

Town of Waterville Valley, NH

Board of Selectmen

Town Ordinances

Chapter 1

Ordinance #	Topic	Effective Date	Reviewed/Revised
2	Bicycles	August 24, 1972	April 8, 2009
7	Dogs	March 10, 1987	April 8, 2009
8	Noise	July 13, 1988	April 8, 2009
9	Off-Premise Solicitation	March 13, 1990	April 8, 2009
10	Parking-Fire Hydrants	May 23, 1990	April 8, 2009
12	Fire Lane Parking	June 27, 1990	April 8, 2009
13	Street Parking	August 12, 1992	April 8, 2009
14	Fireworks	June 23, 1993	April 8, 2009
15	Wild Animals	August 1, 1993	April 8, 2009
16	Alternative/Modified Heating Sys.	July 22, 1994	April 8, 2009
17	Building Permits	May 27, 1994	April 8, 2009
18	Road-Use Event	July 26, 1995	April 8, 2009
19	Street Numbering	January 1, 1997	April 8, 2009
20	Solid Waste Disposal	March 10, 1998	April 8, 2009
21	Solid Waste Container Enclosures	March 10, 1998	April 8, 2009
22	Placement of Snow or other Debris in Town Roads or Sidewalks	July 12, 2000	April 8, 2009
23	Secured Entry Systems	December 1, 2000	April 8, 2009
26	Handicap Parking Ordinance	April 8, 2009	April 8, 2009
27	Removal of Animal Waste	October 25, 2007	April 8, 2009
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**1. Town of Waterville Valley, NH
Selectmen's Ordinances**

1.1. General

1.2. Selectmen's Ordinance #2 – Bicycle Ordinance

1.2.1. An ordinance respecting the use and equipment of bicycles, on ways of Waterville Valley.

1.2.2. In recognition that Waterville Valley is a resort and recreational community whose residents and guests enjoy the sport and recreation of bicycling, and that the diligent practice of bicycle safety is beneficial to all, it is hereby enacted by the Board of Selectman that Waterville Valley Selectman's Ordinance #2, by authority of NH RSA 265:149, be amended such that the language of NH State RSA 265:144 be adopted and incorporated as follows:

1.2.2.1. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached to the bicycle.

1.2.2.2. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

1.2.2.3. No person riding upon any bicycle, coaster, roller skates, skateboard, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

1.2.2.4. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

1.2.2.5. Persons riding bicycles 2 or more abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

1.2.2.6. Bicyclists intending to turn right or left shall not be required to give a continuous hand or arm signal if the hand is needed in the control or operation of the bicycle.

1.2.2.7. A person propelling a bicycle may pass a slower-moving vehicle in the same lane provided such movement can be made with reasonable safety.

1.2.2.8. Any bicyclist shall stop upon demand of a peace officer and permit his bicycle to be inspected.

1.2.2.9. No bicycle shall be operated unless the steering, brakes, tires and other required equipment are in safe condition.

1.2.2.10. No person less than 16 years of age may operate or ride upon a bicycle on a public way unless he or she wears protective headgear of a type approved by the commissioner of health and human services.

1.2.3. In addition to the above, it is hereby enacted by the Board of Selectman that:

1.2.3.1. Every bicycle when in use between one half-hour before sunset until a half hour before sunrise, shall have affixed or mounted thereto, a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head-lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear shall be used in addition to the red reflector.

1.2.3.2. Upon all roadways of sufficient width a bicycle shall be operated in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when preparing for a left turn at an intersection or into a private road or driveway.

1.2.3.3. No person shall operate a bicycle upon a sidewalk or sidewalk area except when a permanent or authorized temporary driveway crosses the sidewalk area.

1.2.3.4. No person shall operate a bicycle upon any public or private property that is open for, accessible to, and maintained primarily for the benefit of the public and is specifically designated for pedestrian traffic only. This section shall not apply to a duly appointed public safety officer, wearing a distinctive uniform and operating a bicycle during the course of his or her duties.

1.2.4. Any person, who violates the provisions of this ordinance shall, on a first offense be given a spoken or written warning and shall not ride the bicycle until the deficiency is corrected.

1.2.5. Any person, who violates the provisions of this ordinance on a second or subsequent offense, shall be subject to a twenty-five dollar (\$25) fine, payable to the Town of Waterville Valley within forty-eight (48) hours; or a thirty-five dollar (\$35.00) fine, payable to the Town of Waterville Valley if paid after the lapse of the forty-eight (48) hours but within seven (7) days of the violation.

1.2.6. Any person making this forfeiture shall be deemed to have waived his or her right to have the case heard in the district court, and he or she shall not be prosecuted.

1.2.7. Failure to remit said payment with the aforementioned time shall subject the violator to a District Court appearance, and upon a guilty finding shall be subject to a fine of not more than fifty dollars (\$50.00).

1.2.8. Town Ordinance #2, date August 24, 1972, is hereby amended and shall be effective October 25, 2007. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.3. Selectmen’s Ordinance #7 – Dog Ordinance

1.3.1. Pursuant to RSA 31:39, the Town of Waterville Valley acting under Warrant article #37 of the 1987 Annual Meeting held March 10, 1987, adopts the following ordinance:

1.3.1.1. It shall be unlawful for the owner or the keeper of a dog to allow said dog to run at large in the Town of Waterville Valley.

1.3.1.1.1. In this ordinance, “at large” means not under the control of the owner or any person by means of personal presence and attention and/or by means of physical restraint so as to control the conduct of such dog.

1.3.1.2. Any person authorized by the Board of Selectmen may seize, impound, or restrain any dog found in violation of this ordinance and may deliver such dog to a person or shelter authorized to board dogs. The owner of such dog shall be liable for any fees incurred.

