

Town of Dorchester Health Regulations

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Town of Dorchester Health Regulations

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Section 1: Purpose

1.1 Purpose: Health regulations are established for the public benefit. Defining regulations addressing the public health of the citizens of the Town of Dorchester, to reduce environmental threats, and to enable the removal of nuisances. To establish regulations which in the judgment of the Health Officer and Select Board of the Town of Dorchester are required to assure the health and safety of the people. It is understood that such regulations are adopted to protect the public and their health and environmental resources as a public value and benefit.

Section 2: Authority and Enforcement of the Town of Dorchester Health Regulations

2.1 Authority: RSA Title X paragraph 147 Validity of Municipal Regulation; RSA 31:126;127& 128; Other RSAs, DES rules and HHS rules as are applicable now or adopted in the future to protect the public health interests of the residents of the Town of Dorchester.

2.2 Survivability of regulations: The definition, authority, enforcement, and process in the New Hampshire Revised Statutes Annotated (RSAs), cited in these regulations as of the date of adoption shall be considered part of the Town of Dorchester health regulations and shall endure and continue as the health regulations of the town despite any change or repeal of said cited RSA. The Town of Dorchester does not waive any rights to now or in the future to implement changes to these regulations or to adopt new rules as provide by the RSAs. Conflicts between these regulations and prior or existing or future town regulations, ordinances or Federal or State statutes shall be resolved by following the town regulations first where they are more stringent. Any court action to disallow any portion of this regulation will not invalidate any other portion of this regulation. Nothing in these regulations can be used to avoid compliance with other State or Federal statutes where town regulations do not exist.

2.3 Enforcement

2.3.1 General enforcement: Unless otherwise stated, any person willfully violating the Town of Dorchester Health Regulations shall be guilty of a violation (RSA 147.1: III.). Repeat convictions or judgments for the same violation will result in further action under RSA 147.7.

2.3.2 Penalty for violation or refusal to comply: Unless otherwise stated, any person neglecting or refusing to comply with the provisions of the Town of Dorchester Health Regulations shall be guilty of a violation not to exceed \$50 per violation. Violations brought by the Town of Dorchester or the Health Officer will be prosecuted at the District Court in Plymouth. Any fines or fees levied pursuant to this paragraph shall be deposited in the Town of Dorchester general fund.

2.4 Additional authority and Enforcement:

2.4.1 RSA 147:2 HSS Rule making & Enforcement: The Commissioner of the Department of Health and Human Services (DHHS) shall, adopt other rules pursuant to RSA 541-A, as in the commissioner's judgment the public good requires. The rules shall be enforced by the department of health and human services and local boards of health. The department of health and human services may also enforce, concurrently with towns, the other provisions of this chapter.

Section 3: Complaints, Investigations, Appeals

3.1 Complaints

3.1.1 Health Officers: The Health Officer or Deputy Health Officers may file a complaint of violation of these regulations with the District Court in Plymouth.

3.1.2 Police: Any Police Officer with jurisdiction with in the Town of Dorchester may file a complaint of violation of these regulations.

3.2 Investigations:

3.2.1 Town of Dorchester Investigations Per RSA 147:3: the Health Officer of the Town of Dorchester shall inquire into all nuisances and other causes of danger to the public health.

3.2.2 Other Investigation: whenever the Health Officer shall know or have cause to suspect that any nuisance or other thing injurious to the public health is in any building, vessel, or enclosure they may obtain an administrative inspection warrant under RSA 595-B, including authority to forcibly enter therein and make such search, pursuant to RSA 595-B:5.

3.3 Appeals: Town of Dorchester Issued Complaints: Appeal of any order or warning of the Health Officer can be made to the Select Board up to 7 days prior to a court date or to the court after court action.

Section 4: Public Health Nuisance

4.1 Nuisances

4.1.1 Discharge of Waste & Sewage: No privy, toilet, sink, drain, cesspool, septic tank, or the discharges from such facilities, and no pen or sty for swine, shall be erected or continued in such place or condition as, in the judgment of the health officers, to be a nuisance or injurious to the public health.

The existence of such a discharge or offensive condition shall be a violation.

