

**TOWN OF MADISON
BOARD OF SELECTMEN'S REGULATION 1989-12
HIGHWAYS – RSA 41:11**

ORIGINALLY ADOPTED DECEMBER 19, 1989
REVISION #1 DATED SEPTEMBER 9, 1998
REVISION #2 DATED NOVEMBER 15, 2000
THIS REVISION #3 DATED JUNE 27, 2006

SECTION I

PROHIBITION OF ROAD OBSTRUCTION

From and after the effective date of this ordinance, it shall be unlawful for any person, partnership, or corporation to put or place, or cause to be put or placed, any obstruction or sign having the effect of blocking, impeding, making unsafe, inconveniencing, or discouraging public travel on the traveled portion of any Town road in the Town of Madison. Prohibited obstructions include, but are not limited to, gates, fences, logs, boulders, construction work, mounds of earth, signs declaring the road to be private property and/or forbidding trespassing.

In the case of Class VI roads, gates and bars will be allowed in accordance with NHRSA 231:21-a with said gates and bars left unlocked at all times so to allow public use of the road.

In winter, prohibited obstructions include ice and/or snow left in the traveled portion of any road, including Class VI roads, either intentionally or as the result of careless plowing.

SECTION II

ENFORCEMENT

The Chief of Police of the Town of Madison, duly appointed police officers of the Town of Madison, the NH Department of Safety and Carroll County Sheriff's Department are authorized to enforce these regulations.

SECTION III

CONSTRUCTION WORK REQUIRING UNIFORMED POLICEMEN

Prior to the commencement of "construction work" or prior to the laying or relaying of sewers, electrical, telephone, gas lines, water, or any type of telecommunications equipment, cable TV or any other type of underground utilities or the installation and/or maintenance of above-ground utilities which would interfere with the normal and regular flow of traffic within the Town of Madison, the primary contractor responsible for the conduct of the work performed upon the site, will be required to employ uniformed policemen to control traffic provided any of the following conditions exist: unless the Chief of Police determines the work will not adversely affect the safe flow of traffic.

- a. Construction, re-construction, excavation, paving or any other type of work, on or upon roads and streets, or the construction of new streets which will effect or become part of existing roads or streets;
- b. All such construction which will significantly affect the flow of traffic;

In addition to the conditions enumerated above, the Chief of Police may, in his/her discretion, require the primary contractor to employ uniformed policemen when the construction is such as to unreasonably interfere with the normal and ordinary flow of traffic or presents conditions which adversely effect public safety and convenience.

SECTION IV

PENALTY FOR NON-COMPLIANCE

In the event that any provision is violated, the Chief of Police is empowered to issue a work stoppage order against the contractor or his employees; such work stoppage order shall remain in effect until there is strict compliance with this ordinance. The Chief of Police is also empowered to issue an order to remove the road obstruction.

Each and every violation of these regulations will subject the offender to a fine not to exceed five hundred dollars (\$500.00) per day for each day that a violation continues, such amount to insure to the general fund of the Town of Madison. Each instance of obstruction shall constitute a separate violation.

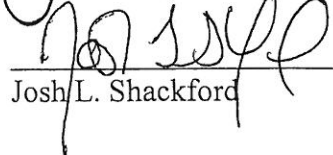
This Revision #3 of the Selectmen's Regulation 1989-12 becomes effective upon signing by the Board of Selectmen and recording with the Madison Town Clerk.

Given under our hands and seal this 27th day of June, 2006:

BOARD OF SELECTMEN



John Arruda, Chairman



Josh L. Shackford

Michael R. Brooks