

CHAPTER 5 HIGHWAY USE REGULATIONS

501 SNOW REMOVAL

No person, firm or corporation engaged in the operation of snow plowing, blowing or removing shall allow, or cause any accumulations of snow to obstruct or impair any town-maintained street, roadway, sidewalk, parking lot or right-of-way, unless such operations are approved by the Road Agent for the Town of Newfields.

501.1 FIRE HYDRANTS

No person, firm or corporation shall place any object, item or material, or allow or cause any object, item or material to be placed upon any town-maintained street, roadway, right-of-way, sidewalk or parking lot, so as to obstruct vehicle or pedestrian traffic. Such objects shall include, but not be limited to, snow ice, dirt, gravel, sand, signs or other obstructions.

502 HIGHWAY AND SIDEWALK OBSTRUCTION

No person, firm or corporation shall place any snow, or cause any snow to be placed upon the fire hydrants of the Town of Newfields, except those who are employed by the Town of Newfields who are actually engaged in plowing or removal operations.

502.1 DAMAGE TO SURFACE

No person, firm or corporation shall place, cause to be placed or allow to be placed, any sign or sign so-called in the rights-of-way owned by the Town of Newfields whether adjacent to a street, road or sidewalk or not. This provision shall also apply to banner-type signs extending across the Town's rights-of-way and to signs affixed to utility poles within such rights-of-way.

502.3 WAIVER

Any person, firm or corporation seeking an exemption from this section shall petition the Board of Selectman, in a regular session, for a waiver. The petition shall clearly state the need of the posting places affected, and the duration of the posting.

503 WEIGHT LIMITS

No person, firm or corporation shall operate any vehicle on or over any bridge or elevated roadway in the Town of Newfields when such vehicle weighs more than the weight limits posted by the Road Agent or the Commissioner of the NH Department of Public Works and Highways.

503.1 PROHIBITION OF THROUGH TRUCKS ON PUBLIC WAYS

No person, firm or corporation shall operate a truck with an empty weight in excess of 8 tons on any public street or highway except under one of the following conditions:

- 503.1.1 Vehicle being operated point to a point in Newfields for the purpose of local deliveries;
- 503.1.2 Vehicle is being operated to a designated point in Newfields to make a delivery.
- 503.1.3 Vehicle is being operated from a permanent base of operation in Newfields to the designated truck route;
- 503.1.4 Vehicle being operated on the following named streets or highways:

- Dixon Ave.
- Hilton Street
- Mast Road
- Nelson Ave.
- Oaklands Road
- Pleasant Street from Coed T-Shirt entrance going right (north)
- Railroad Ave.
- Summer Street

503.2 EXEMPTIONS

Restrictions described in this section shall not apply to emergency vehicles, road agents, snow removal, or school buses in the normal process of their duties.

504 COVERED LOAD

- 504.1 No vehicle shall be driven or moved on any way unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a way in cleaning or maintaining such a way.
- 504.2 No person shall drive, on any way, any open vehicle loaded with earth, sand, asphalt, stone, gravel, debris, trash, rubbish or other particulate substance unless said load is covered and secured so as to prevent the escape of any substance from said load onto the way.
- 504.3 The provisions of Section 504.1 and 504.2 shall not apply to a local farmer transporting his own farm products or materials incidental to his farming operations, provided that such farmer shall not thereby be relieved of his duty to exercise reasonable care in carrying on such operations.
- 504.4 The provisions of Section 504.2 shall not apply to the operation of municipal maintenance equipment.

505 TRAFFIC FLOW IN CONSTRUCTION AREAS

The purpose and intent of this section is to ensure that safe and constant flow of traffic is maintained in and around construction areas on public ways in the Town of Newfields.

505.1 No person, business or corporation shall place equipment, vehicles, work materials or personnel in such a way as to interrupt the safe and continuous flow of vehicular and pedestrian traffic along a public way within Newfields without taking specific safety precautions.

505.2 Definition

For purposes of this ordinance, "Construction" will be defined as activity on or about a public way that involves laying or relaying of sewers, electrical, telephone, gas lines, water or any type of communications equipment, cable TV or any other type of underground utilities or the installation of above-ground utilities; and construction, reconstruction, excavation, paving or other work requiring cutting into the pavement, or street paving.

505.3 Responsibility of the Primary Contractor:

The primary contractor is responsible for the conduct of work performed upon the site and will be required to establish safe travel lanes and flow of traffic for any of the following conditions:

- a. Construction, re-construction, excavation, paving or any other type of work on existing streets, or the construction of new streets.
- b. When the street traffic is primarily controlled by a traffic control signal which will become ineffective in the proper control of traffic due to the existence of construction activity.
- c. When any such activity significantly affects the flow of traffic.

505.4 Methods of Compliance:

To ensure normal and ordinary flow of traffic, the primary contractor shall:

- a. Place traffic cones, flares, barricades or similar devices that clearly mark travel lanes and hazards within the travel portion of the road in compliance with NH DOT standards: and/or,
- b. Employ uniformed officers carrying out the same duties as a Flagman particularly in high vehicle congestion areas, major intersections, or areas where traffic signs/signals are overridden.
- c. The Chief of Police has the right to regulate which areas may need an officer. A flagman may be used only when an officer is not available, per Chief of Police.

505.5 After Hours Construction Sites:

No incomplete construction site will be left unattended without adequate lighting and barricades so as to allow free and unhindered movement for all travel lanes and to ensure public safety.

505.6 Evaluation of Traffic and Safety Conditions:

For the purposes of public safety, the Chief of Police, road agent, or their designees, may direct specific actions to be taken when a primary contractor's steps taken thus far are deemed insufficient and continue to unreasonably interfere with the normal and ordinary flow of traffic or present conditions which adversely affect public safety and convenience.

505.7 Penalty:

In the event that any provision of Section 505 is violated, the Chief of Police, road agent, or their designees, are empowered to issue a cease & desist order against the contractor or his employees. Such order shall remain in effect until there is strict compliance with this ordinance.

506 PENALTIES

A person violating any provision of Chapter 5 of this code shall be punished by a fine of not more than one hundred (\$100.00) dollars for each offense.

507 VALIDITY

If any section or part of a section or paragraph of this Article is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections, or part of a section of paragraph of this Article.