1.3.1.3. Any person who violates the provisions of this ordinance shall be subject to a fine of not more than fifty dollars [\$50.00] for a first offense, and not more than one hundred dollars [\$100.00] for each subsequent offense. A person may choose to pay a civil forfeiture of twenty-five dollars [\$25.00] to the Town Clerk within ninety-six [96] hours of the time notice of violation is provided and shall thereby waive the right to be heard in district court and shall not be prosecuted for that offense. For each subsequent offense by the same person, the amount of civil forfeiture shall be fifty dollars [\$50.00]. However, civil forfeiture may not be paid after three (3) offenses in one (1) year, but rather their case shall be disposed of by district court proceedings and fines.

1.3.1.4. Adopted under Article 37 at the 1987 annual Town Meeting, March 10, 1987, by a ballot vote. Yes 25 -- No 16 ; Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.4. Selectmen's Ordinance #8 – Noise Ordinance

1.4.1. An Ordinance prohibiting the creation of an unreasonable amount of noise.

1.4.2. In recognition that Waterville Valley is an existing resort and recreational community attracting many vacationing visitors, it is hereby enacted by the Board of Selectman that:

1.4.2.1. No construction activity that produces an unreasonable amount of noise which may be heard from adjacent and/or public properties shall be permitted before 8:00 a.m. on weekdays, before 9:00 a.m. on Saturdays, and not later than 7:00 p.m. any day.

1.4.2.2. No construction activity that produces an unreasonable amount of noise, which may be heard from adjacent and/or public properties, shall be permitted at any time on Sundays or Federal holidays.

1.4.2.2.1. It shall be unlawful to cause an unreasonable noise disturbance as defined in RSA 644:2. Between 10:00 P.M. and 8:00 A.M. (Monday through Friday) and between 10:00 P.M. and 9:00 A.M. (Saturday and Sunday).

1.4.2.3. A person operating in or in control of a parked or moving motor vehicle shall not operate or permit the operation of an electronically amplified sound system in or on the motor vehicle so as to produce sound that is clearly audible in a public right of way or public space more than 50 feet from the motor vehicle, except as otherwise authorized.

1.4.2.4. A person shall not operate a motor vehicle so as to make any loud, unusual, or unnecessary noise occasioned by any one or more of the following actions by the operator:

1.4.2.4.1. Misuse of power, exceeding tire traction limits in acceleration, sometimes known as “laying rubber” or “burning-out” or excessive acceleration where there is no emergency.

1.4.2.4.2. Misuse of braking power exceeding tire traction limits in deceleration where there is no emergency.

1.4.2.4.3. Rapid acceleration by means of quick up-shifting of transmission gears with either a manual transmission or automatic transmission, or rapid acceleration that causes the front tire(s) of any vehicle to leave the ground.

1.4.2.4.4. Rapid deceleration by means of quick downshifting of either a manual or automatic transmission.

1.4.2.4.5. Racing of engines by manipulation of the accelerator, gas pedal, carburetor, or gear selection whether the vehicle is either in motion or standing still.

1.4.2.5. Exemptions

1.4.2.5.1. An exception for good cause to 1 and 2 may be granted by the Selectmen or their agent upon application by the contractor or person wishing to perform noise-creating work during the restricted hours or days. Said permission shall be in the form of a specific written permit.

1.4.2.5.2. Noises resulting from any authorized vehicle, when responding to an emergency call or acting in time of an emergency.

1.4.2.5.3. Noises resulting from emergency maintenance work as performed by the Town, by the State, or by public utility companies, to include snow removal operations.

1.4.2.5.4. Parades and public, private gatherings for which the Town has issued a permit.

1.4.2.6. An unreasonable amount of noise shall be defined to mean noise that is created by but not limited to, the use of chain saws, electric saws, pumps, bulldozers or similar heavy equipment, hammering, and other forms of construction activity that creates disturbing noise.

1.4.2.7. Person shall mean either a natural person or a corporation.

1.4.2.8. Any person, who violates the provisions of this ordinance, shall be guilty of a violation, and upon conviction, shall be fined not more than \$100.00 for a first offense, and not more than \$250.00 for each subsequent offense. After a person has been notified of the violation, in person, with each occurrence that the violation exists thereafter, will be deemed to be a separate offense.

1.4.2.9. Town Ordinance #8, date July 13, 1988, is hereby amended and shall be effective October 25, 2007. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.5. Selectmen Ordinance #9 – Off-Premise Solicitation Ordinance

1.5.1. Findings and Purpose

1.5.1.1. The Town of Waterville Valley is vitally dependent upon tourism for its economic well-being. Tourism, in turn, requires that those coming to the Town for recreation and leisure be free from uninvited personal solicitations for any purpose in public and other “quasi-public” areas. The Town also finds that the free flow of pedestrian and vehicular traffic has important safety implications requiring the enactment of this Ordinance. The Ordinance, therefore, intends to restrict and regulate off-premise personal solicitation for any purpose to further the legitimate goals specified in the Ordinance.

1.5.2. Definition

1.5.2.1. In this Ordinance “off-premise solicitation” shall include any manner of uninvited personal approach or solicitation for any purpose, including the operation of a booth or a sale location, conducted other than on premises owned, leased, or otherwise controlled by the person making the solicitations.

1.5.3. Prohibition/Exceptions

1.5.3.1. Off-Premise solicitations as defined in this Ordinance are not permitted within the Town of Waterville Valley. Any person or entity may apply to the Selectman for a limited temporary permit to allow off-premise solicitation for a period not to exceed three (3) days, provided that the person or entity so applying shall have already received the written approval of the owner or lessee of the premises to be so used.

1.5.3.2. If the selectmen find that the solicitation will not substantially affect the interest sought to be protected by this Ordinance and is otherwise in the public interest (considering such factors as location, time of proposed solicitations, volume of pedestrian and vehicular traffic, facilities to be used in the solicitation, and other appropriate matters), they may grant the permit, with such conditions as they deem necessary to protect the public interest.

1.5.4. Penalty

1.5.4.1. Any person or entity violating this Ordinance may be fined not more than \$1,000 for each offense, with each occurrence constituting a separate offense. The net proceeds of any such fines shall be used by the Town for beautification of conservation purposes.

