



Town of Danville
New Hampshire 03819

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REGULATIONS – Adopted By Board of Selectmen

RSA 41:11 empowers the Selectmen to regulate the use of all public highways, sidewalks, and commons within the town. Selectmen may use the powers conferred on city councils by RSA 47:17, section VII, Use of Public Ways; section VIII, Traffic Devices and Signals; and section XVIII, Automobile Parking Controls;

RSA 41:11-d empowers the Selectmen to adopt regulations to restricting the watering of lawns.

	TITLE	First Enacted	Most Recent Review Date
Regulation 1	Parking	8/18/2003	11/2/2015
Regulation 2	Town Parks	8/18/2003	11/2/2015
Regulation 3	Winter Parking During Snowfall	6/11/2007	Rescinded 11/2/2015
Regulation 4	Depositing Snow	8/18/2003	11/16/2015
Regulation 5	Public Nuisance - Cover for Trucks Hauling Loose Material	6/11/2007	Rescinded 11/16/2015
Regulation 6	Unnecessary Vehicle Noise	8/18/2003	2/1/2016
Regulation 7	Motorized Skateboards, Scooters, Minibikes & Bicycles	8/18/2003	1/1/2016
Regulation 8	Mailbox Installations	11/28/2005	1/19/2016
Regulation 9	Police Detail	8/18/2003	2/1/2016
Regulation 10	Political Advertising	12/28/2011	2/1/2016
Regulation 11	Discharge of Firearms on Town Property	12/24/2014	
Regulation 12	Illicit Discharge	1/26/2015	
Regulation 13	Lawn Watering Restrictions	10/10/2016	



Town of Danville
New Hampshire 03819

REGULATION #1 Parking

Enacted 2015

This regulation combines Regulation #1—Parking and Regulation #3—Winter Parking during Snowfall, both previously enacted by the Board of Selectmen in 2003 and 2007 respectively.

The following parking regulations are adopted for the Town of Danville, New Hampshire. The Danville Police Department is empowered to enforce the regulations with the imposition of fines. Fines not otherwise specified herein shall be in accordance with applicable, current RSAs. (e.g. RSA 265)

Any vehicle found parking in violation of this section may be moved by or under the direction of the Town of Danville at the expense of the owner.

Emergency Condition:

The Chief of Police, Police Officers, Road Agent, Fire Chief, and Fire Wards may determine when an emergency situation exists on a way or places designated for “No Parking”, and that the area must be cleared for access by emergency vehicles.

Winter Parking:

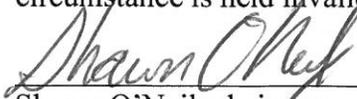
No operator shall leave an unattended vehicle on the streets of the Town of Danville during any winter storm (snow and/or ice storm) and for the time period of forty-eight (48) hours after the storm has ended from November 15th until May 15th.

No vehicle shall be left unattended on any street when the snowfall has accumulated to a depth of four (4) inches, except in case of emergency.

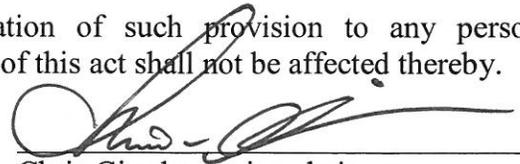
A person convicted of violating this section of the regulation may be fined a penalty of Fifty Dollars (\$50.00) for each occurrence and the vehicle will be towed and its owner will be responsible for towing and storage fees.

Severability:

If any provision hereof, or the application of such provision to any person or circumstance is held invalid, the remainder of this act shall not be affected thereby.

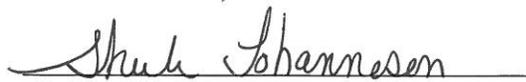


Shawn O'Neil, chairman



Chris Giordano, vice-chairman

Kimberly Farah



Sheila Johannesen

Joshua Horns

Enacted: 11-2-2015, 2015
Board of Selectmen



Town of Danville
New Hampshire 03819

REGULATION #2 Town Parks

Enacted 2015

This Regulation was formerly known as "Parking Restrictions at Town Parks," enacted in 2003.

