

Codes and Ordinances Committee

Councilor Peter Lachapelle, Chair
Councilor Elaine Lauterborn, Vice Chair
Councilor Tom Abbott
Councilor Donna Bogan
Councilor Robert Gates



CODES AND ORDINANCES COMMITTEE

Of the Rochester City Council

Thursday, February 1, 2018

31 Wakefield Street, Rochester, NH

City Council Chambers

6:00 PM

Agenda

1. **Call to Order**
2. **Public Input**
3. **Acceptance of the Minutes: October 5, 2017 P. 3**
4. **Amendment to Chapter 45 of the General Ordinances of the City of Rochester Regarding Overnight Parking, Occupancy, and Camping on City owned Property P.7**
5. **Amendment to Chapter 63.2 of the General Ordinance of the City of Rochester Regarding the Passing of Items from the Occupant of a motor vehicle P.11**
6. **Amendment to Chapter 19.8 of the General Ordinance Storage of Containers and Dumpsters P. 23**
7. **Review of the Council Rules of Order P.41**
8. **Other**
9. **Adjournment**

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City Clerk's Office

Codes and Ordinances Committee

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CODES AND ORDINANCES COMMITTEE

Of the Rochester City Council

Thursday, October 5, 2017

City Council Chambers

31 Wakefield Street, Rochester, NH

MINUTES

1. Call to Order

Councilor Lachapelle called the Codes and Ordinances Committee to order at 6:00 PM. All Committee members were present. Also present were Councilor Gray and City Attorney, Terence O'Rourke.

2. Public Input

Councilor Lachapelle opened Public Input at 6:03 pm.

Michelle Smith, resident, spoke about Chapter 63.2 of the General Ordinances of the City of Rochester with regards to the passing of items to or from the occupant of a motor vehicle on a road way

Ms. Smith spoke about Chapter 36 of the General Ordinances of the City of Rochester with regards to Cemeteries.

George Pelletier spoke about Chapter 19.8 of the General Ordinances of the City of Rochester with regards to the placement of Waste Management totes.

Councilor Lachapelle thanked Ms. Smith and Mr. Pelletier for speaking and closed public input at 6:13 PM.

3. Acceptance of the Minutes: June 1, 2017

Councilor Lauterborn **MOVED** to **ACCEPT** the minutes of June 1, 2017. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4. **Review: Chapter 63.2** *The passing of Items to or from the Occupant of a Motor Vehicle on a Road Way.*

Terence O'Rourke, City Attorney, reported that enforcement of this ordinance is currently suspended to avoid any litigation, as a similar ordinance in another city had been brought before the NH State court and had been struck down by a federal judge ruling that the ordinance violates first amendment rights. Attorney O'Rourke had this on the agenda to ask the committee what they would like to do; Keep the current ordinance suspended as is and try to amend it, or scrap in all together? Councilor Gates asked if there were any other municipalities with a similar ordinance which had been found constitutional. Attorney O'Rourke stated none were found in NH. This will be kept in committee and Attorney O'Rourke will bring this back with revisions to the December 7th meeting.

5. **Review: Chapter 36** *Cemeteries*

A discussion ensued about whether or not to form a committee to oversee the cemeteries in Rochester. Councilor Bogan **MOVED** to bring to full council a motion for the formation of a Trustees of the Cemeteries Committee. If formed, this committee would take the responsibilities relative to cemeteries out of the City Manager's office. Councilor Abbott seconded the motion. The **MOTION CARRIED** by a majority voice vote.

6. **Review: Chapter 19.8** *Storage of Containers and Dumpsters*

Councilor Lachapelle led discussion on Chapter 19.8 and conversation was held regarding the section that reads "*and such containers/dumpsters are stored in such a manner as to be adequately screened from view from any public way.*" Councilor Abbott recalls this being removed from the chapter initially, and does not know when it was added back. Councilor Lachapelle stated that we need to be careful on how this is enforced as written. Councilor Lauterborn **MOVED** to remove "*and such containers/dumpsters are stored in such a manner as to be adequately screened from view from any public way.*" from Chapter 19.8. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle also brought forward a change that needs to happen in the beginning of this chapter under **19.1 Definitions**. He stated that the City will be migrating to a second cart for streamline recycling within the next couple of months. In preparation of this, the definition v) **Residential Recycling Bin** needs to be changed to reflect this. His suggestion was to have the definition read exactly like y) **Rubbish and Waste Receptacles** with a minor change. Councilor Lachapelle **MOVED** to make the following changes: v) **Residential Recycling Bin Cart – Any reusable container that is labeled for recycling. Containers shall be no larger than eighteen (18) gallons in size. Shall be a specifically designed container with wheels or "cart" distributed by Waste Management to be used for the storage of acceptable recyclables in the automated collection process. No other receptacles will be permitted for collection by the City's waste collection contractor.** Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

7. Other

Councilor Lauterborn spoke on camping in Rochester parks. Councilor Lachapelle shared that he had received an e-mail from the Chief of Police. The chief will be researching this with the Recreation Department. There is an ordinance that specifically states that people cannot camp in Rochester parks. The Trustees of Trust Funds are also looking into this. Councilor Gray spoke about there being an ordinance stating that signs can be posted listing the park hours. With these signs posted, if a camper was found in a park they could be found in violation of park hours. Councilor Gray also inquired whether or not Hanson Pines is considered a park. Councilor Lachapelle asked City Attorney O'Rourke to look into this and report back at the December 7th meeting. If action needs to be taken, it will be taken at that time.

Councilor Lauterborn spoke on the Dewey Street Bridge Project. It was said during the site walks and meetings that motorized vehicles would not be allowed on the bridge. There will be barriers placed at either end of the bridge, but small motorized vehicles would be able to get around said barriers. Councilor Lauterborn inquired if the items from these previous meetings are enforceable, or if there needs to be a specific ordinance prohibiting vehicles such as snowmobiles and motorcycles. Councilor Lachapelle stated that the City can post a sign on either side of the bridge. Councilor Lauterborn just wants to make sure the police have what they need to enforce this. Councilor Lachapelle said that he can have Councilor Hamann put it on the agenda for the next Safety Committee meeting. City Attorney O'Rourke will look into whether or not we can just place signs, or if we need to do something else.

8. Adjournment

Councilor Gates **MOVED** to **ADJOURN** the Committee meeting at 6:38 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Susan Morris
Assistant City Clerk

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City Clerk's Office

**AMENDMENT TO CHAPTER 45 OF THE GENERAL ORDINANCES OF THE CITY
OF ROCHESTER REGARDING OVERNIGHT PARKING, OCCUPANCY AND
CAMPING ON CITY OWNED PROPERTY**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 45 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

CHAPTER 45

**OVERNIGHT PARKING, OCCUPANCY AND CAMPING ON CITY OWNED
PROPERTY**

SECTION ANALYSIS

45.1 Authority

45.2 Purpose

45.3 Acts Prohibited

45.4 Definitions

45.5 Exceptions

45.6 Responsibility

45.7 Removal

45.8 Enforcement

45.9 Severability

45.10 Effective Date

45.1 Authority.

In accordance with and under the authority of New Hampshire Revised Statutes Annotated 41:11; 41:11-a; and 47:17, the City Council of the City of Rochester hereby adopts the following ordinance for the regulation of overnight parking or camping on all City-owned property.

45.2 Purpose.

This purpose of this Ordinance is to protect the public peace, preserve public law and order, promote safety and welfare and ensure proper and decent conduct for the residents of the City of Rochester and the general public, in the use of City-owned properties.

45.3 Acts Prohibited.

From and after the effective date of this ordinance it shall be unlawful for any person to camp, or to park, with occupancy by one or more persons, any vehicle or recreational vehicle, either overnight or for any two-hour period between dusk and dawn, on any City-owned lands within the City of Rochester.

45.4 Definitions.

(a) *Camp*: Includes pitching a tent, placing or erecting any other camping device, or sleeping in or on the City-owned property.

(b) *Recreational vehicle*: Any vehicle fitting the definition in RSA 216-I:1, VIII.

(c) *City-owned property*: All properties owned by the City of Rochester.

45.5 Exceptions.

Restrictions in this ordinance shall not apply:

(a) When permission has been granted by the Chief of Police or designee for official or emergency purposes.

(b) When permission has been granted by the City Manager or Chief of Police in conjunction with a performance at the Rochester Opera House or with a written special event permit.

45.6 Responsibility.

All violations of parking restrictions and charges accompanied therewith shall be deemed the responsibility of the registered owner of said vehicle. Such registrations may be proven as set forth in RSA 261:60. Said registered owner shall be conclusively presumed to be in control of the vehicle at the time of the parking violation, and no evidence of actual control or culpability needs to be proven as an element of the offense in accordance with RSA 231:132-a.

