

**CHAPTER 20      TIMBER CUTTING ORDINANCE**

## 2000 Purpose and Jurisdiction

## 2001 Purpose

The purpose of this ordinance is to develop minimum standards for forest cutting practices within the Town of Exeter and a process for review of such practices in order to insure that the following values of interest are not jeopardized:

- (a) The protection of landowners and abutting landowner;
- (b) The protection of the aesthetic character of the Town;
- (c) The conservation of water;
- (d) The maintenance of water and air quality;
- (e) The prevention of floods and soil erosion;
- (f) The improvement of conditions for outdoor recreation and wildlife;
- (g) The protection of a continuing and increasing supply of forest products.

This ordinance defines and clarifies the administration of the law by establishing standard definitions and uniform procedures by which landowners, harvesters of forest product, and the Town can carry out their responsibilities.

## 2002 Jurisdiction

- (a) Areas subject to the Ordinance: All land devoted to forest growth owned or administered by private persons, corporations, or organizations, or by any federal, state, county, municipal or other public agency.
- (b) Activities subject to the ordinance: Any private or commercial cutting of forest products which encompass an area of two (2) acres or more within the Town of Exeter.
- (c) Activities exempt under the ordinance: Any party proposing to cut forest products who believes the operation is exempt under this ordinance may request exemption from the ordinance in writing when the notice of Intent to Cut is filed with the Town pursuant to NH RSA 79:10

## 2003 General Regulations

- (a) Notice of Intent to Cut: Pursuant to RSA 79:10 a "Notice of Intent to Cut" must be filed with the Town of Exeter prior to the operation commencing.
- (b) Plan to Cut: Every owner or agent responsible for the operation who intends

to cut forest products over an area of two (2) acres or greater must submit a "Plan of Cut" to the Town of Exeter Planning Department. The Plan of Cut must be prepared by a professional forester registered with the Town of Exeter. A list of registered foresters may be found at the Exeter Planning Department office.

The Planning Department will review the Plan of Cut, and, at their discretion, request review by an appropriate person or agency at the expense of the applicant, determine the amount of the bond to be posted, and make its recommendations to the Exeter Board of Selectmen.

- (c) Bond: All cutting operations of two (2) acres or greater will be required to post a bond in the amount sufficient to cover the estimated yield tax due to commencement of the operation.
- (d) Town Cut Permit: All operations in compliance with a, b, and c above will be issued a "Town Cut Permit" to be posted in full view upon the site of the operation. Such permit shall be valid for one (1) year from the date of issuance.
- (e) Report of Cut: Pursuant to RSA 79:11, a "Report of Cut" must be filed with the Town of Exeter immediately upon the completion or termination of the cutting referred to in the "Notice of Intent to Cut."
- (f) Statement of Compliance: The professional forester must file a "Statement of Compliance" upon the completion or termination of cutting which states that the original, or Town-approved amended Plan of Cut, was correctly executed. To insure compliance, the forester should monitor and supervisor the cutting. Any noncompliance should be reported to the Town.
- (g) List of Registered Foresters and Loggers: Any forester and/or logger who wishes to operate within the town limits of Exeter must register with the Planning Department. A record will be kept of each operation by the Town. Any forester or logger found to be in deliberate violation of this ordinance will be removed from the list and shall not be permitted to operate within the town limits for a period of one (1) year. At that time, the offending party may re-apply for inclusion in the list.

#### 2004 Enforcement

- (a) The Town of Exeter and its agents shall administer and enforce this ordinance, and shall have the right to stop any operation in violation of its provisions.
- (b) Officials responsible for the enforcement of this ordinance may enter upon any lands for which a Town Cut Permit has been issued or upon which they believe may have an operation in violation of this ordinance, for the purposes

of inspection.

2010 Penalties

If any person shall violate the provisions of this ordinance, he shall be guilty of a misdemeanor, and subject to any and all applicable state and local penalties.