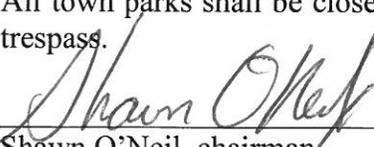
It shall be unlawful for any person to park or operate any motor vehicle on the grounds of a town park outside the area specifically designated for parking. Any motor vehicle parked or operated on any part of the field, grass area or playing area, other than those areas specifically designated for parking, shall be subject to a fine in the amount of fifty dollars (\$50.00). If the motor vehicle is not immediately removed, the vehicle may, at the discretion of the Danville Police Department, be towed at the owner's expense.

This ordinance shall not apply to Town employees or vendors hired by the Town acting in their official capacity in maintenance activities at the park or in the enforcement of this regulation.

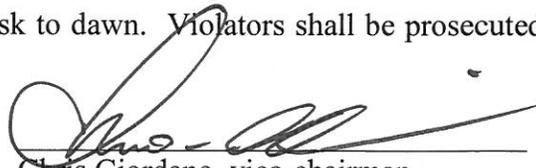
Any feces deposited by a pet at a town park must be immediately removed by the person who has custody or control of the animal. Fines for violations shall be in accordance with current and applicable RSAs. (e.g. RSA 466:31-a.)

Horses are not allowed at town parks at any time unless prior permission is granted by the Board of Selectmen.

All town parks shall be closed between dusk to dawn. Violators shall be prosecuted for trespass.

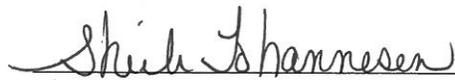


Shawn O'Neil, chairman



Chris Giordano, vice-chairman

Kimberly Farah



Sheila Johannesen

Joshua Horns

Enacted: 11-2-2015, 2015
Board of Selectmen

RESCINDED 11/2/2015



Town of Danville
New Hampshire 03819

REGULATION #3 Winter Parking During Snowfall

Approved 11/28/05 Board of Selectmen's Meeting

I. No operator shall leave an unattended vehicle on the streets of the Town of Danville during any winter storm (snow and/or ice storm) and for the time period of forty-eight (48) hours after the storm has ended from November 15th until May 15th. Any vehicle found parking in violation of this ordinance may be moved by or under the direction of a police officer of the Town of Danville to a place where parking is permitted at the expense of the owner.

II. No vehicle shall be left unattended on any street when the snowfall has accumulated to a depth of four (4) inches, except in case of emergency. Any vehicle found parking in violation of this section might be moved by or under the direction of a police officer of the Town of Danville to a place where parking is permitted, at the expense of the owner.

III. A person convicted of this ordinance may be fined a penalty of One Hundred Dollars (\$100.00) for each offense."

J. Russell Pouliot

Shawn O'Neil

Robert S. Moore

Chris Giordano

Joseph J. Luna

Re-ratified: September 6, 2008
Board of Selectmen



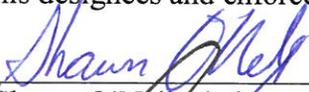
REGULATION #4 Depositing Snow

Enacted 2003

The Board of Selectmen for the Town of Danville, New Hampshire with authority granted to it by RSA 31:39, RSA 41:11, and RSA 47:17, after duly noticed public hearing, adopted the following regulation on August 18, 2003.

It shall be unlawful to deposit or cause to be deposited in, across or upon a public way, sidewalk or public place in the Town of Danville, any ice or snow which has been removed from private property. It shall be unlawful for any person involved in private property snow removal operations to cause or to allow for the accumulation of snow such that it obstructs or impairs any maintained way.

Any homeowner or snow removal operator who violates this snow removal ordinance shall be fined in accordance with RSA 236:19 an amount not to exceed One Hundred Dollars (\$100.00) for the first offense and \$200 for second and subsequent offenses. Additionally, the homeowner or snow removal operator may be subject to civil penalties in accordance with RSA 236:39. Violations shall be determined by the Road Agent and his designees and enforced by the Police Department.



