DISORDERLY ACTIONS ORDINANCE

Section I.

A person shall be guilty of disorderly actions if:

1. He/she knowingly creates a condition which is hazardous to said person or another in a public place by any action which serves no legitimate purpose;

2. He/she does any of the following;

   a. Engages in fighting or violent, tumultuous or threatening behavior in a public place;

   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 an ordinary person;

   c. Obstructs vehicular or pedestrian traffic on any public street or sidewalk or the entrance of any public building;

   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;

3. Such person causes a breach of the peace, public inconvenience, annoyance or alarm, or creates a risk thereof, by:

   a. Making loud or unreasonable noises in a public place, or making loud or unreasonable noises in a private place which can be heard in a public place or other private places, which noises would disturb a person of average

sensibilities; or continuing, or causing to be made or continued any of the foregoing noises after having been requested by any person to diminish or terminate such noises;

b. Using explosives, including explosive fireworks, unless such use is otherwise permitted as may be provided from time to time under the ordinances of the Town of Lancaster;

c. Disrupting the orderly conduct of business in any public or governmental facility;

d. Disrupting any lawful assembly or meeting of persons without lawful authority;

e. Operating any motor vehicle in a public place so as to make excessive noise by any of the following means:

   i. Misuse of power, acceleration, or traction so as to spin the wheels or lose traction;

   ii. Misuse of brake and stopping power in the deceleration of a motor vehicle where no legitimate emergency exists;

   iii. Racing of an engine by means of the accelerator, carburetor or gear selector, either when the motor vehicle is in motion or is stationary;

   iv. Use of the horn other than as a warning signal or to use the vehicle in any manner to create noise which is not incidental to the vehicle's use as a mode of transportation; or

   v. When noise under subparagraph 3(a) is emanating from a vehicle's sound system or any portable sound system located within a motor vehicle, a law enforcement officer shall be considered a reasonable person of average sensibilities for purposes of determining whether the volume of such noises constitutes a breach of the peace, public annoyance, or alarm, and the

officer may take such enforcement action to abate such noises upon detecting the noise, or upon receiving a complaint from another person. Said officer may take the corresponding action as outline in this Town ordinance.

f. No person or persons shall be allowed to dump, deposit, throw, leave, or to cause or permit the dumping, depositing, placing, throwing, or leaving of litter on any public or private property in the Town of Lancaster; or

g. No person shall carry, transport, possess or otherwise have under his/her control any intoxicating liquor, and/or beverage, within the limits of or upon any way, public place, public building or grounds of said buildings, except in the original container and with the seal unbroken.

Section II. Definitions

As used in this ordinance:

1. Intoxicating liquor shall have the same meaning as defined in RSA 21:33.

2. Lawful order means:

   a. A command issued 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

   b. A command issued to any person to stop such person from continuing to commit any offense when a police officer has reasonable grounds to believe that such person is properly engaged in conduct which constitutes any such offense.

3. Litter means any and all waste products, papers, cans, bottles, glass, rubbish, refuse,

garbage, trash, debris, animal carcasses, organic waste, or other discarded materials of every kind and description, whether solid, liquid or gaseous.

4. Loud noise means any noise as previously described in 3(a) herein.

5. Public building means any local government or school offices, facilities or buildings.

6. Public place means any place within the Town of Lancaster 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, recreational areas, schools, medical or governmental offices or facilities and the lobbies or hallways of apartment buildings, dormitories, and hotels or motels.

7. Way shall have the same meaning as defined in RSA 259:125.

Section III. Application for Special Permit

Prior to the commencement of activity which may violate this ordinance, application for a special permit for relief from this ordinance on the basis of undue hardship or any other reasonable ground may be made by submitting a request in writing to the Board of Selectman with a copy to the chief of police.

Any permit granted by the Board of Selectman shall be in writing and set forth all conditions pertaining to the specified noise and reasonable time limit for its abatement. Said request shall be filed in a timely manner to allow review such request.

Section IV. Penalties

Any person who violates the provisions of this article shall be guilty of a violation, punishable by a fine of not less than fifty dollars ($50), but not exceeding one thousand dollars ($1,000).

Section V. Repeal

The provisions of this ordinance shall replace all previous ordinances regulating noise and open container, issued by the Town of Lancaster, and any previous noise and open container ordinances are hereby rescinded.

Section VI. Adoption and Effective Date

The Board of Selectmen adopted this ordinance after passage at Town Meeting on March 10, 2026, and is effective immediately.

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Shane Beattie

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Leon Rideout

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Kathy Jean Lavoie