



TOWN OF HAVERHILL *New Hampshire*

Public Highways Ordinance

The Town of Haverhill is adopting the following ordinance to manage the use of public highways and sidewalks within the Town of Haverhill.

Pursuant to the authority vested in the Haverhill Board of Selectmen by NHRSA 41:11, the Board hereby issues the following regulations for the use of public highways and sidewalks in the Town of Haverhill:

Definitions:

State Highways

- Class I

Existing or proposed highways on the primary state highway system, excepting all portions of such highways within the compact sections of the cities and towns listed in RSA 229:5, V, provided that the portions of the turnpikes and the national system of interstate and defense highways within the compact sections of these cities and towns shall be class I highways.

- Class II

Existing or proposed highways on the secondary state highway system, excepting all portions of such highways within the compact sections of the cities and towns listed in RSA 229:5, V.

- Class III

Recreational roads leading to, and within, state reservations designated by the legislature.

- Class III-a

Certain boating access highways from certain highways to any public water. All class III-a highways shall be limited access facilities and subject to the layout, design, construction, and maintenance provisions applicable to limited access facilities, except that the executive director of the fish and game department shall have the same authority for class III-a highways that is delegated to the commissioner of the department of transportation for limited access facilities.

Municipal Highways

- Class IV

Class IV highways are portions of state-numbered highways passing through sections of municipalities mainly occupied by dwellings or buildings in which people live or business is conducted. Following the reclassification to Class IV, the state must improve the highway to a “reputable condition,” and thereafter the municipality maintains the road. The portions of the turnpikes and the national system of interstate and defense highways within the compact sections of these cities and towns shall remain class I highways.

- Class V

Class V highways consist of all other local, traveled highways which the municipality has the duty to maintain regularly. This does not necessarily mean commencement of travel and maintenance alone may establish Class V status today, but both must exist for a road to continue its Class V status. “Traveled” may mean use by a limited group of people, such as loggers, hunters, and fishermen, provided it is available to the entire public.

Municipalities do not inherit the responsibility to maintain a highway merely because it is traveled. However, a Class V highway must be traveled and maintained regularly to remain a Class V highway.

Class V roads are defined in one statute as “town roads.” RSA 229:5,VI.

- Class VI

All other public ways, including highways discontinued and made subject to gates and bars and highways the municipality has not maintained in a suitable condition for travel thereon for five successive years, constitute Class VI highways. RSA 229:5, VII. Again, the public has the right to pass over Class VI highways.

The public may use Class IV, V and VI highways for all “viatic” purposes, meaning all purposes relating to travel, including the use by automobiles and parking subject to permissible municipal regulation.

Enforcement:

Enforcement of the provisions of this ordinance shall be by the Haverhill Police Department or other sworn public safety officers within the State of New Hampshire.

Violations:

Town Ordinance	Fine	Comparable State RSA
<p>DOUBLE PARKING Whoever shall double-park a vehicle on a public highway so as to impede the free flow of traffic shall be subject to a fine.</p>	<p>\$50 subsequent fines not to exceed \$100 for each occurrence</p>	<p>265:69 Stopping, Standing or Parking Prohibited in Specified Places.</p>
<p>OBSTRUCTING OF HIGHWAY Whoever block or obstruct a public way, a driveway, or the entrance to a parking lot, with a motor vehicle, shall pay a fine.</p>	<p>\$50 subsequent fines not to exceed \$100 for each occurrence</p>	<p>265:69 Stopping, Standing or Parking Prohibited in Specified Places.</p>

