

TOWN BUILDINGS AND GROUNDS

Chapter 159

TOWN BUILDINGS AND GROUNDS

**Article I
General Provisions**

§ 159-1. Definitions.

§ 159-1.1. Compliance with applicable laws and regulations.

§ 159-1.2. Liquor liability insurance.

**Article II
Bow Municipal Building**

§ 159-2. Use of Municipal Building meeting rooms.

§ 159-2.1. Hours and days of use.

§ 159-3. Use regulations.

**Article III
Bow Community Building and Bandstand**

§ 159-4. Use of Community Building and Bandstand.

§ 159-5. Rental.

§ 159-6. Use regulations.

§ 159-6.1. Posting of signs at bandstand.

**Article IV
Old Town Hall**

§ 159-7. Use of Old Town Hall.

§ 159-8. Rental.

§ 159-9. Use regulations.

**Article V
Bow Bog Meeting House**

§ 159-10. Use of Bow Bog Meeting House.

§ 159-11. Rental.

§ 159-12. Use regulations.

**Article VI
Metal Detecting on Town Property**

§ 159-13. Metal detecting permitted.

§ 159-14. Metal detecting prohibited.

§ 159-15. Permission request.

§ 159-16. Legal ownership of found items.

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

**[HISTORY. Adopted by the Board of Selectmen of the Town of Bow 4-3-1987.
Amendments noted where applicable.]**

**Article I
General Provisions**

[Added 6-30-15 by Board of Selectmen Ord. No. 15-06.]

§ 159-1. Definitions.

For the purpose of this chapter, the words and phrases used herein shall have the following meanings:

- **BOW COMMUNITY INTEREST GROUPS AND ORGANIZATIONS -**
Groups/organizations, based in Bow, devoted to meeting the educational, social, or recreational needs and the development and betterment of Bow residents. 50% of the group/organization members must be residents of Bow.
- **DESIGNATED BOW ORGANIZATIONS -** Organizations as designated by the Board of Selectmen, including Bow Community Men's Club, Rotary Club of Bow, Bow Garden Club, Bow Fire Department Ladies Auxiliary, Bow Young at Heart Club, Bow Open Spaces, Bow Athletic Club, Bow Pioneers Snowmobile Club, Bow Soccer Club, Bow

TOWN BUILDINGS AND GROUNDS

Youth Football, Boy Scout Troop 75, Bow Girl Scouts, Marine Corp League, and the Bow Booster Club. **[Amended by Selectmen 2-9-16.]**

-
- INDIVIDUAL BOW RESIDENT(S) - Domiciled resident(s) of the Town of Bow, New Hampshire.
- NON-BOW GROUPS AND ORGANIZATIONS/INDIVIDUALS - Groups/organizations not based in Bow and individuals who are not a resident of Bow.

§ 159-1.1. Compliance with applicable laws and regulations. Persons or groups reserving any Town building or facility shall comply with all laws and regulations of the State of New Hampshire, and departments, boards, agencies, and commissions which may be applicable to the Premises, including without limitation, fire control laws and regulations, laws and rules concerning the serving and consumption of alcohol, and shall also comply with all applicable Town ordinances and with any rules and regulations issued by the Bow Police Department.

§ 159-1.2. Liquor liability insurance. If alcoholic beverages are to be served and consumed in the Community Building or Old Town Hall, the organization or individual renting these facilities must provide evidence of liquor liability coverage. The organization or individual shall name the Town of Bow as an additional covered party by endorsement and the organization or individual shall provide notice to the Town of Bow of proof of insurance in the form of a certificate of insurance at least ten (10) business days in advance of the event. *[Added by Board of Selectmen 2-15-17 by Ord. No. 17-03]*

**Article II
Bow Municipal Building**

[Amended by Board of Selectmen on 2-15-17 by Ord. No. 17-02.]

§ 159-2. Use of Municipal Building meeting rooms.

It is the intent of the Board of Selectmen to permit use of the meeting rooms at the Bow Municipal Building on a not-to-interfere basis with official municipal activities. Therefore, the use of the meeting rooms will be limited to:

- A. Town of Bow municipal government bodies or departments. The Town of Bow shall always have precedence for use of the facility at any time and reserves the right to void any reservation by other parties at any time. The Town will not exercise this right except in instances where the greater public good will be served, such as the unexpected need to open an emergency shelter, or when a Town-sponsored event for the entire community requires the use of the facility.
- B. Bow School District bodies performing necessary, required duties.
- C. Designated Bow Organizations.

