

**Town of
Waterville Valley
New Hampshire 03215**

Selectmen's Ordinance #8

Noise Ordinance

An Ordinance prohibiting the creation of an unreasonable amount of noise.

In recognition that Waterville Valley is an existing resort and recreational community attracting many vacationing visitors, it is hereby enacted by the Board of Selectman that:

1. No construction activity that produces an unreasonable amount of noise which may be heard from adjacent and/or public properties shall be permitted before 8:00 a.m. on weekdays, before 9:00 a.m. on Saturdays, and not later than 7:00 p.m. any day.
2. No construction activity that produces an unreasonable amount of noise, which may be heard from adjacent and/or public properties, shall be permitted at any time on Sundays, New Years Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, and Christmas Day.
3. It shall be unlawful to cause a noise disturbance as defined herein. Between 10:00 P.M. and 8:00 A.M. (Monday through Friday) and between 10:00 P.M. and 9:00 A.M. (Saturday and Sunday) created by:
 - a. The operating, playing or using of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which amplifies sound. The operation of the above in such a manner as to be plainly audible at a distance of 50 feet from a building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
 - b. Yelling, shouting, whistling, or singing on a public street, particularly between the hours of 10:00 P.M. and 8:00 A.M., or at any time and place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, or other type of residence, or of any persons in the vicinity.
 - c. The keeping of any animal or bird, which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.
 - d. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boats, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises there from.
4. A person operating in or in control of a parked or moving motor vehicle shall not operate or permit the operation of an electronically amplified sound system in or on the motor vehicle so as to produce sound that is clearly audible in a public right of way or public space more than 50 feet from the motor vehicle, except as otherwise authorized.
5. A person shall not operate a motor vehicle so as to make any loud, unusual, or unnecessary noise occasioned by any one or more of the following actions by the operator:

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- a. Misuse of power, exceeding tire traction limits in acceleration, sometimes known as "laying rubber" or "burning-out" or excessive acceleration where there is no emergency.
- b. Misuse of braking power exceeding tire traction limits in deceleration where there is no emergency.
- c. Rapid acceleration by means of quick up-shifting of transmission gears with either a manual transmission or automatic transmission, or rapid acceleration that causes the front tire(s) of any vehicle to leave the ground.
- d. Rapid deceleration by means of quick downshifting of either a manual or automatic transmission.
- e. Racing of engines by manipulation of the accelerator, gas pedal, carburetor, or gear selection whether the vehicle is either in motion or standing still.

EXEMPTIONS

- 1. An exception for good cause to 1, 2, and 3 may be granted by the Selectman or their agent upon application by the contractor or person wishing to perform noise-creating work during the restricted hours or days. Said permission shall be in the form of a specific written permit.
- 2. Noises resulting from any authorized vehicle, when responding to an emergency call or acting in time of an emergency.
- 3. Noises resulting from emergency maintenance work as performed by the Town, by the State, or by public utility companies, to include snow removal operations.
- 4. Parades and public, private gatherings for which the Town has issued a permit.

An unreasonable amount of noise shall be defined to mean noise that is created by but not limited to, the use of chain saws, electric saws, pumps, bulldozers or similar heavy equipment, hammering, and other forms of construction activity that creates disturbing noise, playing or using of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device, and other forms of activity as covered in this ordinance that creates disturbing noise.

Person shall mean either a natural person or a corporation.

Any person, who violates the provisions of this ordinance, shall be guilty of a violation, and upon conviction, shall be fined not more than \$250.00 for a first offense, and not more than \$500.00 for each subsequent offense. After a person has been notified of the violation, in person, with each occurrence that the violation exists thereafter, will be deemed to be a separate offense.

Town Ordinance #8, date July 13, 1988, is hereby amended and shall be effective May 11, 2021.

TOWN OF WATERVILLE VALLEY
By It's Board of Selectmen

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**Town of
Waterville Valley
New Hampshire 03215**

Selectmen's Ordinance #15

Wild Animal Ordinance

In recognition that Waterville Valley is a resort and recreational community with a large number of transient visitors and guests that is encircled by the White Mountain National Forest, which is also home to an ever-increasing number of wild animals, this ordinance is adopted in an effort to assist our residents and guests in peacefully coexisting with the wild animals upon whose habitat we are infringing. Additionally, this ordinance is intended to enhance and further the free and safe use of and movements on the public areas of the Town.

