

**AMENDMENT TO
"ORDINANCE PROHIBITING EXCAVATION OF TOWN ROADS OR RIGHTS-OF-WAY"**

The **"Ordinance Prohibiting Excavation of Town Roads or Rights-Of-Way,"** #74-02, voted by Annual Town Meeting on October 7, 1974, Effective November 6, 1974, is hereby **AMENDED** as follows:

SECTION I.B. requiring "a performance bond" is amended to require that such bond be in the amount of **FIVE THOUSAND DOLLARS (\$5,000.00)**.

SECTION 3, requiring a permit fee of \$5.00, is repealed and replaced as follows:

SECTION 3. A fee of ONE HUNDRED DOLLARS (\$100.00) shall be charged for the issuance of a permit.

SECTION 4, requiring that a violator of "the provisions of this Ordinance shall be fined the maximum allowed by law," is amended to require that any such violator shall be fined **TWO HUNDRED FIFTY DOLLARS (\$250.00) for any such violation, and anyone who has been given a written warning of the existence of such violation and persists in substantially violating any provision of this Ordinance may be issued a citation by a proper officer of the Town calling for a fine of up to TWO HUNDRED FIFTY DOLLARS (\$250.00) for each day that any such violation continues.**

A new SECTION 5 is added to this Ordinance as follows:

SECTION 5. Any such citation may be appealed pursuant to the Town of Andover Hearing Procedure for Citations Ordinance.