

**To:** The Winchester MA Town Select Board

**Date:** February 16, 2024

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# Petition

## Regarding:

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Winchester MA Traffic Regulations Article IV, Section 8 which bans overnight parking year-round between the hours of 1AM and 7AM.

## Requested change:

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To allow overnight parking in the town of Winchester at any time when there is not a snow emergency.\*

\*The original wording on the signed petitions was: "when snow is not actively being cleared." This update more clearly reflects the change that is being requested.

A pdf version of this petition can be downloaded from:

[www.winchesterparkingban.us/petition](http://www.winchesterparkingban.us/petition)

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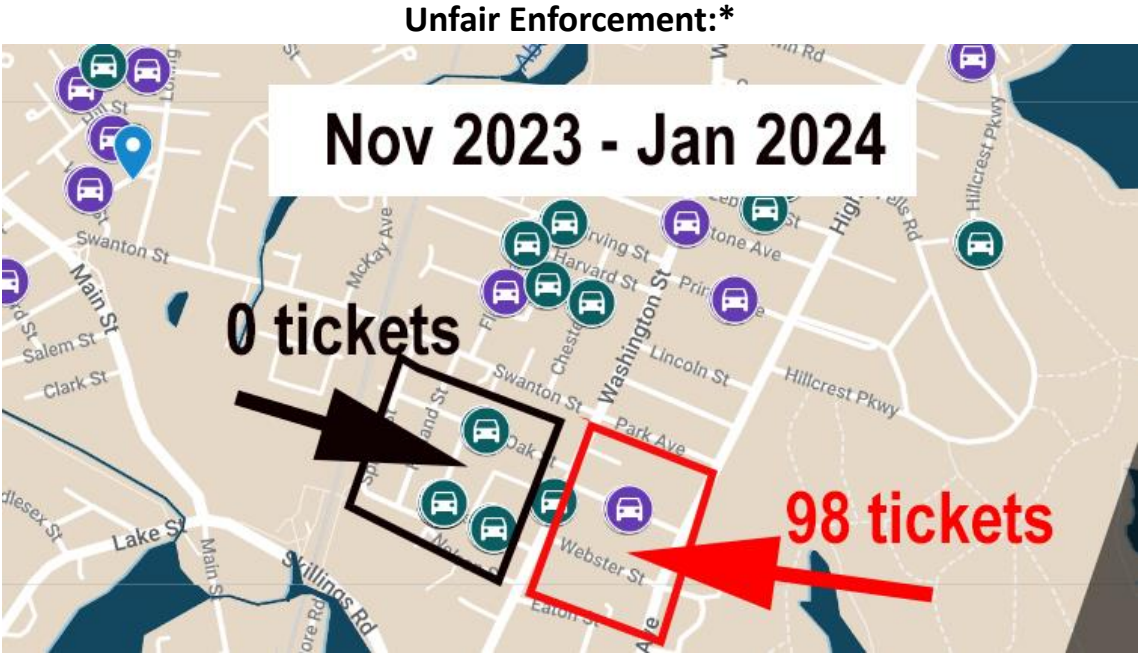
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# Reasons for Changing/Eliminating the Ban

- 1. **The ban creates hardships:** The parking ban creates unnecessary hardships for residents who do not have off-street parking.
- 2. **No exceptions offered:** Unlike other towns, Winchester does not offer exceptions for hardship cases such as the physically disabled and the elderly.
- 3. **Creates unnecessary inconvenience:** For residents with tandem parking, the parking ban is a major inconvenience.
- 4. **The ban is discriminatory:** The parking ban has a greater negative impact on lower-income residents.
- 5. **Targeted enforcement is unfair:** Enforcement is heavily concentrated in small areas of town despite the fact that cars are routinely parked overnight in almost all areas.



\*Parking ticket data was provided courtesy of Winchester Treasurer’s Office and WPD.

## Why the Parking Ban is Unnecessary

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1. **The enforcement is ineffective:** The enforcement of the parking ban is completely ineffective at keeping the roads clear in the winter.
2. **The ineffectiveness of the ban isn't causing issues:** Regardless of the number of cars parked on the roads during a snowstorm, the snowplows are still able to clear at least one lane of traffic, which is what is required for emergency vehicles.
3. **It's overly broad:** Snow removal only occurs approximately 3-5 days of the year; on all other days it is unnecessary for the roads to have a parking ban (and some residents prefer cars to be parked on the streets in order to slow down traffic).



