

**Codes and Ordinances Committee**

Councilor Peter Lachapelle, Chair  
Councilor Steve Beaudoin  
Councilor Skip Gilman  
Councilor Ashley Desrocher  
Councilor Tim Fontneau



**CODES AND ORDINANCES  
COMMITTEE**

Of the Rochester City Council  
**Thursday, February 3, 2022**  
**31 Wakefield Street, Rochester, NH**  
Council Chambers  
**6:00 PM**

**Agenda**

1. Call to Order
2. Public Input
3. Acceptance of the Minutes
  - 3.1 December 2, 2021 *motion to approve* P. 3
4. **Discussion:** Chapter 80 – Outdoor Dining ordinance P. 11
5. Review of the City Council Rules of Order P. 15
6. Other
7. Adjournment

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City Clerk's Office

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**Codes and Ordinances Committee**

Councilor Peter Lachapelle, Chair  
Councilor Tom Abbott  
Councilor Chris Rice  
Councilor Laura Hainey



**Others Present**

Terence O'Rourke, City Attorney  
City Councilor Steven Beaudoin  
City Councilor David Walker

**CODES AND ORDINANCES COMMITTEE  
Of the Rochester City Council  
Thursday, December 2, 2021  
Council Chambers  
6:00 PM**

**Minutes**

**1. Call to Order**

Chairman Lachapelle called the Codes and Ordinances Committee meeting to order at 6:00 PM. Deputy City Clerk Cassie Givara took a silent roll call attendance. All Councilors were present except for Councilor Abbott, who was excused.

**2. Public Input**

There was no one present in Council Chambers to speak during public input.

**3. Acceptance of the Minutes**

**3.1 October 7, 2021**

Councilor Rice **MOVED** to **ACCEPT** the minutes of the October 7, 2021 Codes & Ordinances Committee meeting. Councilor Hainey seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**4. Code of Ordinances Review**

**4.1 Amendment to Chapter 254 of the General Ordinance of the City of Rochester regarding storage of Recreational vehicles, travel trailers, campers and boats (*Addendum A* )**

Attorney O'Rourke gave a brief history of this amendment to the ordinances and the changes that had been made thus far based on discussion at the last Codes meeting as well as staff suggestions. The Department of Public works had identified a problem with prohibiting vehicles from being in the public right of way; parking is an allowable use within the right of way unless otherwise posted. The police department also had concerns regarding regulation and difficulty in enforcement of this amendment due to the varying conformation of City streets and the way the right of way extends from the centerline. Attorney O'Rourke stated that it appeared that the opposition to the amendment was due to lack of clarity of the problem that is actually being solved. Councilor Rice agreed that this amendment seemed to be looking for a problem which doesn't exist in the City, and passing such an amendment is unnecessary.

Councilor Hainey reported that the camper, which had been parked on Dewey Street which originally initiated this proposed amendment, had been moved and was no longer an issue.

Councilor Rice **MOVED** to **DENY** the amendment to Chapter 254 of the General Ordinances of the City of Rochester regarding vehicle storage. Councilor Hainey seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

#### **4.2 Chapter 275-29 of the General Ordinances of the City of Rochester regarding signage (*Addendum B*)**

Chairman Lachapelle gave background regarding what had initiated this discussion. During election season, there had been complaints received about political signage not being allowed in the City's right-of-way. He stated that if political signage is allowed, the City would not be able to prohibit any/all other types of signage from also being placed in the right-of-way. Chairman Lachapelle stated that the ordinance, as written, is working and he did not support any changes.

Chairman Lachapelle reported that one of the arguments for allowing political signage had been that some candidates do not have the time to campaign, and their signage is a way to get their name out there. Chairman Lachapelle asserted that if there is not adequate time to campaign, then there is likely not adequate time to attend meetings if elected. He suggested that names on a sign are less likely to get a candidate elected than campaigning and actually meeting constituents. Councilor Rice agreed that getting out and meeting constituents, going door-to-door and becoming familiar with the community is more beneficial in elections than political signage.

Councilor Walker commented that one of the arguments in favor of changing the sign ordinance was that it gave an advantage to incumbents who have name recognition while the potentially younger, lesser-known candidates are unable to place their signs in these areas for more public visibility.

Councilor Beaudoin stated that legal counsel had indicated in the past that if political signs are allowed in the right-of-way, the City would not be able to differentiate between some types of signs and disallow other signage. This could cause the City's rights-of-way to be cluttered with all types of signage.

