

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#:13.C.1. Ordinance Number: O – 2023.10.11 - 14 Ordinance Title: Peace and Good Order Chapter: 105 Sections: 7 Park Hours 16 Hunting and target shooting on City property 18 Henry Law Park, school grounds and athletic fields
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The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to update provisions within Chapter 105 of the Dover Code to: (1) make technical amendments in light of the new skate park location in Guppey Park; and (2) enable bow and arrow hunting in one area of City-owned land where hunting and target-shooting is otherwise prohibited.

2. AMENDMENT

Chapter 105 entitled “Peace and Good Order” is hereby amended by revising Section 105-7, “Park Hours”, as follows:

a. THE FOLLOWING IS AMENDED:

§ 105-7 Park hours.

- A. No person shall remain in or enter any park or recreation area in the City of Dover during the hours set forth in the table below.

Months	Hours
1. April 1 to September 30	2. 9:30 p.m. to 7:00 a.m.
3. October 1 to March 31	4. 7:00 p.m. to 7:00 a.m.

- B. Exceptions.

(1) Park Street Park. No person shall remain in or enter the Park Street Park during the hours of 8:30 p.m. to 7:00 a.m. during the period of April 1 through September 30 and during the hours of 7:00 p.m. to 7:00 a.m. during the period of October 1 through March 31.

(2) Hilton Park. No person shall remain in or enter Hilton Park during the hours of 8:00 p.m. to 6:00 a.m., except upon the written consent of the New Hampshire Commissioner of the Department of Transportation, or authorized representative.

(3) Henry Law Park. No person shall remain in or enter Henry Law Park during the hours of 11:00 p.m. to 5:00 a.m. No person shall remain in or enter the Dover Adventure Playground at Henry Law Park ~~or the Skate Park at Henry Law Park~~ during the hours of 9:30 p.m. to 7:00 a.m.

(4) Skate Park (Guppey Park): No person shall remain in or enter the Skate Park at Guppey Park during the hours of 9:30 p.m. to 7:00 a.m.

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- C. Special exceptions to any park hours of operation for special events or activities may be granted, in writing, by the City Manager or designee.

3. AMENDMENT

Chapter 105 entitled “Peace and Good Order” is hereby amended by revising Section 105-16, “Hunting and target shooting on City property”, as follows:

a. THE FOLLOWING IS AMENDED:

§ 105-16 **Hunting and target shooting on City property.**

- A. No person shall hunt wildlife or engage in target shooting with firearms in or on the following properties:

- (1) All Dover public school facilities and adjacent parks.
- (2) Willand Pond Recreation Area.
- (3) Dover Community Trail.
- (4) Tolend Landfill.
- (5) Pine Hill Cemetery.
- (6) Guppey Park.
- (7) Dover Community Services facilities on Mast Road.
- (8) Wastewater Treatment Plant.
- (9) Bellamy Park.
- (10) Maglaras Park.
- (11) Garrison Hill Park.
- (12) The Dover Community Services (Facilities, Grounds and Cemeteries) facility at 145 Court street.
- (13) Sullivan Field and Playground, inclusive of all of the surrounding City-owned parcel comprising Tax Map D-5.

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B. Exceptions.

(1) During any archery hunting season allowed by applicable authorities, the use of bows and arrows to hunt (also known as “bowhunting”) is permitted within the City-owned parcel comprising Tax Map D-5, a mostly wooded area adjacent to the Spaulding Turnpike and Sullivan Field, provided bowhunters have any required licenses from the State of New Hampshire Fish and Game Department; and further provided such archery hunting is not conducted on, or anywhere within 300 feet of, any playground, field, or open space contained within said property.

BC. The City Manager may provide for the posting of these City-owned properties against hunting and target shooting with firearms pursuant to RSA 635:4. The City Manager or designee shall post a notice at the Sullivan Drive entrance to the Sullivan Field and Playground warning the public that bow and arrow hunting (also known as “bowhunting”) is allowed during archery hunting seasons and reminding such hunters of the conditions set forth in this section.

