 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td colspan="2">Agenda Item#: 13.C.1.</td></tr> <tr> <td>Ordinance Number:</td><td>O – 2023.06.14 – 006</td></tr> <tr> <td>Ordinance Title:</td><td>Administrative Code</td></tr> <tr> <td>Chapter:</td><td>5</td></tr> <tr> <td>Section:</td><td>8 Executive Department 10 Fire and Rescue Department 15 Planning and Community Development Department</td></tr> </table>	CITY OF DOVER - ORDINANCE		Agenda Item#: 13.C.1.		Ordinance Number:	O – 2023.06.14 – 006	Ordinance Title:	Administrative Code	Chapter:	5	Section:	8 Executive Department 10 Fire and Rescue Department 15 Planning and Community Development Department
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The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is make a technical update to the description of one function in the Executive Department and reorganize inspection functions from the Fire and Rescue Department to the Planning and Community Development Department.

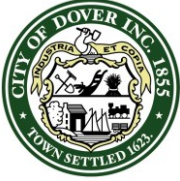
2. AMENDMENT

Chapter 5 entitled “Administrative Code” is hereby amended by revising Section 5-8, “Executive Department”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 5-8 Executive Department.

- A. There shall be an Executive Department, under the direct supervision of the City Manager, who shall be responsible for human resource, legal, economic development and information systems functions and who shall administer the functions of the Department with appropriate supervisory, clerical and labor staff.
- B. The duties of the Executive Department shall include, but are not limited to:
 - (1) Human resource functions.
 - (a) Establish and operate a merit system of personnel administration, including a uniform classification and compensation plan, as prescribed by § C7-2 of the City Charter.
 - (b) Prepare and maintain all personnel records and systems and work to ensure compliance with all applicable federal and state laws.
 - (c) Establish and operate a risk management and safety program for all City employees.
 - (2) Legal functions.
 - (a) Represent the City in all matters in which the City has an interest coming before any court, tribunal, or quasi-judicial or legislative body, except in such cases as other arrangements may be specifically made by the City Manager and/or City Council.
 - (b) Advise the City Manager, Mayor, City Council and department heads in all cases when a legal opinion is required, in writing, insofar as practicable.



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(c) Draft all deeds, leases, contracts, ordinances, and such other legal instruments as required on behalf of the City.

(d) Examine and approve all deeds, leases and other legal instruments tendered by the City prior to their acceptance.

(e) Call to the attention of the City Manager or City Council all matters of law affecting the City.

(f) Render legal counsel and service in person or by nominee as may be related to this office, upon direction of the City Manager.

(3) ~~Economic~~ Business development functions.

(a) Coordinate and direct a program for the promotion of the development of industry and business in the City of Dover.

(b) Provide encouragement and assistance to new businesses and industries seeking to move to the City of Dover and work to promote and provide support for the retention of existing businesses and industries within the City.

(4) Information systems functions.

(a) Maintain close coordination with department heads to establish information technology requirements.

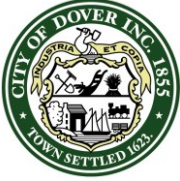
(b) Establish information technology procedures.

(c) Provide advice on feasibility of desired information technology products.

(d) Perform system analysis and design, establish and monitor information networks, write computer software, test and debug computer software and complete system documentation.

(e) Prepare and administer the DoverNet budget.

(f) Maintain the technical reference library.



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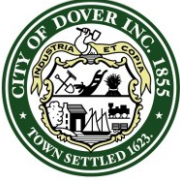
3. AMENDMENT

Chapter 5 entitled “Administrative Code” is hereby amended by revising Section 5-10, “Fire and Rescue Department”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 5-10 Fire and Rescue Department.

- A. There shall be a Fire and Rescue Department, under the direct supervision of a Fire and Rescue Chief, who shall be responsible for fire and emergency medical services, and emergency management ~~and inspection~~ functions and who shall administer the functions of the Department with appropriate supervisory, clerical and labor staff. The Fire and Rescue Chief shall have all the powers conferred upon fire wardens and fire chiefs by law (see, e.g., RSA 154:2; 155-A:7, I), and may delegate inspections and enforcement functions and duties to duly authorized subordinates within the Fire and Rescue Department or the Planning and Community Development Department. The Fire and Rescue Chief shall be the Emergency Management Director, with all duties and powers associated with the position pursuant to state law.
- B. The duties of the Fire and Rescue Department shall include, but are not limited to:
- ~~(1) — Fire, emergency medical services and emergency management functions.~~
 - ~~(a)~~ Extinguish fires and endeavor to protect life and property against fires.
 - ~~(b)~~ Provide emergency and nonemergency medical aid and transportation to local hospitals.
 - ~~(c)~~ Plan, organize and direct matters related to emergency management and preparedness for natural and man-made disasters.
 - ~~(d)~~ Prepare and maintain all Fire and Rescue Department records as required.
 - ~~(e)~~ Mitigate minor hazardous materials leaks and spills, and coordinate the response to major hazardous material incidents.
 - ~~(f)~~ Educate the public on matters related to fire and life safety along with self-preparedness for natural and man-made disasters.
 - ~~(g)~~ Care for and maintain all property and equipment assigned to the Fire and Rescue



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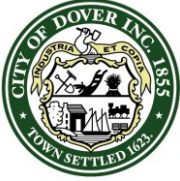
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Department.