D. Bow Community Interest Groups/Organizations.

§ 159-2.1. Hours and days of use.

The use of Municipal Building meeting rooms shall be limited to the hours of 8:00 a.m. to 11:00 p.m., Monday through Friday. Exceptions to these hours and days may be approved on a case-to-case basis by the Town Manager.

§ 159-3. Use regulations.

- A. Damage. The user shall be responsible for all damages done to the premises.
- B. Alcohol. The consumption of alcohol anywhere on the property is prohibited.
- C. Smoking. Smoking is prohibited anywhere inside the Municipal Building.

**Article III
Bow Community Building and Bandstand**

[Amended by Board of Selectmen on 6-30-2015 by Ord. No. 15-06.]

§ 159-4. Use of Community Building and Bandstand.

It is the intent of the Board of Selectmen to permit use of the Bow Community Building and Bandstand on a not-to-interfere basis with official municipal activities. Therefore, the use of the Bow Community Building and Bandstand will be limited to:

- A. Town of Bow municipal government bodies or departments. The Town of Bow shall always have precedence for use of the facility at any time and reserves the right to void any reservation by other parties at any time. The Town will not exercise this right except in instances where the greater public good will be served, such as the unexpected need to open an emergency shelter, or when a Town-sponsored event for the entire community requires the use of the facility.
- B. Bow School District bodies performing necessary, required duties.
- C. Designated Bow Organizations
- D. Bow Community Interest Groups/Organizations
- E. Individual Bow Residents
- F. Non-Bow Organizations/Individuals

§ 159-5. Rental.

- A. Prior to use, a reservation must be made with the Director of Parks and Recreation and a written rental agreement must be executed.
- B. Rental limit. The facility may not be reserved for more than two consecutive calendar days. Designated Bow Organizations and Bow Community Interest Groups/Organizations may schedule multiple events throughout a calendar year, depending upon availability. Renters must specify a beginning time and an ending time and this time period must include any set-up and clean-up time in addition to the time of the actual event. The rental fees are established by the Board of Selectmen (Chapter 124, Fee Schedule, of this Code).
- C. Security Deposit. Individual Bow Residents and Non-Bow Organizations/Individuals shall pay a Security Deposit established by the Board of Selectmen (Chapter 124, Fee Schedule, of this Code), refundable after inspection of the facility after the event has been concluded. The deposit is subject to forfeiture, all or in part, if it is necessary to repair any damages to the facility or to engage town staff or commercial firms to clean the facility.

§ 159-6. Use regulations. [Amended by Board of Selectmen by Ord. No. 17-02, 2-15-2017.]

- A. Parking. Automobiles shall be parked in the Bow Community Building parking lot on the Town Pond side only; any additional cars may be parked on the Knox Road side of the Bandstand lot only. No cars may be parked on the fire station side of the Community Building. That parking area is reserved for use by firefighters responding to calls or training meetings.
- B. Decorations. Decorations shall be emplaced in the Community Building and/or the Bandstand in a manner that does not alter the facilities in any way. The use of nails, staples, or any other fasteners which cause damage are specifically prohibited.
- C. Cleaning. The renter shall be responsible for returning the facility to the same condition it was in prior to the beginning of each use. Tables shall be cleaned, and tables and chairs returned to their proper storage areas. Trash must be removed, decorations taken down, Bandstand floor swept, Community Building floor swept and wet-mopped, and everything put back in its proper place. Lights should be turned off and windows and doors shut and secured at the Bow Community Building following use. Trash must be removed and put in the dumpster. If renters are unable to attend to the clean-up responsibilities, renters shall inform the Bow Parks and Recreation Department and make arrangements for clean-up. Water (both inside and outside) must be turned off. Failure to fully comply may result in forfeiture of the security deposit.

- D. Yard Sales and Fundraisers. In the event a yard sale or fundraiser is held, no items or trash shall be deposited or left in or about the Bow Bandstand, Bow Community Building, its parking lot, the dumpster, or clothing collection boxes. Renters shall not fill the dumpster with unsold yard sale/fundraiser items but shall instead remove them from the premises for disposal.
- E. Serving and consumption of alcohol. If alcoholic beverages are to be served and consumed in the Community Building, all renters must provide proof of liquor liability insurance accordance with the provisions of § 159-1.2. of this Chapter. Renters will also be required to provide evidence that all State of New Hampshire requirements have been met and may be required to bear the cost of hiring at least one paid police officer for the function. No alcoholic beverages will be allowed outside of the building. No alcohol possession or consumption is allowed on the Bandstand property.