4. **Snowstorms happen around the clock:** Due to the fact that snowstorms can occur at all hours, an overnight parking ban is not the solution to getting cars off the street during snowstorms. Communication is already in place to alert residents of parking bans during snowstorms (and potentially this communication simply needs to be improved).
5. **It's not the proper solution:** The parking ban is currently being used for purposes it is not designed to be a solution for. For example, snow does not just occur during 1AM and 7AM in the morning. And crowded streets do not just occur in the winter during the night.

## Why the Parking Ban is Ineffective

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1. **Mostly unenforced:** The parking ban is only (poorly) enforced during the winter months only. An estimated 3 out of every 100 occurrences of vehicles parked on the streets has been ticketed this season. That number was almost 0 out of every 100 in past years.
2. **Lack of proper signage:** Unlike other towns, there is no signage regarding the overnight parking ban. In addition, the amount of cars on the street overnight on any given date is enough for any person to reasonably assume that such a ban does not exist in Winchester.
3. **Enforcement during snowstorms is rare:** when vehicles are ticketed, the tickets are mostly issued on days when there is no snow.

**This vehicle was neither towed nor ticketed:**



4. **Enforcement is backwards:** Vehicles that are routinely removed from the streets when it does snow are ticketed on the days when there is no snow. In the meantime, vehicles that are left on the street during an actual snowstorm are rarely ticketed.
5. **There is little incentive to comply.** Most of the ticketing for overnight parking occurs on days when there is no snow, and most residents rarely receive more than 1-2 tickets per year. It is cheaper to pay for the tickets than to find off-street parking. *(Note that if the purpose of enforcement is revenue generation, then the goal is to ensure that paying fines are cheaper than the alternatives.)*

# Potential Solutions

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The petition is for the Select Board to implement a solution that will achieve the following goal:

**Goal:** Allow overnight parking in Winchester at any times that snow is not being actively cleared.

#	Solutions	Achieves goal?	Cost & Effort
1	Convert to winter only ban	NO	NONE
2	Winter ban with exceptions	MAYBE*	MEDIUM
3	Town-wide resident parking	MAYBE*	HIGH
4	Resident parking only on crowded streets	MAYBE*	HIGH
5	<b>Eliminate the ban completely</b>	YES	NONE

\*There will need to be a contingency for overnight guests.

**Comments:**

**#1 Convert to winter only ban:** Potentially, this will result in stricter enforcement, which will set us further back from achieving the goal.

**#2 Winter ban with exceptions:** Registration should be hassle free; residents with tandem parking want to be (and should be) included.

**#3 Town-wide resident parking:** This is unnecessary for most of Winchester (i.e. in neighborhoods with single family houses and wide roads).

**#5 Eliminate the ban completely:** This is the simplest solution that meets the goal.

**Note:** For crowded streets, the town should (continue to) use more appropriate solutions such as parking on one side of the street and no parking signs where appropriate.