Attorney O'Rourke clarified that the City is able to control the types of signage that would be allowed (size/dimensions), but could not regulate the content contained on those signs.

Councilor Rice and Councilors Hainey both indicated that they did not support the repeal of this section of the sign ordinance to allow political signage in the right-of-way. Attorney O'Rourke stated that there is not currently a proposal or amendment in writing, so there is no further action needed at this time if the committee chooses not to move forward.

Councilor Hainey asked individuals placing signs to be cognizant of the areas in which their signs are being placed. She spoke about inappropriate language on signage in school zones and advised caution and awareness of children seeing certain content on signage.

## 5. Other

Chairman Lachapelle stated that he would not be setting a date for the next Codes & Ordinances Committee meeting and would wait until the new Council is seated and the committee appointments have been made.

Attorney O'Rourke stated at the first Codes & Ordinances Committee meeting after a new Council is seated is normally when the Council Rules of Order are reviewed. Chairman Lachapelle said that if the Code of Ethics is accepted at the December City Council meeting, this Code could be included in the review on the same schedule as the Rules of Order. Councilor Walker suggested that when the Rules of Order are reviewed, there should be verbiage which could add available Councilors as alternates to boards and committees. These councilors could be appointed by the chair or vice chair as temporary members to prevent a lack of quorum at meetings where members are absent.

## 6. Adjournment

Chairman Lachapelle **ADJOURNED** the Codes & Ordinance Committee meeting at 6:13 PM.

Respectfully Submitted,

Cassie Givara  
Deputy City Clerk

**Amendment to Chapter 254 of the General Ordinances of the City of Rochester Regarding Storage of Recreational Vehicles, Travel Trailers, Campers, Automobile Utility Trailers and Boats**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 254 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (additions in *italics*):

**§ 254-28 Additional parking regulations.**

*D. Storage of recreational vehicles, travel trailers, campers, automobile utility trailers and boats. Recreational vehicles, travel trailers, campers, automobile utility trailers or boats shall not be stored within the City's right of way off the traveled portion of any roadway. "Storage" and "stored" means parking in the prohibited area for a continuous period more than forty-eight hours. No such equipment shall be used for living, sleeping, housekeeping, or recreational purposes while located in the City's right of way.*

**The effective date of these amendments shall be upon passage.**

**§ 275-29.9. Prohibited signs.**

The following devices and locations shall be specifically prohibited:

- A. Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic.
- B. Except as provided for elsewhere in this article, signs encroaching upon or overhanging public rights-of-way. No sign shall be attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way.
- C. Signs which blink, flash or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights, or to have the appearance of municipal vehicle warnings from a distance.
- D. Any sign attached to, or placed on, a vehicle or trailer parked on public or private property, except for signs meeting the following conditions:
  - (1) The primary purpose of such a vehicle or trailer is not the display of signs.
  - (2) The signs are magnetic, decals or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.
  - (3) The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used or available for use in the daily function of the business to which such signs relate.
- E. Vehicles and trailers used primarily as static displays, advertising a product or service, or utilized as storage, shelter or distribution points for commercial products or services for the general public. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- F. Snipe signs.

**§ 275-29.12. General provisions.**

- A. Conformance to codes. Any sign hereafter erected shall conform to the provisions of this article or regulation within this jurisdiction.
- B. Signs in rights-of-way. No sign other than an official traffic sign or similar sign shall be erected within two feet of the lines of any street, or within any public way, unless specifically authorized by other ordinances or regulations of this jurisdiction or by specific authorization of the City Council after a recommendation is made by the Licensing Board.
- C. Projections over public ways. Signs projecting over public walkways shall be permitted to do so only subject to the projection and clearance limits either defined

## § 275-29.13 Specific Sign Requirements

## § 275-29.13

brightness levels specified in this subsection.

