

CITY OF DOVER

CITY COUNCIL - AGENDA

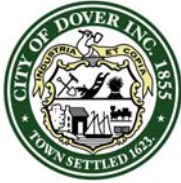
Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 14, 2009**
Meeting Time: **7:00pm**

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PROCLAMATIONS – None**
- 5. APPROVAL OF AGENDA**
- 6. CITIZEN'S FORUM**

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

7. PUBLIC HEARINGS

- A. UPDATING THE DOVER ZONING ORDINANCES**
SPONSORED BY DEPUTY MAYOR TREFETHEN
- B. ARTS COMMISSION**
SPONSORED BY MAYOR MYERS
- C. SPRING STREET PARKING**
SPONSORED BY COUNCILOR WESTON
- D. BUILDING CONSTRUCTION – CHAPTER 68**
SPONSORED BY DEPUTY MAYOR TREFETHEN
- E. EATING AND DRINKING ESTABLISHMENT – CHAPTER 99**
SPONSORED BY DEPUTY MAYOR TREFETHEN
- F. ELECTRICAL STANDARDS – CHAPTER 102**
SPONSORED BY DEPUTY MAYOR TREFETHEN
- G. FIRE PREVENTION AND LIFE SAFETY – CHAPTER 109**
SPONSORED BY DEPUTY MAYOR TREFETHEN
- H. FLOODPLAIN DEVELOPMENT – CHAPTER 113**
SPONSORED BY DEPUTY MAYOR TREFETHEN
- I. OFFENSES – CHAPTER 131**
SPONSORED BY DEPUTY MAYOR TREFETHEN



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 14, 2009**
Meeting Time: **7:00pm**

J. PLUMBING – CHAPTER 135

SPONSORED BY DEPUTY MAYOR TREFETHEN

K. STREETS AND SIDEWALKS – CHAPTER 152

SPONSORED BY DEPUTY MAYOR TREFETHEN

8. CITY MANAGER'S REPORT

9. MINUTES

A. September 23, 2009

10. MAYOR'S REPORT

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING - None

1. UPDATING THE DOVER ZONING ORDINANCES

SPONSORED BY DEPUTY MAYOR TREFETHEN

2. ARTS COMMISSION

SPONSORED BY MAYOR MYERS

3. SPRING STREET PARKING

SPONSORED BY COUNCILOR WESTON

4. BUILDING CONSTRUCTION – CHAPTER 68

SPONSORED BY DEPUTY MAYOR TREFETHEN

5. EATING AND DRINKING ESTABLISHMENT – CHAPTER 99

SPONSORED BY DEPUTY MAYOR TREFETHEN

6. ELECTRICAL STANDARDS – CHAPTER 102

SPONSORED BY DEPUTY MAYOR TREFETHEN

7. FIRE PREVENTION AND LIFE SAFETY – CHAPTER 109

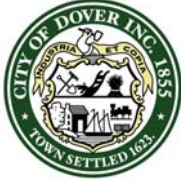
SPONSORED BY DEPUTY MAYOR TREFETHEN

8. FLOODPLAIN DEVELOPMENT – CHAPTER 113

SPONSORED BY DEPUTY MAYOR TREFETHEN

9. OFFENSES – CHAPTER 131

SPONSORED BY DEPUTY MAYOR TREFETHEN



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 14, 2009**
Meeting Time: **7:00pm**

10. PLUMBING – CHAPTER 135

SPONSORED BY DEPUTY MAYOR TREFETHEN

11. STREETS AND SIDEWALKS – CHAPTER 152

SPONSORED BY DEPUTY MAYOR TREFETHEN

B. RESOLUTIONS – None

12. NEW BUSINESS

A. CONSENT CALENDAR

1. PARADE – Brian Doucette Scholarship Fund

2. PARADE – Kiwanis Club of Dover

3. PARADE – Saint Mary Academy

4. RESOLUTION: HOLIDAY PARADE STREET CLOSURES

SPONSORED BY MAYOR MYERS BY REQUEST

5. RESOLUTION: ADOPTION OF 2009 EMERGENCY PLAN

SPONSORED BY MAYOR MYERS BY REQUEST

6. RESOLUTION: ADOPTION OF NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

SPONSORED BY MAYOR MYERS BY REQUEST

7. RESOLUTION: SETTING VOTING HOURS FOR THE NOVEMBER 3, 2009 MUNICIPAL ELECTION

SPONSORED BY MAYOR MYERS BY REQUEST

8. RESOLUTION: WARD 4 MODERATOR

SPONSORED BY MAYOR MYERS BY REQUEST

9. RESOLUTION: AWARD OF BLANKET PURCHASE ORDER FOR AUTOMOTIVE PARTS AND SUPPLIES

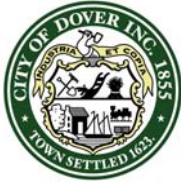
SPONSORED BY MAYOR MYERS BY REQUEST

10. RESOLUTION: AWARD OF BLANKET PURCHASE ORDER FOR TIRES AND MISCELLANEOUS RELATED SUPPLIES

SPONSORED BY MAYOR MYERS BY REQUEST

11. RESOLUTION: PLOW HITCH & HYDRAULICS & DUMP BODY – STATE OF NH AWARD TO HOWARD P. FAIRFIELD INC

SPONSORED BY MAYOR MYERS BY REQUEST



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 14, 2009**
Meeting Time: **7:00pm**

- 12. RESOLUTION: B10004 CHANGE ORDER FOR HYDRO GEOLOGICAL SERVICES PHASE III**
SPONSORED BY MAYOR MYERS BY REQUEST
- 13. RESOLUTION: B10006 PURCHASE OF WHEEL LOADER BACKHOE**
SPONSORED BY MAYOR MYERS BY REQUEST
- 14. RESOLUTION: B10015 PURCHASE OF FIVE 2010 FORD POLICE CROWN VICTORIAS**
SPONSORED BY MAYOR MYERS BY REQUEST
- 15. RESOLUTION: B10016 TRAIN STATION GLASS VESTIBULE & CDBG-R SUBSTANTIAL PROGRAM AMENDMENT**
SPONSORED BY MAYOR MYERS BY REQUEST
- 16. RESOLUTION: B10017 FOR SEGREGATION AND RECYCLING OF CONSTRUCTION DEBRIS AND DEMOLITION WASTE**
SPONSORED BY MAYOR MYERS BY REQUEST
- 17. RESOLUTION: B10021 PURCHASE OF TWO TRUCK-CAB-CHASSIS**
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

1. Appointments Committee
2. Arts Commission
3. McConnell Center Committee
4. Planning Board
5. Cable Franchise Negotiations Committee
6. School Board Liaison
7. City / School Joint Service Committee
8. Solid Waste Advisory Committee
9. Transportation Advisory Committee
10. Joint Building Committee
11. Legislative Liaison
12. Coast Bus

B. RESOLUTIONS

- 1. AUTHORIZATION TO ENTER INTO AGREEMENTS FOR SIDEWALK AND STREETSCAPE IMPROVEMENT UPGRADES**
SPONSORED BY MAYOR MYERS BY REQUEST
- 2. THE BENCH IN FRONT OF CAFÉ ON THE CORNER**
SPONSORED BY COUNCILOR SCOTT
- 3. RESPONSIVENESS TO REQUESTS BY THE PUBLIC**
SPONSORED BY COUNCILOR SCOTT
- 4. RIGHT OF ACCESS TO THE OFFICIALS OF THEIR GOVERNMENT**
SPONSORED BY COUNCILOR SCOTT



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 14, 2009**
Meeting Time: **7:00pm**

C. ORDINANCES IN 1ST READING – None

D. COUNCIL CORRESPONDENCE

13. COUNCIL MATTERS OF INTEREST

14. ADJOURN



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.2.

Ordinance Number:

Ordinance Title:

O – 2009.07.08 – 14

Chapter:

Chapter 3, Article IV, 3-60 Boards and Commissions – Arts
Commission

The City of Dover Ordains:

1. Purpose

The purpose of this ordinance is to amend Chapter 3, Article IV entitled “Boards and Commissions” of the City of Dover, 1983, by amending Section 3-69 entitled “Arts Commission”

2. Amendment

Chapter 3, Article IV entitled “Boards and Commissions” of the City of Dover, 1983, Section 3-69 is hereby amended as follows:

“3-69: Arts Commission

A. MEMBERSHIP: The Arts Commission shall consist of nine (9) members.

B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years. The terms for initial member appointments shall be made to allow for subsequent appointments to occur on a staggered basis with three members appointed for three (3) year terms, three (3) members appointed for two (2) year terms and three (2) members appointed for one (1) year terms.

C. AUTHORITY AND DUTIES: The Arts Commission shall serve in an advisory capacity to the City Council and City Manager to enhance an appreciation and awareness of arts and culture in the community through increased dialog and participation of citizens.

3. Takes Effect

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

4. Recommendation

The City Manager recommends | does not recommend that this Ordinance be adopted.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.2.

Ordinance Number:

Ordinance Title:

O – 2009.07.08 – 14

Chapter:

Chapter 3, Article IV, 3-60 Boards and Commissions – Arts
Commission

Document History:

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

Document Actions:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.3.

Ordinance Number: **O – 2009.09.23 - 16**
Ordinance Title: Spring Street parking
Chapter: Chapter 166, Vehicles and Traffic

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 166, entitled “Vehicles and Traffic” by adding amending a location in the list of streets in 166-56 “Schedule I: No Parking at Any Time”.

2. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by adding language to Section 166-56, “Schedule I: No Parking at Any Time” as follows:

a. The following is added:

Spring Street

**Southerly side, from the intersection of Central
Avenue to the intersection of Locust Street**

3. TAKES EFFECT

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

AUTHORIZATION

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Sponsored by: Councilor Karen Weston

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading Date:
Approved Date:

Public Hearing Date:
Effective Date:



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.3.

Ordinance Number: **O – 2009.09.23 - 16**
Ordinance Title: Spring Street parking
Chapter: Chapter 166, Vehicles and Traffic

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.3.

Ordinance Number: **O – 2009.09.23 - 16**
Ordinance Title: Spring Street parking
Chapter: Chapter 166, Vehicles and Traffic

ORDINANCE BACKGROUND MATERIAL:

This ordinance revision was recommended by the Transportation Advisory Commission by unanimous vote at its August 24, 2009 meeting, after hearing resident concerns about the width of the street. Spring Street extends a single block from Central to Locust and is approximately 400' long. All Spring Street residents and property owners were invited to participate or provide input to the Transportation Advisory Commission at its July 27 and August 24 meetings and no one expressed opposition.

There is presently no parking restriction on Spring Street. The width of Spring Street from curb-to-curb is less than 24'. The standard width of a parallel parking stall is 8'. With parking on both sides, this leaves a travel way that is potentially as narrow as 8'. Dover Fire Department's Truck 1, the largest vehicle in the fleet, has an overall width of 11' including the side mirrors. This basic math shows that there is a potential for a public safety emergency at times when vehicles are allowed to park on both sides of Spring Street.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 68, entitled “Building Construction” of the Code of the City of Dover.

2. AMENDMENT

Chapter 68 entitled “Building Construction” is hereby amended by revising multiple Sections.

SEE ATTACHED ORDINANCE IN ITS ENTIRETY

NOTE: THIS ORDINANCE REQUIRES A PUBLIC HEARING

3. TAKES EFFECT

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Dean Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.4.
	Ordinance Number:		
	Ordinance Title: O – 2009.09.23 - 17		
	Chapter: Building Construction Chapter 68		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.4.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 17</td></tr> <tr> <td>Chapter:</td><td>Building Construction Chapter 68</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.4.	Ordinance Title:	O – 2009.09.23 - 17	Chapter:	Building Construction Chapter 68
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.4.								
Ordinance Title:	O – 2009.09.23 - 17								
Chapter:	Building Construction Chapter 68								

ORDINANCE BACKGROUND MATERIAL:

BUILDING CONSTRUCTION

CHAPTER 68

- 68-1. Statutory authority.**
- 68-2. Adoption of standards.**
- 68-3. Office of Building Official established.**
- 68-4. Qualifications of Building Official.**
- 68-5. Duties.**
- 68-6. Liability for official actions.**
- 68-7. Cooperation with other city officials.**
- 68-8. Right of entry.**
- 68-9. Definitions.**
- 68-10. Fire limits.**
- 68-11. Fees.**
- 68-12. Construal of provisions.**
- 68-13. (Reserved)**

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77.* Amendments noted where applicable]

General References

Building wrecking and demolition - See Ch. 71.
 Electrical standards - See Ch. 102.
 Housing standards - See Ch. 119.
 Plumbing - See Ch. 135.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

Site review - See. Ch. 149.

Subdivision of land - See Ch. 155.

Zoning - See Ch. 170.

Fire and Life Safety – See Chapter 109

*Editor's Note: Provisions of this chapter are derived from Ch. 15 of the former Code, adopted 12-14-77.

68-01

68-1

68-4

68-1. Statutory authority.

This chapter is enacted pursuant to the authority granted by ~~Section 22 of Chapter 47 RSA 47:22~~ and Chapter 155-A as amended, ~~2003~~ of the New Hampshire Revised Statutes Annotated. [Amended 11-19-03 by Ord. No.21-2003]

68-2. Adoption of standards.[Amended 3-12-86 by Ord. No. 2-86, Amended 11-11-98 by Ord. No. 19-98; Amended 11-19-03 by Ord. No.21-2003]

There is hereby adopted by the City of Dover, New Hampshire, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use occupancy, location and maintenance of buildings and structures, including permits, that certain building code known as the "State Building Code ~~and State Fire Code~~" ~~and the International Residential Code~~" ~~as published by the International Code Council~~, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which not less than three (3) copies have been and now are filed in the office of the City Clerk of the City of Dover, New Hampshire, and the same are hereby adopted and incorporated as fully as if set out at length herein, and, from the date on which this chapter shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the City of Dover, New Hampshire.

68-3. Office of Building Official established.

- A. The office of Building Official is hereby created and the executive official in charge shall be known as the Building Official.
- B. The Building Official shall be appointed by the chief executive officer of the City of Dover. ~~His appointment shall be made in accordance with the provisions of the City Charter and Administrative Code* and shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges in accordance with the Merit Plan of the City of Dover.~~

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68 Agenda Item#: 11.A.4.

68-4. Qualifications of Building Official.

~~To be eligible to appointment, the candidate for the position shall have had experience as an architect, structural engineer, building inspector or superintendent of building construction. He shall be in good health, physically capable of making the necessary examinations and inspections. He~~The Building Official shall not have any interest whatever, directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in or in connection with building construction, alterations, removal and demolition.

*Editor's Note: See Ch. 3, Administrative Code.

68-02

68-4

68-6

68-4. Duties.

- A. The Building Official ~~shall devote his whole time to the duties of his office. He~~ shall receive applications required by this code, issue permits and furnish the prescribed certificates. He shall examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He shall enforce all provisions of the Building Code. He shall, when requested by proper authority or when the public interest so requires, make investigations in connection with matters referred to in the Building Code and render written reports on the same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction or to require adequate exit facilities in buildings and structures, he shall issue such notices or orders as may be necessary.
- B. Inspections required under the provisions of the Building Code shall be made by the Building Official or his duly appointed ~~assistant~~ **designee**. The Building Official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the Building Code shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service.
- C. The Building Official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made, of reports rendered and of notices or orders issued. He shall retain, on file, copies of required plans and all documents relating to building work so long as any part of the building or structure to which they relate may be in existence.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

D. All such records shall be open to public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office of the Building Official without his written consent.

~~E. The Building Official shall make written reports to his immediate superior once each month or more often if requested, including statements of permits and certificates issued and orders promulgated.~~

68-6. Liability for official actions.

The Building Official or any employee charged with the enforcement of this code, acting in good faith and without malice for the city in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by a reason of any act or omission in the discharge of his duties. Any suit brought against the Building

68-6

68-03

68-10

Official or employee because of such act or omission performed by him in the enforcement of any provisions of this code shall be deferred by the Legal Department of the city until final termination of the proceedings.

68-7. ~~Cooperation with other city officials.~~

~~The Building Official may request and shall receive, so far as may be necessary, in the discharge of his duties, the assistance and cooperation of other officials of the municipality.~~Reserved

68-8. Right of entry.

The Building Official, in the discharge of his official duties and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

68-9. ~~Definitions.~~

~~As used in this chapter, the following terms shall have the meanings indicated:~~

~~CORPORATION COUNSEL—The attorney for the City of Dover.~~

~~MUNICIPALITY—The City of Dover.~~Reserved

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

68-10. Fire limits.

The fire limits of the City of Dover are hereby established as follows:

A. Beginning at a point on Central Avenue represented by the continuation of the center of New York Street to the center of said Central Avenue; thence following the center lines of Broadway, St. John, Portland Avenue and Mechanic Streets to School Street; thence following a course represented by the center line of School Street extended to the bank of the Coheco River; thence in a direct line to the intersection of Hanson Street and Henry Law Avenue; thence through the center of said Hanson Street in a continued line to the center of Central Avenue; thence through Central Avenue to Tuttle Square and through Silver Street to the intersection of Cushing Street with said Silver Street; thence by the center of said Cushing Street to Washington Street and continuing in a direct line to the bank of the Coheco River; thence by the bank of said river to Fourth Street to Chestnut Street, through Chestnut Street to Sixth Street, through Sixth Street to Central Avenue; and thence through the center of said Central Avenue to the point of beginning.

68-11

68-04

68-13

68-11. Fees.

No permit as required by the Building Code shall be issued until the fee(s) as set forth in 170-50 of the Zoning Ordinance shall have been paid.

68-12. ~~Construal~~ Interpretation of provisions.

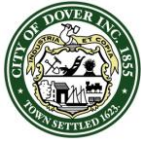
Nothing in this chapter or in the Building Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action accrued or existing under any act or ordinance repealed hereby; nor shall any right or remedy of any character be lost, impaired or affected by this chapter.

68-13. ~~(Reserved)*~~ Building Official

ADMINISTRATION

A. This chapter shall be enforced by the Building Official who shall have the authority to make inspections necessary to carry out his/her duties in the enforcement of this chapter.

Comment [ABK1]: Provisions of this ordinance are taken from Ch 170 of the Dover ordinances. Generally the term Building Inspector is changed to Building Official.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.4.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 17**

Chapter: Building Construction Chapter 68

B. The Building Official shall not approve an application or issue a building permit or Certificate of Occupancy for any purpose, except in compliance with the provisions of this chapter.

68-15. Building permit procedure. [Amended 6-10-87 by Ord. No. 13-87]

A. Applicability. It shall be unlawful to construct, enlarge, alter, relocate or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use; or to install or alter any equipment for which provision is made or the installation of which is regulated by the currently adopted Building Code* for the City of Dover without first filing an application with the Building Official, in writing, and obtaining the required permit therefore. Building permits are not required for simple and normal maintenance and repairs, provided that such work does not exceed two one-thousand five hundred dollars \$1,000-\$2,500).

B. Prerequisite approvals. An applicant for a building permit approval shall be responsible for providing certified verification of all requisite state and/or local approvals prior to the issuance of said building permit.

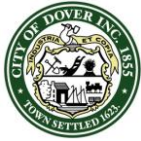
C. Application. Application for a building permit shall be made in duplicate on standard forms provided by the Building Official and accompanied by the required fee. In addition, all applications for building permits shall be accompanied by the following:

(1) Plans and specifications. The application for the permit shall be accompanied by not less than two (2) copies of specifications and of plans drawn to scale, with sufficient clarity, detail and dimensions to show the nature and character of the work to be performed. When quality of materials is essential for conformity to the Building Code, specific information shall be given to establish such quality; and the Building Code shall not be cited or the term "legal" or its equivalent be used as a substitute for specific information. The Building Official may waive the requirement for filing plans when the work involved is of a minor nature.

(2) Description of work. The application shall contain a general description of the proposed work, its location, the use and occupancy of all parts of the building or structure and of all portions of the site or lot not covered by the building or structure, and such additional information as may be required by the Building Inspector.

Formatted: Indent: Left: 0.5", Hanging: 0.25", Tab stops: Not at 5.25"

² ~~Editor's Note: See Ch. 68, Building Construction.~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.4.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 17**

Chapter: Building Construction Chapter 68

(3) The estimated cost of any structure or improvement and such other information as may be necessary to provide for the administration and enforcement of this chapter shall be provided.

(4) Site plan. There may also be required a site plan showing to scale the size and location of all the new construction and all existing structures on the site, the parcel's vehicular access, distances from lot lines, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the plot plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot.

(5) Engineering details. The Building Official may require to be filed adequate details of structural, mechanical and electrical work, including computations, stress diagrams and other essential technical data. All engineering plans and computations shall bear the signature of the engineer or architect responsible for the design. Plans for buildings more than two (2) stories in height shall indicate where penetrations will be made for electrical, mechanical, plumbing and communications conduits and pipes and materials and methods for maintaining the required structural integrity, fire-resistance rating and firestopping.

D. Action of application. Upon the filing of a completed application, the Building Inspector shall approve or deny the application within a reasonable period of time, not to exceed thirty (30) days.

E. Statute of limitations. Any work for which a building permit has been issued shall commence within the time period specified in the B.O.C.A. Basic National Building Code, as amended. [Amended 08-01-90 by Ord. No. 8-90]

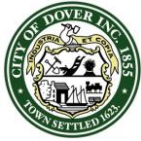
F. Amendments to application. Amendments to a plan, application or other records accompanying the same may be filed at any time before completion of the work for which the permit sought is issued, upon approval by the Building Official. Such amendments shall be deemed part of the original application and shall be filed therewith.

G. Suspension of permit. Any permit issued shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work.

Formatted: Indent: Left: 0.25", Hanging: 0.25", Tab stops: Not at 5.25"

Formatted: Font: 12 pt

H. By whom application is made. Applications for a permit shall be made by the owner or lessee of the building or structure, or agent of either, or by the licensed engineer or architect employed in connection with the proposed work. If the application is made by a



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.4.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 17**

Chapter: Building Construction Chapter 68

person other than the owner in fee, it shall be accompanied by an affidavit of the owner or the qualified applicant or a signed statement of the qualified applicant witnessed by the Building Official or his designee to the effect that the proposed work is authorized to make such application. The full names and addresses of the owner, lessee, applicant and of the responsible officer, if the owner or lessee is a corporate body, shall be stated in the application.

68-15. Certificate of occupancy.

A. Purpose. The purpose of a certificate of occupancy is to give the Building Inspector a mechanism by which he/she can verify conformance with provisions of this chapter, the building permit and other requisite approvals related thereto.

B. Applicability. No person shall use or permit the use of any building, structure or premises or part thereof hereafter erected, relocated, altered, repaired, converted or extended until a certificate of occupancy is issued by the Building Official.

C. Application. Application for a certificate of occupancy shall be made on standard forms provided by the Building Official. Application shall be required at such time as when the applicant has complied with the provisions of this chapter, the building permit and/or any other requisite approval related thereto.

D. Action of application. The Building Official shall, within fifteen (15) working days of receipt of such application, render a decision either granting a certificate of occupancy, a temporary certificate of occupancy or denying said application. When a certificate of occupancy is requested on a project, the Building Official shall defer action until in receipt of a sign-off from the Planning Director, Community Services Director, Fire Chief and Police Chief **and/or their designee**, certifying the adequacy of required improvements. [Amended 9-24-80 by Ord. No. 15-80]

68-16. Building permit fees.

Fees shall be established by the Building Official. The City of Dover and any legal entity thereof shall be exempt from the payment of said fees.

*Editor's Note: Former 68-13, Amendments to standards, adopted amendments to the National Building Code, 1976 Edition, which was the building code of the city. Ordinance No. 2-86, adopted 3-12-86, amended the Code of the City of Dover to provide that the BOCA Basic

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

Building Code, Ninth Edition would be the building code for the City of Dover, Section 68-13 was subsequently removed from the Code as having been superseded.

68-05

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

BUILDING CONSTRUCTION

CHAPTER 68

- 68-1. Statutory authority.
- 68-2. Adoption of standards.
- 68-3. Office of Building Official **established.**
- 68-4. Conflicts of Building Official.
- 68-5. Duties.
- 68-6. Liability for official actions.
- 68-7. Reserved
- 68-8. Right of entry.
- 68-9. Reserved
- 68-10. Fire limits.
- 68-11. Fees.
- 68-12. Interpretation of provisions.
- 68-13. Building Official
- 68-14 Building Permit Procedure

Comment [ABK2]: The purpose of the changes in this Chapter is to complete the transfer of the Building Official from the Planning Department to the Fire and Rescue Department. A general review of the chapter was conducted for consistency and coordination with other ordinances.

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77.* Amendments noted where applicable]

General References

Building wrecking and demolition - See Ch. 71.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.4.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 17</td></tr> <tr> <td>Chapter:</td><td>Building Construction Chapter 68</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.4.	Ordinance Title:	O – 2009.09.23 - 17	Chapter:	Building Construction Chapter 68
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.4.								
Ordinance Title:	O – 2009.09.23 - 17								
Chapter:	Building Construction Chapter 68								

Electrical standards - See Ch. 102.

Housing standards - See Ch. 119.

Plumbing - See Ch. 135.

Site review - See Ch. 149.

Subdivision of land - See Ch. 155.

Zoning - See Ch. 170.

Fire and Life Safety – See Chapter 109

*Editor's Note: Provisions of this chapter are derived from Ch. 15 of the former Code, adopted 12-14-77.

68-01

68-1

68-4

68-1. Statutory authority.

This chapter is enacted pursuant to the authority granted by RSA 47:22 and Chapter 155-A as amended, of the New Hampshire Revised Statutes Annotated. [Amended 11-19-03 by Ord. No.21-2003]

68-2. Adoption of standards.[Amended 3-12-86 by Ord. No. 2-86, Amended 11-11-98 by Ord. No. 19-98; Amended 11-19-03 by Ord. No.21-2003]

There is hereby adopted by the City of Dover, New Hampshire, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use occupancy, location and maintenance of buildings and structures, including permits, that certain building code known as the "State Building Code and State Fire Code", and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which not less than three (3) copies have been and now are filed in the office of the City Clerk of the City of Dover, New Hampshire, and the same are hereby adopted and incorporated as fully as if set out at length herein, and, from the date on which this chapter shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the City of Dover, New Hampshire.

68-3. Office of Building Official established.

A. The office of Building Official is hereby created and the executive official in charge shall be known as the Building Official.

B. The Building Official shall be appointed by the chief executive officer of the City of Dover.

Comment [ABK3]: The procedure and practice of hiring is an administrative function not properly included in an ordinance. The Merit Plan applies irrespective of mention in an ordinance. Employees who are members of a collective bargaining unit are governed by collective bargaining agreements.

68-4. Qualifications of Building Official.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

The Building Official shall not have any interest whatever, directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in or in connection with building construction, alterations, removal and demolition.

*Editor's Note: See Ch. 3, Administrative Code.

68-02

68-4

68-6

68-5. Duties.

- A. The Building Official shall receive applications required by this code, issue permits and furnish the prescribed certificates. The Building Official shall examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He/she shall enforce all provisions of the Building Code. He/she shall, when requested by proper authority or when the public interest so requires, make investigations in connection with matters referred to in the Building Code and render written reports on the same. He/she shall issue such notices or orders as may be necessary to enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction or to require adequate exit facilities in buildings and structures,
- B. Inspections required under the provisions of the Building Code shall be made by the Building Official or a duly appointed ~~assistant~~ **designee**. The Building Official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the Building Code shall be issued on reports unless in writing and certified by a responsible officer.
- C. The Building Official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made, of reports rendered and of notices or orders issued. He/she shall retain, on file, copies of required plans and all documents relating to building work so long as any part of the building or structure to which they relate is in existence.
- D. All such records shall be open to public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office of the Building Official without written consent.

Comment [ABK4]: The Building Official is subject to the reporting requirements of the Fire Chief.

68-6. Liability for official actions.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68 Agenda Item#: 11.A.4.

The Building Official or any employee charged with the enforcement of this code, acting in good faith and without malice for the city in the discharge of his duties, shall not thereby render the Building Official liable personally, and he/she is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by a reason of any act or omission in the discharge of duties.

68-6

68-03

68-10

.

68-7. **Reserved**

Comment [ABK5]: The cooperation of city employees with the Building Official is within the administrative control of the City Manager.

68-8. **Right of entry.**

The Building Official, in the discharge of official duties and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

68-9. **Reserved**

Comment [ABK6]: These definitions are not required.
Comment [ABK7]: Deleted at the request of the Fire Chief.

68-11

68-04

68-13

68-11. **Fees.**

Fees shall be adopted by the City Council and published on an adopted fee schedule. No permit as required by the Building Code shall be issued until all outstanding fee(s) owed by the applicant for have been paid. The City of Dover is exempt from the payment of fees incurred under this Chapter.

68-12. **Interpretation of provisions.**

Nothing in this chapter or in the Building Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action accrued or existing under any act or ordinance repealed hereby; nor shall any right or remedy of any character be lost, impaired or affected by this chapter.

68-13 **Building Official**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

- A. The Building Official shall not approve an application or issue a building permit or Certificate of Occupancy for any purpose, except in compliance with the provisions of this chapter.

68-14. Building permit procedure. [Amended 6-10-87 by Ord. No. 13-87]

- A. Applicability. It shall be unlawful to construct, enlarge, alter, relocate or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use; or to install or alter any equipment for which provision is made or the installation of which is regulated by the currently adopted Building Code* for the City of Dover without first filing an application with the Building Official, in writing, and obtaining the required permit therefore.
Building permits are not required for simple and normal maintenance and repairs, provided that such work does not exceed two thousand five hundred dollars \$ 2,500).
- B. Prerequisite approvals. An applicant for a building permit approval shall be responsible for providing certified verification of all requisite state and/or local approvals prior to the issuance of said building permit.
- C. Application. Application for a building permit shall be made in duplicate on standard forms provided by the Building Official and accompanied by the required fee. In addition, all applications for building permits shall be accompanied by the following:
- (1) Plans and specifications. The application for the permit shall be accompanied by not less than two (2) copies of specifications and of plans drawn to scale, with sufficient clarity, detail and dimensions to show the nature and character of the work to be performed. When quality of materials is essential for conformity to the Building Code, specific information shall be given to establish such quality; and the Building Code shall not be cited or the term "legal" or its equivalent be used as a substitute for specific information. The Building Official may waive the requirement for filing plans when the work involved is of a minor nature.
 - (2) Description of work. The application shall contain a general description of the proposed work, its location, the use and occupancy of all parts of the building or structure and of all portions of the site or lot not covered by the building or structure, and such additional information as may be required by the Building Inspector.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.4.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 17</td></tr> <tr> <td>Chapter:</td><td>Building Construction Chapter 68</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.4.	Ordinance Title:	O – 2009.09.23 - 17	Chapter:	Building Construction Chapter 68
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.4.								
Ordinance Title:	O – 2009.09.23 - 17								
Chapter:	Building Construction Chapter 68								

- (3) The estimated cost of any structure or improvement and such other information as may be necessary to provide for the administration and enforcement of this chapter shall be provided.
- (4) Site plan. There may also be required a site plan showing to scale the size and location of all the new construction and all existing structures on the site, the parcel's vehicular access, distances from lot lines, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the plot plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot.
- (5) Engineering details. The Building Official may require to be filed adequate details of structural, mechanical and electrical work, including computations, stress diagrams and other essential technical data. All engineering plans and computations shall bear the signature of the engineer or architect responsible for the design. Plans for buildings more than two (2) stories in height shall indicate where penetrations will be made for electrical, mechanical, plumbing and communications conduits and pipes and materials and methods for maintaining the required structural integrity, fire-resistance rating and firestopping.
- D. Action of application. Upon the filing of a completed application, the Building Inspector shall approve or deny the application within a reasonable period of time, not to exceed thirty (30) days.
- E. Statute of limitations. Any work for which a building permit has been issued shall commence within the time period specified in the B.O.C.A. Basic National Building Code, as amended. **[Amended 08-01-90 by Ord. No. 8-90]**
- F. Amendments to application. Amendments to a plan, application or other records accompanying the same may be filed at any time before completion of the work for which the permit sought is issued, upon approval by the Building Official. Such amendments shall be deemed part of the original application and shall be filed therewith.
- G. Suspension of permit. Any permit issued shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work.
- H. By whom application is made. Applications for a permit shall be made by the owner or lessee of the building or structure, or agent of either, or by the licensed engineer or architect employed in connection with the proposed work. If the application is made by a

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.4. Ordinance Number: Ordinance Title: O – 2009.09.23 - 17 Chapter: Building Construction Chapter 68

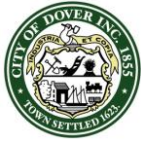
person other than the owner in fee, it shall be accompanied by an affidavit of the owner or the qualified applicant or a signed statement of the qualified applicant witnessed by the Building Official or his designee to the effect that the proposed work is authorized to make such application. The full names and addresses of the owner, lessee, applicant and of the responsible officer, if the owner or lessee is a corporate body, shall be stated in the application.