CD. Penalties. Any person violating the provisions of this section shall be subject to a fine as provided in the City Fine Schedule per offense.

4. AMENDMENT

Chapter 105 entitled “Peace and Good Order” is hereby amended by revising Section 105-18, “Henry Law Park, school grounds and athletic fields”, as follows:

b. THE FOLLOWING IS AMENDED:

§ 105-18 **Skate Park at Guppy Park; Henry Law Park, school grounds and athletic fields.**

A. No person shall smoke or use a tobacco product within the Skate Park at Guppy Park ~~Henry Law Skate Park~~, the Henry Law Park Rotary Pavilion or playground areas of Henry Law Park, on the grounds of all recreational facilities, areas or athletic fields associated with the Woodman Park, Horne Street or Garrison Elementary Schools, or within 200 feet of the playing surfaces at Shaw's Lane athletic field. A designated smoking area may or may not be provided at the discretion of City or school staff.

B. Descriptions of restricted areas.

(1) The "Skate Park at Guppy Park ~~Henry Law Skate Park~~" shall be defined as the improved recreational area within Guppy Park, located at the corner of Oak Street and Portland Avenue, ~~on the east side of River Street,~~ to include the ~~rink,~~ designed ramps and

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jumps, and all contiguous paved or hard-surfaced areas, and shall include a twenty-five-foot buffer zone immediately surrounding the recreational area ~~and rink~~.

(2) The "Henry Law Park Rotary Pavilion area" shall be defined as the area that is bordered by the black fence that runs along Washington Street from the corner of the current New Hampshire Children's Museum building to the intersection of Henry Law Avenue; and the fence that runs along Henry Law Avenue from the intersection with Washington Street to the end of the fence opposite the Rotary Pavilion; and the front of the stage area and the front of the building currently occupied by the New Hampshire Children's Museum. The restricted area includes the interior of the band shell, the adjacent stairs and stairwell, and any steps and frontage of the New Hampshire Children's Museum. The sidewalks running parallel to and immediately adjacent to Washington Street and Henry Law Avenue are not restricted.

(3) The "playground areas of Henry Law Park" shall be defined as the area within the line starting at the sidewalk emerging from the stairwell connecting the Henry Law Park Pavilion and the playground areas and continuing on the inside edge of the sidewalk adjacent to the parking lot of the Dover Indoor Pool to where it connects with the sidewalk at Henry Law Avenue, and continuing along the inside edge of the sidewalk adjacent to Henry Law Avenue where it shall connect with the black fence which defines the Henry Law Park Rotary Pavilion area. The Dover Indoor Pool parking lot and the sidewalks immediately adjacent to the parking lot and parallel to Henry Law Avenue are not restricted.

C. Any person violating the provisions of this section shall be subject to a fine as provided in the City Fine Schedule.

5. TAKES EFFECT

This ordinance shall take effect upon passage. The City Clerk shall cause publication of notice as required by RSA 47:18.

REQUIRES PUBLIC HEARING

TO BE REFERRED TO PUBLIC HEARING ON NOVEMBER 8, 2023

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Fergus Cullen

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Approved as to Legal Form and Compliance: Joshua M. Wyatt
City Attorney

Recorded by: Patricia Moniello
Legal Assistant

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Ordinance does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

Sections 7 and 18: The City's new skate park—built in Guppy Park—is expected to be open to the public in 2023. The skate park's new location has caused the need for certain technical updates to Chapter 105, as the skate park in Henry Law Park will no longer exist.

Section 16: In 2022, the City passed an ordinance amending Chapter 105 to include the Sullivan Field and Playground parcel as City-owned property where hunting and on target shooting with a firearm were prohibited. Since then, it has come to the City Council's attention that the area had been used for archery hunting. Accordingly, the amendment to Section 16 creates an exception allowing archery, but with conditions intended for public safety.