45.7 Removal.

Any vehicle parked in violation of this Ordinance by be ordered towed by the Rochester Police Department at the expense of the owner or custodian of said vehicle.

45.8 Enforcement.

(a) Any person who violates this Ordinance shall be guilty of a violation and shall be fined One Hundred Dollars (\$100.00).

(b) Any duly appointed police officer for the City of Rochester may enforce this Ordinance by utilizing any process authorized by state law, including but not limited to a Local Ordinance Citation pursuant to RSA 31:39-d and Chapter 44 of the City of Rochester Ordinance.

(c) All penalties collected for violations of this Ordinance shall be for the use of the City and deposited into the City's general fund.

45.9 Severability.

The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this Ordinance.

45.10 Effective Date.

This Ordinance shall take effect upon passage.

The effective date of these amendments shall be upon passage.

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City Clerk's Office

63.2 **The Passing of Items to or from the Occupant of a Motor Vehicle on a Roadway.**

(a) **Definitions.** For the purpose of this Section, the following definitions apply:

(1) **Pass/Passing.** Distributing any item to, receiving any item from, or exchanging any item with the occupant of a motor vehicle that is located in the roadway.

(2) **Roadway.** All ways within *the Downtown Commercial and Highway Commercial Zones* of the City, as the term "way" is defined in RSA 259:125, II. This definition excludes privately owned property not open for public use or generally maintained for the benefit of the public, areas in which parking is permitted in the City, and property maintained specifically for drive-thru or drive-up transactions.

(3) **Item.** Any physical object.

(b) **Prohibitions on Roadways.** It shall be unlawful to violate any of the prohibitions set forth below in the City.

(1) No person, *while in a Roadway*, shall knowingly pass any item to the occupant of any motor vehicle when the vehicle is located in a Roadway, nor shall any occupant of any motor vehicle located in a Roadway pass any item to a person, *in a Roadway*, located outside of the vehicle.

(2) This Section shall not apply to the distribution, receipt or exchange of any item with the occupant of a motor vehicle on privately owned property not open for public use or generally maintained for the benefit of the public, areas in which parking is permitted in the City, and property maintained specifically for drive-thru or drive-up transactions.

(3) This Section shall not apply to any law enforcement officer acting in the scope of his official duty.

(4) This Section shall not apply to the distribution, receipt or exchange of any item with the occupant of a motor vehicle located in the roadway in order to assist the occupant after a motor vehicle accident, with a disabled motor vehicle or where the occupant is experiencing a medical emergency.

(c) **Penalty.** A person found in violation of this Section shall be fined as follows:

(1) 1st Offense: Not less than \$500.00.

(2) 2nd Offense: Not less than \$750.00.

(3) 3rd and subsequent Offenses: Not less than \$1,000.00.

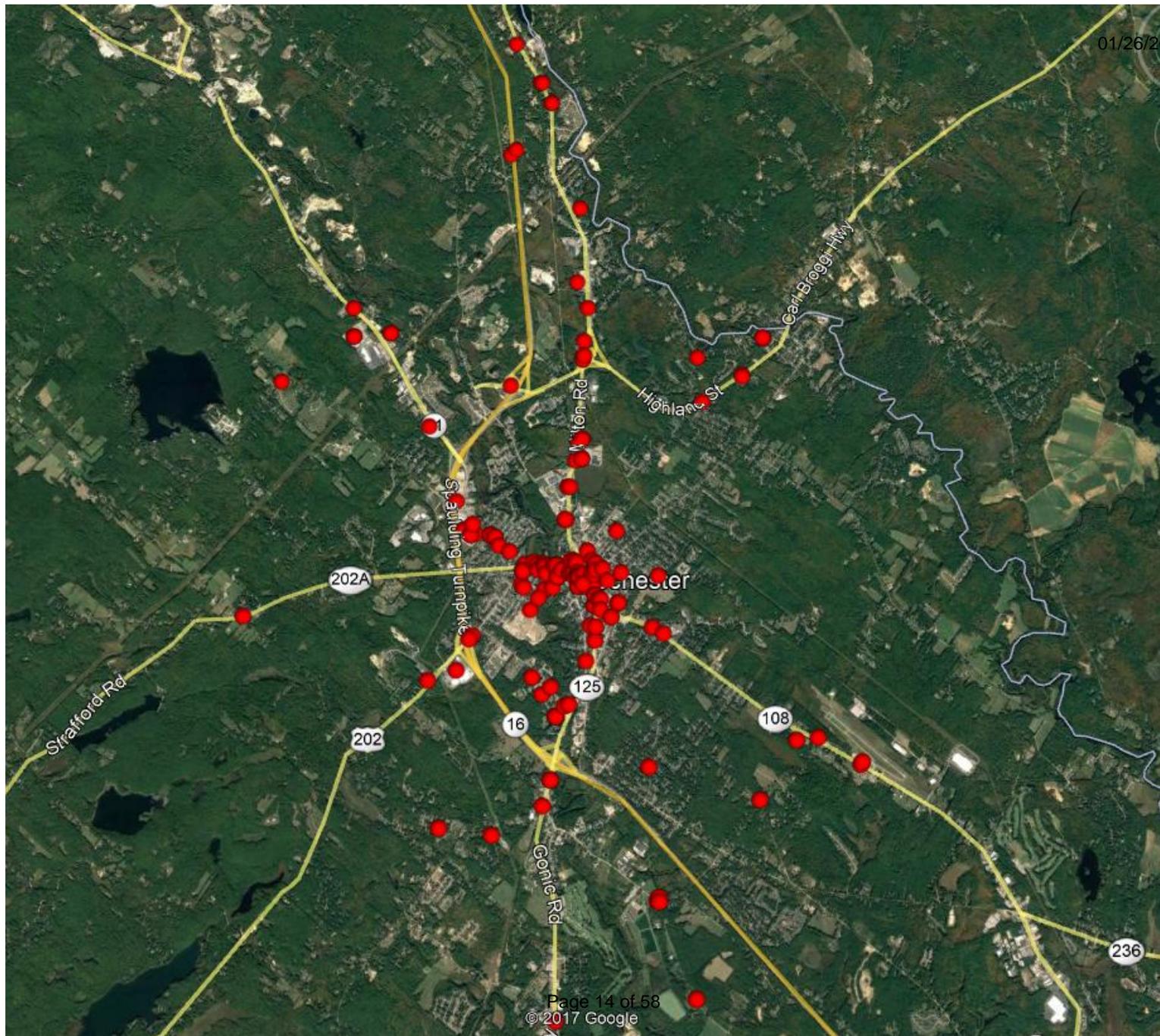
(d) Severability. If any provision of this section is declared invalid or unconstitutional by any Court of competent jurisdiction, the remaining provisions shall be severable and shall continue in full force and effect.

