

EASTON TOWN ORDINANCES

Revised: February 12, 2018

The following ordinances replace all ordinances and regulations previously enacted by the town except those concerned with planning, zoning, and sub-divisions and the regulations of the trustees of the cemetery.

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ARTICLE I
TOWN ROADS AND TRAFFIC REGULATIONS

1.1 The FOLLOWING ROADS ARE THE Town roads and their classifications:

- Class 2 - Secondary State Highways
 - Easton Valley Road (Route 116)
 - Lost River Road (Route 112)
 - Tunnel Brook Road
 - Loop Road*
 - Paine Road* (from Southern Route 116 Intersection to Cemetery)
 - Sugar Hill Road*

* "State Aid" roads maintained in summer by State and winter by Town

- Class 5 - Town Maintained Public Highways
 - Beaver Meadow Lane
 - Cemetery Road
 - Gibson Road (approx. first 400 feet - within map 3 lots 6 and 13)
 - Gingerbread Road
 - Mountain View Drive
 - Paine Road (from Cemetery)
 - Ruskin Road
 - Valley View Road
 - Vista Lane

- Class 6 - Public Roads Not Maintained by the Town
 - Reel Brook Road (Bailey Road)
- The above class VI road have been declared Emergency Lane by the Select Board.

- Private Roads
 - Cooley Hill Road
 - Gibson Road (outside of map 3 lots 6 and 13)
 - Gingerbread Road (2 extensions)
 - Hummingbird Lane
 - Kempton Drive
 - Kinsman Ridge Road
 - Williams Pit Road
 - North Peak Drive
 - Sugar Bush Lane
 - Slide Brook Road

- Logging Roads and Trails
 - Beech Hill Trail
 - Bowen Brook Road
 - Jericho Trail

ARTICLE I
TOWN ROADS AND TRAFFIC REGULATIONS (continued)

- 1.2 Posting Roads – The Selectmen may close, for a time, or limit the use of a town road as to the type of traffic permitted thereon or the gross weight of vehicles permitted, to prevent excessive or hazardous condition. Such a restriction shall be noticed or posted by an appropriate sign or signs at the road site and by notice posted at the town hall. It shall be unlawful for a person to use a road so posted in violation of the notice. The Selectmen and the Police Chief shall have the right to arrest or otherwise stop a person who has or is in the process of violating this ordinance.
- 1.3 Parking – It shall be unlawful to park a vehicle on any Town road so as to create a hazard, or block partially or totally the road or any driveway, or interfere with snow plowing or sanding operations. The fine for violation of this ordinance shall be \$25. However, if once given notice by a Town Official and the offender persists in continuing the violation, the fine shall be no less than \$200.
- 1.4 Obstruction of Traffic –
- 1.4.1 If a property owner or resident contemplates having an event on his property that may cause an obstruction of traffic, he/she shall obtain a permit from the town. The Town shall issue such a permit if it is reasonable to do so, and may attach such conditions thereto, as may be reasonable. There shall be a fee of \$10 for the permit.
- 1.4.2 It shall be unlawful to create a snow obstruction by plowing snow onto the right of way of any Town Road. Such prohibited conduct constitutes a violation. The fine for violation of this ordinance shall be \$25. However, if once given notice by a Town Official and the offender persists in continuing the violation, the fine shall be no less than \$200.
- 1.5 Emergency Vehicles – Emergency vehicles are exempt from the provisions of this ordinance.

