



**Town of Eaton**  
**Evans Memorial Building**  
**PO Box 88**  
**Eaton, New Hampshire 03832-0088**  
**603-447-2840**

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**Ordinance #4**  
**REGULATION FOR THE USE OF TOWN LANDS**

The Board of Selectmen of Eaton, New Hampshire, ordain as follows: Town Land Use Policy.

**Declaration of Purpose:** Because the use of Eaton Town Lands by the public, by businesses and by commercial establishments has increased dramatically, the Select Board has become increasingly concerned about the impact of this use on our land, and the heightened risk of Civil lawsuits when accidents occur. It is for this reason that the Select Board finds it necessary to update the Town's regulation on the use of Town land.

**Authority:** RSA 41:11-a.

**Permit for the Use of Town Lands:** All groups wishing to use Town Lands must apply for a permit.

**Town Lands Use Agreement:** The Terms and Conditions for receiving a permit for Use of Town Lands, which must be met before a permit is granted, are attached to this Regulation.

The Agreement is intended to make clear that the individual, business or commercial establishment requesting a permit to use Eaton Town Lands will protect, indemnify, save, defend and hold harmless the Town, including its officials, agents, volunteers and employees from and against any and all liabilities, obligations, claims, damages, penalties, causes of action, costs, interest and expenses, including but not limited to reasonable attorney and paralegal fees which the Town and those other indemnified parties may become obligated or suffer by reason of any accident, bodily injury, personal injury, death of person, economic injury or loss of, or damage to property arising indirectly or directly under, out of, in connection with, or as a result of this permit or the activities of the individual, business or commercial establishment and even if caused in part by any negligent act or omission of those indemnified parties above referenced.

**Permit Process:** The applicant must provide the date of the activity for the use of Town Lands, and the number of participants who will be partaking in the activity. Individual(s), businesses or commercial establishments requesting a permit also need to provide proof of occurrence insurance, as detailed below, **before** a permit will be issued.

**Insurance Requirements:** In order to meet the insurance requirements for using Eaton Town lands, the requesting individual(s), business or commercial establishment must follow the instructions provided below.

1. Those requesting to use Town Lands must have public liability insurance with a minimum of \$25,000 liability insurance for property damage, and a minimum amount of \$300,000 for personal injury insurance for one individual, up to and including personal injury insurance at a minimum amount of \$300,000 for the number of individuals who are expected to participate in the activity.
2. Insurance provided must name the Town of Eaton, PO Box 88, Eaton NH 03832 as co-insured.
3. Insurance provided must state, and be insured for, the activity described in the application.
4. The Town requires that the insurance company send a written notice to the Town of Eaton at least 30 days before any changes in or cancellation of the policy insurance policy.

**Restrictions:** 1. No wheeled vehicles, including bicycles of any type are permitted. e.g., no mountain bikes, dirt bikes, etc.; 2. no use of ATVs on Town Lands is permitted; 3. no open fires are permitted; no fireworks are permitted; and no request for a group larger than 15 people will be approved for a permit; 4. no group usage of the Town Beach.

**Enforcement:** If violations of this regulation occur, any law enforcement officer may issue a written notice of violation and impose a fine of fifty dollars (\$50.00) which may be mailed to the Eaton town Clerk within twenty days of the Notice of Violation.

**Failure to pay fines:** In the event such fine is not paid within the time limitations specified, a summons will be issued for an individual(s) appearance in District Court. If found guilty of violating this Ordinance, a fine of up to two hundred and fifty dollars will be charged the permit applicant(s).

**Effective Date:** The Eaton Board of Selectmen amended, voted on and adopted the **REGULATION FOR THE USE OF TOWN LANDS ORDINANCE** on the 5th day of July, 2022, which shall be the effective date hereof.

Joyce Blue, Richard Fortin, Edward Reilly  
*Eaton Select Board*