

## **AGENDA**

### **COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC**

**March 04, 2013**  
**Aldermen Katsiantonis, Osborne,**  
**Long, Roy, Gamache**

**5:30 p.m.**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

1. Chairman Katsiantonis calls the meeting to order.
2. The Clerk calls the roll.
3. The Traffic Division has submitted an agenda which needs to be addressed:

**RESCIND NO PARKING ANYTIME – EMERGENCY ORDINANCE:**

On Cypress Street, west side, from Valley Street to a point 55 feet north (Ord. 2902)

On Cypress Street, west side, from Massabesic Street to a point 35 feet south (Ord. 9123)

Alderman Osborne

**RESCIND PARK ONE HOUR – 8:00 a.m. – 6:00 p.m. – EMERGENCY ORDINANCE:**

On Cypress Street, west side, from a point 35 feet south of Massabesic Street to Garland Avenue (Ord. 9228)

Alderman Osborne

**NO PARKING ANYTIME –EMERGENCY ORDINANCE:**

On Cypress Street, west side, from Massabesic Street to a point 155 feet south

Alderman Osborne

On Notre Dame Avenue, east side, from a point 88 feet north of Putnam Street to a point 70 feet north

Alderman Gamache

On Laurel Street, south side, from a point 250 feet east of Beacon Street to Cass Street  
Alderman Osborne

**NO PARKING ANYTIME:**

On Porter Street, east side, from Cilley Road to a point 78 feet north  
Alderman Shea

**STOP SIGNS – 4 –WAY:**

On Shasta Street at Wilson Street –NEC, SWC

**(Review enclosed)**

Alderman Shaw

Alderman Shea

**STOP SIGN:**

On Sullivan Street at Dubuque Street – NEC

Alderman Gamache

**RESCIND ONE HOUR PARKING:**

On Maple Street, east side, from Shasta Street to a point 60 feet north (Ord. 3345)

On Maple Street, east side, from a point 70 feet south of Silver Street to a point 100 feet south of Hayward Street (Ord. 3349)

Alderman Shea

**Gentlemen, what is your pleasure?**

4. Presentation by the Local Emergency Planning Committee.
5. Communication from the Lansing Melbourne Group regarding the Bedford Lot feasibility and Master Plan follow up.  
**Gentlemen, what is your pleasure?**
6. Request from John Mortimer, Owner Millennium Running, to use a portion of Arms Parking Lot for a race event to be held on Sunday, October 27, 2013.  
**Gentlemen, what is your pleasure?**

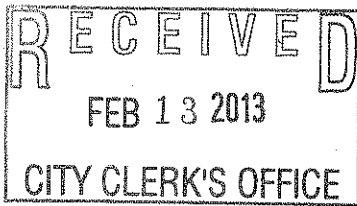
7. Communication from Anthony Pawlak, 720 South Main Street, requesting a "Blind Driveway" sign be placed in front of 728 South Main Street and possibly 734 South Main Street.  
**Gentlemen, what is your pleasure?**

#### **TABLED ITEMS**

*(A motion is in order to remove any item from the table.)*

8. Communication from Attorney Wenners requesting a review of parking on City sidewalks on Amherst Street.  
*(Note: Tabled 2/04/2013.)*
9. Discussion regarding restrictions, policies and penalties for aggressive animals and animal attacks.  
*(Note: Retabled 10/1/2012; **Ordinances of surrounding areas and recommendations are attached.** Originally tabled 8/6/2012.)*
10. Communication from Stephanie Lewry, Executive Director of Intown Manchester, regarding bicycles and skateboards on sidewalks.  
*(Note: Retabled 2/04/2013; **a proposed sidewalk stamp has been submitted by the Deputy Traffic Director;** originally tabled 8/6/2012.)*
11. Communication from Alderman Arnold requesting reconsideration of the upgrade of the intersection at Dunbarton Road and Front Street to a full traffic signal.  
*(Note: Tabled 10/1/2012)*
12. Discussion regarding the discontinuances and closures of city streets.  
*(Note: Tabled 12/03/2012; Public Works Director to provide a plan for traffic and street closure on Hayward Street. Referred by the board on 11/20/2012; Communication and a neighborhood petition has been submitted by Phil LeBlanc.)*

13. Communication from Alderman Arnold regarding parking regulations on Country Club Drive.  
*(Note: Tabled 2/04/2013.)*
14. If there is no further business, a motion is in order to adjourn.



## **WILSON STREET AND SHASTA STREET MULTI-WAY STOP REVIEW**

### **BACKGROUND**

Alderman Barbara Shaw requested the Traffic Division to study the intersection of Wilson Street and Shasta Street. There were reports of speed on Shasta Street that prompted the request. This intersection is located in a south end residential neighborhood. Wilson Street runs north and south and is controlled by stop signs. Shasta Street runs east and west and is uncontrolled. South Willow Street is located two blocks west of Wilson Street. Parking is not restricted on either street and visibility does not appear to be a problem. There is a double yellow line painted on Shasta Street. Wilson Street has a painted double yellow line and painted stop bars.

### **ACCIDENT HISTORY**

2007 – 2

2008 – 1

2009 – No accidents

2010 – No accidents

2011 – No accidents

2012 – 1

2013 - 1

The Manchester Police Department Traffic Unit provided the accident history. The accident history does not meet the minimum threshold criteria prescribed in the warrants.

### **VOLUME AND SPEED**

The volume and speed summary, herein enclosed, indicates that the volume criteria are not met as the total intersection volume is below the minimum threshold level. In addition, it does not exceed the 85<sup>th</sup> percentile approach speed criteria.

### **ANALYSIS**

The MUTCD warrant analysis provides several layers of criteria for recommending multi-way stop signs. This includes 1) Traffic accidents; 2) Traffic volumes and speeds; 3) Combination of accidents, traffic volumes and speeds. We are responsible for review and recommendation based on the industry established procedures and recognized standards. We, from a professional standpoint, are obligated to recommend against a permanent all-way stop sign installation as it does not meet the minimum threshold criteria prescribed in the warrants.

### **RECOMMENDATION**

- Periodically, increase police enforcement of speed limit

### **ATTACHMENTS**

2009 MUTCD Section 2B.07 Multi-way stop applications

Locus map

Intersection photos

Aerial photo

Speed and volume reports

Date: February 13, 2013

Prepared by: Jim Hoben – Deputy Traffic Director

Reviewed by: Kevin Sheppard – Public Works Director

- 11 Except as provided in Section 2B.09, STOP signs and YIELD signs shall not be installed on different approaches to the same unsignalized intersection if those approaches conflict with or oppose each other.
- 12 Portable or part-time STOP or YIELD signs shall not be used except for emergency and temporary traffic control zone purposes.
- 13 A portable or part-time (folding) STOP sign that is manually placed into view and manually removed from view shall not be used during a power outage to control a signalized approach unless the maintaining agency establishes that the signal indication that will first be displayed to that approach upon restoration of power is a flashing red signal indication and that the portable STOP sign will be manually removed from view prior to stop-and-go operation of the traffic control signal.

Option:

- 14 A portable or part-time (folding) STOP sign that is electrically or mechanically operated such that it only displays the STOP message during a power outage and ceases to display the STOP message upon restoration of power may be used during a power outage to control a signalized approach.

Support:

- 15 Section 9B.03 contains provisions regarding the assignment of priority at a shared-use path/roadway intersection.

### Section 2B.05 STOP Sign (R1-1) and ALL WAY Plaque (R1-3P)

Standard:

- 01 When it is determined that a full stop is always required on an approach to an intersection, a STOP (R1-1) sign (see Figure 2B-1) shall be used.
- 02 The STOP sign shall be an octagon with a white legend and border on a red background.
- 03 Secondary legends shall not be used on STOP sign faces.
- 04 At intersections where all approaches are controlled by STOP signs (see Section 2B.07), an ALL WAY supplemental plaque (R1-3P) shall be mounted below each STOP sign. The ALL WAY plaque (see Figure 2B-1) shall have a white legend and border on a red background.
- 05 The ALL WAY plaque shall only be used if all intersection approaches are controlled by STOP signs.
- 06 Supplemental plaques with legends such as 2-WAY, 3-WAY, 4-WAY, or other numbers of ways shall not be used with STOP signs.

Support:

- 07 The use of the CROSS TRAFFIC DOES NOT STOP (W4-4P) plaque (and other plaques with variations of this word message) is described in Section 2C.59.

Guidance:

- 08 Plaques with the appropriate alternative messages of TRAFFIC FROM LEFT (RIGHT) DOES NOT STOP (W4-4aP) or ONCOMING TRAFFIC DOES NOT STOP (W4-4bP) should be used at intersections where STOP signs control all but one approach to the intersection, unless the only non-stopped approach is from a one-way street.

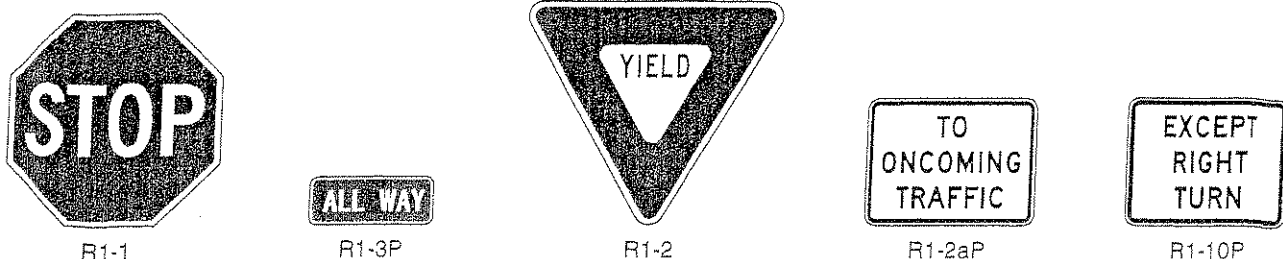
Option:

- 09 An EXCEPT RIGHT TURN (R1-10P) plaque (see Figure 2B-1) may be mounted below the STOP sign if an engineering study determines that a special combination of geometry and traffic volumes is present that makes it possible for right-turning traffic on the approach to be permitted to enter the intersection without stopping.

Support:

- 10 The design and application of Stop Beacons are described in Section 4L.05.

Figure 2B-1. STOP and YIELD Signs and Plaques



## Section 2B.06 STOP Sign Applications

### Guidance:

- 01 *At intersections where a full stop is not necessary at all times, consideration should first be given to using less restrictive measures such as YIELD signs (see Sections 2B.08 and 2B.09).*
- 02 *The use of STOP signs on the minor-street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:*
  - A. *The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day;*
  - B. *A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway; and/or*
  - C. *Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right-angle collisions involving road users on the minor-street approach failing to yield the right-of-way to traffic on the through street or highway.*

### Support:

- 03 *The use of STOP signs at grade crossings is described in Sections 8B.04 and 8B.05.*

## Section 2B.07 Multi-Way Stop Applications

### Support:

- 01 *Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.*
- 02 *The restrictions on the use of STOP signs described in Section 2B.04 also apply to multi-way stop applications.*

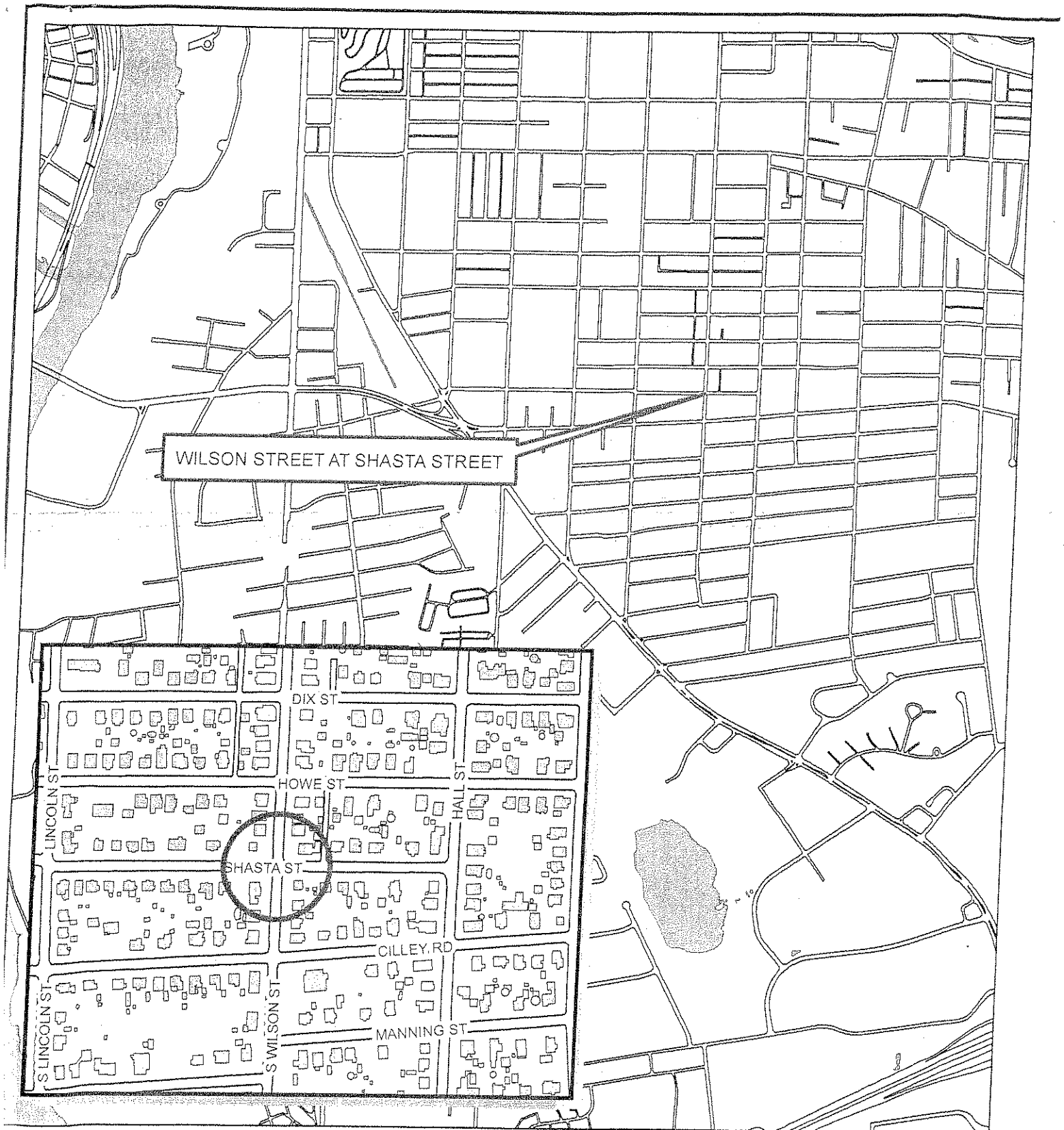
### Guidance:

- 03 *The decision to install multi-way stop control should be based on an engineering study.*
- 04 *The following criteria should be considered in the engineering study for a multi-way STOP sign installation:*
  - A. *Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.*
  - B. *Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.*
  - C. *Minimum volumes:*
    - 1. *The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and*
    - 2. *The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but*
    - 3. *If the 85<sup>th</sup>-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.*
  - D. *Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.*

### Option:

- 05 *Other criteria that may be considered in an engineering study include:*
  - A. *The need to control left-turn conflicts;*
  - B. *The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;*
  - C. *Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and*
  - D. *An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.*

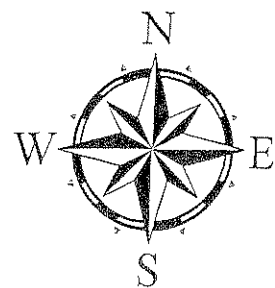


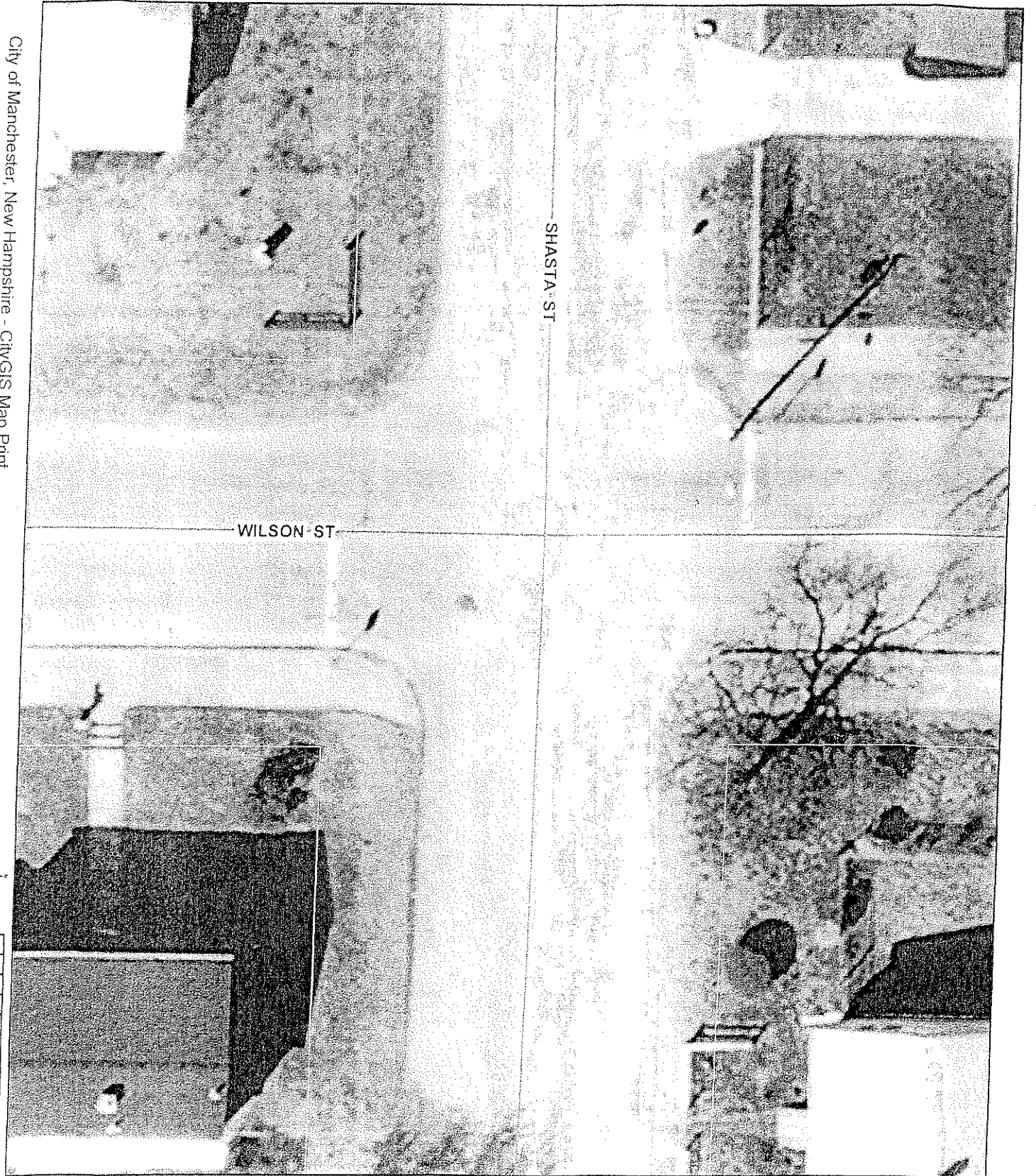


## LOCUS MAP

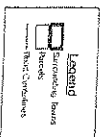
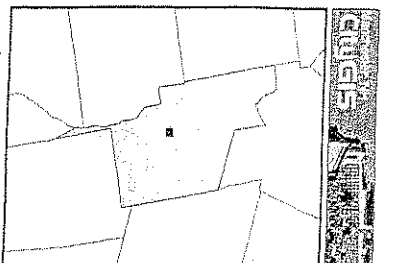
### WILSON STREET AT SHASTA STREET

CITY OF MANCHESTER  
DEPARTMENT OF HIGHWAYS





City of Manchester, New Hampshire - CityGIS Map Print



#### DISCLAIMER

The information appearing on this map is for the convenience of the user and is not an official public record of the City of Manchester, New Hampshire. This map is not a warranty, representation, or assurance of accuracy. All boundaries, easements, areas, measurements, etc., shown on this map should only be used for general reference. The City makes no warranty or representation concerning the accuracy, completeness, or reliability of this information for any particular use or purpose. The official public records of the City of Manchester, New Hampshire, are the official records of the City, County, and State Government, and are available for inspection and copying at the City Clerk's Office.