68-15. Certificate of occupancy.

- A. Purpose. The purpose of a certificate of occupancy is to give the Building Official a mechanism by which he/she can verify conformance with provisions of this chapter, the building permit and other requisite approvals related thereto.
- B. Applicability. No person shall use or permit the use of any building, structure or premises or part thereof hereafter erected, relocated, altered, repaired, converted or extended until a certificate of occupancy is issued by the Building Official.
- C. Application. Application for a certificate of occupancy shall be made on standard forms provided by the Building Official. Application shall be required at such time as when the applicant has complied with the provisions of this chapter, the building permit and/or any other requisite approval related thereto.
- D. Action of application. The Building Official shall, within fifteen (15) working days of receipt of such application, render a decision either granting a certificate of occupancy, a temporary certificate of occupancy or denying said application. When a certificate of occupancy is requested on a project, the Building Official shall defer action until in receipt of a sign-off from the Planning Director, Community Services Director, Fire Chief and Police Chief **and/or their designee**, certifying the adequacy of required improvements. [Amended 9-24-80 by Ord. No. 15-80]

Comment [ABK8]: Provisions contained in 68-16 are duplicative and found elsewhere in the Chapter.

 *Editor's Note: Former 68-13, Amendments to standards, adopted amendments to the National Building Code, 1976 Edition, which was the building code of the city. Ordinance No. 2-86, adopted 3-12-86, amended the Code of the City of Dover to provide that the BOCA Basic Building Code, Ninth Edition would be the building code for the City of Dover, Section 68-13 was subsequently removed from the Code as having been superseded.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.4.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 17**

Chapter: Building Construction Chapter 68

68-05

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 99, entitled “Eating and Drinking Establishments” of the Code of the City of Dover.

2. AMENDMENT

Chapter 99 entitled “Eating and Drinking Establishments” is hereby amended by revising multiple Sections.

SEE ATTACHED ORDINANCE IN ITS ENTIRETY

NOTE: THIS ORDINANCE REQUIRES A PUBLIC HEARING

3. TAKES EFFECT

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.5.
	Ordinance Number:		
	Ordinance Title: O – 2009.09.23 - 18		
	Chapter: Eating and Drinking Establishments Chapter 99		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

ORDINANCE BACKGROUND MATERIAL:

EATING AND DRINKING ESTABLISHMENTS

Chapter 99

- 99-1. Definitions.**
- 99-2. Licenses.**
- 99-3. Fees.**
- 99-4. Examination of food and drink; condemnation.**
- 99-5. Inspection of restaurants.**
- 99-6. Sanitation requirements.**
- 99-7. Reimbursement of license fee.**
- 99-8. Reinstatement of license.**
- 99-9. Control of disease.**
- 99-10. Violations and penalties.**
- 99-11. [REPEALED]**
- 99-12. Service of Alcoholic Liquor Beverages.**

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77.* Section 99-10 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

General References

Document Created by: Legal Document Posted on: October 8, 2009	2009.09.23 Eating and Drinking Establishments Chapter 99.doc Page 3 of 22

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.5.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 18</td></tr> <tr> <td>Chapter:</td><td>Eating and Drinking Establishments Chapter 99</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.5.	Ordinance Title:	O – 2009.09.23 - 18	Chapter:	Eating and Drinking Establishments Chapter 99
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.5.								
Ordinance Title:	O – 2009.09.23 - 18								
Chapter:	Eating and Drinking Establishments Chapter 99								

Public health - See Ch. 116.

 *Editor's Note: Provisions of this chapter are derived from Ch. 45 of the former Code, adopted 12-14-77.

99-01

99-1

99-1. Definitions.

99-2

The following definitions shall apply in the interpretation and the enforcement of this chapter.

EMPLOYEE - Any person who handles food or drink during preparation or serving or who comes in contact with any eating or cooking utensils or who is employed in a room in which food or drink is prepared or served.

HEALTH OFFICER - The Health Officer of the City of Dover.

ITINERANT RESTAURANT - One operating for a temporary period in connection with a fair, carnival, circus, public exhibition or other similar gatherings.

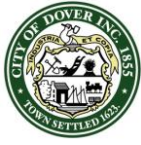
PERSON - Person, firm, corporation or association.

RESTAURANT - A restaurant, coffee shop, cafeteria, short- order cafe, luncheonette, tavern, sandwich stand, soda fountain, mobile lunch cart and all other eating or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale elsewhere.

TEMPORARY FOODSERVICE ESTABLISHMENT - One operating for a temporary period (1 day up to 6 months) in connection with a fair, carnival, circus, public exhibition or other similar gatherings. [Added 06-03-92 by Ord. No. 15-92]

UTENSILS - Includes any kitchenware, tableware, glassware, cutlery, utensil containers or other equipment with which food or drink comes in contact during storage, preparation or serving.

99-2. Licenses. [Amended 5-12-82 by Ord. No. 8-82]



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.5.

Ordinance Number:

Ordinance Title:

O – 2009.09.23 - 18

Chapter:

Eating and Drinking Establishments Chapter 99

- A. It shall be unlawful ~~for any person~~ to operate a restaurant in the City of Dover ~~without a license, who does not possess an unrevoked license from and after six (6) months from the date on which this chapter takes effect. Such IL~~ licenses shall be posted in a conspicuous place. ~~Only persons who comply with the requirements of this chapter shall be entitled to receive and retain such a license. Upon refusal to issue such a license by the Health Officer upon inspection and the finding of serious noncompliance with this chapter, the applicant shall have an opportunity for a hearing by the Board of Health before further action is taken.~~
- B. ~~The Board of Health is authorized to suspend or revoke a license. Applicants who are denied a license and license holders who are the subject of administrative action shall be entitled to notice and a hearing before the Board of Health. Such a license may be temporarily suspended by the Board of Health upon the violation by the holder of any of the terms of this chapter or revoked after an opportunity for a hearing by the Board of Health upon serious or repeated violation.~~

99-02

99-2

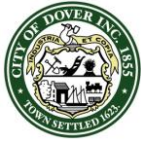
99-3

- C. All restaurant licenses of the City of Dover shall expire on the 31st day of May annually. A person conducting a Temporary Foodservice Establishment shall be required to secure a license.* [Amended 06-03-92 by Ord. No. 15-92]

99-3. Fees. [Added 5-12-82 by Ord. No. 8-82, Amended 5-3-90 by Ord. No. 6-90]

- A. Annual license fees shall be in accordance ~~with the~~ with the current fee schedule as adopted by the City Council. following schedule:

~~Class~~	~~Description~~	~~Fee~~
~~I~~	~~Food service establishments having a seating capacity of 100 persons or more, supermarkets and grocery stores with 3 or more food preparation areas~~	~~\$100.00~~
~~II~~	~~Food service establishments having a seating capacity of more than 25 but less than 100 persons, grocery stores with fewer than 3 food preparation areas, bakeries, warehouses, distributors, caterers, mobile food operators, canteen commissaries, institutions, clubs,~~	~~75.00~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.5.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 18**

Chapter: Eating and Drinking Establishments Chapter 99

~~liquor lounges and nursing homes~~

~~III – Food service establishments selling only 50.00~~

~~prepackaged products, vending machine
operators, food service establishments
with seating capacity of 25 or less,
food service establishments with take-out
service and no seating and drive-in
movie theaters~~

~~IV – Temporary food service establishments 30.00~~

~~(2 days up to 6 months) and Vending Machine
Operators (with nonperishable foods only)
{Amended 06-03-92 by Ord. No. 15-92}~~

~~V – Temporary Foodservice establishments 10.00~~

~~(1 day only) and movie theaters selling
only soda, candy and popcorn
{Amended 06-03-92 by Ord. No. 15-92}~~

99-3

99-03

99-6

***Editor's Note: Former Subsections D and E, which immediately followed this subsection, were repealed 5-12-82 by Ord. No. 8-82; their provisions regarding fees were superseded by 99-3 below.**

~~VI – Nonprofit charitable organizations, No fee~~

~~public schools and public institutions
{Added 06-03-92 by Ord. No. 15-92}~~

~~B. Fees for an application received after nine (9) months of the licensing year has passed
shall be one-half (1/2) the above fee schedule.~~

99-4. Examination of food and drink; condemnation.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

Samples of food or drink and other substances may be taken and examined by the Health Officer as often as may be necessary for the detection of unwholesomeness or adulteration. The Health Officer may condemn or forbid the sale of or cause to be removed or destroyed any food or drink which is unwholesome or adulterated.

99-5. Inspection of restaurants.

At least once every three (3) months if the ~~Sanitary Officer~~ **Health Officer** discovers the violation of any item of sanitation, he shall notify the proprietor or his agent, in writing, and make a second inspection after the lapse of such time as he deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the requirements of this chapter. The person operating the restaurant shall, upon a request of the Health Officer, permit access to all parts of the establishment.

Formatted: Font color: Green

99-6. Sanitation requirements.

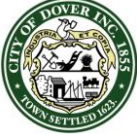
- A. Floors. The floors of all rooms in which food or drink is stored, prepared or served or in which utensils are washed shall be of such construction as to be easily cleaned, shall be smooth and shall be kept clean and in good repair.
- B. Walls and ceilings. Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

99-04

99-6

99-6

- C. Doors and windows. When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.
- D. Lighting. All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.
- E. Ventilation. All rooms in which food or drink is stored, prepared or served or in which utensils are washed shall be well ventilated.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter:	Agenda Item#: 11.A.5. Eating and Drinking Establishments Chapter 99

F. Toilet facilities. Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees and patrons conforming to the ordinances of the City of Dover. Rooms in which toilet facilities are provided shall not open directly into any room in which food, drink or utensils are handled or stored. Separate toilet rooms for each sex shall be provided for patrons of any restaurant designed to seat twenty-five (25) or more patrons at one (1) time or for patrons of any food establishment where alcoholic beverages are served. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, well lighted and ventilated. The floor of toilet rooms shall be of nonabsorbent materials or covered with such materials and made watertight with a suitable waterproofing material. The requirement of providing toilet facilities for patrons shall not apply to stores serving lunches, roadside refreshment booths or to places of temporary character serving food; and one (1) conveniently located toilet shall be deemed adequate for employees. **[Amended 11-16-83 by Ord. No. 30-83]**

G. Water supply. Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply shall be adequate and of a safe, sanitary quality.

H. Lavatory facilities. Adequate and convenient hand- washing facilities shall be provided for employees, including hot and cold running water and soap from a dispenser and approved sanitary towels. The use of a common towel and drinking cup is prohibited. No employees shall resume work after using the toilet room without first washing his hands, and a sign shall be posted in each toilet room used by employees instructing the same.

99-6

99-05

99-6

I. Construction of utensils and equipment. All multi-used utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks and other equipment or utensils used in connection with the operating of a restaurant shall be so constructed as to be easily cleaned and shall be in good repair. Chipped or cracked

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.5.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 18</td></tr> <tr> <td>Chapter:</td><td>Eating and Drinking Establishments Chapter 99</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.5.	Ordinance Title:	O – 2009.09.23 - 18	Chapter:	Eating and Drinking Establishments Chapter 99
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.5.								
Ordinance Title:	O – 2009.09.23 - 18								
Chapter:	Eating and Drinking Establishments Chapter 99								

glasses, dishes and utensils shall not be used in any establishment. Such articles in the condition described above are to be discarded immediately.

J. Cleansing and bactericidal treatment of utensils and equipment. All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, sinks and other equipment used with the operation of a restaurant, shall be kept clean and free from dust, dirt, insects and other contaminating material. All cloths used by waiters, chefs and other employees shall be clean. Single-service containers shall be used only once. All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to one (1) of the following approved bactericidal processes after each usage:

- (1) Immersion for at least two (2) minutes in clean hot water at a temperature of not less than one hundred seventy degrees Fahrenheit (170 F.) or for at least one-half (1/2) minute in water at the full-boiling temperature. The pouring of scalding water over the washed utensils shall not be accepted as satisfactory compliance.
- (2) Exposure in a steam cabinet at a temperature of not less than one hundred seventy degrees Fahrenheit (170 F.) for not less than fifteen (15) minutes or not less than two hundred degrees Fahrenheit (200 F.) for at least five (5) minutes.
- (3) Exposure in a hot air oven at a temperature of not less than one hundred eighty degrees Fahrenheit (180 F.) for not less than twenty (20) minutes.
- (4) Immersion for at least two (2) minutes in a lukewarm chlorine bath containing in excess of fifty (50) parts per million of available chlorine.
- (5) Immersion for at least two (2) minutes in a rinse containing a bactericidal agent whose concentration and composition have been approved by the State Department of Health. All multi-use utensils used in the preparation or serving of food and drink shall be thoroughly cleaned and subjected to an approved bactericidal process immediately following the day's operation.

99-6

99-06

99-6

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: Chapter:	Agenda Item#: 11.A.5. O – 2009.09.23 - 18 Eating and Drinking Establishments Chapter 99

Drying cloths, if used, shall be clean and shall be used for no other purpose. No article, polish or other substance containing any cyanide preparation or other poisoning material shall be used for the cleaning or polishing of utensils.

- K. Storage and handling of utensils and equipment. After bactericidal treatment utensils shall be stored in a clean, dry place protected from flies, dust and other contamination and shall be handled in such a manner as to prevent contamination as far as practicable. Single- service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean dry place until used and shall be handled in a sanitary manner. All ice cream scoops or other utensils for the dispensing of ice cream shall be kept in a container supplied with constant running water.
- L. Disposal of waste. All waste shall be properly disposed of, and all garbage and trash shall be kept in metal waste cans provided with tightly fitting covers, which shall be kept covered at all times when not in use. The ground area around cans shall be free of rubbish at all times.
- M. Refrigeration. All readily perishable food and drink shall be kept at or below fifty degrees Fahrenheit (50 F.) except when being prepared or served. Wastewater from refrigeration equipment shall be properly disposed of.
- N. Wholesomeness of food and drink. All food and drink shall be clean, wholesome, free from spoilage and so prepared as to be safe for human consumption. All milk, fluid milk products, ice cream and other frozen desserts served shall be pasteurized and shall be from an approved source. Milk and fluid milk products shall be served in the individual original containers as delivered to the dispenser by the dairy plant or from an approved dispensing device in preparing flavored milk drinks, provided that this requirement shall not apply to cream, which may be served from the original bottle or from an approved dispenser for such service. All oysters, clams and other shellfish shall be from approved sources and bear such identification as required by the State Department of Health and, if shucked, shall be kept until used in the containers in which they were placed at the shucking plant or bear identification as to their origin.
- O. Storage, display and serving of food and drink. All food and drink shall be stored, displayed and served as to be protected from dust, flies, vermin and pollution by rodents, unnecessary handling, droplet infection, overhead leakage and other sources of contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

and rodents shall be used. All parts of a restaurant used for preparing or storage of food shall be satisfactorily ratproofed.

99-09

99-07

99-11

P. Cleanliness of employees. All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment.

Q. Miscellaneous. The premises of all restaurants shall be kept clean and free of litter and rubbish. None of the operation connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employee's clothing. Garments to be worn while preparing or serving food shall not be stored in toilet rooms. Soiled linens, coats and aprons shall be stored in containers provided for this purpose.

99-7. Reimbursement of license fee.

Any restaurant, the license of which has been suspended, may at any time make application for the reimbursement of the license fee **on a pro rata basis.**

Formatted: Font color: Blue

99-8. Reinstatement of license.

After a suspension or revocation of a license and when a statement from the applicant has been received stating correction of violations, the Health Officer shall re-inspect the establishment for compliance to determine whether the establishment may be reinstated. Further re-inspections may be conducted by the Health Officer. Within one (1) week after the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated provision or provisions of this chapter have been conformed with, the Health Officer shall make a reinspection and, thereafter, as many additional re inspections as he may deem necessary to assure that the applicant is again complying with the requirements and, in case the finding indicates compliance, shall reinstate the license.

99-9. Control of disease.

No person who is infected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person suspected of being a carrier of such disease. If the restaurant manager suspects that any employee has contacted any disease in a communicable form or has become a carrier of such disease, he shall notify the Health Officer immediately.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99 Agenda Item#: 11.A.5.

99-10. Violations and penalties.*

Any person violating any provision of this chapter shall be guilty of a violation and, upon conviction, shall be fined up to one hundred dollars (\$100.); and each day of such violation or failure to comply shall constitute a separate offense.

99-11. Food Service Establishment Tobacco Policy. [Added 10-20-99 by Ord. No. 11-99; amended 12/15/99 by Ord. No. 17-99; Rescinded 12/15/99 by Ord. No. 18-99]

99-08

99-09

99-12

99-12. Service of Alcoholic Liquor or Beverages. [Added 11-20-02 by Ord. No. 33-2002]

Any restaurant as defined in this chapter who is duly authorized and licensed by the State of New Hampshire to sell alcoholic beverages for this purpose may also apply to the licensing board for a permit to sell and serve set alcoholic beverages on a City sidewalk immediately adjacent to said restaurant in conjunction with the services of bonafide meals. The licensing board shall be responsible to ensure that the placement of tables and chairs for this purpose does not obstruct the free passage of pedestrians.

***Editor's Note: Amended at time of adoption of Code;**
see Ch. 1, General Provisions, Art. I.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

EATING AND DRINKING ESTABLISHMENTS

Chapter 99

- 99-1. Definitions.**
- 99-2. Licenses.**
- 99-3. Fees.**
- 99-4. Examination of food and drink; condemnation.**
- 99-5. Inspection of restaurants.**
- 99-6. Sanitation requirements.**

Comment [ABK1]: The purpose of the changes in this ordinance clarifies the language and removes unnecessary language. Changes to the fee provisions are made to effect uniformity of the City council fee schedule process. These changes were requested by the Fire and Rescue Department.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

- 99-7. Reimbursement of license fee.**
- 99-8. Reinstatement of license.**
- 99-9. Control of disease.**
- 99-13. Violations and penalties.**
- 99-14. [REPEALED]**
- 99-15. Service of Alcoholic Liquor Beverages.**

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77.* Section 99-10 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

General References

Public health - See Ch. 116.

*Editor's Note: Provisions of this chapter are derived from Ch. 45 of the former Code, adopted 12-14-77.

99-01

99-1

99-2

99-1. Definitions.

The following definitions shall apply in the interpretation and the enforcement of this chapter.

EMPLOYEE - Any person who handles food or drink during preparation or serving or who comes in contact with any eating or cooking utensils or who is employed in a room in which food or drink is prepared or served.

HEALTH OFFICER - The Health Officer of the City of Dover.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

ITINERANT RESTAURANT - One operating for a temporary period in connection with a fair, carnival, circus, public exhibition or other similar gatherings.

PERSON - Person, firm, corporation or association.

RESTAURANT - A restaurant, coffee shop, cafeteria, short- order cafe, luncheonette, tavern, sandwich stand, soda fountain, mobile lunch cart and all other eating or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale elsewhere.

TEMPORARY FOODSERVICE ESTABLISHMENT - One operating for a temporary period (1 day up to 6 months) in connection with a fair, carnival, circus, public exhibition or other similar gatherings. [Added 06-03-92 by Ord. No. 15-92]

UTENSILS - Includes any kitchenware, tableware, glassware, cutlery, utensil containers or other equipment with which food or drink comes in contact during storage, preparation or serving.

99-2. Licenses. [Amended 5-12-82 by Ord. No. 8-82]

- A. It shall be unlawful to operate a restaurant in the City of Dover without a license.
Licenses shall be posted in a conspicuous place.
- B. The Board of Health is authorized to suspend or revoke a license. Applicants who are denied a license and license holders who are the subject of administrative action shall be entitled to notice and a hearing before the Board of Health.

99-02

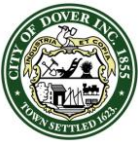
99-2

99-3

- C. All restaurant licenses of the City of Dover shall expire on the 31st day of May annually.
A person conducting a Temporary Foodservice Establishment shall be required to secure a license.* [Amended 06-03-92 by Ord. No. 15-92]

99-3. Fees. [Added 5-12-82 by Ord. No. 8-82, Amended 5-3-90 by Ord. No. 6-90]

- A. Fees shall be adopted by the City Council and published as an adopted fee schedule. No permit shall be issued until all outstanding fees of the applicant owed to the City of Dover have been paid.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.5.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 18</td></tr> <tr> <td>Chapter:</td><td>Eating and Drinking Establishments Chapter 99</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.5.	Ordinance Title:	O – 2009.09.23 - 18	Chapter:	Eating and Drinking Establishments Chapter 99
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.5.								
Ordinance Title:	O – 2009.09.23 - 18								
Chapter:	Eating and Drinking Establishments Chapter 99								

99-3

99-03

99-6

***Editor's Note: Former Subsections D and E, which immediately followed this subsection, were repealed 5-12-82 by Ord. No. 8-82; their provisions regarding fees were superseded by 99-3 below.**

99-4. Examination of food and drink; condemnation.

Samples of food or drink and other substances may be taken and examined by the Health Officer as often as may be necessary for the detection of unwholesomeness or adulteration. The Health Officer may condemn or forbid the sale of or cause to be removed or destroyed any food or drink which is unwholesome or adulterated.

99-5. Inspection of restaurants.

At least once every three (3) months if the **Health Officer** discovers the violation of any item of sanitation, the Health Officer shall notify the proprietor or his agent, in writing, and make a second inspection after the lapse of such time as he/she deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the requirements of this chapter. The person operating the restaurant shall, upon a request of the Health Officer, permit access to all parts of the establishment.

99-6. Sanitation requirements.

- A. Floors. The floors of all rooms in which food or drink is stored, prepared or served or in which utensils are washed shall be of such construction as to be easily cleaned, shall be smooth and shall be kept clean and in good repair.
- B. Walls and ceilings. Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

99-04

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter:	Agenda Item#: 11.A.5. Eating and Drinking Establishments Chapter 99

99-6

99-6

- C. Doors and windows. When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.
- D. Lighting. All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.
- E. Ventilation. All rooms in which food or drink is stored, prepared or served or in which utensils are washed shall be well ventilated.
- F. Toilet facilities. Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees and patrons conforming to the ordinances of the City of Dover. Rooms in which toilet facilities are provided shall not open directly into any room in which food, drink or utensils are handled or stored. Separate toilet rooms for each sex shall be provided for patrons of any restaurant designed to seat twenty-five (25) or more patrons at one (1) time or for patrons of any food establishment where alcoholic beverages are served. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, well lighted and ventilated. The floor of toilet rooms shall be of nonabsorbent materials or covered with such materials and made watertight with a suitable waterproofing material. The requirement of providing toilet facilities for patrons shall not apply to stores serving lunches, roadside refreshment booths or to places of temporary character serving food; and one (1) conveniently located toilet shall be deemed adequate for employees. **[Amended 11-16-83 by Ord. No. 30-83]**
- G. Water supply. Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply shall be adequate and of a safe, sanitary quality.
- H. Lavatory facilities. Adequate and convenient hand- washing facilities shall be provided for employees, including hot and cold running water and soap from a dispenser and approved sanitary towels. The use of a common towel and drinking cup is prohibited. No employees shall resume work after using the toilet room without first washing his hands, and a sign shall be posted in each toilet room used by employees instructing the same.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99	Agenda Item#: 11.A.5.

99-6

99-05

99-6

- I. Construction of utensils and equipment. All multi-used utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks and other equipment or utensils used in connection with the operating of a restaurant shall be so constructed as to be easily cleaned and shall be in good repair. Chipped or cracked glasses, dishes and utensils shall not be used in any establishment. Such articles in the condition described above are to be discarded immediately.
- J. Cleansing and bactericidal treatment of utensils and equipment. All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, sinks and other equipment used with the operation of a restaurant, shall be kept clean and free from dust, dirt, insects and other contaminating material. All cloths used by waiters, chefs and other employees shall be clean. Single-service containers shall be used only once. All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to one (1) of the following approved bactericidal processes after each usage:
- (1) Immersion for at least two (2) minutes in clean hot water at a temperature of not less than one hundred seventy degrees Fahrenheit (170 F.) or for at least one-half (1/2) minute in water at the full-boiling temperature. The pouring of scalding water over the washed utensils shall not be accepted as satisfactory compliance.
 - (2) Exposure in a steam cabinet at a temperature of not less than one hundred seventy degrees Fahrenheit (170 F.) for not less than fifteen (15) minutes or not less than two hundred degrees Fahrenheit (200 F.) for at least five (5) minutes.
 - (3) Exposure in a hot air oven at a temperature of not less than one hundred eighty degrees Fahrenheit (180 F.) for not less than twenty (20) minutes.
 - (4) Immersion for at least two (2) minutes in a lukewarm chlorine bath containing in excess of fifty (50) parts per million of available chlorine.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

- (5) Immersion for at least two (2) minutes in a rinse containing a bactericidal agent whose concentration and composition have been approved by the State Department of Health. All multi-use utensils used in the preparation or serving of food and drink shall be thoroughly cleaned and subjected to an approved bactericidal process immediately following the day's operation.

99-6

99-06

99-6

Drying cloths, if used, shall be clean and shall be used for no other purpose. No article, polish or other substance containing any cyanide preparation or other poisoning material shall be used for the cleaning or polishing of utensils.

- K. Storage and handling of utensils and equipment. After bactericidal treatment utensils shall be stored in a clean, dry place protected from flies, dust and other contamination and shall be handled in such a manner as to prevent contamination as far as practicable. Single- service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean dry place until used and shall be handled in a sanitary manner. All ice cream scoops or other utensils for the dispensing of ice cream shall be kept in a container supplied with constant running water.
- L. Disposal of waste. All waste shall be properly disposed of, and all garbage and trash shall be kept in metal waste cans provided with tightly fitting covers, which shall be kept covered at all times when not in use. The ground area around cans shall be free of rubbish at all times.
- M. Refrigeration. All readily perishable food and drink shall be kept at or below fifty degrees Fahrenheit (50 F.) except when being prepared or served. Wastewater from refrigeration equipment shall be properly disposed of.
- N. Wholesomeness of food and drink. All food and drink shall be clean, wholesome, free from spoilage and so prepared as to be safe for human consumption. All milk, fluid milk products, ice cream and other frozen desserts served shall be pasteurized and shall be from an approved source. Milk and fluid milk products shall be served in the individual original containers as delivered to the dispenser by the dairy plant or from an approved dispensing device in preparing flavored milk drinks, provided that this requirement shall not apply to cream, which may be served from the original bottle or

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.5. Ordinance Number: Ordinance Title: O – 2009.09.23 - 18 Chapter: Eating and Drinking Establishments Chapter 99

from an approved dispenser for such service. All oysters, clams and other shellfish shall be from approved sources and bear such identification as required by the State Department of Health and, if shucked, shall be kept until used in the containers in which they were placed at the shucking plant or bear identification as to their origin.

- O. Storage, display and serving of food and drink. All food and drink shall be stored, displayed and served as to be protected from dust, flies, vermin and pollution by rodents, unnecessary handling, droplet infection, overhead leakage and other sources of contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches and rodents shall be used. All parts of a restaurant used for preparing or storage of food shall be satisfactorily ratproofed.

99-09

99-07

99-11

- P. Cleanliness of employees. All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment.

- Q. Miscellaneous. The premises of all restaurants shall be kept clean and free of litter and rubbish. None of the operation connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employee's clothing. Garments to be worn while preparing or serving food shall not be stored in toilet rooms. Soiled linens, coats and aprons shall be stored in containers provided for this purpose.

99-7. Reimbursement of license fee.

Any restaurant, the license of which has been suspended, may at any time make application for the reimbursement of the license fee **on a pro rata basis.**

99-8. Reinstatement of license.

After a suspension or revocation of a license and when a statement from the applicant has been received stating correction of violations, the Health Officer shall re-inspect the establishment for compliance to determine whether the establishment may be reinstated. Further re-inspections may be conducted by the Health Officer.

99-9. Control of disease.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.5.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 18</td></tr> <tr> <td>Chapter:</td><td>Eating and Drinking Establishments Chapter 99</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.5.	Ordinance Title:	O – 2009.09.23 - 18	Chapter:	Eating and Drinking Establishments Chapter 99
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.5.								
Ordinance Title:	O – 2009.09.23 - 18								
Chapter:	Eating and Drinking Establishments Chapter 99								

No person who is infected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person suspected of being a carrier of such disease. If the restaurant manager suspects that any employee has contacted any disease in a communicable form or has become a carrier of such disease, he shall notify the Health Officer immediately.

99-10. Violations and penalties.*

Any person violating any provision of this chapter shall be guilty of a violation and, upon conviction, shall be fined up to one hundred dollars (\$100.); and each day of such violation or failure to comply shall constitute a separate offense.

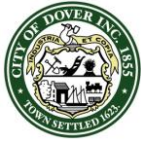
99-11. Food Service Establishment Tobacco Policy. [Added 10-20-99 by Ord. No. 11-99; amended 12/15/99 by Ord. No. 17-99; Rescinded 12/15/99 by Ord. No. 18-99]

99-09	99-08	99-12

99-12. Service of Alcoholic Liquor or Beverages. [Added 11-20-02 by Ord. No. 33-2002]

Any restaurant as defined in this chapter who is duly authorized and licensed by the State of New Hampshire to sell alcoholic beverages for this purpose may also apply to the Licensing Board pursuant to chapter 35 of the Dover ordinances for a permit to sell and serve set alcoholic beverages on a City sidewalk immediately adjacent to said restaurant in conjunction with the services of bonafide meals. The Licensing Board shall be responsible to ensure that the placement of tables and chairs for this purpose does not obstruct the free passage of pedestrians.