4.1.2 Garbage and Refuse: A person placing, leaving, or causing to be placed or left, in or near a highway, street, alley, public place, or wharf or on a private disposal site or shall allow to be exposed unburied, any animal or other substance liable to become putrid or offensive, or

injurious to the public health or deposits garbage or refuse on premises not designated for waste disposal shall have committed a violation.

4.1.3 Surface Disposal Water/Sewage

4.1.3.1 Surface Disposal – Roads: No person shall discharge, leave, or cause to be discharged or left, within the limits of any public highway, any drainage or discharges from any privy, toilet, sink drain, cesspool or septic tank. Such discharges that may enter or pass through any open highway ditch or drainage structure constructed and maintained for highway drainage purposes shall constitute a violation.

4.1.3.2 Surface Disposal – Private/ Public lands: No person shall discharge, leave, or cause to be discharged or left, within the limits of the Town of Dorchester, drainage or discharges from any privy, toilet, sink drain, cesspool or septic tank. Such discharges onto private or public lands shall constitute a violation.

4.1.3.2.1 Exception: Disposal of water onto private land from any source which does not constitute a threat to public health or contamination of any water body, water flow or wetland, shall be permitted. This does not exempt the requirements of section 5.

4.1.3.2.2 Exception Determination: The presence of an unhealthy level of E-Coli bacteria levels or unsafe levels of other hazardous waste or toxin shall be used to determine unsafe water discharge in 4.1.3.2.1 and shall eliminate such exception.

4.1.4 Animal Slaughter and other offensive business: If a person shall use or occupy a building or place near a dwelling-house or schoolhouse, in the Town of Dorchester, for a slaughterhouse, a place of deposit of green pelts or skins, or for trying tallow, currying leather, or carrying on any other business that is offensive to the public. Such activity shall be a declared a nuisance and constitute a violation.

4.1.5 Public Littering: No person shall deposit any rubbish within the limits of any highway, park or common, or throw into any street any paper, or other offensive or unsightly substance. Such activity shall be a violation.

4.1.6 Uninhabitable dwellings: Unused housing units which are in uninhabitable due to disrepair will be declared a nuisance. (see 4.2)

4.2 Removal and Notice: Removal and Notice of a nuisance are authorized and defined by RSA 147:4. The health officers may notify, per RSA 147.7-a, the owner or occupant of any building, vessel, premises, or property to remove or destroy any nuisance or other thing therein deemed by them, on examination, to be injurious to the public health, within a time limited. Any assistance required in effecting the removal and in case the owner or occupant, after such notice in writing, given to the owner or occupant or left at the owner's or occupant's abode, shall neglect to comply with the order, the health officers may forcibly enter and cause the

nuisance or other thing to be removed or destroyed. Per RSA147:5 The Health Officer may employ such assistants and laborers as may be necessary, and if resisted shall have the same powers as sheriffs have to command assistance; and any person willfully resisting them or their assistants or laborers, in making the search or removing the nuisance or other thing, shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person. Per RSA 147:6 when the owner of a building, vessel or enclosure is unknown to the health officers, or does not reside in town, and the same is unoccupied, or the occupant is, in their opinion, unable to remove the same, they may, without previous notice, immediately cause the nuisance or other thing by them deemed injurious to the public health found therein to be removed or destroyed.

4.2.1 Expenses for removal: The owner or occupant of a building, vessel or enclosure shall be liable to pay the expense of the removal or destruction of the nuisance or other thing, including the fees of the health officers who order or cause the same to be removed; and the same may be recovered by action brought by the health officers in the name of the town. Collection of Nuisance Abatement Costs will be per RSA 147:7-b.

4.3 Violations - Any person neglecting or refusing to comply with the provisions of Section 4 of the Town of Dorchester Health Regulations shall be guilty of a violation not to exceed \$50 for each day of neglect or refusal after warning notice has been provided, to a maximum of \$1000 per violation. Violations brought by the Town of Dorchester, or the Health Officer will be prosecuted at the District Court in Plymouth. Any fines or fees levied pursuant to this paragraph shall be deposited in the Town of Dorchester general fund.