1.5.5. This Ordinance shall take effect upon its adoption. Adopted by Town Meeting vote, March 13, 1990, and affirmed by vote of the Board of Selectmen on July 26, 1995. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.6. Selectmen Ordinance #10 – Parking – Fire Hydrants Ordinance

1.6.1. An Ordinance to prohibit parking in front of fire hydrants.

1.6.2. In recognition that access to fire hydrants in the Town of Waterville Valley is necessary for the protection of life and public safety of its residents and visitors, it is hereby enacted by the Board of Selectman that:

1.6.2.1. No person, except a person operating an emergency vehicle, shall park within fifteen (15) feet of a fire hydrant in the Town of Waterville Valley.

1.6.2.2. The Police Department or Fire Department of the Town of Waterville Valley may order, at the owner's and/or custodian's expense, the removal of any vehicle in violation of Section 1 of this Ordinance.

1.6.2.3. The owner and/or custodian of any vehicle parked in violation of this Ordinance shall be subject to a fifty dollar (\$50.00) fine, payable to the Town of Waterville Valley within forty-eight (48) hours; a seventy-five dollar (\$75.00) fine, payable to the Town of Waterville Valley if paid after the lapse of forty-eight (48) hours but within seven (7) days of the violation.

1.6.2.4. Failure to remit said payment within the aforementioned time shall subject violator to a District Court appearance on the separate charge of Failure to Pay Parking Fines, and upon a guilty finding shall be subject to a fine of not more than five hundred dollars (\$500.00).

1.6.3. This Ordinance shall be effective as of April 8, 2009

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.7. Selectmen Ordinance # 12 – Fire Lane Parking Ordinance

1.7.1. An Ordinance to prohibit parking of vehicles in fire lanes.

1.7.2. In recognition that access to fire lanes in the Town of Waterville Valley is necessary for the protection of life and the public safety of its residents and visitors, it is hereby enacted by the Board of Selectmen that:

1.7.2.1. No person, except a person operating a emergency vehicle, shall park within any fire land so designated by the Fire Chief and /or the Planning Board of the Town of Waterville Valley.

1.7.2.1.1. The following areas have been accepted or designated as Fire lanes in the Town of Waterville Valley:

1.7.2.1.1.1. **Valley Inn** - The oval driveway at the front of the building including the paved area immediately in front of the entrance way steps.

1.7.2.1.1.2. **North Star Inn** - The oval driveway at the front of the building immediately in front of the entrance way steps.

1.7.2.1.1.3. **Waterville Valley Conference Center** - The oval driveway at the front of the building. The way along the right side between the Center and North Star Inn.

1.7.2.1.1.4. **The Birches** - The paved area immediately in front of the entrance way steps.

1.7.2.1.1.5. **The Golden Eagle Lodge** - The entire oval driveway at the front of the building. The driveway at the left front side of the building. The grassy lane from the front entrance to the service entrance.

1.7.2.1.1.6. **The White Mountain Athletic Center** - The oval driveway at the front of the building.

1.7.2.1.1.7. **Town Square** –

1.7.2.1.1.7.1. The area on the northerly side (facing Village Road) from the outside corner to Building A to the outside corner of the Ice Arena.

1.7.2.1.1.7.2. The access way on the eastern end (facing Valley Road) of the Ice Arena.

1.7.2.1.1.7.3. The outside perimeter of the southerly side (facing Corcoran’s Pond) of the Ice Arena from the roof overhang out twenty (20) feet.

1.7.2.1.1.7.4. The entire area directly to the rear of Building B.

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1.7.2.1.1.7.5. The interior courtyard.

1.7.2.1.1.8. **Snowy Owl Inn** - The oval driveway at the front of the building.

1.7.2.1.1.9. **Black Bear Lodge** - The roadway, including the oval driveway, at the front of the building.

1.7.2.1.1.10. **Old Finish Line Restaurant** - The access area directly across from West Branch Road immediately adjacent to the buildings.

1.7.2.1.1.11. **Mount Tecumseh Ski Area**

1.7.2.1.1.11.1. The oval parking lot road from the point it leaves the access road and returns to it as marked at the intersection of the two roads and near Lot #1.

1.7.2.1.1.11.2. The oval driveway immediately behind the food service area of the North Complex.

1.7.2.1.1.11.3. The paved area immediately in front of the Crane Clinic.

1.7.2.1.1.11.4. The driveway to the left of the South Complex.

1.7.2.1.1.12. Above fire lanes may be marked by signs, paint, or other devices indicating same.

1.7.2.2. The Police Department or the Fire Department of the Town of Waterville Valley may order, at the owner's and/or custodian's expense, the removal of any vehicle in violation of Section I of this Ordinance.

1.7.2.3. The owner and/or custodian of any vehicle parked in violation of this Ordinance shall be subject to a fifty dollar (\$50.00) fine, payable to the Town of Waterville Valley within forty-eight (48) hours; a seventy-five dollar (\$75.00) fine, payable to the Town of Waterville Valley if paid after the lapse of forty-eight (48) hours but within seven (7) days of the violation.

1.7.2.4. Failure to remit said payment within the aforementioned time shall subject violator to a District Court appearance on the separate charge of Failure to Pay Parking Fines, and upon a guilty finding shall be subject to a fine of not more than five hundred dollars (\$500.00).

1.7.2.5. This Ordinance shall be effective as of April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.8. Selectmen Ordinance #13 – Street Parking Ordinance

1.8.1. An Ordinance to promote public safety, to maintain free flowing streets, and to enhance winter snow removal.

1.8.2. In recognition that certain areas of the Town of Waterville Valley are more congested than others during seasonal times of the year, it is hereby enacted by the Board of Selectman that:

1.8.2.1. No person, except a person operating an emergency vehicle, shall park any motor vehicle on either side of any roadway in the Town of Waterville Valley, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer, fire fighter, or duly appointed flag person.

1.8.2.2. No person, except a person operating an emergency vehicle, shall park any motor vehicle in any area designated “No Parking” by sign in the Town of Waterville Valley, or any place where such parking would restrict access to any area by emergency vehicles, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer, fire fighter, or duly appointed flag person.

