

TOWN ORDINANCES

TOWN OF CENTER HARBOR

NEW HAMPSHIRE

Recent Amendments:

2017: Section 6

2018 Section 7 and 2:4

2021 Section 2:4:3

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TOWN ORDINANCES

Town of Center Harbor, New Hampshire

SECTION 1: EMERGENCIES

For any emergency (police, fire, drowning, emergency ambulance, etc.) in the Town of Center Harbor, dial **911**.

For any Police emergency call the Belknap County Sheriff's Department, 253-9756

SECTION 2: ORDINANCES

2:1 Private Sewers and Drains and Sewage Disposals

Be it ordained and enacted by the Board of Selectmen of the Town of Center Harbor, State of New Hampshire, July, 1967, as follows:

2:1:1 Definitions

Unless the context specifically indicates otherwise, this meaning of terms used in this ordinance shall be as follows:

2:1:1:1 “Sewage” shall mean the water-carried waste produced from buildings, public or private, together with such ground water infiltration and surface water as may be present. When used in a general sense herein, the term sewage will include any industrial waste as may be present.

2:1:1:2 “Garbage” shall mean solid wastes, from the preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.

2:1:1:3 “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake or other body or surface of groundwater.

2:1:1:4 “Watercourse” shall mean channel in which a flow of water occurs, either continuously or intermittently.

2:1:1:5 “Person” shall mean any individual, firm, company, association, society, corporation, or group.

2:1:1:6 “Shall” is mandatory; **“May”** is permissive.

2:1:2 Use of Sewage Disposal Facilities

2:1:2:1 It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the Town of Center Harbor or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.

2:1:2:2 It shall be unlawful to discharge to any natural outlet or watercourse within the Town of Center Harbor or in any area under the jurisdiction of said Town, any sewage, industrial wastes, or other polluted waters, except where suitable

treatment has been provided in accordance with subsequent provisions of this ordinance.

2:1:2:3 Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

2:1:3 Private Sewage Disposal

2:1:3:1 Before commencement of construction of a private sewage disposal system, the Owner shall first obtain a written permit signed by the Selectmen. The application for such permit shall be made on a form furnished by the Selectmen, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Selectmen. A payment of five dollars (\$5.00) shall be required with each application.

2:1:3:2 A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Selectmen. They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Selectmen when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Selectmen.

2:1:3:3 The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Water Supply and Pollution Control Division of the State of New Hampshire. A copy of such recommendations will be kept on file with the Selectmen and the Town Health Officer.

2:1:3:4 At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this ordinance and similar private sewage disposal facility shall be abandoned and filled with suitable material.

2:1:3:5 The Owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.

2:1:3:6 No provisions contained in this article shall be construed to interfere with any additional legal requirements that may be imposed by the Center Harbor Health Officer.

2:1:3:7 The Selectmen may designate a person to act as their Agent with respect to all matters arising under this Ordinance.

2:1:3:8 Management of Septage and Sludge

Pursuant to RSA 147:1 the Town of Center Harbor adopts the New Hampshire Code of Administrative Rules, Chapter Env-Ws 800 State of New Hampshire Septage and Sludge Management Rules, by reference. Adoption of these rules is as a health ordinance, and enforcement of the rules shall be in conjunction with the New Hampshire Department of Environmental Services.

2:1:3:9 This Article shall take effect this 15th day of January 1997.

February 1997

2:1:4 Inspection

2:1:4:1 The Selectmen or their duly authorized agent, bearing proper credentials and identification shall be permitted to enter upon all properties within the Town for the following purposes:

- a. To inspect the extent, nature, construction, and operation of private sewage disposal facilities to determine if such facilities comply with the provisions of this ordinance.
- b. To determine if the conditions comply with the statements contained in the application for connection to a public sewer.
- c. To carry out any provisions of this ordinance which requires access to the property for its proper execution.

2:1:5 Validity

2:1:5:1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2:1:5:2 The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

2:1:6 Ordinance in Force

2:1:6:1 This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

2:1:6:2 This ordinance was adopted by vote of the Selectmen of Center Harbor, New Hampshire, in accordance with the provisions of NH RSA CH. 147, S1.

2:2 Public Sewage Disposal

At the north end of Lake Winnepesaukee (Center Harbor Bay) public sewage disposal is available in the town proper of Center Harbor and in the heavily populated adjoining part of Moultonborough. This is provided by “The Bay District” with a board of three Commissioners. About three and one half (3 1/2) miles of sewer line serve the area, with secondary treatment accomplished by aeration in three lagoons, sixteen acres in area. Outfall from the lagoons is chlorinated.

Information concerning District boundaries, extent of the system, and charges for use may be obtained from any one of the Commissioners or from the Center Harbor Town Clerk.

2:3 Use of the Town Dump

Discontinued – dump closed.

2:3:1 Discharge of Firearms

Discontinued

2:4 Use of the Town Beach

2:4:1 No person shall use the Town Beach for any purpose between the hours of ten (10) pm and six (6) am of each day during the period May 1 to October 15 of each year. Nor shall any person swim off the dock on said Town Beach at any time, nor shall any person deposit cans, bottles, or other rubbish in the water or on the premises except into receptacles provided for that purpose. In addition, there shall be a three (3) hour limit on the docking, mooring or tying up of boats at any Town wharf or dock facility from 8:00 am to 10:00 p.m. There shall be no docking, mooring or tying up of boats at any Town wharf or dock facility from 10:00 p.m. to 6:00 am. In addition, there shall be no boat trailer parking at the Center Harbor Town Beach parking lot. March2016

Any person who shall violate any part of the foregoing shall be fined not more than thirty five dollars (\$35.00), in addition to having their vehicle, trailer or boat, or all of the above towed at the owner's expense.

2:4:1:1 In 1973 the Town voted to permit Moultonborough residents, property owners and their guests to use the beach facilities of the Town of Center Harbor in exchange for the continued reciprocal right of residents and property owners of the Town of Center Harbor and their guests to use the beach facilities of Moultonborough, said grant or permission to use the Center Harbor Town Beach to be contingent upon the continued future right to use Moultonborough beach facilities.

2:4:2 Center Harbor Town Beach Parking Permit Policy. Adopted on October 10, 2018

The Center Harbor Town Beach which is located on Lake Winnepesaukee off Route 25 and 24 Lake Street, Center Harbor, NH. The Center Harbor Town Beach is a residential town beach for the use and enjoyment of Center Harbor and Moultonborough residents, property owners and their guests.