4.4 Repeated violations - conviction for the same violation will be grounds for the Town to take steps to correct the condition at the owners expense per section 4.2 and 4.2.1

4.5 Vacating - The process for ordering a building vacated will be RSA147:16a

Section 5: Sewage Disposal Systems

5.1.1 Approved Sewage Disposal: approval and definitions of state requirements for permitting waste disposal systems are per RSA 485-A.

5.1.2 System expansion: Per RSA485-A:38 Approval to increase load on a sewage disposal system is required. Prior to expanding any structure or occupying any existing part time structure (camp) on a full-time basis, where such change would increase the load on a sewage disposal system, the owner of such structure shall submit an application for approval of the sewage disposal system.

5.2 Requirements: Per RSA 147.8 no person shall occupy, lease to any other person, or permit any other person to occupy, a building or any part of a building as a dwelling house, office, store, shop, theater, public hall, sleeping apartment or tourist cabin, unless such building shall have readily accessible adequate toilet and lavatory facilities, properly ventilated and

constructed, and kept in proper sanitary condition. Notwithstanding the provisions of this section, privies (outhouses not conveying sewage by water) may be allowed if such facilities are first approved by the health officer as to location and construction of the facilities. Innovative/alternative waste treatment can be allowed subject to prior approval by the Health Officer. At the option of the Health Officer, further approval may be required by the department of environmental services, prior to the construction of such facilities.

5.2.1 Determination: Any lot containing an occupied facility defined per RSA 147.8 will require a sewage disposal system. The connection of any pipe, tube or hose to a dwelling or other defined structure either permanent or seasonal, either for providing water to or removing or draining water, grey water or sewage from the structure shall be deemed to stand as prima facial evidence of requiring a sewage disposal system. Permanent use of off-site facilities is not considered an acceptable means of addressing the septic system requirements under 5.2.

5.2.2 Privies: (a) Privies shall be located at least 75 feet from wells, surface water and neighbor's foundations. (b) Any pit less than 4 feet above the seasonal high water table and/or 4 feet above ledge or impermeable soil shall be sealed.

5.2.3 Sealed holding tank exceptions: Tanks permitted by the State of New Hampshire due to unique requirements that can not be serviced by a leaching system will be allowed. A State certification number is required prior to use. Copies of maintenance and pumping activity is to be furnished to the Dorchester Health Officer by April 1st of each year.

5.2.4 Portable toilets: Portable toilets are permitted as a temporary means of sewage management for a period of 1 year.

5.2.4.1 Maintenance contract required: Any portable toilet must have a service contract in effect, indicating who is providing the clean out service and the frequency of the service. All records of service must be maintained for a minimum of 2 years.

5.2.4.2 Intent: Temporary portable toilets are intended to provide extra service capacity for special events; sewage service for construction sites during the construction period; emergency sewage service due to sewer failure while repairs are made or other seasonal temporary usage. They are not intended to be used for extended residential use.

5.3 Multiple connections: Every building used as a dwelling, or being connected per paragraph 5.2.1 is required to be connected to a sewage disposal system. More than one facility can connect to a disposal systems as long as the combined use and load of the sum of all connections do not exceed the approved system design.

5.4 Existing systems: Existing septic systems which are not complying with the regulations of this section may be allowed to continue use if they are showing no sign of failure, and receive the agreement of the Health Officer.

5.4.1 Immediate compliance required: Evidence of system failure require a state approved design to be installed immediately.

5.4.2 Granting of rights: Execution of a request to continue the use of a non compliant septic system shall constitute an agreement with the town to bring the property into compliance at the landowners expense upon system failure or ten years which ever occurs first. No sale or transfer can occur without the installation of an approved system prior to the transaction.

5.4.3 Failure to reimburse expenses: If the Town of Dorchester expends funds to bring the property into compliance, the land owner is required to reimburse the Town of Dorchester for the cost incurred plus reasonable associated expenses. Failure to reimburse the town for expenses occurred in bringing the property into compliance shall result in a lien to be placed on the property. The same terms of lien and foreclosure will applies as applies to a tax lien.