1.8.2.3. The Police Department of the Town of Waterville Valley may order, at the owner’s and/or custodian’s expense, the removal of any vehicle in violation of this Ordinance.

1.8.2.4. The owner and/or custodian of any vehicle parked in violation of this Ordinance shall be subject to a thirty-five dollar (\$35.00) fine, payable to the Town of Waterville Valley within forty-eight (48) hours; or a fifty dollar (\$50.00) fine, payable to the Town of Waterville Valley if paid after the lapse of the forty-eight (48) hours but within seven (7) days of the violation. Failure to remit said payment within the aforementioned time shall subject the violator to a District Court appearance on the separate charge of Failure to Pay Parking Fines, and upon a guilty findings shall be subject to a fine of not more than five hundred dollars (\$500.00).

1.8.3. Town Ordinance #13, date August 12, 1992, is hereby amended and shall be effective October 25, 2007. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.9. Selectmen's Ordinance #14 – Fireworks Ordinance

1.9.1. In view of the fact that numerous requests for the display of fireworks in conjunction with convention and other civic groups are received by the Town of Waterville Valley, this Ordinance is adopted to provide guidelines for such displays.

1.9.2. All displays and other uses of fireworks within the Town of Waterville Valley shall be controlled as follows:

1.9.2.1. By direct compliance with the Laws of the State of New Hampshire RSA 160-B.

1.9.2.2. By direct compliance with the NFPA 1, Fire Prevention Code, Section 31.

1.9.2.3. By direct compliance with the local municipal procedures and regulations as outlined in the Ordinance.

1.9.3. Any entity desiring to display fireworks in the Town of Waterville Valley shall be governed by the following procedures and regulations:

1.9.3.1. Application shall be made for a municipal permit from the governing body and/or the Director of Public Safety or his designee.

1.9.3.1.1. Submission shall be made with the application of a copy of Certificate of Competency issued pursuant to RSA 158:9-f.

1.9.3.1.2. Submission shall be made with the application of a copy of Insurance of the displayer.

1.9.3.1.3. Submission of the application must be made 15 days in advance of the proposed date of display.

1.9.3.2. Payment of a Displayer's Fee is in the amount of \$300.00.

1.9.3.2.1. A portion of this fee is levied for the police coverage during the display and other administrative costs to the Town.

1.9.3.2.2. A second portion of this fee is levied as surety bond against the cleanup of the display area.

1.9.3.3. The proposed display shall be sited as designated by the Director of Public Safety or his designee.

1.9.3.4. The size of the display mortars shall be limited to a maximum of 3 inches.

1.9.3.5. The execution of all displays shall be completed by 10:00 p.m. on the approved date.

1.9.3.6. The display area shall be cleaned to the satisfaction of the Director of Public Safety or his designee upon the completion of the display.

1.9.4. The above procedures and regulations apply to the display of fireworks within the Town of Waterville Valley. The discretion for accommodations to these procedures and regulations shall be vested in the governing body and/or the Director of Public Safety or his designee.

1.9.5. Any person who knowingly violates the provisions of this ordinance shall, be guilty of a violation and shall be fined not to exceed \$500.00.

1.9.6. This Ordinance shall be effective June 23, 1993. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.10. Selectmen Ordinance # 15 – Wild Animals Ordinance

1.10.1. In recognition that Waterville Valley is a resort and recreational community with a large number of transient visitors and guests that is encircled by the White Mountain National Forest, which is also home to an ever increasing number of wild animals, this ordinance is adopted in an effort to assist our residents and guests in peacefully coexisting with the wild animals upon whose habitat we are infringing. Additionally, this ordinance is intended to enhance and further the free and safe use of and movements on the public areas of the Town.

1.10.2. In further recognition that these animals are indeed wild animals that should be left alone for the welfare and safety of both the animals and of our residents and guests, it is hereby enacted by the Board of Selectman that:

1.10.2.1. No person shall engage in the practice of baiting wild animals.

1.10.2.1.1. For purposes of this ordinance, baiting shall mean the placing of any food or other substances so as to lure or attract wild animals.

1.10.2.1.2. For purposes of this ordinance, wild animals shall include fur-bearing and game animals as defined by NH RSA 207:1.

1.10.2.2. No person shall deliberately use an artificial light to illuminate, locate, or attempt to locate wild animals.

1.10.2.3. No person shall knowingly track or follow wild animals on foot or by the use of motorized vehicle, bicycle, or other conveyance within the zoning confines of the Town of Waterville Valley.

1.10.2.4. No person shall loiter with 100 feet of the solid waste dumpsters nor shall they knowingly approach with 100 feet of any wild animal within the zoning confines of the Town of Waterville Valley.

1.10.3. The provisions of this Ordinance shall apply to all persons except those licensed by the State of New Hampshire, Department of Fish and Game.

1.10.4. Any person who knowingly violates the provisions of this ordinance shall be guilty of a violation and subject to a fine of not more than five hundred dollars (\$500.00).

1.10.5. A Person may choose to pay a civil forfeiture of twenty-five dollars [\$25.00] to the Town Clerk within forty-eight [48] hours of the time notice of violation is provided and shall thereby waive the right to be heard in district court and shall not be prosecuted for that offense. For each subsequent offense by the same person, the amount of civil forfeiture shall be fifty dollars [\$50.00]. However, civil forfeiture may not be paid after three (3) offenses in one (1) year, but rather their case shall be disposed of by District Court proceedings and fines.