- (5) The brightness shall not exceed 0.3 footcandle at night.
- (6) Flashing or animated signs (including temporary interior window displays or banners) of red, amber, or green colored lights shall not be permitted.
- H. Flags. Each store front may be allowed one "open" or "welcome" flag that is positioned at a height so as not to impede the flow of pedestrians.
- I. Home occupation signs. See Article 24, Home Occupations. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- J. Marquee. No marquee shall be erected unless designed by a registered structural engineer and approved by the Director of Building, Zoning, and Licensing Services. It may extend over the sidewalk across the right-of-way to the curblin provided it has a minimum height above the sidewalk of 10 feet above the curb level and does not exceed five feet in height.
- K. Off-premises signs. Off-premises signs are prohibited except for the following signs if permission is granted from the owner of the off-premises location. A setback of at least five feet is required for these signs and they shall not be placed in the road right-of-way (i.e., they must be placed on private property).
  - (1) One freestanding sign per business directing people to the site. The sign may not exceed two square feet per side or four feet in height. No illumination is allowed. It may include only the name and/or logo, with simple directions. The sign must be durable and constructed of solid, finished materials.
  - (2) A real estate sign, one per premises, shall not exceed six square feet per side.
  - (3) Yard sale signs (see Subsection V).
  - (4) A sign for an office park or industrial park may be erected at the entrance to the park on an out parcel or within the road right-of-way, with the approval of the City Manager.
  - (5) A promotional banner for a special event may be placed anywhere in the City, including across a public road, if approved by the City Manager.
  - (6) Two seasonal agricultural directional signs not to exceed four square feet each are permitted when intended to direct patrons to a farm for the purpose of purchasing or picking seasonal agricultural produce or products during the season within which the produce is available for sale or harvest.
  - (7) One portable sign on the sidewalk in front of businesses in the Downtown Commercial District, Special Downtown Overlay District, and Neighborhood Mixed-Use District lying in density rings.
  - (8) Road signs.
- L. Political signs; political advertising. The following provisions are in addition to the



political advertising controls established under RSA 664:14, 664:17, and 664:2, as amended:

- (1) Political advertising shall be defined in RSA 664:2, as amended. No political advertising shall be placed or affixed upon any public property, including City rights-of-way. No political advertising shall be placed or affixed upon private property without the owner's consent.
- (2) Signature, identification, and lack of authorization shall be in accordance with RSA 664:14, as amended.
- (3) Political signs shall not be erected in the City Adopt-A-Spots or the Rochester Common.
- (4) Removal of signs shall be in accordance with RSA 664:17, as amended.
- (5) The area and location of signs used in conjunction with uses allowed by the Board of Adjustment as special exceptions shall also be approved by the Planning Board and shall conform to the sign regulations for the district in which they are located. The area and location of such signs shall be in harmony with the character of the neighborhood in which they are located.
- (6) Political signs shall not require a sign permit. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

M. Portable signs. Portable signs shall be permitted only in the Downtown Commercial District, Special Downtown Overlay District, and Neighborhood Mixed-Use District lying in density rings, subject to the following limitations:

- (1) No more than one such sign may be displayed on any property, and the sign shall not exceed a height of four feet or an area of eight square feet per side.
- (2) Any portable sign that is placed on a sidewalk:
  - (a) Shall be situated directly in front of the business(es) which is being advertised.
  - (b) Shall not block passage along the sidewalk, including passage for handicapped persons, and shall not present a safety hazard.
- (3) May be displayed during business hours only.
- (4) Appropriately placed to minimize appearance of clutter as determined by the Director of Building, Zoning, and Licensing Services.
- (5) Only one sign per individual business.

N. Projecting signs. Signs are permitted in the following zones:

- (1) Multiple projecting signs shall be permitted on buildings having multiple occupants provided only that one projecting sign per occupant will be permitted.

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## Article II

### Outdoor Dining Establishments

**[Adopted 1-12-2016 (§ 26.10 of the 1995 Code)]**

**§ 80-14 Requests for use of City property.**  
**[Amended 3-2-2021]**

Requests for use of City property for outdoor dining providing food and alcohol service shall be made in writing to the City Manager on an annual basis by March 1 with no expectation of continued year-to-year use of the City property on a continuing basis. Requests will only be accepted by businesses licensed to serve food to the public. In the event that a new business opens during the outdoor dining season and wishes to incorporate outdoor dining in its plans, an application will be allowed for the remainder of the dining season only.

**§ 80-15 Site plans required.**  
**[Amended 3-2-2021]**

Such requests shall include a dimensioned site plan of the existing conditions, including a depiction of public infrastructure such as curblines, light poles, bike racks, street trees, tree grates, manhole covers, meters, licensed A-frame signs, adjacent on-street parking and loading zones, adjacent accessible sidewalk curb cuts and the like. Such requests shall also include a dimensioned site plan depicting the proposed table/chair layout plan for outdoor dining, lighting, dimensioned routes of travel within the outdoor dining area and on the adjoining public sidewalk, as well as detail sheets for the proposed enclosure system, tables, chairs, lighting, trash receptacles, and the like. These plans will be reviewed by the Technical Review Group and suggestions forwarded to the City Manager. Once site plans are approved, no changes shall be allowed without the approval of the City Manager.