-----*Editor's Note: Amended at time of adoption of Codesee Ch. 1,
General Provisions, Art. I.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.5.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 18**

Chapter: Eating and Drinking Establishments Chapter 99

99-09

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.6.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 19</td></tr> <tr> <td>Chapter:</td><td>Electrical Standards Chapter 102</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.6.	Ordinance Title:	O – 2009.09.23 - 19	Chapter:	Electrical Standards Chapter 102
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.6.								
Ordinance Title:	O – 2009.09.23 - 19								
Chapter:	Electrical Standards Chapter 102								

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 102, entitled “Electrical Standards” of the Code of the City of Dover.

2. AMENDMENT

Chapter 102 entitled “Electrical Standards” is hereby amended by revising multiple Sections.

SEE ATTACHED ORDINANCE IN ITS ENTIRETY

NOTE: THIS ORDINANCE REQUIRES A PUBLIC HEARING

3. TAKES EFFECT

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.6.
	Ordinance Number:		
	Ordinance Title: O – 2009.09.23 - 19		
	Chapter: Electrical Standards Chapter 102		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

ORDINANCE BACKGROUND MATERIAL:

ELECTRICAL STANDARDS

Chapter 102

ARTICLE I GENERAL PROVISIONS

102-1. Adoption of standards.

102-2. Purpose.

102-3. Minimum standards.

ARTICLE II ADMINISTRATION

102-4. Electrical Inspector.

102-5. Board of Electrical Standards and Appeals.

102-6. Applicability.

102-7. Enforcement; appeals.

102-8. Appeal procedure.

102-9. Required permits.

102-10. Notice to Inspector.

102-11. Validity of permit.

102-12. Application to be complete.

102-13. Covering of work to be inspected.

102-14. Inspection of existing installations.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

102-15. Certificates of inspection and approval.

102-16. Approval of temporary service.

102-17. Conformity with standards.

102-1

102-18. Existing installations.

102-19. Additions to existing installations.

102-20. Disturbance of existing wiring.

102-21. Interpretation of standards.

102-22. Installations not covered by standards.

102-23. Right of entry.

102-24. Failure to correct defects, errors and deficiencies.

102-25. Procedure upon finding installations defective or unsafe.

102-26. Certificate required.

102-27. Violations and penalties.

**ARTICLE III
APPLICATIONS; PERMITS; FEES**

102-28. Filing of applications; information required.

102-29. Time period for commencement of work.

102-30. Fees.

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77*. Amendments noted where applicable.]

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

General References

Building construction - See Ch. 68.

Housing standards - See Ch. 119.

***Editor's Note: Provisions of this chapter are derived from Ch. 17 of the former Code, adopted 12-14-77.**

102-1

102-2

102-5

ARTICLE I GENERAL PROVISIONS

102-1. Adoption of standards.

The City of Dover, New Hampshire, ordains that, by virtue of the power granted to the legislative body under RSA, ~~Chapter 47, Section 22 47:22~~, there is established an Electrical Code for the City of Dover. The National Electrical Code, current edition, as adopted by the State of New Hampshire, is hereby adopted, except as herein modified, and shall constitute the Electrical Code of the City of Dover, New Hampshire. [Amended 09-15-93 by Ord. No. 26-93]

102-2. Purpose.

The purpose of ~~this the Electrical Code~~ is ~~the practical~~ safeguarding ~~of persons and of~~ buildings and ~~their~~ contents, from electrical hazards arising from the use of electricity for light, heat, power, radio, signaling ~~and for other purposes.~~

102-3. Minimum standards. [Repealed 09-15-93 by Ord. No. 26-93]

ARTICLE II ADMINISTRATION

102-4. Electrical Inspector.

~~This code is to be administered by a~~ An Electrical Inspector appointed by the City Manager shall administer the Electrical Code. ~~who shall be appointed by the appointive authority specified in~~

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102 Agenda Item#: 11.A.6.

~~the Charter of the City of Dover. The Electrical Inspector shall be an individual especially qualified in the electrical field by reason of his experience and knowledge of all phases of electrical installation.~~

102-5. Board of Electrical Standards and Appeals.

[Repealed 01-15-92 by Ord. No. 50-91]

102-3

102-6

102-6. Applicability.

102-9

The regulations of this code shall apply to all electrical wiring and equipment installed, used, maintained, rented, leased or distributed for use in the City of Dover; ~~provided,~~ ~~however~~ ~~However,~~ ~~that~~ nothing herein contained shall apply to electrical wiring and equipment in the city fire alarm and police telegraph systems; ~~and further provided that n.~~ ~~In addition,~~ nothing herein contained shall apply to electrical wiring, equipment and apparatus owned, installed or used by any corporation which is a public utility operating under due authority granted by the State of New Hampshire for the generation, control or distribution of electrical energy; ~~except that any~~ ~~However, such any~~ -installation made on ~~customer's the~~ premises of a customer of a public utility ~~for~~ or on utility premises open to the public shall be in accordance with the construction requirements of this code; ~~and further provided that nothing herein contained shall apply to any electrical wiring, equipment or apparatus owned, installed or used by any such defined public utility or to the public as an integral part of communications system.~~

102-7. Enforcement; appeals. [Amended 01-15-92 by Ord. No. 50-91]

Subject to the authority and review of the Building Inspector, the Electrical Inspector shall be responsible for the enforcement of this code and shall have the responsibility of making interpretations of the rules, for deciding upon the approval of equipment and materials and upon granting the special permission contemplated in a number of the rules. In the administration of

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

this code, the decision of the Electrical Inspector, as approved by the Building **Official**, shall be binding except that any matter may be referred to the Building Code Board of Appeals for final determination.

Comment [ABK1]: Generally, the term Building Inspector has been changed throughout to Building Official.

102-8. Appeal procedure. [Repealed 01-15-92 by Ord. No. 50-91]

102-9. Required permits.

An electrical permit shall be obtained before any electrical work covered by this code, except as noted in Subsections A, B and C of this section, and in 102-6 of this Article, may be installed, altered or repaired, ~~a permit shall be secured from the Electrical Inspector.~~

A. Any person, firm or corporation, permanently employing one (1) or more skilled electricians in a place of business may procure a special wiring permit, for a period not longer than three (3) months. A record of all work done under this permit is to be filed weekly with the **Office of Inspection Services** and shall be accompanied with the proper fee.

B. All emergency work done shall be reported in the office of the **Office of Inspection Services** within twenty-four (24) hours from the time the work is started, not including Saturdays, Sundays or holidays.

102-4

102-9

102-14

C. Permits will not ordinarily be required for minor repair work, such as repairing flush and snap switches, replacing fuses, changing lamps, lamp sockets and receptacles, taping bare joints and repairing drop cords, nor for experimental electrical work of a temporary nature in testing laboratories of electrical shops, educational institutions and the like, nor for wiring supplied with current from the secondaries of approved bell-ringing transformers of twenty-four (24) volts or less.

102-10. Notice to Inspector.

The ~~Inspector-Electrical Inspector~~ shall be notified, in writing, by the person doing the work, first when rough-in work is completed and again when the entire work is completed. After receipt of said notice, the ~~Inspector-Electrical Inspector~~ shall inspect the work within forty-eight (48) hours, and, if said work conforms in all respects with the provisions of this code, he shall attach a notice of approval in a conspicuous place on the premises, and a rough wiring certificate shall be issued.

102-11. Validity of permit.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

~~A permit shall be valid.~~ A permit shall be valid only for the location stated in the application and in the name of the person, persons, firm or corporation whose name appears on the application to install the work. Permits are neither assignable nor transferable.

102-12. Application to be complete.

Applications for permits and plans which are submitted for approval as to the requirements of the code cannot be accepted unless they are made out in full and they are in sufficient detail.

102-13. Covering of work to be inspected.

No electrical wiring should be covered or concealed until the ~~Inspector-Electrical Inspector~~ has given his/her approval. Should the ~~Inspector-Electrical Inspector~~ condemn any ~~of said~~ work or equipment which does not meet with the provisions of this code, a notice in writing, shall be given by him/her to the person, persons, firm or corporation whose name appears on the application or permit.

102-14. Inspection of existing installations.

The ~~Inspector- Electrical Inspector~~ is hereby empowered to inspect all wiring, appliances, devices and equipment coming within the scope of this code. When the installation of any such wiring, appliances, devices or equipment is found to be in a dangerous or unsafe condition, the person, firm or corporation owning, using or operating the same shall be notified and shall make the necessary repairs or changes in a safe condition and have such work completed within ten (10) days after notification thereof or within such further reasonable time as may, upon request, be prescribed.

102-5

102-15

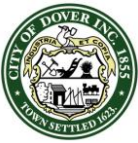
102-16

102-15. Certificates of inspection and approval.

A. The Electrical Inspector shall issue a certificate of final inspection when the electrical installation is completed and found to comply with this code. No certificate shall be issued on any incomplete work.

B. Rough wiring or preliminary certificates are issued when the concealed wiring is completed and found to comply with this code.

C. When requested, the Electrical Inspector may issue a certificate or letter of approval for any part of an installation extended or altered, if the extended or altered part conforms and the original or previously existing part does not conform with the requirements of this code.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.6.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 19</td></tr> <tr> <td>Chapter:</td><td>Electrical Standards Chapter 102</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.6.	Ordinance Title:	O – 2009.09.23 - 19	Chapter:	Electrical Standards Chapter 102
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.6.								
Ordinance Title:	O – 2009.09.23 - 19								
Chapter:	Electrical Standards Chapter 102								

D. Where an urgent necessity for the use of electrical current in any installation is shown to exist, the Electrical Inspector may grant permission for the temporary use of electric current through any wiring, apparatus or fixture for a period not to exceed ninety (90) days; provided, however, that the electric current may safely be used therein without danger to life or property. Permission may be obtained for the temporary use of electrical current during the construction or renovation of any building.

102-16. Approval of temporary service.

A. The Electrical Inspector is empowered and authorized to permit and approve the temporary use of electrical current through any wiring, apparatus or fixtures, subject to the limitations and restrictions herein prescribed in Subsections A(1), (2), (3) and (4) of this section.

(1) No such temporary use of electric current shall be permitted in any case where such use will be a hazard to life or property.

(2) Wiring and equipment shall be installed for a given limited time for a specified purpose.

(3) No such temporary use of electrical current shall be permitted for a longer period of time than is reasonably necessary to fully comply with the provisions of this code, and such period of time shall be fixed by the Inspector in the presence of the person who may desire such temporary approval. In no case shall temporary use of electrical current be permitted for a period of over ninety (90) days, except for a building in course of construction or renovation.

(4) A separate permit must be secured for temporary wiring or equipment.

102-6

102-16

B. The person to whom this permit is issued will be held responsible for the complete removal of this wiring or equipment when it has served its temporary purpose.

102-21

102-17. Conformity with standards.

All new electrical work shall conform to the requirements of this code. When an old electrical installation or any part of such installation is found, upon inspection, to be unsafe to life or property, the Electrical Inspector shall require that such portion of the installation as is found to be hazardous be reconstructed to conform to any or all of the requirements of this code. In single-family residences which are new or in which service-disconnecting equipment is being replaced, the service-disconnecting means shall have a rating of not less than one hundred (100)

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.6.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 19</td></tr> <tr> <td>Chapter:</td><td>Electrical Standards Chapter 102</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.6.	Ordinance Title:	O – 2009.09.23 - 19	Chapter:	Electrical Standards Chapter 102
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.6.								
Ordinance Title:	O – 2009.09.23 - 19								
Chapter:	Electrical Standards Chapter 102								

amperes. Apartment units with six (6) or more Two (2) wire branch circuits shall also have a rating of no less than one hundred (100) amperes.

[Amended 09-15-93 by Ord. No. 26-93]

102-18. Existing installations.

Installations which were made prior to the date on which this code became effective and which complied with the ordinance provisions, if any, then in effect are not to be considered as being in violation of this code until such time as the Electrical Inspector shall have notified the owner or person responsible for such installations of the existence of unsafe conditions.

102-19. Additions to existing installations.

When any additions, alterations or renewals of existing installations are made after the date on which this code became effective, that portion of the electrical installation which is extended, altered or renewed, shall be made to conform to all of the applicable requirements contained herein.

102-20. Disturbance of existing wiring.

It shall be unlawful for any person in any way to cut, disturb, alter or change any electrical wiring or to permit such electrical wiring to be cut, disturbed, altered or changed unless done in conformity with the provisions of this code.

102-21. Interpretation of standards.

The Electrical Inspector shall answer any relevant questions concerning or give any desired information in respect to the meaning, intent or application of the regulations and rules of this code. The Electrical Inspector in his official capacity is not, however, empowered to and shall not lay out work or act in the capacity of consulting engineer for contractors, mechanics or owners.

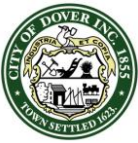
102-7

102-22

102-27

102-22. Installations not covered by standards.

The Electrical Inspector shall decide all questions pertaining to the installation of electrical conductors, appliances, apparatus and fixtures not provided for in the Electrical Ordinance of this code.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

102-23. Right of entry.

The Electrical Inspector shall have the right, during reasonable hours, to enter any building on application to the individuals or company owning or in discharge of his official duties or for the purpose of making any inspection or test of the installation of electric wiring, electric devices and/or electrical material contained therein.

102-24. Failure to correct defects, errors and deficiencies.

Immediately upon notification, in writing, by the Electrical Inspector, any person, persons, firm or corporation who shall fail to correct any defect, error or deficiency on any work or indebtedness to the Electrical Inspector within five (5) days after being notified, in writing, shall have no further permits issued to such person, persons, firm or corporation until such corrections have been made, inspected and approved or the indebtedness paid.

102-25. Procedure upon finding installations defective or unsafe.

Any installation may be inspected, and, if found to be defective or unsafe to life or property, the owner of such installation shall be notified to remove the defects within ten (10) days. In addition, the Electrical Inspector is given the power to notify the person, persons, firm or corporation supplying the service to discontinue the supply of electricity until the installation complies with this code.

102-26. Certificate required.

Service shall be supplied only to installations for which a certificate permitting the use of electric current has been issued by the Electrical Inspector, and a copy of said certificate shall be filed with the supplying power company.

102-27. Violations and penalties.

Any person, firm or corporation violating any provision of this chapter shall be punishable by a fine of up to one hundred dollars (\$100). Each day of said violation shall be construed as a separate offense. [Amended 09-15-93 by Ord. No. 26-93]

102-8

102-28

102-30

ARTICLE III APPLICATIONS; PERMITS; FEES

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102 Agenda Item#: 11.A.6.

102-28. Filing of applications; information required.

Applications for permits shall be made out in pen and ink or typewritten, on forms provided for this purpose by the Electrical Inspector. Applications shall state the full name of the owner and the occupant, giving both street and lot number, together with such other information as may pertain to the contemplated electrical installation.

102-29. Time period for commencement of work.

If any work authorized by any permit is not commenced within a period of sixty (60) days after the date thereof, such permit shall thereupon become void and of no effect.

102-30. Fees.

Fees shall be established by the Building ~~Inspector~~ **Official**, upon recommendation by the Electrical Inspector and after receiving approval from the ~~Planning Director~~ **Fire Chief** and City Manager. The City of Dover and any legal entity thereof shall be exempt from the payment of said fees. [Amended 09-15-93 by Ord. No. 26-93]

102-9

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102	Agenda Item#: 11.A.6.

ELECTRICAL STANDARDS

Chapter 102

ARTICLE I GENERAL PROVISIONS

102-1. Adoption of standards.

102-2. Purpose.

102-3. Minimum standards.

Comment [ABK2]: The purposes of the revisions to this Chapter are to clarify the language, change the terminology to Building Official and Electrical Inspector, and to establish a fee schedule adopted by the City Council on a periodic basis.

ARTICLE II ADMINISTRATION

102-4. Electrical Inspector.

102-5. Board of Electrical Standards and Appeals.

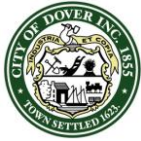
102-6. Applicability.

102-7. Enforcement; appeals.

102-8. Appeal procedure.

102-9. Required permits.

102-10. Notice to Inspector.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.6.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 19**

Chapter: Electrical Standards Chapter 102

102-11. Validity of permit.

102-12. Application to be complete.

102-13. Covering of work to be inspected.

102-14. Inspection of existing installations.

102-15. Certificates of inspection and approval.

102-16. Approval of temporary service.

102-17. Conformity with standards.

102-1

102-18. Existing installations.

102-19. Additions to existing installations.

102-20. Disturbance of existing wiring.

102-21. Interpretation of standards.

102-22. Installations not covered by standards.

102-23. Right of entry.

102-25. Failure to correct defects, errors and deficiencies.

102-25. Procedure upon finding installations defective or unsafe.

102-26. Certificate required.

102-27. Violations and penalties.

ARTICLE III APPLICATIONS; PERMITS; FEES

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

102-28. Filing of applications; information required.

102-29. Time period for commencement of work.

102-30. Fees.

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77*. Amendments noted where applicable.]

General References

Building construction - See Ch. 68.

Housing standards - See Ch. 119.

***Editor's Note: Provisions of this chapter are derived from Ch. 17 of the former Code, adopted 12-14-77.**

<i>102-1</i>	<i>102-2</i>	<i>102-5</i>
ARTICLE I GENERAL PROVISIONS		

102-1. Adoption of standards.

The City of Dover, New Hampshire, ordains that, by virtue of the power granted to the legislative body under RSA 47:22, there is established an Electrical Code for the City of Dover. The National Electrical Code, current edition, as adopted by the State of New Hampshire, is hereby adopted, except as herein modified, and shall constitute the Electrical Code of the City of Dover, New Hampshire. **[Amended 09-15-93 by Ord. No. 26-93]**

102-2. Purpose.

The purpose of the Electrical Code is safeguarding persons, buildings and contents, from electrical hazards arising from the use of electricity for light, heat, power, radio, signaling.

102-3. Minimum standards. [Repealed 09-15-93 by Ord. No. 26-93]

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.6.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 19</td></tr> <tr> <td>Chapter:</td><td>Electrical Standards Chapter 102</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.6.	Ordinance Title:	O – 2009.09.23 - 19	Chapter:	Electrical Standards Chapter 102
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.6.								
Ordinance Title:	O – 2009.09.23 - 19								
Chapter:	Electrical Standards Chapter 102								

ARTICLE II ADMINISTRATION

102-4. Electrical Inspector.

An Electrical Inspector appointed by the City Manager shall administer the Electrical Code.

102-5. Board of Electrical Standards and Appeals.

[Repealed 01-15-92 by Ord. No. 50-91]

102-3

102-6

102-6. Applicability.

102-9

The regulations of this code shall apply to all electrical wiring and equipment installed, used, maintained, rented, leased or distributed for use in the City of Dover. However, nothing herein contained shall apply to electrical wiring and equipment in the city fire alarm and police telegraph systems. In addition, nothing herein contained shall apply to electrical wiring, equipment and apparatus owned, installed or used by any corporation which is a public utility operating under due authority granted by the State of New Hampshire for the generation, control or distribution of electrical energy.

However, any installation made on the premises of a customer of a public utility or on utility premises open to the public shall be in accordance with the construction requirements of this code.

102-7. Enforcement; appeals. [Amended 01-15-92 by Ord. No. 50-91]

Subject to the authority and review of the Building Official, the Electrical Inspector shall be responsible for the enforcement of this code and shall have the responsibility of making interpretations of the rules, for deciding upon the approval of equipment and materials and upon granting the special permission contemplated in a number of the rules. In the administration of

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102 Agenda Item#: 11.A.6.

this code, the decision of the Electrical Inspector, as approved by the Building **Official**, shall be binding.

Comment [ABK3]: Generally, the term Building Inspector has been changed throughout to Building Official.

102-8. Appeal procedure. [Repealed 01-15-92 by Ord. No. 50-91]

102-9. Required permits.

An electrical permit shall be obtained before any electrical work covered by this code, except as noted in Subsections A, B and C of this section, and in 102-6 of this Article,

A. Any person, firm or corporation, permanently employing one (1) or more skilled electricians in a place of business shall procure a special wiring permit, for a period not longer than three (3) months. A record of all work done under this permit is to be filed weekly with the **Office of Inspection Services** and shall be accompanied with the proper fee.

B. All emergency work done shall be reported in the Office **Inspection Services** within twenty-four (24) hours from the time the work is started, not including Saturdays, Sundays or holidays.

102-4

102-9

102-14

C. Permits will not ordinarily be required for minor repair work, such as repairing flush and snap switches, replacing fuses, changing lamps, lamp sockets and receptacles, taping bare joints and repairing drop cords, nor for experimental electrical work of a temporary nature in testing laboratories of electrical shops, educational institutions and the like, nor for wiring supplied with current from the secondaries of approved bell-ringing transformers of twenty-four (24) volts or less.

102-10. Notice to Inspector.

The Electrical Inspector shall be notified, in writing, by the person doing the work, first when rough-in work is completed and again when the entire work is completed. After receipt of said notice, the Electrical Inspector shall inspect the work within forty-eight (48) hours, and, if said work conforms in all respects with the provisions of this code, a notice of approval and rough wiring certificate shall be issued and displayed in a conspicuous place on the premises.

102-11. Validity of permit.

A permit shall be valid only for the location stated in the application and in the name of the person, persons, firm or corporation whose name appears on the application to install the work. Permits are neither assignable nor transferable.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.6.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 19</td></tr> <tr> <td>Chapter:</td><td>Electrical Standards Chapter 102</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.6.	Ordinance Title:	O – 2009.09.23 - 19	Chapter:	Electrical Standards Chapter 102
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.6.								
Ordinance Title:	O – 2009.09.23 - 19								
Chapter:	Electrical Standards Chapter 102								

102-12. Application to be complete.

Applications for permits and plans which are submitted for approval as to the requirements of the code cannot be accepted unless they are made out in full and they are in sufficient detail.

102-13. Covering of work to be inspected.

No electrical wiring should be covered or concealed until the Electrical Inspector has given approval. Should the Electrical Inspector condemn any work or equipment which does not meet with the provisions of this code, a notice in writing, shall be given to the person, persons, firm or corporation whose name appears on the application or permit.

102-14. Inspection of existing installations.

The Electrical Inspector is hereby empowered to inspect all wiring, appliances, devices and equipment coming within the scope of this code. When the installation of any such wiring, appliances, devices or equipment is found to be in a dangerous or unsafe condition, the person, firm or corporation owning, using or operating the same shall be notified and shall make the necessary repairs or changes in a safe condition and have such work completed within ten (10) days after notification or within a reasonable time as may, upon request, be prescribed.

102-5

102-15

102-16

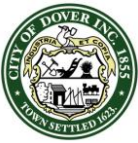
102-15. Certificates of inspection and approval.

A. The Electrical Inspector shall issue a certificate of final inspection when the electrical installation is completed and found to comply with this code. No certificate shall be issued on any incomplete work.

B. Rough wiring or preliminary certificates are issued when the concealed wiring is completed and found to comply with this code.

C. When requested, the Electrical Inspector may issue a certificate or letter of approval for any part of an installation extended or altered, if the extended or altered part conforms and the original or previously existing part does not conform with the requirements of this code.

D. Where an urgent necessity for the use of electrical current in any installation is shown to exist, the Electrical Inspector may grant permission for the temporary use of electric current through any wiring, apparatus or fixture for a period not to exceed ninety (90) days; provided, however, that the electric current may safely be used therein without danger to life or property. Permission may be obtained for the temporary use of electrical current during the construction or renovation of any building.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

102-16. Approval of temporary service.

A. The Electrical Inspector is empowered and authorized to permit and approve the temporary use of electrical current through any wiring, apparatus or fixtures, subject to the limitations and restrictions herein prescribed in Subsections A(1), (2), (3) and (4) of this section.

(1) No such temporary use of electric current shall be permitted in any case where such use will be a hazard to life or property.

(2) Wiring and equipment shall be installed for a given limited time for a specified purpose.

(3) No such temporary use of electrical current shall be permitted for a longer period of time than is reasonably necessary to fully comply with the provisions of this code, and such period of time shall be fixed by the Inspector in the presence of the person who may desire such temporary approval. In no case shall temporary use of electrical current be permitted for a period of over ninety (90) days, except for a building in course of construction or renovation.

(4) A separate permit must be secured for temporary wiring or equipment.

102-6

102-16

102-21

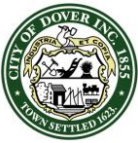
B. The person to whom this permit is issued will be held responsible for the complete removal of this wiring or equipment when it has served its temporary purpose.

102-17. Conformity with standards.

All new electrical work shall conform to the requirements of this code. When an old electrical installation or any part of such installation is found, upon inspection, to be unsafe to life or property, the Electrical Inspector shall require that such portion of the installation as is found to be hazardous be reconstructed to conform to any or all of the requirements of this code. In single-family residences which are new or in which service-disconnecting equipment is being replaced, the service-disconnecting means shall have a rating of not less than one hundred (100) amperes. Apartment units with six (6) or more Two (2) wire branch circuits shall also have a rating of no less than one hundred (100) amperes.

[Amended 09-15-93 by Ord. No. 26-93]

102-18. Existing installations.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.6.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 19</td></tr> <tr> <td>Chapter:</td><td>Electrical Standards Chapter 102</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.6.	Ordinance Title:	O – 2009.09.23 - 19	Chapter:	Electrical Standards Chapter 102
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.6.								
Ordinance Title:	O – 2009.09.23 - 19								
Chapter:	Electrical Standards Chapter 102								

Installations which were made prior to the date on which this code became effective and which complied with the ordinance provisions, if any, then in effect are not to be considered as being in violation of this code until such time as the Electrical Inspector shall have notified the owner or person responsible for such installations of the existence of unsafe conditions.

102-19. Additions to existing installations.

When any additions, alterations or renewals of existing installations are made after the date on which this code became effective, that portion of the electrical installation which is extended, altered or renewed, shall be made to conform to all of the applicable requirements contained herein.

102-20. Disturbance of existing wiring.

It shall be unlawful for any person in any way to cut, disturb, alter or change any electrical wiring or to permit such electrical wiring to be cut, disturbed, altered or changed unless done in conformity with the provisions of this code.

102-21. Interpretation of standards.

The Electrical Inspector shall answer any relevant questions concerning or give any desired information in respect to the meaning, intent or application of the regulations and rules of this code. The Electrical Inspector in his official capacity is not, however, empowered to and shall not lay out work or act in the capacity of consulting engineer for contractors, mechanics or owners.

102-7

102-22

102-27

102-22. Installations not covered by standards.

The Electrical Inspector shall decide all questions pertaining to the installation of electrical conductors, appliances, apparatus and fixtures not provided for in the Electrical Ordinance of this code.

102-23. Right of entry.

The Electrical Inspector shall have the right, during reasonable hours, to enter any building on application to the individuals or company owning or in discharge of his official duties or for the purpose of making any inspection or test of the installation of electric wiring, electric devices and/or electrical material contained therein.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.6.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 19</td></tr> <tr> <td>Chapter:</td><td>Electrical Standards Chapter 102</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.6.	Ordinance Title:	O – 2009.09.23 - 19	Chapter:	Electrical Standards Chapter 102
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.6.								
Ordinance Title:	O – 2009.09.23 - 19								
Chapter:	Electrical Standards Chapter 102								

102-24. Failure to correct defects, errors and deficiencies.

Immediately upon notification, in writing, by the Electrical Inspector, any person, persons, firm or corporation who shall fail to correct any defect, error or deficiency on any work or indebtedness to the Electrical Inspector within five (5) days after being notified, in writing, shall have no further permits issued to such person, persons, firm or corporation until such corrections have been made, inspected and approved or the indebtedness paid.

102-25. Procedure upon finding installations defective or unsafe.

Any installation may be inspected, and, if found to be defective or unsafe to life or property, the owner of such installation shall be notified to remove the defects within ten (10) days. In addition, the Electrical Inspector is given the power to notify the person, persons, firm or corporation supplying the service to discontinue the supply of electricity until the installation complies with this code.

102-26. Certificate required.

Service shall be supplied only to installations for which a certificate permitting the use of electric current has been issued by the Electrical Inspector, and a copy of said certificate shall be filed with the supplying power company.

102-27. Violations and penalties.

Any person, firm or corporation violating any provision of this chapter shall be punishable by a fine of up to one hundred dollars (\$100). Each day of said violation shall be construed as a separate offense. [Amended 09-15-93 by Ord. No. 26-93]

102-8

102-28

102-30

ARTICLE III APPLICATIONS; PERMITS; FEES

102-28. Filing of applications; information required.

Applications for permits shall be made out in pen and ink or typewritten, on forms provided for this purpose by the Electrical Inspector. Applications shall state the full name of the owner and

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.6. Ordinance Number: Ordinance Title: O – 2009.09.23 - 19 Chapter: Electrical Standards Chapter 102

the occupant, giving both street and lot number, together with such other information as may pertain to the contemplated electrical installation.

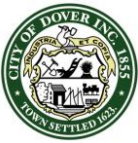
102-29. Time period for commencement of work.

If any work authorized by any permit is not commenced within a period of sixty (60) days after the date thereof, such permit shall thereupon become void and of no effect.

102-30. Fees.

Fees shall be established by the City Council and published on an adopted fee schedule. The City of Dover shall be exempt from the payment of said fees. No permit shall be issued until all outstanding fees owed to the City of Dover by the applicant or property owner have been paid.
[Amended 09-15-93 by Ord. No. 26-93]

102-9

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 109, entitled “Fire Prevention and Life Safety” of the Code of the City of Dover.

2. AMENDMENT

Chapter 109 entitled “Fire Prevention and Life Safety” is hereby amended by revising multiple Sections.

SEE ATTACHED ORDINANCE IN ITS ENTIRETY

NOTE: THIS ORDINANCE REQUIRES A PUBLIC HEARING

3. TAKES EFFECT

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

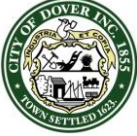
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

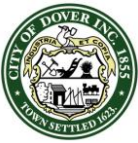
 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.7.
	Ordinance Number:		
	Ordinance Title: O – 2009.09.23 - 20		
	Chapter: Fire Prevention and Life Safety Chapter 109		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: Chapter:	Agenda Item#: 11.A.7. O – 2009.09.23 - 20 Fire Prevention and Life Safety Chapter 109

ORDINANCE BACKGROUND MATERIAL:

FIRE PREVENTION AND LIFE SAFETY

CHAPTER 109

[Amended in its entirety 12-18-98 by Ord. No. 20-98- amended 09-17-03 by Ord. No. 16-2003]

ARTICLE I

~~FIRE PREVENTION CODE~~ FIRE CODE

- 109-1. Statutory authority.**
- 109-2. Adoption of standards.**
- 109-3. Reserved**
- 109-4. Reserved**
- 109-5. Storage of explosives and blasting agents.**
- 109-6. Outdoor storage of flammable liquids; bulk plants.**
- 109-7. Bulk storage of liquefied petroleum gas.**
- 109-8. Routes for transport of explosives.**
- 109-9. Routes for transport of hazardous chemicals.**
- 109-10. Fire Lanes.**
- 109-11. Class C Fireworks Permits**
- 109-12. Reserved**
- 109-13. Appeals.**
- 109-14. New materials, processes and occupancies.**
- 109-15. Violations and penalties.**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

109-1

**ARTICLE II
LIFE SAFETY CODE**

- 109-16. Statutory authority.**
- 109-17. Adoption of standards.**
- 109-18. Emergency lighting.**
- 109-19. Smoke Detection Requirements.**
- 109-20. Tenant's Responsibility.**
- 109-21. Copies to be kept on file.**
- 109-22. Availability of copies.**
- 109-23. Administration and enforcement.**
- 109-24. Violations and penalties.**

**ARTICLE III
FIRE CONTROL**

- 109-25. Inspection of certain public places.**
- 109-26. Barbecue pits.**
- 109-27. Oil burners and equipment.**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

109-28. Fire Hydrant Obstruction.