ARTICLE II
FIRE AND LIFE SAFETY REGULATIONS

- 2.1 Inspections of Business, Public Buildings and Public Accommodations – Places of business, public buildings and places of public accommodation may be inspected annually by the Fire Department for hazardous conditions. These may also be inspected at any time there may be reasonable cause to believe an inspection is warranted. A failure to correct material deficiencies noticed in writing to the landowner and/or tenant, within a reasonable time shall entitle the Fire Department to declare the building unfit for occupancy and close the same until the deficiencies are corrected.
- 2.2 Heating and Chimney Installation – The Easton Fire Department shall have the authority to inspect and check all existing central heating and chimney installations upon reasonable notice and at reasonable times. No charge shall be made for this service. All new and substantially altered central heating and chimney installations, that is not part of a valid building permit, MUST be inspected and approved by the Fire Department or Building Inspector under Article VII prior to occupancy or continued occupancy. If the installation is satisfactory, a permit shall be issued, for which there shall be a \$25 fee.
- 2.3 Owner/Tenant Responsibility – A building or homeowner and/or tenant is responsible for the proper use, maintenance, repair and inspection of cooking, heating and chimney installations. All heating and chimney installations, especially wood burning ones, should be cleaned and checked at least once every two years. Such an inspection may be done by an appliance installer or chimney sweep.
- 2.4 Codes Adopted – The Town adopts the 1986 National Fire Code (NFPA 89-M-211), the National Fire Code Life Safety Code 101 and any amendments thereto. All inspections under this Article II shall be done in accordance with these codes and any applicable state statutes or regulations.
- 2.5 Fireworks –
- 2.5.1 The sale, possession and use of fireworks shall be regulated in accordance with state statutes.
- 2.5.2 Setting off fireworks are prohibited between the hours of 22:00 (10:00 PM) and 07:00 (7:00 AM); with the exception on the Forth of July, in which case the time will be extended to midnight (00:00).
- 2.6 Camp Fires, Brush Fires – Campfires, brush fires and the like require a permit from the Fire Warden or Deputy Fire Warden and must be with the landowner’s written permission. Properly enclosed charcoal fires and camp stoves do not require a permit. Outside fires should not be left unattended.
- 2.7 Each Day of an Offense – Each day that a person is in violation of any section of this Article II constitutes a separate offense.
- 2.8 Building Alarms or Security Devices – It is the property owner’s responsibility to ensure that any building or vehicle security alarm system is properly installed, that the system is so maintained as to function properly at all times, and that anyone authorized by the property owner to use his home knows how to operate the alarm system upon entering or leaving the premises. In cases of reoccurring false alarms, there shall be an assessment by the Town in any one 12 month period of \$25 for the second false alarm, \$35 for the third, and \$45 for each false alarm thereafter involving the same alarm system. Each assessment is payable to the Town Clerk within thirty days of notification to the property owner.

ARTICLE III
TOWN TRANQUILITY AND PUBLIC ORDER

3.1 Operation of Motor Vehicles – No person shall operate any vehicle in the Town of Easton so as to make loud, unusual or unnecessary noise. Unnecessary noise shall include any noise occasioned by any one or more of the following actions by the operator of a vehicle: (1995)

- a. Misuse of power exceeding tire traction limits and acceleration, commonly known as “laying down rubber” or “peeling rubber”;
- b. Misuse of braking power exceeding tire traction limits in deceleration when there is no emergency;
- c. Rapid acceleration or acceleration by either quick up shifting or quick downshifting;
- d. Racing of engines by manipulation of gas pedal, carburetor or gear selector, whether the vehicle is standing or in motion;
- e. The blowing of any horn except as a warning signal or the use of any other noise making device whether the vehicle is in motion or standing; or
- f. Improper and/or deliberate installation, maintenance or use of a vehicle exhaust train and muffler so as to have an unnecessarily loud exhaust.

3.2 Construction, Logging, etc.: No construction, logging or any other activity subject to the generation of noise objectionable to persons of average sensibilities shall commence before 7:00 AM on weekdays or 8:30 AM on weekends or legal holidays, or continue beyond 9:00 PM. (1995)

3.3 Public Gathering — No person shall lease out all or any part of any parcel of land or any building or make or collect any charge for admission for the purpose of holding a concert, festival, or gathering of any kind of 25 or more people without first obtaining a permit before from the Selectmen, posting a bond sufficient to ensure proper clean-up and patrolling thereof, and providing proof of adequate liability insurance coverage. (1995)

3.4 Hawkers and Peddlers - Any hawker, peddler or itinerant vendor, trader, farmer, merchant or other person who sells or takes orders for merchandise from temporary or transit sales locations within the Town of Easton shall make application for and obtain a permit for such operation at least one week in advance thereof. The permit shall be good for a period of 30 days and must then be renewed. Any such applicant shall provide the Selectmen with a copy of the applicant’s current valid New Hampshire hawker’s permit. Charitable organizations are exempt from the requirements of this paragraph.

