

## Committee of Community Members Rewrites Noise Ordinance

Did you see the recent Pearls Before Swine comic strip, when Rat complains to Neighbor Bob about the noisy parties he throws that continue well after midnight?

Neighbor Bob retorts that he can do whatever he wants in his own backyard. Rat tells him to open his door to the backyard, which he does, finding that Rat has sealed the opening with a brick wall. Oh, dear! Clearly there's no Noise Ordinance in that town.

Needing a new Noise Ordinance of our own town, the Andover Select Board proposed an ordinance last March at Town Meeting. Voters rejected the proposed Noise Ordinance, the consensus being that the proposed ordinance was "too big" for our town.

Andover Police Chief Laramie explained that we do not currently have an enforceable Noise Ordinance, making it difficult to respond to complaints. With no enforcement spelled out in the old ordinance, the only recourse for the police has been to treat an incident as a criminal offense, resulting in a punishment that does not fit the "crime."

Three community members volunteered to work with the Select Board to rewrite the ordinance. The group met in October with Chief Laramie and reviewed several examples from neighboring towns. Key points were agreed upon, and a revised and more concise document (below) was produced that the group felt was relevant to our town.

A public hearing will be held on Monday, January 16, at 6 PM. Please come to give us your feedback or ask questions about the revised ordinance, which will, once again, be voted on at Town Meeting in March. We would like to be able to give the residents of Andover and the Police Department a workable tool to deal with noise complaints in our community.

### Text of Proposed Noise Ordinance

In accordance with RSA 31:39, I (n), the Town of Andover hereby adopts the following Ordinance to regulate noise and to provide for the promotion of public health, comfort, convenience, safety, welfare, prosperity and the peace and quiet of the Town and its citizens.

#### SECTION 1: PURPOSE AND INTENT

Because the creation and/or maintenance of loud, unnecessary or unusual noises, within the Town of Andover, which are prolonged, unusual and unnatural in their time, place and use, detrimentally affect public health, comfort, convenience, safety, welfare and prosperity of Town citizens, the Town ordains it necessary and appropriate to enact the following provisions and prohibitions.

#### SECTION 2: PROHIBITED SOUNDS AND EXEMPTIONS

It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary or unusual noise disturbance which annoys, disturbs, injures, or endangers the

comfort, repose, health, peace or safety of others, within the Town's limits, between the hours of 10:30 PM and 7 AM, seven days per week.

The following is a list of specific violations:

A. Horns, signaling devices, and the like. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the Town, except as a danger warning.

B. Any noise occasioned by any one or more of the following actions of or by the operator of any motor vehicle:

1. Misuse of power exceeding the tire traction limits in acceleration, sometimes known as "peeling rubber; or

2. Misuse of braking power exceeding tire traction limits in deceleration where there is no emergency; or

3. Rapid acceleration by means of quick upshifting of transmission gears with either clutch or manual downshifting of transmission gears with either clutch or manual transmission, or automatic transmission; or

4. Rapid deceleration by means of quick downshifting of transmission gears with either clutch or manual transmission, or automatic transmission; or

5. Racing engines by manipulation of the accelerator, gas pedal, or carburetor or gear selection

C. Radio, loudspeakers, phonographs, amplifiers, and the like. The use and operation of any radio, receiver, musical instrument, phonograph, loudspeaker, sound amplifier or other device for the production or reproduction of sound in such a manner as to disturb the peace, quiet, and comfort of neighboring inhabitants or any time with louder volume than is necessary for the reasonable hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto.

D. Animals, birds and the like. The keeping of any animal, bird or pet which by causing frequent and/or long continued noise shall disturb the comfort or repose of any person in the vicinity.

E. Loading, unloading and the like. The creation of a loud and excessive noise in connection with loading or unloading any vehicle, or the opening and destruction of bales, boxes, crate, containers or logs.

F. Construction, repair of building, excavation.

1. Construction or repair of buildings. The erection, demolition, excavation, alteration, or repair of any building other than between the hours of 7 AM and 10:30 PM, except in cases of emergency or urgent necessity in the interest of public health and safety, and then only with a permit from the Zoning Administrator, which permit may be granted for a limited time only while the emergency continues or urgent necessity warrants. If the Zoning Administrator should de-

## Capital Improvement Planning Process Complete for 2016

Current plan can be viewed on Town Web site

**Doug Phelps,**  
Capital Improvement Committee Chair

The 2017 Capital Improvement Planning cycle was completed with the public hearing held on November 16. The current plan, as submitted to the Select Board and the Budget Committee in October, was reviewed at the lightly-attended hearing.

The Capital Improvement Plan is intended as an advisory document for budgetary planning related to projects or equipment costing at least \$10,000 with an expected lifetime of five years. The plan covers the 10-year horizon out to 2026. The state of New Hampshire recommends the plan be revised every one to two years in order to keep the plan relevant to the changing needs of communities.

Items covered in this year's CIP in-

clude:

- Fire Department Vehicle Replacement
- Police Department Vehicle Replacement
- Road Maintenance Expenses
- Grader Replacement
- Town Hall Heating/Ventilating Improvements
- Town Office Computer Server
- Andover Ambulance Replacement
- Andover Elementary/Middle School Facility Upgrade – Bond Analysis

The current Capital Improvement Plan can be viewed on Andover's Town Web site, or a printed copy can be picked up at the Town Hall.

The committee would like to thank all those who cooperated during the planning cycle by providing the vital information needed to complete the process.

**Our 12th Season!**

**Try our new Challenge Trail. Now Eleven Groomed Trails—open 7 days a week.**

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**Day passes also available!**

*Some Hill Ski Club*

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## Year 2, Andover Community Coffeehouse

Thank you to the featured performers!

Thank you to our open mic performers!

Thank you to our sponsors!

Thank you to our audiences!

	2016 Featured performers	2016 Sponsors
January	The Dobros	Anonymous donation
February	CSC Riffed	Fenton's Construction, Inc.
March	Andrea Paquin	Lake Sunapee Bank
April	Mary Maguire	Ragged View Farm
May	Joel Cage	Boynton Law Office
June	Audrey and Clayton	New Horizons Hair Stylists
July	Mo'Combo	The Andover Beacon
August	The Fondtones	Pine Hill Yoga, Kayak Country Paddlesports
September	The Buskers	Ragged Mt. Fish & Game Club Residents
October	The Mink Hills Band	Merrimac Corporate Finance Inc.
November	Sferes and White	Ragged View Farm
December	The Lowe Profiles	Tarte Cafe and Bakery

Open to the public at no cost, Andover Community Coffeehouse concerts take place in the Highland Lake Grange Hall in East Andover, NH, on the third Friday of each month, beginning at 7 p.m. The Coffeehouse is an arm of the Andover Community Association.

[www.AndoverCoffeeHouse.org](http://www.AndoverCoffeeHouse.org)

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