SHASTA STREET  
EAST OF WILSON STREET  
FACING WEST



SHASTA STREET  
WEST OF WILSON STREET  
FACING EAST

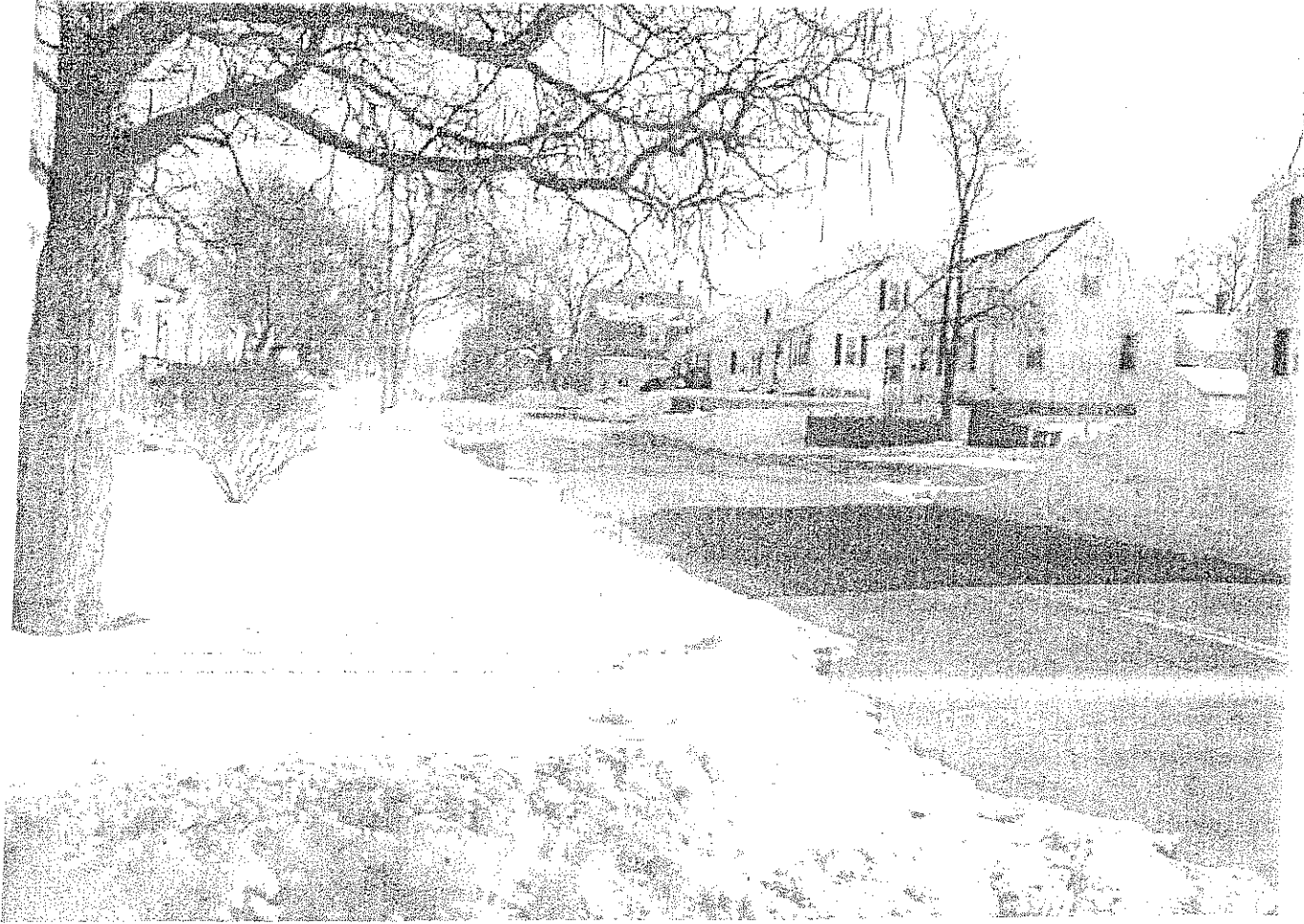


WILSON STREET  
SOUTH OF SHASTA STREET  
FACING WEST



WILSON STREET  
SOUTH OF SHASTA STREET  
FACING EAST





WILSON STREET  
NORTH OF SHASTA STREET  
FACING EAST

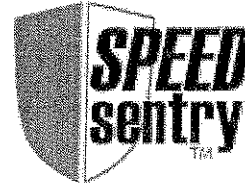


WILSON STREET  
NORTH OF SHASTA STREET  
FACING WEST



**SPEEDsentry Summary Information**  
**for Shasta St EB at Wilson St February2013.ssd**

Speed Limit: 30  
85% Speed: 28  
Avg Speed: 21.4  
Maximum Speed Detected: 52  
Radar Pickup Distance: 500 ft



File size: 155,465 bytes  
File Created: 2/8/2013 11:02:03 AM

# Shasta St EB at Wilson St February 2013 - Volume by Speed - All Days

Time Start	Time End	1 to 10	11 to 20	21 to 30	31 to 40	41 to 50	51 to 60	61 to 70	71 to 80	81 to 90	91 to 100
12:00 AM	12:59 AM	6	12	16	3	0	0	0	0	0	0
1:00 AM	1:59 AM	6	8	6	3	0	0	0	0	0	0
2:00 AM	2:59 AM	3	2	4	1	0	0	0	0	0	0
3:00 AM	3:59 AM	7	11	9	0	0	0	0	0	0	0
4:00 AM	4:59 AM	5	6	0	0	0	0	0	0	0	0
5:00 AM	5:59 AM	9	13	14	2	0	0	0	0	0	0
6:00 AM	6:59 AM	14	28	23	5	1	0	0	0	0	0
7:00 AM	7:59 AM	13	60	81	12	2	0	0	0	0	0
8:00 AM	8:59 AM	14	66	93	41	0	0	0	0	0	0
9:00 AM	9:59 AM	48	131	101	130	0	0	0	0	0	0
10:00 AM	10:59 AM	31	127	111	11	0	0	0	0	0	0
11:00 AM	11:59 AM	19	105	156	19	1	0	0	0	0	0
12:00 PM	12:59 PM	24	133	201	19	0	0	0	0	0	0
1:00 PM	1:59 PM	20	121	181	22	3	1	0	0	0	0
2:00 PM	2:59 PM	24	123	188	19	1	0	0	0	0	0
3:00 PM	3:59 PM	30	176	286	27	1	0	0	0	0	0
4:00 PM	4:59 PM	30	162	295	22	1	0	0	0	0	0
5:00 PM	5:59 PM	31	164	327	35	1	0	0	0	0	0
6:00 PM	6:59 PM	21	125	177	17	1	0	0	0	0	0
7:00 PM	7:59 PM	18	84	112	9	2	0	0	0	0	0
8:00 PM	8:59 PM	14	62	90	11	0	0	0	0	0	0
9:00 PM	9:59 PM	11	54	65	9	1	0	0	0	0	0
10:00 PM	10:59 PM	7	34	45	7	0	0	0	0	0	0
11:00 PM	11:59 PM	7	22	26	6	1	0	0	0	0	0
Total		412	1829	2607	430	16	1	0	0	0	0
%		7.8	34.5	49.2	8.1	0.3	0	0	0	0	0

## Approximate Vehicle Counts for Shasta St EB at Wilson St

Time Start	Time End	1/28/2013	1/29/2013	1/30/2013	1/31/2013	2/1/2013	2/2/2013	2/3/2013	2/4/2013	2/5/2013	2/6/2013
12:00 AM	12:59 AM	*	2	6	5	0	2	4	6	9	3
1:00 AM	1:59 AM	*	4	0	4	0	1	3	3	3	5
2:00 AM	2:59 AM	*	1	0	3	0	1	0	3	2	0
3:00 AM	3:59 AM	*	4	3	5	0	1	3	3	3	5
4:00 AM	4:59 AM	*	2	0	0	0	1	2	2	2	2
5:00 AM	5:59 AM	*	7	7	3	0	1	3	5	5	7
6:00 AM	6:59 AM	*	21	10	4	0	4	8	4	15	5
7:00 AM	7:59 AM	*	24	33	10	0	12	31	28	16	14
8:00 AM	8:59 AM	*	41	22	12	1	37	26	28	33	14
9:00 AM	9:59 AM	*	109	35	27	0	144	22	28	23	22
10:00 AM	10:59 AM	*	87	34	31	0	30	31	34	30	3
11:00 AM	11:59 AM	9	42	37	42	0	34	62	33	41	*
12:00 PM	12:59 PM	58	47	46	53	1	37	52	53	30	*
1:00 PM	1:59 PM	40	53	52	40	0	39	37	50	37	*
2:00 PM	2:59 PM	31	39	48	45	0	58	40	45	49	*
3:00 PM	3:59 PM	60	55	83	35	0	70	54	84	79	*
4:00 PM	4:59 PM	68	58	88	47	0	72	53	63	61	*
5:00 PM	5:59 PM	52	91	76	59	0	73	63	59	85	*
6:00 PM	6:59 PM	47	51	54	43	0	29	51	34	32	*
7:00 PM	7:59 PM	32	27	35	22	0	25	21	29	34	*
8:00 PM	8:59 PM	25	10	28	5	4	26	18	29	32	*
9:00 PM	9:59 PM	22	15	27	0	5	17	16	21	17	*
10:00 PM	10:59 PM	11	16	20	0	3	6	8	15	14	*
11:00 PM	11:59 PM	9	10	14	0	4	6	3	3	13	*
Total		464	816	758	495	18	726	611	662	665	80
%		8.8	15.4	14.3	9.3	0.3	13.7	11.5	12.5	12.6	1.5

SPEEDsentry Summary Information  
for Shasta St WB at Wilson St January2013.ssd

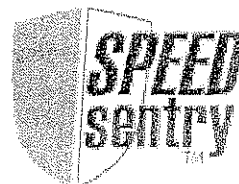
Speed Limit: 30

85% Speed: 22

Avg Speed: 16

Maximum Speed Detected: 45

Radar Pickup Distance: 500 ft



File size: 130,513 bytes

File Created: 1/11/2013 2:28:08 PM

# Shasta St WB at Wilson St January 2013 - Volume by Speed - All Days

Time Start	Time End	1 to 10	11 to 20	21 to 30	31 to 40	41 to 50	51 to 60	61 to 70	71 to 80	81 to 90	91 to 100
12:00 AM	12:59 AM	9	11	5	0	0	0	0	0	0	0
1:00 AM	1:59 AM	5	7	3	0	0	0	0	0	0	0
2:00 AM	2:59 AM	5	10	3	0	0	0	0	0	0	0
3:00 AM	3:59 AM	2	1	1	0	0	0	0	0	0	0
4:00 AM	4:59 AM	5	5	1	0	0	0	0	0	0	0
5:00 AM	5:59 AM	5	5	0	0	0	0	0	0	0	0
6:00 AM	6:59 AM	10	11	1	0	0	0	0	0	0	0
7:00 AM	7:59 AM	11	25	10	1	0	0	0	0	0	0
8:00 AM	8:59 AM	12	25	8	0	0	0	0	0	0	0
9:00 AM	9:59 AM	13	28	15	0	0	0	0	0	0	0
10:00 AM	10:59 AM	13	36	12	1	0	0	0	0	0	0
11:00 AM	11:59 AM	13	38	14	2	0	0	0	0	0	0
12:00 PM	12:59 PM	14	45	16	2	0	0	0	0	0	0
1:00 PM	1:59 PM	17	60	27	2	1	0	0	0	0	0
2:00 PM	2:59 PM	30	85	34	1	9	0	0	0	0	0
3:00 PM	3:59 PM	27	76	29	3	0	0	0	0	0	0
4:00 PM	4:59 PM	25	96	42	1	0	0	0	0	0	0
5:00 PM	5:59 PM	19	48	15	2	0	0	0	0	0	0
6:00 PM	6:59 PM	14	51	12	0	0	0	0	0	0	0
7:00 PM	7:59 PM	13	30	11	1	0	0	0	0	0	0
8:00 PM	8:59 PM	13	35	12	0	0	0	0	0	0	0
9:00 PM	9:59 PM	12	23	9	1	0	0	0	0	0	0
10:00 PM	10:59 PM	11	19	4	0	0	0	0	0	0	0
11:00 PM	11:59 PM	12	17	5	0	0	0	0	0	0	0
Total		310	787	289	17	10	0	0	0	0	0
%		21.9	55.7	20.5	1.2	0.7	0	0	0	0	0

# Approximate Vehicle Counts for Shasta St WB at Wilson St

Time Start	Time End	12/23/2012	12/24/2012	12/25/2012	12/26/2012	12/27/2012	12/28/2012	12/29/2012	12/30/2012	12/31/2012
12:00 AM	12:59 AM	2	0	0	3	0	3	2	4	
1:00 AM	1:59 AM	0	3	0	2	3	0	2	0	
2:00 AM	2:59 AM	0	0	3	7	2	0	0	2	
3:00 AM	3:59 AM	0	0	0	1	0	0	0	0	
4:00 AM	4:59 AM	0	0	0	2	2	2	2	0	
5:00 AM	5:59 AM	0	0	2	2	2	0	2	0	
6:00 AM	6:59 AM	0	3	3	2	2	2	2	2	
7:00 AM	7:59 AM	4	2	3	4	4	0	2	2	
8:00 AM	8:59 AM	4	2	7	2	2	3	4	2	
9:00 AM	9:59 AM	3	2	9	3	3	5	1	6	
10:00 AM	10:59 AM	7	6	5	2	8	5	2	6	
11:00 AM	11:59 AM	5	3	10	2	5	3	2	5	
12:00 PM	12:59 PM	9	6	9	2	8	4	5	6	
1:00 PM	1:59 PM	6	7	6	6	6	6	20	5	
2:00 PM	2:59 PM	5	2	8	9	6	5	42	7	
3:00 PM	3:59 PM	5	6	11	8	8	7	3	10	
4:00 PM	4:59 PM	15	8	11	31	10	7	6	10	
5:00 PM	5:59 PM	5	3	7	5	6	2	2	10	
6:00 PM	6:59 PM	6	7	5	4	7	5	2	10	
7:00 PM	7:59 PM	3	4	7	3	4	5	2	7	
8:00 PM	8:59 PM	10	5	2	2	7	2	8	5	
9:00 PM	9:59 PM	5	14	5	2	2	2	2	7	
10:00 PM	10:59 PM	5	3	1	2	5	2	4	5	
11:00 PM	11:59 PM	6	3	2	1	2	4	3	2	
Total		82	105	79	116	107	104	74	120	113
%		5.8	7.4	5.6	8.2	7.6	7.4	5.2	8.5	8

# Approximate Vehicle Counts for Shasta St WB at Wilson St

	1/1/2013	1/2/2013	1/3/2013	1/4/2013	1/5/2013
3	3	2	*	3	
5	0	0	*	0	
4	0	0	*	0	
3	0	0	*	0	
0	0	0	*	3	
0	0	0	*	2	
0	2	2	*	2	
0	14	10	*	2	
1	7	9	*	2	
2	10	8	*	4	
7	6	4	*	2	
3	4	7	*	9	
7	3	7	*	8	
8	6	21	*	5	
10	11	38	*	7	
8	10	37	11	5	
9	10	29	8	4	
4	5	14	11	3	
8	4	9	5	*	
4	0	0	5	*	
2	3	*	5	*	
2	4	*	4	*	
2	0	*	3	*	
0	3	*	3	*	
92	108	197	55	61	
6.5	7.6	13.9	3.9	4.3	



February 26, 2013

Mr. Bill Sanders  
Finance Officer  
City of Manchester  
One City Hall Place  
Manchester, NH 03101

Re: Manchester Parking Master Plan Follow Up Tasks  
Bedford Lot Feasibility  
Original Recommendation No. 32

Dear Mr. Sanders:

Per our discussion yesterday, I have attached a breakdown of the effort necessary to undertake Task 1 of our recommendation for the Bedford Lot (illustrated in Section 2.23 of the report we presented last summer). This work will involve detailed outreach to the Millyard and other Stakeholders to determine the potential to assess the true demand for more parking (and mitigate any potential cannibalization of existing demand). We will also assess the market for new demand generators, and prepare a memo summarizing our findings. The estimate includes a presentation to the Alderman which will included recommendations for the next steps.

We are tentatively scheduling our staff for the week of March 24th and will confirm with you shortly.

Sincerely,  
LANSING MELBOURNE GROUP, LLC

Peter Flotz  
Managing Member

Lansing Melbourne Group, 120 Mar Len Drive, Melbourne Beach, Florida 32951  
Phone: 321.302.2930  
[www.lansingmelbournegroup.com](http://www.lansingmelbournegroup.com)



**Hours and Fee Worksheet UPDATED FEBRUARY 25, 2013**

		LMG Principal	LMG Travel	LMG Tech	LMG Support	outside sub
Task 1 – Financial Environment and Economic Options						
Define current demand from Millyard users	PF two day on site interviews	4	16		2	
Define latent demand from Millyard users	Work with City on GIS data, building sizes, overall vacancy to practical capacity	2		0		
Establish financial model to assess existing revenue sensitivity to cannibalization	FOCUS ON MARKET BASED ASSESSMENT USING ESTIMATED LATENT DEMAND FOUND IN TASK ABOVE	8				\$ 0
Define financing and delivery options	Discuss with Bill S., options include general obligation, leaseback, developer led, et al.	12				
Explore optional revenue generators	Develop target balance of revenue v risk, identify users AND MODEL FISCAL IMPACT	8	0		0	\$ 0
Define Risks	Level of financial commitment, return on investment, additional operational expense, existing performance	6				
Present Findings – GO/NO GO	Deliverable – MEMO, powerpoint, presentations	4	16		20	
	Subtotal Hours	44	32	0	22	
	Rate	150	150	90	40	
	Cost This Task	\$ 6,600	\$ 4,800	\$ 0	\$ 880	\$ 0
	Task 1 Total	\$ 12,280	Labor plus subs			
		\$ 1,800	Trip Expenses (900x2 for LMG)			
		\$ 14,080	say \$14,000			
Task 2 – Functional Design and Definition of Physical Options						
Identify Site, Engineering and Regulatory Constraints	Work through city departments	10		2		
Review Previous Work	LMG would review previous work on the site and obtain records from City files	6		8		
Define garage layout and capacity	Develop garage layouts to determine maximum capacity and excess available	4	4			\$ 3,500
Define ancillary/complementary uses or pads	Analyze the designs to accommodate ancillary uses	6	12			\$ 2,500
Conceptual Capital Cost Estimate	LMG develop opinion of cost	18		2		
Present Findings – GO/NO GO	Deliverable – report, powerpoint, presentations	16	16		4	
	Subtotal Hours	60	32	12	4	
	Rate	150	150	90	40	
	Cost This Task	\$ 9,000	\$ 4,800	\$ 1,080	\$ 160	\$ 6,000
	Task 2 Total	\$ 21,040	Labor plus subs (add \$900 per trip for exp)			
	Overall Task 1 and 2 Totals by category	\$ 15,600	\$ 9,600	\$ 1,080	\$ 1,040	\$ 6,000
	Five Trip Expenses	\$ 4,500				
	Grand Total	\$ 37,820	with expenses and subs			
Additional Work included in Tasks 1 and 2						
Included in Task 1	LMG to develop operational specifications and bidding recommendations for new revenue control in Victory Garage					
Included in Task 2	LMG to review revenue control bids and inspect installation details					
Subs included in this estimate (note no hard pricing yet)						
Task 1	DESMAN (Chris Luz from original LMG team to assist in modeling)					
	PKF or HVS for Hotel Market Study work NOT INCLUDED					
	HOK for concept planning					
Task 2	DESMAN for garage design and layouts					
	HOK for architectural options for ancillary uses					






## City of Manchester Parking Division

Denise Boutilier  
Parking Manager  
[dboutilier@manchesternh.gov](mailto:dboutilier@manchesternh.gov)

February 19, 2013

Chairman Thomas Katsiantonas  
Committee on Public Safety, Health and Traffic  
1 City Hall Plaza  
Manchester, NH 03101

RE: Request to use Arms Lot  
Sunday, October 27, 2013  
Trick or Trot – Millenium Running

Dear Chairman Katsiantonas:

I have received the following request for the Committee's review.

John Mortimer, Owner of Millenium Running, is requesting the use of a portion of the Arms Lot as home base for their 1st Annual Trick or Trot road race. The event is scheduled for Sunday, October 27, 2013. They anticipate 2000 (+-) participants.

Milly's Tavern and Cotton have been notified and approve the plan.

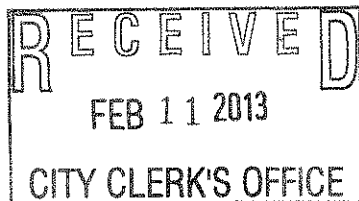
UNH asks that enough portable toilets are brought in as their rest rooms will not be available.

If you have any questions, please don't hesitate to ask.

Sincerely,

Denise Boutilier  
Parking Manager

cc: Bill Sanders, Finance Director



Anthony Pawlak  
720 South Main  
Manchester, NH 03102  
February 11, 2013

City of Manchester  
Committee on Traffic and Public Safety  
Re: Request for Blind Driveway Sign(s)

As many of the members of this committee and Mayor Gatsas are aware, we have been complaining for over a year about a ten foot tall box truck being parked in the front yard of 728 South Main. Unfortunately, since this residence is grandfathered from a zoning perspective, the existing front yard only driveway is not considered illegal and no enforcement measures are taken to address our safety concerns. Simply put the box truck creates a blind driveway situation for us when it is parked in the driveway. The northbound oncoming traffic does not see us until we are nearly in the street. In fact our son and daughter were nearly stuck by an ambulance in route to CMC on September 21, 2011. On November 15, 2011 this committee heard testimony from then Alderman at Large Mike Lopez that he personally tried to back out of driveway and was nearly hit three times. In addition, Manchester Police Lieutenant Tessier has also visited our property and finds the truck to be a visual obstruction, but has no enforceable ordinance which could rectify this dangerous condition.

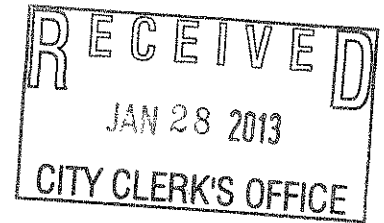
As 26 year tax paying residents of the city, we respectfully request that this committee address our safety concerns by placing "Blind Driveway" signs in front of 728 (and possibly 734) South Main. Most traffic on South Main Street travels on the order of 30 to 40 MPH. In order, to give oncoming traffic two seconds to react, we request the sign(s) be placed 90 to 120 feet south of our property line.

Thank you for your assistance,

Paula and Anthony Pawlak  
603.645.6760 (home)  
603.289.1922 (cell)



**Vincent A. Widders, Jr.**  
**ATTORNEY AT LAW**



January 25, 2013

Matthew Normand, City Clerk  
City of Manchester  
One City Hall Plaza  
Manchester NH 03101

RE: Amherst Street Parking

Dear Mr. Normand:

I own property at 566 Amherst Street.

I am writing concerning parking on the City sidewalks on Amherst Street. Parking on sidewalks is prohibited in the City of Manchester. **Code of Ordinances**, section 70.36(a)(10).

Despite past complaints, vehicles are routinely parked on the sidewalks at 571 Amherst Street and on the Amherst Street side of the three-family building located at 49 Alfred Street (the corner of Alfred and Amherst Street). The vehicles are a safety hazard to other drivers in the neighborhood and pedestrians - particularly, school children who are forced into the street in order to walk to and from school. The McDonough School is located about 4/10ths of a mile from these vehicles and Trinity High School a few 10ths of a mile further. These children are put in danger of being struck by a vehicle on this very busy street. Additionally, the vehicles parked on the sidewalks create an unsightly condition.

I have enclosed photographs taken the week of January 14, 2013 to illustrate this matter:

**49 Alfred Street, Amherst Street side of this corner house:**

- Photo # 1 - cars parked on the City sidewalk
- Photo # 2- another view of cars parked on the City sidewalk (note red top sticks to delineate their parking spot)
- Photo # 3 - again note how the parking spots are marked off
- Photo # 4 - parking spots are even plowed on these sidewalks
- Photo #5 - another view of the City sidewalk turned into a "parking lot"

**571 Amherst Street:**

Photo # 6 - note the continued conversion of the City sidewalk into a "parking lot" by the neighbor at 571 Amherst Street

Photo # 7 - another view of the car parked on the sidewalk at 571 Amherst Street

Photo # 8 - another front view

Photo # 9 - side view of car parked on sidewalk

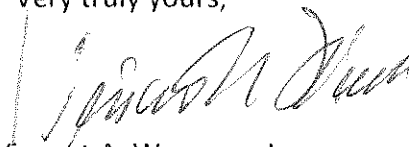
Photo # 10 - more cars parked on sidewalk. Additionally, the neighbor reports that the residents of this house are running a business repairing cars on the City sidewalk in front of this house.

**Amherst Street:**

Photo # 11 - notice how far out in the road the red truck must park because of parking on the City sidewalk by the residents, a clear hazard to drivers and pedestrians.

I have forwarded copies of this letter and attached photographs to the City Departments who have the authority to correct this situation. I assume this complaint is an administrative matter which will be handled by the Division of Parking Management and Operations and/or the Manchester Police Department but, if the Police Department and/or Parking Management Division are unable to abate this unlawful parking, would you please take whatever action is necessary to bring the complaint to the attention of the Committee on Traffic and Public Safety of this Board of Mayor and Aldermen.

