

# Town of Antrim

## CODE OF ETHICS ORDINANCE

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**COE-1 Acceptance.** The Town votes to adopt a Code of Ethics for public servants of the Town of Antrim, public servants being all elected and appointed officials of the Town, all fulltime and part-time employees of the Town, whether paid or unpaid, and all volunteers who serve the Town, or take any other action relating thereto.

**COE-2 Policy Statement.** As citizens of the Town of Antrim, we appreciate that we live in a community where people relate to each other with openness, honesty, fairness, and respect. We honor these values, and seek to live by them in our own lives.

In the conduct of our public affairs, we expect those who serve our community as public servants to act in accordance with these same values. As public servants, we mean to include all elected and appointed officials of the Town; all full-time and part-time employees of the Town, whether paid or unpaid; and all volunteers who serve us on behalf of the whole community.

We place our trust in these individuals, and have confidence they will serve us knowledgeably, responsibly and effectively, having in their hearts and minds the best interests of our entire community. Specifically, we ask each of them to subscribe to the following guidelines of a Code of Ethics we have adopted for our community.

**COE-3 Conducting Business.** Public servants will demonstrate the highest standards of personal integrity, truthfulness, honesty, and dedication in all public actions and activities in order to inspire public confidence and trust.

**COE-4 Discrimination.** Public servants will conduct their business with the highest standards of honesty, reliability, consistency, and fairness, and treat all fellow workers and citizens with dignity and respect. No person will be discriminated against because age, race, religion, sex, national origin, disability, or sexual orientation. Public servants should ensure that the interest of the community and fairness to all are their primary considerations.

**COE-5 Equal Treatment.** Public servants will extend fair and equal treatment to all Town officials, Town employees, volunteers performing service to the Town, contractors working for or providing goods or services to the Town, and the general public. No special consideration, advantage or favor shall be given to any person or entity as a result of public status, wealth, position, or personal relationship.

**COE-6 Confidentiality.** Public servants will respect and safeguard confidential or privileged information that may be acquired in the performance of duties and responsibilities for the Town.

**COE-7 Law Abiding.** Public servants shall, in their public position, implement and abide by applicable New Hampshire laws, and all written administrative rules, policies, and procedures established by the Town's Board of Selectmen, or by specifically designated Town officials.

**COE-8 Conflicts of Interest.** Public servants shall avoid any potential or actual conflict of interest in the performance of duties and responsibilities. A conflict of interest might arise in a situation in which a person, designated to act on behalf of the entire community, uses his or her personal contacts or position to advance his or her own private business or financial interests.

Public servants are expected to avoid placing themselves in positions involving a conflict of interest, and also to avoid any situations in which a conflict of interest may appear to exist. In cases where a conflict may exist, public servants should disclose the related matter of personal or financial interest to the appropriate person or committee. Matters of personal interest, which need full disclosure, may include but are not limited to, family relationships and financial interest. If the real or perceived interest is determined to be self-serving and not in the public interest, that person should disqualify themselves from participating in the particular action or transaction in question.

**COE-9 Accepting Gratuities.** Public servants should utilize discretion in accepting gratuities, staying within limits of what would be considered a nominal value and/or part of the natural process of relationship between friends and colleagues.

**COE-10 Responsibility for the Code of Ethics.** No Code of Ethics can address all situations which may arise in the course of duties performed on behalf of the Town. Personal judgment and common sense are the primary basis for consideration. In cases where doubt occurs or one becomes aware of an apparent violation of this code, individuals are encouraged to speak with their immediate Supervisor, The Town Administrator, Board or Committee chairperson, or the Town's Board of Selectmen. Seeking advice is the responsibility of the individual. To avoid this counsel does not excuse the individual for having a conflict of interest or otherwise acting in violation of this code.

This Code of Ethics does not replace written administrative rules, policies, and procedures established by the Town.