5.5 Penalties and Prosecution

5.5.1 Violations: Any person neglecting or refusing to comply with the provisions of Section 5 of the Town of Dorchester Health Regulations shall be guilty of a violation not to exceed \$50 for each day of neglect or refusal after notice has been provided to a maximum of \$1000 per violation. Violations issued by the Town of Dorchester or the Health Officer will be prosecuted at the District Court in Plymouth. Any fines or fees levied pursuant to this paragraph shall be deposited in the Town of Dorchester general fund.

5.5.3 Repeated Offenses: Repeated conviction, finding or actions taken for a given violation type may result in further action under RSA 147.7.

5.6 Recreational Vehicles: Recreational vehicles must be responsible for their waste disposal. Acceptable provisions must be made when use exceeds the units holding tank capacity. Upon inquiry and inspection by the Health Officer, the units' owner/operator and or the property owner upon which the unit sits must be able to establish record of proper sewage disposal. This could be a receipt for sewage service, or other proof that the unit has been provided with sewage removal in an appropriate manor Lack of such proof or any evidence of improper disposal will be considered a violation.

5.7 Discontinuance of systems

5.7.1 Unused system: when a new or repaired system leaves a previous system (cesspool, pit or tank) unused, the discontinued system or device shall be removed or filled to avoid future risk of collapse.

5.7.2 Time for removal: Failure to remove a discontinued system or device within 60 days of a written request to remove will be considered a violation for each day the system remains.

Section 6: Campgrounds

6.1 Definition: Recreational campground or camping park a parcel of land on which 2 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency, excluding recreation camps as defined in RSA 485-A:23.

6.2 Water supply: An accessible, adequate, safe and potable supply of water shall be provided in each recreational campground or camping park. Where a public supply of water of sufficient quantity, quality, and pressure is available, connection shall be made to the supply and that supply shall be used exclusively. When a satisfactory public water supply is not available, a private water supply system may be used if approved by the department of environmental services. (RSA216-I:3)

6.3 Disposal System: Sewage disposal shall be furnished (RSA216-I:4)

6.3.1 Approved system: An approved disposal system shall be provided in all recreational campgrounds or camping parks.

6.3.2 Discharges: Sewage or waste water shall be discharged from recreational vehicles or portable recreational toilets into portable sanitary service vehicles, individual sewage disposal system connections, or sanitary stations.

6.3.3 Flush Toilets: Flush toilets or other approved toilet facilities shall be provided in all recreational campgrounds or camping parks.

6.3.4 Trash and other refuse: The storage, collection, and disposal of refuse in recreational campgrounds or camping parks shall be conducted in a manner that will prevent health hazards, rodent harborage, insect breeding, accident or fire hazards.

6.3.5 Sanitary dump station: A sanitary station shall be provided for disposal of waste from recreational vehicle holding tanks, portable recreational toilets and portable sanitary service vehicles. This requirement shall not apply to those recreational campgrounds or camping parks that have individual sewage connections to every campsite.

6.4 Exception: A land owner may be exempted provided that camping units are "self contained" or if dependent, they are provided access to a suitable source for water and sewage disposal; and there is no charge for using the property; and this temporary use does not exceed 26 weeks.

Section 7: Hazardous Waste

7.0 Definition: Waste which by its nature creates an imminent hazard needs to be identified, handled and disposed of with special attention due to its nature, which if uncontrolled could potentially cause injury, contamination, infection or other serious consequence to a person,

land, water, or air. These include but are not limited to household hazardous waste, household infectious waste, other infectious agents, or infectious waste from non household sources.

7.1 Toxins and poisons must be stored in a manner which prevents accidental exposure to others (particularly children) and must be clearly marked with their contents. Examples are cleaning chemicals, garden chemicals; insect and rodent poisons; prescription medications; acid; strong oxidizers and caustic materials.

7.2 Lead Paint – It shall be unlawful for any person to use or apply, or cause to be used or applied, in any child care facility, dwelling or dwelling unit any paint containing more than 0.06 percent lead per RSA 130-A:4

7.3 Special waste: These are incompatible wastes which due to their potential threat to others require special handling. Items which could if contacted could cause infection or danger to others must be stored and disposed of in a manner which will prevent accidental contact. Examples are syringes, bandages or other items containing blood or other bodily fluids, other medical wastes per RSA 147-A.