# Impact of Removing the Ban

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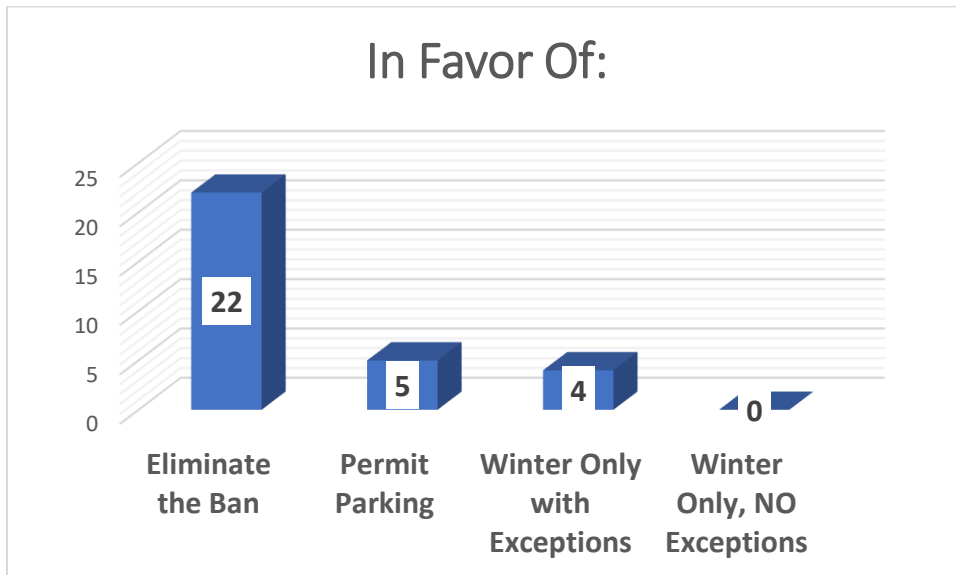
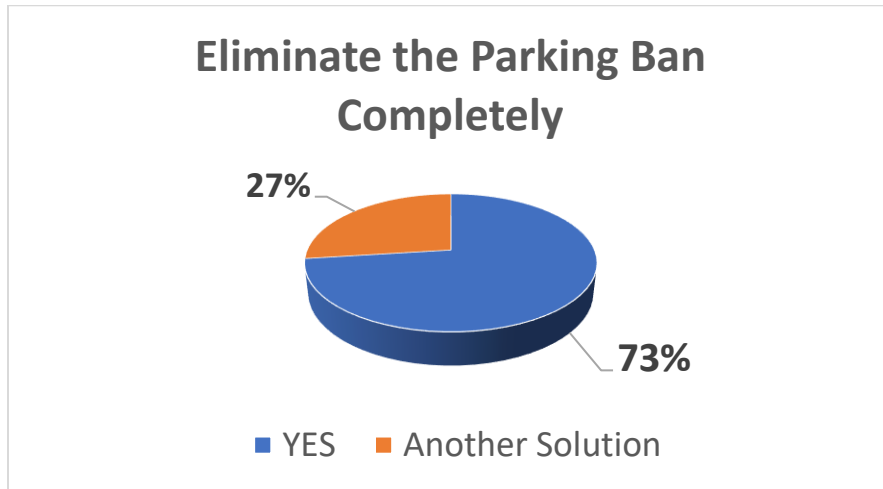
There would be **little impact** if the parking ban was removed. Vehicles are **already parked on the streets during the non-winter months**, and many of those same cars continue to be parked on the streets during the winter.

# Summary of Resident Feedback

## Summary of responses from 30 Winchester residents:

- 73%: Eliminate the parking ban completely.
- 17%: Eliminate the parking ban AND add resident parking.
- 13%: Switch to a winter parking ban WITH exceptions.
- 0%: Switch to a winter parking ban WITHOUT exceptions.

Note: multiple answers were possible.



**Conclusion:** Winchester residents want solutions that will allow them to park on the street overnight when there is no active snow removal.

## Feedback from Winchester Residents

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*"We all know when snow is coming. Tickets for cars that don't move for plows are acceptable. But ticketing cars when there is no snow is just pointless."*

*"I support a parking ban during snow emergencies only."*

*"My preference would be to eliminate [the ban] entirely except in snow emergencies."*

### ***"Remove ticketing for nights when there is no snow."***

*"Residents should be able to park in front of their own houses, unless there is snowstorm expected."*

*"The ban should totally only exist if it's actually snowing and they need to plow!"*

*"There is no need to have a parking ban if it is not snowing."*

*"Just have parking bans when snow is forecasted."*

*"The police need to have a moratorium on issuing tickets for residents parked in front of their homes. It's ludicrous that we should be paying a ticket for parking on the street in front of our house, particularly when there are no "no parking" signs on the road."*

*"What if people who needed on street parking (regardless of hardship) could apply for a permit?"*

*"[I propose] parking overnight on one side of the street like most towns have surrounding us in the winter months."*

*"I would support resident stickers for certain neighborhoods to prevent abuse."*

*"How about Parking Ban only during Winter Weather Advisory? Basically [anyone] can park on street UNLESS storm coming in. At that point WPD can put in effect the reverse phone call on ban. This way you're giving DPW to plow affectively and emergency vehicles do not have problems responding."*

*"I support eliminating the ban entirely, but would also support strictly enforcing a ban during snow removal."*



# Overnight Parking Ban is Discrimination

Vehicles are required for living in Winchester, with the possible exception of Winchester center (which is the most walkable area).