Accidents with Pedestrians from January 2010-October 2017

Alexandra Freeman

Crime Analyst

Rochester Police Department



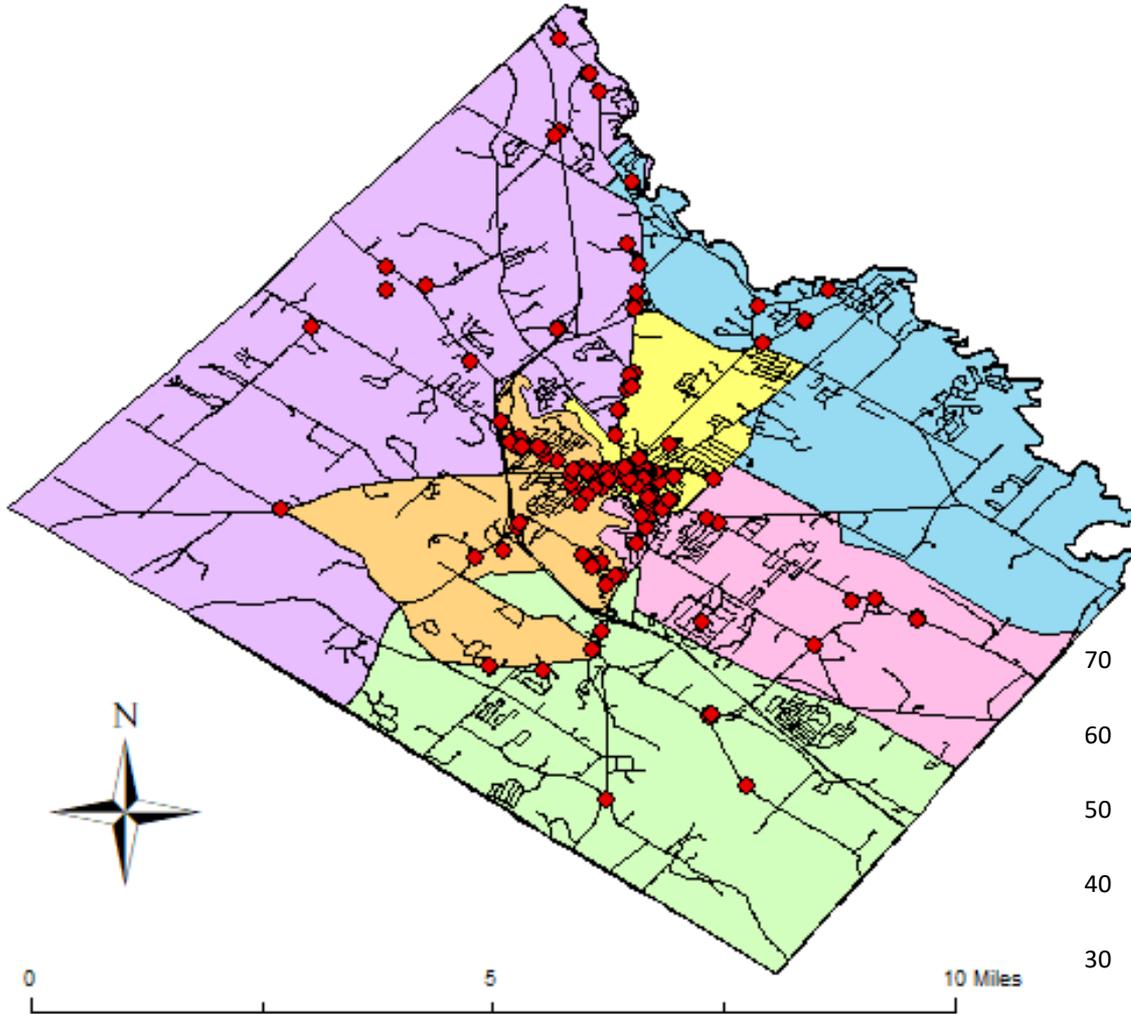
Downtown Area

01/26/2018



Accidents in Wards

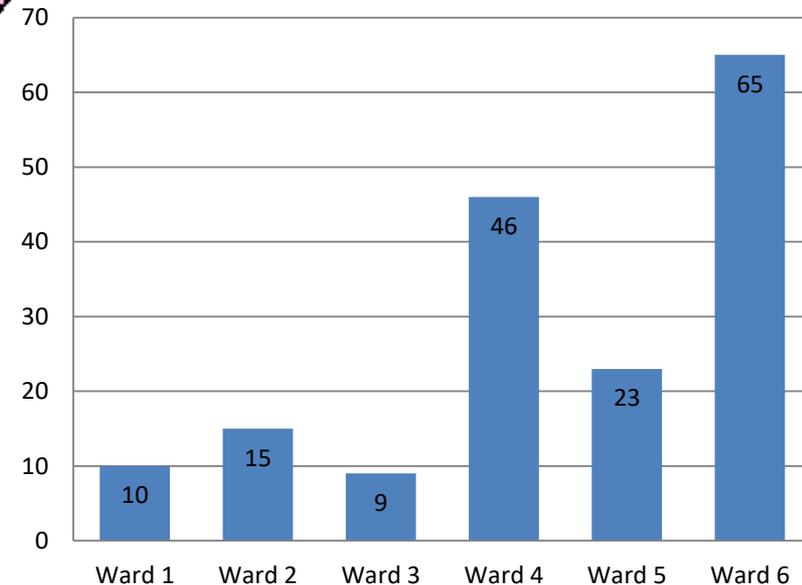
01/26/2018



168 Accidents from
Jan 2010-Oct 2017

38% of Accidents Occurring
In Ward 6, 27% in Ward 4

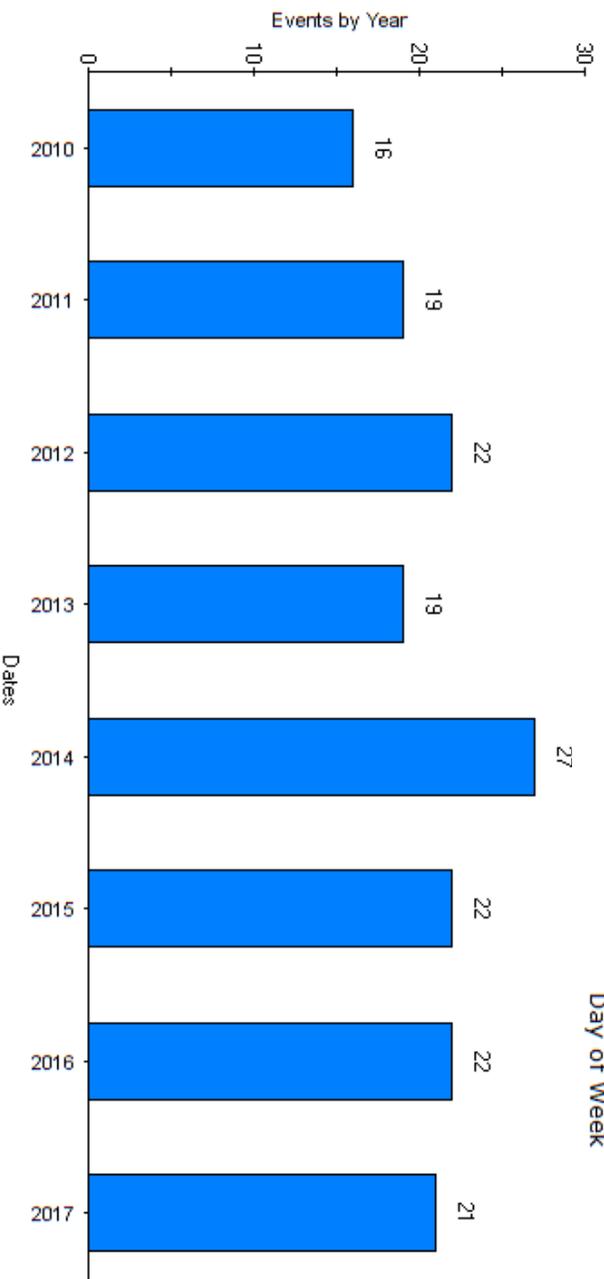
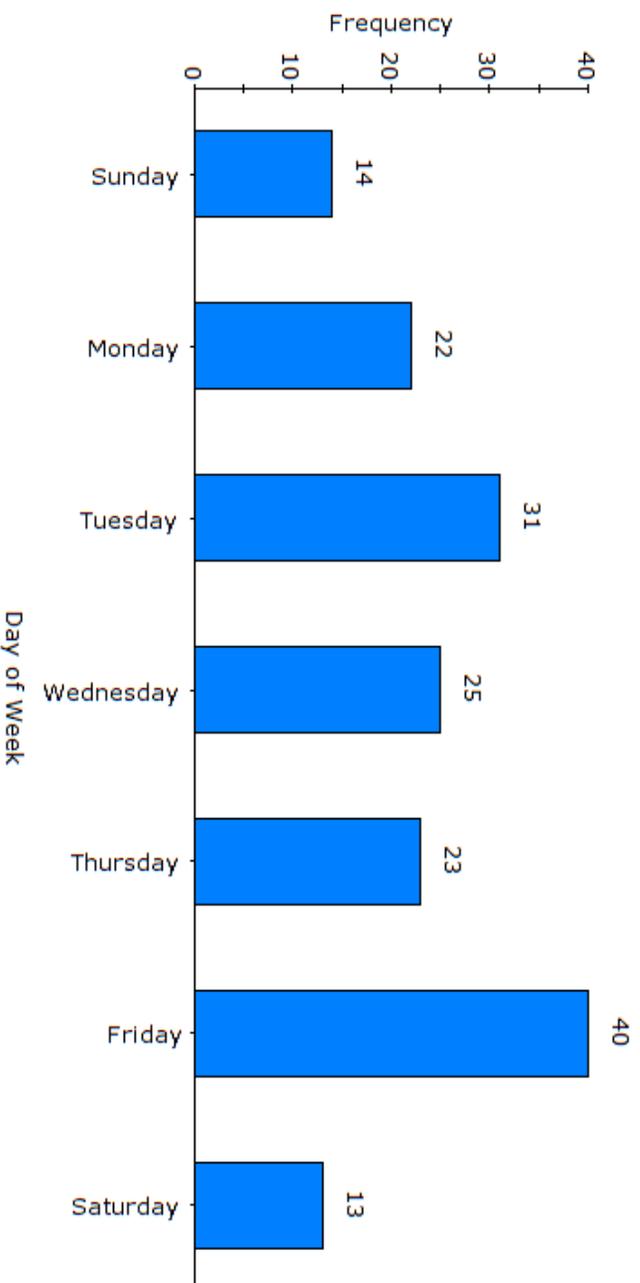
65% in Ward 4 and 6