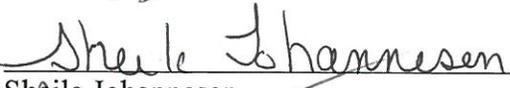
Shawn O'Neil, chairman



Chris Giordano, vice-chairman



Kimberly Farah



Sheila Johannesen



Joshua Horns

Re-ratified: Nov 16, 2015
Board of Selectmen

RESCINDED 11/16/2015



Town of Danville
New Hampshire 03819

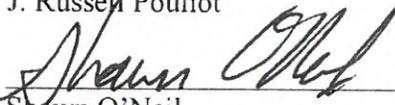
REGULATION #5: Public Nuisance – Cover For Trucks Hauling Loose Materials

Enacted 2003

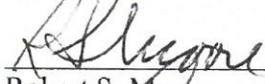
As defined by RSA 266:72 it shall be unlawful for any vehicle to carry or transport over or along a way in the Town of Danville any loam, gravel or other material liable to blow off or blow away or to spill from the vehicle without a suitable cover material in place to prevent such blowing or spillage.

Penalty: Any violation of this ordinance shall be punishable by a fine not more than One Hundred Dollars (\$100.00) for the first offense, plus the cost for restitution for cleaning the spillage and repairing any damaged caused.

J. Russell Pouliot



Shawn O'Neil



Robert S. Moore



Chris Giordano



Joseph J. Kuna

Re-ratified: September 6, 2008
Board of Selectmen



Town of Danville
New Hampshire 03819

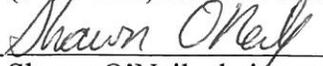
REGULATION #6 Unnecessary Vehicle Noise

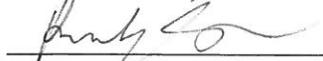
Enacted 2003

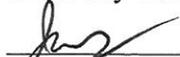
No person shall operate any vehicle on any way in the Town of Danville as to make any loud, unusual or other unnecessary noise as hereinafter defined:

- (a) Vehicle - The word "vehicle" shall include automobile, bus, highway equipment, motor truck, motorcycle, semi-trailer, sidecar, tractor, trailer or other vehicle, as defined in RSA 259.
- (b) Way - The word "way" shall include crosswalk, intersecting way, public way or any business parking lot that is open for business as defined in RSA 259.
- (c) Loud, Unusual or Other Unnecessary Noise - The words "loud, unusual or other unnecessary noise", shall include any noise occasioned by any or more of the following actions of the operator of any vehicle:
 - 1. Misuse of power exceeds tire traction limits in acceleration, sometime known as "laying down rubber" or peeling rubber"; or
 - 2. Misuse of braking power exceeding tire traction in deceleration where there is no emergency; or
 - 3. Rapid acceleration by means of quick shifting manual or standard transmissions; or
 - 4. Rapid deceleration by means of quick shifting manual or standard transmissions; or
 - 5. Racing of engines by manipulation of the accelerator, gas pedal, carburetor, throttle body or gear selection whether the vehicle is in motion or not in motion; or
 - 6. Idling of commercial trucks/tractor trailers and /or buses for periods of time of more than ten (10) minutes between the hours of 10:00 p.m. and 7:00 a.m.; or
 - 7. The blowing of any horn except as a warning signal or the use of any noise making device whether the vehicle is either in motion or not in motion; or
 - 8. The playing or recording of music equipment within a vehicle that can be heard outside the vehicle, which is bothersome to persons of average sensibilities whether the vehicle is in motion or not in motion.

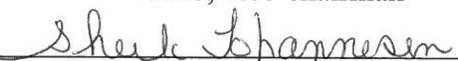
Any person violating any of the provisions of this regulation shall be guilty of a violation and upon conviction shall be fined to a penalty of not more than One Thousand Dollars (\$1,000.00) for each offense.


Shawn O'Neil, chairman


Kimberly Farah


Joshua Horns


Chris Giordano, vice-chairman


Sheila Johannesen

Re-ratified:
Feb 1, 2016 Board of Selectmen



Town of Danville
New Hampshire 03819

REGULATION #7: Motorized Skateboards, Scooters, Mini-bikes and Bicycles

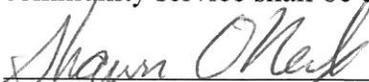
Approved 10/13/04 Board of Selectmen's Meeting

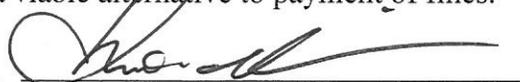
Any motorized vehicle such as skateboards, scooters, mini-bikes, etc. either gasoline-and/or electric-powered, that cannot obtain registration from the State of New Hampshire, is prohibited from operation on any way within the Town of Danville. These vehicles may only be operated on private property with written permission from the landowner unless the operator is on his/her own property. No part of this regulation shall apply to any person who is physically challenged and cannot walk and requires the use of a motorized device for mobility.