Walk Score **55** Bike Score **53** Walk Score®

Winchester Town Center is the most walkable neighborhood in Winchester with a Walk Score of 55.

Some errands can be accomplished on foot in Winchester Town Center Winchester.

9:11 AM  
2/4/2024

## Winchester resident:

*“Due to Winchester's lack of walkability and public transit, to grab groceries, attend medical appointments, and travel to work, **using a car is necessary**. Without street parking, those who do not own parking spots are severely hindered from accessing these essential resources. **Winchester must allow street parking to affirm that all residents and visitors, no matter whether they have a parking space on their property or not, belong in this town.**”*

## What is the Real Purpose of an Overnight Parking Ban?

- *“They’re meant to keep the poor [people] out.”*
- *“I won’t even consider living in those towns because of the bans.”*
- *“They serve the purpose of keeping the “riff raff” out. See the concrete barriers on intersecting streets where Allston meets Brookline on Harvard Ave side streets.”*
- *“I have always thought that they exist to keep lower income people out of those areas...”*
- *“If the town doesn’t allow overnight street parking we basically just can’t [afford to] live there. It’s hostile and unnecessary.”*

--Responses from Boston area residents

## Town of Winchester Human Rights Statement:

*“To ensure equal treatment...regardless of socio-economic status...”*



Town of Winchester

### Human Rights Statement

Winchester is a community that is grounded in respect for every individual, and therefore protects all residents, employees, business owners, students and visitors in the enjoyment and exercise of human and civil rights. It is Town policy to ensure equal treatment and opportunity to all individuals regardless of race, gender, gender identity, ethnicity, religion, ideology, socio-economic status, health, sexual orientation, age, military status, disability, country of origin or immigration status.

*Adopted by Board of Selectmen on September 24, 2009  
Updated May 18, 2020*

### Winchester resident:

*“[The parking ban] sure feels like a policy that overwhelmingly impacts renters, as opposed to property owners, as I suspect this overnight parking ban does (either inherently or by its selective enforcement)...[The town] already has the right to ticket or tow in inclement weather but we...also need to ticket in these cases too, for, uh, reasons...”*

*It's an absolute embarrassment that this parking ban is enforced.”*

# Unfair Enforcement

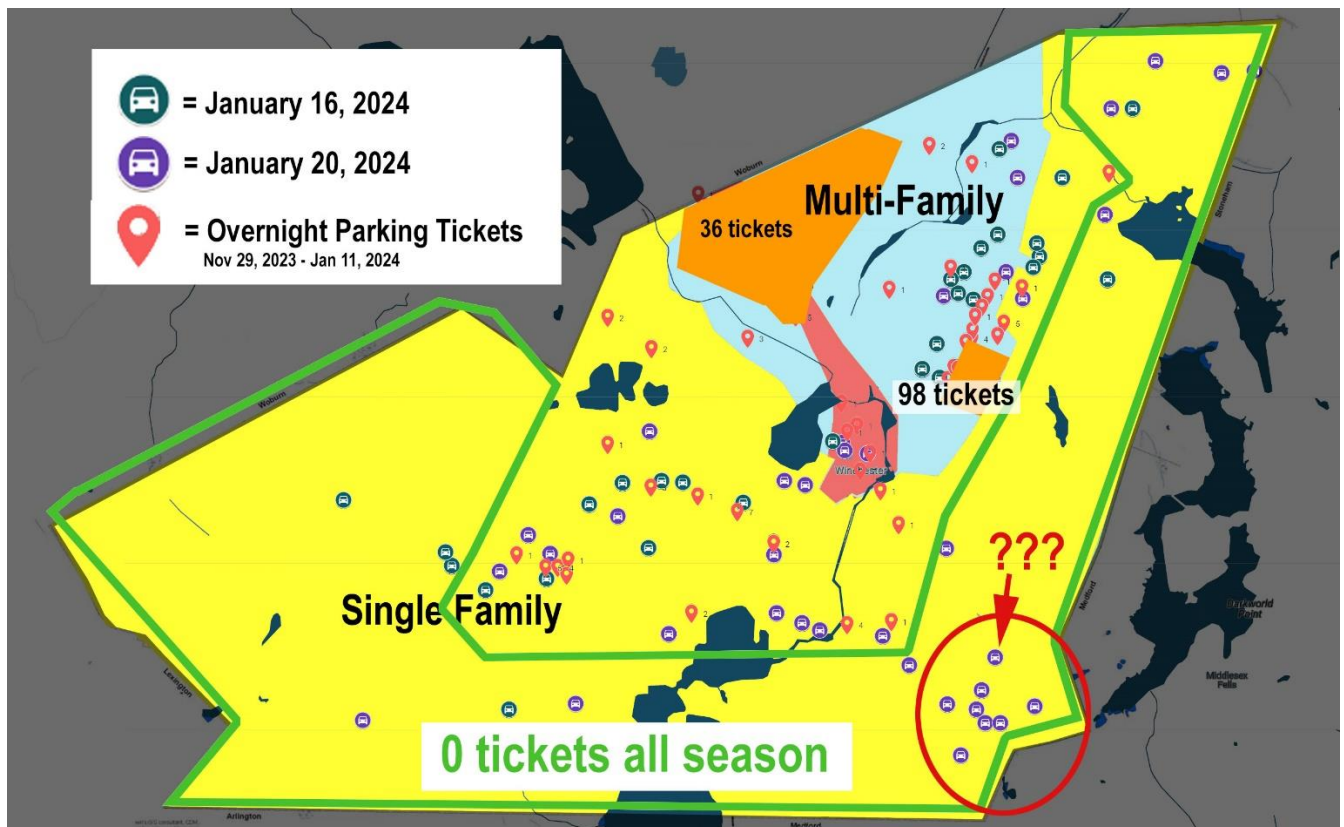
Enforcement heavily targets multi-family areas.