- (~~h~~8) Issue fire permits as necessary and appropriate.
- (~~i~~9) Plan and carry out a training program of instruction for all regular and call fire and rescue personnel.
- (~~j~~10) Cooperate with surrounding communities through mutual-aid programs so that additional firefighting and emergency medical personnel and equipment may be made available when needed.
- ~~(2) — Inspection functions.~~
- ~~(a) — Enforce the building, electrical, plumbing and health codes of the City of Dover (see Chapter 57, Building Construction, Chapter 77, Electrical Standards, Chapter 113, Plumbing, and Chapter 89, Health and Sanitation, respectively).~~
- ~~(b) — Enforce all state laws and adopted codes, except as otherwise provided by law, relating to the construction, equipment, alteration, and condition of buildings within the City.~~
- ~~(c) — Review plans and specifications of proposed buildings, and issue building permits as necessary and appropriate.~~
- ~~(d) — Maintain a file of all applications for building permits, and provide copies for tax assessment purposes.~~
- ~~(e) — Inspect every structure upon which work is being done, where a permit is required, as often as necessary and appropriate given the nature and terms of the permit.~~
- ~~(f) — Investigate complaints regarding matters affecting public health.~~
- ~~(g) — Prepare and maintain all necessary records required by law.~~
- ~~(h) — Procure, study, analyze and report data concerning public health.~~
- ~~(i) — Investigate complaints or issues regarding private water supplies and septic tanks.~~
- ~~(j) — Investigate communicable diseases and sanitary hazards, and enforce sanitary laws.~~



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~~(k) Issue burial permits.~~

~~(l) Inspect restaurants, cafes, other eating places and vendors of food as required by law.~~

~~(m) Issue licenses and perform any other functions required by law.~~

4. AMENDMENT

Chapter 5 entitled “Administrative Code” is hereby amended by revising Section 5-15, “Planning and Community Development Department”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 5-15 Planning and Community Development Department.

A. There shall be a Planning and Community Development Department, under the direct supervision of a Director, who shall be responsible for planning functions, inspections functions to the extent delegated and duly authorized by the Fire and Rescue Chief, and community development functions, and who shall administer the functions of the Department with appropriate supervisory, clerical and labor staff. In performing any function involving delegated authority of and by the Fire and Rescue Chief, the employees within the Planning and Community Development Department to whom such authority has been delegated shall be considered subordinates of the Fire and Rescue Chief.

B. The duties of the Planning and Community Development Department shall include, but are not limited to:

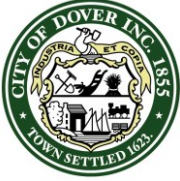
1. Land use and long range planning functions

~~(1a)~~ Advise the Planning Board, ~~and~~ the Zoning Board of Adjustment, and other land use boards and authorities of the City.

~~(2b)~~ Investigate, study, report and recommend on all matters relating to land use, zoning, traffic, parking, highways, public facilities, population, urban renewal, subdivisions, parks, playgrounds and other related phases of City planning.

~~(3c)~~ Revise the Zoning Map as changes are made therein by City ordinance.

~~(4d)~~ Develop and implement the various elements of a general Master Plan to be used



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as a guide for the development of the City.

(5e) Perform all research work that might be assigned by the City Manager.

(6f) Investigate, study and report on all matters relating to construction and use of municipal structures and buildings as necessary and appropriate.

2. Inspection functions

(a) Perform the duties stated within and enforce the building, electrical, plumbing and health codes of the City of Dover (see Chapter 57, Building Construction, Chapter 77, Electrical Standards, Chapter 113, Plumbing, Chapter 85, Food Service Establishments, and Chapter 89, Health and Sanitation, respectively).

(b) Enforce all state laws and adopted codes, except as otherwise provided by law, relating to the construction, equipment, alteration, and condition of buildings within the City.

(c) Review plans and specifications of proposed buildings, and issue building permits as necessary and appropriate.

(d) Maintain a file of all applications for building permits, and provide copies for tax assessment purposes.

(e) Inspect every structure upon which work is being done, where a permit is required, as often as necessary and appropriate given the nature and terms of the permit.

(f) Investigate complaints regarding matters affecting public health.

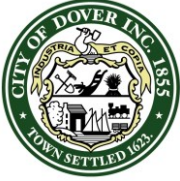
(g) Prepare and maintain all necessary records required by law.

(h) Procure, study, analyze and report data concerning public health.

(i) Investigate complaints or issues regarding private water supplies and septic tanks.

(j) Investigate communicable diseases and sanitary hazards, and enforce sanitary laws.

(k) Issue burial permits.



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(l) Inspect restaurants, cafes, other eating places and vendors of food as required by law.

(m) Issue licenses and perform any other functions required by law.

(n) Perform all school building inspections and issue reports related to same as required by law (see RSA 153:14, II(b)).

3. Community Development Functions

(a) Develop annual Community Development Block Grant application to the United States Department of Housing and Urban Development (“HUD”).

(b) Work within the HUD framework to provide increased employment opportunities to low/moderate income persons through loans to local businesses

(c) Investigate, study, report and recommend on all matters relating to community development, housing other related aspects of phases of providing opportunities to low/moderate income persons.

(d) Create annual consolidated Plan Performance Report for HUD.

5. TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

REQUIRES PUBLIC HEARING

TO BE REFERRED TO PUBLIC HEARING ON JULY 12, 2023

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

Approved as to Legal
Form and Compliance: Joshua M. Wyatt
City Attorney

Recorded by: Susan M. Mistretta
City Clerk

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DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Ordinance does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

This ordinance concerns the City’s administrative code. Changes to the administrative code are addressed in Dover’s Charter (C5-9) and RSA 49-C:21.

This ordinance first makes a technical correction to the previous “Economic development” functions, which are better described today as “Business development” functions.

This ordinance also relocates the City’s inspection functions to the Planning and Community Development Department and elaborates on certain defined functions and duties of that department. Experience has shown that much of the workflow of the City’s inspections department dovetails with investigations, reviews, and approvals by the Planning and Community Development Department. For reference, these changes were discussed at a workshop meeting on June 7, 2023.