**Signed:**\_\_\_\_\_

Selectman

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Selectman

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Selectman

**Dated:**\_\_\_\_\_

**Town of Antrim**  
**ALCOHOLIC BEVERAGES ORDINANCE**

**I. ENACTMENT**

1. Pursuant to the authority of the Selectmen of the Town of Antrim as set forth in New Hampshire Revised Statutes Annotated, 41:8, and in order to promote the public health and safety and to provide for the general welfare of the citizens of the Town of Antrim, the following ordinance is hereby enacted.

**II. DEFINITIONS**

1. As used in this ordinance, the following terms should have the following meanings indicated:
  - a. ALCOHOLIC BEVERAGE: as defined in RSA 175:1.
  - b. BEVERAGE: as defined in RSA 175:1.
  - c. LIQUOR: as defined in RSA 175:1.
  - d. SEMIPUBLIC PARKING LOT: any area wherein motor vehicles are parked by the public in conjunction with any business enterprise, commercial establishment, office building or apartment building.

**III. REGULATIONS**

1. It shall be unlawful for any person to carry or consume an alcoholic beverage in or on any street, sidewalk, alley, public or semi public parking lot, or other public place within the Town of Antrim. This shall include any Town owned property or buildings unless a special permit has been issued by the Board of Selectmen of the Town of Antrim.
2. Unless specifically licensed or permitted, it shall be unlawful for any driver of a motor vehicle to transport, carry, posses or have any alcoholic beverage or liquor within the passenger area of any his/her means of transportation, except in the original container with the seal unbroken.
  - a. Empty containers or securely capped containers of alcoholic beverages or liquor may be stored and transported in that compartment of the vehicle which is the least accessible to the driver.

**IV. PENALTIES**

1. Any person who shall be found guilty of violating any part of this ordinance shall be deemed guilty of a violation, defined in RSA 625:9, and shall be subject to a fine not to exceed one hundred dollars (\$100.00).

**Signed:** \_\_\_\_\_  
Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

**Town of Antrim**  
**BICYCLES ORDINANCE**

**I. ENACTMENT**

1. In the public interest and for the public safety, the selectmen on this date hereby enact this chapter, as authorized by RSA 265:144 and RSA 31:39, controlling the use of bicycles as follows.

**II. REGULATIONS**

1. All bicycles shall be ridden, operated and equipped in accordance with the provisions of Chapter 265 of the New Hampshire Statutes Annotated.
2. No person shall ride or propel a bicycle except in a prudent and careful manner at a reasonable rate of speed.
3. No person less than sixteen (16) years of age may operate or ride upon a bicycle on a public way, unless he or she wears protective headgear of a type approved by the commissioner of Health and Human services for the state of New Hampshire.

**III. PENALTIES**

1. Any person convicted of a violation of this ordinance shall be liable to a penalty of not more than fifty dollars (\$50.00), and he/she may have his/her bicycle impounded by the Antrim Police Department for a period not to exceed thirty (30) days or, in the sound discretion of the court, confiscation of the device in question to the Town of Antrim for disposition in such manner as the court may direct.

**Signed:** \_\_\_\_\_

Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

## **Town of Antrim**

### **TOWN BEACH AND BOAT LAUNCH ORDINANCE**

Pursuant to their authority under RSA 31:39 and 41:8 the Selectmen of the Town of Antrim, at a duly called meeting of the Board, unanimously enacted the following Ordinance for the regulation of the Town Beach and Boat Launch areas at Gregg Lake:

The purpose of this ordinance is to provide for the safety, enjoyment, health, and welfare of all persons using the public beach, boat launch, and parking areas at Gregg Lake, to further provide a means of maintenance, operation and protection of the public beach, boat launch and parking areas, and to provide a family oriented atmosphere at an environmentally friendly and enjoyable Town facility.