Time Analysis

01/26/2018

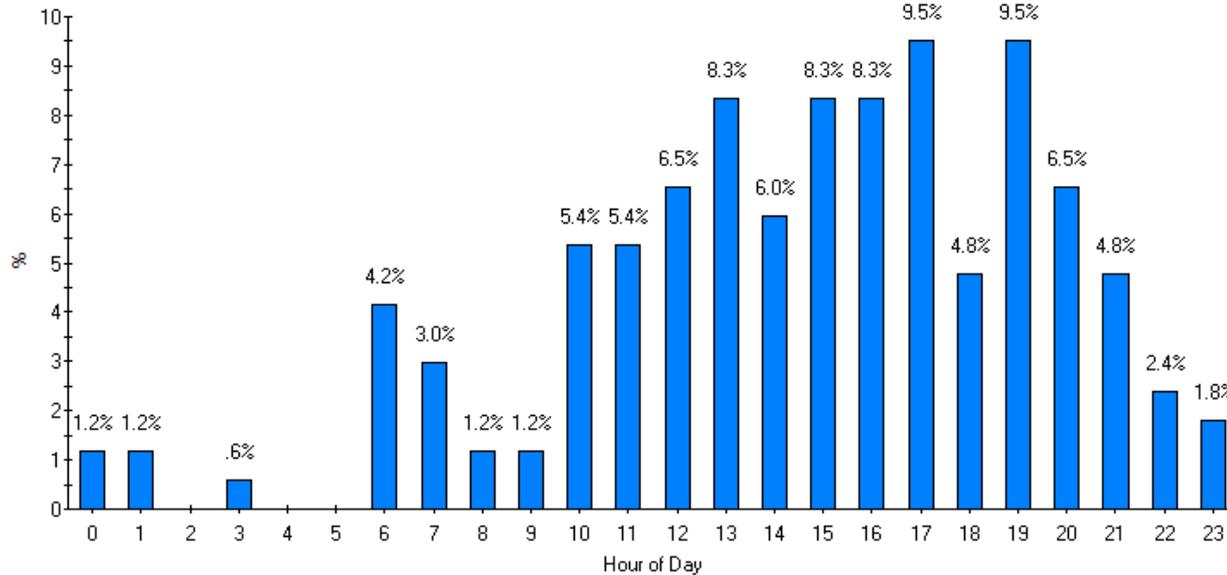
Fridays (24%) and Tuesdays (18%) had higher than average accidents with pedestrians



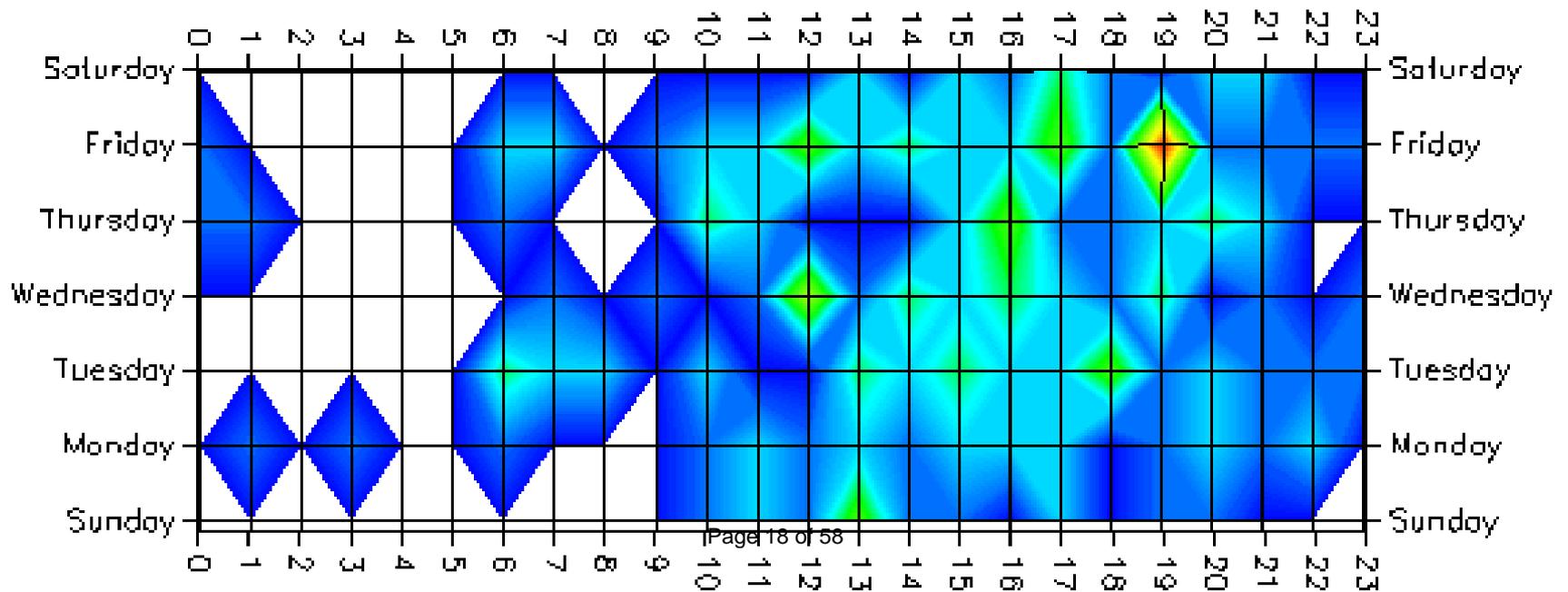
No huge fluctuations in accidents year to year other than a spike in 2014

Time Analysis

01/26/2018



Most accidents occur in the afternoons with the highest occurrences Fridays at 7PM



Detailed Accident Information 01/23/2018

Accident #	Date	Time	Location	Accident #	Date	Time	Location
10-19-AC	1/8/2010	10:46	50 Wakefield St	11-923-AC	12/7/2011	21:17	1 Knight Street
10-200-AC	3/11/2010	19:40	90 S Main St	11-979-AC	12/23/2011	16:58	10 South Main St
10-224-AC	3/21/2010	14:01	24 Signal St	12-139-AC	2/24/2012	19:18	Wakefield St
10-232-AC	4/1/2010	1:43	200 Juniper St	12-176-AC	3/12/2012	15:07	1 North Main Street
10-283-AC	4/16/2010	23:11	500 Cross Road	12-191-AC	3/20/2012	17:27	Punch Brook Way
10-396-AC	5/31/2010	11:18	200 Yeagley Way	12-207-AC	3/26/2012	13:52	133 Brock Street
10-454-AC	7/4/2010	11:33	Milton Road	12-321-AC	5/14/2012	15:49	240 Portland St
10-658-AC	9/22/2010	12:20	72 Lafayette St	12-336-AC	5/20/2012	15:20	50 Milton Road
10-691-AC	10/1/2010	14:36	Brock and Emerson	12-351-AC	5/25/2012	16:45	65 Columbus Ave
10-696-AC	10/2/2010	16:48	1000 Highland St	12-355-AC	5/29/2012	20:55	Milton Road
10-705-AC	10/9/2010	15:03	Sidney and Charles	12-364-AC	6/1/2012	12:48	6 Union Street
10-772-AC	11/11/2010	21:17	30 Lafayette St	12-243-AC	6/9/2012	13:51	160 Washington St
10-852-AC	12/12/2010	13:13	13 Sylvain St	12-426-AC	6/27/2012	12:15	10 Olde Farm Lane
10-858-AC	12/14/2010	15:06	300 Wakefield St	12-495-AC	7/24/2012	13:22	40 North Main St
10-854-AC	12/14/2010	7:08	100 Wakefield St	12-497-AC	7/24/2012	13:57	8 May Street
10-865-AC	12/16/2010	11:44	30 Portland St	12-557-AC	8/22/2012	13:56	207 S Main St
11-26-AC	1/11/2011	13:18	96 Milton Road	12-563-AC	8/24/2012	19:23	50 Milton Road
11-64-AC	1/21/2011	6:18	75 Olde Farm Ln	12-634-AC	9/28/2012	19:09	12 Union Street
11-178-AC	2/25/2011	12:36	29 Hanson St	12-641-AC	9/30/2012	19:24	157 Rochester Hill Road
11-206-AC	3/8/2011	14:57	20 South Main St	12-659-AC	10/7/2012	10:53	20 Emerson Avenue
11-259-AC	3/28/2011	21:39	26 Gonic Road	12-721-AC	11/1/2012	15:04	30 Main Street
11-293-AC	4/8/2011	19:11	10 Columbus Ave	12-781-AC	11/21/2012	19:00	89 Oak Street
11-293-AC	4/8/2011	19:11	10 Columbus Ave	12-792-AC	11/26/2012	17:25	34 Summer Street
11-302-AC	4/15/2011	9:23	300 Ten Rod Road	12-827-AC	12/7/2012	13:56	10 Rochester Hill Road
11-373-AC	5/17/2011	8:56	36 River St	13-151-AC	2/18/2013	20:49	105 Whitehouse Road
11-408-AC	5/29/2011	20:44	500 Milton Road	13-201-AC	3/8/2013	7:29	900 Pickering Road
17-468-AC	6/21/2011	18:09	145 North Main St	13-214-AC	3/11/2013	17:11	Congress St
17-512-AC	7/7/2011	21:02	Signal Street	13-253-AC	3/27/2013	16:13	7 Gagne Street
11-549-AC	7/22/2011	11:48	44 Franklin Street	13-747-AC	5/10/2013	20:50	300 Twombly Street
11-585-AC	8/8/2011	16:48	Signal Street	13-666-AC	6/9/2013	13:16	61 Winter Street
11-588-AC	8/9/2011	20:08	500 N Main Street	13-572-AC	7/24/2013	18:58	116 Farmington Road
11-751-AC	10/6/2011	19:24	20 N Main Street	13-576-AC	7/26/2013	17:52	3 Periwinkle Drive
11-762-AC	10/10/2011	10:12	N main and bridge	13-586-AC	7/29/2013	22:37	54 Lafayette Street
				13-598-AC	8/2/2013	18:17	48 Portland Street