Very truly yours,

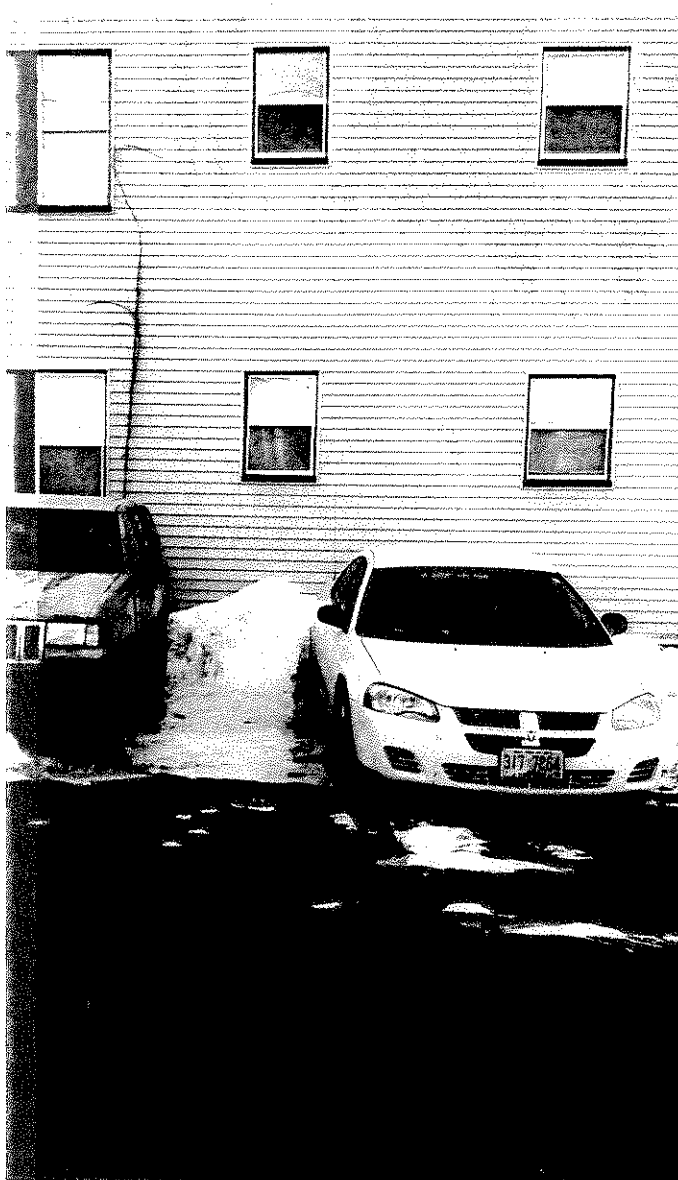


Vincent A. Weners, Jr.

VAW/dc

cc: Division of Parking Management and Operations  
Board of Mayor and Aldermen, Committee on Traffic and Public Safety  
Manchester Police Department

Enc./photographs



ed St, Amherst St side of this corner house:  
 #1 – cars parked on the City Sidewalk



49 Alfred St, Amherst St side of this corner house:  
 Photo #2 – Another view of cars parked on the City sidewalk (note red top sticks to delineate their parking spot)



49 Alfred St, Amherst St side of this corner house:  
 Photo #3 – again note how the parking spots are marked off





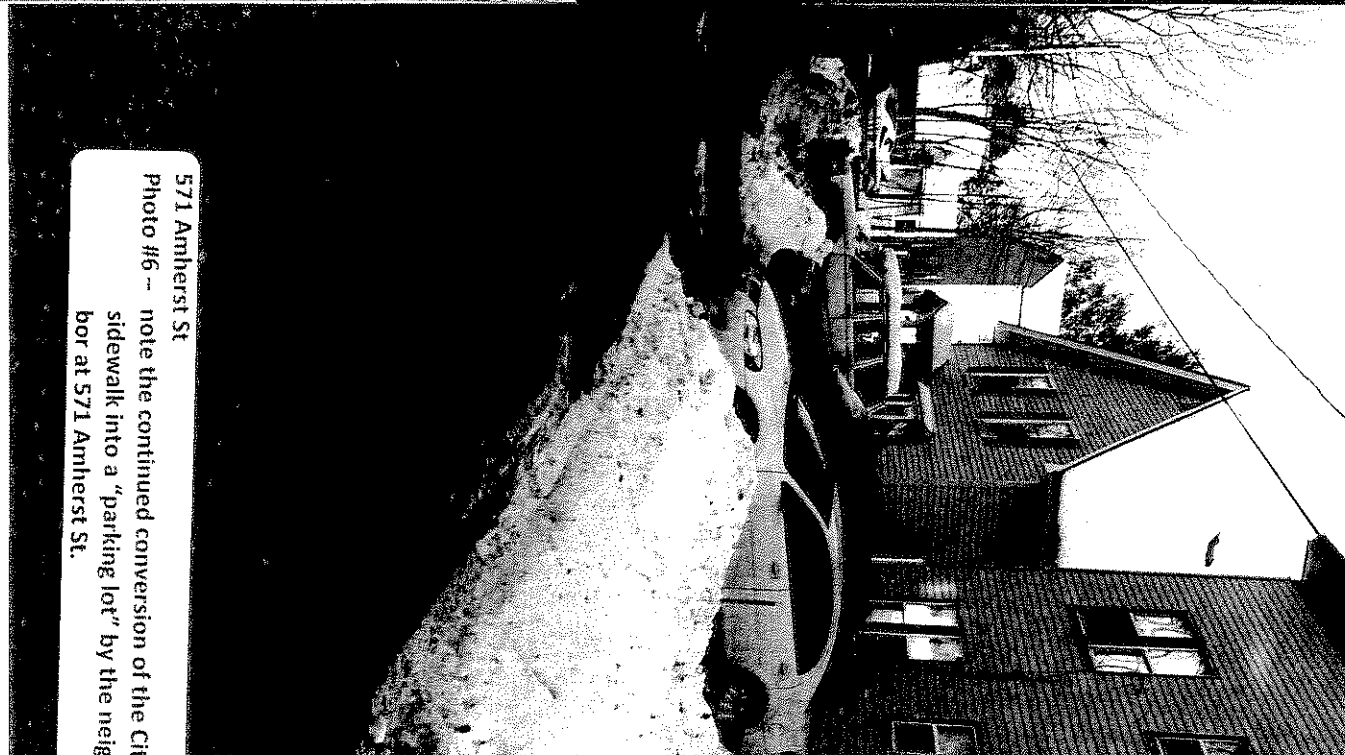
Amherst St side of this corner house:

parking spots are even plowed on these sidewalks



49 Alfred St, Amherst St side of this corner house:

Photo #5 – another view of the City sidewalk turned into a “parking lot”



571 Amherst St

Photo #6 – note the continued conversion of the City sidewalk into a “parking lot” by the neighbor at 571 Amherst St.



st  
 another view of the car parked on the  
 sidewalk at 571 Amherst Street



571 Amherst St  
 Photo #8 – another front view



571 Amherst St  
 Photo #9 – side view of car parked on sidewalk



Amherst St  
Photo #11 – Notice how far out in the road the red truck must park because parking on the City sidewalk by the residents.



571 Amherst St  
Photo #10 – More cars parked on sidewalk. \*See more information contained in letter to City Clerk

## Freeman, Heather

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**From:** Normand, Matthew  
**Sent:** Monday, November 26, 2012 10:19 AM  
**To:** Freeman, Heather  
**Subject:** FW: Vicious Dog Proposals  
**Attachments:** DOGS\_BERLIN.pdf; DOGS\_CONCORD.pdf; DOGS\_KEENE.pdf; DOGS\_LEBANON.pdf; DOGS\_NASHUA.pdf; DOGS\_NH RSA.pdf; DOGS\_PORTSMOUTH.pdf; Vicious Dog Proposal.doc

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**From:** Normand, Matthew  
**Sent:** Monday, November 26, 2012 10:17 AM  
**To:** Gamache, Normand; Katsiantonis, Thomas; Roy, James; Osborne, Ed  
**Cc:** Long, Patrick  
**Subject:** FW: Vicious Dog Proposals

Alderman Long has requested that the attached ordinances related to vicious dogs be forwarded to the Committee on Public Safety.

Matthew Normand  
City Clerk  
Office of the City Clerk  
One City Hall Plaza  
Manchester, NH 03101  
T:(603) 624-6455 F:(603) 624-6481  
[www.manchesternh.gov/cityclerk](http://www.manchesternh.gov/cityclerk)

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**From:** Patrick Long [mailto:long55@comcast.net]  
**Sent:** Monday, November 26, 2012 9:03 AM  
**To:** Normand, Matthew  
**Subject:** Vicious Dog Proposals

Matt,

Can this be sent to the Committee on Public Safety members.

Thank you,  
Pat Long

## Vicious Dog 466:31a III (?)

Definition: Any dog whose behavior has resulted in the conviction, of its owner/keeper, in a court of law of violating RSA 466:31 IIg (Vicious Dog) Exemptions are as follows: Dogs acting in self defense, or of its litter, defense of its owners /family or property. Guard dogs actively employed on commercial property under the provisions of RSA 466:46-51.

Penalties: Upon conviction of a vicious offense, in addition to the above listed civil forfeitures, the owner shall:

(466:31a III [ *rename current 466:31a III to 466:31a IV* ]

- 1) Cause the dog to be spayed/neutered, with documentation provided within 30 days, if it has not been previously completed, unless a licensed veterinarian certifies in writing that the dog is unfit for altering due to a medical condition.
- 2) Cause the dog to be permanently identified, with documentation provided within 30 days, by microchip or tattooing if not already completed.
- 3) Cause the dog to be enrolled, with documentation provided within 30 days, in behavior training from a certified trainer.
- 4) While in public, cause the dog to, at all times, be muzzled and physically restrained by no person less than 18 years of age.
- 5) While on private property cause the dog to, at all times, be physically restrained by fencing of sufficient height and design to prevent the dog from jumping or climbing over, digging under or otherwise escaping confinement, or on a leash controlled by no person less than 18 years of age.
- 6) Be prohibited from entering any "off leash" dog park with the offending dog.
- 7) Notify in writing, the Animal Control Officer, of any of the following:
  - A: The dogs' death.
  - B: Any transfer of ownership within or without the current jurisdiction.
  - C: Any change of address within or without the current jurisdiction.

The Animal Control Officer or other officer will notify his/her counter-part if necessary in the event of a change of address to a different jurisdiction.

Any person who violates any portion of this subsection shall be guilty of a violation.

**466:31-a Penalties. –**

III. Any person who pays a civil forfeiture specified in paragraph II 2 times in any 12-month period according to the records of the town or city clerk, may not pay a civil forfeiture for subsequent violations of RSA 466:31 in that 12-month period, but shall have those cases disposed of in district or municipal court. **In the case of a vicious dog, as described by RSA 466:31, II(g), where its behavior presents a threat to public safety, immediate district court or municipal court proceedings may be initiated in lieu of the civil forfeiture.**

Art. I. In General, §§ 3-1--3-20

Art. II. Dogs, §§ 3-21--3-60

Div. 1. Generally, §§ 3-21--3-40

Div. 2. License, §§ 3-41--3-55

Div. 3. Rabies Control, §§ 3-56--3-60

\* **Cross References:** Administration, Ch. 2; buildings and building regulations, Ch. 4; health, Ch. 7; keeping livestock and fowl permit required, § 7-21; housing, Ch. 8; mobile homes and manufactured housing and mobile home parks, Ch. 10; solid waste, Ch. 12; streets, sidewalks and other public places, Ch. 13; dogs in public parks, school yards and playgrounds restricted, § 13-1; zoning and land use, Ch. 17.

**State Law References:** Animals, RSA 466:1 et seq.

**ARTICLE I.**

**IN GENERAL**

**Sec. 3-1. Animal cruelty.**

The police department and the health officer shall be charged with the enforcement of all state laws concerning cruelty and treatment of animals. Any person who shall confine an animal in an unsafe or inhumane manner, inflict injury upon an animal without justification or excuse, abuse, mistreat or neglect to care for a dog shall be found to be in violation of this chapter as per RSA 466:8. The appropriate authority shall enforce protective custody of any animal where probable cause is apparent. All dogs released shall be properly licensed and vaccinated at the expense of the redeemer.  
(Ord. of 3-5-90(2))

**State Law References:** Cruelty to animals, RSA 466:8.

**Sec. 3-2. Searches.**

The health officer and the police department shall be empowered to conduct routine investigational searches in connection with any reasonable suspicion of incidents of rabies or other such diseases found to pose a threat to public health. They shall likewise jointly be empowered to make searches in connection with the investigation of any probable violations of this chapter and to issue summons.  
(Ord. of 3-5-90(2))

**Sec. 3-3 Feeding of Wildlife on public property**

The purpose of this section is to protect and preserve the purity and sanitation of the parks; to protect public property from defacement; and to protect the public from the creation of health hazards.

No person shall purposely dispense any type of food, substance or seed with the intent of causing any species of wildlife to feed upon the grounds owned by the City of Berlin.  
(Ord. of 07/07/03)

**Secs. 3-4 Warning required before prosecution**

Prior to issuing a citation for a violation of section 3-3. Feeding of wildlife on public property, a police officer or any law enforcement or code enforcement officer shall issue one verbal or written warning to an individual and if the individual ceases the

activity, then no citation shall be issued. Once an individual has been given one warning, the requirement in this subparagraph has been met and no subsequent warnings are required.  
(Ord. of 07/07/03)

**Secs. 3-4--3-20. Reserved.**

## **ARTICLE II.**

### **DOGS\***

\* **State Law References:** Dogs, RSA 466:1 et seq.

#### **DIVISION 1.**

#### **GENERALLY**

##### **Sec. 3-21. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Dog* shall be intended to mean any member and gender of the family canidae.

*Owner* shall be intended to mean any person, group, association, firm, corporation or organization maintaining, keeping, caring for, harboring or owning a dog.  
(Ord. of 3-5-90(2)) (Ord. of 04/07/03)

##### **Sec. 3-22. Running at large prohibited.**

Notwithstanding any other provisions of this chapter, it shall be unlawful for any dog to run at large, except when accompanied by the owner, and when used for hunting, herding, supervised competition and exhibition or training for such activities. For the purpose of this section, "accompanied" means that the owner must be able to see or hear, or both, or have reasonable knowledge of where the dog is hunting, herding or where the training is being conducted or where the trials are being held. Nothing herein provided shall mean that the dog must be within sight at all times.

In this section, "at large" means off the premises of the owner and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner.

Any authorized person may seize, impound or restrain any dog in violation of this section and deliver said dog to a person or shelter authorized to board dogs. Such dogs shall be handled as strays or abandoned dogs.

In addition to impounding a dog found at large or in violation of this section, any local law enforcement officer may issue, in the name of the owner of such dog, a notice to abate for a first offense. The owner may be issued a violation for each additional violation.

(Ord. No. 12, § 12:105, 6-10-78; Ord. of 3-5-90(2)), (Ord. of 04/07/03)

**State Law References:** Muzzling and restraining of dogs, RSA 466:29 et seq.

##### **Sec. 3-23. Dogs, A Menace, Nuisance or Vicious**

1. Under this section a dog is considered to be a nuisance, a menace, or vicious to persons or to property under any or all but not limited to the following conditions:

- a. If an owner permits any dog under any circumstances, within or without the owner's control to defecate or defile, or trespass/trespass on private or public property, damage or destroy any property or thing of value;
- b. If it barks for sustained periods so as to disturb the peace and quiet of a neighborhood or area;
- c. If it digs, scratches, excretes, or causes waste or garbage to be scattered on any property, public or private, other than its owners;



- d. If any female in season (heat) is permitted to run at large or be off the premises of the owner during this period except when being exercised on a leash by a responsible adult. At all other times such dog shall be confined within a building or enclosure in such manner that she will not come in contact (except for intentional breeding purposes) with a male dog. A female dog in heat shall not be used for hunting;
- e. If it growls, snaps at, runs after or chases any person or persons;
- f. If it runs after, or chases bicycles, motor vehicles, motorcycles, or any other vehicles being driven, pulled or pushed on the streets, highway, or public ways;
- g. If, whether alone or in a pack with other dogs, it bites, attacks or preys on game animals, domestic animals, fowl or human beings.
- h. A tethered dog cannot be any closer than two (2) feet from any public sidewalk or street when the dog is on private property.

2. Any person who fails, by appropriate action including but not limited to restraining an animal from running at large, or otherwise effectively fails to abate any nuisance found such under the provisions of this section, or who fails to comply with any other provisions of this section after being so ordered, shall have the person's dog taken away into custody by the police of the city and such disposition made of the dog as the court may order.

If a law enforcement officer does not witness the nuisance behavior, the name of the complainant(s) shall be released as public information before any fine under Section 3-27 shall be levied.  
(Ord. of 3-5-90(2)) (Ord. of 04/07/03) (Ord of 07/18/2005)

#### **Sec. 3-24. Reserved**

(Ord. of 3-5-90(2)) Deleted – (Ord. 04/07/03)

#### **Sec. 3-25. Impoundment.**

Any dog found at large within the city may be restrained and impounded by the police department. A dog so impounded may be confined in a suitable animal shelter for a reasonable period of time. An impounded dog not claimed by the owner within seven (7) days after being notified by certified letter, if the owner is known, may be humanely disposed of by the city. If an owner is not known, the seven-day period shall apply before disposal.  
(Ord. No. 12, § 12:106, 6-10-78; Ord. of 3-5-90(2))

**State Law References:** Impoundment, RSA 466:30-b(III).

#### **Sec. 3-26. Notice to owner and redemption.**

No later than two (2) days after the impounding of any dog, the owner, if known, shall be notified. The owner shall be entitled to redeem the dog upon payment of a redemption fee of ten dollars (\$10.00) for every day of impoundment together with all other costs associated with impoundment, transportation, care and treatment of the dog. An impounded dog not claimed by the owner within seven (7) days whether the owner is known or not, may be humanely disposed of by the city or released to the New Hampshire Society for the Prevention of Cruelty to Animals or given to a new owner, provided that any such person shall pay the redemption fee, together with all other costs associated with the care and treatment of the dog. All dogs before release shall be duly licensed and vaccinated at the expense of the redeemer. (Ord. No. 12, § 12:106, 6-10-78; Ord. of 3-5-90(2))

**State Law References:** Disposition of unclaimed animals, RSA 437:18 et seq.

#### **Sec. 3-27. Penalties.**

Any person who violates any provision of Sections 3-22 and 3-23 shall be guilty of a violation. Fines shall be assessed as follows:

\$25 for the first offense under Section 3-22 and 3-23 (a) (b) (c) (d); a second offense fine shall be \$50; third and subsequent offenses shall be governed by RSA 651:2,IV(a).

\$50 for the first menace offence under Section 3-23 (e) (f); a second menace offense fine shall be \$100; third and subsequent offenses shall be governed by RSA 651:2,IV(a).

\$100 for the first vicious offense under Section –3-23 (g); a second viciousvicious offense fine shall be a minimum of \$200, the maximum fine shall be governed by RSA 651:2,IV(a).

In the case of a vicious dog as described by Section 3-23 (g) where behavior presents a threat to public safety, immediate district court proceedings may be initiated to have said dog humanely disposed of by its owner or by the City at the owner's expense.  
(Ord. of 3-5-90(2)) (Ord. of 04/07/03)

**State Law References:** Penalty, RSA 466:31a.

**Secs. 3-28--3-40. Reserved.**

## **DIVISION 2.**

### **LICENSE\***

\* **State Law References:** Licensing of dogs, RSA 466:1 et seq.

#### **Sec. 3-41. License Required.**

Every owner or keeper of a dog 4 months old or over shall annually, cause it to be registered, numbered, described, and licensed for one year in the office of the city clerk in which the dog is kept, and shall cause it to wear around its neck a collar to which shall be attached a metal tag with the following information thereon: The name of the city, year of issue of license and its registered number.

Upon payment of the license fee, the tag and license shall be furnished to the owner or keeper of the dog.

Proof of vaccination against rabies shall be required at the time of registration.

Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license because of death of the dog or the owner or keeper's leaving the City before expiration of the license period.

Regardless of when the license is obtained, the license shall be effective from May 1 of each year to April 30 of the subsequent year.

(Ord. of 3-5-90(2)) (Ord. of 04/07/03)

#### **Sec. 3-42. Forfeiture.**

Whoever is the owner or keeper of a dog and who fails to license or renew the dog license pursuant to Section 3-41 shall forfeit \$25 to the city clerk of the City of Berlin. If the forfeiture is not made to the city clerk within 15 calendar days of the notice of forfeiture, the case may be disposed of in district court as a violation with a fine not to exceed \$50, notwithstanding the provisions of RSA 651:2, IV. A forfeiture shall not relieve the owner or keeper of the requirement of proper licensing of the dog as required by Section 3-41. Any forfeitures collected under this section shall be retained by the city for administrative and enforcement of this section.

(Ord. of 3-5-90(2)) (Ord. of 04/07/03)

**Secs. 3-43--3-55. Reserved.**

## **DIVISION 3.**

### **RABIES CONTROL\***

\* **Cross References:** Health, Ch. 7.

**State Law References:** Rabies control, RSA 442-A et seq.; vaccination required, RSA 442-A:2, 466:1-a.

#### **Sec. 3-56. Vaccination.**

The owner of a dog three (3) months of age and older shall have the dog vaccinated against rabies. Young dogs shall be vaccinated within thirty (30) days after they have reached three (3) months of age. Unvaccinated dogs three (3) months of age or over acquired in or brought into the state must be vaccinated within thirty (30) days after purchase or arrival. Every dog shall be revaccinated at such intervals and with such vaccines as the state shall specify from time to time. In rabies infected areas, dogs recently vaccinated shall be kept under control for at least thirty (30) days.

(Ord. No. 12, § 12:110, 6-10-78; Ord. of 3-5-90(2))

**State Law References:** Rabies vaccination required, RSA 442-A:2.

#### **Sec. 3-57. Procedure.**

If a dog is reasonably believed to have rabies or any other communicable disease which the health administrator of the city determines to pose a danger to public health or if a dog or other animal is believed to have been bitten or otherwise infected by any such animal, such dog or other animal shall be safely and continuously isolated and confined either on its owner's premises or at a veterinary hospital at the owner's expense for not less than two (2) weeks, as the health administrator shall require. If any such animal is found to have rabies or other such communicable disease or if any such animal cannot be safely isolated and confined, the health administrator may order the animal destroyed.

(Ord. No. 12, § 12:109, 6-10-78; Ord. of 3-5-90(2); Ord. of 5-6-96(1))

**Sec. 3-58. Impoundment due to rabies.**

(a) Upon reasonable suspicion, the health administrator may impound any dog or animal suspected of rabies or other disease. Animals not found to have been infected shall be returned to their owner upon payment of any costs for treatment and care of the animal.

(b) Any dog or other animal which is at large, and which is noticeably infected with rabies or other such communicable disease, if it cannot be safely confined and isolated, may be destroyed by the health administrator or by any police officer, without notice or delay.