1. No litter or refuse of any nature shall be deposited or left on the area, except in the trash cans provided for the purpose.
2. Persons using the areas and swimming in the designated areas shall be appropriately attired in clothing that is considered to be appropriate for a family oriented area. Public nudity, including public nude bathing is strictly prohibited.
3. Smoking in the beach area, including the area where the swings are located, is prohibited.
4. No alcoholic beverages are allowed to be in the possession of, or consumed in the areas by any person's using the areas.
5. No glass containers or glass utensils shall be carried onto or used in the beach area or in the parking areas.
6. The areas will be open to the public from dawn to one hour after sunset. The parking area maybe used by fisherman using the "point" area for evening fishing, and the parking area maybe used by property owners who must access their property by boat only. Except as stated, no parking will be allowed one hour after sunset. The boat launch area may be used to launch a boat and park after the normal hours, but not for overnight parking.
7. No pets or other animals shall be allowed on the beach or in the water serviced by the beach, or to roam in the areas from May 1<sup>st</sup> through October 31<sup>st</sup>. Pets are allowed in the boat launch area, but must be leashed and/or under electronic control of their handler at all times. Owners are responsible for clean up of any defecation and for the proper conduct of their pets at all times.
8. No vehicles shall be allowed to stand overnight in the area, except as noted under #6 above, and no trailer or tenting is allowed on the areas.
9. Persons using the Town areas and facilities are doing so at their own risk and agree to follow all rules and regulations as are posted by the Town.
10. Threatening, abusive, boisterous, insulting or indecent language or gesture in the areas that is annoying to other persons in the vicinity is prohibited.

11. It shall be unlawful to disobey an oral or written request of an employee or agent of the Town in connection with the conduct of persons while using the areas.
12. Picnicking is allowed and fires are allowed, but only in the appropriate areas that are provided. Fires may be prohibited in times of high fire danger.
13. No dumping is allowed in any of the areas and people are responsible for their own trash pickup and placement in containers provided.
14. No bicycles or wheel vehicles of any type are allowed in the beach area. Handicapped equipment is allowed in all areas.

Any person found violating any part of this Ordinance herein set forth shall be deemed guilty of a violation as defined by the New Hampshire Revised Statutes Annotated and subject to a fine of up to One Hundred Dollars (\$100.00). Each violation shall be deemed to be a separate offense. In addition, repeat offenders may be banned from use of the area by the Board of Selectmen.

**Signed:** \_\_\_\_\_  
Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

## **Town of Antrim**

# **DISCARDED MATERIALS ORDINANCE**

### **I. ENACTMENT**

1. At the request of the public and for the health and public safety of the Town of Antrim, N.H., the selectmen on this date enact the following ordinance.

### **II. PURPOSE:**

1. It shall be unlawful to allow any lot to become a repository for unregistered or un-inspected vehicles; used parts of motor vehicles or old iron, metal, glass, paper, tools or other waste or discarded materials.
2. No lot shall be used for the storage of miscellaneous materials or household rubbish to the extent that it becomes a safety hazard, a threat to health and welfare, or has a detrimental effect on the aesthetic value or environmental well being of the neighborhood and the community as a whole.

### **III. PENALTIES**

1. For the first violation of this ordinance the property owner will be warned and given the courtesy of having fifteen (15) days to correct the violation.
2. If the violation is not corrected as stated above, and/or there is a second and other violations the matter will be immediately turned over to the Regional Prosecutor and a complaint may be filed to the Hillsborough District Court.
3. The penalty for violation of this ordinance shall be a fine not to exceed two hundred and seventy five dollars (\$275.00) per day; back to the day notice was given of said violation.
4. The violator shall be responsible for all legal and administrative cost that the Town incurs regarding their violation, should they be found guilty by the court.

**Signed:** \_\_\_\_\_  
Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

# **Town of Antrim**

## **DOG CONTROL ORDINANCE**

### **I. ENACTMENT**

1. In the public interest and for the public safety, the selectmen on this date hereby enact this chapter, as authorized by RSA 31:39 and RSA 466:39, regulating the control of dogs in the Town of Antrim, New Hampshire.

