

**BY-LAWS:**

**MANAGEMENT OF THE MCILVAINE TOWN FOREST: (Parcels Lots 25-R-103, 25-R-6500, 25-R-6000A, 25-R-7010, 25-R-7025, 25-R-8000)**

**SECTION I: PURPOSE:**

The McIlvaine Town Forest is managed for multiple uses including recreation, wildlife habitat, soil and water conservation, and sound long term sustainable timber management. In order to promote these uses, the Windham Town Meeting adopts the following use regulations for the area pursuant to the authority granted to the Town by RSA 31:39.

**SECTION II: PERMITTED USES WITHIN THE MCILVAINE TOWN FOREST**

- A. Passive recreational activities including but not limited to hiking, bicycling, dog walking, cross country skiing, snowshoeing, carry-in and carry-out picnics, wildlife watching, and other uses that are consistent with the purpose of this By-Law, which is to protect the natural resources of this area.
  - a. Dogs are allowed and subject to the same restrictions as specified under; Regulations: Dogs on Town Property # WIN 2:06:21:04
- B. Hunting is allowed for Windham residents and their accompanied guests, but subject to the same New Hampshire Fish and Game regulations as specified for state owned or managed lands.
  - a. Permanent hunting stands are illegal. Portable stands or blinds may only be erected between August 1 and January 31, and must be removed by January 31.
- C. Hours of access are sunrise to sunset.

**SECTION III: PROHIBITED USES WITHIN THE MCILVAINE TOWN FOREST**

- A. Discharge of firearms for target shooting is prohibited, subject to the following exceptions:
  - a. Target shooting is permitted by Windham residents or uniformed law enforcement personnel.
- B. The use of all motorized vehicles and motorized water craft are prohibited, subject to the following exceptions:
  - a. Upon authorization of the Windham Forestry Committee, motorized vehicles may be permitted for any maintenance or construction work needed to implement the management plans for the forest.
  - b. Law enforcement vehicles/emergency vehicles/emergency water craft may be permitted within this area at any time.
- C. Littering, disposal of yard waste, garbage, vehicles, or any other trash.

- D. Cutting, digging up or otherwise willfully damaging trees, shrubs or plants, is prohibited, except as authorized by the Windham Forestry Committee.
- E. Fires are strictly prohibited.
- F. Public intoxication and/or disorderly conduct are prohibited.
- G. Damage or removal of historic sites, walls, or artifacts is prohibited.
- H. Collection or removal of firewood is prohibited, unless pre-approved by the Windham Forestry Committee.
- I. Smoking of any type is prohibited.
- J. Parking on town forest property is prohibited except where required for management purposes by authorized personnel.
- K. Overnight camping is prohibited unless pre-approved by the Windham Forestry Committee.

**SECTION IV: VIOLATIONS**

Violations of this by-law shall be punishable by assessment of the following fines:

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| A. Prohibited discharge of firearms:                     | \$500.00 |
| B. Unapproved use of motor vehicle or water craft:       | \$500.00 |
| C. Disposing of yard waste, garbage, vehicles, or trash: | \$300.00 |
| D. Damaging trees, shrubs or plants:                     | \$100.00 |
| E. Starting fires for any reason:                        | \$500.00 |
| F. Public intoxication and/or disorderly conduct:        | \$250.00 |
| G. Damage or removal of historic artifacts:              | \$500.00 |
| H. Collection or removal of firewood:                    | \$250.00 |
| I. Smoking:  | \$250.00 |
| J. Parking:  | \$ 50.00 |
| K. Camping, without permission:                          | \$100.00 |

## **SECTION V: DISPOSITION OF FINES**

All fines collected shall be turned over to the Town Treasurer and deposited into the Town's Special Forest Management Fund.

## **SECTION VI: ENFORCEMENT**

This ordinance shall be enforced by the Windham Police Department.

## **SECTION VII: WAIVERS**

The Windham Forestry Committee is authorized to make exceptions or grant waivers regarding the permitted/prohibited uses within such areas for limited (in time) specific events or activities for good cause shown provided such activity is not inconsistent with the purposes for which such land was acquired as set forth in RSA 31:111.

## **SECTION VIII: SEVERABILITY**

If any section, clause, provision, portion or phrase of these By-Laws shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of these By-Laws.