these regulations.
- B. Camping, including dry camping and stealth camping, shall not be allowed on any public place unless expressly permitted in accordance with the requirements of these regulations.

#### **Section 37-5: Permits for Residents**

- A. Residents may obtain permits from the Police Department for the purposes of parking overnight. No more than two (2) permits shall be permitted per lot, as reflected on the Town of Rye's tax maps. Such permits shall identify the lot for which the permit applies. Residents and/or their guests shall be allowed to park along a Town right-of-way within a distance of fifty (50) feet from said lot (as measured from the boundary line markers located on the way providing frontage to the lot).
- B. Said permit shall be displayed on the dashboard of the vehicle exercising the rights conferred by the permit.
- C. Permits shall be valid only for a thirty (30) day period from the date of issuance and shall lapse without further notice.
- D. Permits issued pursuant to these regulations shall be not be considered a property right and may be revoked by the Town at any time for such reasons as the Police Chief, or the Police Chief's designee, deems prudent.
- E. The Police Chief, or the Police Chief's designee, may revoke, deny, or limit the terms of any permit when, in the Police Chief's opinion, or the opinion of the Police Chief's designee, it is within the public's interest to do so. Such reasons include, but are not limited to: (a) the need to maintain emergency access, (b) impediments to the traffic flows, (c) traffic and pedestrian congestion, (d) violations of these regulations or the terms of any permit, (e) obstruction to pedestrian or vehicular lines of site.
- F. The issuance of a permit shall not be deemed to allow any vehicle parking overnight pursuant to said permit to be used to camp in said vehicle.

### **Section 37-6: Overnight Camping in Certain Areas Prohibited**

- A. Camping is not allowed in any public place, including within any park, rail trail, beach, public parking lot, or other public property of the Town of Rye, unless either: (a) a permit is obtained from the Board of Selectmen or their designee or (b) camping is specifically and expressly authorized by regulation, ordinance, or other permission by any commission, board, or authority having the authority to authorize camping on a public place.
- B. Notwithstanding the foregoing, The Select Board shall not grant permission to allow overnight camping for general recreational purposes on a Town beach, nor shall these regulations establish any Town beach for use for recreational camping. The Select Board may authorize overnight camping on a Town beach under unique circumstances, which may include, academic, scientific, conservation, non-profit or such other purposes as may be deemed appropriate by the Select Board.

### **Section 37-7: Violations and Penalties**

- A. In addition to any other penalties provided by law, any person violating the provisions of this ordinance may be fined \$100.00 for each day or part of a day of such violation.
- B. Any bus, recreational vehicle, truck tractor, with or without a trailer, trailer, fifth wheel, camper, or trailer, or any other vehicle as defined by RSA 259:122, as amended, whether or not occupied, may be towed at the owners' expense.

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*Adopted by the Rye Select Board on 12/17/25*

<https://www.town.rye.nh.us/selectmens-office/pages/town-ordinances>