

November 1, 2018

**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, November 1, 2018**

**31 Wakefield Street, Rochester, NH**

City Council Chambers

**6:00 PM**

**Minutes**

**Members Present:**

Councilor Peter Lachapelle  
Councilor Elaine Lauterborn  
Councilor Tom Abbott  
Councilor Robert Gates

**Members Excused:**

Councilor Donna Bogan

**Others Present:**

City Attorney Terence O'Rourke  
Assistant Fire Chief Tim Wilder  
Fire Chief Mark Klose

**1. Call to Order**

Councilor Lachapelle called the meeting to order at 6:00 pm. Susan Morris, Clerk Typist I, took a silent roll call. All committee members were present except for Councilor Bogan who was excused. Also present were City Attorney Terence O'Rourke, Assistant Fire Chief Tim Wilder, Fire Chief Mark Klose and Councilor Walker.

Councilor Lachapelle stated changes to the agenda, Item #4: Amendment to Chapter 23 has been postponed until either December or January's meeting. Also Item #7: Neighborhood Compliance Inspections has been postponed. There will be a full presentation on the Compliance Inspections at the Council Workshop Meeting on November 20<sup>th</sup>.

**2. Public Input**

Councilor Lachapelle opened Public Input at 6:03 pm.

Steve Beaudoin of Hemlock Street distributed a copy of the Final report of the committee to study procedures for adoption of National Codes by the State of New Hampshire on HB1254; Chapter 294:1, Laws of 2018.

Mr. Beaudoin also spoke about the Neighborhood Property Maintenance Code.

Councilor Lauterborn stated that she would like to recommend that the committee look into the Property Maintenance Code. She requested a copy of the Property Maintenance Code to read before the November Council Workshop meeting. Councilor Lachapelle stated that the Property Maintenance Code will be requested to be included in the packets for the workshop meeting so Council gets it ahead of time. Councilor Lauterborn advised Mr. Beaudoin to send any specific recommendations on how to change the codes to the committee prior to the Workshop meeting on November 20, 2018.

Cliff Newton of Old Dover Road spoke about adopting and amending codes. He also spoke about the Neighborhood Property Maintenance Code.

Gregg DeNobile of Chesley Hill Road spoke about fire safety measures and property maintenance code.

Councilor Lachapelle closed Public Input at 6:25 pm.

**3. Acceptance of the Minutes: August 2, 2018**

Councilor Lauterborn **MOVED** to accept the August 2, 2018 minutes as written. Councilor Gates seconded the motion. The **MOTION PASSED** by unanimous voice vote.

**4. Discussion: Amendment to Chapter 23 of the City of Rochester General Ordinances – *forthcoming***

This item has been postponed as stated above.

**5. Discussion: Operation of Ride Sharing Services in Rochester – *forthcoming***

Attorney O'Rourke shared the current Taxi ordinance and regulations with the committee. His determination is that operation of Ride Share Services fall under the regulations of the current ordinance in place for Taxi operations.

Discussion was held. Councilor Lachapelle stated that there was no action to be taken by the Committee because the determination had already been made.

**6. Discussion: Chapter 42.12 Conservation Overlay District (*Wetlands Delineation Manual*)**

Councilor Lachapelle shared Councilor Varney's e-mail and recommendations. Discussion was held by committee.

Councilor Gates **MOVED** to forward **Chapter 42.12 Conservation Overlay District** to the full Council for 1<sup>st</sup> reading at the November Council meeting. Councilor Lauterborn seconded the motion. Discussion was held about the process. The **MOTION PASSED** by unanimous voice vote.

**7. Discussion: Neighborhood Compliance Inspections – *forthcoming***

This item has been postponed as stated above.

Councilor Lachapelle stated again that this was postponed because there will be a presentation at the Council Workshop Meeting on November 20, 2018. Discussing this in Committee now goes against the rules of order. The item should go to Council first and then get sent to Codes.

Councilor Walker stated that he wanted to philosophically find out what the committee would like to do. Councilor Walker wanted to start the conversation of how these inspections should be approached. In the past these have been complaint driven inspections. More recently, within the last few months with the new administration, code compliance have been going out into the neighborhoods doing proactive inspections.

Councilor Gates **MOVED** that this Committee advise the City Council should order the Department of Building, Zoning and Licensing to cease and desist on the enforcement of the Property Management Code until the City Council deems otherwise necessary. The motion was not seconded. Councilor Lachapelle stated that this motion should be made at the council meeting after the presentation.

The council debated the issue.

#### **8. Other**

There was no discussion under Other.

#### **9. Adjournment**

Councilor Lauterborn **MOVED** to adjourn at 6:52 pm. Councilor Gates seconded the motion.

Respectfully Submitted,

Susan Morris  
Clerk Typist I