

**Town of Northfield**  
**HIGHWAY ORDINANCE**  
**Adopted by the Northfield Board of Selectmen October 30, 2006**  
**Amended: 3/1/11; 3/23/11; 7/12/12; 6/9/15; 11/22/16**

**ARTICLE I - GENERAL**

Section 1 – Declaration and Purpose:

This ordinance shall be deemed and construed to be an exercise of the police power of the Town of Northfield in the State of New Hampshire. The purpose of this ordinance is to regulate traffic upon the Streets, Roads and Public Places in the Town for the promotion, preservation and protection of public safety.

Section 2 – Authority:

New Hampshire Revised Statutes Annotated 47:11, 47:17 VII, VIII; 231:191; 236:20.

**ARTICLE II – DEPOSIT OF MATERIALS IN ROAD**

Section 1 – Deposit of Materials in Road:

It shall be a violation of this ordinance for any person to deposit or cause to be deposited any material within the boundaries of the Town roads, drainage ditches, right of ways, sidewalks or any other Town owned or maintained parcel in such a manner so as to obstruct their use, create a hazardous travel condition or impede the line of sight for either pedestrian or vehicular traffic.

Section 2 – Penalty:

Failure to adhere to the provisions of this article will result in a fine of \$100.00 per occurrence. For the purpose of this article, each day the violation continues shall be considered a separate occurrence.

**ARTICLE III – LIMITATION ON WEIGHT**

Section 1 - Vehicle Weight Limits:

In accordance with RSA 231:191—the Director of Public Works is authorized to establish weight limits on any Class V or VI roads in the Town of Northfield as needed to prevent unreasonable damage or extraordinary municipal maintenance expense. Such posting shall be in accordance with currently acceptable practices and technology. Signs shall be posted at all entrances to the restricted road(s).

## Section 2 – Exemptions:

Emergency vehicles, home fuel delivery trucks, postal vehicles, school vehicles and government vehicles are exempt from this Article. Also exempt are residents whose only access to their residence or place of business is a posted road, in such instances the weight restriction is waived provided the vehicle is used to get to and from their primary residence or business and is operated without a significant load.

Director of Public Works may grant waivers to posted weight limits upon presentation of satisfactory evidence that the weight limit established by this ordinance would entail practical difficulty or unnecessary hardship and such an exception would not result in undue damage to town highways. The granting of an exemption may be subject to such conditions as deemed by the Director of Public Works necessary to prevent unreasonable damage or extraordinary municipal expense including restrictions on the day or time of day to which the exemption applies, restoration bonding or restoration of the highway, as it deems appropriate. The Director of Public Works may determine the costs of restoration to be collected from any person violating any provisions of this ordinance.

## Section 3 – Appeal

Persons denied an exemption or waiver to posted weight limits by the Director of Public Works may appeal the decision to the Northfield Selectboard, which retains the authority to rule on such appeals.

## Section 4 – Penalty:

Any person who violates the provisions of this section shall be subject to the penalties authorized by RSA 231:191, VI. The penalty for violating this section shall be \$500 per occurrence. In addition, in the event that the violation results in damage to a town highway the person who violates the provisions of this section shall be liable for the cost of restoration of the highway to a condition satisfactory to the Director of Public Works and shall forfeit any restoration bond amounts

# **ARTICLE IV – EXCAVATIONS**

## Section 1 – Permit Required

Pursuant to RSA 231:184 and RSA 236:9 no person shall break or excavate the ground in any street, road, sidewalk, town-owned land without first having received a written trench permit from the Board of Selectmen or Director of Public Works or his designee and complying in all respects with the conditions of said trench permit.

In accordance with RSA 236:10, the Director of Public Works may impose rules and regulations and may require the applicant to provide a bond for the satisfactory restoration of the highway as necessary to prevent extraordinary municipal expense.

**Section 2 – Penalty:**

Any person who violates the provisions of this section may, at the discretion of the Board of Selectmen, be subject to the penalties authorized by RSA 31:39 III in an amount of \$1,000 per violation, each day the violation remains shall be a separate offence. In addition, the person who violates the provisions of this section shall be liable for the cost of restoration of the highway to a condition satisfactory to the Director of Public Works (RSA236:11).

**ARTICLE VI – EFFECTIVE DATE**

The Board of Selectmen adopted this amended Ordinance on the 22<sup>nd</sup> day of November, 2016 which shall be the effective date hereof.

In Witness Whereof, a majority of the Board of Selectmen has hereunder set their hands.

Board of Selectmen, Town of Northfield, NH

Wayne Crowley, Chair      Robert Southworth      Dennis Allen

Glenn Smith,              Witness

A copy of this Ordinance has been placed on file with the Northfield Town Clerk.