



**CITY OF FRANKLIN, NEW HAMPSHIRE**  
*"The Three Rivers City"*

316 Central Street  
Franklin, NH 03235

(603) 934-3900  
fax: (603) 934-7413

**ORDINANCE #09-18**

**AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:**

**In the Year of our Lord, Two Thousand Seventeen;**

Be it ordained by the City Council of the City of Franklin that the Franklin Municipal Code, Chapter 284, Vehicles and Traffic, be amended to add a new section following § Article VII Section 284-38 to be known as § Article VIII section 284-39 as follows:

**Article VIII Uniformed Police Required**

**§ Section 284-39 Flaggers**

Prior to the commencement of any activity such as, but not limited to the laying or installation of sewer, electrical, telephone, gas or water lines or any type of telecommunications equipment, cable, TV or any other type of underground utility or the installation of above ground utilities, or tree work which would interfere with the normal and regular flow of traffic within the City of Franklin, the primary contractor responsible for the conduct of the work performed upon the site, may be required to employ uniformed police officer(s) to control traffic, provided any of the following conditions exist:

- a. Construction, reconstruction, excavation, paving or any other type of work on or upon a way in the City of Franklin, or construction of new streets.
- b. Construction which will significantly affect the flow of traffic; or
- c. When the street is primarily controlled by a traffic light or signal, which will become ineffective in the proper control of traffic due to the existence of construction activity.

In addition to the conditions enumerated above, the Director of Municipal Services Department and/or Chief of Police, in their discretion may require the primary contractor to employ uniformed police officer(s) when the normal and ordinary flow of traffic or presents conditions which adversely affects public safety and convenience.

The Chief of Police or his/her designee may, upon examination of the work site, waive the requirement to employ uniformed police officer(s) if in his/her opinion it is not necessary for the public safety and convenience.

This ordinance shall not apply to work that is being done by the City of Franklin Municipal Services Department or the State of New Hampshire if empowered by statute.

In the event that any provision of this section is violated, the Director of Municipal Services Department or the Chief of Police is empowered to issue a work stoppage order against the contractor or his/her employees; such work stoppage shall remain in effect until there is strict compliance of the ordinance. In addition the fine amount shall not exceed \$250.00 per day and shall be assessed each day the violation continues.

**By a roll call vote.**

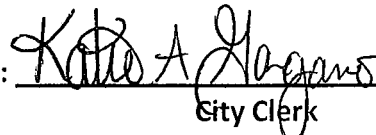
Roll Call:

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

Approved:   
Interim Mayor

Passed: December 4, 2017

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie A. Gargano is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested:   
City Clerk

Date: 12/4/17