

BY-LAWS:**MANAGEMENT OF RT 28 WINDHAM TOWN FOREST: (Parcels 8-B-3001, and 8-B-3002)****SECTION I: PURPOSE**

In order to promote the passive recreational use of the RT 28 Windham Forest area, to manage it for conservation and recreational purposes, and to protect its natural resources, the Windham Town Meeting adopts the following use regulations for the area pursuant to the authority granted to the Town by RSA 31:39.

SECTION II: PERMITTED USES WITHIN THE RT 28 TOWN FOREST

- A) Passive recreational activities, such as hiking, carry-in, carry-out picnics, bird-watching, and other uses that are consistent with the purpose of this By-Law, which is to protect the natural resources of this area.
- B) Hunting is allowed, subject to the prohibitions outlined in Section III.
- C) Camping is permitted in designated area, with the approval of the Conservation Commission.

SECTION III: PROHIBITED USES WITHIN THE WINDHAM TOWN FOREST

- A) Trapping is strictly prohibited. The area will be posted against this activity pursuant to RSA 635:4.
- B) Discharge of firearms, other than for the use of hunting purposes.
- C) The use of motorized vehicles is prohibited, subject to the following exceptions:
 - 1. Upon authorization of the Conservation Commission, motorized vehicles may be permitted for any maintenance or construction work needed to implement the management plans for the area.
 - 2. Law enforcement vehicles/emergency vehicles may be permitted within this area at any time. C) Littering, disposal of garbage or trash.
- D) Cutting, digging up or otherwise willfully damaging trees, shrubs or plants, is prohibited, except as authorized by the Conservation Commission.
- E) Building of fires is strictly prohibited except in the designated area. Permission needs to be granted by the Conservation Commission and the Windham Fire Department.

SECTION IV: VIOLATIONS

Violations of this by-law shall be punishable by assessment of the following fines:

- A) Trapping, discharge of firearms: \$100.00
- B) Unauthorized use of motor vehicles: \$50.00
- C) Littering or disposing of garbage or trash: \$100.00
- D) Unauthorized cutting, digging up or otherwise willfully damaging trees, shrubs or plants: \$100.00
- E) Camping or building of fires, without permission. \$50.00

SECTION V: DISPOSITION OF FINES

All fines collected shall be turned over to the Town Treasurer and deposited into the Town's General Fund.

SECTION VI: ENFORCEMENT

This ordinance shall be enforced by the Windham Police Department.

SECTION VII: VALIDITY

If any section, clause, provision, portion or phrase of this chapter shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of this chapter.

SECTION VIII: WAIVERS

The Windham Conservation Commission is authorized to make exceptions or grant waivers regarding the permitted/prohibited uses within such areas for limited (in time) specific events or activities for good cause shown provided such activity is not inconsistent with the purposes for which such land was acquired as set forth in RSA 36-A:2.

Adopted at Town Meeting March 10, 2015