(Ord. of 3-5-90(2); Ord. of 5-6-96(1))

**State Law References:** Impoundment, RSA 442-A:6.

**Sec. 3-59. Epidemic.**

Whenever the city manager determines that there is a high risk of rabies infections or other disease posing a threat to public health, he may order every person owning or keeping a dog or other animal to confine it to its premises and muzzle or isolate the animal in such a fashion as to prevent it from biting or otherwise injuring any person or other animal. Any dogs or other animals not confined and restrained shall be impounded for a duration of the emergency or until such time as its owner shall provide for its confinement. The owner shall pay the required redemption fees together with all other costs for the treatment and care of the animal. Any animal not redeemed within five (5) days of its impoundment under this provision may be humanely disposed of by the city or released to the New Hampshire Society for the Prevention of Cruelty to Animals or given to a new owner provided that any such person shall pay the redemption fee and other costs for the treatment and care of the animal.

(Ord. of 3-5-90(2); Ord. of 5-6-96(1))

**Sec. 3-60. Violation.**

(a) It shall be unlawful for any person to keep any animal known to have rabies, to fail to report to the police or health administrator any animal known or reasonably suspect of having rabies or to transport any such animal, live or dead within or beyond the city without the approval of the health administrator or in case of emergencies, the police department.

Failure to comply with any of the provisions of this section or to cooperate with the police or health administrator in the investigation of any suspected incidence of rabies shall be a violation of this chapter.

Penalty shall be governed by RSA 651:2, IV(a)

(Ord. of 3-5-90(2); Ord. of 5-6-96(1)) (Ord 4-7-03)

*Concord, NH*

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**ARTICLE 12-1 - CONTROL OF DOGS**

12-1-1 - Removal of Dog Defecation From Public Property.

12-1-2 - Removal of Dog Defecation From Private Property.

**12-1-1 - Removal of Dog Defecation From Public Property.**

An owner or person having custody of any dog shall not permit said dog to defecate on any public property including public streets, alleys, sidewalks, parks, or any other public grounds within the City unless said defecation is removed immediately.


(Ord. No. 1880, § 1, 10-1-90)


**12-1-2 - Removal of Dog Defecation From Private Property.**

An owner or person having custody of any dog shall not permit said dog to defecate on any private property other than the premises of the owner or person having custody of said dog.

(Ord. No. 1880, § 1, 10-1-90)

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
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CHAPTER 12 - DOGS 

ARTICLE 12-1 - CONTROL OF DOGS

FOOTNOTE(S):

(25) *Editor's note*—Section 1 of Ord. No. 1862, adopted March 12, 1990, repealed in its entirety Ch. 12, which consisted of §§ 12-1-1—12-1-10 pertaining to dogs. Former Ch. 12 derived from Ord. of May 8, 1978, and Ord. No. 1766, § 1, adopted April 11, 1988. Section 1 of Ord. No. 1880, adopted Oct. 1, 1990, enacted provisions pertaining to dogs. Such provisions have been codified as §§ 12-1-1 and 12-1-2 ([Back](#))

(25) *State Law reference*—Dog control, RSA Chapter 466; seeing-eye dogs, RSA 167:42-A. ([Back](#))

Keene, NH

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**ARTICLE II. - DOGS** <sup>[32]</sup>

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Sec. 10-26. - Definitions.

Sec. 10-27. - Authority.

Sec. 10-28. - License and fees.

Sec. 10-29. - Late fees.

Sec. 10-30. - Forfeiture for unlicensed dogs.

Sec. 10-31. - Dogs, restricted areas, and running at large.

Sec. 10-32. - Forfeiture for running at large.

Sec. 10-33. - Impoundment.

Sec. 10-34. - Impoundment fees.

Sec. 10-35. - Nuisance, menace or vicious dogs.

Sec. 10-36. - Forfeitures for nuisance, menace or vicious dogs.

Sec. 10-37. - Removal of feces.

Sec. 10-38. - Exceptions.

Sec. 10-39. - Interference with animal control officer.

**Sec. 10-26. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*At large* means off the premises or property of the owner and not under the control of a responsible person, or not on a leash not more than eight feet long and not under the control of a responsible person and not confined within a vehicle.

*Dog* means any canine animal, male or female, sexed or neutered.

*Notice of forfeiture* means a citation that may be issued by the animal control officer in lieu of a court summons and made payable to the city clerk within 96 hours of its issuance.

*Own* means to keep, harbor, or have control, charge or custody of a dog, unless otherwise specified.

*Owner* means any person keeping, harboring or having charge or control of or permitting any dog to habitually be on or remain on or be lodged or fed within such person's house, yard or premises. This term shall not apply to veterinarians or kennel operators temporarily maintaining on their premises dogs owned by others.

(Code 1970, § 1701.0)

*Cross reference*— Definitions generally, § 1-2.

**Sec. 10-27. - Authority.**

The animal control officer or any police officer shall have the authority to enforce the observance of this Code relating to animal control. The city council shall empower the duties of the animal control officer to serve notice of forfeiture (citation) relating to animal control, and it shall also empower the animal control officer to investigate all reports of violations involving animals in this article and of RSA 466:1 et seq.

(Code 1970, § 1702.0)

#### **Sec. 10-28. - License and fees.**

The owner of a dog owned, kept, harbored or maintained in the city shall license and register the dog as specified under RSA 466:1. The license fees set forth in RSA 466:4 are increased as set forth in the schedule of fees in appendix B to this Code, as permitted by RSA 466:39.

(Code 1970, § 1703.0)

#### **Sec. 10-29. - Late fees.**

In addition to the license fees provided in section 10-28 pertaining to license and fees, there shall be a charge as set forth in the schedule of fees in appendix B to this Code for each month or any part thereof that the fees remain unpaid if the fees are not paid before June 1 in each year.

(Code 1970, § 1704.0)

#### **Sec. 10-30. - Forfeiture for unlicensed dogs.**

Whoever is the owner of a dog contrary to section 10-28 pertaining to license and fees shall forfeit \$25.00 to the city. If the forfeiture is not made to the city clerk within 96 hours of the notice of forfeiture, the case will be disposed of in the district court. This forfeiture shall not preclude proper licensing of the dog as required by this article.

(Code 1970, § 1705.0)

*State law reference— Penalty, RSA 466:39.*

#### **Sec. 10-31. - Dogs, restricted areas, and running at large.**

- (a) *Generally.* No dog shall run at large at any time within the city. This section shall not apply to dogs in use with their owners during lawful hunting.
- (b) *School grounds.* No dogs shall be, at any time, in a school or on school grounds unless leashed.
- (c) *Cemetery areas.* No dog shall be on land owned and/or used by the city or any of its departments for cemetery purposes unless authorized by the parks, recreation and facilities director.
- (d) *Commercial areas.* Unless on a leash not over eight feet long, no dog shall be in the commercial areas of the city. The commercial areas are defined and described as, Central Square, Main Street from Central Square to Marlboro Street, West Street from Main Street to Route 12, Court Street from Central Square to Mechanic Street, Washington Street from Central Square to Mechanic Street, Roxbury Street from Main Street to Roxbury Court, Church Street from Main Street to Wells Street, Railroad Street, Dunbar Street, Emerald Street, Gilbo Avenue, Key Road and all city-owned parking lots. The prohibition for streets

shall be for the entire right-of-way, including the paved area, shoulder or gutter, grass plot and sidewalk, whether paved or not.

- (e) *Pumpkin Festival.* Except for service dogs as defined in RSA 167-D:1, no dog shall be on any publicly owned property or city street in any of the following areas during the period of time established by the Keene City Council for the observance of the Pumpkin Festival held on either the third or fourth Saturday in October: Central Square, Main Street from Central Square to Water Street, West Street from Main Street to St. James Street, Washington Street from Central Square to the entrance of the City Hall parking facility, Roxbury Street a distance of 375 feet from Main Street, Church Street from Main Street to Wells Street, Railroad Street to Wells Street, Dunbar Street a distance of 190 feet from Main Street, Emerald Street from Main Street to Wilson Street, Eagle Court, Cypress Street, Lamson Street, Commercial Street, Commercial Street Parking Lot, St. James Street, Federal Street, Wells Street, Gilbo Avenue east parking lot, City Hall parking facility and Wilson Street from Emerald Street to Keene Skate Park.
- (f) *Food service establishments.* Except for service dogs as defined in RSA 167-D:1, no person shall bring any dog into any food service establishment, and no person shall allow any dog to enter or remain in any food service establishment, or in any store that sells food.
- (g) *Penalty.* Any person who violates any provision of this section shall pay a fine in the amount of \$25.00.

(Code 1970, § 1706.0; Ord. No. O-2004-15-A, 10-7-2004)

*State law reference— Dogs at large, RSA 466:33; service animal exception, RSA 466:44.*

#### **Sec. 10-32. - Forfeiture for running at large.**

Whoever owns a dog that is found to be at large shall forfeit \$25.00 to the city. If the forfeiture is not made to the city clerk within 96 hours of the notice of forfeiture, the case will be disposed of in the district court. Any person who pays a civil forfeiture, as specified in this section, two times within a 12-month period, according to the records of the city clerk, may not pay the civil forfeiture for subsequent violations of this section in that 12-month period, but shall have those cases disposed of in district court.

(Code 1970, § 1707.0)

#### **Sec. 10-33. - Impoundment.**

Any dog found at large or unrestrained within the city may be restrained and impounded by the animal control officer or any police officer. A dog so impounded may be confined in a suitable animal shelter for not more than seven days. Any impounded dog not claimed by the owner within seven days may be humanely disposed of by the police department. If the impounded dog is licensed by the city, the animal control officer shall make a reasonable attempt to notify the owner of the impounded dog prior to it being humanely disposed of. The police chief shall select a suitable animal shelter for a place of confinement for animals held under the suspicion of rabies after biting or dogs impounded under this section.

(Code 1970, § 1708.0)

#### **Sec. 10-34. - Impoundment fees.**

Any owner or individual claiming a dog impounded by the police department shall pay to the city a pickup fee and boarding fees as set forth in the schedule of fees in appendix B to this Code.



These fees are payable to the city clerk, and the fees do not preclude any other fees, fines or forfeitures associated with the impounding or boarding. The boarding fee shall not be charged if the dog is boarded at the Monadnock Humane Society.

(Code 1970, § 1709.0)

**Sec. 10-35. - Nuisance, menace or vicious dogs.**

- (a) *Prohibited.* No dog shall be permitted, whether or not leashed or restrained, to be a nuisance, a menace, or vicious to persons, property or other animals.
- (b) *Nuisance dogs.* A dog is adjudged to be a nuisance if it:
  - (1) Barks for sustained periods of more than one-half hour or during the night hours so as to disturb the peace and quiet of a neighborhood or area.
  - (2) Digs, scratches or excretes or causes waste or garbage to be scattered on property other than the owner's.
  - (3) Is off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian. This subsection shall not include a dog which is being used for hunting, herding, supervised competition, or exhibition or training for such activities if accompanied by the owner or custodian, meaning that the owner or custodian must be able to see or hear the dog or have reasonable knowledge of where the dog is hunting or herding or where training is being conducted or where trials are being held, provided that such dog does not have to be within sight at all times.
- (c) *Menace dogs.* A dog is adjudged to be a menace if it:
  - (1) Growls, snaps at, runs after or chases any person.
  - (2) Runs after or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled or pushed on the public ways of the city.
- (d) *Vicious dogs.* A dog is adjudged to be vicious if it, whether alone or in a pack with other dogs, bites, attacks, or preys on game animals, domestic animals, fowl or human beings.

(Code 1970, § 1710.0)

*Cross reference— Nuisances, § 38-56.*

**Sec. 10-36. - Forfeitures for nuisance, menace or vicious dogs.**

- (a) Whoever owns a dog that violates section 10-35 and whose dog is adjudged to be either a nuisance, a menace or vicious shall forfeit the following to the city clerk:
  - (1) Nuisance dog:
    - a. For the first offense .....\$25.00
    - b. For the second nuisance offense committed within 12 months of the first offense .....50.00
  - (2) Menace dog:
    - a. For the first offense .....50.00
    - b. For the second menace offense committed within 12 months of the first offense .....100.00
  - (3) Vicious dog:
    - a. For the first offense .....100.00
    - b.

For the second vicious offense committed within 12 months of the first offense .....200.00

- (b) These forfeitures shall be made within 96 hours from the time of notice to the city clerk. Any person making this forfeiture shall have deemed to have waived the right to have the case heard in the district court, and he shall not be prosecuted or found guilty of a violation of RSA 466:31. Any person who does not pay the civil forfeiture shall have the case disposed of in district court. Any person who pays a civil forfeiture, as specified in this section, two times within a year, according to the records of the city clerk, may not pay the civil forfeiture for subsequent violations of this section in that year, but shall have these cases disposed of in district court. For a vicious dog, where its behavior represents such a threat to public safety, immediate district court proceedings may be initiated in lieu of the civil forfeiture.

(Code 1970, § 1711.0)

#### **Sec. 10-37. - Removal of feces.**

- (a) *Definition.* 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.
- (b) *Removal from public property.* Any owner or person having custody of any dog shall not permit the dog on any public grounds, including public streets, alleys, sidewalks, parks, or any other public grounds within the city, 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 dog in any such place.
- (c) *Removal from private property.* Any owner or person having custody of any dog shall not permit the dog on any private property other than the premises of the owner or person having custody of the dog 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 dog in any such place.
- (d) *Forfeiture.* Any person found in violation of this section shall forfeit \$25.00 to the city. If such forfeiture is not made to the city clerk within 96 hours of the notice of forfeiture, the case will be disposed of in the district court. Any person who pays a civil forfeiture, as specified in this section, two times within a 12-month period, according to the records of the city clerk, may not pay the civil forfeiture for subsequent violations of this section in that 12-month period, but shall have these cases disposed of in district court.

(Code 1970, § 1712.0)

#### **Sec. 10-38. - Exceptions.**

This article shall not apply to hearing and sight-impaired guide dogs, owned or employed by or on the behalf of law enforcement.

(Code 1970, § 1713.0)

#### **Sec. 10-39. - Interference with animal control officer.**

No person shall hinder or interfere with the animal control officer or such persons as may be appointed as agents in the performance of any duty within this article. Any person in violation of this

section shall be prosecuted under RSA 642:1 pertaining to obstructing governmental administration.

(Code 1970, § 1714.0)

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FOOTNOTE(S):

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<sup>(32)</sup> ~~State Law reference—~~ Dogs, RSA 466:1 et seq. (Back)

Lebanon, NH

## GENERAL CODE

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[Jump to Content](#)**CHAPTER 18. ANIMALS****ARTICLE I. Dogs and Other Animals**[§ 18-1. Definitions.](#)[§ 18-2. Intent.](#)[§ 18-3. Restraint.](#)[§ 18-4. Impounding.](#)[§ 18-5. Notice to owner.](#)[§ 18-6. Redemption.](#)[§ 18-7. Notice of violation.](#)[§ 18-8. Disposition of dogs.](#)[§ 18-9. Unclaimed dogs.](#)[§ 18-10. Ownership of unclaimed dog by City.](#)[§ 18-11. Agent for City.](#)[§ 18-12. Removal of dog defecation from public and private properties.](#)[§ 18-13. Licensing.](#)[§ 18-14. Abandonment.](#)[§ 18-15. Injury by vehicle.](#)[§ 18-16. Nuisance by animals.](#)[§ 18-17. Private complaints.](#)[§ 18-18. Penalties for offenses.](#)**Chapter 18. ANIMALS**

[HISTORY: Adopted by the City Council of the City of Lebanon 12-7-1976 by Ord. No. 14-A. Amendments noted where applicable.]

**Article I. Dogs and Other Animals****§ 18-1. Definitions.**

As used herein, unless the context indicates otherwise, the following terms mean:

**ANIMAL SHELTER**

Any premises designated by the City Manager for the purposes of impounding and caring for animals held under the authority of this article.

**ANIMAL SHELTER OFFICER**

Any person appointed by the City Manager for the purposes of caring for animals impounded under authority of this article.

**HUMANE OFFICER**

Any law enforcement officer or other person appointed as a Humane Officer by the City Manager and who qualifies to perform the prescribed duties under this article and the laws of the State of New Hampshire.

#### **OWNER**

Any person, partnership or corporation, owning, keeping or harboring animals.

#### **VICIOUS DOG**

A dog is considered to be vicious to persons or to property under the following conditions:[Added 12-9-1992]

A. If it snaps at, runs after or chases any person or persons.

[Amended 7-21-1999]

B. If it runs after or chases bicycles, motor vehicles, motorcycles or other vehicles being driven, pulled or pushed on the streets, highways or public ways.

C. If whether alone or in a pack with other dogs, it bites, attacks or preys on game animals, domestic animals, fowl or human beings. (Source: RSA 466:31, II)

#### **§ 18-2. Intent.**

It is the intent of this article to regulate against the problem animal, that is, to control the animal, who because of lack of supervision has become a nuisance to the community.

#### **§ 18-3. Restraint.**

A. All dogs within the City of Lebanon shall be restrained from running at large. A dog shall be deemed to be restrained from running at large when it is kept upon the property of its owner and keeper, or is kept within an enclosure on the property of its owner or keeper, or is kept on a leash. A dog is not restrained if, when tied, it is able to reach another's property or any public domain. Hunting dogs in training and/or pursuing legal game shall not come under the provisions of this article.

[Amended 7-21-1999]

B. Nothing contained in this section shall prevent the City of Lebanon or its designated Animal Shelter Officer from bringing any other type of action against the owner or keeper of a dog, as set out in this article.

#### **§ 18-4. Impounding.**

Any dog found unrestrained contrary to the provisions of this article may be taken by the police or Humane Officer and impounded in the City animal shelter and there confined in a humane manner. The Animal Shelter Officer, upon receiving any dog, shall make a complete registry, which includes the breed, color and sex of such dog and whether licensed. If licensed, he/she shall enter the name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs.

#### **§ 18-5. Notice to owner.**

[Amended 7-21-1999]Not later than 24 hours after the impounding of any dog, the Humane Officer shall serve a written notice on the owner of the dog stating that the dog has been seized and impounded, a description of the reason for the impoundment and that the dog will be liable to be disposed of or destroyed if not claimed within 10 days of service of such notice. Such notice shall be delivered in hand or left at the last known place of abode of said owner as determined by the registration tag or other available information.

#### **§ 18-6. Redemption.**

The owner shall reclaim such dog within 10 days of receiving notice as provided above or shall authorize in writing disposition of such dog as provided herein. An owner complying with this section shall pay the City the fee specified in § 18-7, if a notice of violation is also issued to the owner or keeper of the dog, the costs as set periodically by the City Council, incurred in impounding, maintaining and, if applicable, disposing of said dog and

the license fee, if unpaid, for said dog. An owner failing to comply with this section shall be liable for penalties under § 18-18.

**§ 18-7. Notice of violation.**

- A. In addition to or in lieu of impounding a dog, the Humane Officer or any police officer shall issue in the name of the owner or keeper of such dog a notice of violation. Such notice shall impose on the owner or keeper of such dog a fee of \$10, which must be paid to the City of Lebanon within 48 hours of date and time notice is given, in full satisfaction of the assessed fee.
- B. In the event such fee is not paid to the City within the time limitations specified, a summons or warrant of arrest may be served for appearance in District Court, and upon conviction of a violation of this article, the owner or keeper may be punished as prescribed under § 18-18.

[Amended 7-21-1999; 9-20-2000 by Ord. No. 70]

**§ 18-8. Disposition of dogs.**

- A. It shall be the duty of the Animal Shelter Officer to keep all impounded dogs for a period of 10 days after delivery of notice provided herein, except that when any dog that is diagnosed by a veterinarian as suffering from rabies, mange or other infection or dangerous disease, the veterinarian shall authorize the Animal Shelter Officer to destroy the affected dog forthwith.
- B. If any owner shall not have claimed such impounded dog and paid the applicable license fee and costs and charges within 10 days after delivery of the notice, the Animal Shelter Officer may destroy the dog in the least painful and most humane manner practicable, as approved by the City Manager.

**§ 18-9. Unclaimed dogs.**

In lieu of destroying an unclaimed dog, the Animal Shelter Officer may place the dog in a new home. The Animal Shelter Officer may keep a dog in the shelter while a new home is sought for the dog, if in the opinion of the Animal Shelter Officer, the dog is valuable or amenable to new ownership. The Animal Shelter Officer shall maintain a listing of such dogs, prospective owners and other persons desiring to place dogs in new homes.

**§ 18-10. Ownership of unclaimed dog by City.**

The ownership of any dog which remains unclaimed under the provisions of this article shall pass to the City 10 days after delivery or posting of the notice to the owner, in accordance with the provisions of this article.

**§ 18-11. Agent for City.**

Any person employed or contracted with by the City and appointed as Animal Shelter Officer or any owner of any animal hospital or shelter whose services are utilized in carrying out the provisions of this article is an agent of the City for the purposes of this article and his/her actions thereunder are deemed to be for governmental purposes.

**§ 18-12. Removal of dog defecation from public and private properties.**

[Amended 12-9-1992; 7-21-1999; 5-18-2011]

- A. An owner or person having custody of any dog or other animal shall not permit said dog or other animal to defecate on any school ground, cemetery, public sidewalk, public parking lot, pedestrian walkway, the downtown Lebanon (Hanover Street) Mall, Colburn Park or any private property within the City, other than premises of the owner or person having custody of said dog or other animal, unless said defecation is removed immediately and properly disposed of in a container for trash or litter or similar manner. Further, no defecation or manure shall be dumped or left on any school ground, cemetery, public sidewalk, public parking lot, pedestrian walkway, the downtown Lebanon (Hanover Street) Mall, Colburn Park or any private property within the City, nor on any other open area or lot in any portion of the City.

- B.** Any person having control over a dog or any other animal, whether or not the owner, who allows the dog or other animal off his or her premises (that is, premises occupied by that person) and has knowledge that such dog or other animal is defecating on any school ground, cemetery, public sidewalk, public parking lot, pedestrian walkway, the downtown Lebanon (Hanover Street) Mall, Colburn Park or any private property within the City, or on any other open area or lot in any portion of the City, and does not remove and properly dispose of the defecation shall be in violation of this article.

#### **§ 18-13. Licensing.**

All dogs kept, harbored or maintained in the City of Lebanon shall be licensed in accordance with the applicable provisions of state law. (See RSA, Chapter 466.)

#### **§ 18-14. Abandonment.**

Any owner of a dog, cat or other domestic animal who intentionally abandons such animal or fails to dispose of its remains in a sanitary manner shall be guilty of a violation of this article.

#### **§ 18-15. Injury by vehicle.**

It shall be unlawful for any person who, while operating a motor vehicle on any public way in the City, strikes and injures or kills any dog, cat or other domestic animal, to continue on without stopping such vehicle at the scene and informing the animal's owner or the police of the injury.

#### **§ 18-16. Nuisance by animals.**

[Amended 7-21-1999] It shall be unlawful for any owner to fail to exercise proper care and control of his/her animal to prevent it from becoming a public nuisance. Excessive, continuous and untimely barking, harassing pedestrians, chasing vehicles, attacking other domestic animals, trespassing upon school grounds or trespassing upon private property in such manner as to damage property shall be deemed a nuisance. A dog is not restrained if it is able to reach another's property or any public domain.