### **II. RESTRAINT REGULATIONS**

1. No owner or keeper of a dog shall permit their dog to run at large at any time within the Town of Antrim. A dog is at large within the meaning of this Ordinance if it is not controlled by a leash, regular or electronic, is not “at heel” beside a competent person, is not obedient to that person’s command, is not within a vehicle or is not on the property of its owner or keeper.
2. This regulation does not apply to dogs in use with their owners or keepers during lawful hunting.

### **III. BATHING REGULATIONS**

1. It shall be unlawful for any dog to be on land owned or used by the Town of Antrim for public bathing purposes. Exceptions may be granted by the Selectmen, Police Department Official, or Animal Control.

### **IV. NUISANCE REGULATIONS**

1. No dog shall be permitted, whether or not leashed or restrained, to be a nuisance, a menace or vicious to persons, property or other animals.
2. A dog is judged to be a nuisance if:
  - a. It barks continuously for a sustained period of time.
  - b. It barks during the night hours so as to disturb the peace and quiet of a neighborhood or area.
  - c. It turns over garbage cans, waste containers, or otherwise causes waste or garbage to be scattered on property other than its owners.
  - d. It barks, growls, snaps at, bites, runs after, or chases any person or persons.
  - e. It runs after or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled or pushed on the streets, highway or public ways.
  - f. It chases, or preys on game animals, domestic animals, fowl, or human beings.
  - g. It digs, scratches, or excretes on any property other than that of its rightful owner’s.
  - h. While in heat, it is unconfined (confinement shall mean within an enclosed building not accessible to any other dog).
  - i. Owners are responsible for the immediate cleaning up of any defecation from their dog.

### **V. EXCEPTIONS**

1. This ordinance shall not apply to “Seeing Eye” dogs, so-called.

### **VI. PENALTIES**

1. For a violation of this ordinance the owner or keeper may be warned. **Or** a complaint may be filed to the Hillsborough District Court.



2. The penalty for violation of this ordinance shall be a fine not to exceed fifty dollars (\$50.00).
3. The owner or keeper of a dog shall be presumed to be responsible for its conduct in the absence of proof to the contrary.
4. This ordinance shall in no way supersede the New Hampshire Revised Statutes Annotated or any other laws or ordinances relating to dogs. In the event of conflict, the more stringent regulations shall prevail.

**Signed:** \_\_\_\_\_  
Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

**Town of Antrim**  
**LARGE ASSEMBLIES ORDINANCE**

**I. ENACTMENT**

1. In the public interest and for the public health and safety, the selectmen on this date hereby enact this chapter, as authorized by RSA 155:37 and RSA 31:39, regulating the congregation of large assemblies as follows.

**II. DEFINITION**

1. As used in this ordinance, and utilized as a supplement to RSA 155:17, the following term should have the following meaning indicated:
  - a. **LARGE ASSEMBLY:** a gathering of three hundred (300) or more persons for the purpose of entertainment, games, show, activities, exhibition, amusements, etc. at any one time.

**III. REGULATION**

1. It shall be unlawful for any person to allow, permit, encourage, promote, organize, conduct, or advertise any such assembly or gathering within the Town of Antrim unless a valid permit has first been obtained, from the Town of Antrim Board of Selectmen.

**IV. PENALTY**

1. Any person who shall let or use any building for the purposes specified in this ordinance after required permit has been denied or rescinded, or any person violating any provisions of this ordinance, shall be fined no more than one thousand dollars (\$1000.00) or imprisoned for a term not to exceed one year, or by both such fine and imprisonment.

**Signed:** \_\_\_\_\_  
Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

**Town of Antrim**  
**DISRUPTFUL NOISE ORDINANCE**

**I. ENACTMENT**

1. In dedication to providing an environment for its citizens and visitors that is free from unnecessary noise which jeopardizes health and welfare, and degrades the quality of life, the Selectmen of the Town of Antrim hereby enact this ordinance, as authorized by NH RSA 31:39, regulating noise disturbances within the community.