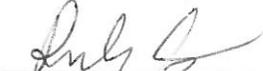
Motorized vehicle – shall but is not limited to mean: any vehicle and/or other device that is propelled by a motor and/or engine that uses gasoline and/or electricity, said vehicles being of such a size or configuration that they are not eligible to be registered for operation by the State of New Hampshire.

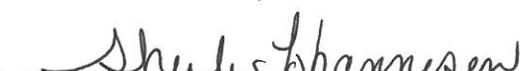
Way – shall mean the entire width between the boundary lines of any public highway, street, avenue, road, alley, park or parkway or any private way laid out according to statute and to include any parking lot, both public and private, where these areas are intended for use by the motoring public. The definition of a Way can be read in its entirety in RSA 259:125 in the Motor Vehicle Code.

Any violation of this regulation shall result in a fine of fifty dollars (\$50.00) for a first offense, and the impounding of the vehicle for a period of up to thirty (30) days. A subsequent offense shall carry a fine of one hundred dollars (\$100.00) and the impounding of the vehicle for a period of thirty (30) days. At the discretion of the court, community service shall be considered a viable alternative to payment of fines.


Shawn O'Neil, chairman


Chris Giordano, vice-chairman


Kimberly Farah


Sheila Johannesen


Joshua Horns

Re-ratified: 1-11-, 2016
Board of Selectmen



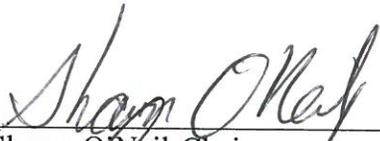
Town of Danville
New Hampshire 03819

REGULATION #8 Mailbox Installations

Approved 11/28/05 Selectmen's meeting

In order to promote more efficient roadway plowing and to increase the safety of the residents, plow drivers, and equipment, the mailbox post shall be set so that the face of the mailbox is no closer than four feet (4') from the edge of the pavement and the bottom of the box shall be no less than forty-five inches (45") above finished grade. Exceptions shall be made for locations where existing topography and/or insufficient room exists to meet the required setbacks, in which case the road agent shall layout the proper location. Posts shall be constructed of a 4"x4" wood post or 2 1/2" hollow metal pipe in accordance with the Federal Highway Administration. Access to the mailbox shall be the responsibility of the property owner/renter.

The Town shall not be responsible for the replacement of any mailboxes damaged by snowplowing operations that do not conform to this regulation.



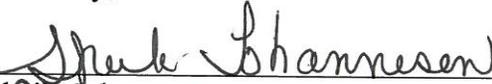
Shawn O'Neil-Chairman



Chris Giordano-Vice Chair



Kimberly Farah



Sheila Johannesen



Joshua Horns

Re-ratified: 1-19 ²⁰¹⁶~~2015~~
Board of Selectmen



Town of Danville
New Hampshire 03819

REGULATION #9 Police Detail

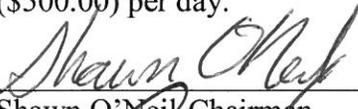
Enacted 2003

The purpose of this regulation is for the safety of the general public, workers and contractors.

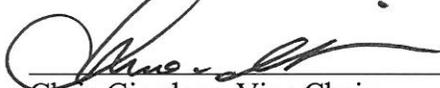
Uniformed Police Officers shall be present at all times when any roadside or road project work is being done unless determined otherwise by the Chief of Police. If the project interferes with the normal flow of traffic, the Chief of Police shall assign an officer to the project. All costs will be borne by the contractor of the project.

The Chief of Police shall determine whether a police vehicle is necessary to provide higher visibility for the protection of the project, contractor, and officer. All additional costs for extra equipment shall be borne by the contractor of the project.

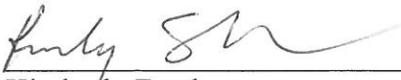
Violators of this regulation shall be fined a sum not less than Five Hundred Dollars (\$500.00) per day.