<p>WRONG WAY Whoever shall park a motor vehicle on the wrong side of the street against the normal flow of traffic, shall pay a fine.</p>	<p>\$50 subsequent fines not to exceed \$100 for each occurrence</p>	<p>265:69 Stopping, Standing or Parking Prohibited in Specified Places.</p>
<p>OPERATING ON SIDEWALKS Whoever shall park or drive a motor vehicle on a sidewalk, except in case of emergency, shall pay a fine.</p>	<p>\$50 subsequent fines not to exceed \$100 for each occurrence</p>	<p>265:69 Stopping, Standing or Parking Prohibited in Specified Places.</p>
<p>UNLOADING ZONES Whoever shall place a motor vehicle in a clearly designated unloading zone for any purpose other than unloading merchandise shall pay a fine.</p>	<p>\$50 subsequent fines not to exceed \$100 for each occurrence</p>	<p>265:69 Stopping, Standing or Parking Prohibited in Specified Places.</p>
<p>SNOW PARKING BAN Whoever shall park a motor vehicle in violation of the parking ban during snow removal shall pay a fine.</p>	<p>\$50 subsequent fines not to exceed \$100 for each occurrence</p>	<p>265:69 Stopping, Standing or Parking Prohibited in Specified Places.</p>
<p>USE OF PUBLIC WAYS Whoever shall use the highways and sidewalks for skateboards, roller skates, ball playing, kite flying, similar amusement, or any other practice, and in so doing interfere with, or annoy pedestrians on sidewalks, motor vehicles on highways, or bicycles using the public ways, shall pay a fine.</p>	<p>\$50 subsequent fines not to exceed \$100 for each occurrence</p>	<p>265:39 Pedestrians on Roadways</p>
<p>SNOW OBSTRUCTION It shall be unlawful to plow, blow, or shovel snow across any Town roads, including Class V and VI, or to deposit snow within the traveled portion of Town Roads. Definitions: 1. Across Town Roads — shall mean pushing snow from one side to the other where snow would be deposited within the right-of-way of any road. 2. Traveled Portion — shall mean any part of the roadway in which vehicles would travel or within the shoulders of said roadway. Any person who violates the provisions of the Plowing of Snow into Roadways Ordinance shall be guilty of a violation, subject to a \$100 fine. Subsequent offenses shall be subject to a fine of up to \$500 per violation.</p>	<p>\$100 subsequent fines not to exceed \$500 for each occurrence</p>	<p>RSA 236:20, RSA 41:11, and RSA 31:39-d RSA 265:102 and RSA 163-B.</p>
<p>HANDICAP PARKING Whoever shall park a motor vehicle, not exhibiting Handicap License plates, in a Handicap Parking Stall shall pay a fine.</p>	<p>\$50 subsequent fines not to exceed \$100 for each occurrence</p>	<p>265:69 Stopping, Standing or Parking Prohibited in Specified Places.</p>

<p>STOP SIGNS Every operator of a motor vehicle upon a highway in Haverhill shall bring their motor vehicle to a complete stop before entering an intersection where a stop sign has been erected by authority of the State highway commissioner or the selectmen. They shall not enter any intersection until traffic conditions therein permit them to do so with safety.</p>	\$50	265:30 Vehicle Entering Stop or Yield Intersection or Highway.
<p>SPEED LIMIT No motor vehicle shall be operated upon a highway in the Town of Haverhill at a rate of speed greater than what is posted or that is safe for driving conditions. Speed limit signs post the maximum rate of speed; however, it shall be a violation of this ordinance to operate a motor vehicle upon any highway in this town at a rate of speed greater than is indicated by such speed limit signs or greater than may be consistent with complete safety at the time and place.</p>	\$75	265:60 Basic Rule and Maximum Limits.
<p>TAXI LICENSE No person shall operate a taxi in this town until they have obtained a license to do so from Town Administration. Before issuing such a license, proof of insurance or bond for the protection of passengers riding therein shall be provided to Town Administration.</p>	\$100	Section 31:40 Taxicabs
<p>NIGHT PARKING No motor vehicles shall be parked between the hours of 12:01 A.M. and 7 A.M. on a public highway in this town during the winter season in such a manner as to interfere with the unobstructed use of said highway by the public or to interfere with snow removal by plow or otherwise.</p>	\$50 subsequent fines not to exceed \$100 for each occurrence	265:69 Stopping, Standing or Parking Prohibited in Specified Places.
<p>RUBBISH / DUMPING No person shall place, dump on, leave any refuse on or adjacent to any public highway in said Town of Haverhill so that the same shall be a fire or health menace, disorderly, unsightly, obnoxious, or offensive to the public or owners or occupants of adjacent property, or injurious to others, or prejudicial to the general welfare of the community.</p>	\$100	163-B:3 Unlawful Activities
<p>MATERIALS IN HIGHWAY No person shall place, maintain, or use any fixture or construction, or leave any lumber, woods, coal or any other materials, articles, or other things, upon the sidewalks or in the streets that may obstruct or in any way interfere with the full public of highways.</p>	\$100	163-B:3 Unlawful Activities