The purpose of this policy is to ensure that Center Harbor Residents, their family and guests have sufficient parking for easy beach access. This includes:

- Lake Street, next to the Town Beach
- Parking in the dirt Beach parking lot next to the basketball courts

For these areas, the Town of Center Harbor has established the following rules:

- Resident vehicles parked in these areas **MUST** display a current **Transfer Station & Beach Permit Sticker** issued either by the Town

of Center Harbor or the Town of Moultonborough. (available at the respective Town Halls)

- For Center Harbor property owners and residents who do not use the transfer station, two free paper Resident permits and two free Guest permits may be issued per year upon request. These are to be placed on the front left dashboard of the vehicle and shall include the license plate number for the resident permits and the property owner or resident name on the guest permits.
 - The resident and guest paper permits shall be different in colors.
 - Parked vehicles without a permits will be fined \$75.00
- Guest vehicles parked in these areas shall display on the dashboard a **Guest Permit** (available only at the Center Harbor Town Hall)
- Vehicles shall not park in the designated boat trailer parking areas Memorial Day through Labor Day (Violators will be fined).

Sticker and Pass Details:

- The Town of Center Harbor's Transfer Station & Beach permit sticker can be purchased by residents and property owners at the center Harbor Town Hall for \$20.00. This sticker is valid for 2 years.
- The Town of Moultonborough's Transfer Station & Beach Permit sticker can be purchased by residents at the Moultonborough Town Hall for \$20.00. The sticker is valid for 2 years.

To make it easy, when purchasing your **Transfer Station & Beach Permit sticker**, be sure to ask the Town Clerk for the complimentary Guest Permits. Every resident is entitled to get two (2) at no additional cost.

Center Harbor Park and Town Beach Rules:

The beach is the property of the Town of Center Harbor and is for the use and enjoyment of Center Harbor and Moultonborough residents, property owners and their guests. Those who do not have a Beach Permit shall be **fined \$75.00**. (Memorial Day through Labor Day)

- Seasonal lifeguards on duty 9 a.m. to 5 p.m.
- Beach officially closed when lifeguard is not on duty
- No floatation devises or snorkels
- No diving or swimming from the Town Docks or Canoe House
- No pushing or running on raft

- No swimming under the raft or beyond the swim line
- Diving off the raft is at your own risk
- No throwing dangerous objects
- No feeding of ducks or gulls
- No soap or shampoo
- No smoking except in designated upper parking lot
- No glass or alcoholic beverages
- No litter PLEASE USE THE DUMPSTER
- NO PETS ALLOWED
- Ball and Frisbee playing in the grass area only

Inappropriate behavior or language will result in loss of beach or park privilege

2:4:3 In 1985 the Town voted to exempt the High Haith Boat Launch from the reciprocal agreement with the Town of Moultonborough, per paragraph above. The Center Harbor Boat Landing is located at 315 High Haith Road on Squam Lake. This Boat Launch is for the use and enjoyment of Center Harbor residents and their guests ONLY. Parking passes will be required at the High Haith Boat Launch parking area from Memorial Day through Labor Day, the same as the Town Beach on Lake Winnepesaukee. Transfer station decals or resident parking passes will be required during this time frame. Those who do not have a parking pass shall be fined \$75.00 (Seventy-Five dollars).

November 2021

2:4:4 A boat launching fee is to be charged for launching boats on Lake Winnepesaukee whenever the attendant is on duty, fee to be established by the Selectmen. Center Harbor tax payers, residents and their guests are accepted.

2:4:5 There shall be no feeding of the ducks at the Town Beach and Docks. Any person who shall violate the foregoing shall be fined not more than thirty five (\$35.00).

2:5 Leash Law

By vote of the Town Meeting, March 14, 1978, the following Ordinance will be in effect at once in the Town of Center Harbor.

2:5:1 This Ordinance may be referred to as the Center Harbor Leash Law.

2:5:2 The purpose of this Ordinance is to require that all dogs in the Town of Center Harbor be kept under the control of their owners at all times so that they will not injure persons, damage property or create a nuisance.

2:5:3 The provisions of the ordinance which apply to the owner of the dog shall equally apply to any person having custody or possession of the dog.

2:5:4 It shall be unlawful to permit any dog to roam at large within the Town of Center Harbor. The owner or keeper of a dog shall keep the dog on a leash or under the control of the owner or keeper whenever the dog is not on the property of the owner or keeper.

April 1992

2:5:5 The term “under owner’s control” shall mean that the dog is either:

2:5:5:1 on the property of the owner or keeper;

2:5:5:2 the dog stays within close proximity to its owner or keeper and responds promptly to verbal commands of the owner or keeper.

2:6 Fire Permits

There shall be no open burning or fires in the Town of Center Harbor without a permit. Permits may be obtained from the District Fire Warden or the Town Clerk. Call Town Clerk for further information (253-4561).

2:7 Barrier Fences Around Swimming Pools

All below-ground swimming pools must have a suitable barrier fence that shall be at least four (4) feet in height and encompass the entire pool (i.e., chain link fence, solid board fence, or one that serves the same purpose).

2:8 Use of the Tennis Courts

Tennis shoes or sneakers are required. No food or drink allowed beyond gate. Play is limited to one hour. No wheeled vehicles allowed on court. No mechanical serving machines. Court time may be limited without notice.

Violators may lose court privileges and/or be subject to a fine of up to fifty (\$50.00) dollars.

2:9 Construction of Driveways

2:9:1 This ordinance shall apply within the limits of the Town of Center Harbor.

March 1992

2:9:2 No new driveway, leading off a town road, shall be constructed without approval from the board of selectmen of Center Harbor.

2:9:3 No existing driveway shall be blacktopped, or culvert or ditch altered, without approval from the selectmen as to treatment at town ditch line.

2:9:4 If a culvert or drain pipe is deemed necessary for proper drainage, said pipe or culvert shall be furnished by the property owner, at his expense, in a diameter and length approved by the Town Road Agent, and installed by the Town of Center Harbor at no cost to the property owner.

2:9:5 Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a fine of not more than twenty-five (\$25.00) dollars. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this is committed, continued, or permitted by such person, firm or corporation, and shall be punishable therefore as provided therein.

This ordinance to be in force as of December 1, 1979.

2:10 Deleted

2:11 Deleted

2:12 Deleted

2:13 Bridges

The weight limit for the Hawkins Pond Bridge in the Town of Center Harbor shall be twelve (12) tons.

2:14 Deleted

2:15 Deleted

2:16 Power of Selectmen

2:16:1 Regulations of Streets and Highways

The selectmen are hereby empowered to promulgate comprehensive regulations relative to parking, standing, and stopping upon the following: “Any public highway, street, avenue, road, alley, park or parkway, or any private way laid out under authority of statute, and ways provided and maintained by public institutions to which state funds are appropriated for public use, or any public and private parking lot which is maintained primarily for the benefit of paying customers.

