

TOWN OF SUNAPEE

23 Edgemont Road
Sunapee, New Hampshire 03782
Phone: (603) 763-2212 Fax: (603) 763-4925

AN ORDINANCE REGULATING HEAVY HAULING OVER TOWN ROADS

WHEREAS, the Town of Sunapee Board of Selectmen outlines the procedure for adoption of ordinance by the Town Selectmen; and

WHEREAS, RSA 41:11 establishes the authority for Selectmen" to regulate the use of all public highways, sidewalks, and commons in their respective towns for this purpose may exercise all the powers conferred on city councils by RSA 47:17, VII, VIII and XVIII"

WHEREAS, the Town of Sunapee Selectmen have determined that the winter season causes severe distortion of certain roads, which, if subjected to heavy hauling during the thawing prior to April 30th, will cause significant road damage and affect public safety and life on those roads,

NOW, THEREFORE BE IT RESOLVED that the Town of Sunapee Board of Selectmen approves the adoption of this ordinance governing vehicle loads on certain roads as follows.

SECTION 1. POSTED ROADS

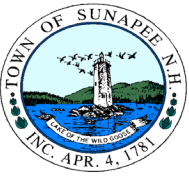
Unless specifically permitted by the written directive of the Highway Director or their designee, it shall be unlawful for any person, partnership or corporation to haul, transport or cause to be transported by vehicle with gross weight over six (6) tons any material over the following Class V roads from February 1st of each year through May 1st of each year, or as determined necessary by the Highway Director or their designee.

SUNAPEE	GEORGES MILLS

SECTION 2. APPLICABILITY

This restriction shall not apply to:

1. Emergency vehicles.
2. Six-wheel fuel tankers delivering on the regulated road.
3. Public utility vehicles involved in emergency repair operations.



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4. Town of Sunapee (owned, rented, leased, or contracted) vehicles or equipment.
5. School buses operated by the Town of Sunapee School District.
6. Residents whose only access to their residence or place of business is across a posted road without a load.

SECTION 3. ENFORCEMENT

The Highway Director or their designee and or any law enforcement officer shall be responsible for enforcing this ordinance.

SECTION 4. PENALTY

Any person, corporation or user who violates this Ordinance shall be subject to a fine of \$_____ and/or revocation of permit under Town statutes. In addition to other penalties provided by law, the Town may institute injunction, mandamus, abatement or other appropriate action or proceeding to prevent or enjoin or abate violations of this Ordinance.

SECTION 5. REPEAL

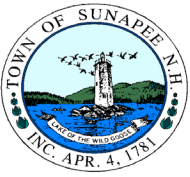
This Ordinance shall automatically repeal and supersede all other ordinances or policies of the Town that relate to heavy hauling on Town roads.

SECTION 6.

The Board of Selectmen shall hold a hearing if requested by the impacted businesses, a commercial or industrial company operated or located in the Town of Sunapee. The hearing shall be held within 15 working days of receipt of a certified letter by the Board of Selectmen from the impacted business which requests a hearing. Otherwise enforcement of the maximum weight limits established by the Town of Sunapee shall be suspended for the remainder of the year or until such hearing is held.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective upon passage by two-thirds (2/3) affirmative - of those present and voting.



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Passed and adopted by the Board of Selectmen of the Town of Sunapee this _____ day of _____, 2024.

DRAFT