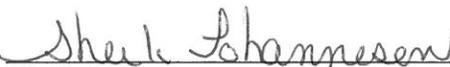
Shawn O'Neil-Chairman



Chris Giordano-Vice Chair



Kimberly Farah



Sheila Johannesen



Joshua Horns

Re-ratified: Feb 1, 2016
Board of Selectmen



Town of Danville
New Hampshire 03819

REGULATION #10 Political Advertising

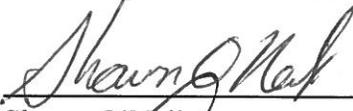
Approved 12/28/2011 Selectmen's Meeting

A political advertisement is any object, device, or structure, or part thereof, which promotes the candidacy of an individual for elected local, county, state or national office, or advocates a specific vote or position on an issue or question.

Pertaining to the Danville Community Center, formerly known as the Fire Association Hall, no unattended political advertisements shall be allowed at any time on the property or on the westerly side of Main Street in front of the Community Center.

Distribution of campaign materials at the Community Center shall be in compliance with RSA 659:43.

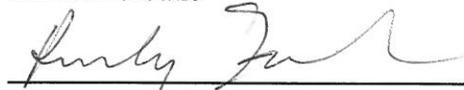
Unattended political advertisements placed on or affixed to any public property may be removed by state or town maintenance or law enforcement personnel. All political advertising will be removed per RSA 664:17.



Shawn O'Neil



Chris Giordano



Kimberly Farah

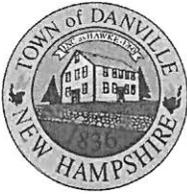


Sheila Johannesen



Joshua Horns

Board of Selectmen, Feb 1, 2016



Town of Danville
New Hampshire 03819

REGULATION #11 Discharge of Firearms on Town Property

Approved at December 22, 2014 Selectmen's Meeting

Authority

This regulation is enacted pursuant to the authority granted by RSA 41:11-a, RSA 159:26 and RSA 207:59.

Prohibited Activities

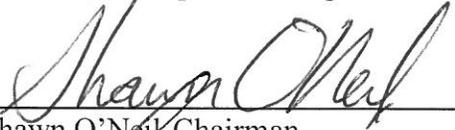
No person shall discharge a firearm on property of the Town of Danville except:

- (a) Hunting as defined and allowed by RSA Title XVIII
- (b) Law enforcement activities authorized by state law
- (c) Self-defense or the defense of others to the extent permitted by state law.

This regulation shall not be construed to prohibit the possession or carrying of firearms to the extent permitted by state law.

Enforcement

Violators will be subject to a fine of up to \$1,000 per occurrence, as provided by RSA 31:39 III, to be paid to the general fund of the town.



Shawn O'Neil-Chairman

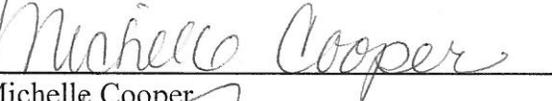
12-22-2014
date



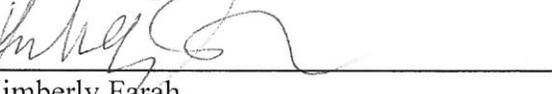
Chris Giordano-Vice Chairman



Annemarie Inman



Michelle Cooper



Kimberly Farah

Board of Selectmen



Town of Danville
New Hampshire 03819

REGULATION #12 Illicit Discharge

Approved at January 26, 2015 Selectmen's Meeting

Purpose

Prohibition of non storm-water discharge into Danville's Small Municipal Separate Storm Sewer System (MS4), and to establish enforcement procedures.

Responsibility for Administration

The Danville Board of Selectmen shall administer and enforce this regulation. Within the scope of law the Selectmen may delegate specified authority in writing to employees or agents of the Town.

Prohibited Activities

1. Illicit connections to the MS4 by construction, continuation, or use in any way, is prohibited.
2. Illicit discharge of non storm-water pollution into the MS4 by dumping, causing, or allowing, is prohibited.
3. The obstruction or interference with normal storm water flow into or out of the MS4 is prohibited except during emergencies or by prior written approval of the Selectmen.