**II. NOISE REGULATIONS**

1. The following acts are prohibited upon any public way, sidewalk, alley, and public or semipublic parking lot, within the Town of Antrim, twenty-four (24) hours a day:
  - a. The operation of a radio and/or sound amplification equipment in or on a motor vehicle which produces sound that is plainly audible fifty (50) feet or more from the source vehicle.
  - b. The operation of a motor vehicle in which the noise produced by the exhaust system is louder than the standard factory exhaust system for that particular vehicle.
  - c. The practice of unnecessarily racing the engine of a motor vehicle while idling or moving.
  - d. The practice of unnecessarily retarding the spark to the motor of a vehicle, creating excessive noise from the motor.
  - e. The practice of rapid acceleration of a motor vehicle causing excessive noise from the motor and/or screeching of tires.
  - f. The practice of coming to an unreasonably quick stop with a motor vehicle causing the unnecessary grinding of brakes and/or screeching of tires.

**III. EXEMPTIONS**

1. The only exemptions are those that are approved in writing by the Chief of Police.

**IV. PENALTIES**

1. Any person found to be guilty of violating any part of the above ordinance shall be deemed guilty of violation as defined in NH RSA 625:9, and shall be subject to a fine not to exceed one hundred dollars (\$100.00).

**Signed:** \_\_\_\_\_  
Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

**Town of Antrim**

**PARKING REGULATIONS ORDINANCE**

**I. ENACTMENT**

1. Pursuant to the power granted us by RSA 47:17 and RSA 31:39 of the revised laws of New Hampshire, we the selectmen of the Town of Antrim, N.H., have passed the following regulations on the use of public highways and sidewalks in Antrim.

**II. STATE HIGHWAY REGULATIONS**

1. Parking on Concord Street, between the areas of Main Street and Elm Street (State highway 202), shall be prohibited at all times.
2. There shall be no overnight parking on Route 202 (Main Street) between West Street and Summer Street at any time.
3. There shall be no parking on Route 202, between High Street and Prospect Street at anytime.

**III. TOWN REGULATIONS**

1. Parking on Gregg Lake Road, between the areas of Route 31 and Craig Road, shall be prohibited at all times.
2. Parking on Depot Street, between the areas of Water Street and the Bennington Town Line, shall be prohibited at all times.
3. Parking on Elm Street, between the areas of Route 31 and Route 202, shall be prohibited at all times.
4. Parking on Goodell Road shall be prohibited at all time.
5. Parking on North Main Street between the areas of the Junction of Route 31 and the Junction of Goodell Road and Smith Road, shall be prohibited at all times.

**IV. ONE WAY STREET REGULATIONS**

1. Parking on School Street, in non-designated parking areas, shall be prohibited at all times.

**V. GENERAL PARKING REGULATIONS**

1. Parking shall be prohibited between the hours of 11:00 PM to 6:00 AM during the winter months (effective from November 15th to April 1st of each year), in order to provide winter maintenance crews unobstructed snow removal and ice control routes.
2. Parking which obstructs any sidewalks in town is prohibited.
3. Parking regulations maybe waived for workman needing to access property on regulated roads, and/or for special occasions of the property owner. However, the Antrim Police Department must be informed in advance.

**VI. PENALTIES**

1. Any person found guilty of violating this ordinance, in any part thereof shall be deemed guilty of a violation as defined in RSA 625:9.
2. Any person found guilty of sections II through V of this ordinance shall pay a fine of ten dollars (\$10.00) for the first offense, twenty-five dollars (\$25.00) for the second

offense, and all other or subsequent offenses shall be subject to the discretion of the court.

3. The Town of Antrim is authorized and empowered to remove or have removed at the owner's expense any vehicle found parked in violation of this ordinance.
4. All ordinances previously adopted which are inconsistent with part or all of the preceding ordinances are hereby repealed.