1.10.6. This ordinance shall be effective August 1, 1993. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.11. Selectmen Ordinance #16 – Alternative/Modified Heating Systems

1.11.1. In recognition of the increasing interest of property owners in the Town of Waterville Valley in the installations of alternative and modified heating systems and of the inherent public safety elements attributed to such installations, it is hereby enacted:

- 1.11.1.1.** The installation of any alternative or modified heating system shall be made in compliance with all applicable codes; namely, BOCA Fire, Building, and Mechanical; NFPA 54; and ASHRAE Standard Safety Codes.
- 1.11.1.2.** The installation of any alternative or modified heating system requires application for and receipt of a building permit from the Town of Waterville Valley.
- 1.11.1.3.** The management of individual condominium complexes shall be responsible for and take the lead in the coordination of the installation of alternative or modified heating systems within its complex. The management shall be responsible for submitting to the Town an overall installation plan and specifications including fuel storage location and fuel spillage precautions, identifications of supplier, and identification of unit type and fuel.
- 1.11.1.4.** Individual alternative installations within each condominium complex shall be accomplished through one supplier and shall utilize the same type unit and fuel and shall require the submission of an installation plan by the condominium management prior to issuance of building permits by the Town.
- 1.11.1.5.** All fuel storage tanks shall be installed underground an/or in compliance with the above-mentioned codes. All supply lines and piping shall be underground, protected, and hidden from public view. All landscaping in the disturbed area shall be restored.
- 1.11.1.6.** All individual installations shall have a carbon monoxide detector affixed in the living area and fuel spillage precautions in place.
- 1.11.1.7.** The location, placement and installation of all storage tanks, supply lines and piping, and all individual heating units shall be inspected and approved by the Code Enforcement Officers of the Town of Waterville Valley prior to the issuance of an “Approval to Use” notification.
- 1.11.1.8.** The installer of each system and/or unit shall supply the Town with a certificate indicating that the equipment supplied and installed is suitable for the purpose, and that the installation was accomplished in compliance with applicable codes and regulations as well as the manufacturer’s instructions and requirements.
- 1.11.1.9.** As-built plans and diagrams with manufacturer’s equipment manuals and instructions attached shall be submitted prior to final approval by the Code Enforcement Officers of the Town of Waterville Valley.

1.11.2. Any person who knowingly violates the provisions of this Ordinance, shall be upon conviction guilty of a violation and subject to a fine of not more than five hundred dollars [\$500.00], for each day the condition exists.

1.11.3. This Ordinance shall be effective July 22, 1994. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.12. Selectmen Ordinance # 17 – Building Permits Ordinance

- 1.12.1.** It is hereby ordered that any legal entity planning to build within the limits of the Town of Waterville Valley shall, prior to the start of construction, file an application for a building permit with the Town. An informational and instructional packet relative to suggested procedures, adherence to adopted codes, rules, and regulations, and municipal structure is available at the town office.
- 1.12.2.** The term “planning to build” shall include all types of construction, public or private, of any size or character, including additions, alterations, work involving mechanical, electrical, plumbing, HVAC systems and cosmetic repairs to existing property.
- 1.12.3.** In general, construction with a value of less than one thousand dollars [\$1,000.00] shall not require a permit. However, if any construction or modification impacts any provision of the life safety code, a permit will be required regardless of value.
- 1.12.4.** Applications may be obtained from the Town Office and at the time of filing shall be accompanied by the payment of the appropriate fee. Application forms when completed and submitted shall include detailed and explicit information so that the scope of the project is initially illustrated. The Code Enforcement Officers may request any additional information that they deem necessary in the process of approving the application.
- 1.12.5.** Upon approval by the Town, one copy of the approved permit shall be returned to the applicant who shall post the approved application so that it may be readily observed at the construction site.
- 1.12.6.** Any person who knowingly violated the provisions of this Ordinance, shall be upon conviction guilty of a violation and shall be subject to a fine of not more than five hundred dollars [\$500.00], for each day the condition exists.
- 1.12.7.** This Ordinance shall be effective July 27, 1994; with revision effective May 27, 1998. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.13. Selectmen Ordinance #18 – Road-Use Event Ordinance

1.13.1. In recognition that Waterville Valley is an existing resort and recreational community attracting many vacationing visitors and realizing that it is necessary to insure free flowing traffic and the safety of the users of its roadways, the following is hereby enacted:

1.13.1.1. No person shall conduct or participate in any foot, bicycle, moped, or vehicle event on any Town of Waterville Valley roadway, regardless of classification, or on a State of New Hampshire Class II highway, unless the sponsor of such an event has obtained, prior t the event, the written approval and permission of the Commissioner of Safety if such event involves State highway use and of the Director of Public Safety of the Town of Waterville Valley.

1.13.1.2. The Commissioner and/or the Director of Public Safety may require insurance, police coverage or other regulations to insure the safety and protection of the public.

1.13.1.3. The approval/permission may exempt the event from the laws governing the rules of the road so long as the exemptions are consistent with public safety.

1.13.1.4. All permits for such events shall be issued by the Director of Public Safety or his designated representative.

1.13.2. Any person who knowingly violates the provisions of this ordinance shall, upon conviction, be guilty of a violation and shall be fined not to exceed five hundred dollars [\$500.00].

1.13.3. This Ordinance shall be effective July 26, 1995. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.14. Selectmen Ordinance #19 – Street Numbering Ordinance

1.14.1. The Town of Waterville Valley working in conjunction with the State of New Hampshire has joined the Enhanced 911 Emergency Communication System. This system allow for a more rapid deployment of needed emergency services which is beneficial to us all. The community is indeed fortunate that this system has become available and we are able to be a part of it.

1.14.2. In order to make the E911 System effective, a street numbering system which establishing a uniform, permanent means of identification for each residential, multifamily, and commercial structure within the Town must be established.

1.14.3. In an effort to facilitate a uniform identification procedure and to promote the public safety and general welfare of the community, the Board of Selectmen hereby enacts the following street numbering system.

1.14.3.1. Numbering System - A street numbering system has been developed for all primary buildings based on the following process:

1.14.3.1.1. The starting numbering point of each street is generally determined by its most southerly intersection with Valley Road or Snow’s Brook Road.

1.14.3.1.2. All primary buildings on the left side of a street will be assigned odd numbers.

1.14.3.1.3. All primary buildings on the right side of a street will be assigned even numbers.

1.14.3.1.4. One odd or one even number will be assigned to each one hundred [100] foot interval of presently unoccupied street frontage.

1.14.3.1.5. Commercial establishments, including lodges and condominium complexes, and other properties with multiple primary buildings will have one street number assigned to the primary entrance onto the street. Units shall be internally numbered according to a logical pattern and manner as approved by the Board of Selectman or its designee.

