

# TOWN OF NEW HAMPTON, NH

## TOWN ORDINANCE

### UTILIZATION OF ROADWAY – TRAFFIC CONTROL OFFICERS

Pursuant to the authority of NH RSA 41:11 and NH RSA 47:17 the Town of New Hampton hereby adopts the following ordinance regarding the use of traffic control officers:

**SECTION 1:** Utilization of the roadway. Prior to the commencement of construction of a roadway or private driveway, repair of a roadway or private driveway or the construction, repair or maintenance of items adjacent to the roadway where such repairs or construction interfere or impede traffic, it will be the responsibility of the contractor, public or private utility company, or private person, to submit a Traffic Control Plan (TCP) to the Chief of Police or his/her designee. In addition it shall be their responsibility to provide one or more, as determined by the Chief of Police or his/her designee, traffic control officer(s) to facilitate the safe passage of motorists, cyclists or pedestrians. Traffic control officers(s) can be either certified traffic control officer(s) or uniformed police officer(s), the choice being determined and approved by the Chief of Police or his/her designee. Also proper signs and notifications will be posted in accordance with State and Federal regulations. These regulations can be found in the Manual of Uniformed Traffic Controlled Devices (MUTCD). This manual pertains to all streets and highways open to public travel. At all times the traffic control officer(s) will be identified by A.N.S.I. Class 2 or better approved reflective safety vests or clothing. The number of traffic control officer(s) needed for a job site shall be determined by the Chief of Police or his/her designee after review of the road size and type, the volume of traffic and expected weather conditions. The Chief of Police or his/her designee will also determine if any fully marked police vehicles with emergency lights are needed in addition to traffic control officer(s) to ensure the safety of motorists, cyclists and pedestrians.

This ordinance shall not apply to work that is being done by the New Hampton Highway Department or the State of New Hampshire Department of Transportation (DOT) as they are exempt by state statute.

**SECTION 2:** In the event that any provision of SECTION 1 is violated, the Chief of Police or his/her designee is empowered to issue a cease and desist order against the property owner, contractor or his employees; such cease and desist order shall remain in effect until there is strict compliance with this Ordinance. In addition, a fine in the amount not to exceed Five Hundred Dollars (\$500.00) per day may be assessed for each day that a violation continues.

This Ordinance shall take effect upon its passage.

*Proposed draft ordinance December 2015*

*Public Hearing February 25, 2016*

*Adopted by the Board of Selectmen on February 25, 2016*