- Cars are routinely parked overnight on Winchester streets in most sections of town.
- Most tickets were issued in areas where multi-family houses are located.
- Certain areas of town in the single family zones did not get issued a single ticket all season.

## Map of Winchester showing uneven enforcement:

- **Orange areas:** 134 tickets (out of 246) were issued in these 2 small areas.
- **Green border:** Area where 0 tickets were handed out.
- **Light blue:** Multi-family zone.
- **Yellow:** Single family zone.
- **Red Circle:** Where many cars park overnight, but no tickets were issued.

Dates: Nov 29, 2023 – Jan 11, 2024



## Harming the Community

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The random and lax enforcement of the parking ban harms the community by creating the following issues:

- Neighbors complain to police about violations (setting neighbor against neighbor).
- Residents decide to take measures into their own hands (vandalism).
- The police department is stuck in the middle between (1) making residents angry by enforcing an unnecessary ban and (2) making other residents angry by not enforcing the ban.



## Supporting Evidence

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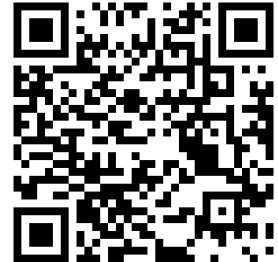
### Videos:

#### **Winchester Parking Ban Part 1: Does it Work?** (3 min 37 sec)

**Summary:** A search for cars parked overnight on the street during the first snowstorm of the season.

**Conclusion:** cars were parked overnight in all areas of Winchester that were searched.

<https://www.youtube.com/watch?v=411AFvyWXi8>



#### **Winchester Parking Ban Part 2: Enforcement** (3 min 19 sec)

**Summary:** Exposing the unfair enforcement of the parking ban.

**Conclusion:** the majority of tickets issued are apparently a result of resident complaints and have nothing to do with public safety.

<https://www.youtube.com/watch?v=EPIPoQ-0wmc>



#### **Winchester Parking Ban Part 3: Do we need it?** (3 min 33 sec)

**Summary:** An explanation of why the overnight parking ban is outdated, and why a winter parking ban is unnecessary.

**Conclusion:** The overnight parking ban is outdated, and a winter parking ban is not the right answer for keeping the roads clear during snow emergencies.

<https://www.youtube.com/watch?v=aAABHXs6b2Y>



Do we really need to

# clear roads for snow?

January 16th forecast: 100% chance of snow

Search area: less than 50% of Winchester roads, time: 5AM - 7AM

Vehicles found = 76

Vehicles ticketed = 0

Vehicles towed = 0

Streets plowed = 100%\*

\*presumably

Conclusion:

clearing vehicles for snow removal is not required.