#### **§ 18-17. Private complaints.**

Nothing herein provided shall prevent citizens from making private complaints concerning possible violations of this article so long as the complaint is in written form, signed by two or more eyewitnesses who express an intention to testify in court.

#### **§ 18-18. Penalties for offenses.**

Violation of any provision of this article shall be punishable as provided in Chapter 1, General Provisions.

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Nashua, NH

## GENERAL CODE



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## **CHAPTER 93. ANIMALS**

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## **Chapter 93. ANIMALS**

[HISTORY: Adopted by the Board of Aldermen of the City of Nashua as indicated in article histories. Amendments noted where applicable.]

### **GENERAL REFERENCES**

Noise — See Ch. [201](#).

### **Article I. Rules for Keeping Animals**

[NRO 1975, T. 7, §§ 1101 to 1113 (Secs. 5-1 to 5-30 of the 1987 Code)]

#### **§ 93-1. Definitions.**

[Amended 8-11-1998 by Ord. No. O-98-42; amended 8-12-2003 by Ord. No. O-03-91]As used in this article, unless the context otherwise indicates, the following words shall have the meaning given in this section:

#### **CAT**

Any feline animal, male or female, sexed or neutered.

#### **DOG**

Any canine animal, male or female, sexed or neutered.

#### **FERRET**

Any European domestic ferret (*Mustela furo*), male or female, sexed or neutered.



**OWNER**

Any person owning, keeping or harboring any animal.

**§ 93-2. Animals at large forbidden; penalty; impoundment.**

[Amended 3-12-1985 by Ord. No. O-84-79]

- A. No sheep, swine, horses, mules, asses, oxen, cows or other cattle shall be permitted to go at large in any street, highway, lane, alley, common, square or other public place within the City.
- B. Any person permitting a violation of this section shall be punished as provided in section 1-9.
- C. Any person finding any such creature going at large may either impound and detain the same until penalty and cost of impounding shall be paid, or may make complaint against the person permitting such creature to go at large, and the penalty shall be imposed by the court having jurisdiction.

**§ 93-3. Keeping and housing animals.**

It shall be unlawful for any person, whether as owner, bailee, keeper or custodian, to keep and house any animal in any structure built or located within 45 feet of any building occupied by human beings in the City except upon special permission from the health officer of the board of health of the City. The location, construction, erection and sanitary condition of all such structures shall be made satisfactory to the health officer. Plans approved by the board of health shall be filed with the board before any such building shall hereafter be constructed, altered, extended or moved.

**§ 93-4. Dog licensing and registration.**

[Amended 12-26-1995 by Ord. No. O-95-148; 8-11-1998 by Ord. No. O-09-42] All dogs kept, harbored or maintained by their owners in the City shall be licensed as provided in RSA 466. The license fee shall be that amount specified in RSA 466:4, plus \$1, as allowed by RSA 466:39.

**§ 93-5. Dogs running at large.**

[Amended 7-18-1977 by Ord. No. O-77-193; 8-11-1998 by Ord. No. O-98-42; 7-10-2007 by Ord. No. O-07-114] It shall be unlawful for any dog to run at large. The term "at large" means off the premises of the owner or keeper, and not under leash or other physical restraint of the owner or a responsible person, or not within the confines of the fenced area of an off-leash dog park approved by the City of Nashua and animal control officer.

**§ 93-6. Impoundment of dogs, cats and ferrets found at large.**

[Amended 7-18-1977 by Ord. No. O-77-193; amended 11-26-1977 by Ord. No. O-77-273A; 5-1-1978 by Ord. No. O-78-41; 7-12-1978 by Ord. No. O-78-60; 8-11-1998 by Ord. No. O-98-42]

- A. The Dog Officer or other authorized person shall take into custody and impound:
  - (1) Any dog off the premises of its owner which the Dog Officer or other authorized person has reason to believe is a stray dog;
  - (2) Any dog off the premises of the owner of the dog without a current registration tag on his collar; and
  - (3) Any female dog in heat and off the premises of the owner.
- B. If any dog, cat, or ferret seized wears a collar or harness to which is attached a registration tag, or if the owner is otherwise known, the Dog Officer or other authorized person shall forthwith serve on the owner a notice in writing stating that the dog, cat, ferret has been seized and will be liable to be disposed of or destroyed if not claimed within seven days after the serving of notice. Notice may be served either by giving it to such person or by leaving it at the person's usual or last known place of abode, as determined by the registration tag or other available information.

- C. No dog, cat, or ferret shall be released or removed from confinement until the owner has provided proof that the dog, cat, or ferret is currently vaccinated against rabies, and all applicable license, board, and care fees have been paid. If the owner does not have proof that the dog, cat, or ferret is currently vaccinated against rabies, then the owner may post a \$25 cash bond with the Dog Officer or other authorized person to secure the release of the dog, cat, or ferret in order for the owner to obtain a rabies vaccination for the dog, cat, or ferret. If, within 72 hours of the dog, cat, or ferret's release the owner provides proof to the Dog Officer or other authorized person of obtaining a rabies vaccination for the dog, cat, or ferret, then the owner shall be refunded the full bond amount.
- D. When a seized dog, cat, or ferret has been detained for seven days after seizure, with due notice given as prescribed, and the owner has not claimed the dog, cat, or ferret, provided proof that the dog, cat, or ferret is currently vaccinated against rabies, procured a current license or exhibited evidence of a current license if necessary, and paid all applicable license, board, and care fees, the Dog Officer or other authorized person may cause the dog, cat, or ferret to be destroyed in the least painful manner possible.
- E. The Dog Officer or other authorized person may keep or cause to be kept in confinement any dog, cat, or ferret which, in that person's opinion, may be valuable or acceptable to new ownership, and see that such dog, cat, or ferret is placed in a new home. In order to expedite this alternative, the Dog Officer or other authorized person shall make available to the public, monthly, a list by number and other reference of dogs, cats, and ferrets available. Those persons desiring to procure said dogs, cats, or ferrets may do so by application to the Dog Officer or other authorized person and payment of applicable adoption and licensing fees.
- F. No dog, cat, or ferret which the Dog Officer or other authorized person has taken into custody for a second offense shall be released unless the person to whom the dog, cat, or ferret is released pays a penalty of \$25, as allowed by RSA 466:39, in addition to meeting all other requirements of this section. If said penalty is not paid within seven days after the dog, cat, or ferret is taken into custody, the dog, cat, or ferret may be destroyed in the least painful manner possible.

#### **§ 93-7. Method of confinement.**

The Mayor, with the assistance and cooperation of the Dog Officer, shall select a suitable place of confinement for impounded animals and those held under suspicion of rabies and after biting.

#### **§ 93-8. Dog waste.**

[Added 9-11-1996 by Ord. No. O-96-51]

- A. Duty to dispose. It shall be the duty of each person who owns, possesses or controls a dog to immediately remove and dispose of any feces left by his/her dog on any sidewalk, street or other public area. It shall further be the duty of each person who owns, possesses or controls a dog to immediately remove and dispose of any feces left by his/her dog on any private property neither owned nor occupied by said person, unless said private property owner or occupant agrees otherwise.
- B. Duty to possess means of removal/disposal. No person who owns, possesses or controls such dog shall appear with such dog on any sidewalk, street, park or other public area without the means of removal of any feces left by such dog. Furthermore, no person who owns, possesses or controls such dog shall appear with such dog on any private property neither owned nor occupied by said person without the means of removal of any feces left by said dog, unless said private property owner or occupier agrees otherwise. Disposal of such feces shall be in a manner consistent with all applicable laws.
- C. Enforcement/fines for violation. This section shall be enforced by the Nashua police department. Violation of this regulation shall be punished as provided in § 93-14 for each occurrence.

[Amended 2-26-2008 by Ord. No. O-08-07]

- D. Exemption. Compliance with this regulation is not required by any handicapped person who, by reason of his/her handicap is physically unable to comply with this section.

**§ 93-9. Interference with Dog Officer.**

[Amended 5-14-1996 by Ord. No. O-96-11]No person shall hinder, interfere with or molest the Dog Officer or such other persons as may be appointed as agents in the performance of any duty enjoined by this article.

**§ 93-10. Effect of state law.**

[Amended 5-14-1996 by Ord. No. O-96-11]It is the intention of the board of aldermen to include in this article not only those state statutes specifically referred to by title and number, but to embrace also all those others made a part of the law, and they are hereby included under this section by reference.

**§ 93-11. Dog shelters; tethering.**

[Amended 3-23-1999 by Ord. No. 0-98-90]

- A. If a dog is tied or confined outdoors under weather conditions that could adversely affect the dog's health (wind, rain, wet ground, sleet, snow, hail, cold, or heat), its owner or keeper shall provide it with access to shelter adequate to protect it from possible injury.
- B. The owner or keeper of a chained or tethered dog shall provide it with a properly applied harness or buckle type collar and tether configured so as to protect it from possible injury. Any chain or tether shall be of sufficient length to allow the dog to be able to easily stand, sit, lie, or turn about.

**§ 93-12. Copy of Dog Ordinances to be given with licenses.**

[Added 3-23-1999 by Ord. No. O-98-90; amended 2-26-2008 by Ord. No. O-08-07]A copy of the Nashua Dog Ordinances shall be given with each dog license issued.

**§ 93-13. Noises from animals as a nuisance.**

[Added 8-12-2003 by Ord. No. O-03-191]

- A. Noise from an animal which is sustained for periods of more than 30 minutes or which occurs between the hours of 10:00 p.m. and 6:00 a.m., which noise would annoy or disturb a person of normal sensibilities is found to be a nuisance.
- B. The owner of any animal who fails, by appropriate action, to effectively abate such a nuisance after being requested to do so by any person, shall be guilty of a violation.

**§ 93-14. Violations and penalties.**

[Amended 5-14-1996 by Ord. No. O-96-11; 8-11-1998 by Ord. No. O-98-42; 3-23-1999 by Ord. No. O-98-90; 8-12-2003 by Ord. No. O-03-191]Any owner found violating any provision of this article shall be guilty of a violation and upon conviction thereof shall be punished as provided in § 1-12 of the City Code, except that violation of an ordinance relating to dogs shall be punished by a fine of \$25.

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## ARTICLE VII: DOGS AND OTHER PETS

### Regulation of Animals in General

#### Section 6.701: ANIMAL BITES

It shall be the duty of every person bitten by an animal, or his or her parent or guardian, and any attending physician, to report to the Animal Control Officer the bite within twenty-four (24) hours. The report shall describe the circumstances of the bite and the name, address and telephone number of the owner or keeper of the animal to the extent known.

#### Section 6.702: NUISANCE ANIMALS

No owner, keeper or other person having control shall permit an animal to be a nuisance animal. For the purposes of this section, nuisance animal means any animal or animals which:

1. Molests or harasses passersby, domestic animals or passing vehicles in the public way;
2. Attacks or threatens persons or other domestic animals;
3. Punctures the skin of any person or domestic animal;
4. Damages property other than that of its owner;
5. Defecates off the premises of the animal's owner, and the owner, or other individual in control of the animal, fails to remove such deposit immediately;
6. Barks, whines, howls or cries in a continuous fashion for more than thirty (30) minutes.

#### Section 6.703: CRUELTY

It shall be unlawful to torture, torment or neglect any animal as provided in RSA 644:8 and the penalties set forth therein shall apply.

#### Section 6.704: RABIES VACCINATION

Every owner or keeper of any dog, cat or ferret shall be required to obtain such rabies vaccination as may be proscribed by RSA 436-100 as it may from time to time be amended.

### Regulation of Dogs

#### Section 6.705: DEFINITIONS

The following definitions shall apply to this article:

*At-large.* At-large shall mean not under the control of the owner, or another individual either by leash, cord, chain or other similar means of physical restraint.

*Dog.* Dog shall include both male and female of the canine species. Dog shall also mean any animal which is considered to be a wolf-hybrid as defined in RSA 466-A.

*Enforcement official.* Enforcement official when used herein shall mean any Animal Control Officer, Police Officer, or other individual authorized to enforce the provisions of this chapter and such state statutes pertaining to animals.

*Keeper.* A keeper shall be any person or persons, firm, association or corporation who has temporary control or responsibility for a dog with the permission of the Owner.

*Owner.* Owner shall include any person or persons, firm, association or corporation owning, keeping or harboring a dog. The owner identified on any current dog license shall be prima facie evidence of the ownership of the dog.

*Vicious dog.* Vicious dog shall mean a dog that, without provocation, attacks or bites a person or other domestic animal.

#### **Section 6.706: AT-LARGE PROHIBITED**

- a. Prohibition. Except as exempted below, no person shall permit a dog owned by him or her or under his or her control to be at-large as defined by this Ordinance or to trespass upon the property of another, public or private.
- b. Exemptions. A dog shall not be deemed at-large if it is:
  1. On the premises of the dog's owner;
  2. On the premises of the person under whose control the dog is supervised ;
  3. On the premises of another person as long as that person has given permission for the dog to be at-large;
  4. In any designated off-leash dog area managed and regulated by the City of Portsmouth. Designated off-leash areas shall be any City property posted under the authority of the Public Works Department as an off-leash area.
- c. No Defense. Failure of a Keeper to comply with this provision shall not relieve the Owner of responsibility from compliance.

#### **Section 6.707: CONDUCT IN OFF-LEASH AREAS**

- a. Voice Control and Observation on Private Property. Every person who allows a dog to be off-leash in the designated areas under section 6.706(b)(1)- (3) shall maintain voice control over the dog and shall keep the dog under observation at all times unless the dog is contained by an invisible fence system or enclosure sufficient to prevent the dog from leaving the premises.

- b. Voice Control and Observation on Public Property. Every person who allows a dog to be off-leash in a designated area under section 6.706(b)(4) shall, unless excepted under subsection c below, maintain voice control over the dog and shall keep the dog under observation at all times.
- c. South Mill Pond Dog Park Rules: Dogs are permitted to be off-leash and not under voice control in the dog park. Due to the risks associated with this activity, the following shall apply:
  - 1. Entry into the dog park is restricted to persons age 12 and older
  - 2. Dogs must have current licenses and vaccination tags;
  - 3. Dogs must be under observation;
  - 4. Dogs must be spayed or neutered that are one year or older;
  - 5. Spike and choke collars must be removed; and
  - 6. Dog owners are responsible for their dogs' actions.

#### **Section 6.708: LICENSE**

Every owner of a dog more than four (4) months old shall be required to license such dog within 30 days of ownership and annually thereafter with the City Clerk in the manner proscribed by RSA 466 as it may be from time to time amended. The fee for this license shall be set at the maximum amount permitted by state law. Failure to license any dog as provided in this section shall be a violation and the penalty shall be \$25.00 and not those penalties set forth in Section 6.710. [Amended 04/16/2012]

#### **Section 6.709: REMOVAL OF DOG WASTE REQUIRED**

The owner, keeper or person in control of any dog shall be responsible for the removal of any defecation deposited by such dog on any public or private property.

#### **Penalties, Impoundment and Enforcement**

#### **Section 6.710: PENALTIES**

An offense of any provision of this chapter by any person shall be deemed a violation and shall be punishable by the following penalties:

- 1. First offense. A first offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of fifty dollars (\$50.00)
- 2. Second offense. A second offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of one hundred dollars (\$100.00).
- 3. Third and subsequent offenses. A third or subsequent offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of two hundred dollars (\$200.00).

In addition to the penalties provided in this section, any animal found in violation of this chapter may be impounded as provided in Section 6.711 of this chapter.

**Section 6.711: IMPOUNDMENT**

- a. Authority to Impound. Animals who have bitten or are in violation of any provision of this chapter may be taken by any enforcement official and impounded in a humane manner.
- b. Place of Impoundment. Animals shall be impounded with such area veterinarians and/or animal welfare organizations as any enforcement official may deem reasonable and appropriate.
- c. Impoundment and Boarding Fees. The owner of any animal impounded under the provisions of this chapter shall be responsible for all impoundment and boarding fees. Owner shall make payment directly to the veterinarian or animal welfare organization to obtain release of the animal.
- d. Disposition of Unredeemed Animals. If any impounded animal is not redeemed within (7) days of its impoundment, it may be adopted or given away in accord with the policies and practices of the veterinarian or organization responsible for impoundment. If any unredeemed animal is not adopted or given away because of disease, temperament or other cause, it shall be euthanized in a humane way. The impoundment period may be waived by the enforcement official in case of a severely injured animal whose owner cannot be located or is unwilling to claim the animal.
- e. Collection. Any sums owed under this chapter may be collected in a civil action brought under this section.
- f. Interference with Impoundment. Any person who interferes with the impounding of an animal or releases, or who attempts to release, an impounded animal contrary to this article shall be in violation of this chapter and may be subject to such additional charges as may be applicable under the criminal code.
- g. Notice of Impoundment. Within twenty-four (24) hours of the impoundment of any animal, the enforcement official shall make every reasonable attempt to notify the owner of the impounded animal of such impoundment. Such notice shall include either personal contact with the owner or a written notice posted at the dwelling house of the owner.
- h. Surrender for Impoundment. The enforcement official may elect to demand the surrender of any animal when there are reasonable grounds to believe the safety of the public or the animal will be benefited by such action. Reasonable grounds shall include without limitation: the impoundment of any animal that has bitten; risk of flight with the animal; or that the animal is or will within 48 hours be the subject of any complaint filed with the Animal Control Committee. The enforcement official shall provide a written summary to the Owner of the reasons for the demand for

surrender. Failure to surrender any animal upon demand shall be a violation of this ordinance the penalty for which is \$100 per day and not the penalties set forth under 6.710.

**Section 6.712: ANIMAL CONTROL COMMITTEE**

- a. Animal Control Committee Established. For purposes of this section, an Animal Control Committee is established. The Animal Control Committee shall be comprised of the Police Chief or his/her designee a veterinarian who shall be paid for his/her time, and a resident of Portsmouth appointed by the Mayor. The Police Chief or his/her designee shall be the Chair of the Committee. The designated Animal Control Officer shall be the prosecuting officer for any complaint brought before the Committee.
- b. Vicious Dogs. The Animal Control Officer or a City resident may make a written complaint directed to the Chair of the Animal Control Committee that a dog is alleged to be vicious as defined in Section 6.705.
- c. Repeated Dog at Large. In the event that any dog shall be found to be at-large three (3) or more times in a twelve-month period, the Animal Control Officer or a City resident may make a written complaint directed to the Chair of the Animal control Committee.
- d. Repeated Nuisance Animals. In the event that any animal shall be found to be a nuisance three (3) or more times in a twelve-month period, the Animal Control Officer or a City resident may make a written complaint to the Chair of the Animal Control Committee.
- e. Procedure. The Committee shall hear all complaints described in paragraphs b, c and d of this section. All hearings shall be public and the rules of evidence shall not apply. If the animal is impounded when the written complaint is filed, the hearing shall be within fourteen (14) days. All other complaints shall be heard within thirty (30) days.
- f. Orders. The Animal Control Committee may issue such orders as are necessary to protect the public and/or the animal. Such orders may include, but are not limited to: confinement in a secure enclosure or other similar restriction; muzzling; training; adoption; restricting the sale or transfer of the animal; requiring permanent identification; or euthanization in a humane manner. The Committee shall also have the authority to require proof of owner's adequate insurance or resources in the event of any future claims for damage by the subject animal. In addition, the Animal Control Committee may revoke the privilege of any owner to keep, harbor or have custody of any animals while in the City and that no new privileges be granted. The Animal Control Committee shall have the authority to modify such orders without hearing upon the agreement of the Owner and the enforcement official that a modification would be in the best interest of the public or the animal.



- g. Penalty For Violation Of Orders. Any person who violates any provision of any order of the Animal Control Committee shall be in violation of this ordinance and subject to a penalty of fifty dollars (\$50.00) for each day of non-compliance.

**Section 6.713: INTERFERENCE WITH ENFORCEMENT OFFICIALS**

Any person or persons who hinders, interferes with, obstructs or uses abusive or profane language against any enforcement official when in the course of their duties shall be in violation of this ordinance and subject to a penalty of \$100.00.

**Section 6.714: PAYMENT OF PENALTIES**

Any penalties and fines assessed pursuant to this ordinance may be paid to the Clerk of Court of the Portsmouth District Court at any time prior to trial.

**Section 6.715: SEPARABILITY OF PROVISIONS**

Each provision of this Ordinance shall be deemed independent of all other provisions herein, and if any provision of this Ordinance is declared invalid, all other provisions shall remain valid and enforceable.

(Ordinance deleted in its entirety and replaced on May 16, 2005)

§ 466:31. Dogs a Menace, a Nuisance or Vicious.

## **New Hampshire Statutes**

### **Title 45. ANIMALS**

#### **Chapter 466. DOGS AND CATS**

##### **Muzzling and Restraining Dogs**

*Current through Chapter 290 of the 2012 Legislative Session*

#### **§ 466:31. Dogs a Menace, a Nuisance or Vicious**

I. [Repealed.]

II. Under this section, a dog is considered to be a nuisance, a menace, or vicious to persons or to property under any or all but not limited to the following conditions:

(a) If a dog is "at large," which means it is off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian. This subparagraph shall not include a dog which is being used for hunting, supervised competition, exhibition, or training for such activities if accompanied by the owner or custodian, or a dog which is guarding, working, or herding livestock, as defined in RSA 21: 34-a, II(a)(4), meaning that the owner or custodian must be able to see or hear the dog, or have reasonable knowledge of where the dog is hunting or herding, or where training is being conducted or where trials are being held, provided that such dog does not have to be within sight at all time;

(b) If it barks for sustained periods of more than 1/2 hour, or during the night hours so as to disturb the peace and quiet of a neighborhood or area, not including a dog which is guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a);

(c) If it digs, scratches, or excretes, or causes waste or garbage to be scattered on property other than its owner's;

(d) If any female dog in season (heat) is permitted to run at large or be off the premises of the owner or keeper during this period except when being exercised on a leash by a responsible adult. At all other times such dog shall be confined within a building or enclosure in such manner that she will not come in contact (except for intentional breeding purposes) with a male dog. A female dog in heat shall not be used for hunting;

(e) If it growls, snaps at, runs after, or chases any person or persons not on the premises of the owner or keeper;

(f) If it runs after, or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled or pushed on the streets, highways, or public ways;

(g) If, whether alone or in a pack with other dogs, it bites, attacks, or preys on game animals, domestic animals, fowl or human beings.

II-a. If the skin of a person has been punctured by a dog and the incident was reported, including the identity of the dog and its owner, to the animal officer, if any, or to the town clerk, such officer or clerk shall, within 24 hours, notify the injured person, or, in the case of a minor, the minor's parent or guardian, whether, according to town records, the dog has been appropriately immunized against rabies.

III. (a) Any person who fails, by appropriate action including but not limited to restraining an animal from running at large, or otherwise effectively abating a nuisance found such under the provisions of this section, or who fails to comply with any other provisions of this section after being so ordered, shall have the person's dog taken into custody by the police of the city, constable of the town, or other person authorized by the town and such disposition made of the dog as the court may order.