109-29. Violations and Penalties.

**ARTICLE IV
FIRE SUPPRESSION SYSTEMS**

109-30. Installation of sprinkler system required.

109-31. Water main tie-in fees.

109-32. Violations and Penalties.

109-33. Public Safety Amplification System Required in Large Facilities

109-2

**ARTICLE I
~~FIRE PREVENTION CODE FIRE CODE~~**

109-1

109-3

109-1. Statutory authority.

This Article is enacted pursuant to the authority granted by RSA 47:22 and Chapter 155-A of the New Hampshire Revised Statutes Annotated.

109-2. Adoption of standards.

There is hereby adopted by the City of Dover, New Hampshire, for the purpose of prescribing regulations governing conditions hazardous to life and property.

There is hereby adopted by the City of Dover, New Hampshire, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion codes known as the ~~"NFPA 1 Fire Prevention Code," being particularly the complete 2000 Edition thereof,~~ "State Fire Code (Saf-C 6000), NFPA 1, Life Safety Code, or subsequent fire safety codes as adopted by the State of New Hampshire and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which not less than three (3) copies have been and now are filed in the office of the City Clerk of the City of Dover, New Hampshire, and the same are hereby adopted and incorporated as fully as if set out

Comment [ABK1]: The proper term for the regulatory document is the "State Fire Code". This term is generally substituted throughout the ordinance.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: O – 2009.09.23 - 20 Ordinance Title: Fire Prevention and Life Safety Chapter 109 Chapter:

at length herein, and, from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of Dover, New Hampshire.

109-3. Bureau of Fire Prevention.

- ~~A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire & Rescue Service of the City of Dover, New Hampshire, which hereby established and which shall be operated under the supervision of the Chief of the Dover Fire & Rescue Service.~~

- ~~B. The Chief or officer in charge of the Bureau of Fire Prevention shall be appointed by the Chief of the Dover Fire & Rescue Service in accordance with the Merit Plan of the City of Dover, New Hampshire.~~

- ~~C. The Chief of the Dover Fire & Rescue Service may detail such members of the Fire & Rescue Service as inspectors as shall, from time to time, be necessary. The Chief of the Fire & Rescue shall recommend to the chief executive officer of the City of Dover, New Hampshire, the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the Dover Fire & Rescue Service, and appointments made after examination shall be for an indefinite term, with removal only for cause.~~

- ~~D. A report of the Bureau of Fire Prevention shall be made annually and transmitted to the chief executive officer of the municipality; it shall contain all proceedings under this code, with such statistics as the Chief of the Dover Fire & Rescue Service may wish to include therein. The Chief of the Dover Fire & Rescue Service shall also recommend any amendments to the code which, in his judgment, shall be desirable.~~

Comment [ABK2]: The creation of bureaus and divisions of a department is properly handled in the Administrative Code.

109-3

109-6

109-3. Reserved.

109-4. Reserved

Comment [ABK3]: The Inspection Division is properly created in the Administrative Code. Reference to hiring procedures and practices is an administrative function. The provisions of the Merit Plan stand alone irrespective of a mention in the ordinances.

109-5. Storage of explosives and blasting agents.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

The limits referred to in current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1,~~ **State Fire Code, adopted by the State of New Hampshire**, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: no area of the city without a permit from the Fire Chief.

109-4

109-6

109-10

109-6. Outdoor storage of flammable liquids; bulk plants.

- A. The limits referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **Uniform Fire Code, adopted by the State of New Hampshire**, in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as follows: no area of the city without a permit from the Fire Chief.
- B. The limits referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **Uniform Fire Code, adopted by the State of New Hampshire**, in which new bulk plants for flammable or combustible liquids are prohibited are hereby established as follows: no area of the city without a permit from the Fire Chief.

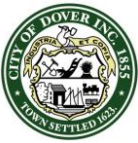
109-7. Bulk storage of liquefied petroleum gas.

The limits referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **Uniform Fire Code, adopted by the State of New Hampshire**, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: no area of the city without a permit from the Fire Chief.

109-8. Routes for transport of explosives.

The routes referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **Uniform Fire Code, adopted by the State of New Hampshire**, for vehicles transporting explosives and blasting agents are hereby established as follows: Spaulding Turnpike.

109-9. Routes for transport of hazardous chemicals.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

The routes referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **Uniform Fire Code, adopted by the State of New Hampshire**, for transporting hazardous chemicals and other dangerous articles are hereby established as follows: Spaulding Turnpike.

109-10. Fire lanes.

In addition to the requirements of Chapter 3 of NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **Uniform Fire Code as adopted by the State of New Hampshire**, all premises, with the exception of one- and two-family dwellings, which the Fire & Rescue Service may be called upon to protect in case of fire and which are not readily accessible from public roads shall be provided, by the property owner, with suitable gates, access roads and fire lanes so accessible to fire fighting apparatus.

A. Requirements. Fire lanes shall be provided for all buildings, with the exception of one- and two-family dwellings, which are set back more than one hundred fifty (150) feet from a public road or exceed thirty (30) feet in height and are set back more than fifty (50) feet from the address side of the building (main entrance); or any building, with the exception of one- and two-family dwellings, which owing to the location and fire department accessibility as determined by the Chief of ~~Fire Prevention~~ **the Fire Department**.

109-5

109-10

109-11

Fire lanes shall be at least twenty (20) feet in width, with the road edge closest to the building at least ten (10) feet from the building with the above-mentioned exceptions which may not meet the requirements as specifically set forth herein but which, in the discretion of the Chief of the Fire & Rescue Service, require such lanes for a clear and unobstructed approach to the building.

B. Dead-end roads. Any dead-end road more than three hundred (300) feet long shall be provided with a turn around at the closed end at least ninety (90) feet in diameter.

C. Standpipes and sprinkler system connections. All premises which are equipped with standpipe and/or sprinkler system connections shall provide a clear and unobstructed access to said connections. Such access lanes shall be at least twenty (20) feet in width and shall be otherwise regarded, for the purposes of this chapter, as a fire lane.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

D. Designation of fire lanes. The designation of the fire lanes on private property shall be established as specified by the Chief of ~~Fire Prevention~~ **the Fire and Rescue Department.**

E. Responsibility for posting and maintaining of fire lanes. It shall be the responsibility of the property owner to post with approved signs and/or mark all designated fire lanes, as required by the Chief of the Fire Department.

F. Record of location of fire lanes. An official record of fire lanes, as designated in accordance with this chapter, shall be kept with the ~~Bureau of Fire Prevention Inspection Services Division.~~

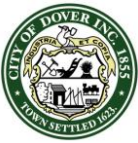
G. Enforcement. Enforcement shall be the responsibility of the local law enforcement agency and/or the ~~Bureau of Fire Prevention Inspection Services Division.~~

109-11. Class C Fireworks Permits .

A. ~~Permits~~ for the sale, possession, transport, use and explosion of Class C fireworks may be obtained upon the approval of the Fire Chief and the Police Chief. All **displays shall be conducted by a trained operator holding a current license or State of New Hampshire certificate of competency. A valid certificate of insurance shall be on file with the Fire and Rescue department prior to the display date. A City of Dover Fireworks Application must be completed seven (7) days prior to date of the display and approved by the Fire Chief and the Police Chief.**

Comment [ABK4]: This section in conjunction with the provisions of Ch 131-13.1 detail the process of permitting and enforcement of provisions regarding fireworks in a way that is more clear on concise.

C. This ordinance shall be construed consistently with the ~~NFPA 1, Fire Prevention Code, 2000 Edition, Chapter 31,~~ **current NFPA 1, State Fire Code, adopted by the State of New Hampshire, Chapter 31,** as adopted as Section 109-2 of the Dover Code, and is not meant to repeal any section thereof.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

109-6

109-12

109-15

109-12. **Reserved**

109-13. **Appeals.**

Whenever the ~~Chief of the Bureau of Fire Prevention~~ **Building Official** shall disapprove an application or refuse to grant a permit applied for, or when it is claimed the Building Official has misinterpreted the State Fire Code the applicant may appeal the decision of the Building Official to the Chief of the Dover Fire & Rescue Service.

109-14. **New materials, processes and occupancies.**

Chief Executive Officer of the City of Dover, New Hampshire, the Chief of the Dover Fire & Rescue Service and Division Head shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in said code. The Inspection Services Division shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

109-15. **Violations and penalties.**

A. Any person who shall violate any of the provisions of Dover Code 109 Article I, as hereby adopted or fail to comply therewith or who shall violate or fail to comply with any order made there under or who shall build in violation of any detailed statement of specifications or plan submitted and approved there under and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Chief of the Fire & Rescue Service or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be

Comment [ABK5]: Modification of the provisions of the State Fire Code are governed by the provisions of the State Fire Code and not local ordinance.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.7.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 20</td></tr> <tr> <td>Chapter:</td><td>Fire Prevention and Life Safety Chapter 109</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.7.	Ordinance Title:	O – 2009.09.23 - 20	Chapter:	Fire Prevention and Life Safety Chapter 109
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.7.								
Ordinance Title:	O – 2009.09.23 - 20								
Chapter:	Fire Prevention and Life Safety Chapter 109								

guilty of a misdemeanor, punishable by a fine of not less than one-hundred dollars (\$100) nor more than five-hundred dollars (\$500) for each offense. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

109-16

109-7

109-23

ARTICLE II

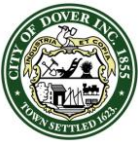
Life Safety Code

109-16. Statutory authority.

This Article is enacted pursuant to the authority granted by RSA 47:22 of the New Hampshire Revised Statutes Annotated.

109-17. Adoption of standards.

In the interest of public safety, the standards set forth in the National Fire Protection Association code for safety to life from fire in buildings and structures known and referred to as the "NFPA 101, Life Safety Code, current edition adopted by the State of New Hampshire," are hereby adopted as of set forth herein by the City of Dover as safety standards to improve safety of the public by promoting the control of fire hazards, regulating the installation, use and

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

maintenance of equipment, the use of structures, premises and open areas, providing for the abatement of fire hazards and setting forth standards for compliance to achieve these objectives.

109-18. Emergency lighting.

In addition to the requirements of the current NFPA 1, Uniform Fire Code, adopted by the State of New Hampshire, and the NFPA 101, Life Safety Code, emergency lighting shall be required in all common hallways, in all business occupancies open to the public after 5:00 p.m.

109-20. Tenant’s Responsibilities

It shall be the responsibility of the tenant(s) of a rented or leased residential dwelling or complex to ensure that the smoke detector(s) installed in accordance with state and local codes are not rendered inoperative by damaging or disconnecting said detector. Any person found to have disconnected a smoke detector, damaged a smoke detector or otherwise cause a smoke detector to be rendered inoperative, in a rented or leased residential dwelling or complex, shall be guilty of a violation.

109-21. Copies to be kept on file.

The office of the City Clerk shall keep three (3) copies of the National Fire Protection Association Life Safety Code on file and accessible to the public during regular business hours.

109-22. Availability of copies.

Copies of the National Fire Protection Association Life Safety code are available from the National fire protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

109-23. Administration and enforcement. [Amended 09-17-03 by Ord. No. 15-2003]

The authority having jurisdiction for the administration and enforcement of this chapter shall be the Inspection Services Division of the City of Dover Fire & Rescue Service.

Fees shall be charged for, plans reviews, issuance of permits, and inspections based on the current fee schedule as approved by the City Council and outlined in the City of Dover Fee Schedule document.

109-8

109-24

109-29

109-24. Violations and penalties.

Document Created by: Legal Document Posted on: October 8, 2009	2009.09.23 Fire Prevention and Life Safety Chapter 109.doc Page 12 of 38

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.7.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 20</td></tr> <tr> <td>Chapter:</td><td>Fire Prevention and Life Safety Chapter 109</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.7.	Ordinance Title:	O – 2009.09.23 - 20	Chapter:	Fire Prevention and Life Safety Chapter 109
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.7.								
Ordinance Title:	O – 2009.09.23 - 20								
Chapter:	Fire Prevention and Life Safety Chapter 109								

Any person, persons, firm corporation or partnership who shall violate any provisions of this code or shall fail to comply with any of the requirements of Dover Code 109 Article II, shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that a violation continues to exist shall constitute a separate offense.

ARTICLE III Fire Control

109-25. Inspection of certain public places.

All public halls or other rooms or buildings used, wholly or in part, for theatrical or other entertainment or for exhibits of any nature or in which people assemble for dancing or for other social or recreational purposes shall be subject to inspection at any and all time by the Fire Chief or the Chief of Police, and any and all mandates or orders issued by said officials, or either of them, in the interest obeyed forthwith by any owner or lessee of such hall or to obstruct either of said officials in the discharge of his duty.

109-26. Barbecue pits.

Within any multi-family dwelling, or within fifteen (15) feet of any multi-family dwelling of three (3) units or more, it shall be unlawful to burn barbecues, pits, hibachis, chimineas, gas grills or the like. Within any multi-family dwelling, or within fifteen (15) feet of any multi-family dwelling of three (3) units or more, it shall be unlawful to store combustible or flammable fuel utilized for the operation of barbecues, pits, hibachis, chimineas, gas grills or the like.

109-27. Oil burners and equipment.

The Rules and Regulations of the New Hampshire Board of Fire Control covering the installation of power oil burners and oil-burner equipment, as issued by the Board of Fire Control, office of Fire Marshal, Concord, New Hampshire, on July 1, 1950, in accordance with the provisions of Laws 1947, c. 251, as amended (RSA 153), are hereby adopted to be in effect in the City of Dover.

109-28 Fire Hydrant Obstruction.

It shall be unlawful for any person or persons to block or obstruct access to any fire hydrant by any means to include but not limited to snow, trash, boxes, furniture, debris, etc.

109-29. Violations and Penalties. [Amended 09-17-2003 by Ord. No. 16-2003]

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 109, Article III shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense.

A. Reimbursement Costs.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

In the event that the cost for fire department apparatus and/or equipment use is reimbursable under city or state statute, the current as approved by the City Council and outlined in the City of Dover Fee Schedule for the use of apparatus and equipment shall apply:

109-9

109-29

109-32

Personnel costs shall be billed at the minimum of one hour at the employee's actual costs, to include applicable hourly rate, retirement and healthcare costs. An administration fee of 5% shall be added to all costs that require reimbursement bill procedures

ARTICLE IV
Fire Suppression Systems

109-30. Installation of sprinkler system required.

Fire suppression sprinkler systems shall be installed and maintained in full operating condition in all new construction as required by the International Residential Code for 1 and 2 Family Homes, First Edition and International Building Code for 3 Family and Above and Commercial Buildings, 1996 Edition and as required by NFPA 101 Life Safety Code 2000 Edition, except as amended below:

- A. Sprinkler systems shall be installed in all new commercial structures, in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 1996 Edition, as indicated in this section or in existing structures undergoing alterations or expansion whereby the total costs for such alterations or expansion are fifty percent (50%) or larger of the most recent structure evaluation or whereby an occupancy changes from one use group to another or from one use group sub-classification to another sub-classification of the same occupancy.
[Amended 11-17-04 by Ord. No. 21-2004]

1. **Assembly** occupancies over 5,000 square feet.
2. **Educational** occupancies to include schools only.
3. **Health Care** occupancies.
4. **Detention and Correctional** occupancies except those with an occupancy of less than six (6).
5. **Residential** occupancies over four (4) stories in height.
6. **Mercantile** occupancies over 5,000 square feet.
7. **Business** occupancies over 5,000 square feet.
8. **Industrial** occupancies over 12,000 square feet.
9. **Storage** occupancies over 12,000 square feet.

- B. Sprinkler systems shall be installed in all new residential structures, in accordance with NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, 1996 Edition, as indicated in this section or in existing

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

structures if alterations or expansion is such that it adds an additional living unit or it increases the number of individual units to three (3) or more.

1. **Residential** occupancies four (4) stories in height or less, regardless of fire wall separation, except one- and two-family occupancies.

109-32. Violations and Penalties.

Any person, persons, firm, corporation or partnership who shall violate any provisions of this Article IV or who shall fail to comply with any of the requirements thereof shall be guilty of a violation punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day that a violation continues to exist shall constitute a separate offense.

109-10

109-33

109-33

109-33. Public Safety Amplification System Required in Large Facilities.

The purpose of this system is to provide minimum standards to insure a reasonable degree of reliability for emergency services communications from within certain buildings and structures within the city to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

1. Applicability.

The provisions of this article shall apply to:

- i. New buildings greater than fifty thousand (50,000) square feet;
- ii. Existing buildings over fifty thousand (50,000) square feet when modifications, alterations or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%); and

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

iii. All sublevels, regardless of the occupancy, over ten thousand (10,000) square feet.

2. Radio coverage.

- (a) Except as otherwise provided in this article, no person shall erect, construct or modify any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for firefighters and police officers.
- (b) The city's fire department with consideration of the appropriate police, fire and emergency medical department services shall determine the frequency range or ranges that must be supported.
- (c) For the purpose of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the communications centers for all appropriate emergency service providers for the building.

3. Inbound into the building.

- (a) A minimum average in-building field strength of 2.25 micro-volts (-100dbm) for analog and five (5) micro-volts (-93dbm) for digital systems throughout eighty-five percent (85%) of the area of each floor of the building when transmitted from the city's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

109-11

109-33

109-33

- (b) If the field strength outside the building where the receive antenna system for the in-building system is located is less than (-100dbm) for analog, or (-93dbm) for digital systems, then the minimum required in-building field strength shall equal the field strength being delivered to the receive antenna of the building.
- (c) As used in this article, eighty-five percent (85%) coverage or reliability means the radio will transmit eighty-five percent (85%) of the time at the field strength and levels as defined in this article.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

4. Outbound from the building.

A minimum average signal strength of 112 micro-volts (-6dbm) for analog and five (250) micro-volts (+1dbm) for digital systems as received by the city’s police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

FCC authorization. If amplification is used in the system, all FCC authorizations must be obtained prior to use of the system. A copy of these authorizations shall be provided to the city’s fire department.

5. Enhanced amplifications systems.

- (a) Where buildings and structures are required to provide amenities to achieve adequate signal strength, they shall be equipped with any of the following to achieve the required adequate radio coverage; radiating cable system(s), internal multiple antenna system(s) with an acceptable frequency range and an amplification system(s) as needed, voting receiver system(s) as needed, or any other city approved system(s).

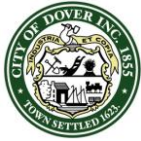
- (b) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operation of an independent battery or generator system for a period of at least eight (8) hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power.

- (c) Amplification equipment must have adequate environmental controls to meet the heating, ventilation, cooling and humidity requirements of the equipment that will be utilized to meet the requirements of this code. The area where the amplification equipment is located also must be free of hazardous materials such as fuels, asbestos, etc.

109-12

109-33

109-33



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.7.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 20**

Chapter: Fire Prevention and Life Safety Chapter 109

All communications equipment, including amplification systems, cable and antenna systems shall be grounded with a single point ground system of five (5) ohms or less. The ground system must include an internal tie point within three (3) feet of the amplification equipment. System transient suppression for the telephone circuits, ac power, radio frequency (RF) cabling and grounding protection are required as needed.

- (d) The following information shall be provided to the Fire Department by builder:
- i. A blueprint showing the location of the amplification equipment and associated antenna systems which includes a view showing building access to the equipment; and
 - ii. Schematic drawings of the electrical, backup power, antenna system and any other associated equipment relative to the amplification equipment including panel locations and labeling.

6. Testing procedures – method to conduct tests.

- (a) Tests shall be made using frequencies close to the frequencies used by the police and appropriate emergency services. If testing is done on the actual frequencies, then this testing must be coordinated within the city's fire department. All testing must be done on frequencies authorized by the FCC. A valid FCC license will be required if testing is done on frequencies different from the police, fire or emergency medical frequencies.
- (b) Measurements shall be made using the following guidelines:
- i. With a service monitor using a unity gain antenna on a small ground plane;
 - ii. Measurements shall be made with the antenna held in a vertical position at three (3) to four (4) feet above the floor;
 - iii. A calibrated service monitor (with a factory calibration dated within twenty-four (24) months) may be used to do the test;
 - iv. The telecommunications unit representative for the city may also make simultaneous measurements to verify that the equipment is making accurate measurements. A variance of 3db between the instruments will be allowed; and
 - v. If measurements in one location are varying, then average measurements be used.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

109-13

109-33

109-33

7. Initial tests.

- (a) All testing shall be done in the presence of a fire department representative at no expense to the city or appropriate emergency services department.

- (b) Signal strength, both inbound and outbound as defined above, shall be measured on each and every floor above and below ground including stairwells, basements, penthouse facilities and parking areas of the structure. The structure shall be divided into fifty (50) foot grids and the measurements shall be taken at the center of each grid.

8. Annual tests.

Annual tests will be conducted by the city’s telecommunications unit or appropriate emergency services department. If communications appear to have degraded or if the tests fail to demonstrate adequate system performance, the owner of the building or structure is required to remedy the problem and restore the system in a manner consistent with the original approval criteria. The re-testing will be done at no expense to the city or the appropriate emergency services departments as required in the original testing procedures.

9. Field Testing.

Police and Fire personnel, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present. Certificates of Occupancy may be denied for new and existing buildings for failure to comply with these requirements.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

10. Violations and Penalties.

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 109, Article III shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense.”

109-14

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
		Agenda Item#: 11.A.7.
	Ordinance Number:	
	Ordinance Title:	O – 2009.09.23 - 20
Chapter:		Fire Prevention and Life Safety Chapter 109

FIRE PREVENTION AND LIFE SAFETY

CHAPTER 109

[Amended in its entirety 12-18-98 by Ord. No. 20-98- amended 09-17-03 by Ord. No. 16-2003]

ARTICLE I

~~FIRE PREVENTION CODE~~ FIRE CODE

- 109-1. Statutory authority.
- 109-2. Adoption of standards.
- 109-3. Reserved
- 109-4. Reserved
- 109-5. Storage of explosives and blasting agents.
- 109-6. Outdoor storage of flammable liquids; bulk plants.
- 109-7. Bulk storage of liquefied petroleum gas.
- 109-8. Routes for transport of explosives.
- 109-9. Routes for transport of hazardous chemicals.
- 109-10. Fire Lanes.
- 109-11. Class C Fireworks Permits
- 109-12. Reserved
- 109-13. Appeals.
- 109-14. New materials, processes and occupancies.
- 109-15. Violations and penalties.

Comment [ABK6]: The changes in this ordinance were requested by the Fire and Rescue Department. The changes generally use the term "State Fire Code". The language regarding fees refer to the jurisdiction of the City council to set a fee schedule. Language contained in 131-13.1 and 109-11 has been coordinated. The use of the phrase "Fire and Rescue Department" has been used.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: Chapter:	Agenda Item#: 11.A.7. O – 2009.09.23 - 20 Fire Prevention and Life Safety Chapter 109

109-1

**ARTICLE II
LIFE SAFETY CODE**

- 109-16. Statutory authority.**
- 109-17. Adoption of standards.**
- 109-18. Emergency lighting.**
- 109-19. Smoke Detection Requirements.**
- 109-20. Tenant's Responsibility.**
- 109-21. Copies to be kept on file.**
- 109-22. Availability of copies.**
- 109-23. Administration and enforcement.**
- 109-24. Violations and penalties.**

**ARTICLE III
FIRE CONTROL**

- 109-25. Inspection of certain public places.**
- 109-26. Barbecue pits.**
- 109-27. Oil burners and equipment.**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

109-28. Fire Hydrant Obstruction.

109-29. Violations and Penalties.

ARTICLE IV FIRE SUPPRESSION SYSTEMS

109-30. Installation of sprinkler system required.

109-31. Water main tie-in fees.

109-32. Violations and Penalties.

109-33. Public Safety Amplification System Required in Large Facilities

109-2

ARTICLE I **FIRE PREVENTION CODE FIRE CODE**

109-1

109-3

109-1. Statutory authority.

This Article is enacted pursuant to the authority granted by RSA 47:22 and Chapter 155-A of the New Hampshire Revised Statutes Annotated.

109-2. Adoption of standards.

There is hereby adopted by the City of Dover, New Hampshire, for the purpose of prescribing regulations governing conditions hazardous to life and property.

There is hereby adopted by the City of Dover, New Hampshire, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion codes known as the ~~"NFPA 1 Fire Prevention Code," being particularly the complete 2000 Edition thereof,~~ **"State Fire Code (Saf-C 6000), NFPA 1, Life Safety Code, or subsequent fire safety codes** as adopted by the State of New Hampshire and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which not less than three (3) copies have been and now are filed in the office of the City Clerk of the City of

Comment [ABK7]: The proper term for the regulatory document is the "State Fire Code". This term is generally substituted throughout the ordinance.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

Dover, New Hampshire, and the same are hereby adopted and incorporated as fully as if set out at length herein, and, from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of Dover, New Hampshire.

109-3. Bureau of Fire Prevention.

Comment [ABK8]: The creation of bureaus and divisions of a department is properly handled in the Administrative Code.

- ~~A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire & Rescue Service of the City of Dover, New Hampshire, which hereby established and which shall be operated under the supervision of the Chief of the Dover Fire & Rescue Service.~~
- ~~B. The Chief or officer in charge of the Bureau of Fire Prevention shall be appointed by the Chief of the Dover Fire & Rescue Service in accordance with the Merit Plan of the City of Dover, New Hampshire.~~
- ~~C. The Chief of the Dover Fire & Rescue Service may detail such members of the Fire & Rescue Service as inspectors as shall, from time to time, be necessary. The Chief of the Fire & Rescue shall recommend to the chief executive officer of the City of Dover, New Hampshire, the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the Dover Fire & Rescue Service, and appointments made after examination shall be for an indefinite term, with removal only for cause.~~
- ~~D. A report of the Bureau of Fire Prevention shall be made annually and transmitted to the chief executive officer of the municipality; it shall contain all proceedings under this code, with such statistics as the Chief of the Dover Fire & Rescue Service may wish to include therein. The Chief of the Dover Fire & Rescue Service shall also recommend any amendments to the code which, in his judgment, shall be desirable.~~

109-3

109-3

109-6

109-3. Reserved.

Comment [ABK9]: The Inspection Division is properly created in the Administrative Code. Reference to hiring procedures and practices is an administrative function. The provisions of the Merit Plan stand alone irrespective of a mention in the ordinances.

109-5. Reserved

109-5. Storage of explosives and blasting agents.

Document Created by: Legal Document Posted on: October 8, 2009	2009.09.23 Fire Prevention and Life Safety Chapter 109.doc Page 24 of 38

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

The limits referred to in current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1,~~ **State Fire Code, adopted by the State of New Hampshire**, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: no area of the city without a permit from the Fire Chief.

109-4

109-6

109-10

109-6. Outdoor storage of flammable liquids; bulk plants.

- A. The limits referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **State Fire Code, adopted by the State of New Hampshire**, in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as follows: no area of the city without a permit from the Fire Chief.
- B. The limits referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **State Fire Code, adopted by the State of New Hampshire**, in which new bulk plants for flammable or combustible liquids are prohibited are hereby established as follows: no area of the city without a permit from the Fire Chief.

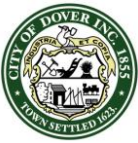
109-7. Bulk storage of liquefied petroleum gas.

The limits referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **State Fire Code, adopted by the State of New Hampshire**, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: no area of the city without a permit from the Fire Chief.

109-8. Routes for transport of explosives.

The routes referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **State Fire Code, adopted by the State of New Hampshire**, for vehicles transporting explosives and blasting agents are hereby established as follows: Spaulding Turnpike.

109-9. Routes for transport of hazardous chemicals.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

The routes referred to in the current NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **State Fire Code, adopted by the State of New Hampshire**, for transporting hazardous chemicals and other dangerous articles are hereby established as follows: Spaulding Turnpike.

109-10. Fire lanes.

In addition to the requirements of Chapter 3 of NFPA 1, ~~Fire Prevention Code, 2000 Edition, Chapter 1~~ **State Fire Code as adopted by the State of New Hampshire**, all premises, with the exception of one- and two-family dwellings, which the Fire & Rescue Department may be called upon to protect in case of fire and which are not readily accessible from public roads shall be provided, by the property owner, with suitable gates, access roads and fire lanes so accessible to fire fighting apparatus.

A. Requirements. Fire lanes shall be provided for all buildings, with the exception of one- and two-family dwellings, which are set back more than one hundred fifty (150) feet from a public road or exceed thirty (30) feet in height and are set back more than fifty (50) feet from the address side of the building (main entrance); or any building, with the exception of one- and two-family dwellings, which owing to the location and fire department accessibility as determined by the Chief of ~~Fire Prevention~~ **the Fire and Rescue Department**.

109-5

109-10

109-11

Fire lanes shall be at least twenty (20) feet in width, with the road edge closest to the building at least ten (10) feet from the building with the above-mentioned exceptions which may not meet the requirements as specifically set forth herein but which, in the discretion of the Chief of the Fire & Rescue Department, require such lanes for a clear and unobstructed approach to the building.

B. Dead-end roads. Any dead-end road more than three hundred (300) feet long shall be provided with a turn around at the closed end at least ninety (90) feet in diameter.

C. Standpipes and sprinkler system connections. All premises which are equipped with standpipe and/or sprinkler system connections shall provide a clear and unobstructed access to said connections. Such access lanes shall be at least twenty (20) feet in width and shall be otherwise regarded, for the purposes of this chapter, as a fire lane.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

D. Designation of fire lanes. The designation of the fire lanes on private property shall be established as specified by the Chief of ~~Fire Prevention~~ **the Fire and Rescue Department.**

E. Responsibility for posting and maintaining of fire lanes. It shall be the responsibility of the property owner to post with approved signs and/or mark all designated fire lanes, as required by the Chief of the Fire and Rescue Department.

F. Record of location of fire lanes. An official record of fire lanes, as designated in accordance with this chapter, shall be kept with the ~~Bureau of Fire Prevention~~ **Inspection Services Division**

G. Enforcement. Enforcement shall be the responsibility of the local law enforcement agency and/or the ~~Bureau of Fire Prevention~~ **Inspection Services Division.**

109-11. Class C Fireworks Permits .