Any such hawker, vendor or peddler permittee under this article shall at all, times operate in a manner which will neither interfere with public safety nor create inconvenience to the public.

3.5 Camping — No commercial activity involving overnight out-of-doors sleeping shall be permitted between November 1st and April 30th, and no campsite shall be closer than 200 feet from any public highway. (1995). A permit from the Fire Warden or Deputy Warden is required for campfires.

3.6 Excavating — Excavating shall be in accordance with RSA 155-E. A fee of \$100 shall be charged for the permit.

3.7 Disorderly Conduct - Unnecessary Noise — See the provisions RSA 642:2, especially part III-a, regarding loud or unreasonable noises which may be a violation (or misdemeanor if a person does not cease the activity when requested).

3.8 Shooting Range — No commercial rifle, pistol, silhouette, skeet, trap, black powder, or other similar range shall be permitted in the Town of Easton. (1995)

3.9 Muzzling and Restraining Dogs —

a. See the provisions of RSA 466:31 and 31-a which states that a person who improperly cares for a dog may be guilty of a violation or subject to civil forfeiture.

b. See the provisions of RSA 466:30-a which prohibits dogs, while off their owner's property, from running loose and must be in immediate control by their owners. This RSA does not include working hunting dogs.

ARTICLE IV
LOGGING

4.1 Requirements - All logging shall be in compliance with applicable State statutes and regulations. Logging should follow the minimum impact standards set forth in “Timber Harvesting Best Management Practices” and “Best Management Practices for Controlling Soil Erosion on Timber Harvesting in New Hampshire”, New Hampshire Division of Forest and Lands, University of New Hampshire cooperative Extension. All required forms can be found online at NH Department of Revenue.

4.2 Improper Operation — The Department of Revenue Administration has primary jurisdiction over logging operations and any irregularities or violations will be brought to DRA’s attention for appropriate action.

4.3 Town Road Entrance Permit — When any part of a Town road will be disturbed for new or existing logging roads, a Town Road Entrance Permit must be obtained. If the disturbance is onto a State road, a State Driveway Permit is required. (Feb 2018)

a) If an intent to cut application is required for the logging operation, the signed and completed intent to cut application is required before a Town Road Entrance Permit will be issued.

b) Town Road Entrance Permits for logging roads are temporary, and expire when the logging operation ceases.

c) The town road entrance for the logging road shall be closed out according to “Best Management Practices for Controlling Soil Erosion on Timber Harvesting in New Hampshire”, New Hampshire Division of Forest and Lands, University of New Hampshire cooperative Extension, or with final approval of the town road/expert agent.

d) It is the landowner’s responsibility to return the ditches, shoulders and town road surface to their previous working condition as soon as it's reasonably practicable.

4.4 Impact on Roads — If the Selectmen, with reasonable cause determine that a logging operation is damaging or may damage a Town road, they may require the operator and/or landowner to post a suitable bond per RSA 236:9-12., to ensure proper road repairs. If a Permit or Bond is deemed necessary, each day of operation without such shall constitute a separate offense. (Feb 2018)