2:16:2 Places of Public Accommodation and Parking Lots

Whenever the selectmen shall determine that any building or buildings used as places of public accommodation or as business places open to the public are so situated that access thereto by emergency vehicles is essential to the protection of the lives and safety of the public, the selectmen may designate one (1) or more areas of any way or parking lot, including such areas as may be situated on private property as emergency lanes for the purpose of permitting ingress and egress of emergency vehicles.

2:17 Procedure

The Selectmen shall cause a copy of any regulation proposed to be enacted under the provisions of this article to be published at least once in each of two (2) successive weeks in a newspaper of general circulation in the town together with a notice of a public hearing which shall be held not less than five (5) days following the last such publication. In addition, where emergency lanes are proposed to be established upon private property,

the selectmen shall cause a copy of said proposed regulation and a notice of the public hearing thereon to be mailed by certified mail to the owner of the property upon which said lanes are to be established, said notice to be mailed not less than ten (10) days prior to the date of the hearing.

2:18 Deleted

2:19 Ticketing

Any Police Officer is designated Parks and Recreational employee empowered to place upon any vehicle found to be in violation of any regulations promulgated under this article, a tag or ticket in a form prescribed by the selectmen setting forth the time and place of the violation and directing the owner of said vehicle to pay the fine hereinafter provided within five (5) days at the office of the Town Clerk.

2:20 Deleted

2:21 Notices

Whenever any tag or ticket issued pursuant to Section 2:16 has not been returned to the Town of Center Harbor with the fine herefor within five (5) days after the issuance thereof, the Chief of Police is authorized to mail by first class mail to the owner of the vehicle upon which said tag or ticket was placed, a notice setting forth the date and time of the violation and requiring the owner to pay the fine hereinafter provided within seven (7) days after the date of the notice.

Failure to comply with this section may result in a summons to court.

2:22 Deleted

2:23 Deleted

2:24 Deleted

2:25 Deleted

2:26 Deleted

SECTION 3: Compliance Officer

The Selectmen may designate a person to act as their agent in regard to all matters pertaining to building, said person to be known as the Compliance Officer. The Compliance Officer will check all building codes and standards before issuing a Certificate of Occupancy. Said Compliance Officer will also approve site for septic systems before installation.

March 1993

SECTION 4: ORDINANCES

4:1 Street Naming and Property Numbering System

Be it ordained and enacted by the Board of Selectmen of the Town of Center Harbor, State of New Hampshire, August 29, 2001 as follows:

4:1:1 Definitions

4:1:1:1 Addressable structure

- A. Residential: structure having sleeping quarters, kitchen and toilet facilities.
- B. Business: structure used for business enterprise having wired telephone. A business enterprise may be comprised of several buildings on the same site.

4:1:1:2 Street: Road, Avenue, Circle, Drive, Lane, Row, Court, Way, Highway, and Route.

4:1:1:3 Island: Land mass totally surrounded by water, access is primarily by boat.

4:1:1:4 Interval: Number given at each fifty (50) feet of frontage.

4:1:2 Authority

In accordance with New Hampshire Revised Statutes Annotated (RSA) and any other lawful authority, the Town of Center Harbor adopts the following ordinance establishing a uniform numbering system for addressable structures within the Town.

4:1:3 Purpose

4:1:3:1 To establish a uniform system of numbering addressable structures and to promote efficiency in locating structures. To provide more expedient emergency response and to provide consistent mailing addresses, also to conform to State-wide Enhanced 911.

4:1:4 Parties Affected

All addressable structures within the corporate limits of the Town of Center Harbor shall hereafter be identified by reference to the uniform numbering system as promulgated, or amended by the Board of Selectmen.

4:1:5 Numbering System

4:1:5:1 The starting point of each street is to be determined by its primary intersection.

4:1:5:2 The numbering begins with each street's starting point.

4:1:5:3 Numbers to the left will be odd.

4:1:5:4 Numbers to the right will be even.

4:1:5:5 One odd and one even number will be assigned to each fifty (50) foot interval of road frontage.

4:1:5:6 If an addressable structure has several possible numbers due to the road frontage, the number closest to the driveway will be designated.

4:1:5:7 Multi-family complexes, mobile-home parks, shopping centers, and cottage colonies shall be assigned only one (1) number to the primary entrance to the street. Units shall be internally numbered according to a logical pattern.

4:1:5:8 Corner lots shall be assigned the appropriate street number that corresponds to the street toward which the structure faces or the street of access.

4:1:5:9 Addressable structures on islands shall be assigned an even number starting from the northernmost part of the island and going in a clockwise direction. One even number will be assigned to each one hundred fifty (150) foot interval of lake frontage.

4:1:5:10 If an owner has more than one (1) addressable structure at one location, a number shall be assigned to each of the structures.

4:1:6 Procedures

- 4:1:6:1** All owners of addressable structures within the corporate limits of the Town of Center Harbor shall affix the assigned number in accordance with this section.
- 4:1:6:2** All properties with addressable structures shall display the assigned street number(s) so as to be readily visible from the street.
- 4:1:6:3** For addressable structures readily visible from the street, the number shall be conspicuously displayed on that side of the structure that faces the street.
- 4:1:6:4** For addressable structures not visible from the street, or greater than fifty (50) feet from the street, the assigned number(s) shall also be conspicuously displayed at the point of entry to the property, so as to be visible on a year-round basis. The preferred method of display shall be on both sides of a mailbox. However, if the mailbox is not located at the point of entry or there is no mailbox, the assigned street number(s) shall be displayed on a sign post or by similar means at the point of entry to the addressable structure(s).
- 4:1:6:5** All street numbers shall be of a contrasting color to the background to which they are attached.
- 4:1:6:6** All street numbers shall be a minimum of four (4) inches high. Island numbers shall be a minimum of six (6) inches high so as to be seen from a boat.
- 4:1:6:7** Assigned numbers displayed on mailboxes shall comply with U.S. Postal Service regulations.
- 4:1:6:8** All road signs shall be approved by the Board of Selectmen or their agent.
- 4:1:6:9** All road signs shall conform to standards set by the Board of Selectmen.

4:1:7 New Buildings and Subdivisions

- 4:1:7:1** Whenever an addressable structure shall be erected or located within the corporate limits of the Town of Center Harbor, designated numbers shall be affixed to the property as provided by this ordinance prior to occupancy.
- 4:1:7:2** Every subdivision or site plan review submitted to the Planning Board for final approval shall show street name(s) and building numbers of each unit or structure as applicable. These names and numbers shall be assigned to conform with this ordinance.
- 4:1:7:3** In all cases, local postal officials, assessing officials, police department, fire department and local ambulance service shall be advised of the street name or building number assigned to the new lots or structure.