Public safety is not affected as the plows are able to clear at least one lane for emergency vehicles.

If clear streets were essential, vehicles would be towed.

Let's stop pretending that clear roads are *essential* for snow removal.



## Conclusion

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Imagine living in the same town for 4 years,  
getting a parking ticket, and this is the  
conversations you have with the parking  
officer:

—*“Why did I get a ticket?”*

—*“We have an overnight parking ban here.”*

—*“Since when?”*

—*“1936.”*

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Excerpt from: <https://winchesterparkingban.us/about/>

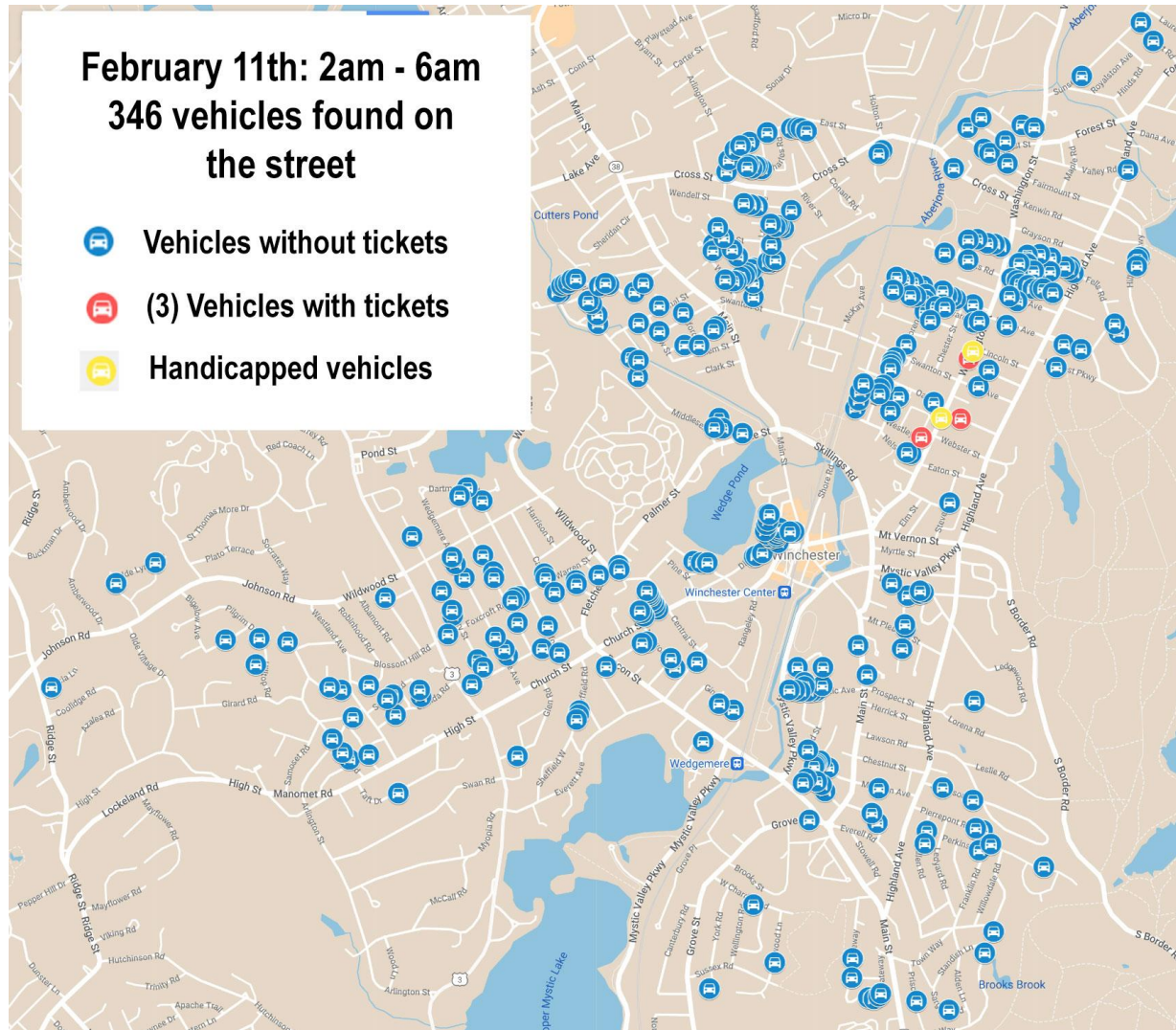


Thank you for your consideration of this petition!