A. Permits for the possession, transport, use and explosion of Class C fireworks may be obtained upon the approval of the Fire Chief and the Police Chief. All **displays shall be conducted by a trained operator holding a current license or State of New Hampshire certificate of competency. A valid certificate of insurance shall be on file with the Fire and Rescue Department prior to the display date. A City of Dover Fireworks Application must be completed seven (7) days prior to date of the display and approved by the Fire Chief and the Police Chief.**

Comment [ABK10]: This section in conjunction with the provisions of Ch 131-13.1 detail the process of permitting and enforcement of provisions regarding fireworks in a way that is more clear on concise.

C. This ordinance shall be construed consistently with the ~~NFPA-1, Fire Prevention Code, 2000 Edition, Chapter 31,~~ **current NFPA 1, State Fire Code, adopted by the State of New Hampshire, Chapter 31,** as adopted as Section 109-2 of the Dover Code, and is not meant to repeal any section thereof.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

109-6

109-12

109-15

109-12. **Reserved**

109-13. Appeals.

Whenever the ~~Chief of the Bureau of Fire Prevention~~ **Building Official** disapproves an application or refuses to grant a permit applied for, or when it is claimed the Building Official has misinterpreted the State Fire Code the applicant may appeal the decision of the Building Official to the Chief of the Dover Fire & Rescue Department in the first instance and the City Manager in the second instance.

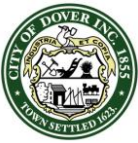
109-14. New materials, processes and occupancies.

The Chief Executive Officer of the City of Dover, New Hampshire, the Chief of the Dover Fire & Rescue Department and the Building Official may act as a committee to grant permits in extraordinary circumstances. The Inspection Services Division shall post a list of exceptions in a conspicuous place in his office and distribute copies thereof to interested persons.

109-15. Violations and penalties.

A. Any person who shall violate any of the provisions of Dover Code 109 Article I, as hereby adopted or fail to comply therewith or who shall violate or fail to comply with any order made there under or who shall build in violation of any detailed statement of specifications or plan submitted and approved there under and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Chief of the Fire & Rescue Service or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than one-hundred dollars (\$100) nor

Comment [ABK11]: Modification of the provisions of the State Fire Code are governed by the provisions of the State Fire Code and not local ordinance.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

more than five-hundred dollars (\$500) for each offense. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

109-16

109-7

109-23

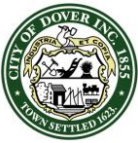
ARTICLE II Life Safety Code

109-16. Statutory authority.

This Article is enacted pursuant to the authority granted by RSA 47:22 of the New Hampshire Revised Statutes Annotated.

109-17. Adoption of standards.

In the interest of public safety, the standards set forth in the National Fire Protection Association code for safety to life from fire in buildings and structures known and referred to as the "NFPA 101, Life Safety Code, current edition adopted by the State of New Hampshire," are hereby adopted as of set forth herein by the City of Dover as safety standards to improve safety of the public by promoting the control of fire hazards, regulating the installation, use and maintenance of equipment, the use of structures, premises and open areas, providing for the abatement of fire hazards and setting forth standards for compliance to achieve these objectives.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

109-18. Emergency lighting.

In addition to the requirements of the current NFPA 1, Uniform Fire Code, adopted by the State of New Hampshire, and the NFPA 101, Life Safety Code, emergency lighting shall be required in all common hallways, in all business occupancies open to the public after 5:00 p.m.

109-20. Tenant’s Responsibilities

It shall be the responsibility of the tenant(s) of a rented or leased residential dwelling or complex to ensure that the smoke detector(s) installed in accordance with state and local codes are not rendered inoperative by damaging or disconnecting said detector. Any person found to have disconnected a smoke detector, damaged a smoke detector or otherwise cause a smoke detector to be rendered inoperative, in a rented or leased residential dwelling or complex, shall be guilty of a violation.

109-21. Copies to be kept on file.

The office of the City Clerk shall keep three (3) copies of the National Fire Protection Association Life Safety Code on file and accessible to the public during regular business hours.

109-22. Availability of copies.

Copies of the National Fire Protection Association Life Safety code are available from the National fire protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

109-23. Administration and enforcement. [Amended 09-17-03 by Ord. No. 15-2003]

The authority having jurisdiction for the administration and enforcement of this chapter shall be the Inspection Services Division of the City of Dover Fire & Rescue Service.

Fees shall be charged for plan reviews, issuance of permits, and inspections. Fees shall be adopted by the City Council and published as an adopted fee schedule. No permits, reviews or inspections shall be issued or conducted until all outstanding fees owed by the applicant to the City of Dover have been paid.

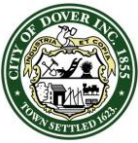
109-8

109-24

109-29

109-24. Violations and penalties.

Document Created by: Legal Document Posted on: October 8, 2009	2009.09.23 Fire Prevention and Life Safety Chapter 109.doc Page 30 of 38

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.7.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 20</td></tr> <tr> <td>Chapter:</td><td>Fire Prevention and Life Safety Chapter 109</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.7.	Ordinance Title:	O – 2009.09.23 - 20	Chapter:	Fire Prevention and Life Safety Chapter 109
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.7.								
Ordinance Title:	O – 2009.09.23 - 20								
Chapter:	Fire Prevention and Life Safety Chapter 109								

Any person, persons, firm corporation or partnership who shall violate any provisions of this code or shall fail to comply with any of the requirements of Dover Code 109 Article II, shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that a violation continues to exist shall constitute a separate offense.

ARTICLE III Fire Control

109-25. Inspection of certain public places.

All public halls or other rooms or buildings used, wholly or in part, for theatrical or other entertainment or for exhibits of any nature or in which people assemble for dancing or for other social or recreational purposes shall be subject to inspection at any and all time by the Fire Chief or the Chief of Police, and any and all mandates or orders issued by said officials, or either of them, in the interest obeyed forthwith by any owner or lessee of such hall or to obstruct either of said officials in the discharge of his duty.

109-26. Barbecue pits.

Within any multi-family dwelling, or within fifteen (15) feet of any multi-family dwelling of three (3) units or more, it shall be unlawful to burn barbecues, pits, hibachis, chimineas, gas grills or the like. Within any multi-family dwelling, or within fifteen (15) feet of any multi-family dwelling of three (3) units or more, it shall be unlawful to store combustible or flammable fuel utilized for the operation of barbecues, pits, hibachis, chimineas, gas grills or the like.

109-27. Oil burners and equipment.

The Rules and Regulations of the New Hampshire Board of Fire Control covering the installation of power oil burners and oil-burner equipment, as issued by the Board of Fire Control, office of Fire Marshal, Concord, New Hampshire, on July 1, 1950, in accordance with the provisions of Laws 1947, c. 251, as amended (RSA 153), are hereby adopted to be in effect in the City of Dover.

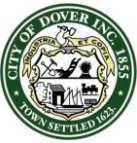
109-28 Fire Hydrant Obstruction.

It shall be unlawful for any person or persons to block or obstruct access to any fire hydrant by any means to include but not limited to snow, trash, boxes, furniture, debris, etc.

109-29. Violations and Penalties. [Amended 09-17-2003 by Ord. No. 16-2003]

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 109, Article III shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense.

B. Reimbursement Costs.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

In the event that the cost for fire department apparatus and/or equipment use is reimbursable under city or state statute, the current as approved by the City Council and outlined in the City of Dover Fee Schedule for the use of apparatus and equipment shall apply:

109-9

109-29

109-32

Personnel costs shall be billed at the minimum of one hour at the employee's actual costs, to include applicable hourly rate, retirement and healthcare costs. An administration fee of 5% shall be added to all costs that require reimbursement bill procedures

ARTICLE IV
Fire Suppression Systems

109-30. Installation of sprinkler system required.

Fire suppression sprinkler systems shall be installed and maintained in full operating condition in all new construction as required by the International Residential Code for 1 and 2 Family Homes, First Edition and International Building Code for 3 Family and Above and Commercial Buildings, 1996 Edition and as required by NFPA 101 Life Safety Code 2000 Edition, except as amended below:

- A. Sprinkler systems shall be installed in all new commercial structures, in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 1996 Edition, as indicated in this section or in existing structures undergoing alterations or expansion whereby the total costs for such alterations or expansion are fifty percent (50%) or larger of the most recent structure evaluation or whereby an occupancy changes from one use group to another or from one use group sub-classification to another sub-classification of the same occupancy.
[Amended 11-17-04 by Ord. No. 21-2004]

1. **Assembly** occupancies over 5,000 square feet.
2. **Educational** occupancies to include schools only.
3. **Health Care** occupancies.
4. **Detention and Correctional** occupancies except those with an occupancy of less than six (6).
5. **Residential** occupancies over four (4) stories in height.
6. **Mercantile** occupancies over 5,000 square feet.
7. **Business** occupancies over 5,000 square feet.
8. **Industrial** occupancies over 12,000 square feet.
9. **Storage** occupancies over 12,000 square feet.

- B. Sprinkler systems shall be installed in all new residential structures, in accordance with NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, 1996 Edition, as indicated in this section or in existing

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

structures if alterations or expansion is such that it adds an additional living unit or it increases the number of individual units to three (3) or more.

1. **Residential** occupancies four (4) stories in height or less, regardless of fire wall separation, except one- and two-family occupancies.

109-32. Violations and Penalties.

Any person, persons, firm, corporation or partnership who shall violate any provisions of this Article IV or who shall fail to comply with any of the requirements thereof shall be guilty of a violation punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day that a violation continues to exist shall constitute a separate offense.

109-10

109-33

109-33

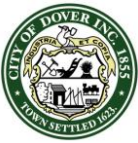
109-33. Public Safety Amplification System Required in Large Facilities.

The purpose of this system is to provide minimum standards to insure a reasonable degree of reliability for emergency services communications from within certain buildings and structures within the city to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

3. Applicability.

The provisions of this article shall apply to:

- i. New buildings greater than fifty thousand (50,000) square feet;
- ii. Existing buildings over fifty thousand (50,000) square feet when modifications, alterations or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%); and

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

iii. All sublevels, regardless of the occupancy, over ten thousand (10,000) square feet.

4. Radio coverage.

- (d) Except as otherwise provided in this article, no person shall erect, construct or modify any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for firefighters and police officers.
- (e) The city’s fire department with consideration of the appropriate police, fire and emergency medical department services shall determine the frequency range or ranges that must be supported.
- (f) For the purpose of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the communications centers for all appropriate emergency service providers for the building.

3. Inbound into the building.

- (a) A minimum average in-building field strength of 2.25 micro-volts (-100dbm) for analog and five (5) micro-volts (-93dbm) for digital systems throughout eighty-five percent (85%) of the area of each floor of the building when transmitted from the city’s police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

109-11

109-33

109-33

- (b) If the field strength outside the building where the receive antenna system for the in-building system is located is less than (-100dbm) for analog, or (-93dbm) for digital systems, then the minimum required in-building field strength shall equal the field strength being delivered to the receive antenna of the building.
- (c) As used in this article, eighty-five percent (85%) coverage or reliability means the radio will transmit eighty-five percent (85%) of the time at the field strength and levels as defined in this article.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

4. Outbound from the building.

A minimum average signal strength of 112 micro-volts (-6dbm) for analog and five (250) micro-volts (+1dbm) for digital systems as received by the city's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

FCC authorization. If amplification is used in the system, all FCC authorizations must be obtained prior to use of the system. A copy of these authorizations shall be provided to the city's fire department.

5. Enhanced amplifications systems.

- (a) Where buildings and structures are required to provide amenities to achieve adequate signal strength, they shall be equipped with any of the following to achieve the required adequate radio coverage; radiating cable system(s), internal multiple antenna system(s) with an acceptable frequency range and an amplification system(s) as needed, voting receiver system(s) as needed, or any other city approved system(s).

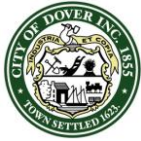
- (b) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operation of an independent battery or generator system for a period of at least eight (8) hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power.

- (c) Amplification equipment must have adequate environmental controls to meet the heating, ventilation, cooling and humidity requirements of the equipment that will be utilized to meet the requirements of this code. The area where the amplification equipment is located also must be free of hazardous materials such as fuels, asbestos, etc.

109-12

109-33

109-33



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.7.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 20**

Chapter: Fire Prevention and Life Safety Chapter 109

All communications equipment, including amplification systems, cable and antenna systems shall be grounded with a single point ground system of five (5) ohms or less. The ground system must include an internal tie point within three (3) feet of the amplification equipment. System transient suppression for the telephone circuits, ac power, radio frequency (RF) cabling and grounding protection are required as needed.

- (d) The following information shall be provided to the Fire Department by builder:
- i. A blueprint showing the location of the amplification equipment and associated antenna systems which includes a view showing building access to the equipment; and
 - ii. Schematic drawings of the electrical, backup power, antenna system and any other associated equipment relative to the amplification equipment including panel locations and labeling.

6. Testing procedures – method to conduct tests.

- (c) Tests shall be made using frequencies close to the frequencies used by the police and appropriate emergency services. If testing is done on the actual frequencies, then this testing must be coordinated within the city's fire department. All testing must be done on frequencies authorized by the FCC. A valid FCC license will be required if testing is done on frequencies different from the police, fire or emergency medical frequencies.
- (d) Measurements shall be made using the following guidelines:
- i. With a service monitor using a unity gain antenna on a small ground plane;
 - ii. Measurements shall be made with the antenna held in a vertical position at three (3) to four (4) feet above the floor;
 - iii. A calibrated service monitor (with a factory calibration dated within twenty-four (24) months) may be used to do the test;
 - iv. The telecommunications unit representative for the city may also make simultaneous measurements to verify that the equipment is making accurate measurements. A variance of 3db between the instruments will be allowed; and
 - v. If measurements in one location are varying, then average measurements be used.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

109-13

109-33

109-33

7. Initial tests.

- (a) All testing shall be done in the presence of a fire department representative at no expense to the city or appropriate emergency services department.
- (b) Signal strength, both inbound and outbound as defined above, shall be measured on each and every floor above and below ground including stairwells, basements, penthouse facilities and parking areas of the structure. The structure shall be divided into fifty (50) foot grids and the measurements shall be taken at the center of each grid.

8. Annual tests.

Annual tests will be conducted by the city's telecommunications unit or appropriate emergency services department. If communications appear to have degraded or if the tests fail to demonstrate adequate system performance, the owner of the building or structure is required to remedy the problem and restore the system in a manner consistent with the original approval criteria. The re-testing will be done at no expense to the city or the appropriate emergency services departments as required in the original testing procedures.

9. Field Testing.

Police and Fire personnel, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present. Certificates of Occupancy may be denied for new and existing buildings for failure to comply with these requirements.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.7. Ordinance Number: Ordinance Title: O – 2009.09.23 - 20 Chapter: Fire Prevention and Life Safety Chapter 109

10. Violations and Penalties.

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 109, Article III shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense.”

109-14

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 135, entitled “Floodplain Development” of the Code of the City of Dover.

2. AMENDMENT

Chapter 113 entitled “Floodplain” is hereby amended by revising by amending Article II, Administration, Section 113-4 entitled “Development Review”

113-4 Development review.

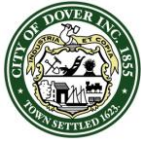
- A. Prior to the issuance of a building permit by the Building ~~Inspector~~Official, whether for new construction (manufactured or prefabricated homes included) or the substantial improvement thereon, the ~~Building Inspector~~Planning Department shall determine whether said project site is located in an area of special flood hazard . If said project site is so located, wholly or in part, in an area of special flood hazard, then compliance with the rules and regulations contained herein shall be required. (See 113-5 and Article III, Floodplain Hazard Reduction.)
- B. Prior to the granting of final subdivision plat approval, the Planning Board shall determine whether said plat is located within an area of special flood hazard, and, if so situated, compliance with the rules and regulations contained herein shall be required. (See 113-5 and Article III, Floodplain Hazard Reduction.)
- C. Prior to the granting of final site review approval, the Planning Board shall determine whether said site is located within an area of special flood hazard, and, if so situated, compliance with the rules and regulations contained herein shall be required (See 113-5 and Article III, Floodplain Hazard Reduction.)
- D. Any man-made change to improved or unimproved real estate within an area of special flood hazard that is not regulated by Subsections A, B or C above (mining, dredging, filling, grading, paving, excavation or drilling operations) shall hereby require review by the Building Inspector and subsequent review and approval by the Technical Review Committee and/or the Planning Board. (See 113-5.)

Formatted: Font color: Green

NOTE: THIS ORDINANCE REQUIRES A PUBLIC HEARING

3. TAKES EFFECT

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



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.8.

Ordinance Number:

Ordinance Title:

Chapter:

O – 2009.09.23 - 21

Floodplain Development -Chapter 113

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

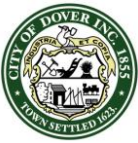
 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.8.
	Ordinance Number:		
	Ordinance Title: O – 2009.09.23 - 21		
	Chapter: Floodplain Development -Chapter 113		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

ORDINANCE BACKGROUND MATERIAL:

FLOODPLAIN DEVELOPMENT

Chapter 113

[Revised in its entirety 01-20-99 by Ord. No. 26-98]

ARTICLE I

TITLE; AUTHORITY; LEGISLATIVE INTENT

- 113-1. Title.
- 113-2. Statutory authority.
- 113-3. Purpose; areas of special flood hazard.

ARTICLE II

ADMINISTRATION

- 113-4. Development review.
- 113-5. Required data.
- 113-6. Use of other base flood data.
- 113-7. Information to be obtained and maintained.
- 113-8. Alteration of watercourses.
- 113-9. Interpretation of boundaries.

ARTICLE III

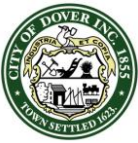
FLOODPLAIN HAZARD REDUCTION

- 113-10. General standards.
- 113-11. Specific standards.
- 113-12. Floodways.

ARTICLE IV

VARIANCES AND APPEALS

- 113-13. Variances and Appeals

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113 Agenda Item#: 11.A.8.

ARTICLE V WORDS AND PHRASES

113-14. Definitions.

[HISTORY: Adopted by the City Council of the City of Dover 3-25-87 as Ord. No. 7-87*. Amendments noted where applicable.]

***Editor's Note: This ordinance also repealed former Ch. 113, Flood Hazard Control, adopted 4-9-80 as Ord. No. 5-80**
113-1

113-1

113-3

General References

Conservation Commission - See ch. 14.
Historic districts - See Ch. 30.
Auto courts and trailer camps - See ch. 63.
Building construction - See ch. 68.
Housing standards - See ch. 119.
Mobile home parks - See ch. 149.
Subdivision of land - See ch. 155.
Zoning - See ch. 170.
Site Review-See ch. 149.

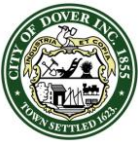
ARTICLE I TITLE; AUTHORITY; LEGISLATIVE INTENT

113-1. Title.

This chapter shall be known and may be cited as the "Floodplain Development Ordinance of the City of Dover, New Hampshire." The regulations in this ordinance shall overlay and supplement the regulations in the City of Dover Zoning Ordinance, Chapter 170 of the Code of the City of Dover, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

113.2. Statutory authority.

These rules and regulations are adopted by the City of Dover pursuant of the authority granted

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

by RSA 674:16.

113-3. Purpose; areas of special flood hazard. [Amended 04-20-05 by Ord. No. 13-2005]

The City of Dover recognizes the need to minimize the potential loss of life and property during periods of flooding by regulating the alteration and/or the development of those areas of special flood hazard identified by the Federal Emergency Management Agency. The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Strafford, NH," dated May 17, 2005 or as amended, together with the associated Flood Insurance Rate Maps dated May 17, 2005 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference. The Flood Insurance study is on file at the Department of Planning and Community Development.

113-2

113-4

113-5

ARTICLE II

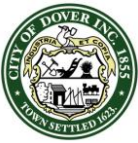
ADMINISTRATION

~~113-4~~ 113-5 Development review.

Formatted: Bullets and Numbering

- A. Prior to the issuance of a building permit by the Building ~~Inspector~~ Official, whether for new construction (manufactured or prefabricated homes included) or the substantial improvement thereon, the ~~Building Inspector~~ Planning Department shall determine whether said project site is located in an area of special flood hazard . If said project site is so located, wholly or in part, in an area of special flood hazard, then compliance with the rules and regulations contained herein shall be required. (See 113-5 and Article III, Floodplain Hazard Reduction.)
- B. Prior to the granting of final subdivision plat approval, the Planning Board shall determine whether said plat is located within an area of special flood hazard, and, if so situated, compliance with the rules and regulations contained herein shall be required. (See 113-5 and Article III, Floodplain Hazard Reduction.)
- C. Prior to the granting of final site review approval, the Planning Board shall determine

Formatted: Font color: Green

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

whether said site is located within an area of special flood hazard, and, if so situated, compliance with the rules and regulations contained herein shall be required (See 113-5 and Article III, Floodplain Hazard Reduction.)

- D. Any man-made change to improved or unimproved real estate within an area of special flood hazard that is not regulated by Subsections A, B or C above (mining, dredging, filling, grading, paving, excavation or drilling operations) shall hereby require review by the Building Inspector and subsequent review and approval by the Technical Review Committee and/or the Planning Board. (See 113-5.)

113-5. Required Data.

Applications for all required city permits and approvals are available at the Department of Planning and Community Development. Applications for development activities explicated in 113-4 shall include the following:

- A. Plans in duplicate, drawn to scale, showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill storage of materials and drainage facilities; and the location of the foregoing. Specifically, the following information is required where appropriate:
- (1) As-built elevation in relation to NGVD, of the lowest floor, including basement, and including whether or not such structures contain a basement.
 - (2) Elevation, in relation to NGVD, to which any structure has been floodproofed.
 - (3) Certification by a registered engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in 131-11B.

113-3

113-5

113-7

- B. Permit review. The Planning Department shall:

- (1) Review all development permits to determine that the permit requirements of this chapter have been satisfied.
- (2) Review all development permits to determine that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. It shall be the responsibility of the applicant to certify these assurances to the Planning Department.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: _____ Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

- C. The Planning Department shall review all development permits to determine if the proposed development adversely affects the flood-carrying capacity of the areas of special flood hazard. For purposes of this chapter, "adversely affects" means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

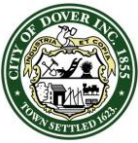
113-6. Use of other base flood data.

When the base flood elevation data has not been provided in accordance with 113-3, the Department of Planning and Community Development shall establish said base flood elevation data by the following means: obtain, review and reasonably utilize any base flood elevation data available from a federal, state or other competent source.

113-7. Information to be obtained and maintained.

- A. The Department of Planning and Community Development shall maintain and record for public inspection the certification of floodproofing required in 113-11B and the as-built elevation, in relation to NGVD, of the lowest floor, including the basement, of all new or substantially improved structures and shall include whether or not such structures contain a basement and, if the structure has been floodproofed, the as-built elevation, in relation to mean sea level, to which the structure was floodproofed. This information must be furnished by the applicant.
- B. In areas of special flood hazard, the Department of Planning and Community Development shall determine the base flood elevation in the following order of precedence according to the data available:
- (1) In Zone AE, refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM or FHBM. **[Amended 04-20-05 by Ord. No. 13-2005]**
 - (2) In unnumbered A Zones, the Building Inspector shall obtain, review and reasonably utilize any 100 year flood elevation data available from any federal, state or other source including data submitted for development proposals (i.e. subdivisions, site review plans, etc.) to the community.

113-4

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

113-7

113-9

- (3) In Zone AO, the base flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM or, if no depth number is specified on the FIRM, or if no depth number is specified, at least two (2) feet.

- C. The Department of Planning and Community Development shall maintain for public inspection all records pertaining to the provisions of this chapter.

113-8. Alteration of watercourses.

- A. In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the Wetlands Board of the New Hampshire Environmental Services Department and the New Hampshire Water Resource Board and submit copies of such notification to the Planning Board in the form of a Conditional Use application, in addition to the copies required by RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Planning Department, including notice of all scheduled hearings before the NH Wetlands Board, and notice of scheduled hearings before the Planning Board for Conditional Use Permits as required by Dover Code, Chapter 170, Zoning, Article VII, Section 170-27, Conservation District & Section 170-27.1, Wetland Protection District.
- B. The applicant shall submit to the Planning Board, in the form of a Conditional Use application, certification provided by a professional engineer assuring that the flood-carrying capacity of an altered or relocated watercourse can and will be maintained.
- C. The applicant's plans and certifications shall comply with all provisions of Article III, section 113-12 of this regulation.

113-9. Interpretation of boundaries.

- A. The Department of Planning and Community Development shall make interpretations, where needed, as to the exact location of the boundaries of the area of special flood hazard in a construction proposal; for example, where there appears to be a conflict between a mapped boundary and actual field conditions. To assist in this determination, the applicant may be required to submit an accurate site plan showing flooding relationships, including elevations.
- B. To determine accurately if a structure is located in an area of special flood hazard, the owner or applicant may hire a licensed land surveyor or certified engineer to measure the distance

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.8.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 21</td></tr> <tr> <td>Chapter:</td><td>Floodplain Development -Chapter 113</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.8.	Ordinance Title:	O – 2009.09.23 - 21	Chapter:	Floodplain Development -Chapter 113
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.8.								
Ordinance Title:	O – 2009.09.23 - 21								
Chapter:	Floodplain Development -Chapter 113								

from a physical feature on the FIRM or Flood Boundary and Floodway Map to the structure's location.

- C. The structure is considered borderline if it is located within 100 feet of a boundary. A certified engineer shall compare the 100-year flood elevation and the lowest ground elevation at the borderline structure's location to determine if the structure is in or out of the flood hazard area. If the engineer certifies the structure as out of the flood hazard area, but the Planning or Engineering Department have historic or other data that confirms the property is prone to flooding, the Planning Department may request a Letter of Map Amendment from FEMA.

113-5

113-10

113-10

ARTICLE III FLOOD HAZARD REDUCTION

113-10. General standards.

In all areas of special flood hazard, the following standards are required:

A. Anchoring.

- (1) All new construction and substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (2) All manufactured homes to be placed or substantially improved within areas of special flood hazard shall be elevated on a permanent foundation, such that the lowest floor of the manufactured home is at or above the base flood level, and shall be securely anchored to resist flotation, collapse or lateral movement by providing over-the-top or frame ties to ground anchors. Specific requirements shall be that:
 - (a) Over-the-top ties shall be provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations, with manufactured homes less than fifty (50) feet long requiring one (1) additional tie per side, or;
 - (b) Frame ties shall be provided at each corner of the home, with five (5) additional ties per side at intermediate points, with manufactured homes less than fifty (50) long requiring four (4) additional ties per side.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

(c) All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.

(d) Any additions to the manufactured home shall be similarly anchored.

B. Construction materials and methods.

- (1) All new construction and substantial improvements shall be constructed with materials resistant to flood damage.
- (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (3) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

113-6

113-10

113-11

C. Utilities.

- (1) The applicant shall provide the Office of Planning and Community Development with assurance that all new and replacement water supply systems, including on-site systems, shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (2) The applicant shall provide the Office of Planning and Community Development with assurance that new and replacement sanitary sewerage systems, including on-site systems, shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into the floodwaters.
- (3) The applicant shall provide the Office of planning and Community Development with assurance that on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. Subdivision proposals.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize flood damage.
- (3) All subdivision proposals shall include adequate drainage paths to guide floodwaters around and away from the proposed structures and to reduce exposure to flood damage.
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contains at least fifty (50) lots or five (5) acres, whichever is less.

113-11. Specific standards.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in 113-3 and 113-6, the following provisions are required:

- A. Residential construction, new construction and substantial improvement of any residential structure shall have the lowest floor, including the basement, elevated to or above base flood elevation.
- B. All new construction or substantial improvements of nonresidential structures have the lowest floor, (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:
 - (i) be flood proofed so that below the 100 year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;

113-7

113-11

113-11

- (ii) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
- (iii) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

for meeting the provisions of this section.

C. Manufactured homes.

- (1) Manufactured homes shall be anchored in accordance with 113-10A(2).
- (2) For new manufactured home parks and manufactured home subdivisions; for expansions to existing manufactured home parks and manufactured home subdivisions; for existing manufactured home parks and manufactured home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for manufactured homes not placed in a manufactured home park or manufactured home subdivision.
 - (a) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at or above the base flood level.
 - (b) Adequate surface drainage and access for a hauler are provided.
 - (c) In the instance of elevation on pilings, lots are large enough to permit steps; piling foundations are placed in stable soil no more than ten (10) feet apart and reinforcement is provided for pilings more than six (6) feet above the ground level.
- (3) Recreational vehicles placed on sites within zone AE shall either: **[Amended 04-20-05 by Ord. No. 13-2005]**
 - (a) Be on the site for fewer than 180 days;
 - (b) Be fully licensed and ready for highway use; or
 - (c) Meet all standards of section 60.3(b)(1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for "manufactured homes" in section 60.3(c)(6) of said regulations.

D. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted, provided that the enclosed areas meet the following requirements:

- (1) The enclosed area is unfinished or flood resistant, usable solely for parking of vehicles, building access or storage.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

(2) The area is not a basement.

113-8

113-11

113-12

(3) The area shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a professional engineer or architect or must meet or exceed the following minimum criteria:

- (a) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
- (b) The bottom of all openings shall be no higher than one (1) foot above grade.
- (c) Openings may be equipped with screens, louvers or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

E. Proposed structures to be located on slopes in areas of special flood hazard Zone AO shall include adequate drainage paths to guide flood waters around and away from the proposed structures.

113-12. Floodways.

Located within areas of special flood hazard established in 113-3 and 113-8 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply.

- A. Along watercourses that have a designated Regulatory Floodway, no encroachments, including fill, new construction, substantial improvements and other development, are allowed within the designated regulatory floodway that would result in any increase in flood levels within the community during the base flood discharge. In Zone A, the Planning Department shall obtain, review and reasonably utilize any floodway data available from a federal, state or other source as criteria for requiring that development meet the floodway requirements of this subsection.
- B. Along watercourses that have not had a Regulatory Floodway designated, on new construction, substantial improvements or other development (including fill), shall be

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

permitted within Zone AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the surface water elevation of the base flood more than one (1) foot at any point within the community. **[Amended 04-20-05 by Ord. No. 13-2005]**

- C. If Subsection A is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Article III.

113-9

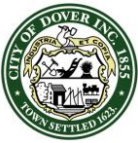
113-13

113-14

ARTICLE IV VARIANCES AND APPEALS

113-13. Variances and Appeals

- A. Any order, requirement, decision or determination of any official of the Planning Department made under this chapter may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.
- B. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I(b), the applicant shall have the burden of showing, in addition to the usual variance standards under NH statute:
1. that the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
 2. that if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
 3. that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- C. The Zoning Board of Adjustment shall notify the applicant in writing that: (i) the issuance of a variance to construct below the base flood level will result in increased premium rates

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and (ii) such construction below the base level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

D. The Planning Department shall:

1. maintain a record of all variance actions, including their justification for their issuance, and;
2. report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

ARTICLE V WORDS AND PHRASES

113-14. Definitions. [Amended 4-18-90 by Ord. No. 3-90]

As used in this chapter, the following terms shall have the meanings indicated:

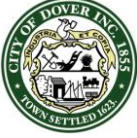
AREA OF SHALLOW FLOODING - A designated AO zone on the Flood Insurance Rate Map (FIRM) with a one-percent or greater annual possibility of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet-flow.