4:1:8 Penalties

- 4:1:8:1** Any property owner who fails to comply with the provisions of this ordinance within six (6) months of the mailing date of the “Notification of Property Number Assignment” and/or “Road Name Assignment” shall be guilty of a violation, the penalty for which is a fine of Ten Dollars (\$10.00) per day beginning the day after written notification of the violation is received by the property owner and continuing until the violation is corrected.
- 4:1:8:2** Any property owner who shall affix to or display upon a structure any number other than that assigned to it, pursuant to this ordinance shall be guilty of a violation, the penalty for which is a fine of Ten Dollars (\$10.00) per day beginning the day after written notification of the violation is received by the property owner and continuing until the violation is corrected.
- 4:1:8:3** This section shall not apply to the display of date-of-origin numbers for historic buildings, provided that they are displayed so as not to be confused with the assigned street number.

4:1:9 Appeals

- 4:1:9:1** Any property owner aggrieved by the implementation or the administration of the provisions of this ordinance may appeal to the Board of Selectmen.
- 4:1:9:2** All appeals shall be in written form setting forth the basis for the appeal.
- 4:1:9:3** All appeals shall be acted upon in a timely fashion.
- 4:1:9:4** The invalidity of any section of this ordinance shall not, unless necessary, affect the validity of the remaining sections.

4:1:10 Road Name Change Policy

- 4:1:10:1** Property owners who desire to change the name of a roadway in the Town of Center Harbor shall present a written request to the Board of Selectmen. The applicant must have his/her residential, commercial, or other property located on that roadway.
- 4:1:10:2** The individual or individuals requesting a change of name shall participate in the coordination process. Applicant participation begins at the initial reading of a request received under this policy. The applicant at that time shall receive a copy of the Road Name Change Checklist. Upon completion of the Road Name Change Checklist, the applicant shall return said checklist to the Board of Selectmen for deliberation and approval.
- 4:1:10:3** Upon approval, the individual or individuals requesting the name change shall pay to the Town of Center Harbor a one-time fee of three hundred dollars (\$300.00). This fee will help defray the Town's cost for the installation of new road signs, mapping changes, incidental costs etc. For private roads, upon which the Town will not install road signs, the Board of Selectmen may reduce the fee by the cost of the signs, including installation costs, prevailing on the date of approval.

4:1:10:4 The Town of Center Harbor is responsible to place and replace road signs on Town and State roadways. Property owners or property owner associations are responsible to place or replace road signs in the manner specified by RSA 231:133 and other statutes.

4:1:11 Amendments

This ordinance may be amended at any time by the Board of Selectmen after public notice of the proposed changes.

4:1:12 Effective Date

The above described ordinance shall become effective immediately upon adoption by the Board of Selectmen.

Adopted: August 29, 2001

SECTION 5: REGULATION OF NUISANCE/FALSE ALARMS

The purpose of this ordinance is to establish regulations relative to the installation, activation, and use of fire and/or police automated signal devices.

5:1 As used herein, the following terms shall have the meanings indicated:

5:1:1 Alarm Systems – Any assembly of equipment and devices arranged to signal the police and/or fire departments, either by direct telephone or other communication, of a present hazard requiring urgent attention and to which the police and/or fire departments are expected to respond.

5:1:2 Digital Encoder Alarms – Those alarm systems which automatically communicate an emergency situation, by transmitting a sequential toning signal over a telephone line to a digital communicator, for the purpose of signaling the police and/or fire departments.

5:1:3 Direct Dialer Tape Alarms – Those alarm systems which automatically seize a telephone line connected to the police and/or fire department and reproduce a prerecorded voice message indicating the existence of an emergency situation.

5:1:4 False Alarm – The activation of an alarm system through mechanical failure, accidental tripping, mis-operation, malfunction, misuse, or the neglect of the owner or lessee of an alarm system in which an alarm is signaled when, upon subsequent investigation of the police or fire department, there is no evidence of a fire/smoke condition, intrusion or other legitimate need or legitimate cause of activating the system. It shall not, however, include alarms caused by earthquakes, violent winds, electrical storms, or external causes beyond the control of the owner or lessee of the alarm system.

5:2 False Alarm Charge

Any person who owns or maintains an alarm connected to an alarm agent, alarm business or a person responding to audible alarms which has caused any signal, message, or alarm to be transmitted to the police department or fire department either by direct telephone or other communication and which is proven to be a false alarm shall pay a false alarm charge to the Town of Center Harbor as follows:

Commencing with the effective date of this ordinance and for one (1) year thereafter the service charge for false alarms shall be: First three (3) alarms – No charge. Thereafter, for more than three (3) false alarms during any twelve (12) month period, the service charge shall be one hundred dollars (\$100.00) on the fourth occurrence, two hundred dollars (\$200.00) on the fifth and any subsequent occurrences. Records on false alarms shall be kept and counted separately by the Police and Fire Departments. Invoices for false alarm charges shall be sent out by the Police Department. Payment is due within thirty (30) days of invoice date.

5:3 Notice to Disconnect For Excess False Alarm

Whenever a particular alarm system has resulted in six (6) or more false alarms during a period of twelve (12) consecutive months, the Chief of Police or Fire Chief shall send to the party responsible for that alarm system a notice by certified letter, with return receipt, advising them that the alarm will need to be disconnected. The responsible party for the alarm system shall be responsible for contacting their alarm company to disconnect the system and must provide written proof that the system has been disconnected.

5:4 Notice of Disconnect – Failure to Pay

In the event that any person responsible for the operation of an alarm system fails to pay within thirty (30) days from the date on the false alarm invoice issued, the Chief of Police and/or Fire Chief shall cause to be sent to that person a notice by certified letter, with return receipt, that the alarm must be disconnected.

5:5 Disconnect Notice Handling

Any person receiving a disconnect notice shall have thirty (30) days to show just cause to the Board of Selectmen why that alarm should not be disconnected. In the absence of just cause, the alarm must be disconnected at the end of the thirty (30) day period and written proof that the system has been disconnected must be submitted to the Police/Fire Departments. Owners of disconnected systems may apply to the Board of Selectmen to be reconnected within thirty (30) days of disconnect. Proof of repair is required in all cases of a faulty mechanism. Written permission from the Board of Selectmen is required before any system that was previously disconnected may be reconnected. Owners of any system that has not been disconnected after order to do so, or any system reconnected without permission of the Board, is subject to further fines.

5:6 Appeals Board

Any person aggrieved by decision to impose a fee under the provision of this ordinance may appeal that decision to the Board of Selectmen.

