

## **Article V** **Metal Detecting on Town Property**

### **§ 159-13. Metal detecting permitted.**

The practice of metal detecting is permitted on or in Town-owned property, in accordance with the procedures and restrictions contained within this article.

### **§ 159-13. Metal detecting prohibited.**

- A. The practice of metal detection is prohibited on or in all Town-owned property if the site is an “historic property,” as defined by New Hampshire Revised Statutes Annotated (RSA) 227-C:1, VI.
- B. The Town of Bow reserves the right to prohibit metal detecting on certain of its properties as it sees fit. The Town Manager, in consultation with the appropriate boards and committees, shall make such determinations.

### **§ 159-15. Permission request.**

- A. A formal request for metal detection activities must first be filed with and approved by the Town Manager. The Manager shall ensure the application does not involve an historic property or other Town parcel where metal detecting is prohibited and that the applicant understands the restrictions that are in effect in Bow as described herein.
- B. Any person receiving permission under this subsection shall, at the completion of the work, restore the Town property to its previous condition.

### **§ 159-16. Legal ownership of found items.**

- A. Any items found while metal detecting shall be promptly reported to the Town.
- B. Unless otherwise exempted herein, any items discovered through this practice are and shall be the property of the Town or released by the Board of Selectmen of Bow.
- C. If the found item in question is an “historic resource”, as defined by New Hampshire Revised Statutes Annotated (RSA) 227-C:1, VII, the person finding or discovering shall take no further action to remove, dislodge, or uncover the item, shall leave it in its present condition, and shall report the discovery of the found item and its location to the Town of Bow and the New Hampshire Department of Cultural Resources.

### **§ 159-17. Exemption to the Town's legal right of ownership.**

Permission may be obtained from the Town Manager to use a metal detector on Town property to locate and recover a specific item of personal property which has been lost by the person requesting the permission. He or she shall present to the Town Manager an accurate description of said item and attest to its ownership and loss. If the owner of the lost item then locates said item as a result of metal detection, then he or she shall bring the item to the Town Manager, who shall determine whether the finder may take possession of it. If the person who finds or locates said item can accurately describe said item and attests to those facts, the finder may take possession of the item.