(b) Notwithstanding RSA 466:31-a, II(a)(4), if a law enforcement officer does not witness the nuisance behavior, the name of the complainant shall be released as public information before any fine under RSA 466:31-a shall be levied.

**Cite as NHRS 466:31**

**Note:**

1951, 52:1. RSA 466:31. 1957, 148:1. 1967, 294:1. 1969, 239:1. 1973, 531:125. 1977, 222:1. 1989, 158:4. 1994, 353:10, 14, 1995, 298:20, eff. Jan. 1, 1996. 2006, 11:2, eff. Mar. 3, 2006. 2007, 244:1, eff. Aug. 27, 2007.

§ 466:31-a. Penalties.

## **New Hampshire Statutes**

### **Title 45. ANIMALS**

#### **Chapter 466. DOGS AND CATS**

##### **Muzzling and Restraining Dogs**

*Current through Chapter 290 of the 2012 Legislative Session*

##### **§ 466:31-a. Penalties**

I. Any person who violates any provision of RSA 466:31 shall be guilty of a violation; provided that if such person chooses to pay the civil forfeiture specified in paragraph II, the person shall be deemed to have waived the right to have the case heard in district or municipal court and shall not be prosecuted or found guilty of a violation of RSA 466:31. Any person who does not pay the civil forfeiture specified in paragraph II shall have the case disposed of in district or municipal court.

II. Any person who violates any of the provisions of RSA 466:31 shall be liable for a civil forfeiture, which shall be paid to the clerk of the town or city wherein such dog is owned or kept within 96 hours of the date and time notice is given by any law enforcement officer or other person authorized by the town to the owner or keeper of a dog in violation of RSA 466:31. If the forfeiture is paid, said payment shall be in full satisfaction of the assessed penalty. The forfeiture shall be in the amount as specified for the following violations:

(a) \$25 for the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d); \$100 for the second or subsequent nuisance offense committed within 12 months of the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d).

(b) \$50 for the first menace offense under RSA 466:31, II(e) or (f); \$200 for the second or subsequent menace offense committed within 12 months of the first menace offense under RSA 466:31, II(e) or (f).

(c) \$100 for the first vicious offense under RSA 466:31, II(g).

(d) \$400 for the second or subsequent vicious offense committed within 12 months of the first vicious offense under RSA 466:31, II(g).

III. Any person who pays a civil forfeiture specified in paragraph II 2 times in any 12-month period according to the records of the town or city clerk, may not pay a civil forfeiture for subsequent

violations of RSA 466:31 in that 12-month period, but shall have those cases disposed of in district or municipal court. In the case of a vicious dog, as described by RSA 466:31, II(g), where its behavior presents a threat to public safety, immediate district court or municipal court proceedings may be initiated in lieu of the civil forfeiture.

**Cite as NHRS 466:31-a**

**Note:**

1977, 222:2. 1989, 158:5, 6. 1994, 353:11, 12. 1995, 298:21, eff. Jan. 1, 1996. 2007, 244:2, eff. Aug. 27, 2007; 339:3, eff. Jan. 1, 2008.

*Matthew Normand  
City Clerk*



*Heather Freeman  
Assistant City Clerk*

*JoAnn Ferruolo  
Assistant City Clerk*

**CITY OF MANCHESTER**  
*Office of the City Clerk*

**MEMORANDUM**

To: Chairman Ouellette  
Committee on Public Safety, Health and Traffic

From: Alderman William P. Shea *W. P. S.*  
Ward 7

Date: June 5, 2012

Re: Regulations and Penalties for Aggressive Animals

After a recent incident of a dog attack in the city, I am requesting the Committee on Public Safety, Health and Traffic review the City and State regulations, policies and penalties regarding aggressive animals or animal attacks.

Thank you.

Date: 6/05/12  
On motion of Ald. Ouellette  
Seconded by Ald. Shea  
Voted to refer to the Committee on Public Safety,  
Health and Traffic.

*Matthew Normand* City Clerk

**Freeman, Heather**

**From:** Arnold, Thomas  
**Sent:** Tuesday, June 05, 2012 1:48 PM  
**To:** Freeman, Heather  
**Subject:** FW: Pit Bull Attack

**From:** Lucinda Boutin [mailto:lucindaboutin@me.com]  
**Sent:** Thu 5/31/2012 11:05 AM  
**To:** O'Neil, Daniel  
**Subject:** Pit Bull Attack

Dear Alderman O'neil,

Friday, March 18, 2012, my 14lb Rat Terrier, Sammy and I were viciously attacked by a neighbor's pit bull. I have never seen so much blood or screamed so long. This violent and vicious dog, "Mikey" has attacked 5 other dogs in our neighborhood. During the attack, traffic on Mammoth Road came to a stop and people got out of their cars and were trying to help. It was the most horrifying experience I've ever had. People were calling 911 and the police informed callers they weren't coming because it was the ACO's responsibility. My dog's wounds needed immediate attention so my neighbor drove us to AVC for emergency care. I was completely covered in blood and completely in a state of shock. Sammy was treated for multiple puncture wounds and tears to his neck and damage to his eyeball. The next morning at 5 am I woke up in terrible pain. I realized I had a puncture wound on my left hand and my right hand was swollen and needed an x-ray. Sammy and I will recover physically but the emotional scars are life-altering. Since the attack, four women have called me to offer support because within the last year, they and/or their dogs were attacked by pit bulls in Manchester. In one case, this woman's dog was torn apart and killed right in front of her. I cried when I spoke with her on the phone that evening. Clearly, life after a pit bull attack will never be the same. Pit bulls have the highest vicious attack rate of any breed with the Rottweiler being second. These are called the "Bully Breeds". They have been genetically mutated to kill.

I love this beautiful city of Manchester. I've always felt safe here. But our city is growing and with that, we have a new danger in our city that requires immediate attention and correction. Why did 911 dispatch disregard the seriousness of this issue? The number of bully breeds in the city of Manchester is growing and proportionately, so are the number of attacks. We in the Chase Houses on Mammoth Road live in fear every day now. This is terrorism minus the political agenda. "Mikey" will attack again. Who's the next victim? Might it be a child? No one knows until the next attack happens. Based upon his history, he will attack again. We need an amendment to the current ordinance/laws regarding violent dog attacks. I am proposing the following changes:

Currently the citation for a first violent attack is a fine of \$100 and the dog is to be quarantined for 10 days. That is insulting to the victim. The fine should be increased to \$500 along with the 10 day quarantine. This would deter people from adopting and or buying a bully breed capable of a vicious attack. In addition to the citation, fine and the

quarantine, the owner must muzzle the dog whenever it is outside - period. It has no right to a second opportunity to reign terror and draw blood.

Secondly, when there is an attack, the police must respond and an initial report **MUST** be made. The ACO can certainly take the case from there when he is back in the office, but **IMMEDIATE** help and documentation is essential for public safety. If a report had been taken for the first five attacks by "Mikey" the pit bull, Sammy and I would not have been attacked.

And lastly, there needs to be a more accurate and accessible database to maintain reports of attacks. Many vicious dog attacks go undocumented because the 911 dispatchers refuse to send help if it is a dog-on-dog attack and telephone tag is played with the A.C.O. because one person can not do the job of what should be many. Officer Vogler did a fantastic job for me. But the five prior attacks from this specific pit bull - calls were made but contact and reporting didn't happen. Dog attacks are extremely violent. If we are going to allow residents of Manchester to own lethal and vicious bully breeds, they must be tracked and records must be maintained and be accessible by the police - not just the ACO. Attacks don't always happen 9-5, Monday through Friday.

These proposed changes are prudent and in the best interest of the citizens of Manchester and their beloved pets. I look forward to working with you to keep Manchester safe for all.

Sincerely, Lucinda M. Boutin 48 Mammoth Road Manchester NH 03109 603-660-0272

Lucinda M. Boutin



## General Provisions

- 90.01 Humane Officer
- 90.02 Horses on streets and commons restricted
- 90.03 Hitching animals to or near trees
- 90.04 Dog fouling prohibition

## Dogs

- 90.10 Definitions
- 90.11 License required
  - 90.11.1 Exclusions from annual warrant list
- 90.12 Running at large prohibited
- 90.13 [Reserved]
- 90.14 Liability for damages
- 90.15 Impoundment
- 90.16 Notice; redemption of impounded dogs; fees
- 90.17 [Reserved]
- 90.18 Disposition of unclaimed dogs

## Rabid Animals

- 90.30 Destruction of rabid animals authorized
- 90.99 Penalty

## GENERAL PROVISIONS

### § 90.01 HUMANE OFFICER.

For the purpose of enforcing the provisions of this chapter, the position of Humane Officer is hereby established at a salary to be fixed by the Board of Mayor and Aldermen. The Humane Officer will be responsible to the Board of Police Commissioners, and will be directly supervised by the Chief of Police.

('71 Code, § 4-22) (Ord. passed 12-17-63; Am. Ord. passed 7-23-68)

### § 90.04 DOG FOULING PROHIBITION.

(A) *Violation.* It shall be unlawful for any person owning, possessing or controlling a dog on any sidewalk, street or public area or on any private property neither owned or occupied by said person to:

(1) Fail to carry any article or means to remove any feces left by such dog; or

(2) Fail to remove and dispose of any feces left by such dog in a manner consistent with law.

(B) *Enforcement.* This section shall be enforced only if the failure to appear without a means of removal or the failure to remove and dispose of said dog feces occurs in the presence of a law enforcement officer.

(C) *Exception.* This section shall not apply to any dog accompanying a person mentally or physically impaired and who because of such impairment is unable to comply with the requirements of this section.

('71 Code, § 17-25(a),(b),(d)) (Ord. passed 2-17-93; Am. Ord. passed 8-6-96)

#### ***Cross reference:***

*Citation penalties, see § 38.06*

## DOGS

### § 90.10 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AT LARGE.** Off the premises of the owner and not under the control, at all times, of the owner or a member of his immediate family or a person of sufficient age and strength to effectively restrain the dog either by leash or chain.

**DOG.** Any canine animal, male and female, sexed or neutered.

**OWNER.** Any person, firm, association, or corporation owning, keeping, or harboring a dog.

('71 Code, § 4-21) (Ord. passed 12-17-63)

**Statutory reference:**

*Authority of city to regulate the keeping of dogs and their running at large, require them to be licensed, and authorize the*

*destruction of those kept or running at large contrary to the ordinance, see R.S.A. 47:17 (XI)*

*Dogs, generally, R.S.A. Ch. 466*

**§ 90.11 LICENSE REQUIRED.**

(A) All dogs kept, harbored, or maintained by their owner or keeper in the city shall be licensed annually in accordance with the provisions of R.S.A. Ch. 466 at fees established as follows:

Puppies (4 to 7 months old) \$7.50

Neutered male/spayed female \$7.50

Male/female \$10.00

Senior citizen owner

First dog \$3.00

Group license

Five or more dogs \$20.00

(B) There shall be a charge of \$1.00 for each month or any part thereof that the fees remain unpaid if said fees are not paid before June 1 in any year.

('71 Code, § 4-13) (Ord. passed 10-16-62; Am. Ord. passed 6-3-03; Am. Ord. passed 2-1-05) Penalty, see § 90.99

**§ 90.11.1 EXCLUSIONS FROM ANNUAL WARRANT LIST.**

In compiling the annual list of owners of dog(s) who have not renewed their licenses pursuant to R.S.A. 466:14, the Office of the City Clerk may exclude from the list the names of owners or keepers whose dog(s), based upon city records, have been sold or are deceased at the time renewal of the license is required. The Office of the City Clerk may also exclude from the list the names of owners or keepers of dog(s) who, based upon city records, no longer reside in the city.

(Ord. passed 6-17-99) Penalty, see § 90.99

**§ 90.12 RUNNING AT LARGE PROHIBITED.**

(A) No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to run at large within the city at any time.

(B) Notwithstanding anything in this section to the contrary, no person shall be compelled to keep any dog in his possession on a leash while in or upon any public street, alley, park, parkway, or other public place in the city, if the dog is securely confined in an automobile.

(C) Notwithstanding any definition to the contrary, a dog shall be deemed "at large" if that dog is on or being walked upon a public street, parking lot or facility, sidewalk, or right-of-way adjacent to a street and is not actually on a leash or chain or within a carrier which is in the possession of a person of sufficient strength and age to effectively restrain the dog.

('71 Code, § 4-23) (Ord. passed 12-17-63; Am. Ord. passed 4-4-00) Penalty, see § 90.99

***Cross reference:***

*Citation penalties, see § 38.06*

**§ 90.13 [RESERVED].**

(Previous section repealed on 6-5-00)

**§ 90.14 LIABILITY FOR DAMAGES.**

Should any dog which has been found to have damaged or destroyed personal property, the owner or keeper of said dog shall be liable for the damages caused after the case has been disposed of by the court and the owner or keeper found guilty of the charges preferred.

('71 Code, § 4-15) (Ord. passed 10-16-62)

**§ 90.15 IMPOUNDMENT.**

It shall be the duty of every police officer to apprehend any dog found running at large contrary to the provisions of § 90.12 of this chapter and to impound such dog in a suitable place.

('71 Code, § 4-24) (Ord. passed 12-17-63)

**§ 90.16 NOTICE; REDEMPTION OF IMPOUNDED DOGS; FEES.**

If an impounded dog has upon it the name or address of the owner, or such name or address is otherwise known, the Police Department shall notify the owner within 24 hours after seizure of such dog. Notice of impounded dog shall be in writing by registered mail, postage prepaid, and shall be construed as having been given at the time of posting thereof. If the dog impounded does not have the name or address of the owner, and if the owner is not otherwise known, then no notice shall be necessary.

('71 Code, § 4-25) (Ord. passed 12-17-63; Am. Ord. passed 2-15-77; Am. Ord. passed 4-3-84; Am. Ord. passed 6-5-90; Am. Ord. passed 10-1-96; Am. Ord. passed 11-28-00)  
Penalty, see § 90.99

**§ 90.17 [RESERVED].**

(Previous section repealed on 11-28-00)

**§ 90.18 DISPOSITION OF UNCLAIMED DOGS.**

Any dog which had been impounded by the Friends of the Manchester Animal Shelter and has not been redeemed by the owner shall be disposed of, by adoption or other appropriate manner, by the Friends of the Manchester Animal Shelter; provided, that any such dog shall be held for at least seven days after impounding, and in those cases where it is required that notice be given the owner, the dog shall be held for at least four days after the required notice has been given.

('71 Code, § 4-27) (Ord. passed 12-17-63; Am. Ord. passed 6-5-00)

## **RABID ANIMALS**

### **§ 90.30 DESTRUCTION OF RABID ANIMALS AUTHORIZED.**

Any animal that is mad or rabid shall at once be destroyed by a representative of the Department of Health or the Police Department. Any animal which is found upon examination by a veterinarian of the department of health to be rabid shall be surrendered to the department of health by the person owning or having possession thereof and shall be destroyed by the Department of Health.

('71 Code, § 4-38) (Ord. passed 3-20-56)

#### ***Statutory reference:***

*Rabies Control, see R.S.A. 436:99 et seq.*

*Dogs which are a menace, nuisance, or vicious, see R.S.A. 466:31*

### **§ 90.99 PENALTY.**

(A) Any person who violates § 90.11 of this chapter shall be subject to the civil forfeiture penalty set forth in R.S.A. 466:13. Any person who fails to timely pay the aforementioned civil forfeiture penalty shall, upon conviction, be punished by a fine not to exceed the maximum allowed by R.S.A. 47:17 or other law for each offense.

(B) Any person who violates any other provision of this chapter for which no penalty is otherwise provided shall be subject to the penalty set forth in § 10.99 of this code.

('71 Code, § 17-25(c)) (Ord. passed 2-17-93; Am. Ord. passed 8-3-99)

**466:39 City or Town Bylaws.** – The local governing body may make such additional bylaws and regulations concerning the licensing and restraining of dogs as it deems reasonable, and may affix penalties not exceeding \$50 for a breach thereof. Such bylaws and regulations shall relate only to dogs owned or kept in such city or town, and the annual fee required for a license shall in no case be more than \$1 in addition to the sum hereby required.

(b) The selectmen shall hold a public hearing on the question at least 15 days but not more than 30 days before the annual meeting. Notice of the hearing shall be posted in 2 public places in the town and published in a newspaper of general circulation in the town at least 7 days in advance.

(c) Voting shall be by official ballot if that system has been adopted by the town. In other towns, voting shall be by a special ballot prepared by the clerk.

III. In a city, the question shall be placed on the official ballot for any regular municipal election upon a vote of the city council or upon submission to the city council of a petition signed by 5 percent of the registered voters.

IV. Any town or city which has adopted RSA 466:30-a may rescind its adoption by majority vote of those voting on the question submitted to the voters in the same manner as provided for adoption under paragraph II or III. The question on rescission shall read: "Shall we rescind our adoption of RSA 466:30-a concerning dog control so that it will no longer be unlawful for a dog to run at large in this town (or city)?"

V. A town or city which either does not adopt, or rescinds its adoption of, RSA 466:30-a, may adopt other ordinances pertaining to dogs running at large under RSA 31:39 or RSA 47:17, XI.

#### Section 466:30-a

##### **466:30-a Dog Control Law. –**

I. Notwithstanding any other provisions of this chapter, it shall be unlawful for any dog to run at large, except when accompanied by the owner or custodian, and when used for hunting, for guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4), for supervised competition and exhibition, or for training for such. For the purpose of this section, "accompanied" means that the owner or custodian must be able to see or hear, or both, or have reasonable knowledge of where the dog is hunting, where training is being conducted, where trials are being held, or where the dog is guarding, working, or herding livestock. Nothing herein provided shall mean that the dog must be within sight at all times.

II. In this section, "at large" means off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian.

III. Any authorized person may seize, impound or restrain any dog in violation of this section and deliver said dog to a person or shelter authorized to board dogs. Such dogs shall be handled as strays or abandoned dogs pursuant to applicable laws.

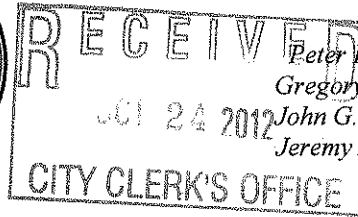
IV. In addition to impounding a dog found at large or in violation of this section, any local law enforcement officer may issue, in the name of the owner or keeper of such dog, a notice of violation for a nuisance dog pursuant to RSA 466:31, II(a).

V. The provisions of this section shall not be effective in any city or town unless adopted by a city or town pursuant to RSA 466:30



*Thomas R. Clark.*  
City Solicitor

*Thomas I. Arnold, III*  
Deputy City Solicitor



*Peter R. Chiesa*  
*Gregory T. Muller*  
*John G. Blanchard*  
*Jeremy A. Harmon*

**CITY OF MANCHESTER**  
*Office of the City Solicitor*

October 24, 2012

Committee on Public Safety, Health and Traffic  
c/o Matthew Normand  
One City Hall Plaza  
Manchester, New Hampshire

**Re: Skateboard Ordinance**

Gentlemen:

At its meeting on October 1, 2012 the Committee on Public Safety, Health and Traffic requested that I draft an ordinance prohibiting skateboard on sidewalks within the Central Service Business District. I have enclosed a proposed ordinance for the Committee's consideration.

Very truly yours,

Thomas I. Arnold, III  
Deputy City Solicitor

TIA/hms

enclosure

Amend Ordinance §70.24 to prohibit the use of skateboards or scooters on side walks within the Central Service Business District

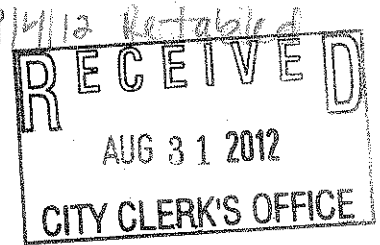
§70.24 **SKATEBOARDS, ROLLER SKATES AND SIMILAR DEVICES.**

(A) It shall be unlawful for any person upon roller skates, skateboards, or riding in or by means of any coaster, toy vehicle or a similar device, which is motorized or non-motorized to go up on any roadway except while crossing a street or a crosswalk.

**(B) It shall be unlawful to use a skateboard or a scooter with wheels in tandem, upon any sidewalk within the Central Business Service District as it is delineated pursuant to §37.02.**

(C) ~~(B)~~ It shall be unlawful for any person to use a skateboard or similar device whether motorized or non-motorized in zones restricted by regulation of the Committee on Traffic and Public Safety.

**(D) ~~(C)~~** The provisions of this section shall not apply to an electric personal assistive mobility device as defined by R.S.A. 269:1 et seq.



August 29, 2012

Committee on Public Safety, Health, & Traffic  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

RE: Bicycles on Sidewalks

Dear Aldermen,

A couple of months ago, I corresponded with this committee regarding bicyclists using the sidewalks and the potential danger to pedestrians. We suggested installing some signs to remind cyclists that they need to use the road ways.

Since that time, I have learned of a very effective program that is being used in Concord and other cities to discourage cycling on the sidewalks. It is a simple spray-painted sign applied on the street pavement at various corners of the downtown, reminding cyclists that when using the sidewalks, they need to walk their bikes. I have attached an example for your review.

With your permission, I will get a stencil made, similar to the attached photo, and I will coordinate with the Traffic Department and my maintenance team to apply the stencil on the pavement at crosswalk locations with paint.

Thank you for your consideration of this issue.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Lewry".

Stephanie Lewry, Executive Director  
Attachment





June 19, 2012

Committee on Public Safety, Health, & Traffic  
Alderman Ouellette, Chair  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

RE: Bicycles on Sidewalks

Dear Aldermen,

I have received complaints about young adults, on their bicycles and skate boards, speeding along on the downtown sidewalks. It has come to my attention that the laws prohibiting bicycles on sidewalks are being flagrantly disregarded, particularly in downtown Manchester, and there is likely to be an accident.

- One such complaint recounted an event where a customer was exiting a store and barely escaped a collision with a fast moving bicycle on the sidewalk. People exiting stores onto a pedestrian walkway don't expect to be confronted by a speeding cyclist or skateboarder, so there is very real danger of a serious accident.
- Another incident involved cyclists, riding on the sidewalk, weaving in and around the pedestrians. In their haste, the cyclists darted out across one of the side streets - not stopping at the corner; at that moment, an automobile was turning onto the side street from Elm, and I witnessed a near accident.

The City of Manchester Ordinance reads:

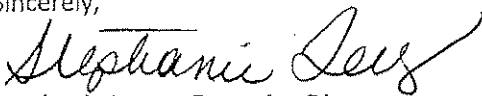
**§ 72.10 RIDING ON SIDEWALKS PROHIBITED; ERECTION OF SIGNS.**

*No person shall operate a bicycle upon any sidewalk within the city, and the Surveyor of Highways, upon request from the Chief of Police, is hereby authorized to erect signs on any sidewalk or highway prohibiting the operating of bicycles thereon. ("71 Code, § 5-10) Penalty, see § 70.99*

While it has been suggested that there are already far too many signs in downtown, nonetheless, it may be reasonable to post a few signs in the CBD, reminding riders that they are not to be on the sidewalk.