113-14	113-10	113-14
AREA OF SPECIAL FLOOD HAZARD – The land in the floodplain within the City of Dover subject to a one-percent or greater annual possibility of flooding in any given year. The area is designated as zone A on the Flood Boundary and Floodway Maps and is designated on the FIRM as zones A, AO, and AE. [Amended 04-20-05 by Ord. No. 13-2005]		

BASE FLOOD - The flood having a one-percent chance of being equaled or exceeded in any given year.

BASEMENT - Any area of a building having its floor subgrade on all sides. **[Added 04-18-90 by Ord. No. 3-90]**

BREAKAWAY WALL - A wall that is not part of the structural support of a building

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

FEMA - Federal Emergency Management Agency

FLOOD BOUNDARY - FLOODWAY MAP (floodway) - An official map of the community, on which the Federal Emergency Management Agency has delineated the regulatory floodway. This map should not be used to determine the correct flood hazard zone or base flood elevation. The Flood Insurance Rate Map (FIRM) will be used to make determinations of flood hazard zones and base flood elevations.

FLOOD ELEVATION STUDY - An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations or an examination, evaluation and determination of mudslide, i.e., mudflow, and/or flood-related erosion hazards.

FLOOD or FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - An official map incorporated within this chapter on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones that are applicable to the City of Dover.

FLOODPLAIN OR FLOOD-PRONE AREA - Any land area which is susceptible to being inundated by water from any source. (See definition of Flooding.)

FLOOD PROOFING - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

113-11

113-14

113-14

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: _____ Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

FUNCTIONALLY DEPENDENT USE - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE - Any structure that is listed individually in the National Register of Historic Places (maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; certified or preliminarily determined by the Secretary as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; individually listed on a local inventory of historic places, provided the local historic preservation program has been certified by either the appropriate state or federal program.

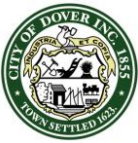
LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance. **[Added 4-18-90 by Ord. No. 3-90]**

MANUFACTURED HOME - A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site greater than one hundred eighty (180) days.

MEAN SEA LEVEL - For the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

100 YEAR FLOOD - See Base Flood.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale, for

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

which the construction of facilities for servicing the lot, including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets, is completed on or after the effective date of this chapter.

113-12

113-14

113-14

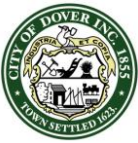
RECREATIONAL VEHICLE - A vehicle which is built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation. These areas are designated as floodways on the Flood Boundary and Floodway Maps.

RIVERINE - Relating to, formed by or resembling a river, including tributaries, stream, brook, etc.

START OF CONSTRUCTION - includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. **[Added 4-18-90 by Ord. No. 3-90]**

STRUCTURE - For the floodplain management purposes, a walled and roofed building, including a gas- or liquid-storage tank, that is principally above ground, as well as a manufactured home.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.8.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 21</td></tr> <tr> <td>Chapter:</td><td>Floodplain Development -Chapter 113</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.8.	Ordinance Title:	O – 2009.09.23 - 21	Chapter:	Floodplain Development -Chapter 113
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.8.								
Ordinance Title:	O – 2009.09.23 - 21								
Chapter:	Floodplain Development -Chapter 113								

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - Any combination of repairs, reconstruction, alterations or improvement to a structure, in which the cumulative cost equals or exceeds fifty percent (50%) of market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

A. Any project for improvement of a structure required to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or

113-13

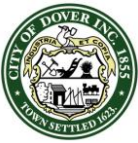
113-14

113-14

B. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places, provided that the alteration will not preclude the structure' s continued designation as a historic structure.

WATER SURFACE ELEVATION - The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains.

113-14

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

FLOODPLAIN DEVELOPMENT

Chapter 113

[Revised in its entirety 01-20-99 by Ord. No. 26-98]

ARTICLE I

TITLE; AUTHORITY; LEGISLATIVE INTENT

- 113-1. Title.
- 113-2. Statutory authority.
- 113-3. Purpose; areas of special flood hazard.

ARTICLE II

ADMINISTRATION

- 113-4. Development review.
- 113-5. Required data.
- 113-6. Use of other base flood data.
- 113-7. Information to be obtained and maintained.
- 113-8. Alteration of watercourses.
- 113-9. Interpretation of boundaries.

ARTICLE III

FLOODPLAIN HAZARD REDUCTION

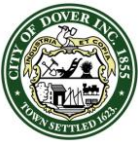
- 113-10. General standards.
- 113-11. Specific standards.
- 113-12. Floodways.

ARTICLE IV

VARIANCES AND APPEALS

- 113-13. Variances and Appeals

ARTICLE V

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

WORDS AND PHRASES

113-14. Definitions.

[HISTORY: Adopted by the City Council of the City of Dover 3-25-87 as Ord. No. 7-87*. Amendments noted where applicable.]

***Editor's Note: This ordinance also repealed former Ch. 113, Flood Hazard Control, adopted 4-9-80 as Ord. No. 5-80**
113-1

113-1

113-3

General References

Conservation Commission - See ch. 14.

Historic districts - See Ch. 30.

Auto courts and trailer camps - See ch. 63.

Building construction - See ch. 68.

Housing standards - See ch. 119.

Mobile home parks - See ch. 149.

Subdivision of land - See ch. 155.

Zoning - See ch. 170.

Site Review-See ch. 149.

ARTICLE I

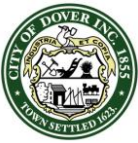
TITLE; AUTHORITY; LEGISLATIVE INTENT

113-1. Title.

This chapter shall be known and may be cited as the "Floodplain Development Ordinance of the City of Dover, New Hampshire." The regulations in this ordinance shall overlay and supplement the regulations in the City of Dover Zoning Ordinance, Chapter 170 of the Code of the City of Dover, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

113.2. Statutory authority.

These rules and regulations are adopted by the City of Dover pursuant of the authority granted by RSA 674:16.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113 Agenda Item#: 11.A.8.

113-3. Purpose; areas of special flood hazard. [Amended 04-20-05 by Ord. No. 13-2005]

The City of Dover recognizes the need to minimize the potential loss of life and property during periods of flooding by regulating the alteration and/or the development of those areas of special flood hazard identified by the Federal Emergency Management Agency. The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Strafford, NH," dated May 17, 2005 or as amended, together with the associated Flood Insurance Rate Maps dated May 17, 2005 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference. The Flood Insurance study is on file at the Department of Planning and Community Development.

113-2

113-4

113-5

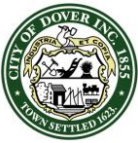
ARTICLE II

ADMINISTRATION

113-6 Development review.

Comment [ABK1]: The purpose of the changes in this ordinance is to use the terms Building Official.

- A. Prior to the issuance of a building permit by the Building Official, whether for new construction (manufactured or prefabricated homes included) or the substantial improvement thereon, the **Planning Department** shall determine whether said project site is located in an area of special flood hazard . If said project site is so located, wholly or in part, in an area of special flood hazard, then compliance with the rules and regulations contained herein shall be required. (See 113-5 and Article III, Floodplain Hazard Reduction.)
- B. Prior to the granting of final subdivision plat approval, the Planning Board shall determine whether said plat is located within an area of special flood hazard, and, if so situated, compliance with the rules and regulations contained herein shall be required. (See 113-5 and Article III, Floodplain Hazard Reduction.)
- C. Prior to the granting of final site review approval, the Planning Board shall determine whether said site is located within an area of special flood hazard, and, if so situated,

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

compliance with the rules and regulations contained herein shall be required (See 113-5 and Article III, Floodplain Hazard Reduction.)

- D. Any man-made change to improved or unimproved real estate within an area of special flood hazard that is not regulated by Subsections A, B or C above (mining, dredging, filling, grading, paving, excavation or drilling operations) shall hereby require review by the Building Inspector and subsequent review and approval by the Technical Review Committee and/or the Planning Board. (See 113-5.)

113-5. Required Data.

Applications for all required city permits and approvals are available at the Department of Planning and Community Development. Applications for development activities explicated in 113-4 shall include the following:

- A. Plans in duplicate, drawn to scale, showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill storage of materials and drainage facilities; and the location of the foregoing. Specifically, the following information is required where appropriate:
- (1) As-built elevation in relation to NGVD, of the lowest floor, including basement, and including whether or not such structures contain a basement.
 - (2) Elevation, in relation to NGVD, to which any structure has been floodproofed.
 - (3) Certification by a registered engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in 131-11B.

113-3

113-5

113-7

- B. Permit review. The Planning Department shall:

- (1) Review all development permits to determine that the permit requirements of this chapter have been satisfied.
- (2) Review all development permits to determine that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. It shall be the responsibility of the applicant to certify these assurances to the Planning Department.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

- C. The Planning Department shall review all development permits to determine if the proposed development adversely affects the flood-carrying capacity of the areas of special flood hazard. For purposes of this chapter, "adversely affects" means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

113-6. Use of other base flood data.

When the base flood elevation data has not been provided in accordance with 113-3, the Department of Planning and Community Development shall establish said base flood elevation data by the following means: obtain, review and reasonably utilize any base flood elevation data available from a federal, state or other competent source.

113-7. Information to be obtained and maintained.

- A. The Department of Planning and Community Development shall maintain and record for public inspection the certification of floodproofing required in 113-11B and the as-built elevation, in relation to NGVD, of the lowest floor, including the basement, of all new or substantially improved structures and shall include whether or not such structures contain a basement and, if the structure has been floodproofed, the as-built elevation, in relation to mean sea level, to which the structure was floodproofed. This information must be furnished by the applicant.
- B. In areas of special flood hazard, the Department of Planning and Community Development shall determine the base flood elevation in the following order of precedence according to the data available:
- (1) In Zone AE, refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM or FHBM. **[Amended 04-20-05 by Ord. No. 13-2005]**
 - (2) In unnumbered A Zones, the Building Inspector shall obtain, review and reasonably utilize any 100 year flood elevation data available from any federal, state or other source including data submitted for development proposals (i.e. subdivisions, site review plans, etc.) to the community.

113-4

113-7

113-9

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

(3) In Zone AO, the base flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM or, if no depth number is specified on the FIRM, or if no depth number is specified, at least two (2) feet.

C. The Department of Planning and Community Development shall maintain for public inspection all records pertaining to the provisions of this chapter.

113-8. Alteration of watercourses.

- A. In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the Wetlands Board of the New Hampshire Environmental Services Department and the New Hampshire Water Resource Board and submit copies of such notification to the Planning Board in the form of a Conditional Use application, in addition to the copies required by RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Planning Department, including notice of all scheduled hearings before the NH Wetlands Board, and notice of scheduled hearings before the Planning Board for Conditional Use Permits as required by Dover Code, Chapter 170, Zoning, Article VII, Section 170-27, Conservation District & Section 170-27.1, Wetland Protection District.
- B. The applicant shall submit to the Planning Board, in the form of a Conditional Use application, certification provided by a professional engineer assuring that the flood-carrying capacity of an altered or relocated watercourse can and will be maintained.
- C. The applicant's plans and certifications shall comply with all provisions of Article III, section 113-12 of this regulation.

113-9. Interpretation of boundaries.

- A. The Department of Planning and Community Development shall make interpretations, where needed, as to the exact location of the boundaries of the area of special flood hazard in a construction proposal; for example, where there appears to be a conflict between a mapped boundary and actual field conditions. To assist in this determination, the applicant may be required to submit an accurate site plan showing flooding relationships, including elevations.
- B. To determine accurately if a structure is located in an area of special flood hazard, the owner or applicant may hire a licensed land surveyor or certified engineer to measure the distance from a physical feature on the FIRM or Flood Boundary and Floodway Map to the

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

structure's location.

- C. The structure is considered borderline if it is located within 100 feet of a boundary. A certified engineer shall compare the 100-year flood elevation and the lowest ground elevation at the borderline structure's location to determine if the structure is in or out of the flood hazard area. If the engineer certifies the structure as out of the flood hazard area, but the Planning or Engineering Department have historic or other data that confirms the property is prone to flooding, the Planning Department may request a Letter of Map Amendment from FEMA.

113-5

113-10

113-10

ARTICLE III FLOOD HAZARD REDUCTION

113-10. General standards.

In all areas of special flood hazard, the following standards are required:

A. Anchoring.

- (1) All new construction and substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (2) All manufactured homes to be placed or substantially improved within areas of special flood hazard shall be elevated on a permanent foundation, such that the lowest floor of the manufactured home is at or above the base flood level, and shall be securely anchored to resist flotation, collapse or lateral movement by providing over-the-top or frame ties to ground anchors. Specific requirements shall be that:
 - (a) Over-the-top ties shall be provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations, with manufactured homes less than fifty (50) feet long requiring one (1) additional tie per side, or;
 - (b) Frame ties shall be provided at each corner of the home, with five (5) additional ties per side at intermediate points, with manufactured homes less than fifty (50) long requiring four (4) additional ties per side.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

(c) All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.

(d) Any additions to the manufactured home shall be similarly anchored.

B. Construction materials and methods.

- (1) All new construction and substantial improvements shall be constructed with materials resistant to flood damage.
- (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (3) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

113-6

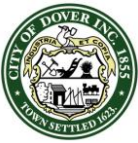
113-10

113-11

C. Utilities.

- (1) The applicant shall provide the Office of Planning and Community Development with assurance that all new and replacement water supply systems, including on-site systems, shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (2) The applicant shall provide the Office of Planning and Community Development with assurance that new and replacement sanitary sewerage systems, including on-site systems, shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into the floodwaters.
- (3) The applicant shall provide the Office of planning and Community Development with assurance that on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. Subdivision proposals.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize flood damage.
- (3) All subdivision proposals shall include adequate drainage paths to guide floodwaters around and away from the proposed structures and to reduce exposure to flood damage.
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contains at least fifty (50) lots or five (5) acres, whichever is less.

113-11. Specific standards.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in 113-3 and 113-6, the following provisions are required:

- A. Residential construction, new construction and substantial improvement of any residential structure shall have the lowest floor, including the basement, elevated to or above base flood elevation.
- B. All new construction or substantial improvements of nonresidential structures have the lowest floor, (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:
 - (i) be flood proofed so that below the 100 year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;

113-7

113-11

113-11

- (ii) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
- (iii) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

C. Manufactured homes.

- (1) Manufactured homes shall be anchored in accordance with 113-10A(2).
- (2) For new manufactured home parks and manufactured home subdivisions; for expansions to existing manufactured home parks and manufactured home subdivisions; for existing manufactured home parks and manufactured home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for manufactured homes not placed in a manufactured home park or manufactured home subdivision.
 - (a) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at or above the base flood level.
 - (b) Adequate surface drainage and access for a hauler are provided.
 - (c) In the instance of elevation on pilings, lots are large enough to permit steps; piling foundations are placed in stable soil no more than ten (10) feet apart and reinforcement is provided for pilings more than six (6) feet above the ground level.
- (3) Recreational vehicles placed on sites within zone AE shall either: **[Amended 04-20-05 by Ord. No. 13-2005]**
 - (a) Be on the site for fewer than 180 days;
 - (b) Be fully licensed and ready for highway use; or
 - (c) Meet all standards of section 60.3(b)(1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for "manufactured homes" in section 60.3(c)(6) of said regulations.

D. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted, provided that the enclosed areas meet the following requirements:

- (1) The enclosed area is unfinished or flood resistant, usable solely for parking of vehicles, building access or storage.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

(2) The area is not a basement.

113-8

113-11

113-12

(3) The area shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a professional engineer or architect or must meet or exceed the following minimum criteria:

- (a) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
- (b) The bottom of all openings shall be no higher than one (1) foot above grade.
- (c) Openings may be equipped with screens, louvers or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

E. Proposed structures to be located on slopes in areas of special flood hazard Zone AO shall include adequate drainage paths to guide flood waters around and away from the proposed structures.

113-12. Floodways.

Located within areas of special flood hazard established in 113-3 and 113-8 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply.

- A. Along watercourses that have a designated Regulatory Floodway, no encroachments, including fill, new construction, substantial improvements and other development, are allowed within the designated regulatory floodway that would result in any increase in flood levels within the community during the base flood discharge. In Zone A, the Planning Department shall obtain, review and reasonably utilize any floodway data available from a federal, state or other source as criteria for requiring that development meet the floodway requirements of this subsection.
- C. Along watercourses that have not had a Regulatory Floodway designated, on new construction, substantial improvements or other development (including fill), shall be permitted within Zone AE on the FIRM, unless it is demonstrated that the cumulative effect

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.8. Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113

of the proposed development, when combined with all other existing and anticipated development, will not increase the surface water elevation of the base flood more than one (1) foot at any point within the community. **[Amended 04-20-05 by Ord. No. 13-2005]**

- C. If Subsection A is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Article III.

113-9

113-13

113-14

ARTICLE IV VARIANCES AND APPEALS

113-13. Variances and Appeals

- A. Any order, requirement, decision or determination of any official of the Planning Department made under this chapter may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.
- B. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I(b), the applicant shall have the burden of showing, in addition to the usual variance standards under NH statute:
1. that the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
 2. that if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
 3. that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- C. The Zoning Board of Adjustment shall notify the applicant in writing that: (i) the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and (ii)

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.8.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 21</td></tr> <tr> <td>Chapter:</td><td>Floodplain Development -Chapter 113</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.8.	Ordinance Title:	O – 2009.09.23 - 21	Chapter:	Floodplain Development -Chapter 113
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.8.								
Ordinance Title:	O – 2009.09.23 - 21								
Chapter:	Floodplain Development -Chapter 113								

such construction below the base level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

D. The Planning Department shall:

1. maintain a record of all variance actions, including their justification for their issuance, and;
2. report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

ARTICLE V WORDS AND PHRASES

113-14. Definitions. [Amended 4-18-90 by Ord. No. 3-90]

As used in this chapter, the following terms shall have the meanings indicated:

AREA OF SHALLOW FLOODING - A designated AO zone on the Flood Insurance Rate Map (FIRM) with a one-percent or greater annual possibility of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet-flow.

113-10

113-14

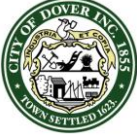
113-14

AREA OF SPECIAL FLOOD HAZARD – The land in the floodplain within the City of Dover subject to a one-percent or greater annual possibility of flooding in any given year. The area is designated as zone A on the Flood Boundary and Floodway Maps and is designated on the FIRM as zones A, AO, and AE. [Amended 04-20-05 by Ord. No. 13-2005]

BASE FLOOD - The flood having a one-percent chance of being equaled or exceeded in any given year.

BASEMENT - Any area of a building having its floor subgrade on all sides. [Added 04-18-90 by Ord. No. 3-90]

BREAKAWAY WALL - A wall that is not part of the structural support of a building and is intended through its design and construction to collapse under specific lateral

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

loading forces without causing damage to the elevated portion of the building or supporting foundation.

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

FEMA - Federal Emergency Management Agency

FLOOD BOUNDARY - FLOODWAY MAP (floodway) - An official map of the community, on which the Federal Emergency Management Agency has delineated the regulatory floodway. This map should not be used to determine the correct flood hazard zone or base flood elevation. The Flood Insurance Rate Map (FIRM) will be used to make determinations of flood hazard zones and base flood elevations.

FLOOD ELEVATION STUDY - An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations or an examination, evaluation and determination of mudslide, i.e., mudflow, and/or flood-related erosion hazards.

FLOOD or FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - An official map incorporated within this chapter on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones that are applicable to the City of Dover.

FLOODPLAIN OR FLOOD-PRONE AREA - Any land area which is susceptible to being inundated by water from any source. (See definition of Flooding.)

FLOOD PROOFING - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

113-11

113-14

113-14

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: Chapter:	Agenda Item#: 11.A.8. O – 2009.09.23 - 21 Floodplain Development -Chapter 113

FUNCTIONALLY DEPENDENT USE - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE - Any structure that is listed individually in the National Register of Historic Places (maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; certified or preliminarily determined by the Secretary as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; individually listed on a local inventory of historic places, provided the local historic preservation program has been certified by either the appropriate state or federal program.

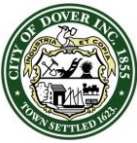
LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance. **[Added 4-18-90 by Ord. No. 3-90]**

MANUFACTURED HOME - A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site greater than one hundred eighty (180) days.

MEAN SEA LEVEL - For the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

100 YEAR FLOOD - See Base Flood.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale, for which the construction of facilities for servicing the lot, including, at a minimum, the

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.8.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 21</td></tr> <tr> <td>Chapter:</td><td>Floodplain Development -Chapter 113</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.8.	Ordinance Title:	O – 2009.09.23 - 21	Chapter:	Floodplain Development -Chapter 113
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.8.								
Ordinance Title:	O – 2009.09.23 - 21								
Chapter:	Floodplain Development -Chapter 113								

installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets, is completed on or after the effective date of this chapter.

113-12

113-14

113-14

RECREATIONAL VEHICLE - A vehicle which is built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

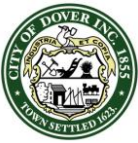
REGULATORY FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation. These areas are designated as floodways on the Flood Boundary and Floodway Maps.

RIVERINE - Relating to, formed by or resembling a river, including tributaries, stream, brook, etc.

START OF CONSTRUCTION - includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. **[Added 4-18-90 by Ord. No. 3-90]**

STRUCTURE - For the floodplain management purposes, a walled and roofed building, including a gas- or liquid-storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 21 Chapter: Floodplain Development -Chapter 113	Agenda Item#: 11.A.8.

cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - Any combination of repairs, reconstruction, alterations or improvement to a structure, in which the cumulative cost equals or exceeds fifty percent (50%) of market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

A. Any project for improvement of a structure required to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or

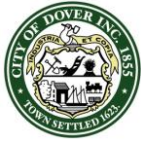
113-13

113-14

113-14

B. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places, provided that the alteration will not preclude the structure' s continued designation as a historic structure.

WATER SURFACE ELEVATION - The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.8.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 - 21**

Chapter: Floodplain Development -Chapter 113

113-14

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 131, entitled “Offenses” of the Code of the City of Dover.

2. AMENDMENT

Chapter 131-entitled “Offenses” is hereby amended by revising by amending Section 131-13.1 entitled “Fireworks”

131-13.1. Fireworks. [Added 10-9-85 by Ord. No. 12-85]

~~No person or organization of any kind, public or private, shall have in its possession and under its control any fireworks as defined by Chapter 160 of the New Hampshire Revised Statutes Annotated within the City of Dover unless said person first obtains written permission from the Chief of Police to so possess and/or use said fireworks.~~

No person, firm, partnership or corporation shall offer for sale, expose for sale, sell at retail, purchase, possess, **transport**, use or explode any fireworks without a permit. No permits shall be granted pursuant to Dover ordinances Chapter 109, except for programs and displays approved by the Fire Chief and the Police Chief, using Class C fireworks. All displays must be conducted by a trained operator who holds a current license or State of NH certificate of competency.

NOTE: THIS ORDINANCE REQUIRES A PUBLIC HEARING

3. TAKES EFFECT

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

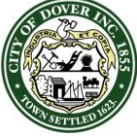
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.9.
	Ordinance Number:		
	Ordinance Title: O – 2009.09.23 - 22		
	Chapter: Offenses -Chapter 131		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

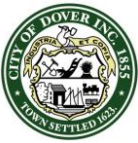
VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131	Agenda Item#: 11.A.9.

ORDINANCE BACKGROUND MATERIAL:

OFFENSES CHAPTER 131

- 131-1. Loitering and obstruction.**
- 131-2. Benches.**
- 131-3. Prohibited weapons.**
- 131-3.1. Safe Storage of Firearms.**
- 131-4. Fishing in restricted areas.**
- 131-5. Identification of certain workers.**
- 131-6. Consumption and possession of alcoholic beverages.**
- 131-7. Park hours.**
- 131-8. Consumption, sale and dispensing of alcoholic beverages in city-owned buildings.**
- 131-9. Motor vehicles on school property and park grounds.**
- 131-10. Private property rights.**
- 131-11. Public peace.**
- 131-12. Interference with law enforcement officers.**
- 131-13. Keeping controlled drugs.**
- 131-13.1 Fireworks.**
- 131-13.2 Operation of boats and vehicles on Willand Pond restricted.**
- 131-14. Violations and penalties.**
- 131-15. Sale of rolling papers to minors.**
- 131-16. School Truancy.**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

- 131-17. **Facilitation of a Drug of Underage Alcohol Party.**
- 131-18. **Use of tobacco products in Henry Law Skate Park**
- 131-19. **Use of tobacco products on the grounds of the McConnell Center**
- 131-20. **Registered Sex Offender Restrictions**

[HISTORY: Adopted by the City Council of the City of Dover 10-28-81 as Ord. No. 7-81. Amendments noted where applicable.]

131-1

131-1

131-3

131-1. Loitering and Obstruction. [Amended 10-28-81 by Ord. No. 19-81]

A. No person shall sit, stand or lounge on any public way or sidewalk in or about any doors, windows or passageways, except the owners or occupants of the premises, after having been requested by the owners or occupants or any police officer to depart there from.

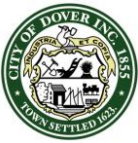
B. Three (3) or more persons shall not stand or remain in a group or near each other on any sidewalk or crosswalk or in any street or public way in such a manner as to obstruct a free passage thereon or therein after request has been made by any person to move on.

C. Three (3) or more persons standing or remaining in a group or near each other on a sidewalk or crosswalk or in any street or public way in such a manner as to obstruct or potentially obstruct vehicular or pedestrian traffic shall move on immediately after a request is made by any police officer; and no person to whom such a request has been made by a police officer shall again become a member of any group of three (3) or more persons standing near each other on a sidewalk or crosswalk or in any street or public way in close proximity in time and place to the initial request to move on and in such a manner as to obstruct or potentially obstruct vehicular or pedestrian traffic.

131-2. Benches. [Amended 10-28-81 by Ord. 19-81]

A. No person shall sit or stand upon the back or stand upon the seat of any municipally owned bench.

B. No person shall continue to sit or stand or lounge in the area immediately adjacent to any municipally owned bench after having been requested to move on by any police officer, and at

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

no time after such a request has been made by a police officer shall any person to whom such a request is made return and sit or stand or lounge in the area immediately adjacent to any municipally owned bench.

131-3. Prohibited weapons. [Amended 2-11-87 by Ord. No. 2-87]

A. It shall be unlawful for any person, persons, firm or corporation to sell or possess any slingshot, slungshot, metallic knuckles, switch knife or dagger.

B. No person shall display or possess any dangerous weapon in a threatening manner or under any circumstances which is designed or likely to cause alarm or concern where no legitimate purpose for such a display exists.

C. Definitions. As used in this section, the following terms shall have the meanings indicated:

131-2

131-3

DAGGER - Any knife whose blade is sharpened on two (2) edges.

131-3.1

DANGEROUS WEAPON - Any firearm, knife or other instrument which, in the manner it is used or displayed or intended to be used or threatened to be used, is known to be capable of producing death or bodily injury.

METALLIC KNUCKLES - Any hand-held device that is designed to provide a hardened striking surface to the outer hand, fingers or knuckles when a fist is formed by the hand.

SLINGSHOT - A forked stick with an elastic band attached for shooting small stones or the like.

SLUNGSHOT - A small mass of metal or stone fixed on a flexible handle, strap or the like and used as a weapon.

SWITCH KNIFE - Any knife whose blade is driven by spring action.

D. Any weapon or device seized by the Police Department pursuant to a violation of this section shall be forfeited to the use of or disposed of by the Police Department as is deemed appropriate by the Chief of Police.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131 Agenda Item#: 11.A.9.

E. Any person violating any of the provisions of this section shall be guilty of a violation.

131-3.1. Safe Storage of Firearms. [Added 01-17-96 by Ord. No. 22-95]

A. DEFINITIONS

1. **Safe Storage of Firearms Defined.** Safe storage of a firearm is defined as keeping the firearm in the immediate possession or under the immediate control of the owner, or:
 - a. Keeping the firearm in a securely locked box or container; or,
 - b. Securing the firearm with a trigger lock; or,
 - c. Keeping the firearm in a location or manner which a reasonable person would believe to be secure and reasonable likely to prevent access to a child 17 or under.
2. **Minor Defined.** As used in this Ordinance, the term minor means any person age seventeen (17) or under.

131-3

131-3.1

131-4

3. **Firearm Defined.** As used in this Ordinance, a firearm is defined as any rifle, pistol, revolver, or shotgun capable of discharging a projectile. A firearm is presumed to be loaded if ammunition for the firearm is contained in the firearm's magazine cylinder, chamber or clip, or in close proximity to the firearm, to exclude B.B. guns.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

B. SAFE STORAGE REQUIRED

1. Any person leaving or storing a loaded firearm on a premises knowing, or where he should have known, that a minor is able to gain access to the firearm without the lawful permission of the minor's parent or guardian, shall safely store the firearm as described in Section A.
2. Any person violating the requirements of this Ordinance shall be guilty of a violation only if any minor gains access to the firearm and possesses or exhibits it; and any one of the following conditions exists:
 - a. The firearm is displayed or brought into any public place, except where the firearm is being used for legitimate hunting purposes consistent with state law;
 - b. The firearm is used or displayed in a reckless or threatening manner;
 - c. The firearm is used during the commission of any misdemeanor or felony;
 - d. When the firearm is negligently or recklessly discharged.
3. This sub-section does not apply if the minor obtains the firearm as a result of an unlawful entry by any person.

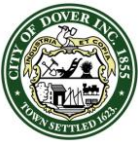
C. PENALTIES.

1. Any person violating the provisions of this section shall be subject to a fine of up to one thousand dollars (\$1,000).
2. Any firearms seized by the Police Department pursuant to a violation of this Ordinance shall upon conviction, be ordered forfeited by the Court and turned over to the Police Department for destruction.

131-4. Fishing in restricted areas.

No person over fifteen (15) years of age shall fish in the posted area of Bellamy Road and Cold Springs. This section shall not apply to any adjoining landowner or member of his immediate family.

131-4

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

131-5

131-7

131-5. Identification of certain workers.

Every person, whether in the employ of the city or any private corporation, whose duty it shall be to visit private residences or buildings for the purpose of examining electric, gas and water meters or pipes or for the purpose of inspecting drains or chimneys shall wear, while making such a visit, a suitable badge or other distinctive mark, indicating his employment or authority.

131-6. Consumption and possession of alcoholic beverages. [Amended 05-19-93 by Ord. No. 09-93; amended 10-16-02 by Ord. No. 32-2002]

A. No person shall consume or possess in an open can, bottle or other container any alcoholic liquor or beverage as defined by Chapter 175 of the New Hampshire Revised Statutes Annotated, while upon or in a motor vehicle upon any public way, as defined by Chapter 259:1 of the New Hampshire Revised Statutes Annotated, or any public sidewalk or municipal parking lot within the limits of the City of Dover except as provided in Chapter 99 of this Code.