**Signed:** \_\_\_\_\_

Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

**Town of Antrim**

**ROLLER SKATES, SCOOTERS,  
AND SKATEBOARDS ORDINANCE**

**I. ENACTMENT**

1. In the public interest and for the public safety, the selectmen on this date hereby enact this chapter, as authorized by RSA 41:11-a and RSA 31:29, controlling the use of roller skates, scooters, and skateboards as follows.

**II. DEFINITIONS**

1. As used in this ordinance, the following terms should have the following meanings indicated:
  - a. **ROLLER SKATES:** the use of shoes with wheels attached for skating over a flat surface or a metal frame with wheels attached to be fitted to the sole of a shoe for skating over a flat surface.
  - b. **SCOOTER:** any wheeled vehicle, propelled by human power or motorized power, consisting of a footboard between two or more small end wheels, controlled by an upright steering handle attached to the front wheel.
  - c. **SKATEBOARD:** any wheeled vehicle intended and designed to be propelled by one (1) foot with one (1) foot on the vehicle at the moment of initial propulsion.

**III. HIGHWAY REGULATIONS**

1. All state highways within the Town of Antrim (Routes 202, 31 and 9) will be closed to the use of skateboards, roller skates, and scooters. This shall include the use of aforementioned devices while crossing the street or in a designated crosswalk.

**IV. STREET REGULATIONS**

1. The following streets shall be closed to the use of skateboards, roller skates, and scooters:
  - a. Aiken Street
  - b. Depot Street
  - c. Elm Street
  - d. High Street
  - e. Pleasant Street, between the areas of High Street and Route 202
  - f. Prospect Street
  - g. Smith Road, between the areas of Antrim lumber and Goodell Road.
  - h. Summer Street
  - i. Waverly Street
  - j. West Street

## **V. GENERAL REGULATIONS**

1. The use of roller skates, scooters, and skateboards shall be prohibited on sidewalks on Main Street in downtown Antrim, on West Street and Highland Avenue, in order to ensure the safety of pedestrians.
2. The use of roller skates, scooters, and skateboards shall be prohibited on the playground area of the Great Brook School and at the playground and equipment area behind Antrim Elementary School.
3. No person shall operate, or cause to be operated, any skateboard upon the sidewalks or streets of the Town of Antrim in a reckless or hazardous fashion or in a manner creating interference with pedestrian or vehicular traffic. The operation must conform with the rules governing pedestrians and with respect for the rights of the pedestrians and regard for safety.
4. No person less than 16 years of age may operate or ride on a public way unless he or she wears protective headgear of a type approved by the N.H. Commissioner of Health & Human Services.

## **VI. PENALTIES:**

1. First time offenders will be given a copy of this ordinance and their name will be kept on file at the Police Department.
2. Second offense: A written warning will be issued and a copy will be given to the parent or guardian.
3. Third offense: A second warning will be issued and the skateboard, roller blades, or roller skates will be taken by the police officer. They will only be returned after a conference is held with the Chief of Police, the parent or guardian, and the offender.
4. Fourth offense: Any person having a fourth violation of this ordinance shall be liable to a penalty of not more than thirty five dollars (\$35.00), for each occurrence and he/she may have his/her roller skates, scooter, or skateboard impounded by the Antrim Police Department for a period not to exceed thirty (30) days. In the case of a minor (under the age of 16), the fee and release from impounding shall be accomplished by the parents or legal guardian of the child or, in the sound discretion of the court, confiscation of the device in question to the Town of Antrim for disposition in such manner as the court may direct.

**Signed:** \_\_\_\_\_  
Selectman

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Selectman

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Selectman

**Dated:** \_\_\_\_\_

## **Town of Antrim**

# **ROAD AND SIDEWALK LIABILITY ORDINANCE**

### **I. ENACTMENT**

1. As part of the obligations of the Municipality to carry out its responsibilities and duties of maintaining class V (and IV) roads and public sidewalks in accordance with RSA 231:90 through 231:93, the Board of Selectmen adopt the following policies to lessen road and sidewalk liability.