Reporting of Spills

Following the established procedure of the South East New Hampshire HazMat Mutual Aid District, all suspected spills shall be reported as soon as possible to the Danville Fire Department. The Fire Chief shall notify the Road Agent and Health Inspector and other appropriate personnel and agencies, as directed by conditions. The town's road agent will be responsible for reporting any illicit discharge as required by the EPA

Enforcement Procedures

1. Notification: Persons suspected of violating this regulation shall receive written notification specifying the alleged violation and directions to correct violation(s) if they, in fact, exist.
2. Inspection: If a search of property is required to determine the source of alleged violation(s) of this regulation, either written permission or a warrant must be obtained, specifying the alleged violation, where, when, and what the inspection includes.
3. Penalties: The Fire Chief may initiate procedures for the recovery of emergency response costs at the time of a spill. In addition, if a person is found responsible for illicit discharges prohibited by this regulation and has failed to take corrective action the Town of Danville may undertake corrective action and all costs incurred shall be charged to the violator, to be recouped through all available means.

Waivers

The Danville Board of Selectmen reserves the right, for good cause shown, to make special exceptions or waive any portion of this regulation, but must document it in writing.

Severability

If any portion or provision of this regulation shall be held invalid all other provisions shall remain in full effect.

Definitions

For the administration of this regulation the following definitions shall apply:

MS4:(Municipal Separate Storm Sewer System) A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, man-made ditches/channels, and storm drains, owned by the Town of Danville, not part of a combined sewer system, and not part of a publicly owned Treatment Works.

Person: An individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. (As defined by EPA, section 122.2 of the Federal Code of Regulations)

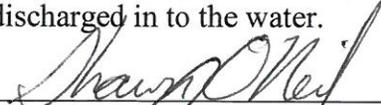
Illicit Connection: A surface or subsurface drain or conveyance which allows an illicit discharge into the MS4.

Illicit Discharge: A discharge to the MS4 of non-storm water.

Storm water: Runoff from precipitation or snow melts.

Non-storm water: Water containing pollutant(s).

Pollutant: As defined by the EPA in section 122.2 of the CFR (Code of Federal Regulations): Dredged spoil, solid waste, incinerator waste, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged in to the water.

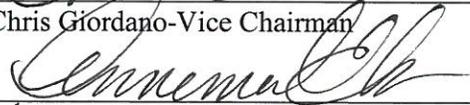


Shawn O'Neil-Chairman

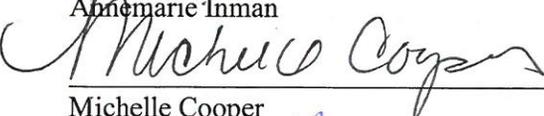
1-26-2015
date



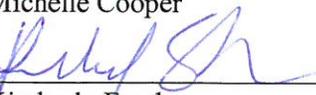
Chris Giordano-Vice Chairman



Annemarie Inman



Michelle Cooper



Kimberly Farah

Board of Selectmen



Town of Danville
New Hampshire 03819

REGULATION #13 Lawn Watering Restrictions

Approved at October 10, 2016 Selectmen's Meeting

Purpose

To protect public health and safety by restricting the use of water from private wells or public water systems for residential outdoor lawn watering during a state or federally declared drought.

Authority

The provisions of this regulation are adopted pursuant to RSA 41:11-d, Choice and Duties of Town Officers. (See Appendix A, Relevant Sections of State Law)

Applicability

The requirements of this section shall apply immediately after the public notice period to all residential outdoor lawn watering within the Town of Danville, NH when administrative agencies of the state or federal government have designated the region as being under a declared state or condition of drought.

Definitions

- A. Drought: A sustained and regionally extensive occurrence of appreciably below average natural water availability in the form of precipitation, stream flow or groundwater. The following resources are used by Town of Danville, NH to determine the declaration of a drought condition.
1. The New Hampshire Drought Management Team as designated by the New Hampshire Drought Management Plan
 2. State of Emergency declaration by the Governor's Office
 3. United States Drought Monitor
- B. Residential Lawn Watering: The application of water to decorative grass at a property that's primary use is to provide living accommodations for people.

Requirements under Drought conditions

The following limits to residential lawn watering will apply under drought conditions. The specified levels (Level 1 through 3) will be determined by the Danville Board of Selectmen and will be included in the required public notice.

