

THE PRECINCT OF WOODSVILLE, NEW HAMPSHIRE

DISORDERLY ACTIONS ORDINANCE

DISORDERLY ACTIONS: A PERSON IS GUILTY OF DISORDERLY ACTIONS IF:

1. HE 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
2. HE:
 - A. ENGAGES IN FIGHTING OR VIOLENT, TUMULTUOUS OR THREATENING BEHAVIOR IN A PUBLIC PLACE; OR
 - B. 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
 - C. OBSTRUCT VEHICULAR OR PEDESTRIAN TRAFFIC ON ANY PUBLIC STREET, ROAD OR SIDEWALK OR THE ENTRANCE TO ANY PUBLIC BUILDING; OR
 - D. 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
 - E. KNOWINGLY REFUSE TO COMPLY WITH A LAWFUL ORDER OF A PEACE OFFICER TO MOVE FROM ANY PUBLIC PLACE; OR
3. HE PURPOSELY CAUSES A BREACH OF THE PEACE, PUBLIC INCONVENIENCE, ANNOYANCE OR ALARM, OR RECKLESSLY CREATES A RISK THEREOF BY:
 - A. MAKING LOUD OR UNREASONABLE NOISES IN A PUBLIC PLACE, OR MAKING LOUD AND UNREASONABLE NOISE IN A PRIVATE PLACE WHICH CAN BE HEARD IN A PUBLIC PLACE OR OTHER PRIVATE PLACES, WHICH NOISES WOULD DISTURB A PERSON OF AVERAGE SENSIBILITIES; OR
 - B. DISRUPTING THE ORDERLY CONDUCT OF BUSINESS IN ANY PUBLIC OR GOVERNMENTAL FACILITY; OR
 - C. DISRUPTING ANY LAWFUL ASSEMBLY OR MEETING OF PERSONS, WITHOUT LAWFUL AUTHORITY; OR

D. OPERATING ANY MOTOR VEHICLE WITHIN THE PRECINCT OF WOODSVILLE SO AS TO MAKE EXCESSIVE NOISE BY ANY OF THE FOLLOWING MEANS:

1. MISUSE OF POWER, ACCELERATION OR TRACTION SO AS TO SPIN THE WHEELS IN A MANNER COMMONLY KNOWN AS "LAYING OR BURNING RUBBER".
2. MISUSE OF BRAKE AND STOPPING POWER IN THE DECELERATION OF A MOTOR VEHICLE WHERE NO EMERGENCY EXISTS.
3. MISUSE OF POWER, ACCELERATION OR TRACTION BY MEANS OF RAPID UPSHIFT OR DOWNSHIFT OF TRANSMISSION GEARS.
4. RACING OF ENGINES BY MEANS OF THE ACCELERATOR, CARBURETOR, GEAR SELECTOR, EITHER WHEN THE MOTOR VEHICLE IS IN MOTION OR STATIONARY.

4. IN THIS SECTION:

A. "LAWFUL ORDER" MEANS

1. 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 ABOUT TO COMMIT ANY SUCH OFFENSE, OR WHEN SAID PERSON IS ENGAGED IN A COURSE OF CONDUCT WHICH MAKES HIS COMMISSION OF SUCH AN OFFENSE IMMINENT; OR
2. A COMMAND ISSUED TO ANY PERSON TO STOP HIM 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.

B. "PUBLIC PLACE" MEANS

1. ANY PLACE TO WHICH THE PUBLIC, OR A SUBSTANTIAL GROUP, HAS ACCESS. THE TERM INCLUDES, BUT IS NOT LIMITED TO, PUBLIC WAYS, SIDEWALKS, SCHOOLS, HOSPITAL, GOVERNMENT OFFICES OR FACILITIES, AND THE LOBBIES OR HALLWAYS OF APARTMENT BUILDINGS, HOTELS, OR MOTELS.

5. EXEMPTIONS:

A. THE FOLLOWING USES AND ACTIVITIES SHALL BE EXEMPT FROM THE DISORDERLY ACTIONS REGULATIONS:

1. NOISES OF SAFETY SIGNALS AND WARNING DEVICES WHEN USED FOR THE PURPOSES FOR WHICH THEY WERE INTENDED AND EMERGENCY PRESSURE RELIEF VALVES.
2. NOISES RESULTING FROM ANY AUTHORIZED VEHICLES, WHEN RESPONDING TO AN EMERGENCY CALL OR ACTING IN THE TIME OF EMERGENCY.
3. NOISES RESULTING FROM EMERGENCY OR MAINTENANCE WORK AS PERFORMED BY THE PRECINCT OF WOODSVILLE, BY THE STATE OF NEW HAMPSHIRE OR OTHER PUBLIC UTILITY COMPANIES; NOISES RESULTING FROM THE PROVISIONS FROM PRIVATE SNOW PLOWING SERVICE.
4. ANY OTHER NOISE RESULTING FROM ACTIVITIES OF A TEMPORARY DURATION PERMITTED BY LAW AND FOR WHICH A LICENSE OR PERMIT THEREOF HAS BEEN GRANTED OR ISSUED BY THE PRECINCT OF WOODSVILLE
5. PARADES AND PUBLIC GATHERINGS FOR WHICH THE PRECINCT OF WOODSVILLE HAS ISSUED A PERMIT.
6. BELLS, CHIMES OR CARILLONS THAT ARE PRESENTLY INSTALLED AND IN USE FOR ANY PURPOSE.
7. AGRICULTURE OPERATIONS UNDER RSA 430 C1, C2, C3, C4.

6. APPLICATION FOR SPECIAL PERMIT

PRIOR TO THE COMMENCEMENT OF ACTIVITY WHICH MAY VIOLATE THIS ORDINANCE, APPLICATION FOR A SPECIAL PERMIT FOR RELIEF FROM THIS ORDINANCE ON THE BASIS OF UNDUE HARDSHIP MAY BE MADE TO THE PRECINCT COMMISSIONERS. ANY PERMIT GRANTED BY THE COMMISSIONERS SHALL BE IN WRITING AND SET FORTH ALL CONDITIONS PERTAINING TO THE SPECIFIED NOISE AND A REASONABLE TIME LIMIT FOR ITS ABATEMENT.

7. DISORDERLY ACTIONS IS A VIOLATION, PUNISHABLE BY A FINE OF NOT LESS THAN \$25, BUT NOT EXCEEDING \$500.

THIS ORDINANCE SHALL TAKE EFFECT UPON PASSAGE.

(ORDIN)

Said Ordinance was passed by the voters of Woodsville Precinct on March 28, 1995.

Respectfully submitted,
Brenda L. Jewett (3)
Brenda L. Jewett
Clerk