### **II. PURPOSE**

1. In 1991, the New Hampshire Legislature enacted laws to more clearly specify the conditions under which a municipality may be held liable for insufficiencies in highways and sidewalks which the municipality is required to maintain. The purpose of this policy is to adopt and implement procedures to comply with those statutory changes and to carry out the Town's obligations in a reasonable and meaningful way within the limits of available resources.

### **III. CLASSIFICATION**

1. To assist operators in safely using roads, the Road Agent, in cooperation with the Selectmen, shall inspect and review the existing Municipality road system.
2. Roads shall be classified according to the following standards:
  - a. Thoroughfares
  - b. Local service roads
  - c. Rural or scenic roads
  - d. Roads closed to passenger vehicles
3. The classification of a road under paragraph (A) shall not be deemed to guarantee that the road is sufficient at any given time for use as indicated nor that the road will be maintained to any given standard. Instead, the classification is merely an indication of the general quality of the road and the type of maintenance it usually receives.
4. The classification of existing roads shall be completed by year end 2007. Upon completion of the classification, the Selectmen shall determine the feasibility and wisdom of posting all or a portion of the road system to indicate road classifications as so designated,
5. When this review is undertaken by the municipality, as part thereof, the Road Agent shall post any roads or sidewalks or segments thereof which are observed to contain potential safety hazards that are not reasonably discoverable or avoidable by a prudent user. The Road Agent shall determine if it is necessary to take further action beyond posting, which determination shall be within the discretion of the municipality's governing board.

### **IV. NOTICES OF INSUFFICIENCY**

1. In accordance with RSA 231:90 through 231:92, the following procedures are in addition to the municipality's inclement weather policy adopted pursuant to RSA 231:92-a and are not intended to replace or impose a higher standard of care than that



stated in said policy. Only a notice which conforms in all respects to RSA 231:90 and this policy shall be deemed to comply with said statute.

2. In accordance with RSA 231:90, a written notice of insufficiency must be delivered to (one of the Selectmen, or the Road Agent (or other title, e.g. Public Works Director) with a written copy of the notice provided to the Municipal Clerk. In addition, the municipality hereby delegates the authority to receive notices on behalf of said officials to Town Administrator. The notice must be signed by the individual(s) providing the notice, and shall contain each signer's name printed legibly, along with the signer's address and telephone number or other means of contact. In addition, the notice shall:
  - a. Contain the date and time of the notice
  - b. Contain the date and time at which insufficiency was observed
  - c. Describe, at least in general terms, the location of the insufficiency with such detail as may permit it to be found without undue difficulty; and
  - d. Describe in reasonable detail the nature of the insufficiency
3. The municipality will provide forms upon which notices of insufficiency may be filed, but an individual need not use that form if the notice conforms to the requirements of law and this policy.
4. The municipality encourages other municipal officials and employees who may receive notice of an insufficiency to advise individuals to report the insufficiency as required by law and to advise appropriate officials of conditions called to their attention. However, the municipality cannot assure that any notice which is provided in a manner other than that specified for a formal notice under this section will actually be received by the appropriate official/employee and therefore must require that notices be provided as required by law and this policy.
5. Upon receipt of a notice of insufficiency, the individual receiving the notice shall first indicate on the notice or an appropriate form the exact time and date on which the notice is received and the identity of the person with whom it is filed. Upon receipt, the Town Administrator shall determine if the notice conforms to the requirements of this policy and the law. It is the municipality's intent to implement action to investigate any claimed notice of insufficiency which is reasonably identified in a notice even if the notice does not formally conform to the requirements of law and this policy, but the municipality does not thereby waive any immunity or limit of liability which otherwise would apply.
  - a. As soon as practicable, a determination shall be made as to whether an insufficiency exists. If it is determined that no insufficiency exists, the Town Administrator shall promptly advise the person filing the notice, and shall include a statement of the reasons as to why no insufficiency exists.
  - b. If an insufficiency is found to exist, the municipality shall take one or more of the following actions as appropriate to the circumstances and shall, at an appropriate time, notify the person filing the notice of the actions taken or planned.
    - 1) If the insufficiency was temporary and no longer poses a hazard, the Road Agent shall determine the likelihood of another occurrence and what action, if any, is required to prevent or post danger signals warning of such conditions. In most such cases, the posting of danger signals is not required unless there is a reasonable likelihood of a recurrence of the insufficiency.