4.5 Hours of Operation — Refer to Article III Section 3.2 for permitted logging hours of operation.

ARTICLE V
RUBBISH, JUNK YARDS, YARD SALES, FLEA MARKETS

- 5.1 Rubbish - Rubbish and household waste shall be disposed of only at the Tri-town recycling center in Franconia, or such other place as may be designated in the future by the Town for that purpose, in accordance with applicable rules and regulations, or through licensed commercial waste collection. Vegetable matter and kitchen garbage may be composted.
- 5.2 Hazardous Waste – No person shall dispose anywhere in the Town of Easton any thing defined by Federal or State law as hazardous waste. (1996)
- 5.3 Yard Sales, etc. — Yard sales or flea markets of more than three days’ duration are not permitted. No resident shall conduct a yard sale or flea market more than once a year without written approval of the Selectmen.
- 5.4 Junk Yards - No person shall establish a place of business which is maintained, operated, or used for storing or keeping, for sale or resale, old or scrap copper; brass; rope; rags; batteries; paper; trash; rubber debris; waste, junked, dismantled or wrecked automobiles or parts thereof; iron; steel; and other old scrap ferrous or non-ferrous material, and no person shall accumulate any such materials, whether or not for sale or resale, where it may be seen from any other property or public highway. (1996)
- 5.5 Sludge – To protect public health and welfare, surface and groundwater resources, the stockpiling and land spreading of municipal sewage sludge and industrial paper mill sludge in the town of Easton is not allowed. This bylaw shall not apply to sewage, septage and/or sludge generated within the Town of Easton, nor shall it apply to Class A sludge derived products sold by the bag. (2000)

ARTICLE VI
TOWN PROPERTY

6.1 Use of Town Property - The use of the Town Hall and Common shall be by application to the Select Board, to which suitable reasonable conditions may be attached such as the requiring of insurance coverage for an event or the posting of a bond to accommodate clean up. A fee for clean up or other costs may be charged. It is the policy of the Town not to permit use of Town property by non-residents except perhaps for political, charitable, or other public-benefiting purposes.

ARTICLE VII
BUILDING PERMITS AND INSPECTIONS

7.1 Permit Required — In accordance with RSA 673:1 and 676.11 a property owner shall obtain a Building Permit* before commencing or allowing any new construction, or substantial reconstruction or remodeling of a building on his/her property, especially construction that adds to a building or increases the bulk and/or exterior dimensions of a building, or the addition of a generator requiring electrical installation. The SelectBoard shall set the fee for a Building Permit.

a. For all roadways that exit onto a Town road, the property owner must obtain a Town Road Entrance Permit. This includes: approved subdivision roads, approved subdivision driveways, other residential lot driveways, and roadways to access agricultural or back land. (Feb 2018)

b. For new logging roads, or existing logging roads for which there are no current valid Town Road Entrance Permits, that exit onto a Town road, the property owner or logging operator must obtain a Town Road Entrance Permit, as provided for in Article IV – Logging. (Feb 2018)

c. For driveways and all roadways that exit onto a State road, the property owner must obtain a State Driveway Permit. (Feb 2018)

7.2 Additional Requirements — The Building Inspector may require for new construction or substantial reconstruction's or remodeling of living units that the building be inspected before the plumbing and electrical work is closed in. "Living Units" shall include residences, motels, summer camps, inns, bed and breakfasts and the like. There shall be a fee for any additional inspection.

7.3 Further Requirement — If a second inspection as per 7.2 is required, the Building Inspector shall make a final inspection before occupancy or continued occupancy. If found satisfactory, especially as to the requirements of Article II, a Certificate of Occupancy shall be issued.

7.4 Building Inspector — The Building Inspector shall be such person as is appointed by the Selectmen. The Selectmen may authorize the paying of a portion or all of the above fees to the Building Inspector for his/her services.

7.5 The Zoning Board of Appeals shall serve as the Building Code Board of Appeals.

7.6 Inspections and permits hereunder and under Article II shall comply with RSA 155:1, 155:17 et. seq. and 155-A.

* Copies of all permit applications are available at Town Hall at the Clerk's office.

ARTICLE VIII
DISCLAIMER

8.1 Disclaimer — Any inspection carried out or any certificate issued under these Articles is not a warranty or guarantee by the Town that the subject building, property or use is in fact properly constructed, sound or safe. The Town is not to be considered liable for any faulty or improper construction, installation or use of a property. Such are the sole responsibilities of the landowner and/or tenant.

ENFORCEMENT

Unless specified in a particular Ordinance, a violation of one of these Ordinances is subject to the penalty provided for in New Hampshire RSA 31:39.