# Additional Information\*

(\*Not included in the petition that went out for signatures)

## Overnight Parking on Feb 11, 2024.



The 3 cars that were ticketed were located on Hancock, Washington, and Westley.

### Points to Consider:

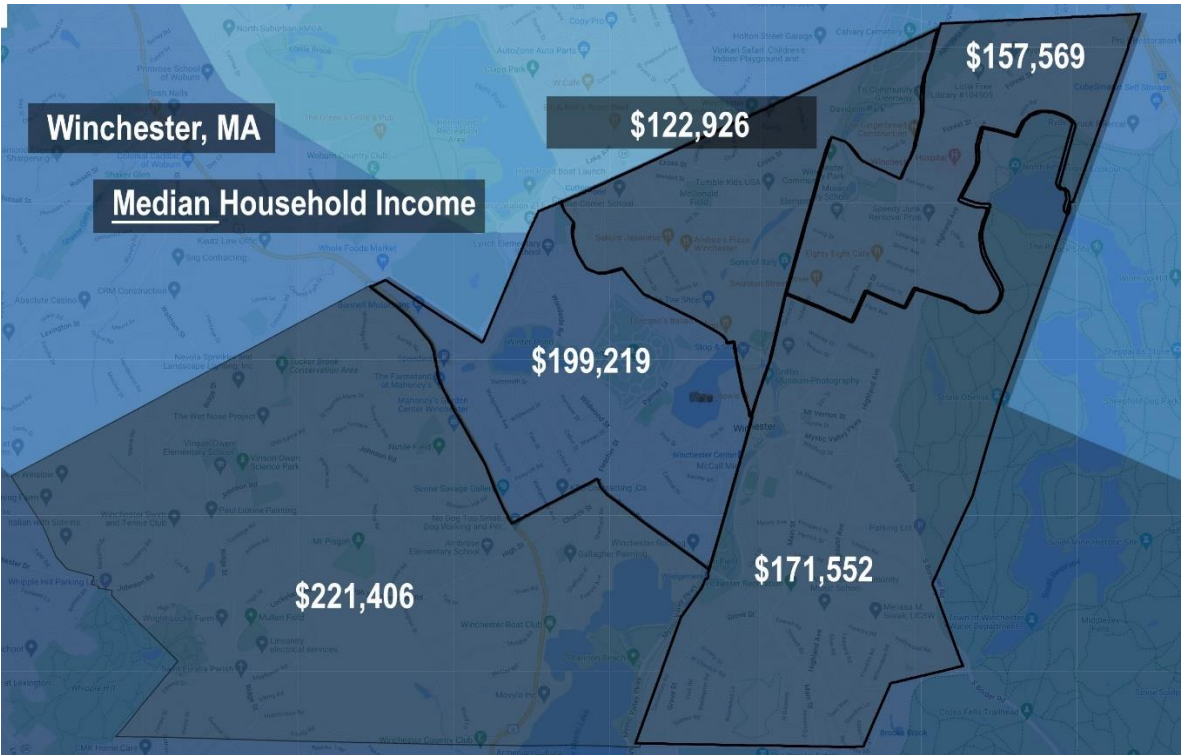
- Vehicles are parked on the street overnight in almost all areas of Winchester.
- There is no legitimate reason to target vehicles on specific streets only. A parking ban should either be enforced evenly or eliminated entirely.
- Resident complaints should not result in enforcement ***unless there is a public safety issue.***



# Income Levels and Enforcement

Current enforcement is targeting lower-income areas even though vehicles can be found parked overnight in all areas of Winchester. This enforcement is discriminatory against lower income households (whether this discrimination is intentional or not).

Even if enforcement was evenly spread throughout Winchester, fines still affect lower-income households the most.



Data source: <https://www.justicemap.org/> (This information comes from the Census Bureau - the 2020 Census and the latest American Community Survey (five year summary)).

## Improving Communication

At the beginning of the winter season, the Winchester PD could place the following notices on vehicles parked on the streets overnight:



The signup page should be as simplified as possible. For example:

### Winchester MA Snow Alert Sign Up

Email & Text    Email Only    Text Messages

Phone Number

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