- 2) If the insufficiency is not temporary, the Road Agent shall as soon as practicable post danger signals warning of the insufficiency. Within seventy-two (72) hours after receipt of the notice of insufficiency, the Road Agent shall develop a plan to remedy the insufficiency. The plan shall be implemented in good faith within a reasonable time. IF the insufficiency is not immediately remedied, appropriate danger signals shall be continued. The municipality may take reasonable interim action and shall determine if danger signals continue to be required. The reasonableness of any proposed remedy must consider the requirements that the expenditure of municipal funds may be made only in accordance with proper procedures.

## **V. INSPECTIONS**

1. As part of its routine road and sidewalk maintenance, the municipality conducts periodic inspections of their condition.

## **VI. ACTUAL NOTICE OBSERVATIONS**

1. In accordance with RSA 231:92, I (b), any official or employee designated in subparagraph (5)(b) of this policy who has actual notice or knowledge of an insufficiency by means other than a written notice filed in accordance with section four (4) of this policy, shall promptly report such insufficiency to the Road Agent who shall take the same action as would be taken if the insufficiency was reported by formal written notice.
2. The employees/officials required to act under subparagraph (5)(B)(1) are the following:
  - a. Selectmen
  - b. Commissioner
  - c. Town Administrator
  - d. Municipal Clerk
  - e. Any on-duty Fire or Police personnel
  - f. Road Agent
  - g. Public Works Director

## **VII. CASUAL OBSERVATIONS**

1. Only knowledge by or notice to those officials or employees designated in paragraph (5r) (b) shall impose an obligation to act as provided by RSA 231:92. While the municipality is not designating or authorizing any other municipal officials and employees to receive notice or otherwise commit the municipality to act in the interest of safety and efficiency, all municipal officials and employees are encourage to be observant of highway and sidewalk conditions and to advise Town Administrator if they observe any conditions which they believe might pose a problem. Any such advice provided to the municipality shall not constitute formal or actual notice or knowledge on the part of the municipality unless made in accordance with section four (3) or an official designated in paragraph (5) (B) (2) has actual knowledge of an insufficiency through personal investigation or observation.

**VIII. IMPLEMENTATION**

1. In accordance with RSA 231:92-a, insufficiencies or hazards caused by snow, ice or other inclement weather shall be handled pursuant to the Town's inclement weather policies and procedures.

**Signed:** \_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

**Dated:** \_\_\_\_\_

**Town of Antrim**  
**SNOW AND ICE REMOVAL ORDINANCE**

**I. ENACTMENT**

1. Pursuant to the power granted us by section 17 RSA Chapter 41 of the revised laws of New Hampshire, we the selectmen of the Town of Antrim, N.H., have passed the following regulations in Antrim, New Hampshire.

**II. REMOVAL REGULATIONS**

1. No person or persons shall deposit or cause to be deposited, snow or ice upon any street, sidewalk, or public place in such a manner as to obstruct traffic or snow removal operations.

**III. PENALTIES**

1. Any person violating the aforesaid ordinance shall be subject to a fine not exceeding one hundred dollars (\$100.00).

**Signed:** \_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

**Dated:** \_\_\_\_\_