ARTICLE X

Right to A Sustainable Energy Future and Community Self-Government Ordinance

A RIGHTS- BASED ORDINANCE TO PROTECT THE HEALTH, SAFETY AND WELFARE OF RESIDENTS AND ECOSYSTEMS OF EASTON, NEW HAMPSHIRE BY ESTABLISHING A BILL OF RIGHTS FOR EASTON RESIDENTS BY RECOGNIZING THEIR RIGHT TO A SUSTAINABLE ENERGY FUTURE AND BY PROHIBITING THE SITING OF NEW ENERGY PROJECTS THAT VIOLATE THE PEOPLE'S RIGHT TO A SUSTAINABLE ENERGY FUTURE.

Whereas, this ordinance establishes a Bill of Rights which recognizes and secures the civil and political rights of Easton residents; and

Whereas, this ordinance recognizes and secures a right to a sustainable energy future; and

Whereas, this ordinance then prohibits the land acquisition necessary for the construction of unsustainable energy systems, or land acquisition necessary to engage in construction or siting of any structure to be used in the operation of unsustainable energy systems, because such actions would violate the right of Easton to a sustainable energy future; and

Whereas, this ordinance recognizes and secures a right to preserve the aesthetic values of the town, including clean air, pure water, healthy soil and unspoiled vistas that are essential for residents and the tourism that provides economic sustainability for local businesses.

Whereas, this ordinance removes legal powers and authority from corporations within the Town that are in violation of this ordinance or are seeking to engage in activities that are prohibited by this ordinance, in recognition that those legal powers are illegitimate and unjust, in that they place the rights of a corporate minority over the rights and political authority of a majority of Easton residents, thereby nullifying those rights and authority; and

Whereas, this ordinance shall be known and may be cited as "The Town of Easton's Right to a Sustainable Energy Future and Community Self-Government Ordinance"; and

Whereas, this ordinance is enacted pursuant to the inherent right of the residents of Easton to govern their own community, including, without limitation, the Declaration of Independence's declaration that governments are instituted to secure the rights of people, and the New Hampshire Constitution's recognition that "all government of right originates from the people, is founded in consent and instituted for the general good."

Section 1—Findings and Intent

The residents of the Town of Easton recognize that the current energy policies of the State of New Hampshire and the United States have long been directed by a small handful of energy corporations and the directors of those corporations, and that central control over energy policies forces reliance upon unsustainable industrial-scale energy production and denies the rights of residents to a sustainable

energy future.

The Residents of the Town of Easton recognizes that environmental and economic sustainability cannot be achieved if the rights of community majorities are routinely overridden by corporate minorities claiming certain legal powers that bar meaningful regulatory limitations and prohibitions concerning the generation, distribution, and transmission of unsustainable energy. The Residents of the Town also recognizes that sustainability cannot be achieved within a system of preemption which enables those corporations to use state governments to override local self-government, and which restricts municipalities to that lawmaking specifically authorized by state government.

The residents of the Town of Easton find that the protection of their health, safety, and welfare is mandated by the doctrine of the consent of the governed and their inherent right to local self-government. Thus, the town of Easton hereby adopts this rights-based ordinance, which establishes a Bill of Rights for the residents and communities of the town. This Bill of Rights includes the right to a Sustainable Energy Future, prohibits corporations from acquiring land necessary for the construction of unsustainable energy systems, or engaging in the construction or siting of any structure to be used in the operation of unsustainable energy systems, removes certain legal powers from energy corporations operating within the Town of Easton in violation of the Right to a Sustainable Energy Future, and nullifies state laws, permits and other authorizations which interfere with the rights secured by this ordinance.