§ 159-6.1. Posting of signs at bandstand. [Amended by Board of Selectmen on 10-14-2014 by Ord. No. 14-04.]

- A. The posting of signs on the bandstand property shall be limited to:
 - (1) Town of Bow municipal or school government bodies performing necessary, required government duties and/or
 - (2) Bow community interest groups devoted to meeting the educational, social, or recreational needs and the development and betterment of Bow residents.
- B. Organizations wanting to post a sign must apply for and receive a permit from the Parks and Recreation Department. Seasonal signs or repeat signs will require a permit each time; however an extended seasonal permit may be used.
- C. The Town of Bow may limit how many signs may be allowed at a certain time to prevent crowding.
- D. Signs will only be allowed in areas approved by the Town of Bow. A map is available explaining where the signs may be placed.
- E. The maximum size of each sign shall be 32 sq. ft. and the maximum height of each sign shall be 8 ft. Any requests for a sign larger than 32 sq. ft. shall be submitted in writing to the Board of Selectmen for its review and decision.
- F. Signs may be inserted in the ground by ground stakes only, unless an alternative method is approved. After removing the sign stakes, all holes need to be filled in.

G. No lighting of signs or use of electricity is allowed.

**Article IV
Old Town Hall**

§ 159-7. Use of Old Town Hall. [Amended by Board of Selectmen on 6-30-201 by Ord. No. 15-06.]

It is the intent of the Board of Selectmen to permit use of the Old Town Hall on a not-to-interfere basis with official municipal activities. Therefore, the use of the Bow Community Building and Bandstand will be limited to:

- A. Town of Bow municipal government bodies or departments. The Town of Bow shall always have precedence for use of the facility at any time and reserves the right to void any reservation by other parties at any time. The Town will not exercise this right except in instances where the greater public good will be served, such as the unexpected need to open an emergency shelter, or when a Town-sponsored event for the entire community requires the use of the facility.
- B. Bow School District bodies performing necessary, required duties
- C. Designated Bow Organizations
- F. Bow Community Interest Groups/Organizations
- G. Individual Bow Residents
- H. Non-Bow Organizations/Individuals

§ 159-8. Rental.

- A. Prior to use, a reservation must be made with the Town Manager's Office and a written rental agreement must be executed.
- B. Rental limit. The facility may not be reserved for more than two consecutive calendar days by any user or renter. Designated Bow Organizations and Bow Community Interest Groups/Organizations may schedule multiple events throughout a calendar year depending upon availability. Renters must specify a beginning time and an ending time and this time period must include any set-up and clean-up time in addition to the time of the actual event. The rental fees are established by the Board of Selectmen (Chapter 124, Fee Schedule, of this Code.)
- C. Security Deposit. Individual Bow Residents and Non-Bow Organizations/Individuals shall pay a Security Deposit established by the Board of Selectmen (Chapter 124, Fee Schedule, of this Code), refundable after inspection of the facility after the event has been

concluded. The deposit is subject to forfeiture, all or in part, if it is necessary to repair ny damages to the facility or to engage town staff or commercial firms to clean the facility.

§159-9. Use regulations. [Amended by Board of Selectmen on 2-15-2017 by Ord. No. 17-02.]

- A. Damage. The renter shall be responsible for all damages done to the premises. All renters shall agree to make immediate restitution for any damages done by persons known or unknown during the time of rental. Due to the aged structural condition of the floor, dancing is prohibited in the facility, as is any other physical activity which places more stress upon the floor than does standing and walking. Tables, chairs, and any other sharp or heavy objects must be moved by carrying rather than dragging across the floor. The piano and the kitchen table shall not be moved under any circumstances. The American flag is not to be removed from the function room.
- B. Serving and consumption of alcohol. If alcoholic beverages are to be served and consumed in the Old Town Hall, all renters must provide proof of liquor liability insurance in accordance with the provisions of § 159-1.2. of this Chapter. Renters will also be required to provide evidence that all State of New Hampshire requirements have been met and may be required to bear the cost of hiring at least one paid police officer for the function. No alcoholic beverages will be allowed outside of the building.
- C. Smoking. Smoking is prohibited inside the building.
- D. Parking. Parking is permitted in the parking lot only.
- E. Decorations. No decorations will be attached to the walls or ceilings. There shall be no use of nails, staples, tacks, tape, or any glues in the arrangement of decorations.
- F. Cleanup. Cleanup immediately after the event is required. Cleanup includes, but is not limited to, resetting tables and chairs where they were originally located, sweeping floors (wet mop if needed), cleaning any kitchen equipment used including stove and ovens, and checking rest rooms for neatness or abuse. All materials brought in for the event shall be removed. Failure to comply with these requirements will result in forfeiture of the security deposit.