Mercury and mercury containing items must be disposed of as hazardous wastes. "Mercury-containing device" means any product or component, excluding batteries and lamps, which contains elemental mercury necessary for its operation and housed within an outer casing and the term includes, but is not limited to: Thermostats, Intact mercury-containing ampoules, Thermometers, wet bulb switches etc;

7.5 Used motor oil; Antifreeze & Batteries

7.5:1 Oil, Antifreeze and lead storage batteries: Except as provided in Env-WM 807.01(b) all oil, antifreeze and lead storage batteries shall be contained, stored, handled or transported per Env-Wm 807.

7.5.2 Spillage: Oil Discharge or Spillage will be governed by RSA 146-A

7.5:3 Used Oil Exemption: Persons generating used oil as a household waste shall be exempted from complying with the requirements of Env-Wm 807.

7.6 Other listed hazardous wastes

7.6.1 Hazardous waste listing: Hazardous waste listing per “ Env-Wm 400 Identification of Hazardous wastes”

7.7 Exemptions: pertinent to the Town of Dorchester Health Regulations are as follows. This listing does not absolve compliance with all of the provisions of this cited chapter.

7.7.1 Not Hazardous Waste: The following materials shall not be considered hazardous wastes.

7.7.1:1 Domestic sewage;

7.7.1.2 Irrigation return waters;

7.7.1.3 Excluded scrap metal, as defined in Env-Wm 110.01(c), being recycled.

7.7.2 Exempt from regulation: The following materials shall be exempt from regulation under the hazardous waste regulations:

7.7.2.1 Household wastes, including household wastes treated or recovered, sanitary wastes from septic tanks, and sanitary wastes.

7.7.2.2 Agricultural wastes that are returned to the soil as fertilizers for growing agricultural crops and raising animals;

7.7.2.3 Mining overburden returned to the mine site;

7.7.2.4 Fly ash waste, bottom ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal or fossil fuels;

7.7.2.5 Used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, including mobile air conditioning systems, mobile refrigeration, and commercial air conditioning, provided the refrigerant is reclaimed for further use.

7.8 Violations: Failure to handle, identify, store or dispose of waste under chapter 7 will be considered a violation.

7.8.1 Violations - penalties: Any person neglecting or refusing to comply with the provisions of Section 7 of the Town of Dorchester Health Regulations shall be guilty of a violation not to exceed \$50 for each day of neglect or refusal after notice has been provided to a maximum of \$1000 per violation. Violations issued by the Town of the Town of Dorchester or the Health Officer will be prosecuted at the District Court in Plymouth. Any fines or fees levied pursuant to this paragraph shall be deposited in the Town of Dorchester general fund.

7.9 Methamphetamine Contamination: The existence of any measurable trace of methamphetamine will be deemed prima fascia evidence of a non habitable condition. The property will be considered condemned and not suitable for human use in any way until such time as it is tested and certified by a qualified lab to be a level less than 1 PPM of meth contamination. Test results must be provided to the Selectmen and Town Health officer prior to reuse of property.

7.9.1 Use of a condemned property: Use of a property condemned will be subject to immediate cease and desist order and seizure procedures under RSA 147. Additionally use of a condemned property will be considered a violation.

7.9.2 Exemptions: Work to cleanup or remove a property contaminated with methamphetamines will not be considered "use" under this chapter. This applies to the property owner and his agents.

Section 8: Manufactured Home Parks

8.1 Definition: Manufactured housing is defined and regulated per RSA 205-A when more than one unit is placed on a single tax parcel . The existence of more than one manufactured housing unit on a single parcel shall be considered prima fascia evidence of operating a manufactured housing park.

8.2 Landowner retains responsibility: Notwithstanding any eviction the land owner retains responsibility for mitigating and answering any violation of the Town of Dorchester Health Regulations.

8.3 Septic Required: Septic systems are required for each manufactured home installed on a parcel.

8.3.1 Exceptions: a common septic system is allowed if it has been designed with a capacity to handled all attached units and certified by DES to comply with state septic regulations

8.4 Storage: Manufactured housing storage in excess on one unit per lot will be permitted with the following restrictions. The unit remains uninstalled, unoccupied, not used for any purpose including storage, no connection is made for water, sewage or electricity. The presence of any such use or connection will be considered prima fascia evidence of a violation.