- A. If the Town of Danville, NH issues a Level 1 restriction, then
1. Residential lawn watering by odd numbered addresses is allowed on odd numbered days.
 2. Residential lawn watering by even numbered addresses is allowed on even numbered days.
 3. Residential lawn watering shall not occur between the hours of 8AM and 7PM

- B. If the Town of Danville, NH issues a Level 2 restriction, then
1. Residential lawn watering by odd numbered addresses is allowed on Mondays and Thursdays.
 2. Residential lawn watering by even numbered addresses is allowed on Tuesdays and Fridays.
 3. Residential lawn watering shall not occur between the hours of 8AM and 7PM

If the Town of Danville, NH issues a Level 3 restriction, then Residential lawn watering is prohibited.

Public Notification of water use restriction

Notification of any intention to restrict water use and the requirements associated with it shall be given at least three calendar days before implementation. Notice of the regulations shall be posted in a paper of general circulation and shall be posted in at least two public places. Residents are specifically requested to take notice of the notices at the Pine Street Post Office, the town website (www.townofdanville.org), the town hall and the library.

Termination of water use restriction

Public notification and termination of water use restriction shall be given in accordance with the public notification requirements.

Enforcement

Any sworn officer of the Danville, NH Police Department is hereby granted the authority to initiate any enforcement action against any violation of the provisions of this Regulation.

Penalties

Any person failing to comply with the restrictions imposed pursuant to this Regulation shall be deemed a violation and subject to penalties pursuant to RSA 651:2.

First violation: Warning

Second violation: \$250.00 fine

Third violation: \$500.00 fine

Fourth and subsequent violations: \$1000.00 fine

APPENDIX A

RELEVANT SECTIONS OF STATE LAW

RSA 41:11-d Restricting the Watering of Lawns

1. The local governing body may establish regulations restricting the use of water from private wells or public water systems for residential outdoor lawn watering when administrative agencies of the state or federal government have designated the region as being under a declared state or condition of drought.
2. The local governing body shall give notice prior to the implementation of the regulations in paragraph I. Notice shall be given at least 3 calendar days before the regulations are implemented. The notice required under this section shall not include the day notice is posted. Notice of the regulations shall be published in a paper of general circulation in the municipality and shall be posted in at least 2 public places.
3. The full text of the proposed regulations need not be included in the notice if an adequate statement describing the proposal and designating the place where the proposal is on file for public inspection is stated in the notice.

RSA 625:9 Classification of Crimes

4. The violation of any requirement created by statute or by municipal regulation enacted pursuant to an enabling statute, where the statute neither specifies the penalty or offense classification, shall be deemed a violation, and the penalties to be imposed by the court shall be those provided for a violation under RSA 651:2.

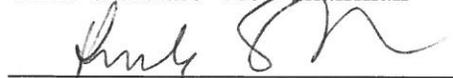
RSA 651:2 Sentences and Limitations

5. A person convicted of a violation may be sentenced to conditional or unconditional discharge, or a fine.
6. A fine may be imposed in addition to any sentence of imprisonment, probation, or conditional discharge. The limitations on amounts of fines authorized in subparagraphs (a) and (b) shall not include the amount of any civil penalty, the imposition of which is authorized by statute or by a properly adopted local ordinance, code, or regulation. The amount of any fine imposed on:
 - a. Any individual may not exceed \$4,000 for a felony, \$2,000 for a class A misdemeanor, \$1,200 for a class B misdemeanor, and \$1,000 for a violation.
 - b. A corporation or unincorporated association may not exceed \$100,000 for a felony, \$20,000 for a misdemeanor and \$1,000 for a violation. A writ of execution may be issued by the court against the corporation or unincorporated association to compel payment of the fine, together with costs and interest.

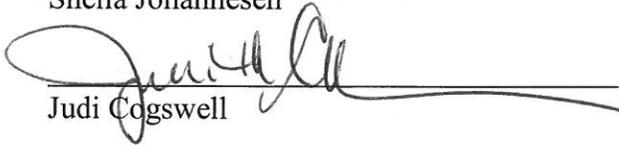

Shawn O'Neil-Chairman

10-10-2016
date


Chris Giordano-Vice Chairman


Kimberly Farah


Sheila Johannesen


Judi Cogswell

Board of Selectmen