

**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, March 1, 2018**

**31 Wakefield Street, Rochester, NH**

City Council Chambers

**7:00 PM**

**Agenda**

**1. Call to Order**

Councilor Lachapelle called the Codes and Ordinances Committee to order at 7:00 pm. Susan Morris, City Clerk Typist, took a silent roll call, All Committee members were present except for Councilor Bogan, who was excused. Also present were Councilor Walker and City Attorney, Terence O'Rourke.

**2. Public Input**

Councilor Lachapelle opened Public Input at 7:02 pm.

Kris Kozlowski of Academy Street and David Clark of Academy Street were both recognized. Councilor Lachapelle said they would be permitted to speak during the Committee discussion of Chapter 19.8.

Councilor Lachapelle closed Public Input at 7:05 pm.

**3. Acceptance of the Minutes: February 1, 2018**

Councilor Abbot **MOVED** to **ACCEPT** the minutes of the February 1, 2018 Codes and Ordinances Committee meeting. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**4. Amendment to Chapter 19.8 Storage of Containers/Dumpsters**

Councilor Lachapelle stated that tonight's discussion was more on the policing of Chapter 19 and the esthetics of the toters on a one-way street. He went on to say that there is no one solution which fits the entire City. It would be difficult to specialize it for different areas of the City. It could be done, however, the City is unlikely to pay extra to have special equipment for

individual streets. Councilor Lachapelle said it is more of a policing issue; however, the City does not have the resources to enforce the ordinance for each street, it has to be complaint driven.

Kris Kozlowski, resident, spoke of several issues with landlords or tenants vacating property and leaving trash and items behind on the public way. Attorney O'Rourke stated that if it is the public way, that would be considered dumping and it would therefore have to be determined who dumped the items there in order to go after that person. Dumping on public property is a crime. Mr. Kozlowski brought up another issue of homeless people who are allowed by the landlords to walk in and sleep at their properties. He believes this contributes to the garbage as well. He stated he had sent pictures of this to Code Enforcement this past Tuesday and left a complaint with the secretary. Councilor Lachapelle said that we would follow up on this complaint with codes. Mr. Kozlowski also spoke about a drainage issue on Academy Street. Councilor Lachapelle said they would bring this issue up at the next Council Meeting to address Public Works.

David Clark, resident, requested some coaching on who should be contacted in regards to these situations, such as trash in the street, illegal dumping, etc. Councilor Lachapelle, Councilor Abbot, and City Attorney O'Rourke spoke about the different scenarios and who should be contacted for each.

## **5. Amendment to Section 4.12 Ordinances and Resolutions P. 33**

City Attorney O'Rourke presented the amendment to Section 4.12 Ordinances and Resolutions. Discussion was held. Councilor Abbott **MOVED** to send the following amendment to the full council for approval.

### **SECTION 4.12 ORDINANCES AND RESOLUTIONS**

Every ordinance, and all resolutions imposing penalties or authorizing the expenditure of money when introduced, **except those placed on the Agenda by the Mayor which have already been examined and approved in form by the City Manger, City Attorney, City Clerk, and Finance Director,** 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.

*DRAFT MINUTES*

Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**6. Other**

No discussion.

**7. Adjournment**

Councilor Abbott **MOVED** to **ADJOURN** the committee meeting at 7:28 PM. Councilor Gates seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Respectively Submitted,

Susan Morris  
Clerk Typist II

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left blank...*

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City Clerk's Office

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