8.5 Rentals: Any rental or lease of a manufactured housing in a park is subject to the RSA 48-A

8.6 Violations: Non compliance with the provisions of chapter 8 will be considered a violation.

Section 9: Definitions or terms used in Health Regulations

"Antifreeze" means an ethylene glycol or propylene glycol based material that is full strength or diluted with only water for use as protection against freezing, overheating, and corrosion of the cooling system of an internal combustion engine or home heating system;

"Health authority" means any health officer appointed under RSA 47:12 and RSA 128:1.

"Commissioner" means the commissioner of the department of health and human services

"Failure" means the condition produced when a subsurface sewage or waste disposal system does not properly contain or treat sewage or causes or threatens to cause the discharge of sewage on the ground surface or into adjacent surface or ground waters.

"Groundwaters" shall mean all areas below the top of the water table, including aquifers, wells and other sources of groundwater.

"Beach" is defined for purposes of the Health regulations as a sloping shore of a surface water body consisting of sand, gravel, or cobble extending from adjacent upland/wetland to or in a surface water body.

"Lot" means a part of a subdivision or a parcel of land which can be used as a building site or intended to be used for building purposes, whether immediate or future.

"Sewage" means the water-carried waste products from buildings, public or private, together with such groundwater infiltration and surface water as may be present.

"Sewage disposal system" means any private sewage disposal or treatment system, other than a municipally owned and operated system.

"Wastewater facilities" means the structures, equipment, and processes required to collect, convey, and treat domestic and industrial wastes, and dispose of the effluent and sludge.

"Bedroom" means a room furnished with a bed and intended primarily for sleeping.

"Innovative/alternative waste treatment" means treatment which differs from standardized and conventional practice, offers an advantage over such practice in a proposed application and satisfies the pollution abatement and treatment requirements for sewerage and sewage or waste treatment systems in such application.

"Hazardous waste" means a solid, semi-solid, liquid or contained gaseous waste, or any combination of these wastes: (a) Which, because of either quantity, concentration, or physical, chemical, or infectious characteristics may: (1) Cause or contribute to an increase in mortality or an increase in irreversible or incapacitating reversible illness; or (2) Pose a present or potential threat to human health or the environment when improperly treated, stored, transported, disposed of or otherwise mismanaged.

"Household hazardous waste" means hazardous waste generated from non-commercial usage by persons in their living abodes.

"Household infectious waste" means infectious waste generated from non-commercial medical treatment of individuals in personal residences, such as needles from self-administered insulin treatments.

"Imminent hazard" means any condition or practice which presents a substantial and immediate threat to human health, safety or the environment.

"Infectious agent" means any organism, such as a virus, bacteria, parasite, fungus or other microbial agent which is capable of being communicated by invasion and multiplication in body tissues and body fluids, and capable of causing disease or adverse health impacts in humans.

"Infectious waste" means any waste which because of its infectious nature may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

"Incompatible waste" means a hazardous waste that is not suited for placement in a particular device because it may cause corrosion or other hazards, or is not suited for commingling with another waste or material because it may produce heat, pressure, or a hazardous reaction;

"Special waste" means any matter consisting of medical or infectious wastes.

"Household cleansing product" means any product, including but not limited to, soaps and detergents used for domestic cleaning purposes, including, but not limited to, the cleansing of fabric, dishes, food utensils and household premises.

"Meth" or "Methamphetamine" are synthetic amphetamines or stimulants that are produced and sold illegally in pill form, capsules, powder and chunks. Methamphetamine may be known as meth, crank, glass, speed, crystal, ice, batu, chalk, shabu, zip or other slang names.

"Meth Lab" is the location used to produce Methamphetamine. Meth labs could be in houses, barns, apartments, trailers, campers, cabins and motel rooms, storage facilities, cars even the backs of pickups.

"Trace quantity of Methamphetamine" means an amount of meth which is measurable by swipe test or other laboratory measurement, and is present either as a consequence of manufacturing, usage or storage.