1.14.3.1.6. The internal numbers of building addressed in Part E above shall provide a means of identifying individual units with addresses which shall include:

1.14.3.1.6.1. Street Address

1.14.3.1.6.2. Building letter or number

1.14.3.1.6.3. Unit letter or number

1.14.3.1.7. Corner lots shall be assigned the appropriate street number which corresponds to the street on which the building faces or the street from which access is obtained.

1.14.3.1.8. Unused numbers shall be held for future use to insure against the need for renumbering.

1.14.3.2. Numbering Requirements - All owners of buildings; residential, multifamily, and commercial, shall display the assigned street number in the manner described in the Ordinance.

1.14.3.2.1. Street numbers shall be displayed so as to be conspicuously visible from the street on which the number is assigned. Numbers shall be a minimum of three (3) inches high. They may be routed in, painted on or of pressed vinyl, but must be of a reflective paint/material so as to be visible at night.

1.14.3.2.2. All numbers shall be displayed in Arabic form (0,1,2,3,4, ect...). Suggested number styles are Helvetica, Souvenir, or Palatino.

1.14.3.2.3. The suggested sign design incorporates the above number specifications on a background boarding of approximately five and one-half (5^{1/2}) by eight (8) inches. Signs attached to primary buildings or commercial signage may have a background color that is compatible to the individual building or sign with numbers of a contrasting reflective color.

1.14.3.2.4. Individual property signs which are displayed at the point of entry to a property should incorporate the Waterville Valley brick red background with reflective white letters to harmonize with the existing street signs.

1.14.3.3. Number Location

1.14.3.3.1. Lower Density Residential Buildings

1.14.3.3.1.1. For primary buildings readily visible from the assigned street, the numbers shall be conspicuously displayed on the side of the building which faces the assigned street.

1.14.3.3.1.2. For primary buildings not readily visible from the street, the numbers shall be displayed at the point of entry to the property so as to be visible on a year-round basis.

1.14.3.3.1.2.1. The point of entry numbers may be affixed to a tree trunk of substantial size (minimum of four [4] inches in diameter) at five (5) to eight (8) feet from the ground. Branches shall be kept pruned so that the numbers are clearly visible at all times.

1.14.3.3.1.2.2. The point of entry numbers may be affixed to a four (4) inch by four (4) inch post installed at the point of entry and positioned so as not to interfere with the plowing of snow. Numbers shall be displayed at minimum height of four (4) feet.

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1.14.3.3.1.2.3. When a joint driveway services two or more primary buildings which are not visible from the streets, then the numbers must be displayed both at the point of entry on the side of the individual buildings.

1.14.3.4. Commercial Buildings and Complexes

1.14.3.4.1. Numbers which have been assigned to commercial establishments, including lodges and condominium complexes, shall be displayed, where possible, on an upright which supports the main entrance sign of the entry.

1.14.3.4.1.1. If the entity's sign is placed perpendicular to the assigned street, the number shall be displayed at a minimum height of five (5) feet on the upright face that is facing and horizontal to the street.

1.14.3.4.1.2. If the entity's sign is placed horizontal to the street, the number shall be displayed on the upper portion of the upright on the right side of the sign.

1.14.3.4.2. Commercial entities which have no point of entry signage shall display the assigned number on the side of the building so long as it is visible from the assigned street.

1.14.4. New Building and Subdivisions

1.14.4.1. Whenever a primary building or occupied structure shall be erected in the Town, designated numbers shall be assigned to and affixed upon said building as provided for by this Ordinance.

1.14.4.2. Every subdivision or site plan submitted to the Planning Board for approval shall show an assigned street number for each primary building as applicable.

1.14.5. Special Exceptions

1.14.5.1. The Board of Selectmen reserves the right to permit individual special exceptions from the Ordinance at the written request of a property owner if in the Board's opinion the intent of the Ordinance is preserved.

1.14.6. Penalties

1.14.6.1. Display of any number other than a town-assigned number will be considered a violation of this Ordinance.

1.14.6.2. Any residential, multifamily, or commercial structure existing at the time of the effective date that is not in compliance with this Ordinance within six (6) months of

its adoption will be subject to a fine of not more than a one hundred dollars
[\$100.00] per day.

1.14.6.3. This Ordinance is effective as of January 1, 1997. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.15. Selectmen Ordinance #20 – Solid Waste Disposal Ordinance

1.15.1. In recognition of the fact that in the Town of Waterville Valley the collection and disposal of Solid Waste is accomplished in a community-tailored, unique manner which is conducted in the most cost-effective procedure possible to meet the needs of the citizens, this ordinance is enacted to insure that taxpayers are subsidizing the removal of waste generated only by inhabitants of the Town of Waterville Valley.

1.15.2. It is hereby enacted that:

1.15.2.1. No person or entity shall deposit solid waste in any dumpster located in the Town of Waterville Valley unless that person or entity is:

- 1.15.2.1.1.** Resident of the Town;
- 1.15.2.1.2.** Owner of property in the Town;
- 1.15.2.1.3.** Commercial entity depositing trash generated from within the Town;
- 1.15.2.1.4.** Guest of property owner, commercial entity, or resident and staying in a facility located in the Town.

1.15.2.2. No person or entity may deposit solid waste which is generated outside of the Town in any dumpster located in the Town.

1.15.2.3. No person or entity shall deposit solid waste in any dumpster located at an individual condominium or commercial complex unless such waste is generated in said complex.

1.15.2.4. Any person who violates this ordinance shall, be guilty of a violation and shall be subject to a fine as follows:

- 1.15.2.4.1.** For a first offense, not more than \$500.00
- 1.15.2.4.2.** For a second offense, not more than \$1000.00
- 1.15.2.4.3.** For a third or subsequent offense, pursuant to RSA 149-M:17 II (b), no more than \$3000.00

1.15.2.5. The enforcement authority for this ordinance shall be the Director of Public Safety and/or any duly sworn police officers under his command.

