

TOWN OF MILTON
599 WHITE MOUNTAIN HIGHWAY
MILTON, NEW HAMPSHIRE 03851
TEL. 603-652-4501
FAX 603-652-4120

ORDINANCE 00-01 OF MILTON, NH

AN ORDINANCE REGULATING HEAVY HAULING OVER TOWN ROADS

WHEREAS, the Milton 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 Milton 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 Milton 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 Public Works Director, it shall be unlawful for any person, partnership or corporation to haul, transport or cause to be transported by vehicle with gross weight over eight (8) tons any material over the following Class V roads from 00:01 AM, March 1st of each year through 11:50PM, April 30th of each year, or as determined necessary by the Public Works Director.

MILTON

1. Hare Road
2. Park Place
3. Governors Road
4. Nute Road
5. McKeagney Road
6. Teneriffe Road
7. Silver Street
8. Evergreen Valley Road
9. Town House Road

MILTON MILLS

1. Hopper Road
2. Jug Hill Road
3. Willey Road
4. Branch Hill Road
5. Church Street
6. Highland Street
7. Berry Road

10. North East Pond Road
11. Piggot Hill Road
12. Allen Hastings Way
13. Gold Street
14. Dames Brook Drive
15. Elm Street
16. Dawson Street
17. Charles Street
18. Depot Pond Road
19. Kingsbury Drive
20. Porter Road
21. Bolan Road
22. Christopher Drive
23. Hydro Way
24. Briar Ridge Road
25. Sleeping Bear Drive

SECTION 2. APPLICABILITY

This restriction shall not apply to:

1. Emergency vehicles
2. Six wheel fuel tankers delivering on the regulated road
3. Six wheel refuse collection vehicles collecting from regulated road
4. Public utility vehicles involved in emergency repair operations
5. Town of Milton Public Works vehicles
6. School buses operated by the Milton School District

SECTION 3. PENALTY

6-12-00 Any person, corporation or user who violates this Ordinance shall be subject to a fine of \$ 250.00 and/or revocation of permit under Town statues. 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 4. 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 5.

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 Milton. 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 Milton shall be suspended for the remainder of the year or until such hearing is held.

SECTION 6. EFFECTIVE DATE

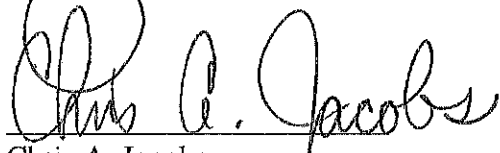
This Ordinance shall become effective upon passage by two-thirds (2/3) affirmative vote of those present and voting.

Passed and adopted by the Board of Selectmen of the Town of Milton this 5th day of June, 2000.

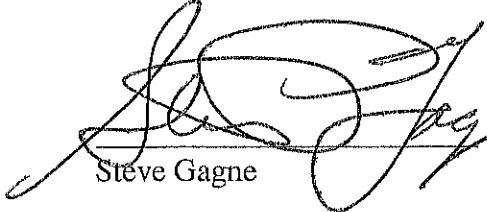
26th June



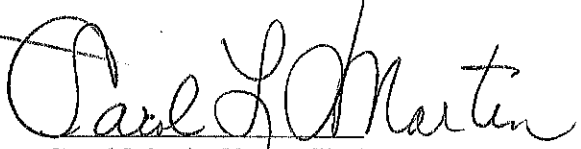
Jim Culverhouse-Chairman



Chris A. Jacobs



Steve Gagne



Carol Martin-Town Clerk