

Promoting safe spaces for
people, pets, and wildlife.



POST IT TO
PROTECT IT



NH Landowner's Guide to Protecting Your Property

■ Protecting your property is your constitutional right.

Contents

About protecting your property 3

Why post your property? 4

Free signs shipped to your door 6

How to post your property 7

When to post 8

General hunting season dates 8

What if my property is in Current Use? 10

Setting aside land for wildlife 11

Reporting wildlife crimes 12

NH Animal Rights League
PO Box 4211
Concord, NH 03302

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About protecting your property

People are often surprised to learn that by default privately owned land in New Hampshire is open to hunting.



This means that if you do not put up “No Hunting” signs, anyone with a hunting license can come on your property and hunt.*

Other states have what’s called “reverse posting,” which means privately owned land is off limits by default.

Allowing public use of private land is a tradition that dates back to New Hampshire’s first settlers.

Back then, when wild land was abundant and people depended on animal meat and fur for survival, the idea of public access to private land for the “public good” made sense.

But today, the New Hampshire landscape is completely changed. There is far less undeveloped land left for wildlife, and only a small percentage of people hunt.

Expecting today’s landowners to forego their property rights and leave their land open to hunting is an outdated notion.



* It is even legal for hunters to set up tree stands, ladders, blinds, and cameras on your property in the absence of “No Hunting” signs. Written permission is required to bait or trap animals on your property, however.

Why post your property?

You don't have to be an animal rights activist not to want people killing animals on your property. Even hunters themselves often post their property because of bad experiences with other hunters. Following are five good reasons to post your property:

1. Post to protect your privacy

Many people are understandably uncomfortable with the idea of strangers on their property. Hunters can legally come within 300 feet of your home. They are also allowed to place hunting cameras on your property.



Hunting cameras work using motion detectors. When an animal or person comes near the camera, motion sensors detect movement and take a photo or video.

* Per RSA 212:34 Duty of Care

Hunters have been trying to pass a law in New Hampshire that would allow them to have these images sent to their smartphones in real time, so they can surveil the woods from the comfort of home.

2. Post to keep your family and pets safe

Posting protects children, pets, horses, and other large animals from stray bullets and arrows left by bowhunters, as well as from unwelcome encounters with strangers.



3. Post to avoid lawsuits

If your land is open to the public, it is your duty to guard or warn against any dangerous condition, use, structure, or activity. If a hunter gets injured on your property, you could be liable.*

4. Post to prevent property damage

Hunters may leave behind litter, cause damage to trees and crops, or rip up trails with their ATVs.



5. Post to protect wildlife from cruel hunting practices

▪ **Lazy, unethical hunting methods** — Fair-chase hunting is becoming a thing of the past. New Hampshire is one of only seven states that allows **bear hunting with trained dogs**, for example.



This low-effort approach, called "hounding," involves using packs of dogs with radio collars to pursue bears until the exhausted animals

** Hunters are required to track wounded deer, but ending the animal's suffering is not the goal. Bowhunters, for example, deliberately wait at least 30 minutes and up to 6-12 hours (if the hit was poor), to give the animal time to die. Half these deer are never recovered.

seek refuge in a tree, where they are easily shot down by the hunter.

Even more leisurely, New Hampshire allows hunters to **shoot bears over piles of bait**. During the 2021 hunting season, 60% of the bears hunted in New Hampshire were killed over bait.

▪ **Immense suffering** — Hunted animals often don't die quickly. Many must be shot multiple times, and those who escape may endure prolonged, painful deaths.**



▪ **Orphaned wildlife** — When mother animals are killed, orphaned young may starve or fall victim to predators.

▪ **Vanishing animals** — Despite declining populations of fishers, foxes, and other so-called "furbearers," New Hampshire caves to the pressure of the hunting minority, allowing all but fishers to be killed in unlimited numbers for the cost of a hunting license — \$34.50 in 2022.

Free signs shipped to your door

Posting your land against hunting creates safe haven for people, pets, and wildlife.



We will send you as many free "No Hunting" signs as you need, to make it easy for you to post your property.



To get free signs

Simply fill out the form on our web site:

nhanimalrights.org/request-no-hunting-signs

Be Safe — Wear Orange!

When you head out to post your property, make yourself visible to hunters by wearing a blaze orange vest, hat, or jacket.

The more orange, the better. And don't forget a vest for your dog!