**§ 80-16 Area service agreement; season.**  
**[Amended 3-1-2016]**

The terms and conditions of any such requests that are approved by the City Manager in any given year shall be described in an annual area service agreement, which includes a clear depiction of the area approved for outdoor dining use and the time period of approved use ("season"), with said area service agreement to be signed by the City Manager and the party or parties making the request. The season shall run from April 1 through October 31.

- A. Area service agreements shall not be assignable to other parties.
- B. Use of the area subject to the area service agreement (the "area") may be precluded, modified or made subject to any such terms and conditions as may be determined by the City Manager at any time during the season in order to accommodate special municipal events.

**§ 80-17 Fee.**

A minimum fee for the season of twenty-five dollars (\$25.) shall be required even if the size of the area subject to the agreement is less than 100 square feet. A fee of one dollar (\$1.) per square foot will be charged for the area subject to the agreement for all square feet above 100 square feet. The fee shall be due and payable to the City of Rochester prior to authorization to use the area.

**§ 80-18 Restoration of area.**  
**[Amended 3-1-2016]**

The area specified for outdoor dining use in the area service agreement shall be restored upon termination of the area service agreement at season's end. Specifically, at season's end, the enclosure system, tables, chairs and all other materials in their entirety shall be removed from the City-owned area with the area left in an unobstructed, undamaged, clean and sanitary condition at no cost to the City. Semi-permanent objects may remain in the area at season's end at the discretion of the City Manager.

**§ 80-19 Indemnification; insurance.**

Outdoor dining establishments on City property shall indemnify and hold harmless the City of Rochester and shall maintain and provide insurance of the types and amounts specified by the City's Legal Department and shall list the City as additional insured. A certificate of insurance documenting said types and amounts of insurance is to be submitted to the City's Legal Department before the start of the season.

**§ 80-20 Damaging or obstructing public facilities.**

Outdoor dining establishments shall not damage sidewalks, curbing, bike racks, street trees, light poles, trash containers, utilities or any other City amenities or infrastructure, or make the same inaccessible for public use (other than within the approved area) or maintenance purposes.

**§ 80-21 Hours of operation.**

Outdoor dining establishments may utilize the area for outdoor dining during their normal business hours, except that all tables within the area shall be cleared of all food and alcoholic beverages by 11:00 p.m. Monday through Saturday and by 10:00 p.m. on Sunday with no alcohol served within the area subsequent to 1/2 hour before the foregoing closure times.

**§ 80-22 Alcoholic beverages.**

- A. Outdoor dining establishments shall agree at all times to comply with all laws, rules and regulations of the New Hampshire State Liquor Commission and all other local, state and federal laws. Approval of the area service agreement by the State Liquor Commission is required. Alcoholic beverage violations shall be self-reported to the State Liquor Commission and the City Manager. See RSA 178:24 and 179:27.
- B. Outdoor dining establishments shall only serve alcoholic beverages to patrons who are seated at a table and who are ordering food with service at tables conducted by wait staff only.

**§ 80-23 Accessibility.**

Outdoor dining establishments will agree that they shall be solely responsible for compliance with the Americans with Disabilities Act (ADA).

**§ 80-24 Suspension of area service agreement.**

The area service agreement may be suspended at the sole discretion of the City on an administrative basis.

**§ 80-25 Revocation of area service agreement.**

The area service agreement may be revoked in its entirety, excepting for indemnity provisions, by the City Manager at any time.

**§ 80-26 Site design standards for establishments with alcohol service.**

Outdoor dining establishments with alcohol service should meet the following site design standards:

- A. Outdoor dining establishments shall be separated from the public pedestrian space on the adjacent municipal sidewalk by an enclosure system as approved by the City Manager or his/her designee;

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special attention shall be paid to the method used to support the enclosure system in order to avoid damage to public property and ensure public safety; the minimum height of the enclosure system shall be 30 inches and the maximum height shall be 36 inches, measured from the lowest point of the public space being utilized. **[amended 3-2-2021]**