<p>PRIVATE SIGNS, SIGNALS, OR MARKINGS No person shall place or use, upon, in connection with, or near any building any fixture, sign or other construction, less in height than eight (8) feet from a sidewalk or street or to project over a sidewalk or street more than four (4) feet except as hereinafter provided; or place, maintain, or use the same in an unsecured or unsafe condition. The placing and maintaining of awnings and canopies, and the height from and projection over sidewalks of different height and width than as above may in their discretion be approved by the Selectmen in writing.</p>	\$50	265:14 Display of Unauthorized Signs, Signals, or Markings
<p>EXCAVATION NEAR HIGHWAY No person shall excavate, or cause to be excavated a cavity, trench, or depression in or near the line of any highway, without safely securing the same by railings or otherwise.</p>	\$50	265:6-a Highway Construction and Maintenance.
<p>EXCAVATION OF PUBLIC INFRASTRUCTURE No person shall excavate, or cause to be excavated, a cavity, trench, or depression, or in any way open a street, sidewalk, or sewer within the Town of Haverhill except officials of the Town or within the Woodsville District, District officials.</p>	\$50	265:6-a Highway Construction and Maintenance.
<p>ADHEREING TO PARKING SIGNS No person shall park any automobile, motorcycle, wagon, carriage, sled, or other vehicle, machine, horse, or other animal in any street in the district in spaces where signs have been placed to prohibit parking, nor for a longer time than indicated by such parking signs, nor within five (5) feet of a hydrant, nor in front of any driveway, alley, side, or intersecting street, nor in any place or position other than as indicated by lines or otherwise permitted nor stop or leave the same in any street so as to unreasonably impede or interfere with traffic.</p>	\$50 subsequent fines not to exceed \$100 for each occurrence	265:69 Stopping, Standing or Parking Prohibited in Specified Places.
<p>RIVERSIDE DUMPING No person shall place, dump, or leave any refuse on the banks of the Ammonoosuc or Connecticut Rivers, so that the same shall be a fire or health menace, disorderly, unsightly, obnoxious, or offensive to the public, or owners or occupants of the adjacent property, or injuries to others, or prejudicial to the general welfare of the community.</p>	\$50	163-B:3 Unlawful Activities
<p>LIVESTOCK No person shall keep poultry/fowl, pigs, or any other animal so that the same shall be a menace, disorderly, obnoxious, or offensive to the public, or owners or occupants of adjacent property, injurious to others, or are found to be on public highways.</p>	\$50	466:19 Liability of Owner or Keeper.

<p>DAMAGE TO SIGNS No person shall remove, destroy, or injure any parkin, traffic, or warning sign.</p>	<p>Fine not to exceed \$150</p>	<p>265:15 Interference with Traffic Devices, Signs, or Signals.</p>
--------------------------------------------------------------------------------------------------------------------	---------------------------------	---------------------------------------------------------------------

Overdue Tickets:

Overdue tickets for violations as listed above, shall be assessed with the following penalty.

1. Tickets left unpaid after thirty (30) days from issuance shall be assessed a ten-dollar (\$10.00) penalty.
2. Tickets left unpaid after sixty (60) days from issuance shall be assessed an additional penalty of twice (2x's) the value of the original ticket.
3. Tickets left unpaid after ninety (90) days from issuance shall be assessed an additional penalty of thrice (3x's) the value of the original ticket.
4. Penalties shall be cumulative and combined with the original value of the ticket.
5. Should any ticket, plus assessed penalties, go unpaid after one hundred and twenty days (120) the Town of Haverhill shall pursue civil litigation to collect fines and penalties assessed.

Superseding Clause:

This Ordinance shall supersede and replace any prior local Ordinances, Rules, and/or Regulations related to Highways, Roadways, Streets, Sidewalks, Parking, Signs that was previously enacted by the Haverhill Select Board and/or at any annual Haverhill Town Meeting.