

ORDINANCE #2

TOWN OF HANOVER

ORDINANCE OF THE BOARD OF SELECTMEN

The Board of Selectmen of Hanover, New Hampshire, ordain as follows:

HIGHWAYS AND SIDEWALKS

1. **Declaration of Purpose:**

2. **Title:** The Ordinance shall be known and may be cited as the “Highways and Sidewalks Ordinance of the Town of Hanover.”

3. **Authority:** RSA 47:17 and any other applicable law.

4. **Digging Up, Obstructing, Etc.:** No person shall break or dig up ground, stone or concrete in any highway or sidewalk, or erect any staging for building, or place or deposit any stone, brick, timber, or other building materials thereon, without first obtaining a written permit from the Public Works Director and complying in all respects with the conditions of the permit.

5. **Moving Buildings:** No person shall move or assist in moving any buildings upon or over any highway or sidewalk without first obtaining a written permit from the Public Works Director.

6. **Obstructing:** No person shall place or permit to remain for an unreasonable time any obstruction on any highway or sidewalk without first obtaining a written permit from the Public Works Director.

7. **Wires, Banners, Etc.:** No person shall place, suspend, or maintain over any portion of any highway or sidewalk any rope, wire, banner, sign, or other substance without a written permit from the Selectmen.

8. **Tracking and Depositing of Material:** No person shall track, deposit, or spill any material within the right-of-way. All materials tracked, deposited, or spilled within the right-of-way shall be removed immediately at the expense of the person or persons violating this section.

9. **Posting Signs/Handbills:** No person shall post handbills, posters or signs on utility poles in the right-of-way.

Sections 8 and 9 were Adopted on 09/13/99

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10. **Bond**: The Director of Public Works may, as a condition to granting a permit under Sections 4, 5, 6, 7, or 8, require the party obtaining the permit to furnish a bond of indemnity to the Town of Hanover in a sum with sureties as the Director of Public Works may deem proper.

11. **Skateboarding, In-Line Skating, or Scooters**: *

- A. **Skateboarding and Scooters Prohibited**: No person shall use a skateboard or scooter on any sidewalk in either Parking District 1 (CBPD1) or Parking District 2 (CBPD2) as described in the Hanover Parking District Ordinance and Map.
- B. No person shall use a skateboard, in-line skates or scooter in the parking structure located at 7 Lebanon Street.

* Amended 10/8/95, 09/25/00

12. **Barrier Around Unsafe Obstruction**: Whenever a person who has been granted a permit under Sections 4, 5, 6, or 7 digs up, obstructs, or encumbers a highway or sidewalk, and thereby renders the highway or sidewalk unsafe, the person shall erect a suitable railing, fence, or other barrier around the parts of the highway or sidewalk which have been dug up, obstructed, or encumbered. The railing, fence, or barrier shall have warning lights at night; it shall be at all times kept in place; and, it shall be maintained so long as the parts of the highway or sidewalk shall be unsafe.

13. **Removal of Obstruction**: A person who has been granted a permit under Sections 4, 5, 6, or 7 shall remove any obstructions or encumbrances and repair the highway or sidewalk within reasonable time as directed by the Selectmen. If the person fails to remove the obstructions or encumbrances or fails to repair the highway or sidewalk within a reasonable time, the Selectmen shall cause the work to be done at the expense of the person holding the permit.

14. **Driving on Sidewalk**: No person shall drive any vehicle within any sidewalk area except at a permanent or temporary driveway approved by the Director of Public Works.

15. **Bicycles on Sidewalks**: No person over twelve years of age shall ride a bicycle on any sidewalk.

16. **Coasting or Sliding on Sidewalks**: No person shall coast or slide upon or over a sidewalk nor in any highway.

Sections 10 and 14 were Amended on 09/13/99

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17. **Driveways:** It shall be unlawful to construct or maintain any driveway, entrance, or approach within the limits of the right-of-way of any street or highway without a written permit from the Town of Hanover. The fee for such permit shall be \$50. The Manager is authorized to make such rules and regulations as to the grade and location of driveways, entrances, and approaches on said highways as will adequately protect and promote the safety of the traveling public, but he shall in no case deny access to property abutting the highway. A permit shall be required for all driveways, including modifications to existing driveways and/or substantial changes in use that in the opinion of the Director of Public Works, may effect safety, drainage or traffic patterns. Culverts or other drainage facilities less than 15 (fifteen) inches in diameter shall not be allowed. All installation repair and maintenance of driveways, culverts and drainage structures installed for driveway access shall be the responsibility of the Landowner. All driveways accessing paved roads shall have a paved apron from the edge of pavement of the road to the edge of the right-of-way or ten (10) feet (whichever is greater).

Section 17 was Adopted on 09/13/99

18. **Ledyard Bridge:** It shall be unlawful for any person to dive or jump from the Ledyard Bridge on West Wheelock Street.

19. **Drainage:** It shall be unlawful to temporarily or permanently divert drainage or increase runoff in any manner that in the opinion of the Director of Public Works adversely affects any structures, roads, sidewalks or downstream properties.

20. **Temporary and Construction Access:** All access, whether existing or new, that are used for construction, logging or other similar operations that have the potential of tracking material into a town road, shall have an anti-tracking pad approved by the Director of Public Works.

21. **Penalties:**

- A. Whoever violates any provision of Sections 16 - 20 or the rules or regulations made under authority thereof shall be fined not more than \$100 and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the Town of Hanover.
- B. Whoever violates any provisions of Section 10, shall be guilty of a violation and shall be fined not more than \$100 as provided in RSA 47:17.
- C. Whoever violates any provision of Sections 4-15, but exclusive of Section 10, shall be guilty of a violation and shall be fined not more than \$500 as provided in RSA 47:17.

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- D. All duly appointed police officers of the Hanover Police Department are hereby designated as the enforcement authority for this Ordinance.

EFFECTIVE DATE

Having held a public hearing, the Board of Selectmen voted to adopt this Ordinance on the 25th day of September, 2000, which shall be the effective date hereof.

IN WITNESS WHEREOF, a majority of the Board of Selectmen have hereunder set their hands.

**TOWN OF HANOVER
BOARD OF SELECTMEN**

Brian F. Walsh, Chair

Katherine S. Connolly, Vice Chair

Marilyn W. Black

William R. Baschnagel

Judson T. Pierson, Jr.

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Date of Notice as to Posting and Publication: 10/06/00 and 10/07/00

Date of Public Hearing: 09/25/00

Date of Adoption: 09/25/00

Date of Notice of Adoption and Effective Date: 09/25/00

Date of Recording in the Town Records: 10/06/00

Sallie Johnson, Deputy Town Clerk

Date of Approval by Town Legal Counsel as to Form and Authority: _____