

Town of Warner
Town Ordinance 96-1
Timber Harvesting Ordinance

PREAMBLE: Acting upon the authority granted by 79:3 of the Revised Statutes annotated of New Hampshire, the Town of Warner, Board of Selectmen, hereinafter referred to as the Board adopt the following ordinance, establishing the procedure for administration and enforcement of a town-wide timber harvesting ordinance.

PURPOSE: The requirements and standards set forth in this ordinance are to insure the town is notified that a harvest is taking place, the town and Department of Revenue Administration can determine the estimated timber tax due, NH Division of Forest and Lands can track the volume and species of timber being removed from New Hampshire's forest and to notify forest rangers of timber harvesting activity.

JURISDICTION: All lands devoted to forests growth owned or administered by private individual(s), corporation(s), organization(s), or by any federal, state, county, municipal or other public agency.

REGULATIONS: Pursuant to RSA 79:10 a "Notice of Intent to Cut" signed by the owner shall be filed with the Town of Warner prior to the operation commencing. A separate "Notice of Intent to Cut" shall be filed for each parcel intended to be cut unless the individual(s) own contiguous parcels to be cut at the same time.

EXCEPTION: A separate "Notice of Intent to Cut" will be filed by the individual(s) who may own contiguous lands separated by a street, road or river. In no event will the Selectmen approve a "Notice of Intent to Cut" which would combine lands separated by a street, road or river under one (1) notice.

Starting an operation before the "Notice of Intent to Cut" has been filed with the Town and signed by the Board will constitute a violation of state law by the owner or any other person performing the cutting, or both. Failure to post the certificate on the job in a conspicuous place upon receipt from the Commissioner of Revenue Administration will constitute a separate violation of state law.

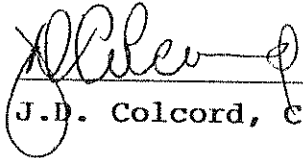
In the event a cutting operation takes place on a seasonal Class V and/or Class VI road(s) the individual(s) will be required to file a "Permission to Haul over a Class VI Roads" permit which will be reviewed by the Road Agent and approved by the Board. The Board, upon recommendation by the Road Agent, will require the posting of a bond, on town roads, by the individual(s) prior to commencement of any hauling. Any operational hauling over roads without first having secured permission from the Board will be in violation of the Limited Weight Ordinance and subject to the penalties established therein. The permit will remain a part of the record on file with the notice. In the event no access to the property has been established the town will require a Driveway Permit be submitted.

OTHER TOWNS: In the event that the timber is to be hauled out over the roads in another town, permission from that town to haul over their roads must accompany the "Intent to Cut" when filed with the Board.

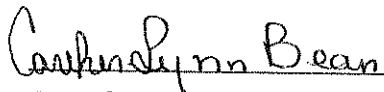
ENFORCEMENT: Failure to provide applicable signatures and comply with requirements of this ordinance will result in a fine not to exceed One Thousand Dollars (\$1,000).

EFFECTIVE DATE: This ordinance will take effect on ~~June 15,~~ ^{JUL 2,} 1996.

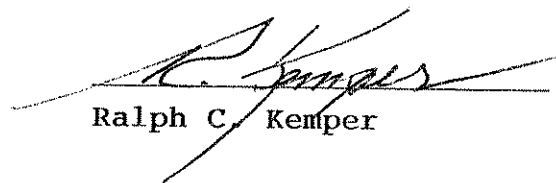
BOARD OF SELECTMEN



J.D. Colcord, Chairman



Carther-Lynn Bean



Ralph C. Kemper

JUL 2, 96
Hearing Date

JUL 2, 96
Adopted Date