1.15.2.6. For any fine of five hundred dollars [\$500.00] or less, the enforcing officer shall issue a summons to the violator along **with** a copy of this ordinance, which shall serve as the fine schedule required under RSA 502-A:19-b, and said violator shall have the option to pay the fine by mail.

1.15.2.7. For any fine over five hundred dollars [\$500.00], the enforcing officer shall issue a summons to the violator requiring the violator's appearance before the Plymouth District Court.

1.15.2.8. Town Ordinance #20, date March 10, 1998, is hereby amended and shall be effective October 25, 2007. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.16. Selectmen Ordinance #21 – Solid Waste Enclosures Ordinance

1.16.1. In recognition that Waterville Valley is a resort and recreational community and its appearance must be neat, orderly, and attractive, this ordinance is intended to protect and enhance property values by assuring that solid waste dumpsters are properly screened and/or enclosed and that such enclosures are properly maintained and aesthetically pleasing. It is hereby enacted that:

1.16.1.1. No person or entity may place or use a solid waste container for outside storage of solid waste pending collection unless that container is screened from sight and contained in an enclosure in accordance with regulations adopted by the Board of Selectman. Such regulations address location, visibility, construction requirements, and similar concerns appropriate to carrying out the purposes of this ordinance. A copy of such regulations maybe obtained from the Town Office. Such enclosure to be constructed and installed at no cost to the Town of Waterville Valley.

1.16.1.2. The person or entity responsible for the maintenance and upkeep of the property at which any solid waste container is required under paragraph 1, shall maintain the enclosure and appurtenant grounds in a clean, uncluttered condition including proper and timely snow and litter removal. The obligation to clean up litter shall extend to other property to the extent that such litter comes from the container on said person’s property.

1.16.2. Any person who violates this ordinance shall, be guilty of a violation and shall be subject to a fine as follows:

- | | |
|--|-----------|
| 1.16.2.1. For a first offense, not more than | \$500.00 |
| 1.16.2.2. For a second offense, not more than | \$1000.00 |
| 1.16.2.3. For a third or subsequent offense, pursuant to RSA 149-M:17 II (b),
no more than | \$3000.00 |

1.16.3. The enforcement authority for this ordinance shall be the Director of Public Safety and/or any duly sworn police officers under his command.

1.16.4. For any fine of five hundred dollars [\$500.00] or less, the enforcing officer shall issue a summons to the violator along **with** a copy of this ordinance, which shall serve as the fine schedule required under RSA 502-A:19-b, and said violator shall have the option to pay the fine by mail.

1.16.5. For any fine over five hundred dollars [\$500.00], the enforcing officer shall issue a summons to the violator requiring the violator’s appearance before the Plymouth District Court.

1.16.6. Town Ordinance #21, date March 10, 1998, is hereby amended and shall be effective October 25, 2007. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.17. Selectmen Ordinance #22 – Placement of Snow or Other Debris In Town Roads or Sidewalks

1.17.1. An Ordinance to promote public safety, to maintain free flowing traffic, and to enhance winter snow removal.

1.17.2. In recognition of the importance of thorough and timely snow removal from the roads and sidewalks of the Town of Waterville Valley during the winter months, and the necessity to insure free flowing traffic and the safety of the users of roadways throughout the year, it is hereby enacted by the Board of Selectman, with authority granted by RSA 41:11 and 47:17, that:

1.17.2.1. No person may put or place, or cause to be put or placed, any snow or ice or other foreign material upon the surface of the traveled portion of any Class V or VI highway or any sidewalk in the Town of Waterville Valley; nor may any person so deposit such materials within the right-of-way of such highway or any sidewalk so as to obstruct travel or interfere with Town maintenance, including snow plowing and snow removal operations. The provisions of this section shall not be deemed:

1.17.2.1.1. To prohibit such actions when necessary to provide a place for the crossing of any such highway or sidewalk by sleds, logging or farm equipment, after notice to and approval by the Selectmen or their designee; or

1.17.2.1.2. The incidental placement of snow or ice when necessary to accommodate the removal or plowing of snow from adjoining property, so long as such actions do not result in unsafe or hazardous conditions by reason of the amount of snow or ice left on the highway or sidewalks or such other conduct as may interfere with the usage of the highway or with maintenance operations of the Town.

1.17.3. Any person who violates this Ordinance is subject to a penalty not to exceed the amount of five hundred dollars [\$500.00].

1.17.4. This Ordinance becomes effective July 12, 2000. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.18. Selectmen Ordinance #23 – Secured Entry Systems Ordinance

1.18.1. In recognition that Waterville Valley is an existing resort and recreational community where many property owners are not in residence full time and in order to protect the public safety, the following is hereby enacted:

1.18.1.1. This ordinance shall require placement of a lockbox system approved by the Department of Public Safety in order to provide rapid access to the building and enhance the ability of emergency personnel to respond to emergencies. The lockbox system shall only be used for emergency purposes.

1.18.1.2. Installation of a lockbox system shall be required in the following buildings:

1.18.1.2.1. Commercial or multi-family residential buildings with centralized monitored alarms or sprinkler systems;

1.18.1.2.2. Business in which the building is empty after working hours;

1.18.1.2.3. Multi-family residential or lodging complexes having locked common exterior entrances.

1.18.1.3. Owners of any property not reflected in 2 a-c above may voluntarily install a lockbox system, by coordinating with the Department of Public Safety.

1.18.1.4. The location of the lockbox system shall be determined in consultation with the Department of Public Safety.

1.18.1.5. The contents of each lockbox system shall, as a minimum, include:

1.18.1.5.1. Name(s), address, telephone number for the following:

1.18.1.5.1.1. Owner,

1.18.1.5.1.2. Manager,

1.18.1.5.1.3. Name of individual who could arrive at the building most quickly if needed,

1.18.1.5.1.4. Name, address, phone number for party responsible for maintaining alarm and/or sprinkler system.

1.18.1.5.2. List and location of any hazardous materials stored or used at the building.

1.18.1.5.3. Complete map or floor plan of the facility.

1.18.1.5.4. Keys to the facility, including all secured areas (i.e. boiler room, electrical room).

1.18.1.6. All expenses associated with purchase, installation and/or maintenance of the lockbox shall be the responsibility of the property owner or the condominium owners' association. Property owners should contact the Department of Public Safety for information and authorization for the purchase of the lockbox system.