Detailed Accident Information

01/23/2018

Accident #	Date	Time	Location	Accident #	Date	Time	Location
13-606-AC	8/5/2013	3:59	100 Farmington Road	14-940-AC	12/23/2014	23:54	90 S Main St
13-795-AC	9/3/2013	6:45	35 N Main Street	14-943-AC	12/24/2014	16:40	103 N Main St
13-842-AC	9/18/2013	12:01	100 N main Street	14-945-AC	12/24/2014	17:26	1 Dewey Street
13-350-AC	9/19/2013	17:52	124 N main Street	15-246-AC	2/24/2015	22:00	10 Farmington Road
13-867-AC	9/26/2013	20:05	6 Union Street	15-382-AC	4/23/2015	6:15	100 Rochester Hill Road
13-398-AC	10/2/2013	14:28	100 Rochester Hill Road	15-407-AC	5/4/2015	6:58	111 South main Street
13-980-AC	11/5/2013	18:47	Farmington Road	15-420-AC	5/7/2015	0:29	Farmington Road
13-1069-AC	12/7/2013	17:29	Washington Street	15-443-AC	5/13/2015	17:41	12 Dreyer Way
14-31-AC	12/24/2013	19:59	26 Signal Street	15-467-AC	5/20/2015	11:18	South Main Street
14-79-AC	1/25/2014	20:00	306 N Main Street	15-537-AC	6/18/2015	18:20	Gonic Road
14-84-AC	1/27/2014	13:54	35 Columbus Avenue	15-600-AC	7/13/2015	1:14	300 Salmon Falls Road
14-142-AC	2/13/2017	22:52	278 Lowell Street	15-667-AC	8/6/2015	10:38	20 Columbus Avenue
14-210-AC	3/3/2014	12:51	139 Wakefield Street	15-669-AC	8/6/2015	16:28	64 Milton Road
14-242-AC	3/19/2014	12:27	19 River Street	15-674-AC	8/10/2015	14:40	250 N Main Street
14-305-AC	4/15/2014	7:43	200 Washington Street	15-678-AC	8/12/2015	9:59	116 Farmington Road
14-370-AC	5/20/2014	21:20	34 S Main Street	15-738-AC	9/4/2015	19:35	S Main Street
14-375-AC	5/22/2014	16:42	60 S Main Street	15-754-AC	9/12/2015	21:30	15 Sylvain Street
14-424-AC	6/15/2014	17:36	Highland Street	15-763-AC	9/16/2015	7:22	130 Wakefield Street
14-434-AC	6/19/2014	16:50	153 N Main Street	15-804-AC	9/29/2015	8:53	Sylvain and Maple
14-450-AC	6/24/2014	16:24	30 Gonic Road	15-807-AC	9/30/2015	15:59	Brock and Gonic
14-498-AC	7/11/2014	19:12	Portland Road	15-869-AC	10/21/2015	14:02	424 Columbus Ave
14-574-AC	8/8/2014	13:30	1 Cushing Blvd	15-918-AC	11/7/2015	20:37	24 Signal St
14-591-AC	8/14/2014	15:54	1 Leonard Street	15-922-AC	11/9/2015	16:47	124 N main Street
14-639-AC	9/5/2014	6:21	Gonic Road	15-957-AC	11/24/2015	14:23	130 Wakefield Street
14-646-AC	9/6/2014	13:17	280 N Main St	15-1022-AC	12/14/2015	19:31	59 Brock Street
14-677-AC	9/19/2014	21:03	Gonic Road	16-18-AC	1/6/2016	15:39	90 N Main Street
14-700-AC	9/26/2014	14:44	20 S Main St	16-19-AC	1/6/2016	16:57	3 Rochester Neck Road
14-701-AC	9/26/2014	17:08	1 Wakefield Street	16-131-AC	2/19/2016	11:22	290 N Main St
14-770-AC	10/31/2014	12:29	547 Columbus Ave	16-139-AC	2/21/2016	11:55	40 Winter Street
17-773-AC	11/1/2014	15:56	290 N Main St	16-166-AC	3/1/2016	18:34	1000 Rochester Hill Road
14-785-AC	11/3/2014	11:39	48 Portland Street	16-295-AC	4/20/2016	12:37	100 S Main Street
14-854-AC	11/27/2014	20:34	88 Milton Road	16-305-AC	4/24/2016	12:09	251 N Main Street
14-875-AC	12/4/2014	16:18	224 N Main Street	16-352-AC	5/13/2016	12:01	125 Lilac Mall
14-876-AC	12/5/2014	10:32	116 Farmington Road	16-357-AC	5/13/2016	22:28	Milton Road

Detailed Accident Information

01/23/2018

Accident #	Date	Time	Location
16-439-AC	6/14/2016	15:42	The Commons
16-466-AC	6/24/2016	14:01	175 Portland Street
16-524-AC	7/10/2016	13:21	161 Wakefield St
16-536-AC	7/15/2016	0:24	123 N Main Street
16-557-AC	7/21/2016	10:20	186 Pickering Road
16-774-AC	10/11/2016	10:39	62 S Main Street
16-820-AC	10/27/2016	11:34	10 Washington Street
16-849-AC	11/9/2016	19:06	60 Betts Road
16-923-AC	12/2/2016	7:25	118 Wakefield Street
16-929-AC	12/3/2016	18:52	10 S Main Street
16-986-AC	12/21/2016	19:47	242 Milton Road
16-994-AC	12/23/2016	19:22	25 Autumn Street
16-1000-AC	12/27/2016	10:56	280 N Main St
17-11-AC	1/6/2017	17:26	Bridge Street
17-20-AC	1/10/2017	17:03	N Main Street
17-40-AC	1/17/2017	18:12	240 Fern Street
17-79-AC	2/1/2017	23:49	48 Gonick Road
17-130-AC	2/14/2017	16:23	26 Lilac Mall
17-159-AC	2/20/2017	20:10	250 Rochester Hill Road
17-207-AC	3/10/2017	17:06	6 Union Street
17-327-AC	4/16/2017	17:27	1 Meaderboro Road
17-428-AC	5/20/2017	21:01	173 N Main Street
17-519-AC	6/15/2017	20:47	58 Highland Street
17-540-AC	6/20/2017	15:29	1 Knight Street
17-665-AC	7/30/2017	13:07	130 Washington Street
17-675-AC	8/2/2017	14:32	101 N Main Street
17-709-AC	8/12/2017	17:59	37 Wakefield Street
17-717-AC	8/15/2017	6:30	2 Tebbetts Road
17-800-AC	9/15/2017	15:16	Columbus Avenue
17-854-AC	9/28/2017	10:36	26 Lilac Mall
17-904-AC	10/13/2017	15:17	Bridge Street
17-922-AC	10/21/2017	17:44	Little falls road
17-928-AC	10/24/2017	6:51	4 maple st

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City Clerk's Office

**Amendment to Chapter 19 of the General Ordinances of the City of Rochester Regarding
Storage of Containers and Dumpsters**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 19 of the General Ordinances of the City of Rochester, currently before the Rochester City Council, be amended as follows:

19.8 Storage of Containers and Dumpsters. Except on the day scheduled for collection and during the time period provided in 19.6 of this chapter, no person shall place or store any refuse in any street, alley or other public place or upon any private property within the City of Rochester unless such refuse is placed in proper containers/dumpsters. ~~and such containers/dumpsters are stored in such a manner as to be adequately screened from view from any public way.~~

The effective date of these amendments shall be upon passage.