Article V
Bow Bog Meeting House

[Amended by Board of Selectmen on 6-30-2015 by Ord. No. 15-06.]

§ 159-10. Use of Bow Bog Meeting House

It is the intent of the Board of Selectmen to permit use of the Bow Bog Meeting House on a not-to-interfere basis with official municipal activities. Therefore, the use of the Bow Bog Meeting House will be limited to:

- A. Town of Bow municipal government bodies or departments. The Town of Bow shall always have precedence for use of the facility at any time and reserves the right to void any reservation by other parties at any time. The Town will not exercise this right except in instances where the greater public good will be served, such as the unexpected need to open an emergency shelter, or when a Town-sponsored event for the entire community requires the use of the facility.
- B. Bow School District bodies performing necessary, required duties.
- C. Designated Bow Organizations.
- D. Bow Community Interest Groups/Organizations.
- E. Individual Bow Residents
- F. Non-Bow Organizations/Individuals

§ 159-11. Rental.

- A. Prior to use, a reservation must be made with the Town Manager's Office and a written rental agreement must be executed.
- B. Rental limit. The facility may not be reserved for more than two consecutive calendar days by any user or renter. Designated Bow Organizations and Bow Community Interest Groups/Organizations may schedule multiple events throughout a calendar year depending upon availability. Renters must specify a beginning time and an ending time and this time period must include any set-up and clean-up time in addition to the time of the actual event. The rental fees are established by the Board of Selectmen (Chapter 124, Fee Schedule, of this Code.)
- C. Security Deposit. Individual Bow Residents and Non-Bow Organizations/Individuals shall pay a Security Deposit established by the Board of Selectmen (Chapter 124, Fee

Schedule, of this Code), refundable after inspection of the facility after the event has been concluded. The deposit is subject to forfeiture, all or in part, if it is necessary to repair any damages to the facility or to engage town staff or commercial firms to clean the facility.

§ 159-12. Use regulations.

- A. Alcohol: The consumption of alcohol by anyone on these premises or the adjoining Town of Bow property surrounding said premises is strictly prohibited. The consumption of alcoholic beverages in any type of vehicle on these premises or the surrounding Town-owned property is also strictly prohibited.
- B. Smoking: Absolutely no smoking is allowed in the building or on the surrounding Town owned property.
- C. Noise: The renter is responsible to maintain all noise to a reasonable level so as not to disturb the surrounding neighbors.
- D. Parking: Parking shall be in areas designated. It shall be done so as to not impede emergency vehicles from performing their duties.
- E. All entry and exit doors shall remain free from obstacles which would impede safe entry and egress from the building.
- F. Nothing within the Bow Bog Meeting House shall be moved or utilized to place upon or hold any object or thing which would cause damage to the surface of said historical item.
- G. Decorations: Absolutely no decorations will be attached to any walls, ceilings or other items of a historical nature. There shall be no nails, staples, tacks, glues, and tape used to secure any decorations within the interior or exterior of said Bow Bog Meeting House.
- H. Do not drag tables, chairs or sharp and heavy objects across the floor.
- I. The balcony area is not to be used for any purpose.
- J. Cleanup: Proper cleanup immediately after any event is required. If the town custodian is not hired, you must completely clean the areas used. Sweeping of floors and wet mopping if needed.
- K. Any and all materials belonging to the renter or user must be removed from the premises immediately upon the completion of the activity. If not so removed they will be removed at the renter's expense.
- L. The bell is not to be rung by renters for safety reasons. If renters wish to have the bell rung, they may hire a bell ringer, provided by the Town, based upon availability.

Article VI
Metal Detecting on Town Property

[History: Adopted by Board of Selectmen on 7-16-19 by Ord. No. 19-07]

§ 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.

§ 159-14. 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.