In further recognition that these animals are indeed wild animals that should be left alone for the welfare and safety of both the animals and of our residents and guests, it is hereby enacted by the Board of Selectman that:

- I. No person shall engage in the practice of baiting wild animals.
 - a. For purposes of this ordinance, baiting shall mean the placing of any food or other substances so as to lure or attract wild animals.
 - b. For purposes of this ordinance, wild animals shall include ducks/waterfowl, fur-bearing and game animals as defined by NH RSA 207:1.
- II. No person shall deliberately use an artificial light to illuminate, locate, or attempt to locate wild animals.
- III. No person shall knowingly track or follow wild animals on foot or by the use of motorized vehicle, bicycle, or other conveyance within the zoning confines of the Town of Waterville Valley.
- IV. No person shall loiter with 100 feet of the solid waste dumpsters nor shall they knowingly approach with 100 feet of any wild animal within the zoning confines of the Town of Waterville Valley.

The provisions of this Ordinance shall apply to all persons except those licensed by the State of New Hampshire, Department of Fish and Game.

Any person who knowingly violates the provisions of this ordinance shall be guilty of a violation and subject to a fine of not more than \$500.00.

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A person may choose to pay a civil forfeiture of \$25.00 to the Town Clerk within 48 hours of the time notice of violation is provided and shall thereby waive the right to be heard in district court and shall not be prosecuted for that offense. For each subsequent offense by the same person, the amount of civil forfeiture shall be \$50.00. However, civil forfeiture may not be paid after three (3) offenses in one (1) year, but rather their case shall be disposed of by district court proceedings and fines.

This ordinance shall be effective August 1, 1993.

Town of Waterville Valley
By Its Board of Selectmen

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**Town of
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New Hampshire 03215**

Selectmen's Ordinance #16

Alternative/Modified Heating Systems Ordinance

In recognition of the increasing interest of property owners in the Town of Waterville Valley in the installations of alternative and modified heating systems and of the inherent public safety elements attributed to such installations, it is hereby enacted:

- I. The installation of any alternative or modified heating system shall be made in compliance with all applicable codes; namely, State Fire, Building, and Mechanical Code (IBC, IRC, IMC); applicable NFPA codes such as but not limited to 1, 31, 54, 58, 70, 96, 101, 211 and 720; and the NH Energy Code.
- II. The installation of any alternative or modified heating system requires an application for and receipt of a building permit from the Town of Waterville Valley.
- III. The management of individual condominium complexes shall be responsible for and take the lead in the coordination of the installation of alternative or modified heating systems within its complex. The management shall be responsible for submitting to the Town an overall installation plan and specifications including fuel storage location and fuel spillage precautions, identification of a supplier, and identification of the unit type and fuel.
- IV. Individual alternative installations within each condominium complex shall be accomplished through one supplier and shall utilize the same type of unit and fuel and shall require the submission of an installation plan by the condominium management before issuance of building permits by the Town.
- V. All alternative or modified heating systems in commercial, assembly, or multi-family dwellings occupancies shall have fire blocking separating each level above and horizontally between the appliance and the adjacent level or unit.
- VI. All fuel storage tanks shall be installed underground and/or in compliance with the above-mentioned codes. All supply lines and piping shall be underground, protected, and hidden from public view. All landscaping in the disturbed area shall be restored.
- VII. All individual installations shall have a carbon monoxide detector affixed in the living area and fuel spillage precautions in place.
- VIII. The location, placement, and installation of all storage tanks, supply lines, and piping, and all individual heating units shall be inspected and approved by the Code Enforcement Officers of the Town of Waterville Valley before the issuance of an "Approval to Use" notification.

- IX. The installer of each system and/or unit shall supply the Town with a certificate indicating that the equipment **supplied** and installed are suitable for the purpose and that the installation was accomplished in compliance with applicable codes and regulations as well as the manufacturer's instructions and requirements.
- X. As-built plans and diagrams with manufacturer's equipment manuals and instructions attached shall be submitted **before** final approval by the Code Enforcement Officers of the Town of Waterville Valley.

Any person who knowingly violates the provisions of this Ordinance shall be upon conviction guilty of a violation and subject to a fine of not more than \$500.00, for each day the condition exists.

This Ordinance shall be effective July 22, 1994.

Town of Waterville Valley
By Its Board of Selectmen

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**Town of
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New Hampshire 03215**

Selectmen's Ordinance #17

Building Permits Ordinance

It is hereby ordered that any legal entity planning to build within the limits of the Town of Waterville Valley shall, prior to the start of construction, file an application for a building permit with the Town. An informational and instructional packet relative to suggested procedures, adherence to adopted codes, rules, and regulations, and municipal structure is available at the town office.

