

DISORDERLY ACTIONS ORDINANCE #6

ORDINANCE RELATIVE TO PROHIBITING CERTAIN DISORDERLY ACTIONS WHICH THREATEN THE PUBLIC PEACE, HEALTH AND SAFETY, AND REGULATING CERTAIN USES OF PUBLIC STREETS, WAYS AND SQUARES WITH THE TOWN OF ASHLAND, NEW HAMPSHIRE

Pursuant to RSA 31:39, it is hereby ordained by the Town of Ashland, New Hampshire, as follows:

DISORDERLY ACTIONS: A person shall be guilty of disorderly actions if:

- I.** Such person creates a condition which is hazardous to such person or another in a Public Place by any action which serves no legitimate purpose; or
- II.** Such person
 - a. Engages in fighting or violent, tumultuous or threatening behavior in a Public Place; or
 - b. Directs at another person in a Public Place obscene, derisive, or offensive words which are likely to provoke a violent reaction on the part of any ordinary person; or
 - c. Obstructs vehicular or pedestrian traffic on any public street or sidewalk or the entrance of any public building; or
 - d. Engages in conduct in a Public Place which substantially interferes with a criminal investigation, a firefighting operation to which RSA 154:17 is applicable, the provision of emergency medical treatment, or the provision of other services when traffic or pedestrian management is required; or
 - e. Knowingly refuses to comply with a Lawful Order of a peace officer to move from any Public Place; or
- III.** Such person dumps, discards, deposits, throws or leaves, or causes or permits the dumping, discarding, depositing, throwing, or leaving of litter on any public place.
- IV.** Such persons who carries, transports, possesses or otherwise has under his control and intoxicating liquor, within the limits of or upon any way, public place, public building or grounds of any public building, except in the original container and with the seal unbroken.
- V.** Such person urinates or defecates on any public place or property, or in any private place or property viewable from any public place; or who fornicates or exposes their genitals on any public place or property, or in any private place or property viewable from any public place, under any circumstances which they should know will likely cause affront or alarm.

ADDITIONAL PROVISIONS

VI. DEFINITIONS: As used in the Ordinance,

- a. “Intoxicating Liquor”: shall have the same meaning as defined in RSA 21:33
- b. “Lawful Order” means:
 1. A command used to any person for the purpose of preventing such person from committing any offense when an officer has reasonable grounds to believe that such person is about to commit any such offense, or when such person is engaged in a course of conduct which makes the commission of such an offense imminent; or
 2. A command issued to such person to stop such person from continuing to commit any offense when an officer has reasonable grounds to believe that such person is presently engaged in conduct which constitutes any such offense.
- c. “Litter” means any and all waste products, paper, cans, bottles, glass, rubbish, refuse, garbage, trash debris, animal carcasses, organic waste, or other discarded materials of any kind and description, whether solid, liquid or gaseous.
- d. “Public Building” means any local government or school offices, facilities, or buildings.
- e. “Public Place” means any place within the Town of Ashland to which the public or a substantial group has access. The term includes, but is not limited to, public ways, sidewalks, parking lots, retaining walls, parks, recreation areas, schools, medical or government offices or facilities, and the lobbies or hallways of apartment buildings, dormitories, hotels, or motels.
- f. “Way” shall have the same meaning as defined in RSA 259:125.

VII.

PENALTIES: any person who violates the provisions of this ordinance shall be guilty of a violation, punishable by a fine of not less than \$50.00 but not exceeding \$1000.00.

XI.

SEVERABILITY: If any provisions or language herein is found to be invalid or unenforceable, superseded, or preempted under any law or regulation, such invalid shall not affect any other remaining provision or language which can be given effect without the invalidated portion.

XII.

HEADINGS: The section numbers and headings contained herein are intended for convenience only and are not to be used in the interpretations of this Ordinance.

XIII.

REFERENCES: As used herein, references to New Hampshire Statutes shall be to current Revised Statutes Annotated, or its successors as amended, superseded, or revised.

This Ordinance shall take effect upon passage and shall remain in full force and effect until amended or repealed by appropriate authority. This Ordinance supersedes all prior ordinances or similar subject matter.

Adopted March 12, 2024