- B. Outdoor dining establishments shall not have live entertainment of any type located outside unless the establishment has applied for and received a special event permit pursuant to RSA 286 and Chapter 123 of this Code. **[Amended 3-2-2021]**
- C. Seating shall be appurtenant and contiguous to a doorway accessing the main restaurant facility with service provided within the area approved by the City Manager. Exceptions to this provision will be allowed consistent with New Hampshire State Liquor Commission approval for particular licensees. **[Amended 3-5-2019]**
- D. The internal dimensions and table/chair layout of the outdoor dining area must allow for the passage of customers and wait staff and shall, in any event, meet ADA requirements.
- E. Outdoor dining establishments must provide a five-foot radius clearance from the center of restaurant doorways (exterior), and doorways shall be kept clear at all times and a five-foot minimum clear pedestrian path in front of restaurant doorways (exterior) shall be maintained at all times.
- F. The enclosure system, tables and chairs shall be movable/nonpermanent. It is the applicant's responsibility to ensure that all movable items within the outdoor dining area are secured against wind or theft. The City accepts no liability for lost, stolen or damaged property **[Amended 3-2-2021]**
- G. In all areas where outdoor dining establishments are allowed the width for the pedestrianway adjacent to the area shall, at a minimum, be three feet and, in any event, meet ADA requirements, but will depend on site conditions. The pedestrianway in both instances shall allow for and provide clear unimpeded passage and access along the area. The pedestrianway shall be located entirely on the public sidewalk and shall meet criteria that ensure pedestrian safety, usability and ADA compliance. In no event shall the area interfere with accessibility or public safety, including safe lines of sight for motor vehicles.
- H. Canopies over the outdoor dining areas shall not be allowed. Umbrellas, porticos, structures or tents shall be allowed if they meet NFPA codes. They must be securely fastened or anchored in a manner approved by the City Manager and must not extend beyond the area approved for outdoor dining. It is recommended that applicants contact the appropriate City department before purchasing said items to ensure the product is allowed. **[Amended 3-2-2021]**
- I. No object strictly related to advertising shall be allowed in the area except in accordance with Chapter 275, Article 29 of this Code.. **[Amended 3-2-2021]**
- J. No improvements or personal property located within the area shall extend on or over any City property located outside the area.

**§ 80-27 Rules and regulations.**

Outdoor dining establishments shall agree at all times to comply with all local laws, rules, regulations and orders, including but not limited to the following:

- 01/25/2022
- A. The Health Department shall approve outdoor food service operations and cleaning operations, with the area to be left in a clean and sanitary condition at all times, and no outdoor garbage containers will be permitted. The area shall be left in clean condition at close of business with all garbage removed in its entirety from the area, and any ground debris swept up, at close of daily business. No food prep, grilling, cooking, appliances, service counters, or bus buckets shall be allowed in the area and no condiments, paper products or the like shall be stored on the tables in the area. The Health Department shall review/approve that kitchen facilities are sufficient to support additional seating. **[Amended 3-2-2021]**
- B. The Director of Buildings, Zoning, and Licensing Services shall review/approve that bathroom facilities are sufficient to support outdoor dining seating. Outdoor dining capacity must be in compliance with state law and the Food Code to ensure that each restaurant is approved for additional seating. **[Amended 3-2-2021]**
- C. The permittee is responsible for removing trash and regularly cleaning the areas being used for outdoor dining (including the areas where servers traverse between the restaurant and extended tables and chairs). Restaurant patron trash shall only be disposed of in the restaurant's commercial trash containers and not in the sidewalk trash receptacles. **[Amended 3-2-2021]**
- D. A place of assembly inspection and updated place of assembly permit shall be required from the Fire Department, and the Fire Department shall review/approve means of egress as part of the Technical Review Group process.

**§ 80-28 Approval of agreement.**

No area service agreement should be approved by the City Manager except in conformance with the foregoing.

**§ 80-29 Other terms and conditions.**

The above are policy guidelines that will serve as the basis for area service agreements, which may include other terms and conditions deemed by the City Manager to be in the public interest.

**§ 80-30 Number and location of establishments.**

The number and location of outdoor dining establishments on City property shall be at the sole unfettered discretion of the City Manager acting in the public interest, and no entitlement is created by this policy for any party to have outdoor dining at any location.

**§ 80-31 Use of property other than sidewalks.**

**[Added 4-5-2016]**

Use of City property, other than sidewalks, for outdoor dining as defined in this article and the terms of said use must be separately negotiated with the City outside of the above-delineated permitting process.