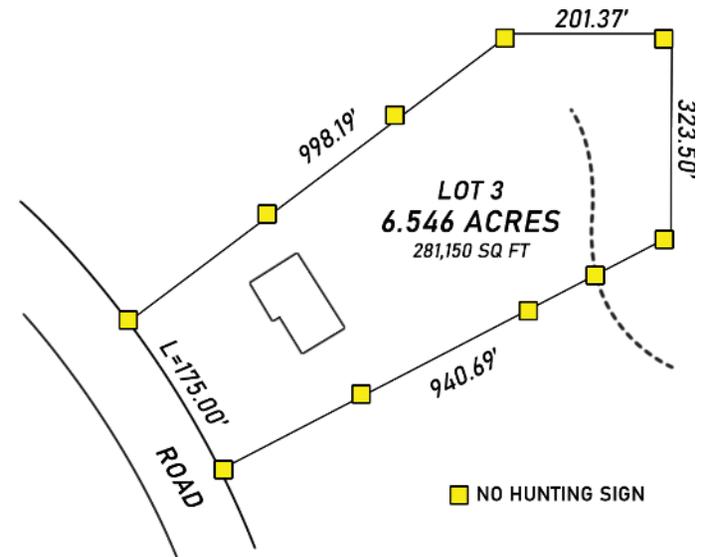
How to post your property

Under state law RSA 635:4, the legal manner of posting calls for durable signs describing the physical activity prohibited, such as "No Hunting or Trespassing" placed at least **every 300 feet** (100 yards) on all sides of the property and at entrances.*

Put up "No Hunting" signs no matter how small your property is.

Write your name and address with permanent black marker. (Even without this information, your property will still be legally posted.)

Example: In the example below, the property would need 10 signs, one every 300 feet, and another where an old hiking trail crosses the boundary.



* There is an old law on the books causing confusion about how to legally post property in New Hampshire. That law, RSA 635:4, which has not been updated since 1977, states that the words describing the prohibited activity (such as "No Hunting") must be no less than 2 inches high. As illustrated in the photo at left of a typical no trespassing sign, the words do not need to be that large.

When to post

Each year the NH Fish and Game Department decides on a start and end date for hunting each type of animal.

General season dates are shown below. Specific dates and numbers of animals hunters may kill vary throughout the state.

Normally, longer hunting periods are allowed in areas with more wildlife, but often hunting is allowed even when animal

populations are perilously low in order to satisfy hunters.

Current hunting dates and seasons are published on the NH Fish and Game Web site: wildlife.state.nh.us/hunting/hunt-dates.html

Deer hunting starts late summer and continues into the fall, but some animals can be killed

year round. NH Fish & Game encourages young hunters to kill crows and gray squirrels for practice.

In New Hampshire, it is *always* hunting season

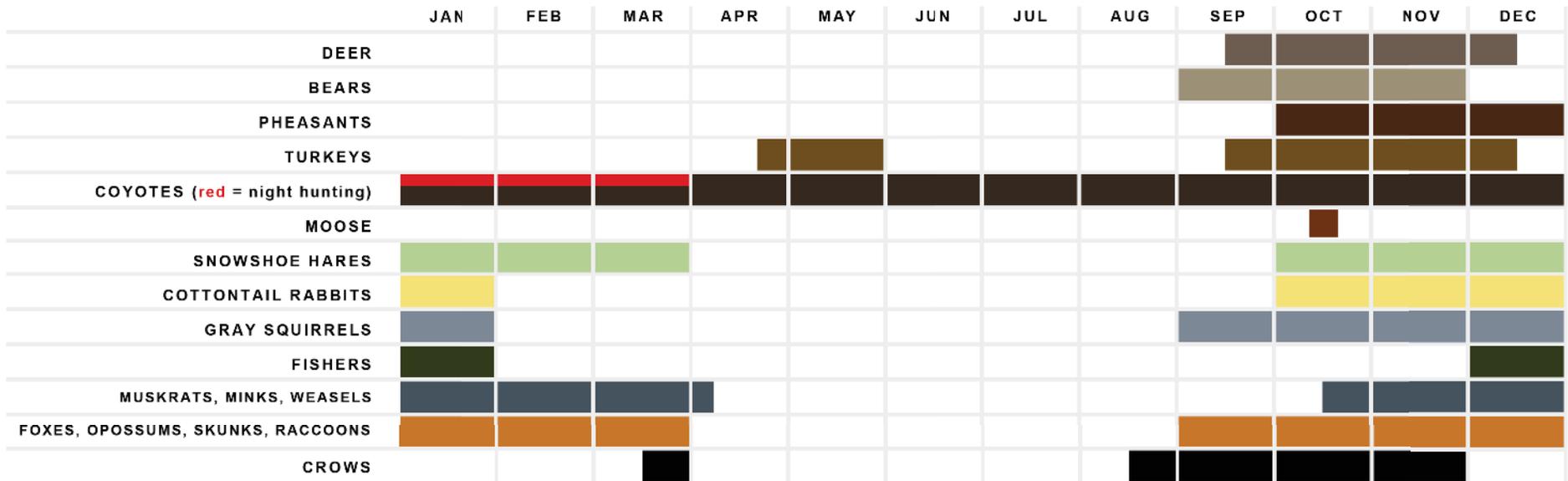
If you don't post your property, you could have hunters on your land at any time, including spring and summer when you and your family are more likely to be outside.