5:7 Written Permission Necessary and Installation Requirements

No alarm system, as defined above, may be installed or operated within the Town of Center Harbor without prior written permission received from the Fire Department and/or Police Department. Furthermore, all new installations of fire alarms shall require the installation of a “Knox/Supra Key Box,” a key safe box, accessible by the Fire Department. Knox/Supra Boxes are not required for systems that have only burglar alarms.

All alarm systems, both new and existing, must be registered with both the Fire and Police Departments as to location, type of alarm, and responsible person(s) to be contacted.

5:8 Direct Dialer Tape Alarm Prohibited

The use of direct dialer tape alarms directed to any Town Offices, including the Fire and Police Departments or their respective dispatch centers, is prohibited and permission will not be given for their use. Any person responsible for the misuse of such alarm shall be guilty of a criminal violation in accordance with RSA 370-A.

5:9 Digital Encoder Alarms

The use of digital encoder alarms is prohibited.

5:10 Responsibility to Maintain Access to Property

Any person who owns or maintains an alarm connected to an alarm agent, alarm business or a person responding to audible alarms, which has caused any signal, message, or alarm to be transmitted to the police department or fire department either by direct telephone or other communication shall be responsible to maintain access to the alarmed property year round.

Failure to do so shall result in the inability for the Police/Fire Departments to respond and investigate any alarms, and may result in an order for reconnection of the alarm system. Any person receiving such a disconnect notice shall have thirty (30) days to show just cause why that alarm should not be disconnected. In the absence of just cause, the alarm must be disconnected at the end of the thirty (30) day period and written proof that the system has been disconnected must be submitted to the Police/Fire Departments.

5:11 Responsibility to Provide/Update Information

Any person who owns or maintains an alarm connected to an alarm agent, alarm business or a person responding to audible alarms, which has caused any signal, message, or alarm to be transmitted to the police department or fire department either by direct telephone or other communication shall be responsible for completing an Alarm System Information Form for the Fire and/or Police Department(s) depending on the type of alarm system. This includes all systems currently in use prior to the commencement date of this ordinance. Forms are available through both the Fire and Police Departments. All forms must be turned into the Police Department, who will in turn be responsible for disseminating fire alarm information to the Fire Department. All forms must include at least one (1) local responder, defined as any party responsible for the property. All responders must have a key to the premises.

Any person who owns or maintains an alarm connected to an alarm agent, alarm business or a person responding to audible alarms, which has caused any signal, message, or alarm to be transmitted to the police department or fire department either by direct telephone or other communication shall be responsible to update both the Fire Department and Police Department of any changes in regards to their alarm system. This includes location, type of alarm, and responders. All changes must be submitted to the Police Department within thirty (30) days of a change.

Failure to do so shall result in the inability for the Police/Fire Departments to respond and investigate any alarms, and may result in an order for disconnection of the alarm system.

5:12 Knox/Supra Key Lock Box

Any person who owns or maintains a fire alarm connected to an alarm agent, alarm business or a person responding to audible alarms, which has caused any signal, message, or alarm to be transmitted to the fire department either by direct telephone or other communication shall utilize a Knox/Supra Box Rapid Entry system. Applications for boxes and related hardware require the Knox/Supra Authorization Order Form with a Fire Department Authorization signature, available through the Fire Department.

5:13 Implementation of Ordinance

Any person who owns or maintains any alarm system within the Town of Center Harbor is granted thirty (30) days from the effective date of the ordinance to submit an Alarm System Information Form to the Police Department. A period of one hundred eighty (180) days is granted to apply for a Knox/Supra Box. Any person found to be in violation of this shall be subject to further fines.

Approved and effective this 8th day of February 2008

Section 6: Disorderly Actions

6:1 Policy Statement

It is declared to be the intent of the Town of Center Harbor to promote an environment free from excessive noise which unnecessarily jeopardizes the health and welfare of the citizens of Center Harbor and degrades the quality of life in this community, without unduly prohibiting, limiting or otherwise regulating certain actions and the function to certain noise producing equipment which is not amenable to such controls yet is essential to the economy and quality of life of the community. The purpose of this Section is to establish standards for the control of noise and certain disturbances in the Town by prohibiting specific activities during designated times and by setting maximum permissible sound levels within the Town as follows. This Section is not intended to be used against victims of reported incidents of domestic violence:

6:1:1 Definitions

For the purposes of this Section, the following words and phrases shall have meanings respectively ascribed to them by this Section:

6:1:1:1 Intra-Property Real Property Division:

Shall mean the ceilings, walls, floors, doors and windows of any duplex, multi-family or condominium dwelling or structure which separate the real property leased or owned by one person from that owned or leased by another person.

6:1:1:2 Lawful Orders:

- A. A command issued to any person for the purpose of preventing said person from committing any offense when the officer has reasonable grounds to believe that said person is engaged in a course of conduct which makes his commission of such an offense imminent;
- B. A command issued to any person to stop him/her from continuing to commit any offense when the officer has reasonable grounds to believe that said person is presently engaged in conduct which constitutes any such offense.

6:1:1:3 Person:

Any individual, association, partnership, or corporation, including, any officer, employee, department, agency, or instrumentality of a state or

any political subdivision of a state.

6:1:1:4 Public Right-of-Way:

Any street, avenue, boulevard, highway, sidewalk, or alley or similar place, which is owned or controlled by, a governmental entity

6:1:1:5 Public Place:

Any place to which the public, or a substantial group has access. The term includes, but is not limited to, public ways, sidewalks, schools and the lobbies of hallways of apartment building, hotels or motels.

6:1:1:6 Public Space:

Any real property or structure thereon, which is owned or controlled by a governmental entity.

6:1:1:7 Real Property Boundary:

Any imaginary line along the ground surface, and its extension, which separates the real property owned by one person from that owned by another person.

6:1:1:8 Noise Disturbance:

Making loud or unreasonable noises in a private place or a public place which could be heard in a public place or other private place which would disturb a person of average sensibilities, create a breach of the peace, public inconvenience, annoyance or alarm.