"Actively manage" means to handle a waste or material, including waste-derived products and recyclable materials, in a controlled manner without causing:(a) A nuisance;(b) An adverse effect to the environment, public health and safety;(c) Accumulations which have no identifiable destination or value; and(d) A loss of material value in the market place due to material damage, degradation and/or contamination

"Campsite" means a parcel of land in a recreational campground or camping park rented for the placement of a tent, recreational vehicle, or a recreational camping cabin for the overnight use of its occupants.

"Campground owner" means the owner or operator of a recreational campground or camping park, or their agents.

"Dependent vehicle" means a recreational vehicle which does not have toilet and lavatory facilities.

"Individual sewage disposal system" means any sewage disposal or treatment system, other than a municipally-owned and operated system, which receives either sewage or other wastes, or both.

"Recreational campground or camping park" means a parcel of land on which 2 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency, excluding recreation camps as defined in RSA 485-A:23.

"Recreational camping cabin" means a structure on a campsite, 400 square feet or less, calculated by taking the measurements of the exterior of the cabin, including all siding, corner trim, molding and area enclosed by windows, but not the roof or porch overhang, or log overhang at corners. It shall be designed not for use as a permanent dwelling but as a temporary dwelling for recreational camping and vacation use.

"Recreational vehicle" means any of the following vehicles: (a) Motorhome or van, which is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle. (b) Pickup camper, which is a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation. (c) Recreational trailer, which is a vehicular, portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections, calculated by taking the measurements of the exterior of the recreational trailer including all siding, corner trim, molding, storage space and area enclosed by windows but not the roof overhang. It shall be designed primarily not for use as a permanent dwelling but as a temporary dwelling for recreational, camping, travel or seasonal use. (d) Tent trailer, which is a canvas or synthetic fiber folding structure, mounted on wheels and designed for travel, recreation, and vacation purposes.

"Sanitary station" means an approved facility used for accepting and disposing of wastes from recreational vehicle holding tanks, portable recreation toilets, or portable sanitary service vehicles.

"Tent" means a portable canvas or synthetic fiber structure used as a temporary dwelling for vacation or recreation purposes.

Section 10: Shooting ranges

10.0 Shooting ranges will be governed by RSA 159-B except as noted in this section

10.1 Shooting range noise

10.1.1 Noise in excess of 110 decibels at one foot from the source will require ear protection.

10.1.2 Noise resulting from operation of a shooting range must be moderated to a maximum of 65 decibels, measured at any and every point of the property where it abuts another's property at a height of 3 feet above the ground surface.

10.4 Violations - Any land owner and/or his agent neglecting or refusing to comply with the provisions of Section 10 of the Town of Dorchester Health Regulations shall be guilty of a violation not to exceed \$50 for each day of neglect or refusal after notice has been provided, to a maximum of \$1000 per violation. Violations brought by the Town of Dorchester, or the Health Officer will be prosecuted at the District Court in Plymouth. The proceeds of actions ordered and fines levied pursuant to this paragraph shall be deposited in the Town of Dorchester general fund.

10.5 Repeat Violations: Repeat violations for the same violation will result in injunctive relief including cease and desist orders.

Section 11: Mining, Excavation and Reclamation

11.1 Mining, excavation and reclamation in the Town of Dorchester will be governed by RSA 12-E and RSA155E in issues of public health except as noted in this section.

11.2 Notification of Danger: Where the slope of any excavation might constitute a danger, a sign or barrier shall be placed to draw attention to the potential danger.

11.3 Violations - Any person neglecting or refusing to comply with the provisions of Section 11 of the Town of Dorchester Health Regulations shall be guilty of a violation not to exceed \$50 for each day of neglect or refusal after notice has been provided, to a maximum of \$1000 per violation. Violations brought by the Town of Dorchester, or the Health Officer will be prosecuted at the District Court in Plymouth. The proceeds of actions ordered and fines levied pursuant to this paragraph shall be deposited in the Town of Dorchester general fund.

Section 12: Infectious Disease or other health emergency

12.1 The Town of Dorchester Health Department may be ordered by the commissioner to perform any emergency health services in a state of emergency. In a declared Health emergency the Health Officer can adopt any regulations or follow any rules stipulated by the Governor or the Commissioner.