Section 2. Definitions

- (a) "Corporations", for purposes of this ordinance, shall include any corporation, limited partnership, limited liability partnership, business trust, public benefit corporation, or limited liability company organized under the laws of any state of the United States or under the laws of any country, and any other business entity that possesses State-conferred limited liability attributes for its owners, directors, officers, and/or managers. This term shall not include the Town of Easton municipal corporation, but shall include other municipal corporations, local and state authorities and state and federal agencies.
- (b) "Ecosystem" shall include but not be limited to, wetlands, streams, rivers, aquifers, and other water systems, as well as all naturally occurring habitats that sustain wildlife, people, flora and fauna, soil-dwelling or aquatic organisms.
- (c) "Natural Communities" means communities of wildlife, flora, fauna, soil-dwelling, aerial and aquatic organisms, as well as humans.
- (d) "Energy Systems" means those systems producing, generating, distributing, transmitting, or transporting energy and power.
- (e) "Unsustainable energy systems" means those systems that are controlled by state and federal energy policies, rather than community controlled energy policies; hydro-electric and industrial scale wind power when it is not locally or municipally owned and operated, energy systems using fossil fuels, including but not limited to coal, natural gas, petroleum products, nuclear and radioactive materials and other fuel sources that are non-renewable or which produce toxins and substances that cause injury to humans or natural communities and ecosystems, or that are in violation of residents' rights to a

sustainable energy future. The phrase shall also include any energy system which violates the rights ecosystems and human and natural communities under this ordinance or under other laws. The term shall not include combustion of wood and wood products or the use of propane, kerosene, heating oil, coal, or natural gas when combustion of those fossil fuels is used solely to generate on-site heat or power and the energy produced is not sold, transmitted, or distributed.

Section 3- Statements of Law—Rights of the Residents and the Natural Environment

(a) Right to a Sustainable Energy Future. The residents of Easton have a right to a sustainable energy future in which energy decisions are made by the community and in which fuel sources used to generate energy are renewable and sustainable.

(b) Right to Water. All residents, natural communities and ecosystems in Easton possess a fundamental and inalienable right to sustainably access, use, consume and preserve water drawn from natural water cycles that provide water necessary to sustain life within the Town.

(C) Rights of Natural Communities. Natural communities and ecosystems including, but not limited to, wetlands, streams, rivers, aquifers and other water systems possess inalienable and fundamental rights to exist and flourish within the Town of Easton. Residents of the town shall possess legal standing to enforce those rights on behalf of those natural communities and ecosystems.

(d) Right to Scenic Preservation. All residents of the Town of Easton possess a fundamental and inalienable right to protect and preserve the scenic, historic and aesthetic values of the town, including clean air, pure water, healthy soil, and unspoiled vistas that provide the foundation for tourism and economic sustainability for local businesses. Residents and local representatives have the authority to enact and enforce legislation that guarantees and exercise of local self-government that is protective of these rights.

(e) Right to Self-Government. All residents of Easton possess the fundamental and inalienable right to a form of governance where they live which recognizes that all power is inherent in the people, and that all free governments are founded on the people's authority and consent, and that corporate entities and their directors and managers shall not enjoy special privileges or powers under the law which make community majorities subordinate to them.

(f) People as Sovereign. The Town of Easton shall be the governing authority responsible to and governed by the residents of the town. Use of the "Town of Easton" municipal corporation by the sovereign people of the Town to make law shall not be construed to limit or surrender the sovereign, authority or immunities of the people to a municipal corporation that is subordinate to them in all respects at all times. The people at all times enjoy and retain an inalienable and inalienable right to self-governance in the community where they reside.

(g) Rights as Self-Executing. All rights delineated and secured by this ordinance shall be self-executing and these rights shall be enforceable against corporations and governmental entities, as defined within this Ordinance.

Section 4-Statements of Law-Prohibitions Necessary to Secure a Bill of Rights' Protections

(a) It shall be unlawful within the Town of Easton for a corporation, or any person using a corporation to engage in land acquisition necessary for the construction of an unsustainable energy system, or to engage in construction or siting of any structure to be used in the operation of an unsustainable energy system.

(b) Corporations in violation of the prohibitions of this ordinance or seeking to engage in those prohibited activities shall not have the rights of "persons" afforded by the United States and New Hampshire Constitutions, nor shall those corporations be afforded the protections of the commerce or contracts clauses within the United States Constitution or corresponding sections of the New Hampshire Constitution. Those corporations shall also not be afforded the protections of the 1st or 5th Amendments to the United States Constitution, or the corresponding sections of the New Hampshire Constitution.