6:1:2 Disorderly Actions

6:1:2:1 A person is guilty of Disorderly Actions at any hour of the day if:

A. He/She knowingly or purposely creates a condition which, is hazardous to himself or another in a public place by any action which serves no legitimate purpose, or;

B. He/she:

1. Engages in fighting or violent, tumultuous or threatening behavior in a public place; or

2. Directs at another person, in a public place, obscene, derisive or offensive words which are likely to provoke a violent reaction on the part of any ordinary person; or
 3. Obstructs vehicular or pedestrian traffic on any public street or sidewalk or the entrance to any public building; or
 4. Engages in conduct in a public place which substantially interferes with a criminal investigation, a firefighting operation to which RSA 154:17 is applicable, the provision of emergency medical treatment, or the provision of other services when traffic or pedestrian management is required; or
 5. Knowingly refuses to comply with a lawful order of a peace officer to move from any public place;
 6. Dumps, discards, deposits, throws or leaves or causes or permits the dumping, discarding, depositing, throwing or leaving of Litter on any Public place.
 7. Possesses, carries, transports or otherwise has under his/her control any intoxicating liquor, within the limits of or upon any way, Public Place, public building or grounds of any public building, except in its original container and with the seal unbroken.
 8. Exposes his/her genitals or buttocks in a location where exposure is visible to another in a Public Place, or if any female exposes her breasts for any purpose other than to breast feed that person's child;
 9. Urinates or defecates in a location where exposure is visible to another in a Public Place
- A. He/she purposely causes, or allows to be caused, a breach of the peace, public inconvenience, annoyance or alarm, or recklessly creates a risk thereof, by:
1. Making, or allowing to be made, loud or unreasonable noises in a public place, or in a private place which can be heard in a public place, or other private places, which would disturb a

person of average sensibilities, to include but not limited to the following:

- a. the use, playing or operation of any radio, television, phonograph, stereo, drum, musical instrument, sound amplified or similar device which amplifies sound; or
 - b. the use or display of fireworks except as authorized elsewhere herein;
2. Disrupting the orderly conduct of business in any public or private facility; or
 3. Disrupting any lawful assembly or meeting of people, without lawful authority.
 4. Operating or permitting the operation or use of any electronically amplified sound system while operating a moving or in control of a parked motor vehicle so as to produce sound that is clearly audible in a public right-of-way or public space more than fifty (50) feet from the motor vehicle, except as otherwise authorized.
 5. Operating any motor vehicle so as to make any loud, unusual, or unnecessary noise occasioned by any one or more of the following actions:
 - a. MISUSE OF POWER –exceeding tire traction limits in acceleration, sometimes, known as “laying rubber,” or “peeling rubber”, or excessive acceleration, where there is no emergency;
 - b. MISUSE OF BRAKING POWER – exceeding tire traction limits in deceleration where there is no emergency;
 - c. RAPID ACCELERATION – by means of quick up – shifting of transmission gears with either clutch or manual transmission of automatic transmission;
 - d. RACING OF ENGINE – by manipulation of the accelerator, gas pedal, carburetor or gear selection, whether the motor vehicle is in motion or stationary.
- C. Noise Disturbance Time Restrictions Prohibitions.

It shall be unlawful to cause a noise disturbance as defined here,

1. **Between the hours of 10:00 p.m. and 6:00 a.m.** - created by
 - a. Loading, unloading, opening, closing or otherwise handling boxes, crates, containers, building material, trash cans dumpsters or similar objections
 - b. The operation or use of agricultural equipment to include, but not limited to tedders, bailers and tractors.

2. **between 10:00 p.m. and 7:00 a.m. Monday through Saturday and from 10:00 p.m. and 8:00 a.m. on Sunday.**
 - a. The operation, idling or use of construction vehicles to include but not limited to, bulldozers, graders, dump trucks, backhoes, earth moving equipment, front end loaders and log skidders on the job site;
 - b. The operation or use of tools, machinery, or construction equipment to include but not limited to, cement mixers, hammers, staple or nail guns, power tools (i.e. saws, drills, grinders, sanders) chainsaws, lawnmowers, electric hedge trimmers, lawn-edger's and jackhammers;

3. **LEGALLY ALLOWED FIREWORKS** displays are allowed no earlier than noon and no later than 10:00 p.m. with the following exceptions: 4th of July and New Year's Eve the permitted time is extended until 12:30 a.m.

- D. "Disorderly Actions" shall not include the directly related actions of a victim of a reported incident of domestic violence.

6:1:3 EXEMPTIONS:

6:1:3:1 The following uses and activities shall be exempt from noise level regulations:

- A. Noise of safety signals, warning devices and emergency pressure relief valves.
- B. Noises resulting from any authorized vehicle, when responding to an emergency call or acting in time of emergency, training exercises and maintenance.

- C. Noises resulting from emergency maintenance work as performed by the Town, State or public utility companies, including snow removal operations.
- D. Municipal maintenance work where the abutters to the work site have been given prior notice of the project.
- E. Any other noise resulting from activities of a temporary duration permitted by law or for which a license or permit therefore has been granted by the Town which specifically references a temporary exemption from part or all of the ordinance.
- F. Snow blowers and other types of private or commercial snow removal operations.
- G. Parades and public gatherings for which the Town has issued a permit.
- H. Bells, chimes or carillons, while being used for religious purposes or in conjunction with religious services and those bells, chimes or carillons that are presently installed and in use for any other purpose.
- I. The unamplified human voice, except where otherwise prohibited by provisions of this Section.

6:1:4 Fines

Disorderly Actions is a violation, punishable by a fine of up to \$300 for a first offense, \$600 for a second offense and up to \$1000 for any subsequent offense.

6:1:5 Temporary Authorizations

The Board of Selectmen is hereby authorized to suspend this ordinance or any specific section for a period not exceeding seven (7) days to persons or organizations wishing to exceed those limits provided for herein, based on a demonstration as follows:

- A. Activity which is sought to be engaged in, is in furtherance of a substantial public interest or benefit, and will not be inconsistent with the statement of purpose

- B. Activity sought to, be engaged, in is necessary in order to avoid undue hardship and will not be inconsistent with the statement of purpose.

6:1:6 Severability

If any provisions of this Section or the application of such provisions to any person or circumstances shall be held invalid, the validity of the remainder of this section and applicability of such provisions to other persons or circumstances shall not be affected thereby.

Adopted February 15, 2017

SECTION 7: An Ordinance Relative to Parking Regulations

Be it ordained by the Town of Center Harbor, New Hampshire, an ordinance to regulate the Parking of vehicles as follows:

7:1 Definitions

As used in this Article, the following terms shall have the meanings indicated:

Authorized Emergency Vehicle - Vehicles of Fire Departments, Police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Center Harbor Chief of Police.

Board - The Board of Selectmen.

Commercial Vehicle - Every vehicle designated, maintained or used primary for the transportation of property.

Crosswalk – Such areas as are so designated by painted lines on the roadway.

Curb Loading Zone - a space adjacent to a curb utilized for vehicles during the loading or unloading of materials.

Highway - The entire width between the boundary lines of every way, publicly maintained, when any part thereof is open to the use of the public for purposes of vehicular travel.

Intersection - The area where two or more roadways converge.

Motor Vehicle - Every vehicle which is self- propelled but not operated upon rails, including mopeds. **Official Time Standard** - Whenever certain hours are named herein, they shall mean standard time or daylight savings time as may be in current use in this town.

Operator - Shall mean and include every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical control of a vehicle.

Overnight - Shall mean the hours between 10:00 PM and 6:00 AM.