CC FY 18 2017, 12-05 AB 67

Screening of Dumpsters and Trash Toters

Chapter 19 – City Ordinances

- 19.8 Storage of Containers and Dumpsters. Except on the day scheduled for collection and during the time period provided in 19.6 of this chapter, no person shall place or store any refuse in any street, alley or other public place ***or upon any private property within the City of Rochester unless such refuse is placed in proper containers/dumpsters and such containers/dumpsters are stored in such a manner as to be adequately screened from view from any public way***

Site Regulations Section 9

(D) Solid Waste

- (1) The applicant shall include adequate provisions for solid waste disposal. All waste materials shall be contained in dumpsters or other acceptable receptacles. ***Disposal areas shall be fully enclosed and screened from the street and from abutting properties by a fence, a wall, vegetation, or another method to a height of 6 feet or, where a dumpster is used, 6 feet or 1 foot above the height of the dumpster, whichever is greater.***
- (2) All dumpsters shall be placed on a suitable surface. When there will be intensive usage, the dumpster shall be located on a minimum 6 inch thick concrete pad.
- (3) Solid waste facilities shall be strategically located in order to minimize visibility from the street; minimize visibility and the impact of odors, noise, and flyaway trash upon abutters; and allow for easy access and removal.
- (4) Special safeguards may be stipulated to minimize odors, flyaway trash, and impacts upon environmental resources.
- (5) When appropriate, site plans should include plans for recycling of appropriate materials.

Examples of properties and why screening or storage out of sight is important.























- It is important to add that not all properties require a screen be created. Per the ordinance the toter's and dumpsters have to be out of view from the public way. How this is achieved is up to the property owner.

Why Attractive Enclosures Make Sense

The most obvious reason why fences or natural borders around trash dumpsters and containers make sense is because they keep trash out of view behind a building or a nearby area where the receptacle must be located for easy pickup by the trash company. There are also a few other reasons why investing in barriers around the receptacle can be important:

- **Property Appearance** - No matter what kind they are, dumpsters and multiple containers look unsightly. These large trash receptacles can detract from the overall appearance and curb appeal of business and residential properties. By enclosing ugly trash containers with attractive privacy fences, that problem is easily resolved while adding a stylish element to the property.
- **Security** - Enclosures around dumpsters or containers also provide an element of security, since these receptacles are common targets for vandalism and theft. Even though they are used to dump trash, businesses and residences need to keep others out for liability reasons and because 'dumpster diving' is illegal in most areas.
- **Prevent Unauthorized Use** - Besides the liability issue, another important reason to keep trash receptacles securely enclosed is to keep others from dumping their trash in them. Dumpster trash service is more expensive than standard service, so it is essential that the business actually be able to throw out its garbage without worrying about the dumpster being filled. Some services charge by weigh, so a dumpster filled with someone else's trash could get expensive. An enclosure with a locking gate takes care of all of those issues.
- **Reduce Access by Animals** - Especially important for businesses that throw out food waste, tall fences can reduce how easily stray animals and wildlife can access waste.

**ROCHESTER
NEW HAMPSHIRE**



**2016
CITY COUNCIL
RULES OF ORDER**

AMENDED AND ADOPTED ON MARCH 1, 2016



**RULES OF ORDER
OF THE CITY COUNCIL
CITY OF ROCHESTER, NEW HAMPSHIRE**

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**RULES OF ORDER OF THE
CITY COUNCIL
CITY OF ROCHESTER, NEW HAMPSHIRE**

**ARTICLE 1
CITY COUNCIL MEETINGS**

SECTION 1.1 REGULAR MEETINGS

Regular meetings of the City Council shall be held in the Council Chamber in City Hall on the first Tuesday of each month, at 7:00 o'clock PM, except when a state general election or a regular municipal election is held on said first Tuesday of the month of November. The November meeting date in the year in which a regular municipal election is conducted shall be the Wednesday following said municipal election, in accordance with Section 52 of the City Charter. The November meeting date in the year in which a state general election is conducted shall be the second Tuesday of that month, unless the City Council shall otherwise direct. The inaugural meeting date following the regular municipal election shall be the first Tuesday after January 1. If any such date shall fall upon a legal holiday or upon the day on which a special state or municipal election is conducted the City Council shall vote to conduct said meeting on the day following or on the Tuesday following that holiday or Election Day.

SECTION 1.2 SPECIAL MEETINGS

The City Clerk shall call a special meeting of the City Council at the written request of the City Manager, the Mayor, or at the written request of a majority of City Council. Special meetings of the City Council shall be held upon written notice being delivered by the City Clerk to each City Councilor at least forty-eight (48) hours prior to said meeting, said notice stating the purpose for which the meeting is called. The Mayor shall take the chair precisely at the hour appointed for the meeting and call the members to order, and within ten minutes or sooner if a quorum be present, shall cause the roll to be called, and the names of the members present to be recorded. The Clerk shall also record the names of the members coming in after the calling of the roll.

SECTION 1.3 ABSENCE OR DISABILITY OF MAYOR, DEPUTY MAYOR

In the absence or disability of the Mayor, the Deputy Mayor shall take the chair and preside over the meeting and shall act as Mayor during such absence or disability. In the absence or disability of both Mayor and Deputy Mayor, the Clerk shall call the Council to order and shall preside until a chairperson shall be chosen by a roll call vote and plurality of votes, who shall preside and act as Mayor during such absence or disability.

[6/4/2013]

SECTION 1.4 ORDER OF BUSINESS

(a) The order of business for regular meetings of the City Council shall be as follows:

1. Call to order
2. Pledge of Allegiance
3. Prayer
4. Roll Call
5. Approval of the minutes of the previous meeting(s)
6. Communications from the City Manager
7. Communications from the Mayor
8. Presentation of Petitions and Council Correspondence [and Disposal thereof by Reference or Otherwise]
9. Nominations, Appointments and Elections
10. Report of Committees
11. Old Business [Items Remaining from Prior Meetings]
12. New Business
13. Other
14. Adjournment

(b) New Business: Items requiring Council action may be introduced by any member of the City Council, but may not be acted upon at the meeting in which they are introduced unless the items are properly filed in accordance with Article 4, Section 4.1 herein. The Council may act upon said items if they have not been filed in advance by suspending Council Rules by a two-third (2/3) vote of the City Council.

SECTION 1.5 PUBLIC HEARINGS

Public Hearings: To receive citizen input and feedback on certain specific matters that have been placed on the meeting agenda for consideration and action by the City Council, Public Hearings will be scheduled and held as required by law and/or whenever referred for a public hearing by simple majority vote of Council Members present. Upon being referred by Council vote, Public Hearings will be noticed for and held during a subsequent Regular and/or Special Meeting or Committee Meeting. At the request of the presiding officer, Ordinances or Resolutions scheduled on an agenda for public hearing will be briefly introduced with appropriate explanations by staff. Citizens will then have the opportunity to address the Council speaking to the specific item(s) subject to public hearing, subject to the following guidelines: [6/4/2013]

- I. All speakers shall be residents of the City of Rochester, property owners in the City of Rochester, and/or designated representatives of recognized civic organizations or businesses located and/or operating in the City of Rochester;
- ii. All speakers shall address their comments to the presiding officer and the Council as a body and not to any individual member;
- iii. Speakers shall first recite their name and address for the record, and, if applicable, the name and address of the civic organization and/or business they have been designated to represent;
- iv. For each public hearing item, a speaker shall be provided a single opportunity for comment;
- v. Public Hearings are not intended to be utilized for a two-way dialogue between speaker(s), Council Member(s), and/or the City Manager, or administrative staff; and
- vi. The presiding officer shall preserve strict order and decorum for and by all speakers appearing before the Council.

<p>ARTICLE 2</p> <p>DUTIES AND POWERS OF PRESIDING OFFICER</p>
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SECTION 2.1 PRESIDING OFFICER - DECORUM AND ORDER

The presiding officer shall preserve decorum and order, may speak to points of order in preference to the members, and shall decide all questions of order, subject to an appeal to the Council on motion of any member, and no other business shall be in order until the questions on the appeal shall have been decided.

SECTION 2.2 PRESIDING OFFICER - DECLARING VOTES

The presiding officer shall declare all votes, but if any member doubts the vote, the presiding officer, without further debate upon the question, shall require a division and shall declare the results.

SECTION 2.3 PRESIDING OFFICER - ROLL CALL VOTES

When any member shall require a question to be put in the roll call vote, the presiding office shall so order if the request is seconded.

SECTION 2.4 PRESIDING OFFICER - ORDER OF QUESTIONS

The presiding officer shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature.

SECTION 2.5 DISPOSAL OF MOTIONS

After a motion is made and seconded, it shall be considered, and, after it is stated by the presiding officer, it shall be disposed of by vote of the City Council, unless the mover withdraws it before a decision or amendment and the second agrees to withdrawal of the motion.