B. No person shall consume or possess any alcoholic liquor or beverages, as defined by Chapter 175 of the New Hampshire Revised Statutes Annotated, in any park, recreation or rest area within the limits of the City of Dover, except when expressed written consent shall have been given by the City Manager.

C. No person shall possess or consume any alcoholic beverages in Hilton Park in the City of Dover, except when written consent shall have been given by the New Hampshire Commissioner of the Department of Public Works and Highways or his authorized representative.

131-7. Park hours.

A. No person shall remain in or enter upon the confines of any park or recreation area in the City of Dover during the hours set forth in the table below, except by written consent of the public official who has authority and control over said publicly owned parks and recreation areas and except as provided in Subsection B.

Months	Hours
April 1 - September 30	9:30 p.m. - 7:00 a.m.
October 1 - March 31	7:00 p.m. - 7:00 a.m.

131-5

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

131-7

B. Exceptions.

131-10

(1) Park Street Park. No person shall remain in or enter upon the confines of the Park Street Park, so called, in the City of Dover, during the hours of 8:30 p.m. to 7:00 a.m. during the period of April 1 through September 30, or during the hours of 7:00 p.m. through 7:00 a.m., during the period October 1 through March 31.

(2) Hilton Park. No person shall remain in or enter upon the confines of Hilton Park, so called, in the City of Dover, during the hours of 8:00 p.m. to 6:00 a.m., except by expressed written consent of the New Hampshire Commissioner of Public Works and Highways. **[Amended 7-23-86 by Ord. No. 9-86]**

(3) Henry Law Park. Henry Law Park shall not be restricted.

131-8. Consumption, sale and dispensing of alcoholic beverages in City-owned buildings. [Amended 2-22-84 by Ord. No. 3-84; amended 10-27-04 by Ord. No. 18-2004]

No person shall consume, sell or dispense any alcoholic beverages in any city-owned building unless waived by the City Manager and under the policies and rules established by State RSA and City Ordinance as approved by the City Council.

131-9. Motor vehicles on school property and park grounds.

No automobiles, trucks, motorcycles, mopeds, trail bikes or any other motorized vehicles shall be permitted on the grounds of Bellamy Park, Woodman Park, Garrison Hill Park, Varney Hill Park, Mt. Pleasant Park, Guppey Park, Henry Law Park, Applevale Park, Mineral Park, Longhill Memorial Park, all school playgrounds and athletic fields or any yet unnamed city park or recreation area. Vehicular travel shall be restricted to paved roadways and paved or otherwise designated parking areas.

Any person violating the provisions of this section shall be subject to a minimum fine of up to \$250.00. If the person causes damage to City property, the person will also be subjected to a criminal mischief charge pursuant to RSA 634:2. **[Added 03-20-2002 by Ord. No. 13-02]**

131-10. Private property rights. [Amended 10-28-81 by Ord. No. 19-81]

A. No person shall enter or remain upon the property of another if such a person knows he is not licensed and privileged to do so.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

B. No person shall purposely damage the property of another if such a person has no right to do so.

C. No person shall willfully conceal the goods of any store while still upon the premises of such store unless such person is authorized to do so.

131-6

131-10

131-11

D. No person shall possess the property of another with intent to deprive the owner thereof, knowing that such property is stolen.

E. No person shall retain or possess the property of another with the intent to deprive the owner thereof under circumstances that would cause a reasonable and prudent person to believe such property was probably stolen.

F. No person shall steal or exercise control over the property of another with the intent to deprive the owner thereof unless such a person is authorized to do so.

G. No person shall enter a building or structure with the purpose to commit a crime therein, if such building or structure is not open to the public and such person is not authorized to enter.

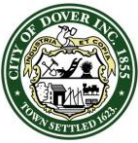
H. No person shall enter upon private or public property and look, by means of an overt act which serves no legitimate purpose, into the window of a private home, apartment or other domicile for the purpose of watching the occupant(s) therein, without permission of said occupant(s), thereby causing affront or alarm to said occupant(s). **[Added 2-11-87 by Ord. No. 4-87]**

131-11. Public Peace. [Added 10-28-81 by Ord. No. 19-81; Amended 10-19-94 by Ord. No. 19-94]

A. No person shall knowingly create a condition which is physically offensive or hazardous to that person or another in a public place by any act which serves no legitimate purpose. Physically offensive specifically includes the following:

1. Urinating or defecating in a public place which can be viewed by a member of the public.

B. No person shall recklessly create a risk of breaching the peace by:

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

(1) Making loud or unreasonable noises in a public place or making loud or unreasonable noises in a private place that can be heard in a public place or other private places, any such noises would disturb a person of average sensibility. For the purposes of this Section, persons shall include the owner, tenant, or other person in control of a private residence who permits or allows guests to engage in loud and unreasonable noises that can be heard in a public or other private place.

(2) A person in control of a parked or moving motor vehicle shall not operate or permit to be operated, a stereo sound system supplemented or enhanced by speakers or amplifiers not originally installed by the vehicle manufacturer, so as to be heard from a distance a 100 feet or more. [Added 09-20-2000 by Ord. No. 12-2000]

131-7

131-11

131-13

C. As used in this section, "public" means likely to affect persons in a place to which the public or a substantial group has access, including but not limited to schools, government facilities and the lobbies or hallways of apartment buildings.

D. No person shall lure or attempt to lure a child under the age of sixteen (16) into a motor vehicle without the consent of the parent or legal guardian of the child for other than a lawful purpose.

131-12. Interference with law enforcement officers. [Added 10-28-81 by Ord. No. 19-81; Amended 07-18-90 by Ord. No. 5-90]

A. No person shall physically erase or obscure a time recorded chalk mark from the tire of a parked vehicle with a purpose to interfere with the enforcement of the City of Dover parking ordinances.

B. No person shall give to any law enforcement officer a false name, address, date of birth, social security number, or other identifying information with a purpose to hinder the arrest or subsequent prosecution of that person for any offense or violation.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131 Agenda Item#: 11.A.9.

131-13. Keeping controlled drugs.

No person shall knowingly be present where a controlled drug as defined by New Hampshire RSA 318-B:1 is illegally kept when such person is in control of the premises where said controlled drug is kept or deposited.

131-13.1. Fireworks. [Added 10-9-85 by Ord. No. 12-85]

~~No person or organization of any kind, public or private, shall have in its possession and under its control any fireworks as defined by Chapter 160 of the New Hampshire Revised Statutes Annotated within the City of Dover unless said person first obtains written permission from the Chief of Police to so possess and/or use said fireworks.~~

No person, firm, partnership or corporation shall offer for sale, expose for sale, sell at retail, purchase, possess, **transport**, use or explode any fireworks without a permit. No permits shall be granted pursuant to Dover ordinances Chapter 109, except for programs and displays approved by the Fire Chief and the Police Chief, using Class C fireworks. All displays must be conducted by a trained operator who holds a current license or State of NH certificate of competency.

131-8

131-13

131-16

Formatted: Font color: Auto

131-13.2. Operation of boats and vehicles on Willand Pond restricted. [Added 8-10-88 by Ord. No. 14-88]

No person shall operate a vehicle or boat which has as its primary or backup source of power, an engine fueled by motor fuel, as defined by RSA 259:58, on Willand Pond within the City of Dover. Any person violating the provisions of this section shall be guilty of a violation and shall, upon conviction, be subject to a fine of up to one thousand dollars (\$1,000.).

131-14. Violations and Penalties. [Amended 8-10-88 by Ord. No. 14-88]

Any person violating the provisions of this chapter for which specific penalties are not otherwise provided shall be guilty of a violation and shall, upon conviction, be fined one hundred dollars (\$100.).

131-15. Sale of rolling papers to minors. [Added 07/22/99 by Ord. No. 09-99]

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

A. Definitions.

1. **Rolling papers** shall be defined as any paper product that is designed to encase or wrap tobacco or similar products and marketed for the purpose of smoking or manufacturing hand-rolled cigarettes.
2. **A Minor** shall be defined as any person who is under the age of 18.

B. Sales and Possession.

1. No person or place of business shall sell, give or furnish rolling papers to minors.
2. It shall be unlawful for any minor to possess or attempt to purchase rolling papers.

C. Penalties.

1. Any person violating the provisions of this section shall be subject to a fine of up to one hundred dollars (\$100).

131-16. School Truancy. [Added 07/22/99 by Ord. No. 09-99; amended 10/17/01 by Ord. No. 26-2001]

- A. Any student that is enrolled in a city of Dover public school shall attend school each day that school is in session, for the full length of the official school day, unless that student has been excused pursuant to the rules or procedures established by the district and distributed in a student handbook.

131-9

131-16

131-17

- B. Any student that is enrolled in a City of Dover public school who has been suspended from attending school for any period of time shall, while serving that out of school suspension, remain at home for the full length of the official school day unless they are directly under the supervision of a parent or legal guardian, or are being directly supervised by an adult that has been selected by their parent or guardian to be responsible for the student.
- C. Any truant officer or police officer may issue a summons to appear in court pursuant to this section. If the child is age 17 or under, the officer shall notify the parent or guardian of the summonsed child and advise the parent or guardian of the summons, the court date, and of the requirement that they accompany the child to court.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td colspan="2">Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Number:</td><td></td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.9.		Ordinance Number:		Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE											
Agenda Item#: 11.A.9.											
Ordinance Number:											
Ordinance Title:	O – 2009.09.23 - 22										
Chapter:	Offenses -Chapter 131										

- D. A parent or guardian shall accompany the student at any required court appearance related to a violation of this section if the student is age 17 or under at the time of the offense.
- E. Any student found in violation of paragraph A shall pay a fine not to exceed \$25 for a first offense or \$100 for subsequent offense. At its discretion, the court may suspend the fine, or any portion thereof, upon completion of 60 days truancy-free school attendance. A violation of any other provision of this ordinance shall result in a fine not to exceed \$100.
- F. If within 48 hours a student charged under paragraph A can provide satisfactory written verification to the police or truant officer that the absence was authorized by a parent, guardian, or school or work official, then no prosecution shall go forward under this ordinance.

**131-17. Facilitation of a Drug or Underage Alcohol Party. *[Added 12-17-03
by ord. No. 22-2003]***

I. A person shall be guilty of the offense of facilitation of a drug or underage alcohol party if such person owns or has control of the dwelling or curtilage of that dwelling, as defined in RSA 627:9, where a drug or underage alcohol party is held and such person permits the drug or underage alcohol party to take place or to continue after becoming aware that it was taking place.

II. Where a person becomes aware of a drug or underage alcohol party that is in progress, it is an affirmative defense to prosecution under this section if that person takes immediate action to terminate the drug or underage alcohol party upon becoming aware of its existence and, in so doing, exercises due care to ensure the safety of individuals involved.

131-10

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

131-17

131-19

III. In this section, "drug or underage alcohol party" means a gathering of three or more people under the age of 21 at any dwelling or curtilage of that dwelling, as defined in RSA 627:9, who unlawfully possesses or consumes an alcoholic beverage or controlled drug.

IV. The provisions of this section shall not apply to the use of alcoholic beverages at legally protected religious observances or activities, or to those persons using a controlled drug under a physician's care where the use of the drug is consistent with the directions of a physician.

V. For the purposes of demonstrating that 3 or more individuals under the age of 21 were consuming alcohol or a controlled drug at a location, testimony by a law enforcement officer of the steps taken to determine the age of individuals at the party and testimony of the steps take to determine that they had been consuming an alcoholic beverage shall be sufficient.

VI. Any person who violates section I above shall be guilty of a violation and shall be fined a minimum of \$300 for the first offense and \$500 for any second or subsequent violation.

No portion of these mandatory minimum fines shall be waived, continued for sentencing, or suspended by the court.

Nothing in this section shall be construed so as to limit the civil liability of a homeowner, host or person in control of a residence, in any civil action that arises from the consumption of an alcoholic beverage or illegal drug at a location under their control.

131-18. Use of tobacco products in Henry Law Skate Park *[Added 02-18-04 by Ord. No. 01-2004]*

- A. No person shall smoke or use a tobacco product within Henry Law Skate Park.
- B. The Henry Law Skate Park shall be defined as the improved recreational area on the East side of River Street; to include: the rink, designed ramps and jumps, all contiguous paved areas, and shall include a 25 foot buffer zone immediately surrounding the recreational area and rink.
- C. Any person violating the provisions of the City Ordinance shall be subject to a fine of up to \$50.00 for a 1st offense and up to \$100.00 for a 2nd or subsequent offense.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

131-19. Use of tobacco products on the grounds of the McConnell Center *[Added 03-16-05 by Ord. No. 05-2005]*

- A. No person shall smoke or use a tobacco product within or upon the grounds of the McConnell Center.

131-11

131-19

131-20

- B. The grounds of the McConnell Center shall be inclusive of all property within the following perimeter and excludes any privately owned property.
1. The perimeter shall be defined as the inside edge of the sidewalk on Locust Street; the edge of the sidewalk on Saint Thomas Street; the entire surface of the paved access way that runs the length of the easterly side (rear) of the building; and the northerly edge of the Dover Public Library driveway and parking lot.
 2. No part of the Public Library driveway, parking lot to the rear of the Public Library or any sidewalk described above shall be considered within the perimeter.
 3. In any circumstance where construction or other condition causes the location of the sidewalk, or any other part of this perimeter, to become not discernible, that portion of the perimeter shall still be considered to be 30 feet from the closest point of the McConnell Center building.
- C. Any person violating the provisions of the City Ordinance shall be subject to a fine of up to \$50.00 for a 1st offense and up to \$100.00 for a 2nd or subsequent offense.

131-20. Registered Sex Offender Restrictions. *[Added 10-19-05 by Ord. No. 18-2005]*

A. Definitions.

1. Registered Sex Offender – This Chapter shall only apply to offenders who have been convicted of the crime against a person under the age of 18 and as a result, is required to register for life pursuant to RSA 651-B:6 I. *[Amended 01-17-2007 by Ord. No. 15-2006]*

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

- School/Day Care – Any public or private educational facility that provides services to children in grades K-12_or licensed day care facility that is clearly marked.
- Premises – Shall mean the building structure or curtilage surrounding the building, playground area or playing field, or courts.
- Radius – Distance shall be measured from the outer property lines.

B. Restrictions

- Any person who is a convicted sex offender involving a minor, and is required to register for life, shall not reside within a 2500 foot radius of the property line of a school or day care center.
- Any person who is a convicted sex offender involving a minor, and is required to register for life, is prohibited from entering upon the premises of a school or day care center, unless specifically authorized by the school administration or day care center owner.

131-12

131-20

131-20

C. Exceptions.

A registered sex offender residing within 2500 feet of a school or day care is not in violation if the residency was established prior to the date of passage.

D. Penalties

Any person violating the provisions of this Chapter shall be subject to a fine of not less than \$500 for the first offense, and \$1000 for any subsequent offense.

131-13

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

OFFENSES CHAPTER 131

- 131-1. Loitering and obstruction.
- 131-2. Benches.
- 131-3. Prohibited weapons.
- 131-3.1. Safe Storage of Firearms.
- 131-4. Fishing in restricted areas.
- 131-5. Identification of certain workers.
- 131-6. Consumption and possession of alcoholic beverages.
- 131-7. Park hours.
- 131-8. Consumption, sale and dispensing of alcoholic beverages in city-owned buildings.
- 131-9. Motor vehicles on school property and park grounds.
- 131-10. Private property rights.
- 131-11. Public peace.
- 131-12. Interference with law enforcement officers.
- 131-13. Keeping controlled drugs.
- 131-13.1 Fireworks.
- 131-13.2 Operation of boats and vehicles on Willand Pond restricted.
- 131-16. Violations and penalties.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131	Agenda Item#: 11.A.9.

- 131-17. **Sale of rolling papers to minors.**
- 131-16. **School Truancy.**
- 131-17. **Facilitation of a Drug of Underage Alcohol Party.**
- 131-21. **Use of tobacco products in Henry Law Skate Park**
- 131-22. **Use of tobacco products on the grounds of the McConnell Center**
- 131-23. **Registered Sex Offender Restrictions**

[HISTORY: Adopted by the City Council of the City of Dover 10-28-81 as Ord. No. 7-81. Amendments noted where applicable.]

131-1

131-1

131-3

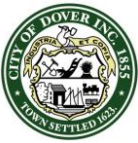
131-1. Loitering and Obstruction. [Amended 10-28-81 by Ord. No. 19-81]

A. No person shall sit, stand or lounge on any public way or sidewalk in or about any doors, windows or passageways, except the owners or occupants of the premises, after having been requested by the owners or occupants or any police officer to depart therefrom.

B. Three (3) or more persons shall not stand or remain in a group or near each other on any sidewalk or crosswalk or in any street or public way in such a manner as to obstruct a free passage thereon or therein after request has been made by any person to move on.

C. Three (3) or more persons standing or remaining in a group or near each other on a sidewalk or crosswalk or in any street or public way in such a manner as to obstruct or potentially obstruct vehicular or pedestrian traffic shall move on immediately after a request is made by any police officer; and no person to whom such a request has been made by a police officer shall again become a member of any group of three (3) or more persons standing near each other on a sidewalk or crosswalk or in any street or public way in close proximity in time and place to the initial request to move on and in such a manner as to obstruct or potentially obstruct vehicular or pedestrian traffic.

131-2. Benches. [Amended 10-28-81 by Ord. 19-81]

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

A. No person shall sit or stand upon the back or stand upon the seat of any municipally owned bench.

B. No person shall continue to sit or stand or lounge in the area immediately adjacent to any municipally owned bench after having been requested to move on by any police officer, and at no time after such a request has been made by a police officer shall any person to whom such a request is made return and sit or stand or lounge in the area immediately adjacent to any municipally owned bench.

131-3. Prohibited weapons. [Amended 2-11-87 by Ord. No. 2-87]

A. It shall be unlawful for any person, persons, firm or corporation to sell or possess any slingshot, slungshot, metallic knuckles, switch knife or dagger.

B. No person shall display or possess any dangerous weapon in a threatening manner or under any circumstances which is designed or likely to cause alarm or concern where no legitimate purpose for such a display exists.

C. Definitions. As used in this section, the following terms shall have the meanings indicated:

131-2

131-4

DAGGER - Any knife whose blade is sharpened on two (2) edges.

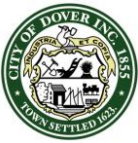
131-3.1

DANGEROUS WEAPON - Any firearm, knife or other instrument which, in the manner it is used or displayed or intended to be used or threatened to be used, is known to be capable of producing death or bodily injury.

METALLIC KNUCKLES - Any hand-held device that is designed to provide a hardened striking surface to the outer hand, fingers or knuckles when a fist is formed by the hand.

SLINGSHOT - A forked stick with an elastic band attached for shooting small stones or the like.

SLUNGSHOT - A small mass of metal or stone fixed on a flexible handle, strap or the like and used as a weapon.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

SWITCH KNIFE - Any knife whose blade is driven by spring action.

D. Any weapon or device seized by the Police Department pursuant to a violation of this section shall be forfeited to the use of or disposed of by the Police Department as is deemed appropriate by the Chief of Police.

E. Any person violating any of the provisions of this section shall be guilty of a violation.

131-3.1. Safe Storage of Firearms. [Added 01-17-96 by Ord. No. 22-95]

A. DEFINITIONS

1. **Safe Storage of Firearms Defined.** Safe storage of a firearm is defined as keeping the firearm in the immediate possession or under the immediate control of the owner, or:
 - a. Keeping the firearm in a securely locked box or container; or,
 - b. Securing the firearm with a trigger lock; or,
 - c. Keeping the firearm in a location or manner which a reasonable person would believe to be secure and reasonable likely to prevent access to a child 17 or under.
2. **Minor Defined.** As used in this Ordinance, the term minor means any person age seventeen (17) or under.

131-3

131-3.1

131-4

3. **Firearm Defined.** As used in this Ordinance, a firearm is defined as any rifle, pistol, revolver, or shotgun capable of discharging a projectile. A firearm is presumed to be

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

loaded if ammunition for the firearm is contained in the firearm's magazine cylinder, chamber or clip, or in close proximity to the firearm, to exclude B.B. guns.

B. SAFE STORAGE REQUIRED

1. Any person leaving or storing a loaded firearm on a premises knowing, or where he should have known, that a minor is able to gain access to the firearm without the lawful permission of the minor's parent or guardian, shall safely store the firearm as described in Section A.
2. Any person violating the requirements of this Ordinance shall be guilty of a violation only if any minor gains access to the firearm and possesses or exhibits it; and any one of the following conditions exists:
 - a. The firearm is displayed or brought into any public place, except where the firearm is being used for legitimate hunting purposes consistent with state law;
 - b. The firearm is used or displayed in a reckless or threatening manner;
 - c. The firearm is used during the commission of any misdemeanor or felony;
 - d. When the firearm is negligently or recklessly discharged.
3. This sub-section does not apply if the minor obtains the firearm as a result of an unlawful entry by any person.

C. PENALTIES.

1. Any person violating the provisions of this section shall be subject to a fine of up to one thousand dollars (\$1,000).
2. Any firearms seized by the Police Department pursuant to a violation of this Ordinance shall upon conviction, be ordered forfeited by the Court and turned over to the Police Department for destruction.

131-4. Fishing in restricted areas.

No person over fifteen (15) years of age shall fish in the posted area of Bellamy Road and Cold Springs. This section shall not apply to any adjoining landowner or member of his immediate family.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131 Agenda Item#: 11.A.9.

131-4

131-5

131-7

131-5. Identification of certain workers.

Every person, whether in the employ of the city or any private corporation, whose duty it shall be to visit private residences or buildings for the purpose of examining electric, gas and water meters or pipes or for the purpose of inspecting drains or chimneys shall wear, while making such a visit, a suitable badge or other distinctive mark, indicating his employment or authority.

131-6. Consumption and possession of alcoholic beverages. [Amended 05-19-93 by Ord. No. 09-93; amended 10-16-02 by Ord. No. 32-2002]

A. No person shall consume or possess in an open can, bottle or other container any alcoholic liquor or beverage as defined by Chapter 175 of the New Hampshire Revised Statutes Annotated, while upon or in a motor vehicle upon any public way, as defined by Chapter 259:1 of the New Hampshire Revised Statutes Annotated, or any public sidewalk or municipal parking lot within the limits of the City of Dover except as provided in Chapter 99 of this Code.

B. No person shall consume or possess any alcoholic liquor or beverages, as defined by Chapter 175 of the New Hampshire Revised Statutes Annotated, in any park, recreation or rest area within the limits of the City of Dover, except when expressed written consent shall have been given by the City Manager.

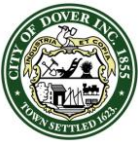
C. No person shall possess or consume any alcoholic beverages in Hilton Park in the City of Dover, except when written consent shall have been given by the New Hampshire Commissioner of the Department of Public Works and Highways or his authorized representative.

131-7. Park hours.

A. No person shall remain in or enter upon the confines of any park or recreation area in the City of Dover during the hours set forth in the table below, except by written consent of the public official who has authority and control over said publicly owned parks and recreation areas and except as provided in Subsection B.

Months	Hours

Document Created by: Legal	2009.09.23 Offenses-Chapter 131.doc
Document Posted on: October 8, 2009	Page 23 of 33

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

April 1 - September 30 9:30 p.m. - 7:00 a.m.

October 1 - March 31 7:00 p.m. - 7:00 a.m.

131-5

131-7

B. Exceptions.

131-10

(1) Park Street Park. No person shall remain in or enter upon the confines of the Park Street Park, so called, in the City of Dover, during the hours of 8:30 p.m. to 7:00 a.m. during the period of April 1 through September 30, or during the hours of 7:00 p.m. through 7:00 a.m., during the period October 1 through March 31.

(2) Hilton Park. No person shall remain in or enter upon the confines of Hilton Park, so called, in the City of Dover, during the hours of 8:00 p.m. to 6:00 a.m., except by expressed written consent of the New Hampshire Commissioner of Public Works and Highways. [Amended 7-23-86 by Ord. No. 9-86]

(3) Henry Law Park. Henry Law Park shall not be restricted.

131-8. Consumption, sale and dispensing of alcoholic beverages in City-owned buildings. [Amended 2-22-84 by Ord. No. 3-84; amended 10-27-04 by Ord. No. 18-2004]

No person shall consume, sell or dispense any alcoholic beverages in any city-owned building unless waived by the City Manager and under the policies and rules established by State RSA and City Ordinance as approved by the City Council.

131-9. Motor vehicles on school property and park grounds.

No automobiles, trucks, motorcycles, mopeds, trail bikes or any other motorized vehicles shall be permitted on the grounds of Bellamy Park, Woodman Park, Garrison Hill Park, Varney Hill Park, Mt. Pleasant Park, Guppy Park, Henry Law Park, Applevale Park, Mineral Park, Longhill Memorial Park, all school playgrounds and athletic fields or any yet unnamed city park or

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

recreation area. Vehicular travel shall be restricted to paved roadways and paved or otherwise designated parking areas.

Any person violating the provisions of this section shall be subject to a minimum fine of up to \$250.00. If the person causes damage to City property, the person will also be subjected to a criminal mischief charge pursuant to RSA 634:2. [Added 03-20-2002 by Ord. No. 13-02]

131-10. Private property rights. [Amended 10-28-81 by Ord. No. 19-81]

A. No person shall enter or remain upon the property of another if such a person knows he is not licensed and privileged to do so.

B. No person shall purposely damage the property of another if such a person has no right to do so.

C. No person shall willfully conceal the goods of any store while still upon the premises of such store unless such person is authorized to do so.

131-6

131-10

131-11

D. No person shall possess the property of another with intent to deprive the owner thereof, knowing that such property is stolen.

E. No person shall retain or possess the property of another with the intent to deprive the owner thereof under circumstances that would cause a reasonable and prudent person to believe such property was probably stolen.

F. No person shall steal or exercise control over the property of another with the intent to deprive the owner thereof unless such a person is authorized to do so.

G. No person shall enter a building or structure with the purpose to commit a crime therein, if such building or structure is not open to the public and such person is not authorized to enter.

H. No person shall enter upon private or public property and look, by means of an overt act which serves no legitimate purpose, into the window of a private home, apartment or other

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

domicile for the purpose of watching the occupant(s) therein, without permission of said occupant(s), thereby causing affront or alarm to said occupant(s). **[Added 2-11-87 by Ord. No. 4-87]**

131-11. Public Peace. **[Added 10-28-81 by Ord. No. 19-81; Amended 10-19-94 by Ord. No. 19-94]**

A. No person shall knowingly create a condition which is physically offensive or hazardous to that person or another in a public place by any act which serves no legitimate purpose. Physically offensive specifically includes the following:

1. Urinating or defecating in a public place which can be viewed by a member of the public.

B. No person shall recklessly create a risk of breaching the peace by:

(1) Making loud or unreasonable noises in a public place or making loud or unreasonable noises in a private place that can be heard in a public place or other private places, any such noises would disturb a person of average sensibility. For the purposes of this Section, persons shall include the owner, tenant, or other person in control of a private residence who permits or allows guests to engage in loud and unreasonable noises that can be heard in a public or other private place.

(2) A person in control of a parked or moving motor vehicle shall not operate or permit to be operated, a stereo sound system supplemented or enhanced by speakers or amplifiers not originally installed by the vehicle manufacturer, so as to be heard from a distance a 100 feet or more. **[Added 09-20-2000 by Ord. No. 12-2000]**

131-7

131-11

131-13

C. As used in this section, "public" means likely to affect persons in a place to which the public or a substantial group has access, including but not limited to schools, government facilities and the lobbies or hallways of apartment buildings.

D. No person shall lure or attempt to lure a child under the age of sixteen (16) into a motor vehicle without the consent of the parent or legal guardian of the child for other than a lawful purpose.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

131-12. Interference with law enforcement officers. [Added 10-28-81 by Ord. No. 19-81; Amended 07-18-90 by Ord. No. 5-90]

A. No person shall physically erase or obscure a time recorded chalk mark from the tire of a parked vehicle with a purpose to interfere with the enforcement of the City of Dover parking ordinances.

B. No person shall give to any law enforcement officer a false name, address, date of birth, social security number, or other identifying information with a purpose to hinder the arrest or subsequent prosecution of that person for any offense or violation.

131-13. Keeping controlled drugs.

No person shall knowingly be present where a controlled drug as defined by New Hampshire RSA 318-B:1 is illegally kept when such person is in control of the premises where said controlled drug is kept or deposited.

131-13.1. Fireworks. [Added 10-9-85 by Ord. No. 12-85]

~~No person or organization of any kind, public or private, shall have in its possession and under its control any fireworks as defined by Chapter 160 of the New Hampshire Revised Statutes Annotated within the City of Dover unless said person first obtains written permission from the Chief of Police to so possess and/or use said fireworks.~~

No person, firm, partnership or corporation shall offer for sale, expose for sale, sell at retail, purchase, possess, **transport**, use or explode any fireworks without a permit. No permits shall be granted pursuant to Dover ordinances Chapter 109, except for programs and displays using Class C fireworks that are approved by the Fire Chief and the Police Chief, **All displays must be conducted by a trained operator who holds a current license or State of NH certificate of competency.**

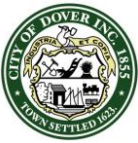
131-8

131-13

131-16

Formatted: Font color: Auto

131-13.2. Operation of boats and vehicles on Willand Pond restricted. [Added 8-10-88 by Ord. No. 14-88]

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

No person shall operate a vehicle or boat which has as its primary or backup source of power, an engine fueled by motor fuel, as defined by RSA 259:58, on Willand Pond within the City of Dover. Any person violating the provisions of this section shall be guilty of a violation and shall, upon conviction, be subject to a fine of up to one thousand dollars (\$1,000.).

131-14. Violations and Penalties. [Amended 8-10-88 by Ord. No. 14-88]

Any person violating the provisions of this chapter for which specific penalties are not otherwise provided shall be guilty of a violation and shall, upon conviction, be fined one hundred dollars (\$100.).

131-15. Sale of rolling papers to minors. [Added 07/22/99 by Ord. No. 09-99]

D. Definitions.

3. **Rolling papers** shall be defined as any paper product that is designed to encase or wrap tobacco or similar products and marketed for the purpose of smoking or manufacturing hand-rolled cigarettes.
4. **A Minor** shall be defined as any person who is under the age of 18.

E. Sales and Possession.

3. No person or place of business shall sell, give or furnish rolling papers to minors.
4. It shall be unlawful for any minor to possess or attempt to purchase rolling papers.

F. Penalties.

2. Any person violating the provisions of this section shall be subject to a fine of up to one hundred dollars (\$100).

131-16. School Truancy. [Added 07/22/99 by Ord. No. 09-99; amended 10/17/01 by Ord. No. 26-2001]

- C. Any student that is enrolled in a city of Dover public school shall attend school each day that school is in session, for the full length of the official school day, unless that student has been excused pursuant to the rules or procedures established by the district and distributed in a student handbook.