# **ROCHESTER NEW HAMPSHIRE**



# **2020 CITY COUNCIL RULES OF ORDER**

# **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 6:30 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.

## **SECTION 1.4 REMOTE PARTICIPATION DURING COUNCIL AND BOARD MEETINGS**

### **a) INTRODUCTION / PURPOSE**

The City Council strongly encourages board members to be physically present for all board and committee meetings. The Council recognizes, however, that extenuating circumstances may occasionally prevent a member from being physically present at a meeting. Therefore, to promote full participation of board members while ensuring access and transparency for the public as required by NH RSA 91-A:2 Access to Governmental Records and Meetings, the Council authorizes remote participation in board meetings subject to the following procedures and requirements.

### **b) PERMISSIBLE REASONS FOR REMOTE PARTICIPATION**

Remote participation is not to be used solely for a board member's convenience or to avoid attending a particular meeting in person. Any Board member who is unable to physically attend a meeting of the board may make arrangements to remotely participate in the meeting under the following conditions:

1. Personal illness or disability;
2. Out-of-town travel;
3. Unexpected lack of child-care;
4. Family member illness or emergency;
5. Weather conditions;
6. Military service;
7. Employment obligations; or
8. A scheduling conflict.

### **c) CONDITIONS / Authority**

(State NH RSA 91-A:2):

*III. A public body may, but is not required to, allow one or more members of the body to participate in a meeting by electronic or other means of communication for the benefit of the public and the governing body, subject to the provisions of this paragraph.*

*(a) A member of the public body may participate in a meeting other than by attendance in person at the location of the meeting only when such attendance is not reasonably practical. Any reason that such attendance is not reasonably practical shall be stated in the minutes of the meeting.*

*(b) Except in an emergency, a quorum of the public body shall be physically present at the location specified in the meeting notice as the location of the meeting. For purposes of this subparagraph, an "emergency" means that immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period of time requiring action. The determination that an emergency exists shall be made by the chairman or presiding officer of the public body, and the facts upon which that determination is based shall be included in the minutes of the meeting.*

*(c) Each part of a meeting required to be open to the public shall be audible or otherwise discernable to the public at the location specified in the meeting notice as the location of the meeting. Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting, and shall be audible or otherwise discernable to the public in attendance at the meeting's location. Any member participating in such fashion shall identify the persons present in the location from which the member is participating. No meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously at the meeting location specified in the meeting notice.*

*(d) Any meeting held pursuant to the terms of this paragraph shall comply with all of the requirements of this chapter relating to public meetings, and shall not circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.*

*(e) A member participating in a meeting by the means described in this paragraph is deemed to be present at the meeting for purposes of voting. All votes taken during such a meeting shall be by roll call vote.*

#### **d) Additional Conditions**

A board member considered present through remote participation will be permitted to vote on any action item at the meeting except:

Any item for which the member was not participating remotely during the entire discussion and deliberation of the matter preceding the vote; and

Any item that was being discussed when an interruption to the electronic communication occurred, if the board's discussion was not suspended during the interruption. A brief loss of simultaneous communication, such as a few seconds, will not disqualify the member from voting on the matter under discussion.

Per RSA 91-A:1 All votes taken during such a meeting shall be by roll call vote.

A board member may participate remotely in a closed session of the board provided the member provides assurance to the board that no other person is able to hear, see, or otherwise participate in the closed session from the remote location.

The City of Rochester staff will not be held liable for failed technology or things beyond our control that would interfere with the remote communication.

Board member wishing to engage in remote participation shall adhere to following procedures: section (d).

#### **e) PROCEDURE FOR REMOTE PARTICIPATION**

1. *With the exception of an emergency*, a member of the board who desires to participate in a meeting remotely shall notify the board chair at least one week in advance of the meeting.

2. At the time of this writing, because current mode of phone call in only allows one member at a time, remote participation will be on first come first serve basis, when criteria is met.