Hunted animals not shown in the chart for space reasons, but for whom the hunting season falls within these same date ranges,

include woodcocks, grouses, quails, chukars, partridges, otters, ducks, mergansers, coots, sea ducks, Canada geese, snow geese, brants, and snipes.

Warning! Coyote hunting is allowed 365 days a year, including **at night from January to March**. Be especially careful during night hunting months. A dog on a walk with her guardian was killed by coyote hunters in New Hampshire one February.

General hunting seasons (2022-2023)



What if my property is in Current Use?

Current Use is a property tax law designed to encourage the preservation of open space by making it affordable for people who own large tracts of land (10 acres or more, with some exceptions for wetlands and agricultural land) to keep it undeveloped.

Current Use landowners pay property tax based not on the land's full market value (what a developer might pay), but rather on its income-producing capability in its "current use" as farm, forest, wetland, and so on.

It is a common misconception that to be eligible for Current Use property must be open to the public. **Opening your land to the public is not required to qualify for Current Use status.**

Although towns may offer a **20% "Recreational Discount"** on the assessed value of Current Use property if owners allow public access, to qualify for the discount land must be open *year-round*

for *all* of the following activities, at no fee: skiing, snowshoeing, fishing, hunting, hiking, and nature observation.*

For many landowners, the 20% "Recreational Discount" yields only modest savings

Example: A 50-acre farm in the Current Use program is assessed at \$10,000.

At an average town tax rate of \$25 per \$1,000, the resulting property tax bill would be \$250 ($\25×10).

With the 20% Recreational Discount, the property would be assessed at \$8,000, with a resulting tax bill of \$200 ($\25×8).

This amounts to a **modest savings of \$50/yr.** in exchange for leaving your property wide open for hunting and other recreational uses.



Setting aside land for wildlife

Landowners wanting to ensure that their land is never developed can sell or donate property or a conservation easement to a land trust, municipality, or a state or federal conservation agency.*

One caveat of such arrangements could be giving up control over how the land is used. It might be the policy of the land trust to allow hunting on all the lands it manages, for example. This is true in the case of the New Hampshire Fish and Game Department, where without exception all donated land is open to hunting.

If you are in a position to donate land, **be sure to choose a conservation group that will allow you to attach restrictions, including no hunting.**

Wildlife as property owners?

Forward-thinking legal scholars are considering ways in which wildlife could own property.

It may sound far-fetched, but if you consider that the law already allows us to give property to animals — a typical example being a trust fund set up for a pet — giving land to wildlife is not such a crazy idea.**

In fact, the concept of wildlife having property rights existed in pre-colonial times. Some indigenous governments recognized an animal's right to property as equivalent to a human's. And why shouldn't it be?

* These transactions often come with significant federal tax incentives.

** To learn more about this burgeoning area of law, we recommend reading *Wildlife as Property Owners* by Martha Nussbaum.



Reporting wildlife crimes

The New Hampshire Fish and Game Department's Law Enforcement Division is responsible for the enforcement of all laws, rules, and regulations pertaining to hunting.

If you have problems with hunters

Contact your local Conservation Officer. Call NH Fish and Game's Dispatch Office at **(603) 271-3361** (8:00 a.m. until 4:30 p.m., Monday through Friday – closed from noon until 12:30 p.m.). The Dispatcher can relay a message to your Conservation Officer.

To report poaching

Poaching is illegal hunting, trespassing, littering, theft, or destruction of property. To report poaching, call **Operation Game Thief** at **(800) 344-4262** or fill out the confidential online form at **nhfishgame.com/ogt-form**.



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