Park, Parking – Shall mean a the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of and while actually engaged in, receiving or discharging passengers or unloading and loading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

Parking, Diagonal - parking a vehicle in such a way that an imaginary line drawn from the

front of a vehicle to the rear of that vehicle through the center of that vehicle forms or when extended would form an angle less than perpendicular (90°) but more than parallel (0°) to the roadway.

Parking, Parallel - parking a vehicle in such a way that an imaginary line drawn from the front of a vehicle to the rear of that vehicle through the center of that vehicle is parallel to the roadway.

Parking, Perpendicular - parking a vehicle in such a way that the front end or back end of that vehicle is perpendicular to the roadway.

Pedestrian – Any person afoot.

Person - Every natural person, firm, co-partnership, association or corporation.

Police Officer - Every officer of the Town Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Private Road or Driveway - Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Roadway - That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event the highway includes two (2) or more separate roadways, the term "roadway" as used herein, shall refer to any such roadway separately but not to all such roadways collectively.

Sidewalk - That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Stand or Standing - The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

Stop - When required, complete cessation from movement.

Street or Highway - The entire width between the boundary lines of every way, publicly maintained, when any part thereof is open to the use of the public for the purposes of vehicular travel.

Traffic - Pedestrians, ridden or herded animals, vehicles, motor vehicles, streetcars and other conveyances, either singly or together, while using any highway for purposes of travel.

Through Highway - Every highway or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on such sign or other official traffic control device, when such signs or devices are erected as provided in this Chapter.

Vehicle - Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Way - Any public highway, street, avenue, road, alley, park, parking lot or parkway; any private way laid out under authority of statute; ways provided and maintained or connection of the lateral curb lines or, if none, then the lateral boundary lines of roadways of two (2) highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may conflict. Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2), of such highways shall be regarded as a separate "intersection". The junction of an alley with a street or highway shall not constitute an "intersection".

7:2 Enforcement

- a) It shall be the duty of the Center Harbor Police Department to enforce the provisions of this article.
- b) It shall be unlawful for any person to refuse or fail to comply with lawful order, signal or direction of a police officer, or such other person as authorized by the Chief of Police, with the authority to direct, control or regulate traffic.
- c) The Chief of Police, by and with the approval of the Board, is hereby empowered to make regulation necessary to make effective the provisions of the traffic ordinances of this town and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.

7:3 General Stop, Standing and Parking Regulations

Stop, stand or park a vehicle the following acts are prohibited:

On the roadway side of any vehicle stopped or parked at the edge or curb of a street:

- 1) On a sidewalk
 - 2) Within an intersection
 - 3) On a crosswalk or within 20 feet of a crosswalk at an intersection
 - 4) Within a designated fire lane
 - 5) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic
 - 6) Upon any bridge or other elevated structure upon a highway
 - 7) At any place where official signs prohibit stopping
 - 8) Within 20 feet of a driveway
- a. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
- 1) In front of public or private driveway
 - 2) Within fifteen feet of a fire hydrant
 - 3) Within an intersection
 - 4) Within thirty (30) feet upon the approach to any flashing signal, stop sign or traffic control signal located at the right of the roadway
 - 5) Within twenty (20) feet of a driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of said entrance (when properly sign posted)
 - 6) At any place where official signs prohibit standing
 - 7) In any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign as

required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying an international accessibility symbol, unless that person has special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88 , and the person who qualifies for the plate or placard is being transported to or from the parking place. Notwithstanding the provisions of Title LXII or any other provision of the law, a person who violates the provisions of the subparagraph shall be fined a minimum of \$250;

- 8) Except as otherwise provided in this section, every vehicle stopped or parked upon a roadway where there are adjacent curbs, shall be so stopped or parked with the right-hand wheels of such vehicle parallel to the right-hand curb, or if upon a roadway where there are no curbs, said vehicle shall be so stopped or parked with the right-hand side of the vehicle parallel to the right-hand side of the roadway. Such vehicle shall be parked within twelve (12) inches of said curb or edge of roadway.
- b. Parking a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
 - 1) At any place where official signs prohibit parking
 - 2) On any way which has been delineated with parking spaces, in any place other than in said marked spaces.
 - c. Stop, stand or park a vehicle on the north side of Kelsea Avenue from Route 25B to Bean Road.
 - d. Stop, stand or park a vehicle on Main Street at any time across from the Center Harbor Fire Station apron. This area of approximately one hundred (100) feet is marked by three (3) signs which say “NO PARKING BETWEEN SIGNS”.
 - e. From Memorial Day to Labor Day, between the hours of 6:00 a.m. and 6:00 p.m. daily, parking shall be limited to two (2) hours on Main Street between Coe Hill Road and Lake Street.
 - f. Parking on both the north and south sides of Main Street from the fountain to the Fire Station, shall be limited to one half (1/2) hour during all State and Federal Election voting hours and from 8:00 a.m. to 7:00 p.m. during Town Meeting voting.
 - g. The parking of boat trailers on either side of Main Street from Lake Street to Coe Hill Road and Route 25.
 - h. No person shall park a vehicle on Route 25, both on the east and west sides, between the Meredith town line and the Moultonborough town line.
 - i. No person shall park on either side of Plymouth Street, except in designated parking spaces.

- j. There shall be no parking near the fountain in Center Harbor Square bordering Route 25B, except where designated by signs.
- k. From Memorial Day to Labor Day between the hours of six (6) a.m. and six (6) p.m. daily, parking shall be limited to two (2) hours on Route 25B in the Town Square where designated by “Two Hour Parking” signs.
- l. There shall be no parking on the easterly side of High Haith Road adjacent to Tax Map Lots #7-75 to #87. Trailers may be parked on the south side of the bridge on the west side of the road. There shall be no parking of boat trailers on High Haith Beach.
- m. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon and, when standing upon a grade, turning the front wheels inward toward the curb or side of the road.
- n. No person shall put or place, or cause to be put or placed, any snow or ice upon the surface of the traveled portion of any street, road or sidewalk, in the Town of Center Harbor for any purpose, except to provide a place necessary for crossing, re-crossing, and traveling upon said highways or sidewalks by sleds, logging or farm equipment, unless said snow or ice afore mentioned is pushed or deposited back of the existing snow banks ordinarily created by the normal snowplowing by the Town of Center Harbor. A fine of thirty-five (\$35.00) dollars is provided upon conviction of the first violation of this section and a seventy (\$70.00) dollar fine is provided for a subsequent conviction.
- o. It shall be unlawful to park or leave any vehicle unattended within any emergency lane designated and marked under regulations enacted pursuant to this article.
- p. No person shall park a vehicle upon a street in such a manner or under such conditions as to leave available less than and twelve (12) feet of the width of the roadway for free movement of vehicular traffic.
- q. No person shall park a vehicle upon any roadway for the principal purpose of:
 - 1) Displaying such vehicle for sale
 - 2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency
 - 3) Selling any service, merchandise or food without the expressed written permission of the Board of Selectmen.