3. Meeting Chair will contact the City Manager's office as soon as possible and state they have allowed board member to participate remotely (state meeting date) based on criteria laid out in this document.
4. City Manager's office will send participant call in phone number along with a copy of this policy / procedure document and arrange tentative "test date" for phone call. City Manager's office shall notify Government Channel Coordinator.
5. Previous to the meeting, the Chair will inform board members of the request and intention to allow remote participation of such board member.
6. A test a few days prior to the meeting should be performed to ensure that the caller's device will suffice, and that they can hear on their device at their remote location. While not always possible, it is recommended a land line phone be used with external speaker.
7. The participant shall initiate the phone call in to designated phone number at 6:45pm eastern standard time or 15 minutes prior to the meeting start. Caller should be aware of not to be near televised or live streaming audio during the meeting.
8. The chair shall announce the remote participant after the Call to Order and follow suggested script: "Board member (name) is participating in this meeting by telephone. (name) are you there? (participant- "yes I am here") (name) was it reasonably impractical for you to be physically present at this meeting? (participant) – yes, it was impractical for me to be physically present)."
9. The meeting chair may decide how to address technical difficulties that arise when utilizing remote participation, but whenever possible, the chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If, however, the technical difficulties distract from or impede the orderly progress of the meeting, a majority of the members physically present may vote to end the remote participation.
9. A member participating remotely shall notify the chair if leaving the meeting before it is adjourned or rejoining the meeting after a period of absence.
10. All votes taken during such a meeting shall be by roll call.
11. Remote participant may partake in non-public and non-meetings sessions, but in most cases will require participant to end the call to Council Chambers, call into Council conference room, and call back into Council Chambers, if required to do so per voting reasons of Council rules of Order.
12. Participation by remote communication will be noted in the official board minutes. Any interruption to or discontinuation of the member's participation will also be noted in the minutes.
13. Any telephone costs associated with remote participation shall be borne by the remote participant.

## **SECTION 1.5 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. Consent Calendar
13. New Business
14. Other
15. 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 1.6 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 style="text-align: center;"><b>ARTICLE 2</b> <b>DUTIES AND POWERS OF PRESIDING OFFICER</b></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.

## ARTICLE 3

### RIGHTS AND DUTIES OF MEMBERS

#### **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.

**ARTICLE 4**  
**AGENDAS, COMMUNICATIONS, COMMITTEES,**  
**REPORTS, RESOLUTIONS**

**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;
- 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 they 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 Resolution, including those which propose to change the Ordinance, shall be placed on the City Council Agenda in accordance with Rule 4.1. Any Resolution shall receive a First Reading during the first meeting in which it appears on the Agenda. Following the First Reading, the Council shall take one of the following actions:

1. Vote to disapprove the Resolution.
2. Refer to a Public Hearing if required by law.
3. Refer to an appropriate standing committee, or to the City Council sitting as a Committee of the Whole, for further review. Any Resolution proposing a change to the Ordinance, which did not originate in the Codes and Ordinances Committee, must be referred to said committee prior to a vote of approval. Resolutions referred to Public Hearing per

action #2 may also be referred to committee.

4. If actions #2 and #3 do not apply to the Resolution, the Council may proceed to a vote of approval.

For a Resolution which is not subject to action #1 or #4, it shall receive a Second Reading at the next meeting during which it appears on the City Council Agenda. Following the Second Reading, for any Resolution referred to a standing committee, the chairperson of said committee shall deliver a report detailing the review of the Resolution. After the committee report is delivered, the City Council shall entertain any motions to amend. Following disposition of the motions to amend, the City Council shall vote on final approval or disapproval of the Resolution.

### **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.

### **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.

## **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).

### **SECTION 4.25 CANCELLATION OR POSTPONEMENT OF MEETING(S)**

- (a) The Mayor, Deputy Mayor, and City Manager shall confer and determine if insufficient business or other non-urgent matter warrants postponement or cancellation of a scheduled Council meeting.
- (b) The Mayor, Deputy Mayor, and City Manager shall confer and determine if inclement weather or other emergency warrants postponement or cancellation of a scheduled Council meeting.
- (c) All such decisions regarding postponement or cancellation shall be made no later than 3:00 PM on the date of the scheduled meeting.

- (d) The City Clerk will notify Council members by both email and telephone upon determination of a meeting cancellation or postponement.
- (e) The City Clerk shall ensure that notification of any such cancellation or postponement shall immediately post on the City's website and Face book page.

## **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) [16]  
 AMENDED AND ADOPTED BY CITY COUNCIL March 6, 2018 (1.4 12&13), (4.25) [17]  
 AMENDED AND ADOPTED BY CITY COUNCIL October 2, 2018 (Added 1.4, which moved the order of 1.5 & 1.6) [18]  
 AMENDED AND ADOPTED BY CITY COUNCIL: April 7, 2020 (Amended 1.1 7pm to 6:30pm) (Replaced Section 4.12)