

Town of New Durham  
Heavy Vehicle Ordinance  
TO.03.005

The following Ordinance has been enacted by the Selectmen of New Durham, NH pursuant to the powers granted them in RSA 47:11 and RSA 47:17 (VII) Amends all others.

**STATEMENT OF PURPOSE:**

Due to seasonal weakening of the road surface, obsolescence of bridges or pavements, or other impairment of a roadway, it is often necessary to limit the load permitted on a roadway, street or bridge.

**1. WEIGHT LIMIT:**

- (a) No person, partnership, firm, association or corporation shall drive, place or cause to be driven upon any Town road, street or bridge a motor vehicle or trailer with a gross weight exceeding 6 tons (12000 pounds) during the period so designated by the New Durham Road Agent.

**2. POSTING:**

- (a) A special weight limit sign shall be used to indicate any restrictions. This sign shall be located immediately in advance of the section of road, street or bridge to which it applies. In the case of an extended length of road or street it shall be placed on the right hand side of the restricted road or street approximately 25 feet from any intersected road or street on which the restriction does not apply so that it might be clearly visible from all vehicles turning onto the restricted road or street. A supplementary sign may be necessary on the left hand side of the road or street.

**3. EXCEPTIONS:**

- (a) Exempt from the provisions of this ordinance are all emergency motor vehicles and trailers and essential utility service motor vehicles and trailers. Emergency motor vehicles and trailers are defined as those providing police, fire, and road maintenance services. Essential utility motor vehicles are defined as those providing but not limited to essential telephone, electric or heating fuel services.

4. SPECIAL PERMITS:

(a) Special permits issued by the NH Commissioner of Public Works and Highways are not valid on New Durham Town roads, streets or bridges. Any person wishing to move objects having a weight greater than permitted by this ordinance upon a Town road, street , or bridge , may apply to the New Durham Board of Selectmen , or the New Durham Road Agent as their designee, for a permit to move said object or said vehicle and load upon a Town road, street, or bridge. The Board of Selectmen, or the Road Agent as their designee, may grant a permit for moving said object or said vehicle upon a specified town road, street, or bridge, at a specified time, if, in their opinion, it will not be detrimental to the preservation of the said road, street, or bridge, and the public use thereof, provided that the applicant, if required by the Board of Selectmen or the Road Agent as their designee, shall file a bond to cover any damage to the road, street, or bridge over which the object or vehicle and load may pass and cause to occur , and provided that the applicant shall fulfill such other requirements as may be prescribed by the said Selectmen or Road Agent as their designee. The fee for a special permit shall be in the sum of \$10.00 per vehicle or per object moved.

5. PENALTY:

(a.)Any person, partnership, firm, association or corporation found in violation of this Ordinance shall be issued a civil forfeiture in the amount of \$250.00 for the first offense and for each successive offense a civil forfeiture of \$500.00.This will be paid to the Town of New Durham, NH at the Town Clerks Office within 15 days of issuance. Failure to comply with this procedure will result in a summons to the Rochester District Court. Should the roadway, street, or bridge sustain damage as a result of the violator(s) act, such violator shall be liable for repair or restitution for costs incurred by the Town to repair any sustained damage.

EFFECTIVE DATE:

This Ordinance shall become effective May 1, 2003

Board of Selectmen:

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Town Clerk