The term "planning to build" shall include all types of construction, public or private, of any size or character, including additions, alterations, work involving mechanical, electrical, plumbing, HVAC systems and cosmetic repairs to existing buildings.

In general, construction with a value of less than (*an amount based on a portion of the average of permits, see attached) shall not require a permit. However, if any construction, addition, repair, or modification includes licensed work, (i.e., electrical, plumbing, gas fitting, etc.) or impacts any provision of the life safety code, a permit will be required regardless of value.

Maintenance projects do not require a permit. A maintenance project is defined as any reconstruction, repair, or renovation where the project is replacing a portion of the structure or component with in-kind materials. (i.e., Asphalt shingles with asphalt shingles, PT decking with PT decking, repaving an existing paved driveway/parking lot, etc.) This does not include licensed work, additions, modifications, or upgrades.

Applications may be obtained from the Town Office and at the time of filing shall be accompanied by the payment of the appropriate fee. Application forms when completed and submitted shall include detailed and explicit information so that the scope of the project is initially illustrated. The Code Enforcement Officers may request any additional information that they deem necessary in the process of approving the application.

Upon approval by the Town, one copy of the approved permit shall be returned to the applicant who shall post the approved permit so that it may be readily observed at the construction site.

The applicant is responsible for scheduling all required inspections for the permitted project with the Town Building Inspector. Any deficiencies noted during these inspections shall be corrected before any further construction and/or any other permits, certificates or inspections are completed. Non-inspection and/or deficiencies not corrected can be subject but not limited to: violation of this ordinance, orders to Cease and Desist, and revocation of permits.

Any person who knowingly violated the provisions of this Ordinance, shall be upon conviction guilty of a violation and shall be subject to a fine of not more than \$500, for each day the condition exists.

This Ordinance shall be effective July 27, 1994; with revision effective May 27, 1998.

Town of Waterville Valley
By Its Board of Selectmen

Original Signed

*Not to be included with the ordinance. Info ONLY.

The average project cost, excluding new construction, by year is:

2019-\$19,654

2020-\$34,172

2021-\$46,963

2022-\$39,719

4yr. average = \$35,127

1/3 = \$11709

¼ = \$8781

The average building permit fee, excluding new construction, by year is:

2019-\$102.15

2020-\$156.72

2021-\$100.06

2022 (Jan-Sept)-\$163.57

**Town of
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Town Ordinance #20 – Municipal Solid Waste Disposal

In recognition of the fact that in the Town of Waterville Valley the collection and disposal of Solid Waste is accomplished in a community-tailored, unique manner which is conducted in the most cost-effective procedure possible to meet the needs of the citizens, this ordinance is enacted to ensure that taxpayers are subsidizing the removal of waste generated only by inhabitants and/or guests of the Town of Waterville Valley.

1. Definition – Municipal Solid Waste (MSW), more commonly known as trash or garbage, consists of everyday items used and thrown away such as: product packaging, bottles, cans, plastic containers/bags, cardboard, paper, newspapers and books, clothing, food scraps, etc. MSW does not include materials and debris from room or building construction or renovation, furniture, appliances, electronics, tools or other such items.
2. Only MSW is allowed to be deposited in Town furnished and serviced dumpsters.
3. No Person shall deposit MSW at the Town's Transfer Station between the hours of 6pm and 6am.
4. No person or entity shall deposit MSW in any dumpster located in the Town of Waterville Valley unless that person or entity is a:
 - a. Resident of the Town
 - b. Owner of property in the Town
 - c. Commercial entity depositing trash generated from within the Town
 - d. Guest of property owner, commercial entity, or resident and staying in a facility located in the Town
5. No person or entity may deposit MSW which is generated outside of the Town in any dumpster located in the Town.
6. No person or entity shall deposit MSW in any dumpster located at an individual condominium or commercial complex unless such waste is generated in said complex.
7. Any person who knowingly violates this ordinance shall, upon conviction, be guilty of a violation and shall be subject to a fine of not more than \$500.00 per offense. The Selectman may also treat any violation as a civil offense and seek civil penalties utilizing the civil procedure authorized pursuant to RSA 149-M II (b).
8. The Board of Selectmen shall have the authority to waive the provisions of this ordinance by majority vote.

9. This Ordinance shall become effective upon its adoption.

Adopted at Town Meeting, March 10, 1998.

Amended at Town Meeting, March 12, 2019.

Amended at Town Meeting, March 8, 2022.

Ordinance #20
As of March 8, 2022
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