(c) Corporations engaged, or seeking to engage in actions prohibited by this ordinance, shall not possess the authority or power to enforce State or federal preemptive law, including eminent domain powers, against the people of the Town of Easton, or to challenge or overturn municipal ordinances adopted by the Board of Selectmen or the residents of the Town of Easton, or interfere with the rights asserted by this ordinance, or interfere with the authority of the Town to protect the health, safety, and welfare of its residents.

(d) No permit, license, privilege, eminent domain authority or charter issued by any State or federal agency, Commission or Board to any person or any corporation operating under a State charter, or any director, officer, owner or manager or a corporation operating under a State charter, which would violate the prohibitions of this Ordinance or deprive any Town resident(s), natural community or ecosystem of any rights, privileges, or immunities secured by this Ordinance, the New Hampshire Constitution, the United States Constitution, or other laws, shall be deemed valid within the Town of Easton.

Section 5- Enforcement

a) Any person, corporation, or other entity that violates any prohibition of this Ordinance shall be guilty of a summary offense, and upon conviction thereof, shall be sentenced to pay the maximum fine allowable under State law for that violation. A separate offense shall arise for each day or portion thereof in which a violation occurs and for each section of this Ordinance found to be violated.

(b) The Town of Easton may enforce this Ordinance through an action in equity brought in the Grafton County District Court or other court of competent jurisdiction. In such an action, the Town of Easton shall be entitled to recover all costs of litigation, including, without limitation, expert and attorney's fees.

(c) Any Town resident shall have the authority to enforce this Ordinance through an action in equity brought in the Grafton County District Court or other court of competent jurisdiction. In such an action the resident shall be entitled to recover all costs of litigation including, without limitation, expert and attorney's fees.

(d) Any person who brings an action to secure or protect the rights of natural communities or ecosystems within the Town of Easton shall bring that action in the name of the natural community or ecosystem in a court of competent jurisdiction. Damages shall be measured by the costs of restoring the natural community or ecosystem to its pre-damaged state, and shall be paid to the Town of Easton or other applicable governmental entity, to be used exclusively for the full and complete restoration of the natural community or ecosystem.

Section 6 -Sustainable Energy Policy

The Town shall implement a Sustainable Energy Policy following the adoption of this ordinance that provides a plan for the community's reduction in use of power from unsustainable energy systems, withing a time frame agreed to by the residents, to be decided by popular vote.

Section 7- Effective Date and Existing Permit holders

This Ordinance shall be effective five (5) days after the date of its enactment, at which point the Ordinance shall apply to any and all commercial production, distribution, transportation, or transmission of energy that would violate this Ordinance regardless of the date of any applicable local, state, or federal permits.

Section 8- People's Right to Self-Government

The foundation for the making and adoption of this law is the people's fundamental and inalienable right to govern themselves, and thereby secure their rights to life, liberty, and the pursuit of happiness. Any attempts to use other units and levels of government to preempt, amend, alter or overturn this Ordinance or parts of this Ordinance, shall require the Town of Easton to hold public meetings that explore the adoption of other measures that expand local control and the ability of residents to protect their fundamental and inalienable right to self-government. Such consideration may include actions to separate the municipality from the other levels of government used to preempt, amend, alter, or overturn the provisions of this Ordinance or other levels of government used to intimidate the people of the Town of Easton or their elected officials.

Section 9 – Severability

The provisions of this Ordinance are severable. If any court of competent jurisdiction decides that any section, clause, sentence, part, or provision of this Ordinance is illegal, invalid, or unconstitutional, such decision shall not affect, impair, or invalidate any of the remaining sections, clauses, sentences, parts, or provisions of the Ordinance. The Town of Easton hereby declares that in the event of such a decision, and the determination that the court's ruling is legitimate, it would have enacted this Ordinance even without the section clause, sentence, part, or provision that the court decides is illegal, invalid, or unconstitutional.

Section 10 – Repealer

All inconsistent provision of prior Ordinances adopted by the Town of Easton are hereby repealed, but only to the extent necessary to remedy the inconsistency.

ENACTED AND ORDAINED this
in Grafton County, New Hampshire

day of , 2012, by the Town of Easton,