Thank you for your consideration of this issue.

Sincerely,

  
Stephanie Lewry, Executive Director

Thomas R. Clark.  
City Solicitor

Thomas I. Arnold, III  
Deputy City Solicitor

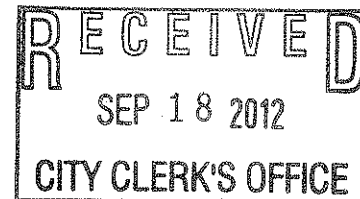


Peter R. Chiesa  
Gregory T. Muller  
John G. Blanchard  
Jeremy A. Harmon

**CITY OF MANCHESTER**  
*Office of the City Solicitor*

September 18, 2012

Committee on Public Safety and Traffic  
c/o Matthew Normand, Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101



**Re: Bicycles and Skateboards on Sidewalks**

Gentlemen:

At your meeting on August 6, 2012 the Committee on Public Safety, Health and Traffic requested that I review current ordinances related to the use of bicycles and skateboards on City sidewalks.

Ordinance §72.10 (Attached) prohibits operating a bicycle on a sidewalk. The penalty reference in §72.10 should be updated as I cannot find a §70.99 in the ordinances. As operating a bicycle on a City sidewalk is prohibited painting a sign on the pavement such as the sign pictured in the attachment to Stephanie Lewry's letter of August 29, 2012 is permissible should the Committee and the Board of Mayor and Aldermen so desire.

While there is an ordinance regulating the use of motorized skate boards (See the §75.01 et. seq. attached) there is no ordinance prohibiting the use of skateboards on sidewalks. There is an ordinance prohibiting the use of skateboards on a city street, except while crossing a street on the crosswalk. See §70.24 attached.

The Board of Mayor and Aldermen has the authority to regulate the use of skateboards on sidewalks should it wish to do so. If the Board of Mayor and Aldermen decides to regulate the use of skateboards on sidewalks the Board should devote some consideration to the areas within the City where skateboard use will be restricted.

I will be in attendance at the next meeting of the Committee on Public Safety, Health and Traffic should there be any questions.

Very Truly Yours,

Thomas I. Arnold, III  
Deputy City Solicitor

One City Hall Plaza • Manchester, New Hampshire 03101 • (603) 624-6523 • FAX: (603) 624-6528  
TTY: 1-800-735-2964

E-Mail: [solicitor@manchesternh.gov](mailto:solicitor@manchesternh.gov) • Website: [www.manchesternh.gov](http://www.manchesternh.gov)



## Manchester, NH Code of Ordinances

**§ 70.24 ROLLER SKATES AND SIMILAR DEVICES.**

(A) It shall be unlawful for any person upon roller skates, skateboards, or riding in or by means of any coaster, toy vehicle or a similar device, which is motorized or non-motorized to go up on any roadway except while crossing a street on a crosswalk.

(B) It shall be unlawful for any person to use a skateboard or similar device whether motorized or non-motorized in zones restricted by regulation of the Committee on Traffic and Public Safety.

(C) The provisions of this section shall not apply to an electric personal assistive mobility device as defined by R.S.A. 269:1 et seq.

(Ord. passed 8-6-02)

**§ 72.10 RIDING ON SIDEWALKS PROHIBITED; ERECTION OF SIGNS.**

No person shall operate a bicycle upon any sidewalk within the city, and the Surveyor of Highways, upon request from the Chief of Police, is hereby authorized to erect signs on any sidewalk or highway prohibiting the operating of bicycles thereon.

('71 Code, § 5-10) Penalty, see § 70.99

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## Manchester, NH Code of Ordinances

**§ 72.10 RIDING ON SIDEWALKS PROHIBITED; ERECTION OF SIGNS.**

No person shall operate a bicycle upon any sidewalk within the city, and the Surveyor of Highways, upon request from the Chief of Police, is hereby authorized to erect signs on any sidewalk or highway prohibiting the operating of bicycles thereon.

('71 Code, § 5-10) Penalty, see § 70.99

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## Manchester, NH Code of Ordinances

**CHAPTER 75: MOTORIZED SCOOTERS**

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## Section

*General Provisions*

- 75.01 General provision; definition
- 75.02 Obedience to traffic-control ordinances; effect of conflict
- 75.03 Obedience to traffic-control devices; exceptions
- 75.04 Age requirements
- 75.05 Equipment required
- 75.06 Speed; direction
- 75.07 Yielding right-of-way
- 75.08 Noise
- 75.09 Rental

*Licenses*

- 75.11 Licenses required
- 75.12 Application
- 75.13 Issuance
- 75.14 Fee; duration
- 75.99 Penalty

**GENERAL PROVISIONS****§ 75.01 GENERAL PROVISION; DEFINITION.**

(A) This chapter shall govern the use of all motorized scooters, also known as go-peds or motorized skateboards, on all public streets, alleys and highways within the city and the property of any designation owned by the city.

(B) For the purpose of this chapter the term **MOTORIZED SCOOTERS** shall mean any vehicle with a gas or electric engine and wheels joined, in tandem, to the bottom of a narrow platform with a vertical handle fixed to the platform, frame or wheels which is intended to be ridden in a standing position.

(Ord. passed 4-6-04)

## **§ 75.02 OBEDIENCE TO TRAFFIC-CONTROL ORDINANCES; EFFECT OF CONFLICT.**

Any person operating a motorized scooter upon any public highway or path within the city shall operate the same in accordance with all the provisions contained in the traffic ordinances of the city.

(Ord. passed 4-6-04) Penalty, see § 75.99

## **§ 75.03 OBEDIENCE TO TRAFFIC-CONTROL DEVICES; EXCEPTIONS.**

All official traffic signals, signs, and other control devices within the city used in regulating and directing traffic must be obeyed, unless otherwise directed by a police officer; and on public highways where authorized signs are erected, indicating that no left, right, or "U" turn is permitted, no person or persons operating a motorized scooter in the city shall disobey the regulation contained therein, except that when such person dismounts from the motorized scooter to make any such turn, he shall obey all the traffic ordinance provisions applicable to pedestrians.

(Ord. passed 4-6-04) Penalty, see § 75.99

## **§ 75.04 AGE REQUIREMENTS.**

The use of a motorized scooter is allowed by anyone 16 years of age or older; anyone under this age is restricted from using them. A valid motor vehicle driver's license is not required to operate a motorized scooter.

(Ord. passed 4-6-04) Penalty, see § 75.99

## **§ 75.05 EQUIPMENT REQUIRED.**

(A) No person shall operate a motorized scooter unless it is equipped with a brake. Operators shall wear footwear consisting of a sturdy sole and which completely covers the feet and toes.

(B) Any motorized scooters operated upon any way during the period from one-half hour after sunset to one-half hour before sunrise, and whenever rain, snow or fog shall interfere with the proper view of the road shall be equipped with a lamp emitting a white light visible from a distance of 300 feet in front of the motorized scooter and with a red reflector on the rear which shall be visible from a distance of 300 feet to the rear when directly in front of the headlamps of a motor vehicle.

(Ord. passed 4-6-04) Penalty, see § 75.99

**§ 75.06 SPEED; DIRECTION.**

Motorized scooters shall not be operated within the city at a speed greater than is reasonable and prudent under the conditions then existing, and shall be operated as near the right-hand side of the highway as practicable, exercising due care when passing a parked vehicle, or one proceeding in the same direction.

(Ord. passed 4-6-04) Penalty, see § 75.99

**§ 75.07 YIELDING RIGHT-OF-WAY.**

Motorized scooters emerging from an alley, driveway, or building within the city shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, or driveway yield the right-of-way to all pedestrians approaching on the said sidewalk or sidewalk area; and upon entering the highway shall yield the right-of-way to all vehicles approaching on said highway.

(Ord. passed 4-6-04) Penalty, see § 75.99

**§ 75.08 NOISE.**

No motorized scooter shall make any unreasonably loud, disturbing or unnecessary noise.

(Ord. passed 4-6-04) Penalty, see § 75.99

**§ 75.09 RENTAL.**

No person shall rent, or offer for rent, any motorized scooter within the city unless it is properly licensed and equipped in accordance with the provisions of this chapter.

(Ord. passed 4-6-04) Penalty, see § 75.99

## ***LICENSES***

**§ 75.11 LICENSES REQUIRED.**

No person shall ride or propel a motorized scooter on any public highway within the city, or upon any other public path unless such motorized scooter has been properly licensed as herein provided.

(Ord. passed 4-6-04) Penalty, see § 75.99

**§ 75.12 APPLICATION.**

Any person requiring a license for a motorized scooter shall submit his application in writing to the Chief of Police, or his authorized agents. Each application shall be made on an approved form to be provided by the Police Department and contain such information as the Chief of Police may deem necessary for the proper enforcement of this chapter.

(Ord. passed 4-6-04)

#### **§ 75.13 ISSUANCE.**

It shall be the duty of the Chief of Police or his agents to act on all motorized scooter license applications received and to issue the same when the provisions of this chapter have been complied with by the applicant, including the certification by the applicant that the motorized scooter is in good and safe mechanical condition.

(Ord. passed 4-6-04)

#### **§ 75.14 FEE; DURATION.**

(A) The fee for each motorized scooter license issued shall be \$5. A motorized scooter shall be considered registered for the entire life of the motorized scooter, unless the plate provided by the Chief of Police has been mutilated, destroyed, altered, or the ownership of the motorized scooter has been transferred to another person.

(B) Upon transfer of ownership of the motorized scooter the new owner shall re-register the motorized scooter as provided in § 75.12.

(Ord. passed 4-6-04)

#### **§ 75.99 PENALTY.**

Any person or persons violating any act or provision of this chapter shall be fined not more \$25 for the first and \$50 for a second offense. Any person or persons violating this chapter on a third, or more, time must appear.

(Ord. passed 4-6-04)

#### **Disclaimer:**

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1.800.445.5588.

# NO RIDING



# ON SIDEWALK

Matthew Normand  
City Clerk

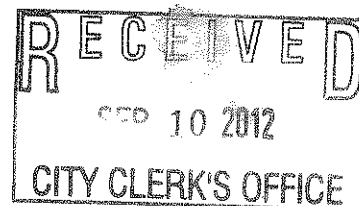


Heather Freeman  
Assistant City Clerk

JoAnn Ferruolo  
Assistant City Clerk

**CITY OF MANCHESTER**  
*Office of the City Clerk*

**MEMORANDUM**



TO: Committee on Public Safety, Health & Traffic  
Aldermen Katsiantonis, Long, Roy, Osborne

FROM: Patrick Arnold *PA*  
Alderman – Ward 12

DATE: September 10, 2012

RE: Traffic Signal at Front Street and Dunbarton Road

As the Committee is aware, traffic volume and congestion on Front Street has been worsened by nearby developments over the Hooksett border. In October 2011, I requested the Committee to authorize a traffic signal study for the intersection of Front Street and Dunbarton Road.

At your meeting on February 6, 2012, the Committee received the notification under cover from the Deputy Traffic Director that the above-referenced intersection met the warrant criteria for a full traffic signal. Additionally, the Committee was provided a copy of the traffic study performed in 2007 which verified the justification of fully signaling the intersection.

I respectfully request the Committee to reconsider authorizing the upgrade of the intersection at Dunbarton Road and Front Street to a full traffic signal.

Thank you in advance for your consideration.

In Board of Mayor and Aldermen  
Date: 9/18/12  
On motion of Ald. O'Neil  
Seconded by Ald. Levasseur  
Voted to refer to the Committee on  
Public Safety, Health and Traffic.

*Matthew Normand*  
City Clerk

# **TITLE XX TRANSPORTATION**

## **CHAPTER 231 CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS**

### **Discontinuance of Class IV, V and VI Highways**

#### **Section 231:43**

##### **231:43 Power to Discontinue. —**

I. Any class IV, V or VI highway, or any portion thereof, in a town may be discontinued by vote of a town; provided, however, that:

(a) Any highway to public waters, or portion of such highway, laid out by a commission appointed by the governor and council, shall not be discontinued except with the consent of the governor and council.

(b) Any class V highway established to provide a property owner or property owners with highway access to their property because of a taking under RSA 230:14 shall not be discontinued except by written consent by such property owner or property owners.

II. Written notice shall be given to all owners of property abutting such highway, at least 14 days prior to the vote of the town.

III. No owner of land shall, without the owner's written consent, be deprived of access over such highway, at such owner's own risk.

**Source.** RS 54:1. CS 58:1. GS 65:1. GL 71:1. PS 72:1. 1903, 14:1. 1925, 19:1. PL 79:1. 1931, 12:1; 121:1. RL 95:1. 1943, 68:1. 1945, 188:1, part 9:1. 1949, 13:1. RSA 238:1. 1981, 87:1. 1991, 36:1. 1995, 77:3, eff. June 8, 1995.

# **TITLE XX TRANSPORTATION**

## **CHAPTER 231 CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS**

### **Discontinuance of Class IV, V and VI Highways**

#### **Section 231:45**

**231:45 Subject to Gates and Bars.** – Any class IV, V or VI highway, or any portion thereof, may be discontinued as an open highway and made subject to gates and bars, by vote of the town. Such a discontinued highway shall not have the status of a publicly approved street.

**Source.** RS 54:1. CS 58:1. GS 65:1. GL 71:1. PS 72:1. 1903, 14:1. 1925, 19:1. PL 79:1. 1931, 12:1. RL 95:1. 1945, 188:1, part 9:2. RSA 238:2. 1969, 332:1. 1981, 87:1, eff. April 20, 1981.



Mayor Gatsas, Aldermen, Ladies and Gentlemen,

I'm Phil LeBlanc, manager and part owner of LeBlanc's TrueValue Hardware. We're family owned, and have been in business for over 45 years.

Our first location was at 156 Wilson St. until a tragic fire destroyed our business in 1973. We relocated to 252 Jewett St. in 1974.

Outgrowing that location we moved to 621 Hayward St. where we have been for the last 32 years.

We are here tonight to discuss the closing of Hayward Street.

Alderman Bill Shea said it was the Mayor and Aldermen who proposed and passed an ordinance to close Hayward St.

For those who know the lay of the land Hayward St. has been an active thru street, where drivers avoid the slow moving and congested traffic of Valley St.

We started a petition after many complaints by customers and local businesses.

Kevin Shepard informed me that the jersey barriers would be removed and replaced with a gate, a gate that would remain closed and opened at their will. He also said the gate was for the safety of city employees who work in the yard.

Many city employees who are and will work at the complex said this was a bunch of BUNK.

My proposals are : A. That the gate remain open permanently.

B. That the gate remain open during regular business hours and if necessary install speed bumps to slow the speed of traffic.

Politicians like to say that small businesses are the heart of the community. Many small businesses are struggling with the economy and

competition. Keeping Hayward St. closed has affected many of the neighborhood businesses.

Our customers find it irritating and confusing, especially the elderly, in navigating the detour. Rogers St. is one of the detours drivers take. They drive too fast for a street that is not much more than a backstreet, a danger to all who work or travel this street.

I present to Mayor Gatsas and the alderman a petition with over 500 signatures signed by customers, business owners, who live, work, and vote in this great city called Manchester.

Paraphrasing one of our greatest and most beloved presidents, Mayor Gatsas and aldermen, TAKE DOWN THIS BARRIER!

# BUSINESSES AFFECTED BY THE CLOSURE OF HAYWARD STREET

## Petition for the Removal of Barriers at The Manchester Municipal Complex

To: Mayor Ted Gatsas, Manchester Board of Alderman's, and Director of Public Works and Highway Division Kevin Sheppard.

We the undersigned respectfully express our opposition towards the installation of barriers at the Municipal Complex and desire to have the barriers removed. These obstacles block the flow of traffic running through Hayward Street from Lincoln Street to Wilson Street. These barriers are burdensome to local businesses and adversely impacts the safety of the neighborhood.

The following have agreed with this position:

<u>Name:</u>	<u>Address:</u>	<u>Phone Number:</u>
BRUCES YAR (Woke)	445 Hayward St	641-1115
Norman & Bill Bruce	460 Jolly St	622-3467
MARGIES DREAM	172 HAYWARD ST	627 7777
GEORGE KOKKINOS	172 HAYWARD ST	234 1543
A.W. Therrien Co.	149 Hayward St.	669-3344
Richard C. Benhamme	11 Shaw Dr. Bedford	472-5021
CAUDY KINGDOM	235 HAYWARD ST	641-8470
Richard Capers	4465 BROWN AVE	860 3407
JAY GIRARD	455 HAYWARD ST	622 8142
AL GIRARD	455 HAYWARD ST	622-8140
Richard Ducharme	65 WORTHLEY RD	351-9478
CLAIRE CHAUVEAU	371 Concord Rd	493-9286
LAURENTE PRESS INC	455 HAYWARD ST	622 8142
DEAN TVE	479 Hayward St.	672-9878
Dan Lorge		
Rose Davis	195 Lincoln St	627-7869
M.L. HALL		
Auto Service Solutions (Auto BN)	9 Rogers	669-7482
Jason Bill	598 Rechar Rd	487-2819
ADVANCED AUTO REPAIR	264 WILSON ST	668-8538
RUSSEL BLISSON		
ROBAT HOLDINGS LLC	60 ROBERT ST	493-2281
TOM DEBLOIS	824 S. MAMMOTH	493-2281
GILBERT DRIVE LINE	340 MASSACHUSETT ST	623-3061
Bruce Gilbert	88 COLMAN RD AUBURN	483-8993
LENNAY OIL	264 WILSON ST	625-9231
RON LORRY	264 WILSON ST	625-9231

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The following have agreed with this position:

<u>Name:</u>	<u>Address:</u>	<u>Phone Number:</u>
Joe Provender	79 Kennard Rd	603 361 3098
Mark Knochmal	445 Beacon Ave.	603 623-7936
Ron Petto	929 Harvard	603 610 0038
Mark Higgins	167 SAGAMORE ST	603 627-0503
Yphs adote Skates	186 Green St	603 622 4726
Don Leveson	27 Walnut St	603 621 4828
Anna Plafie	445 Cedar St.	603 264-4165
Mauree Leveson	45 Babbaldin	603 203 9287
S. Champagne	220 Wilson Rd	
Paul Miller	960 Kuyper	603-496-1846
John P. Brinkland	25 Nails Rd	603-587-0181
Denise Muehl	133 N. Adams St	624 1292
LISA MUSKOT	49 Church Rd Bedford	493-0000
WINSTON GHAW	49 Church Rd Bedford	"
David Neman	99 MYRTLE ST.	627-4975
Myrtle Pamy	283 Weller	497-2583
Steve Landry	135 Kennard Rd	
R. Fontaine	376 Harvard St	
B. R. R. R.	8 Litchfield	494-9810
Paul Manning	1 Sheff Ave	427-9810
Susan Herbert	177 WILSON ST	533-7333
Anne Marie Swierz	715 Lake Ave	860 9243
Nancy Coppenider	6 Watson St.	627-4261
James Atkins	853 Hayward St.	622-0241
Tom Brown	250 Taylor St.	625-6429
D. J. Miller	1313 Bodwin Rd	661-4141
John Oliver	46 John D. Mackin	623 1152
Stan Bodmer	353 Merrimack	603-365-5474
Henry Chenier	216 Silver	603-668-1314
	3 YORK RD. BEDFORD	603 485-7040
		603-472-3339

469

# Petition for the Removal of Barriers at The Manchester Municipal Complex

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The following have agreed with this position:

Name:	Address:	Phone Number:
<i>[Signature]</i>	67 Ridgefield DR Milford	603-24445
<i>[Signature]</i>	96	
<i>[Signature]</i>	940 Hillman	231-1640
<i>[Signature]</i>	722 Valley St	626-7337
<i>[Signature]</i>	119 Heritage Way	
<i>[Signature]</i>	8 Roford	
<i>[Signature]</i>	471 State St	
<i>[Signature]</i>	500 Pine St	264-2145
<i>[Signature]</i>	193 Green St	603-315-4969
<i>[Signature]</i>	Auburn	603-703-1239
<i>[Signature]</i>	Auburn	603-703-1239
<i>[Signature]</i>	100 Spruce St.	232-7709
<i>[Signature]</i>	324 Underbush St.	603-661-9174
<i>[Signature]</i>	352 MITCHELL	
<i>[Signature]</i>	1262 Hall St.	216-7470
<i>[Signature]</i>	115 Taylor St	
<i>[Signature]</i>	9 DEVCO DR	603-627-456
<i>[Signature]</i>	523 Laydon Dr	669-2093
<i>[Signature]</i>	96 So. Fremont St	603-666-4326
<i>[Signature]</i>	23 Hill St	603-627-1127
<i>[Signature]</i>	445 Cedar St.	603-647-1606
<i>[Signature]</i>	214 RIVER RD.	
<i>[Signature]</i>	Jim DOWNS	
<i>[Signature]</i>	Mission St	603-600-4849
<i>[Signature]</i>	8 Memorial Dr Ma	603-627-6888
<i>[Signature]</i>	290 Capers St	623-0025
<i>[Signature]</i>	627 Overport City	
<i>[Signature]</i>	295 Kaden	540-9169
<i>[Signature]</i>	870 HAYWARD ST	603-661-9700
<i>[Signature]</i>	270 MANNING ST	668-9580
<i>[Signature]</i>	551 Silver St	601-8982

18  
415

433

# Petition for the Removal of Barriers at The Manchester Municipal Complex

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The following have agreed with this position:

Name:	Address:	Phone Number:
Carol Burke	909 Belmont St	603 644-4613
Jana P. Jensen	349 Wilson	603 620 3708
Don Shabille	428 Cohagen	603-669-1564
<del>John B. B...</del>	574 Hooksett Rd	<del>603 663 9081</del>
Jay B...	1375 Bodwell	603 661-4141
Christine Scott	1071 Hamner	603-395 8900
Hector Ortiz	82 HAMBLET ST	603-591-0242
David W. Mc...	528 Lincoln	603 262 6717
Art K...	530 Applebrook St	603-494-1702
Q. McMahon	316 Bury St	603-633-1533
David Gagne	975 Island Pond Rd	603-623-2391
Norm Campbell	151 Lucas Rd	603 621 9761
Jane Soble	449 Haverhill St	603 669 1475
Rick Bartlett	374 Manchester Rd	603 591-2474
Mary Fargue	295 Mystic St	603 867 3013
Russell Gibson	233 TAYLOR ST	603 622-2731
David Fein	264 WINDUST	603 668-0568
Jackie Cloutier	1354 Yarrowd	603-702 9173
Daniel Sirothe	93 Benjamin St	603-361-4391
J. Brown	101 High Crest Rd	603-626-6000
Carl Burke	65 So Hill St	603 644 4606
ROBERT JARVO	135 Stanton St	603 6304
Ray Gaudreau	24 GEORGE ST	603-625 6392
James P...	175 Birch St	603 580 6
D. S. O'Connor	1152 Hayward St	607-7539
Jean Bergeron	29 Old North Hill Rd	603 11 47
Philippe Bergeron	35 W. ROSEMONT AVE	603-11 47
Patricia Bergeron	35 W. ROSEMONT AVE	603 2220
Henry Shivers	131 Highland Park	603 5898
Joe M...	901 ESTWOOD DR	759-4218
Mon T...	161 Cambridge	622-1201

3114

# Petition for the Removal of Barriers at The Manchester Municipal Complex

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The following have agreed with this position:

Name:	Address:	Phone Number:
Rachel Speerer	265 Salmon St	603-682-3845
Brian McDynski	13 Pennacook St	603-788-2329
Brian Lanni	755 Howe St.	603-622-6228
Robert Shaw	1030 clay st.	603-935-7464
Nana Fencaler	334 Parkers St	603-716-3662
Jane Beaulieu	609 So. Main St	603-203-8440
Claude Vincent	878 Somerville	603-826-5820
Mike Takasarian	352 Lowell St	603-930-4240
Lynn Fisher	160 Union St #3	603-490-7051
John Ginnas	116 Portsmouth	603-642-4552
Bill Louis	1 Lennox St	603-232-0000
Phil S...	1414 Wellington Rd	603-623-0493
JIM COVATIS	1686 BROWN AVE	(603) 703-5216
Keith Dyer	78 ASHLAND	603 622-6230
Roll Pennington	77 Edward	(603) 472-3703
Marian Villeneuve	306 Liberty Hill Rd	(603) 472-3703
Victor Villeneuve	306 Liberty Hill Rd	(603) 669-9138
Milton Ingram	300 Kew-Forest Ave	603 668-6597
MARK T. MASON	425 Elm St.	603 674-2022
Anne McGuire	435 Central St	603 625-9476
RAYMOND CAUTHIER	53 CRAWFORD ST	603 264-8566
Betty Delisle	519 Lincoln St	603 6249490
R. Bonares	459 Central St	604-2197
Ald. William P. Shen	147 Penn A	622-8079
Dwaine Paulus	460 Vinton St	235-8248
Domena Rocca	32 GERTRUDE ST	622-8919
C. Koss	1070 BRIDGE ST	624-1213
Stan Wade	Belmont St	396-8312
Billy Gorkort	NORTON AVE.	231 1000
Steve Darby	553 4192 Homles	603 289-1281
	46 Brooklyn Ave	
	573 Vinton St.	

