

From FERC FAQ's:

Can the workers from the company come on my land without my permission?

State or local trespass and access laws prevail until a certificate is issued by the Commission. Some states have laws that allow a company to get access to property for survey purposes. Procedures vary by state. Once a certificate is issued or an easement/survey agreement or court order is obtained, the company may come onto your land. Usually the company will notify you in advance.

Good morning Eileen;

Below is the statute regarding trespass. The permission should be in written form, allowing the individual(s) unfettered access to the (Town) property. You can also restrict it to specific times, dates, etc.

If you were to post the property to prevent trespassing, it has to comply with RSA 635:4 "Prescribed manner of posting", to be enforceable. Let me know if you have any questions.

Mark

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TITLE LXII CRIMINAL CODE CHAPTER 635 UNAUTHORIZED ENTRIES Section 635:2

635:2 Criminal Trespass. –

I. A person is guilty of criminal trespass if, knowing that he is not licensed or privileged to do so, he enters or remains in any place.

II. Criminal trespass is a misdemeanor for the first offense and a class B felony for any subsequent offense if the person knowingly or recklessly causes damage in excess of \$1,500 to the value of the property of another.

III. Criminal trespass is a misdemeanor if:

(a) The trespass takes place in an occupied structure as defined in RSA 635:1, III; or

(b) The person knowingly enters or remains:

(1) In any secured premises;

(2) In any place in defiance of an order to leave or not to enter which was personally communicated to him by the owner or other authorized person; or

(3) In any place in defiance of any court order restraining him from entering such place so long as he has been properly notified of such order.

IV. All other criminal trespass is a violation.

V. In this section, "secured premises" means any place which is posted in a manner prescribed by law or in a manner reasonably likely to come to the attention of intruders, or which is fenced or otherwise enclosed in a manner designed to exclude intruders.

VI. In this section, "property," "property of another," and "value" shall be as defined in RSA 637:2, I, IV, and V, respectively.

Source. 1971, 518:1. 1979, 377:7. 2005, 125:1, eff. Jan. 1, 2006. 2010, 239:2, eff. July 1, 2010.