SECTION 2.6 MOTION FOR ADJOURNMENT

The presiding officer shall consider a motion to adjourn as always in order, the time of the next meeting having been agreed upon, unless a member has possession of the floor, or any question has been put and not decided. The motion to adjourn, or to lay on the table, or to take from the table, if seconded, shall be decided without debate.

SECTION 2.7 PRESIDING OFFICER - RECOGNIZING MEMBERS

When two or more members ask to be recognized at the same time, the presiding officer shall name the member who shall speak first.

SECTION 2.8 COMMITTEE APPOINTMENTS

All Council committees shall be appointed and announced by the presiding officer, who shall designate the chairperson and vice-chairperson thereof. The Mayor shall be Chair of the Finance Committee and an Ex-Officio voting member of all other committees of the Council.

SECTION 2.9 ROBERT'S RULES OF ORDER

When no other provision is herein made, questions of parliamentary law shall be decided as prescribed in the most recent edition of Robert's Rules of Order.

<p>ARTICLE 3 RIGHTS AND DUTIES OF MEMBERS</p>

SECTION 3.1 COUNCIL MEMBER SPEAKING

When any member is about to speak in debate, or deliver any matter to the Council, the member shall use a raised hand to be recognized, shall remain seated, respectfully address the presiding officer, shall be confined to the question under debate, and shall avoid personalities. The presiding officer shall attempt to allow a particular stream of discussion to be completed prior to allowing a member to change the direction of the debate at hand.

SECTION 3.2 COUNCIL MEMBER IN DEBATE

Members in debate shall address each other as Councilor or may use a description by the ward represented, or such other designation as may be intelligible and respectful.

SECTION 3.3 INTERRUPTION OF COUNCIL MEMBER

No member speaking shall be interrupted by another, except to call to order or to correct a mistake. But if any member, in speaking or otherwise, transgresses the Rules of the Council, the member so called to order shall immediately cease speaking unless permitted to explain, and the chair shall decide the question of order. The City Council, if appealed to, shall decide the question with limited debate.

SECTION 3.4 COUNCIL MEMBER SPEAKING, LIMITATIONS

Upon a motion and 2/3 vote by the council to limit debate, the chair shall limit discussions on any motion before the council. After such vote and if no time limit is set as part of the motion, no member shall speak more than twice on the same question, or more than five minutes at one time, nor more than once, until all other members choosing to speak shall have spoken.

SECTION 3.5 PRECEDENCE OF MOTIONS

The following motions shall have precedence in the order in which they are arranged:

1. **TO ADJOURN:** A privileged motion to be voted on at once if seconded; not debatable.
2. **TO LAY ON THE TABLE/TO TAKE FROM THE TABLE:**
Requires a second, not debatable.
3. **TO CALL FOR THE PREVIOUS QUESTION/TO MOVE THE QUESTION (TO CLOSE DEBATE):**
Requires a second, not debatable.
4. **TO POSTPONE TO A TIME CERTAIN:**
Requires a second, debatable.

5. **TO REFER:** Requires a second; debatable.
6. **TO AMEND:** Requires a second; debatable.
7. **TO POSTPONE INDEFINITELY:** Requires a second: debatable.
8. **MAIN MOTION:** Requires a second; debatable.

SECTION 3.6 MOTION REDUCED TO WRITING

Every motion shall be reduced to writing, if the presiding officer directs, or if a member of the Council requests it.

SECTION 3.7 VOTING ON MOTIONS. ABSTENTIONS

Every member who shall be in the Council Chamber when a question is put shall vote, except that no member may vote on any question in which the member has a direct interest to a degree that may significantly impair the independent and impartial exercise of that member's judgment as a Councilor. If a member takes this rule for purposes of not voting, the member shall inform the City Council before a vote be taken on the motion under consideration.

SECTION 3.8 MAYORAL VETO - EXERCISE AND VOTE TO OVERRIDE

To be effective, the right of veto accorded to the Mayor under the provisions of Section 10-A of the Rochester City Charter, must be exercised, and notice of such exercise must be communicated in writing to the City Clerk, within one hundred forty-four (144) hours after action by the Council. As soon as practicable after receipt of the Mayor's written notice of exercise of the veto power, and in no event later than seventy-two (72) hours after receipt of such notice, the City Clerk shall inform the Council in writing of the Mayor's exercise of such veto. The Council may override said veto by a two-thirds (2/3) vote of all Councilors (Mayor excluded) serving in office, as provided for in Section 10-A of the Rochester City Charter, no later than the close of the next regular meeting of Council.

SECTION 3.9 DIVISION OF A QUESTION

The division of a question may be called for when the sense will admit it.

SECTION 3.10 READING OF A PAPER. OBJECTIONS

When the reading of a paper is called for, and the same is objected to by any Member, it shall be determined by a vote of the Council.

SECTION 3.11 SUSPENSION, AMENDMENT, AND REPEAL OF RULES

No standing Rule of Order of the Council shall be suspended unless two-thirds (2/3) of the members present shall consent thereto. Nor shall any Rule of Order be repealed or amended without a motion therefore, made at a previous meeting, nor

unless a majority of the whole City Council concur therein. The Rules of Order of the City Council shall be reaffirmed by the new Council following each municipal election. The Rules of the former Council shall not be binding.

SECTION 3.12 ATTENDANCE OF MEMBERS

Every member shall take notice of the day and hour to which the Council may stand adjourned, and shall give his punctual attendance accordingly.

<p>ARTICLE 4</p> <p>AGENDAS, COMMUNICATIONS, COMMITTEES,</p> <p>REPORTS, RESOLUTIONS</p>

SECTION 4.1 AGENDA PREPARATION

The agenda for each Council meeting shall be prepared by the Mayor, the Deputy Mayor and the City Manager in conjunction with the City Clerk. Any Councilor may place an item on the agenda provided that the items be submitted in writing or email to the City Clerk, the Mayor, the Deputy Mayor or the City Manager seven (7) days prior to the meeting of Council. The City Clerk shall provide Council members with copies of the agenda at least five (5) days prior to the meeting of the Council.

SECTION 4.2 MEMORIALS AND DOCUMENTS, PRESENTATION

All memorials and other documents addressed to the City Council shall be presented by the presiding officer or by a member in the presiding officer's place, who shall explain the subject thereof; and they shall lie on the table to be taken up in order in which they are presented, unless the Council shall otherwise direct.

SECTION 4.3 REPORTS AND PAPERS, LEGIBLY WRITTEN OR TYPED

All reports and other papers submitted to the City Council shall be written in fair hand or typewritten. The Clerk shall make copies on any papers to be reported by the committees, at the request of the chairs thereof. At the request of any councilor a digital copy may be provided in place of printed page.

SECTION 4.4 STANDING COMMITTEES

At the commencement of the new year following the regular municipal election, the following committees shall be appointed by the Mayor:

Finance:

Shall consist of seven (7) members including the Mayor who shall serve as chair.

Public Works and Buildings:

Shall consist of five (5) members.

Public Safety:

Shall consist of five (5) members.

Codes and Ordinances:

Shall consist of five (5) members.

Community Development:

Shall consist of five (5) members.

Appointments Review Committee:

Shall consist of five (5) members.

- A. No Council Member shall serve on more than three (3) standing committees, excluding the Finance Committee.
- B. All vacancies occurring in any standing committee shall be filled by the Mayor.

SECTION 4.5 SPECIAL COMMITTEES

Special committees shall consist of three (3) members unless a different number be ordered by the Mayor.

SECTION 4.6 REMOVAL OF A COMMITTEE MEMBER

A member of any committee may be removed by a two-thirds (2/3) vote of the entire Council.

SECTION 4.7 PUBLIC INPUT AT WORKSHOP OR COMMITTEE MEETINGS

The chair shall call the committee together and no committee shall act by separate consultations, and no report shall be received from any committee unless agreed to in committee actually assembled, and voted upon by a majority of the members thereof.

Public input on any subject appropriate to be brought before the Council shall be allowed at the beginning of every committee meeting or council workshop and shall be placed as the first item of business on the agenda of said meeting. When possible, the chair shall allow for reasonable input from the public during the meeting, to allow citizens to comment on any item appearing on the agenda, except for any items discussed in any non-public session. The chair may limit any public input to insure that the committee is able to complete its work and to provide for the decorum of the meeting.

i. Speakers shall be residents of the City of Rochester, property owners in the City of Rochester, and/or designated representatives of recognized civic organizations or businesses located and/or operating in the City of Rochester; [6/4/2013]

ii. Speakers shall address their comments to the presiding officer and the Council as a body and not to any individual member;

iii. Speakers shall first recite their name and address for the record, and, if applicable, the name and address of the civic organization and/or business the have been designated to represent;

iv. Each speaker shall be provided a single opportunity for comment, limited to five (5) minutes with the five (5) minutes beginning after the obligatory statement of named and address by the speaker;

v. Public Input shall not be a two-way dialogue between speaker(s), Council Member(s), and/or the City Manager, or administrative staff; with the exception of Committee meetings when allowed by the Chair; and

vi. The presiding officer shall preserve strict order and decorum for and by all speakers appearing before the Council.