1.18.1.7. Because a unique code is assigned to each municipality, the Town of Waterville Valley shall register with the lockbox system manufacturer within thirty [30] days of the effective date of this Ordinance.

1.18.1.8. Upon the effective date of this Ordinance or upon registration by the Town of Waterville Valley whichever occurs first, all new construction subject to this ordinance as identified in Paragraph 2, shall be required to install a lockbox system prior to receiving a Certificate of Occupancy.

1.18.1.9. All existing buildings subject to this ordinance shall comply with the ordinance within twelve [12] months from the effective date.

1.18.1.10. This Ordinance shall be effective December 1, 2000. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.19. Selectmen Ordinance #26 – Handicap Parking Ordinance

1.19.1. An ordinance to restrict parking in designated handicap parking spaces.

1.19.2. In recognition that disabled residents and guests of Waterville Valley require convenient access to and from the various amenities throughout the town, it is hereby enacted by the Board of Selectman that:

1.19.2.1. No person, shall park in any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility wheelchair symbol as defined in RSA 27-C:9,I(a), unless that person has a special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88, and the person who qualifies for the plate or placard is being transported to or from the parking place.

1.19.2.2. The Police Department of the Town of Waterville Valley may order, at the owner's and/or custodian's expense, the removal of any vehicle in violation of Section 1.19.2.1 of this Ordinance.

1.19.2.3. The owner and/or custodian of any vehicle parked in violation of this Ordinance shall be subject to a fifty dollar (\$50.00) fine, payable to the Town of Waterville Valley within forty-eight (48) hours; a seventy-five dollar (\$75.00) fine, payable to the Town of Waterville Valley if paid after the lapse of forty-eight (48) hours but within seven (7) days of the violation.

1.19.2.4. Failure to remit said payment within the aforementioned time shall subject violator to a District Court appearance on the separate charge of Failure to Pay Parking Fines, and upon a guilty finding shall be subject to a fine of not more than five hundred dollars (\$500.00).

1.19.2.5. This Ordinance shall be effective as of April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.20. Selectmen Ordinance #27 – Removal of Animal Waste

1.20.1. In recognition that Waterville Valley is a resort and recreational community and its appearance must be neat, orderly, and attractive, this ordinance is intended to protect and enhance public and private property and ensure they remain both aesthetically pleasing and conducive to public health. It is hereby enacted that:

1.20.1.1. For the purpose of this section, the reference to a mechanical or other device shall include, without limitation, a pooper-scooper, a trowel, a shovel, a plastic bag or other appropriate container.

1.20.1.2. Any owner or person having custody and/or control of any animal shall not permit the animal on any public grounds, including public streets, alleys, sidewalks, parks, or any other public grounds within the town, unless the owner or person in control has in his possession a mechanical or other device for the removal of excrement, nor shall such owner or person in control fail to expeditiously remove any such excrement deposited by the animal in any such place.

1.20.1.3. Any owner or person having custody and/or control of any animal shall not permit the animal on any private property other than the premises of the owner or person having custody of the animal unless such owner or person in control has in his possession a mechanical or other device for the removal of excrement, nor shall such owner or person in control fail to expeditiously remove any such excrement deposited by such animal in any such place.

1.20.1.4. Any person found in violation of this section shall be subject to a twenty-five dollar (\$25.00) fine, payable to the Town of Waterville Valley within forty-eight (48) hours; a fifty dollar (\$50.00) fine, payable to the Town of Waterville Valley if paid after the lapse of forty-eight (48) hours but within seven (7) days of the violation.

1.20.1.5. Failure to remit said payment within the aforementioned time shall subject violator to a District Court appearance, and upon a guilty finding shall be subject to a fine of not more than one hundred dollars (\$100.00).

1.20.2. This Ordinance shall be effective as of October 25, 2007. Reviewed April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman

1.21. Selectmen Ordinance #28 – Open Container Ordinance

1.21.1. In recognition that Waterville Valley is a resort and recreational community whose residents and guests of legal age are free to enjoy alcoholic beverages in moderation within the community, but that such consumption and possession is wholly inappropriate in certain locations within town, it is hereby enacted by the Board of Selectman that Waterville Valley Selectman’s Ordinance #28, by authority of NH RSA 47:1 and RSA 47:17, be adopted and incorporated as follows:

1.21.1.1. No person shall consume any liquor or beverage, or be in possession of any open container containing liquor or beverage while in any Waterville Valley public building without the express permission of the Selectmen or their designee.

1.21.1.2. Beverage, which includes beer, as used herein shall have the same meaning as defined in RSA 175: 1, VIII.

1.21.1.3. Liquor, as used herein shall have the same meaning as defined in RSA 175:1, XLII.

1.21.1.4. Public Building means any offices, indoor facilities, or buildings that are owned and maintained by the Town of Waterville Valley.

1.21.2. Any person, who violates the provisions of this ordinance shall, on a first offense be given a spoken or written warning and shall immediately remove themselves and/or their beverage from the building.

1.21.3. Any person, who violates the provisions of this ordinance on a second or subsequent offense, shall be subject to a twenty-five dollar (\$25) fine, payable to the Town of Waterville Valley within forty-eight (48) hours; or a thirty-five dollar (\$35.00) fine, payable to the Town of Waterville Valley if paid after the lapse of the forty-eight (48) hours but within seven (7) days of the violation.

1.21.4. Any person making this forfeiture shall be deemed to have waived his or her right to have the case heard in the district court, and he or she shall not be prosecuted.

1.21.5. Failure to remit said payment with the aforementioned time shall subject the violator to a District Court appearance, and upon a guilty finding shall be subject to a fine of not more than fifty dollars (\$50.00).

1.21.6. Town Ordinance #28, shall be effective April 8, 2009.

Joan Sweeney, Chairman

Margaret Turner, Selectman

William Larsen, Selectman