



TOWN OF GROTON, NEW HAMPSHIRE WINTER MAINTENANCE ORDINANCE

TITLE: Ordinance Regulating-Winter Maintenance

The Town of Groton, New Hampshire hereby ordains as follows:

PURPOSE: This ordinance is designed to reduce or eliminate activities that impede or interfere with winter maintenance as outlined by the Select Board, Town of Groton. It is intended to enforce illegally stopped or parked vehicles, regardless of whether the vehicle is attended or unattended; to enforce illegally plowing, snow blowing or shoveling snow into the road; and to control the amount of sand that residents are allowed to take for their residence.

DEFINITIONS:

1. **PARKING:** The standing of a vehicle, whether occupied or not, upon a way, other than temporarily for the purpose of and while actually engaged in loading or unloading passenger(s) and/or cargo.
2. **PUBLIC STREETS/ROADWAYS/WAYS:** Shall have the same meaning as "way" as defined in RSA 259:125 (I).
3. **PRIVATE AREAS:** Any street, business or area which is considered private.
4. **VEHICLE:** Includes but is not limited to any car, truck, bus, highway equipment, motorcycle or any other vehicle as defined in RSA Chapter 259.

WINTER MAINTENANCE RESTRICTIONS:

- A. **Parking:** Vehicles must be parked at least 4 feet off the road side to allow for plowing. All residents are required to follow the Town Parking Ordinance which states under Parking Restrictions, section D: Snow Removal: No vehicle shall be parked on any street maintained by the New Hampshire Department of Transportation or the Town of Groton in such a manner so as to impede snow removal. No person shall stop or cause to be stopped, or park any vehicle, so as to impede or interfere with the proper snow clearing operations of the NH DOT or Town, when snow removal operations are in effect. As you are aware, snow removal operations are currently in effect. All vehicles found in violation of this ordinance may be removed (towed) and costs of such removal and subsequent storage of removed vehicles shall be at the expense of the owner of the vehicle.
- B. **Roadways:** If you plow, snow blow or shovel snow from your property into the road, you are required to clean it up and will be held liable for any injuries or damages caused by those conditions if you do not clean it up. As stated in the Winter Maintenance of Roads and Sidewalks that New Hampshire Municipal Association (NHMA) put out, an abutter might, for instance, blow snow onto the sidewalk or into the road, or create runoff from melting snow on a roof that flows onto the sidewalk or road and freezes. In that case, the abutter may be held liable for any injuries or damages caused by those conditions. *Ritzman v. Kashulines*, 126 N.H. 286 (1985).

Moreover, the municipality can require the abutter to correct conditions they have caused to the public sidewalk or road, or to pay the municipality's costs in doing so. Directing water onto a sidewalk or road may cause ice to form and make the sidewalk or road dangerous for public use; this is considered a "violation" under the law, and the abutter may be fined by a court. **RSA 236:19**. Municipalities may notify the abutter of the problem and request them to correct it. **RSA 236:35**. If the abutter does not comply, the municipality can correct the situation itself and a court may order the abutter to repay the municipality the costs of responding to the situation. **RSA 236:29; RSA 236:32; RSA 236:39**.

- C. Sand Allowance: Residents are allowed to take three 5-gallon buckets per storm (15 shovels full) of sand for their residence in Groton only. The use of town sand for commercial sanding or in mechanical sanders is not allowed.
- D. Property in Right of Way: The Town will not be held responsible for the damage to property that is located within the right of way. In the event of personal property damage, the Town of Groton will only be responsible for repair or replace damaged property having been in actual contact with snow removal equipment that is on private property and not within the right of way.
- E. Clearing the end of your driveway: When clearing the snow from the end of your driveway, it may be less frustrating to wait until the snowplow has passed. While we try to minimize the amount of snow that gets plowed into driveways, it is unavoidable. When facing the street, clear snow to the right (or on a one-way street, in the direction of traffic flow). This will minimize the amount of snow pushed back in front of your driveway.

TOWING:

- A. All vehicles found in violation of this ordinance may be removed (towed) at the discretion of the Highway Department and/or Police Department. Costs of such removal and subsequent storage of removed vehicles shall be at the expense of the owner of the vehicle.
- B. Unless safety or other exigent circumstances dictate otherwise, the Highway Department and/or Police Department will not have the vehicle removed until they have attempted to contact the owner and/or operator of the vehicle.

FINES:

- A. Any violation of the offense(s) listed in parking restriction(s) A will result in a fine of \$250.00.
- B. Any violation of the offense(s) listed in parking restriction(s) B, C, D, E, F & G will result in a fine of \$50.00.
- C. Fines shall be paid to the Groton Town Clerk within fourteen (14) days.
- D. If the fine is not paid within fourteen (14) days, the owner/violator will receive a summons to appear in court. Upon conviction and at the discretion of the court, the fine will not be more than \$500.00.


SEVERABILITY: If any word, term, phrase, sentence or clause of this ordinance is found to be invalid by any court of competent jurisdiction, such finding shall not affect the validity of any other word, term, phrase, sentence or clause of this ordinance.

EFFECTIVE DATE:

This ordinance shall be effective upon its adoption and shall remain in full force and effect until amended or repealed by appropriate authority. This ordinance supersedes all prior ordinance(s) on a

similar subject matter. An attested copy of this ordinance shall be recorded with the Groton Town Clerk.

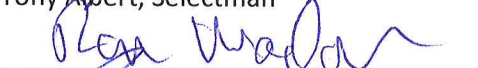
Adopted by the Groton Select Board with an effective date of December 3, 2024.



John Rescigno, Select Board Chair



Tony Albert, Selectman



Ron Madan, Selectman



Ruth Millett, Groton Town Clerk

Date: 12/3/24