SECTION 4.8 SITTING OF COMMITTEE DURING COUNCIL MEETINGS

No committee shall sit during the meetings of the City Council without special leave.

SECTION 4.9 COMMITTEE REPORTS

It shall be the duty of every committee of the Council to which any subject may be specially referred to report thereon at the next meeting of the City Council, or to ask for further time.

SECTION 4.10 COMMITTEE OF THE WHOLE, COUNCIL RULES

The rules of proceedings in Council shall be observed in a committee of the whole so far as they may be applicable, excepting the rules limiting the time speaking.

SECTION 4.11 AUTHORIZATION OF EXPENDITURES, CITY DEBT

After the annual appropriations shall have been passed, no subsequent expenditure shall be authorized for any object, unless provisions for the same shall be made by a specific transfer from some of the annual appropriations or money in the treasury unappropriated or by expressly creating therefore a City debt; and no City debt shall be created except by a majority vote of the Council in the affirmative.

SECTION 4.12 ORDINANCES AND RESOLUTIONS

Every ordinance, and all resolutions imposing penalties or authorizing the expenditure of money when introduced, shall be written and shall pass through the following stages before they shall be considered as having received the final action of the Council, to wit: First reading for information, and if not rejected or otherwise disposed of, the City Attorney and City Clerk, shall carefully examine them to see that they are in technical form and that their provisions are not repugnant to the Laws and Constitution of the State of New Hampshire or to the Charter and Ordinances of the City of Rochester: They shall then be referred by the chair to the appropriate Council committee for review, public hearing (if required) and discussion. All committees shall make a report for final action to the Council. After such report, the question shall be, "Shall they be read a second time?" If not then rejected, the question shall be on the passage of the same to be enrolled. Upon an affirmative vote, the chair shall refer such ordinance or resolution to the Codes and Ordinances Committee for review as set forth in Section 4.13. and

make a report of them to the Council, at which time they shall be deemed to be enrolled. No ordinance or resolution as above referred shall be amended except on its second reading. All other resolutions shall have one reading before they shall finally be passed by the Council.

SECTION 4.13 CODES AND ORDINANCES COMMITTEE, ORDINANCE ENROLLMENT

It shall be the duty of the Codes and Ordinances Committee to examine every ordinance that shall have passed the several readings required, and if found correctly enrolled, officially made part of the general ordinances of the City of Rochester and/or the official record of the City Council and to report the same to the Council.

SECTION 4.14 ELECTIONS BY BALLOT

In all elections by ballot on the part of the City Council, blank ballots and all ballots for persons not eligible shall be reported to the Council. To be elected any person seeking election must receive a majority of the votes of those members present and voting. Tally of the ballots shall be reported to the Council and recorded in the minutes. Unless otherwise directed by the Council all ballots shall be destroyed after being reported.

A. Boards and Commissions appointments shall be elected by ballot of the City Council with the exception of a single candidate. Single candidates upon nominations ceasing will be elected by City Council voice vote that the City Clerk cast one ballot for that candidate.

(A) Amended and adopted by the City Council on 3/04/2014.

SECTION 4.15 RECORD OF VOTES AND PROCEEDINGS

The Clerk shall keep a record of the votes and proceedings of the City Council, entering thereon all orders and resolutions, except such as it is necessary to engross; reports, memorials, and other papers submitted to the Council shall be noted only by their titles or a brief description of their purpose, but any accepted reports may be entered at length on said record.

SECTION 4.16 FUNCTIONS OF FINANCE COMMITTEE

Functions shall include: Purchasing, Trust Funds, Operating Budget, Final Capital Budget, Taxes, City Reports, Legal Affairs, Insurance, Audits, Claims, Accounts, Bids, Review of Expenditures, Receipts, Contract Change Orders, Welfare and Grants. The Finance Committee shall present a monthly report of the City accounts to the Council.

SECTION 4.17 FUNCTIONS OF CODES AND ORDINANCES COMMITTEE

Functions shall include: Municipal Elections and Returns, Charter and Ordinances, Council By-Laws, Enrolled Bills, Planning, Zoning, and such other matters as may be directed by the City Council.

SECTION 4.18 FUNCTIONS OF PUBLIC WORKS AND BUILDING COMMITTEE

Functions shall include: Roads, Sewer Systems, Water Systems, Engineering, Public Buildings, Recycling and Solid Waste, Pollution, Water Resources, Space Allocations.

SECTION 4.19 FUNCTIONS OF PUBLIC SAFETY COMMITTEE

Functions shall include: Police, Fire, Parking, Traffic, Street Signs, Street Lights, Animal Control, and Public Health Services.

SECTION 4.20 FUNCTIONS OF COMMUNITY DEVELOPMENT COMMITTEE

Functions shall include: Economic Development, Industrial Development, Land Use Policy, Technology Issues, Chamber of Commerce, Rochester Main Street, Arts and Cultural, Recreation, Parks, Adult & Youth Services, Promotional Activities and Festivals, Public Relations, COAST, CDBG and Human Services Agencies.

SECTION 4.21 FUNCTIONS OF THE APPOINTMENTS REVIEW COMMITTEE

Functions shall include: Interviewing of candidates for Council appointed positions on various boards of the City, including but not exclusive of Planning Board, Zoning Board of Adjustment, Trustees of the Trust Fund, Library Trustees, Arena Commission, Recreation, Parks and Youth Services, Welfare Appeals Board, Utility Advisory Board.

Incumbents of any Committee who have submitted Statements of Interest for reappointment and are running unopposed: the Appointments Committee reserves the right to waive the presence of the candidate.

Second paragraph amended and adopted by the City Council on 3/04/2014.

SECTION 4.22 INAUGURAL MEETING. ORDER EXERCISES

The order of exercises at the meeting held on the first Tuesday after January 1, or Wednesday, January 2, following the regular municipal election shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Prayer
4. Roll Call of Councilors-Elect
5. Mayor takes Oath of Office

6. Councilors-Elect take Oath of Office
7. Roll Call of School Board Members-Elect
8. School Board Members-Elect take Oath of Office
9. Roll Call of Police Commissioners-Elect
10. Police Commissioner-Elect takes Oath of Office
11. Election of Deputy Mayor
12. Inaugural Address
13. Old and/or New Business

SECTION 4.23 COUNCIL COMMUNICATIONS

- (a) No member shall cause to be mailed, electronically transferred, delivered, or left at City Hall any documents or correspondence for any other member or the City Manager which does not clearly identify the name of the member sending such information and, if possible, the source of such information.
- (b) No anonymous correspondence shall be placed in any member's Council mailbox. All mail, electronic media or other correspondence shall clearly identify the sender, source and date it was received.

SECTION 4.24 MINUTES

All meetings of the City Council including all standing and special committees of the Council shall take roll call at all committee meetings and record their proceedings and provide minutes of any meeting to the City Clerk's Office in a manner prescribed under NH RSA 91-A (NH Right To Know Law).

APPENDIX

REVISED AND ADOPTED BY CITY COUNCIL FEBRUARY 6, 1990 [1]
 AMENDED AND REAFFIRMED BY CITY COUNCIL JANUARY 14, 1992 [2]
 REAFFIRMED BY CITY COUNCIL JANUARY 11, 1994 [3]
 AMENDED BY CITY COUNCIL MARCH 1, 1994 [4]
 AMENDED AND REAFFIRMED BY CITY COUNCIL JANUARY 9, 1996 [5]
 AMENDED AND ADOPTED BY CITY COUNCIL FEBRUARY 3, 1998 [6]
 AMENDED AND ADOPTED BY CITY COUNCIL FEBRUARY 5, 2002 [7]
 AMENDED AND ADOPTED BY CITY COUNCIL MARCH 5, 2002 [8]
 AMENDED AND ADOPTED BY CITY COUNCIL FEBRUARY 3, 2004 [9]
 AMENDED AND ADOPTED BY CITY COUNCIL JANUARY 10, 2006 [10]
 AMENDED AND ADOPTED BY CITY COUNCIL JANUARY 15, 2008 [11]
 AMENDED AND ADOPTED BY CITY COUNCIL February 2, 2010 [12]
 AMENDED AND ADOPTED BY CITY COUNCIL February 7, 2012 (1.4) (3.1) (3.5) and (4.1) [13]
 AMENDED AND ADOPTED BY CITY COUNCIL June 4, 2013 (1.3) (1.5) and (4.7) [14]
 AMENDED AND ADOPTED BY CITY COUNCIL March 4, 2014 (4.21) and (4.14) [15]
 AMENDED AND ADOPTED BY CITY COUNCIL March 1, 2016 (1.4) (3.8) (4.1) and (4.7)