# Petition for the Removal of Barriers at The Manchester Municipal Complex

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The following have agreed with this position:

Name:	Address:	Phone Number:
David Papette	152 Union St City	(603) 731 7297
DAVID SCUDIRE	72 Westwood Dr	623-7668
Steve Watnick	Lake Ave	23-22436
Dennis Cloutier	4A Lindgard	621 0253
John Bartley	163 KNAWTON ST.	669-9146
John Smith	546 Main Rd	486 8821
Michele Blumstein	230 Ray St	365-9992
Jessie Blanchard	465 Laydon St.	235-8316
Jon Dimpson	61 Ellipse	271-2640
Joe Wilk	239 FREMONT ST	669-3553
Anna Chen	374 March St	486 4220
Frank Williams	29 Main Dr #2	782-8553
Steve Fagan	6205 West 2	486-9209
Frank Delong	62 Bayview	603-622 0408
CHIP BERGERON	152 Beech St.	603 668-4365
ANNE-MARIE SWIERZ	62 2nd Orange St	603 232-4028
Daniel Lumen	853 HAYWARD ST	603 622 0241
Dorothy Cooperider	"	"
Cheryl Fauran	250 Taylor St	603 625 6429
John Lakso	38 South Hall St	603-518-5712
Herold Kemp	1325-Bedford Rd	603-661-4141
ATTN: Kemp	671 Cornway Rd	603-716-0176
Nedra C. Dubois	671 Cornway Rd	232 6988
Daniel Dubois	1189 Somerville St	232-6988
Ronald A. Belaski	1189 Somerville St	591-4615
RAY TOYAL	9 Dearborn St	300-3611
Bill Luther	165 Third St	483 2923
John P. P.	Bunker Hill Rd	765-1366
David O. M.	46 S. Taylor St.	669-0404
Elise Roy	142 TALBOT ST.	669-1247
Mike Perry	36 Maple St	603-232-5472
	Bowman Rd	



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The following have agreed with this position:

Name:

Address:

Phone Number:

<u>James E Donohue</u>	<u>245 Harvard</u>	<u>791-9402</u>
<u>Richard Bergeron</u>	<u>787 Hanover</u>	<u>703 6287</u>
<u>James Bergeron</u>	<u>150 Spruce St.</u>	
<u>Pam Berry</u>	<u>401 E High St.</u>	<u>608 6093</u>
<u>Tim Telle</u>	<u>22 Rogers Street</u>	<u>644 8600</u>
<u>Rob Bergeron</u>	<u>303 Central St.</u>	<u>625-1593</u>
<u>Richard Mitchell</u>	<u>178 Knowlton St.</u>	<u>836-5968</u>
<u>Whitney Miller</u>	<u>902 Valley St.</u>	<u>629-9575</u>
<u>Kim Blumhelle</u>	<u>238 Paw St</u>	<u>645-9604</u>
<u>Mark LaMacchia</u>	<u>25 <del>West</del> North St</u>	<u>622-3332</u>
<u>Thomas H. Pan</u>	<u>2nd Philip</u>	<u>815 1117</u>
<u>W.M. Moxey</u>	<u>362 Hanover</u>	<u>866-9832</u>
<u>Bill Stergios</u>	<u>PO Box 217 Candia</u>	<u>540-8556</u>
<u>Richard Henry</u>	<u>129 Anthony St</u>	<u>645-1397</u>
<u>Jacelyn Cronin</u>	<u>3 Pine St</u>	<u>591 5206</u>
<u>Al J. Puglisi</u>	<u>555 Cole St Apt 17</u>	<u>666-002</u>
<u>Michael Alford</u>	<u>136 Thistle Way</u>	<u>603-533-2550</u>
<u>Betty Gaillard</u>	<u>722 Valley St</u>	<u>603-626-7333</u>
<u>John LaMayne</u>	<u>34 STAR CIR AUBURN</u>	<u>603-483-8511</u>
<u>27 <del>North</del></u>	<u>470 Silver St March</u>	<u>603 203 0979</u>
<u>Norman R Dupont</u>	<u>123 Riley Ave March</u>	<u>603-669-2944</u>
<u>Raymond Houle</u>	<u>200 Parkview St</u>	<u>603 622 1940</u>
<u>Perry Chaloge</u>	<u>271 Larson Ave</u>	<u>6234007</u>
<u>NATHANIEL THOMPSON</u>	<u>473 WILSON ST</u>	<u>657-6707</u>
<u>Bob DeSimone</u>	<u>218 WILSON ST</u>	<u>622-8239</u>
<u>Samuel Allen</u>	<u>270 Manchester St</u>	<u>603-401-8315</u>
<u>Mary Zeck</u>	<u>220 WILSON ST</u>	<u>603 486-8272</u>
<u>Nick Pule</u>	<u>919 HAYWARD ST</u>	<u>603 222 9146</u>
<u>Mike DeRubeo</u>	<u>2 Duffett St</u>	<u>396-0148</u>
<u>Jack Pash</u>	<u>33 High Bridge R</u>	<u>345 4190</u>
<u>Monica Anderson</u>	<u>351 2nd High St.</u>	<u>264-4495</u>
<u>Lyne H. Elie</u>	<u>628 Hall St</u>	<u>627-1215</u>

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The following have agreed with this position:

Name:	Address:	Phone Number:
Alex Saidel	268 S. Mammoth Road	603-626-7213
Tyrene M. LeBlanc	116 Oakdale Ave.	603-623-2755
Edwin Stoker	106 HASTINGS STREET FRAM	603-872-1117
Robert Allen	240 S. Main St	603-622-0605
Bob Allen	213 Silver St	603-231-7677
Bob Allen	244 Wilson St	7658442
William	333 Cohas	603-669-3939
Robert Howard	61 Beech St	603-7054
SETH DAVEN	140 Pennsylvania Ave	232-2984
GLENN KAHN	201 S. Taylor Ave	641-0334
GARY LEBLANC	111 Shilwood Dr	714-8197
RANDY MOTORS	61 MAPLE ST MANH	300-7508
Robert Stoddard	35 Holt Ave	663-1026
Steve LeBlanc	270 LAURELS	650-6555
Art Shonick	116 Oakdale Ave	603-289-1470
Michel Arnts	314 Belmont	603-6245254
Kevin LeBlanc	20 Bath St Bedford	603-622-6035
Carol Guenzow	610 Green St	603-495-5388
Russel Bisson	347 ASI ST	603-540-3944
Gregory Brown	759 HARVARD ST	603-661-8528
Walter	316 DePorter St	603-835-9576
Kenney	389 Hayward St	603-893-1884
P. Casag	211 TAYLOR	603-5514
Scott	14 Falls Ave	820-4146
John Martel	18 HIGHLAND PLAZA	609-3493
Hen Buelen	111 Main St	669-4073
Ernie Burton	60 Rensay St	289-9119
Dan Kelly	16 HAYS AVE	582-7377
Paul Rule	787 Corning R	759-1401

# Petition for the Removal of Barriers at The Manchester Municipal Complex

To: Mayor Ted Gatsas, Manchester Board of Alderman's, and Director of Public Works and Highway Division Kevin Sheppard.

We the undersigned respectfully express our opposition towards the installation of barriers at the Municipal Complex and desire to have the barriers removed. These obstacles block the flow of traffic running through Hayward Street from Lincoln Street to Wilson Street. These barriers are burdensome to local businesses and adversely impacts the safety of the neighborhood.

The following have agreed with this position:

Name:	Address:	Phone Number:
<del>Robert Schultz</del>	<del>3035 (N) 03105 3035</del>	<del>2 396 6296</del>
<del>Robert Borealis</del>	<del>506 Hancock St.</del>	<del>674 2138</del>
<del>Robert San Soucie</del>	<del>44 Hulse Rd.</del>	<del>623 0133</del>
<del>Sam Chetters</del>	<del>80 Overlook Ave</del>	<del>603 858 2850</del>
Rocky Cabrera	259 WILSON ST	6
M. CARTER	67 HOLT AVE	603-623-5878
A. KERVILLE	58 DOWNEY AVE	1-603 798 9750
CHRISTOPHER	455 UNION	603 623 1203
Ad. Ornel	814 Dix Street	603 669 7482
Jason Bill	9 Rogers St Manch.	603 625 0289
Ed LEWIS	574 LAKE AV	603 332 5431
MIKE VALLES	357 MITCHELL ST	" 289-2559
Robi Dallano	70 Exeter Ave	" 289-1869
Tam Dallon	70 Exeter Ave	603 247-6330
STANLEY WILLIAM	36 ROSEGATE AVE	" 315-4549
Mandal S. WARDEN	36 ROSEGATE AVE	625 8718
Maureen DeLisio	1001 Hayward St	264-0528
Fernando Alarion	414 Union St.	339-7820
Jonathan Joyce	658 Lake Ave	486-1917
Richard R. Matheson	266 LAUREL ST.	602-9275
Myang Gardner	25 Depot St	336 Baw
W. J. J. J.	Reilly St.	800-5849
Nick Civer	Deer St	785-5730
Greg Peterson	5 Jewett St.	828-337-1684 cell
Elizabeth	73 Manchester St. #	603-300-6909
Randy	31 Cather St.	603-216-4210
Jeff S. Plavins	353 Amherst St	603-622-2735
Shelley	65 Dwan Ave	603-867-3527
Quinn D. Matthe	148 GREEK ROAD 107	603 669 8165
Sean P. White	142 Robinson	607-668-5958
Patrick Graham	32 Debbie St	
Harry J. Lewis	1025 W. 11th St. P.O.	

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The following have agreed with this position:

<u>Name:</u>	<u>Address:</u>	<u>Phone Number:</u>
Ellen Counihan	185 Maple St	603 867-0007
Patricia Duhamel	185 Presidential Rd	603 627-1459
Barbara Dwyer	430 W Westwood Dr	669-0249
Brian Dwyer	923 Elm St	625 4960
John Dwyer	69 Laxon Ave	860-9249
Christopher J King	424 Bartlett St	370-9196
Robert Walsh	114 Weston Street	622-1023
Chris Lee	244 Wilson St	763 6494
Cindy Lee	258 Beach Hill Ave	657 5586
Randy Lee	244 Wilson St	591 0670
John Smith	244 #3 Wilson St	851 0125
Alexis Lee	258 Beach Hill Ave	854 0031
Deanna Turo	244 #3 Wilson St	713 3090
Diana Demont	18 Malvern St	232 2259
Tom Mear	1043 Bay St	361 3687
Erin Shirley	612 Barnette Ave	361-3868
Val Fontaine	1107 Hayward St	
Joey Mear	330 Concord St	627-8994
Mark B	Front St	
Dawn Fisher	160 Union St	490-7051
Robert Spacone	90 Norris St	669-5239
Michael	70 Emily Hill Rd	345 3262
John T. Dwyer	372 Cate Ave	644-5370
Michael B. Dwyer	240 Smith St	629-9252
Baron Ditzenthaler	76 Oakdale Ave	312-9526
Paul Dargis	225 Brackett Rd	603 6699676
Ron Dargis	233 Taylor St	628-2731
Mary O'Grady	411 Haverhill St	622-1732
William J. McCarthy	617 Central St	668-1732
Robert J. McCarthy	85 Weston Rd	232-9113
Brian McCarthy	1415 Elm St	494 2809
Pamela J. Jase	23 Hall St	627-1127

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The following have agreed with this position:

Name:   /  /  

Address:

Phone Number:

MIKE DOWDARD  
JACK COHEN  
AL HERBERT, JR.  
Margaret J. Farrell  
Robert J. Farrell  
J. Michael  
John Carter  
R. A. Passafiume  
Malcolm H. Beaumont Sr.  
J. J. Grogan  
C. W. Langan  
Mary Langan  
Richard J. Langan  
Wally  
Thom J. Langan  
Joel Murphy  
Bob Murphy  
Chris J. Langan  
Dina J. Langan  
Doris J. Langan  
Mae J. Langan  
Terry J. Langan  
B. J. Langan  
Sean McNamara  
Ray Theriault  
Mary Keeney  
Mark Lamarche  
Dave Carver  
B. J. Langan  
B. J. Langan

55 LINCOLN ST  
105 BURNSEN AVE  
235 So. PORTER ST.  
181 Sagamore St  
45 S. P. St  
442 Linden St  
42 Alfred St  
23 Appleton St  
565 Beacon St  
42 Tanager Ave  
87 W. W. St  
Appleton St  
100 Lincoln  
62 Davis St  
77 Hillman Rd  
265 Belmont St  
521 S. B. St  
23 B. Ledge Rd  
148 S. B. St  
695 S. B. St  
1278 Somerset St  
46 S. Taylor St  
82 W. W. St  
6 South Cypress St  
368 Lowell St  
25 Mammoth Rd  
111 Sherwood  
37 Bedford  
43 Flamingo Ave

6685474  
606-2575  
668-4359  
626-3051  
668-8491  
623-3523  
625-1210  
885-3700  
603-641-5028  
603 7266831  
4975044  
860-8764  
623-1456  
669-7500  
6413684  
2352795  
512-9292  
624-4983  
6697683  
625-5367  
651-006  
C. 913 1686  
641-3391  
622-7714  
602-3332  
817-2824  
361 3529  
625-4778

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The following have agreed with this position:

Name:	Address:	Phone Number:
Jayne Egan	134 Norton Ave	603-703-8023
Michael Doherty	351 S MAMMOTH	
Delia Doherty	126 Cottage Ave	603-622-1970
Robert Duvall	393 Ankerst St	
Paul W. Baine	412 Holly Ave	
Mike Szely	160 Mammouth Rd 03109	
Martha Young Deodhane	183 Hayward St	
Bill Miller	41 Pratt St	625-8197
Mary Lessard		11
James Lessard	175 Village St	609 3049
Madeline Shields	9 Old Sails Rd	603-928-7992
Daniel Biron	745 Coral Ave	603-627-2293
Dickie Lorange	325 Harmon Rd	
David Lorange	508 Union St	625-1511
Bob Kemp	12A N. Woodward Ave	261 0597
Stephen S. Balkin	716 HAYWARD ST	603 361 0874
JULIE JUSSIE	339 Harvard St	603 624 1531
Clayton Gile	127 MYRTLES	603 855-6256
RAY SWEET	892 DIX ST	603 361 3457
CHARL GERMANA	158 SUNNYSIDE ST	603 627-1727
SHARON EBOL	684 DIX ST	603-624-6987
Dana Richard	211 Irving - Wilson St	669 1622
DENNIS BELL	129 PROUT AVE	603-4365-6686
DAVID GIOAGROZZI		
Andre Cantin	Harvard St.	
Clay Dupanel		
Dale Dupanel		
Bert Davis		
Tom Davis Jr	387 Belmont St	603 867-4112
DANIEL SKWOZYNSKI	389 CHEST ST	
J COLE	147 West St	
Luc Dupanel		

(32)

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The following have agreed with this position:

## Name:

## Address:

## Phone Number:

Steven Pierce  
Paul Belva  
**Agar Singh**  
Jorge Chumbe  
Chris K. O'Brien  
Donny Tyler  
NORM HEBERT  
Ann Viscavaglia  
Patricia A. Tatham  
Dennis Tubone  
Sonal N. Khurana  
Mike Pawl  
Ellen MacFarland  
Richard D. Brown  
Linda J. Brown  
Susan C. Gauthier  
ARTHUR DESROSIERS  
George Isbards  
Ken Fongas  
Jim Doherty  
TARA McFolgan  
JOHN Bugden  
Guy PLANTE  
Ed McLanson  
Janet Boroff  
R. Francis  
Mary Freitas  
Dorell Davis  
Kandy Pelletier  
Naomi Binko  
GARY TREMBLAY  
J. Martin

960 W. 4th Street  
1082 Montcalm Rd. - 03046  
**Prospect St 0304**  
82 Haverhill St  
19 Sinton St  
236 Jewett Street  
105 RIVERBANK  
493 Amherst St 03104  
152 Purdue Street  
789 B. Hill  
805 PAGE ST  
1667 Union St  
67 Rogers St  
315 Candia Rd  
315 Candia Rd  
47 Leo St 03103  
111 BLAINE ST  
89 SAAMORE ST  
225 Taylor St  
901 SOMERVILLE ST.  
38 Exeter Ave  
33 RIVER FRONT DR #5  
251 MOREY ST.  
15 Cushing Ave  
15 Cushing Ave  
279 Candia Rd  
2111 Pell St  
111 Willson St  
7 High Ridge Ct  
579 CLARK ST  
395 Haverhill St

603-674-0986  
603-774-3843  
978-6835669  
869-2724  
8512-2486  
714 0130  
668-1486  
637-6665  
689-2296  
627-2021  
252-5915  
688-2290  
623-5848  
623-5845  
603-234-5005  
656-9909  
602-2731  
647-2427  
682-9834  
625-2606  
627-1516  
315 0965  
785 0401  
622-9056  
201 1960  
203-0559  
8584212  
MA. N 03003  
702-1127

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The following have agreed with this position:

<u>Name:</u>	<u>Address:</u>	<u>Phone Number:</u>
Cindy Coburn	627 Somerville St March.	625-1658
Michael Leary	51 Kinkscourt	627-2173
William L. Hill	144 Crawford St	624-1216
Leon Marnette	30 Woodburn Ave	649-1787
Patty Regan	739 Grove St March.	289-7764
Tom Jorgensen	12 Ville St	860-6685
Brian Casey	886 Beech St	935-8433
Frank R. L. L. L.	75 Laurel St	261-1121
Joe Lavin	715 Union St	860-7512
Jim Jaskolski	1157 Front St.	623-1944
Greene Fellows	34 Hillsdale Dr	Hopkinton 497-2123
Amin Nawar	8 Olmsted	86-75194
Richard Philibotte	8 Olmsted	445-1435
Sharon Reed	6 Farmer Rd, Hooksett N.H.	235-7701
Tom Shady	184 Bridge St	624-2837
Raul Kohn	802 Yallah	818-3027
Roland Bernate	636 North St. St	555-3319
Kathy Bernate	636 North St. St	553-5517
Pat Dancit	747 So. Beech St	623-0730
Paul Dancit	747 So Beech St	623-0730
Scott Cookman	45 Cog St Manchester	
Sue Palmer	108 So Taylor St	
Will Biron	115 Flit St Manchester	
Deborah Alexander	211 Brickett Rd Manchester NH	
Andrew Blom	1157 Front St	MANCHESTER NH
Wanda Brown	1157 Front St	MANCHESTER NH
Steve Goff	110 Cumberland St	Manchester NH
John Egan	501 Ford Ave	603-203-1211
Charles Holt	345 Prospect St	
Beverly Bernier	107 Hancock St	MANCHESTER NH
Jim	500 Swoey	
William	491 Hawk St	Manchester





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The following have agreed with this position:

Name:

Address:

Phone Number:

Mike Ribbins  
DAVE BAKER  
Jimmie Deniwddie  
Ronald M. Cote  
DAVID LANEANIK

241 CONDO Rd  
8 KILLdeer Dr  
114 Young St  
204 Belmont St - Manch.  
261 WALAMIT ST

603-518-7800  
603-860-2340  
603-391-1124  
603-860-6054  
623-9849

DAVE NIXON  
JOHN PERKINS  
Linda S. M  
MARTIN KAE  
Richard Futato  
Frank D. Goss

77 CENTRAL ST  
1108 Hayward St  
- Cushing Rd  
N ADKINS ST  
245 N. Bond Dr  
283 Twin Bridge R

609-7070  
502-1468  
232-2421  
486-1071  
625-5366  
620-9422

Karl A. Tiedemann  
R. Stodapire  
Philip Thigley  
John Z...

81 RILEY AV.  
417 - Blueville Ave  
370 Laxson Ave Man. 03103  
114 Grove St. Manch.

603-623-5613  
606-1838  
669-3082  
627-7227



**CITY OF MANCHESTER**  
*Board of Aldermen*

**MEMORANDUM**

TO: Committee on Public Safety, Health & Traffic  
Aldermen Katsiantonis, Long, Roy, Osborne, and Gamache

FROM: Alderman Patrick Arnold *PA.*

RE: Parking regulations – Country Club Drive

DATE: January 7, 2013

The Board of Mayor and Aldermen has made several changes to parking regulations on Country Club Drive over the years. Currently, parking is allowed on only one side of the street.

This presented a particularly difficult situation during the most recent snowfall on or about December 29, 2012. Following the snowfall, the city issued an emergency/temporary parking ban on the only side of the street where cars are allowed to park.

Clearly, it is appropriate for the Department of Public Works to exercise its duties concerning plowing and snow removal. Furthermore, I was also glad to learn that city staff worked with the residents as best they could in their enforcement of the emergency/temporary parking ban during the last weekend in December. Nonetheless, this situation gives rise to the need for considering alternatives to the current regulation.

I have had discussions previously with the Public Works Director concerning this issue. I respectfully request that the Committee, in conjunction with the Department of Public Works, consider an alternative to the current parking regulation on this street.

Thank you in advance for your consideration.