7:3:1 Beach and Boat Launch Parking

Parking at the Center Harbor Town Wharf, between the hours of 6:00 a.m. and 10:00 p.m. shall be limited to three (3) hours. No parking will be allowed between the hours of 10:00 p.m. and 6:00 a.m. Additionally, parking of boat trailers in the Center Harbor Town Beach area is restricted to the lot located between the basketball court and the Center Harbor Inn as designated by

“Boat Trailer Parking” signs.

7:3:2 Handicapped Parking

The Board is hereby authorized to designate and mark by proper signs for the handicapped persons and person picking up or discharging handicapped persons only. It shall be unlawful for any person to park in areas so designated, unless the vehicle is property identified with a handicapped permit, sticker or license plate. (NH RSA 265:69(1)(i))

7:3:3 Overnight Parking November 1 to May 1

It shall be unlawful for any person to park a vehicle overnight on any street or highway in the Town of Center Harbor from November 1 until May 1 between the hours of 10:00 p.m. and 6 a.m. without permission of the Chief of Police or his designee.

7:4 Violations and Penalties

- a. Each owner or operator of a vehicle who violates the provisions of this Article which governs and regulates stopping, standing and parking may, within five (5) days of the time when such notice was attached to such vehicle, mail to the Center Harbor Police Department, a civil forfeiture in the envelope provided, as a penalty for and in full satisfaction of such violation, the following sums:

Violation	Fine
Parking within 15 feet of fire hydrant	\$35.00
Overnight Parking	\$35.00
Double Parking	\$35.00
Parking on Beach without permit	\$75.00
Parking to block any street	\$35.00
Parking within 20 feet of a driveway	\$35.00
Parking in a handicapped parking space	\$250.00
Parking left side to curb	\$35.00
Parking along a roadway for the purpose of selling merchandise or services without approval	\$35.00
Prohibited Parking	\$35.00
Subsequent offense (within 12 month period)	Twice the original fine
Overtime Parking Violation	\$35.00
Unattended Motor Vehicle	\$35.00

- b. Any person, firm or corporation, who violates any of the provisions of this Article regulating standing, stopping or parking, and who fails to pay the penalty prescribed by section A within five (5) days shall be issued a summons for appearance in the Circuit Court and any person found guilty there shall be guilty of an additional violation as determined by that Court.
- c. If any vehicle is found upon a way, or Town beach in violation of any provisions of this Article regulating the stopping, standing or parking of vehicles and the identity of the driver cannot be determined, the owner, or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation
- d. A police officer, observing a violation of any of the provisions of this Chapter, may attach to the vehicle a notice to the operator or owner that the vehicle has been parked in violation of this Chapter and instructing the operator or owner to report at the police headquarters. This notice shall contain:
 - 1) The location where the vehicle is parked.
The state registration number of such vehicle.
 - 2) The time at which such vehicle is parked in violation of any of the provisions of this Chapter.
 - 3) Any other facts, knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

7.5 Skateboards and Scooters

No person shall ride or operate a skateboard or scooter in such a manner as to endanger the person or property of themselves or others within the Town of Center Harbor.

No person shall ride or operate or allow or permit to be operated a skateboard or scooter on lower Lake Street from May 15 through September 15.

Any person violating any of the provisions of this section shall be guilty of a violation as defined by the Criminal Code of the State of New Hampshire or shall allow his or her skateboard or scooter to be impounded by the Chief of Police or any police officer for a period not to exceed thirty (30) days or both.

7.6 Towing

The Police Department is authorized to remove and tow away or have removed and towed away by commercial towing service any abandoned vehicle or other vehicle illegally parked in a place where it created or constitutes a traffic hazard, blocks the use of a fire hydrant or obstructs snow removal operations or is parked unattended on

the Town Beach, or obstructs the movement of any emergency vehicle, or is otherwise in violation of Town parking ordinances. Vehicles towed for illegal parking shall be stored in a safe place and shall be restored to the owner or operator upon payment of all fees for towing and storage.

7:6:1 Liability

No custodian or police officer shall be liable for damages to any vehicle while it is in his custody under Section 7:4 provided he exercises due care.

7:7 Load Limitation on Class V or Class VI Road

The Selectmen may post a limit of twelve thousand (12,000) pounds gross vehicle weight on any town road as they may deem necessary from February 1 to June 1. The Selectmen or their designee will post notice of such limitations twenty-four (24) hours prior to their taking effect.

7:7:1 Penalty

Whoever shall fail to comply with the provisions of these articles shall be guilty of a violation and subject to a fine of two hundred fifty (\$250.00) dollars for the first offense and five hundred (\$500.00) dollars for the second and subsequent offenses. For the purposes of this article, each load hauled, transported or moved over said town road shall be a separate occurrence.

8. Utilization of Roadway

8:1 Utilization of Roadway – Traffic Control Officers

Pursuant to the authority of RSA 41:11 and RSA 47:17, the Town of Center Harbor hereby adopts the following ordinance regarding the use of Traffic Control Officers:

Section I: Utilization of Roadway. Prior to the commencement of construction of a roadway, repair of a roadway or the construction or repair of items adjacent to the roadway where such repairs or construction might interfere with traffic, it will be the responsibility of the contractor, public or private utility company or private person to supply one or more, as determined by the Chief of Police, traffic control officer(s) to facilitate the safe passage of motorists or pedestrians. Traffic control officer(s) can be either qualified traffic control officers or uniformed police officers as determined by the Chief of Police. At all times the traffic control officer(s) will be identified by wearing a safety vest. The number of traffic control officer(s)

needed for a job site shall be determined by the Chief of Police after review of the road size and type, traffic volume and expected weather conditions.

The Chief of Police or his designee may, upon examination of the work site, waive the requirement to employ a uniformed police officer, if in his opinion, it is not necessary for public safety and convenience. In such situations, a properly trained non-police officer may serve as the traffic control officer.

This Ordinance shall not apply to work that is being done by the road crew of the Town of Center Harbor or the State of New Hampshire as they are exempt by this statute.

Section II: In the event that any provision of **Section I** is violated, the Chief of Police is empowered to issue a cease and desist order against the contractor or his/her employees; such cease and desist order shall remain in effect until there is a strict compliance with this Ordinance. In addition, a fine in the amount not to exceed five hundred dollars (\$500) per day may be assessed for each day that a violation continues.

This Ordinance shall take effect upon its passage. (Adopted April 29, 2015)