

# ORDINANCE #5

## TOWN OF HANOVER

### ORDINANCE OF THE BOARD OF SELECTMEN

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

#### **SEASONAL RESTRICTIONS ON TOWN HIGHWAYS**

**1. Declaration of Purpose:**

The purpose of this Ordinance is to protect the Town's highways by authorizing the imposition, by means of posting, of access restrictions and weight limits on highways during the times and seasons when such highways are most vulnerable to damage.

**2. Title:**

This Ordinance shall be known and may be cited as the "Seasonal Restrictions on Town Highways of the Town of Hanover".

**3. Authority:**

RSA 41:11 and RSA 47:17.

**4. Seasonal Restrictions on Town Highways:**

A. The Director of Public Works and Highway Superintendent, or either of them, are authorized to impose temporary vehicle weight restrictions upon users of any Town highway during such periods as, in their judgment, freezing and thawing have rendered the highway susceptible to unreasonable damage if used by heavy vehicles.

B. Such weight restrictions shall be imposed by posting the legible signs, at points of access to the highway from other public ways, which bear the legend "Weight Limit \_\_\_Tons".

**5. Seasonal Wheeled or Motorized Vehicle Restrictions on Class VI Highways:**

A. The Director of Public Works, or his or her designee, is authorized to impose temporary wheeled and/or motorized vehicle restrictions upon users of any Class VI highway during such periods as, in his or her judgment, freezing, thawing, or other weather conditions have rendered the highway susceptible to unreasonable damage if used by wheeled or motorized vehicles.

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- B. Such restrictions shall be imposed by posting the legible signs, at points of access to the highway from other public ways or at other locations, which bear the legend “No \_\_\_\_\_ vehicles until the Director of Public Works determines that this road is suitable for such use”.

**6. Bond Required:**

At the discretion of the Director of Public Works, the posting of a bond may be required by the Director of Public Works who will impose reasonable conditions and may establish reasonable regulations for said bonding and restoring the highway.

**7. Fines in the Event of a Violation:**

Any person who shall drive or cause to be driven on a highway so posted, a vehicle in excess of the posted weight limit, or a wheeled or motorized vehicle on a posted Class VI Highway, shall be guilty of a violation and fined \$100 for the first offense and \$250 for a subsequent offense within a calendar year, and shall be liable for any costs to repair, remedy, or otherwise return the road to an acceptable and stable condition as determined by the Director of Public Works.

**8. Exemptions:**

- (A) Town or other government vehicles being used for official business, utility trucks servicing local utilities on an emergency basis, and emergency vehicles responding to an emergency, shall be exempted from the posted restrictions.
- (B) At the request of a person whose property is accessible only by a Town highway with posted seasonal restrictions, the Director of Public Works or Highway Superintendent may, in their discretion, grant an exception from such restrictions, if such a person has an immediate and urgent need for a specific and essential service which cannot reasonably be provided except as by a vehicle in excess of the posted weight, or by a vehicle whose access has been restricted.

Effective: 09/13/99  
Amended: 09/13/99, 12/20/04

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**EFFECTIVE DATE**

Having held a public hearing, the Board of Selectmen voted to adopt this Ordinance on the  
\_\_\_\_13<sup>th</sup>\_\_\_\_ day of September, 1999, 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

\_\_\_\_\_  
Marilyn W. Black, Vice Chair

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Katherine S. Connolly

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John W. Manchester

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John P. Colligan

**TOWN OF HANOVER**

**ORDINANCE #5**

**SEASONAL RESTRICTIONS ON TOWN HIGHWAYS**

Date of Notice as to Posting and Publication: 7/6/00 7/8/00

Date of Public Hearing: 9/13/99

Date of Adoption: 9/13/99

Date of Notice of Adoption and Effective Date: 7/8/00 9/13/99

Date of Recording in the Town Records: \_\_\_\_\_

\_\_\_\_\_  
Sallie Johnson, Deputy Town Clerk

Date of Approval by Town Legal Counsel as to Form and Authority: 6/10/99

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