131-9

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

131-16

131-17

- D. Any student that is enrolled in a City of Dover public school who has been suspended from attending school for any period of time shall, while serving that out of school suspension, remain at home for the full length of the official school day unless they are directly under the supervision of a parent or legal guardian, or are being directly supervised by an adult that has been selected by their parent or guardian to be responsible for the student.

- C. Any truant officer or police officer may issue a summons to appear in court pursuant to this section. If the child is age 17 or under, the officer shall notify the parent or guardian of the summonsed child and advise the parent or guardian of the summons, the court date, and of the requirement that they accompany the child to court.

- D. A parent or guardian shall accompany the student at any required court appearance related to a violation of this section if the student is age 17 or under at the time of the offense.

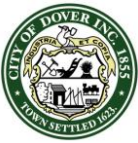
- E. Any student found in violation of paragraph A shall pay a fine not to exceed \$25 for a first offense or \$100 for subsequent offense. At its discretion, the court may suspend the fine, or any portion thereof, upon completion of 60 days truancy-free school attendance. A violation of any other provision of this ordinance shall result in a fine not to exceed \$100.

- F. If within 48 hours a student charged under paragraph A can provide satisfactory written verification to the police or truant officer that the absence was authorized by a parent, guardian, or school or work official, then no prosecution shall go forward under this ordinance.

131-17. Facilitation of a Drug or Underage Alcohol Party. *[Added 12-17-03*

by ord. No. 22-2003]

I. A person shall be guilty of the offense of facilitation of a drug or underage alcohol party if such person owns or has control of the dwelling or curtilage of that dwelling, as defined in RSA 627:9, where a drug or underage alcohol party is held and such person permits the drug or underage alcohol party to take place or to continue after becoming aware that it was taking place.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

II. Where a person becomes aware of a drug or underage alcohol party that is in progress, it is an affirmative defense to prosecution under this section if that person takes immediate action to terminate the drug or underage alcohol party upon becoming aware of its existence and, in so doing, exercises due care to ensure the safety of individuals involved.

131-10

131-17

131-19

III. In this section, "drug or underage alcohol party" means a gathering of three or more people under the age of 21 at any dwelling or curtilage of that dwelling, as defined in RSA 627:9, who unlawfully possesses or consumes an alcoholic beverage or controlled drug.

IV. The provisions of this section shall not apply to the use of alcoholic beverages at legally protected religious observances or activities, or to those persons using a controlled drug under a physician's care where the use of the drug is consistent with the directions of a physician.

V. For the purposes of demonstrating that 3 or more individuals under the age of 21 were consuming alcohol or a controlled drug at a location, testimony by a law enforcement officer of the steps taken to determine the age of individuals at the party and testimony of the steps take to determine that they had been consuming an alcoholic beverage shall be sufficient.

VI. Any person who violates section I above shall be guilty of a violation and shall be fined a minimum of \$300 for the first offense and \$500 for any second or subsequent violation.

No portion of these mandatory minimum fines shall be waived, continued for sentencing, or suspended by the court.

Nothing in this section shall be construed so as to limit the civil liability of a homeowner, host or person in control of a residence, in any civil action that arises from the consumption of an alcoholic beverage or illegal drug at a location under their control.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

131-18. Use of tobacco products in Henry Law Skate Park *[Added 02-18-04 by Ord. No. 01-2004]*

- D. No person shall smoke or use a tobacco product within Henry Law Skate Park.

- E. The Henry Law Skate Park shall be defined as the improved recreational area on the East side of River Street; to include: the rink, designed ramps and jumps, all contiguous paved areas, and shall include a 25 foot buffer zone immediately surrounding the recreational area and rink.

- F. Any person violating the provisions of the City Ordinance shall be subject to a fine of up to \$50.00 for a 1st offense and up to \$100.00 for a 2nd or subsequent offense.

131-19. Use of tobacco products on the grounds of the McConnell Center *[Added 03-16-05 by Ord. No. 05-2005]*

- A. No person shall smoke or use a tobacco product within or upon the grounds of the McConnell Center.

131-11

131-19

131-20

- B. The grounds of the McConnell Center shall be inclusive of all property within the following perimeter and excludes any privately owned property.
 - 1. The perimeter shall be defined as the inside edge of the sidewalk on Locust Street; the edge of the sidewalk on Saint Thomas Street; the entire surface of the paved access way that runs the length of the easterly side (rear) of the building; and the northerly edge of the Dover Public Library driveway and parking lot.
 - 2. No part of the Public Library driveway, parking lot to the rear of the Public Library or any sidewalk described above shall be considered within the perimeter.
 - 3. In any circumstance where construction or other condition causes the location of the sidewalk, or any other part of this perimeter, to become not discernible, that portion of the perimeter shall still be considered to be 30 feet from the closest point of the McConnell Center building.

- C. Any person violating the provisions of the City Ordinance shall be subject to a fine of up to \$50.00 for a 1st offense and up to \$100.00 for a 2nd or subsequent offense.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.9. Ordinance Number: Ordinance Title: O – 2009.09.23 - 22 Chapter: Offenses -Chapter 131

131-20. Registered Sex Offender Restrictions. [Added 10-19-05 by Ord. No. 18-2005]

A. Definitions.

5. Registered Sex Offender – This Chapter shall only apply to offenders who have been convicted of the crime against a person under the age of 18 and as a result, is required to register for life pursuant to RSA 651-B:6 I. **[Amended 01-17-2007 by Ord. No. 15-2006]**
6. School/Day Care – Any public or private educational facility that provides services to children in grades K-12 or licensed day care facility that is clearly marked.
7. Premises – Shall mean the building structure or curtilage surrounding the building, playground area or playing field, or courts.
8. Radius – Distance shall be measured from the outer property lines.

D. Restrictions

3. Any person who is a convicted sex offender involving a minor, and is required to register for life, shall not reside within a 2500 foot radius of the property line of a school or day care center.
4. Any person who is a convicted sex offender involving a minor, and is required to register for life, is prohibited from entering upon the premises of a school or day care center, unless specifically authorized by the school administration or day care center owner.

131-12

131-20

131-20

E. Exceptions.

A registered sex offender residing within 2500 feet of a school or day care is not in violation if the residency was established prior to the date of passage.

D. Penalties

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.9.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 - 22</td></tr> <tr> <td>Chapter:</td><td>Offenses -Chapter 131</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.9.	Ordinance Title:	O – 2009.09.23 - 22	Chapter:	Offenses -Chapter 131
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.9.								
Ordinance Title:	O – 2009.09.23 - 22								
Chapter:	Offenses -Chapter 131								

Any person violating the provisions of this Chapter shall be subject to a fine of not less than \$500 for the first offense, and \$1000 for any subsequent offense.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.10. Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 135, entitled “Plumbing” of the Code of the City of Dover.

2. AMENDMENT

Chapter 135 entitled “Plumbing” is hereby amended by revising multiple Sections.

SEE ATTACHED ORDINANCE IN ITS ENTIRETY

NOTE: THIS ORDINANCE REQUIRES A PUBLIC HEARING

3. TAKES EFFECT

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.10.
	Ordinance Number:		
	Ordinance Title:	O – 2009.09.23 – 23	
	Chapter:	Plumbing -Chapter 135	

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.10. Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135

ORDINANCE BACKGROUND MATERIAL:

PLUMBING

Chapter 135

ARTICLE I TITLE AND SCOPE

- 135-1. Title; enforcement.**
- 135-2. Applicability.**
- 135-3. Adoption of state provisions.**
- 135-4. Responsibility for facilities adjacent to public streets.**
- 135-5. Disposition of moneys.**

ARTICLE II LICENSING REQUIREMENTS

- 135-6. Licensed plumbers.**
- 135-7. Supervision of work.**
- 135-8. Annual fee.**
- 135-9. Revocation.**
- 135-10. Use of licensee's name by another; notification of name and address.**
- 135-11. Plumber's Examining Board; examination and certification.**
- 135-12. Examination fee.**
- 135-13. Reexamination.**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135	Agenda Item#: 11.A.10.

**ARTICLE III
PLUMBING STANDARDS**

	135-14. Adoption of standards.	
	135-15. Copies to be kept on file.	
	<i>135-1</i>	
135-1	135-16. Additional standards.	135-1
	135-17. Issuance of permits.	
	135-18. Exception.	
	135-19. Application, fees.	
	135-20. Plans and specifications.	
	135-21. Repairs not necessitating a permit.	

**ARTICLE IV
ADMINISTRATION**

- 135-22. Protection of water supply system.
- 135-23. Inspections and testing.
- 135-24. Violations and penalties.

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77*. Section 135-24 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

General References

Building construction - See Ch. 68.

**ARTICLE I
TITLE AND SCOPE**

135-1. Title; enforcement.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.10. Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135

This chapter shall be known as the "~~BOCA National Plumbing Code~~ **State Building Plumbing Code**, current edition, as adopted by the State of New Hampshire" and annual supplements thereto may be so cited, and will be referred to in this chapter as "this code." The administration and enforcement of this code shall be the duty of the Plumbing Inspector who is hereby authorized to take such action as may be reasonably necessary to enforce the purposes of this code. The position of Plumbing Inspector shall be according to the City of Dover Administrative Code.** [Amended 09-15-93 by Ord. No. 25-93]

Formatted: Font color: Red

Formatted: Font color: Red

***Editor's Note: Provisions of this chapter are derived from Ch. 16 of the former Code, adopted 12-14-77.**

****Editor's Note: See Ch. 3, Administrative Code.**

135-2

135-2

135-14

135-2. Applicability.

The provisions of this code shall apply to and govern plumbing as defined in this code, including the practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following: sanitary drainage or storm drainage facilities, the venting system and the public or private water supply systems, within or adjacent to any building or other structure or conveyance, also the practice and materials used in the installation, maintenance, extension or alteration of the stormwater or sewage system of any premises to their connection with any point of public disposal or other terminal.

135-3. Adoption of state provisions.

The provisions of New Hampshire Revised Statutes Annotated, Chapter ~~229~~ **329A**, as amended, are hereby adopted by the City of Dover. ~~Where no inconsistent with the provisions of this chapter,~~ The provisions of the State Plumbing Code are accepted as minimum standards. [Amended 09-15-93 by Ord. No. 25-93]

Formatted: Font color: Red

135-4. ~~Responsibility for facilities adjacent to public streets.~~Reserved

~~It is recognized that certain facilities in or adjacent to public streets are referred to in this code only a portion of which is under the ownership or the control of the owner or occupant of the building or premises to which this code applies.~~

135-5. Disposition of moneys.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.10.
	Ordinance Number:		
	Ordinance Title: O – 2009.09.23 – 23		
	Chapter: Plumbing -Chapter 135		

All moneys collected from the administration of this code shall be paid into the general fund of the City of Dover. Reserved.

ARTICLE II
LICENSING REQUIREMENTS
Sections 135-6 through 135-13
 [Repealed 09-15-93 by Ord. No. 25-93]

ARTICLE III
PLUMBING STANDARDS

135-14. Adoption of standards. [Amended 09-15-93 by Ord. No. 25-93]

A. ~~The BOCA National Plumbing Code~~ **State Building Code**, current edition, as adopted by the State of New Hampshire, and annual supplements thereto are hereby adopted, and all installations, repairs, and alterations of plumbing shall, ~~from the effective date of this chapter~~, be performed in accordance with its provisions, the State Plumbing Code.

Formatted: Font color: Red

135-3

135-15

135-20

135-15. Copies to be kept on file. [Amended 09-15-93 by Ord. No. 25-93]

Three (3) copies of the ~~BOCA National Plumbing Code and annual supplements~~ **State Building Plumbing Code** thereto shall be kept on file by the City Clerk for inspection by and use of the public and shall be marked with the words "City of Dover, New Hampshire Official Copy".

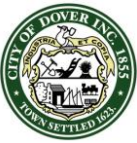
135-16. Additional standards. [Repealed 09-15-93 by Ord. No. 25-93]

135-17. Issuance of permits.

No plumbing work, except as provided in 135-21, shall be undertaken prior to the issuance of a permit therefor by the Plumbing Inspector. A permit shall be issued only to a licensed master plumber, except as provided in 135-18.

135-18. Exception. [Amended 09-15-93 by Ord. No. 25-93]

Any permit required by this code may be issued to any property owner to do any work regulated by this code, other than work involving the connection with any drain or waste line, in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such building, provided that the property owner resides in the property and purchases all materials and performs all labor. ~~is the bona fide owner of such~~

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.10. Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135

~~dwelling and that the same will be occupied by said owner and that said owner shall personally purchase all material and perform all labor in connection therewith.~~

135-19. Application; fees.

A. Application for a permit shall be made on suitable forms provided by the Plumbing Inspector. The application shall be accompanied by fees in accordance with the schedule of fees.

B. Fees shall be established by the ~~City Council Building Inspector Official~~, upon recommendation by the ~~Fire Chief, Plumbing Inspector and after receiving approval from the Planning Department Fire Chief and City Manager.~~ The City of Dover and any legal entity thereof shall be exempt from the payment of said fees. [Amended 09-15-93 by Ord. No. 25-93]

Formatted: Font color: Green

135-20. Plans and specifications.

No permit shall be issued until plans and specifications showing the proposed work in detail have been submitted to and approved by the Plumbing Inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of additional fee.

135-4

135-20

135-23

If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and a supplementary permit, subject to the same conditions applicable to original application for permit, shall be issued to cover the change. Approved plans and specifications shall be returned to the applicant upon request.

135-21. Repairs not necessitating a permit.

Repairs involving only the working parts of a faucet or valve, the clearance of stoppages, repairing of leaks or replacement of defective faucets or valves may be made without a permit, provided that no changes are made in the piping to the fixtures.

ARTICLE IV ADMINISTRATION

135-22. Protection of water supply system.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135 Agenda Item#: 11.A.10.

The Plumbing Inspector shall make such rules and regulations in furtherance of the purposes of this code and not inconsistent with the specific provisions of this code for the installation, repair or alteration of air- conditioning systems, water treatment equipment and water- operated devices as may be deemed necessary to properly protect the water supply system. All water-cooled air conditioners shall recirculate their water through a water reservoir. The water shall not continuously flow into a building sewer but may be connected to same for necessary draining only.

135-23. Inspections and testing.

It shall be the duty of the Plumbing Inspector to enforce the provisions of this code and to ~~make the perform all~~ inspections and tests ~~required thereunder.~~ The Plumbing Inspector is hereby authorized to enter, examine and survey, at all reasonable times and, in an emergency at any time, all buildings in the City to inspect ~~the same~~ for compliance with this code. He/~~she~~ shall display proper and satisfactory identification prior to any demand for entry. Upon refusal of a property owner and/or tenant to allow inspection of his property, the Plumbing Inspector shall seek a search warrant from proper authorities, if an inspection of said property is required to carry out the provisions of this code.

135-5

135-24

135-24

135-24. Violations and penalties.*

Any person violating any provision of this chapter shall be punishable by a fine of up to one hundred dollars (\$100.).

Each day of said violation shall be construed as a separate offense. [Amended 09-15-93 by Ord. No. 25-93]

***Editor's Note: Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I.**

135-6

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135	Agenda Item#: 11.A.10.

PLUMBING

Chapter 135

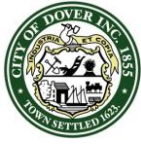
ARTICLE I TITLE AND SCOPE

- 135-1. Title; **enforcement.**
- 135-2. **Applicability.**
- 135-3. **Adoption of state provisions.**
- 135-4. **Reserved**
- 135-5. **Reserved**

Comment [ABK1]: The purpose of the changes in this ordinance are to clarify the language and to establish fees as adopted by the City Council.

ARTICLE II LICENSING REQUIREMENTS

- 135-6. **Licensed plumbers.**
- 135-7. **Supervision of work.**
- 135-8. **Annual fee.**
- 135-9. **Revocation.**



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.10.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 – 23**

Chapter: **Plumbing -Chapter 135**

135-10. Use of licensee's name by another; notification of name and address.

135-11. Plumber's Examining Board; examination and certification.

135-12. Examination fee.

135-13. Reexamination.

ARTICLE III PLUMBING STANDARDS

135-14. Adoption of standards.

135-15. Copies to be kept on file.
135-1

135-1

135-1

135-16. Additional standards.

135-17. Issuance of permits.

135-18. Exception.

135-19. Application, fees.

135-20. Plans and specifications.

135-21. Repairs not necessitating a permit.

ARTICLE IV ADMINISTRATION

135-22. Protection of water supply system.

135-23. Inspections and testing.

135-24. Violations and penalties.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135 Agenda Item#: 11.A.10.

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77*. Section 135-24 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

General References

Building construction - See Ch. 68.

ARTICLE I TITLE AND SCOPE

135-1. Title; enforcement.

This chapter adopts the "~~BOCA National Plumbing Code~~ **State Plumbing Code**, current edition, as adopted by the State of New Hampshire" and annual supplements, or as amended. The administration and enforcement of this code shall be the duty of the Plumbing Inspector who is hereby authorized to take such action as may be reasonably necessary to enforce the purposes of this code. [Amended 09-15-93 by Ord. No. 25-93]

***Editor's Note: Provisions of this chapter are derived from Ch. 16 of the former Code, adopted 12-14-77.**

****Editor's Note: See Ch. 3, Administrative Code.**

135-2

135-2

135-14

135-2. Applicability.

The provisions of this code shall apply to and govern plumbing as defined in this code, including the practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following: sanitary drainage or storm drainage facilities, the venting system and the public or private water supply systems, within or adjacent to any building or other structure or conveyance, also the practice and materials used in the installation, maintenance, extension or alteration of the stormwater or sewage system of any premises to their connection with any point of public disposal or other terminal.

135-3. Adoption of state provisions.

The provisions of the State Plumbing Code are accepted as minimum standards. Additional regulations may be promulgated by the Plumbing Inspector pursuant to 135-22.[Amended 09-15-93 by Ord. No. 25-93]

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135 Agenda Item#: 11.A.10.

135-4. Reserved

135-5. Reserved.

ARTICLE II LICENSING REQUIREMENTS Sections 135-6 through 135-13 [Repealed 09-15-93 by Ord. No. 25-93]

ARTICLE III PLUMBING STANDARDS

135-14. Adoption of standards. [Amended 09-15-93 by Ord. No. 25-93]

A. All installations, repairs, and alterations of plumbing shall, be performed in accordance with the State Plumbing Code.

135-3

135-15

135-20

135-15. Copies to be kept on file. [Amended 09-15-93 by Ord. No. 25-93]

Three (3) copies of the **State Plumbing Code** thereto shall be kept on file by the City Clerk for inspection by and use of the public and shall be marked with the words "City of Dover, New Hampshire Official Copy".

135-16. Additional standards. [Repealed 09-15-93 by Ord. No. 25-93]

135-17. Issuance of permits.

No plumbing work, except as provided in 135-21, shall be undertaken prior to the issuance of a permit therefor by the Plumbing Inspector. A permit shall be issued only to a licensed master plumber, except as provided in 135-18.

135-18. Exception. [Amended 09-15-93 by Ord. No. 25-93]

Any permit required by this code may be issued to any property owner to do any work regulated by this code, other than work involving the connection with any drain or waste line, in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.10. Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135

quarters in connection with such building, provided that the property owner resides in the property and purchases all materials and performs all labor.

135-19. Application; fees.

A. Application for a permit shall be made on suitable forms provided by the Plumbing Inspector. The application shall be accompanied by fees in accordance with the schedule of fees.

B. Fees shall be established by the City Council and published as an adopted fee schedule. The City of Dover thereof shall be exempt from the payment of said fees. No permit shall be issued until all outstanding fees owed to the City of Dover by the applicant or property owner have been paid. **[Amended 09-15-93 by Ord. No. 25-93]**

135-20. Plans and specifications.

No permit shall be issued until plans and specifications showing the proposed work in detail have been submitted to and approved by the Plumbing Inspector. If a permit is denied, the applicant may submit revised plans and specifications without payment of additional fee.

135-4

135-20

135-23

If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and a supplementary permit, subject to the same conditions applicable to original application for permit, shall be issued to cover the change. Approved plans and specifications shall be returned to the applicant upon request.

135-21. Repairs not necessitating a permit.

Repairs involving only the working parts of a faucet or valve, the clearance of stoppages, repairing of leaks or replacement of defective faucets or valves may be made without a permit, provided that no changes are made in the piping to the fixtures.

ARTICLE IV ADMINISTRATION

135-22. Protection of water supply system.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.10. Ordinance Number: Ordinance Title: O – 2009.09.23 – 23 Chapter: Plumbing -Chapter 135

The Plumbing Inspector shall make and publish such rules and regulations in furtherance of the purposes of this code and not inconsistent with the specific provisions of this code for the installation, repair or alteration of air- conditioning systems, water treatment equipment and water- operated devices as may be deemed necessary to properly protect the water supply system. All water-cooled air conditioners shall recirculate their water through a water reservoir. The water shall not continuously flow into a building sewer but may be connected to same for necessary draining only.

135-23. Inspections and testing.

It shall be the duty of the Plumbing Inspector to enforce the provisions of this code and to perform all inspections and tests. The Plumbing Inspector is hereby authorized to enter property, examine and survey, at all reasonable times and, in an emergency at any time, all buildings in the City to inspect for compliance with this code. The Plumbing Inspector shall display proper and satisfactory identification prior to any demand for entry. Upon refusal of a property owner and/or tenant to allow inspection of his property, the Plumbing Inspector shall seek a search warrant from proper authorities, if an inspection of said property is required to carry out the provisions of this code.

135-5

135-24

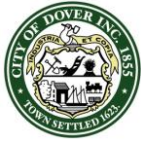
135-24

135-24. Violations and penalties.*

Any person violating any provision of this chapter shall be punishable by a fine of up to one hundred dollars (\$100.).

Each day of said violation shall be construed as a separate offense. [Amended 09-15-93 by Ord. No. 25-93]

***Editor's Note: Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I.**



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.10.

Ordinance Number:

Ordinance Title: **O – 2009.09.23 – 23**

Chapter: Plumbing -Chapter 135

135-6

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 152, entitled “Streets and Sidewalks” of the Code of the City of Dover.

2. AMENDMENT

Chapter 152 entitled “Streets and Sidewalks” is hereby amended by revising multiple Sections.

SEE ATTACHED ORDINANCE IN ITS ENTIRETY

NOTE: THIS ORDINANCE REQUIRES A PUBLIC HEARING

3. TAKES EFFECT

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Trefethen

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE		Agenda Item#: 11.A.11.
	Ordinance Number:		
	Ordinance Title: O – 2009.09.23 – 24		
	Chapter: Streets and Sidewalks Chapter 152		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

ORDINANCE BACKGROUND MATERIAL:

STREETS AND SIDEWALKS

CHAPTER 152 STREETS AND SIDEWALKS

***PART 1* Construction Specifications**

ARTICLE I STREETS; WATERS MAINS; SEWERS

- 152-1. Applicability.
- 152-2. Administration.
- 152-3. ~~Appeal~~Reserved

***PART 2* Maintenance Procedures; Hazards**

ARTICLE II STREET EXCAVATIONS; MAINTENANCE OF CURBS AND SIDEWALKS

- 152-4. Excavations and obstructions.
- 152-5. Scheduling of work; construction requirements; inspections; violations and penalties.

ARTICLE III SPECIFIC AREAS OF FIVE-YEAR PROHIBITION

- 152-6. ~~Fee required; designation of area~~Reserved

ARTICLE III-A WAIVER OF PROVISIONS

- 152-6.1. Application; denial; appeal.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152	Agenda Item#: 11.A.11.

ARTICLE IV INDEMNIFICATION

152-7. Deposit required; bonding.

152-1 ARTICLE V WELLS, CELLARS, CISTERN DRAINS

152-8. Excavation standards.

152-9. Violations and penalties.

ARTICLE VI STREET NUMBERING

152-10. Powers of Building ~~Inspector~~ Official.

152-11. Violations and penalties.

ARTICLE VII MOVING OF BUILDINGS

152-12. Permit required.

152-13. Violations and penalties.

ARTICLE VIII MARQUESS, SIGNS AND AWNINGS

152-14. Maintenance standards.

152-15. Violations and penalties.

ARTICLE IX

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152	Agenda Item#: 11.A.11.

PUBLIC DISPLAY OF GOODS AND WARES

152-16. Sidewalk displays.

152-17. Violations and penalties.

ARTICLE X FALLING ICE AND SNOW

152-18. Pedestrian protection.

152-19. Violations and penalties.
152-2

ARTICLE XI LIQUIDS ON STREETS AND SIDEWALKS

152-20. Interference with vehicular or pedestrian traffic.

152-21. Violations and penalties.

PART 3 Sidewalks

ARTICLE XII CONSTRUCTION STANDARDS

152-22. Grade established.

152-23. Construction location and type.

152-24. Maintenance and repair.

152-25. Extensions and improvements limited.

[HISTORY: Adopted by the City Council of the City of Dover; Part 1, 12-14-77*, Part 2, 12-14-77, Part 3, 12-14-77***, Amendments noted where applicable.]**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

*Editor's Note: Provisions of this Part 1 are derived from Ch. 38 of the former Code, adopted 12-14-77.

**Editor's Note: Provisions of this Part 2 are derived from Ch. 39 of the former Code, adopted 12-14-77.

***Editor's Note: Provisions of this Part 3 are derived from Ch. 40 of the former Code, adopted 12-14-77.

152-3

152-1

152-4

PART 1
Construction Specifications
[Adopted 12-14-77]

ARTICLE I
STREETS; WATER MAINS, SEWERS

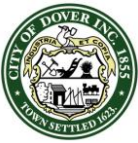
152-1. Applicability.

The construction of streets, water mains, storm and sanitary sewers and other related physical improvements shall be governed by the construction specifications contained in Articles VII and VIII of Chapter 155, Subdivision of Land.

152-2. Administration.

This Part shall be administered by the Director of Community Services.

152-3. ~~Appeal.~~

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

~~Any party may appeal any decision to the Director of Community Services under this Part and may request a public hearing before the City Council. The City Council may by majority vote and, after public hearing, waive any provisions of this Part. The appeal provisions contained herein shall not apply to development where a subdivision is involved.~~ **Reserved**

PART 2
Maintenance Procedures; Hazards
[Adopted 12-14-77]

ARTICLE II
STREET EXCAVATIONS; MAINTENANCE OF
CURBS AND SIDEWALKS

152-4. Excavations and obstructions.

No person, firm or corporation or any agent or servant thereof shall excavate, obstruct or in any way encumber, including working within manholes and catch basins, any street, sidewalk or other city-owned property or right-of-way in the City of Dover without first having obtained a written license to do so from the City Engineer or Director of Community Services of said city, except where such licensing power is particularly vested in the City Council. Each and every such licensee shall coordinate each request to excavate, obstruct or

152-4

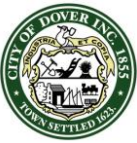
152-4

152-5

encumber with the City Engineer, Director of Community Services, Police Department, Superintendent of Community Services, Foreman, Water Department, Northern Utilities Company, Fire Department, New England Telephone Company and Public Service Company as required by the City Engineer and as specified on a form issued by the Community Services Department. Any person, persons, firm or corporation violating any of the provisions of this section shall be fined not less than fifty dollars (\$50.) nor more than one hundred dollars (\$100.) for each violation.

152-5. Scheduling of work; construction requirements; inspections; violations and penalties.

A. The Director of Community Services shall specify the time and date for the work, which work may be required at night- time, Saturdays, Sundays or holidays. Scheduling will

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

be such as to not unreasonably interfere with traffic. Except for emergencies as may be deemed essential by Community Services Director, no person, firm or corporation or any agent or servant thereof shall excavate, obstruct or in any way encumber any street or sidewalk in the City of Dover between the 15th of November and the 15th of April. **[Amended 2-29-80 by Ord. No. 4-80, Amended 12-21-88 by Ord. No. 31-88]**

B. The Community Services Director may require the licensee to provide a police officer at the expense of the licensee. The licensee shall erect and maintain suitable barricades with flashers or lanterns so long as public safety and convenience requires. The licensee must provide a safe and convenient pedestrianway to the satisfaction of the City Engineer. The licensee is required to use materials, do the work, backfill and replace pavement in accordance with city standards as specified by the City Engineer or Community Services Director. The City Engineer or his designee shall inspect the site prior to the commencement of backfill, during the backfill operation, prior to the commencement of paving and during the paving operation. It shall be the responsibility of the licensee to arrange for these inspections during normal working hours, and he shall provide a twenty-four-hour notice.

The repair of sidewalks shall be accomplished using the same material as the rest of the sidewalk, and no ragged joints will be allowed. The licensee is required to keep the work in good repair for a period of one (1) year. The licensee, failing so to do after written notice from the City Engineer or Community Services Director, shall be liable for the cost of any required repairs. **[Amended 2-29-80 by Ord. No. 4-80]**

C. Any person, persons, firm, or corporation violating any of the provisions of this section shall be fined not less than fifty dollars (\$50.) nor more than one hundred dollars (\$100.) for each violation after written notice from the City Engineer or Community Services Director.

152-5

152-6

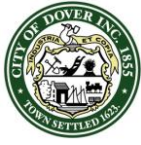
152-6

ARTICLE III SPECIFIC AREAS OF FIVE-YEAR PROHIBITION

152-6. Fee required; designation of area. ~~[Added 10-14-81 by Ord. No. 17-81*]~~

~~A. Pierce Street. [Added 4-9-86 by Ord. No. 5-86]~~

~~(1) For a period of five (5) years, beginning with the effective date of this subsection, no person, firm or corporation or any agent or servant thereof shall excavate, construct or in any way encumber any street or sidewalk located within the so-called "Pierce Street area" in the City of Dover at any time, except for emergencies as may be deemed necessary by the Community~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.11.

Ordinance Number:

Ordinance Title:

Chapter:

O – 2009.09.23 – 24

Streets and Sidewalks Chapter 152

~~Services Director and only upon the provisions of such bond or surety as may be deemed reasonable and necessary by the Community Services Director. All other provisions contained in 152-5 regarding work schedule, police officers, barricades and work inspection shall apply to this section as well. [Amended 9-28-88 by Ord. No. 17-88; amended 03-06-91 by Ord. No. 07-91]~~

~~(2) For the purposes of this subsection, the Pierce Street area includes, generally, that section of Pierce Street from Central Avenue to Broadway shown on the plan titled "Pierce Street Reconstruction," dated February 1984.~~

~~B. Locust Street. [Added 4-9-86 by Ord. No. 5-86]~~

~~(1) For a period of five (5) years, beginning with the effective date of this subsection, no person, firm or corporation or any agent or servant thereof shall excavate, construct or in any way encumber any street or sidewalk located within the so-called "Locust Street area" in the City of Dover at any time, except for emergencies as may be deemed necessary by the Community Services Director and only upon the provisions of such bond or surety as may be deemed reasonable and necessary by the Community Services Director. All other provisions contained in 152-5 regarding work schedule, police officers, barricades and work inspection shall apply to this section as well. [Amended 9-28-88 by Ord. No. 17-88; amended 03-06-91 by Ord. No. 7-91]~~

~~(2) For the purposes of this subsection, the Locust Street area includes, generally, that section of Locust Street from Hale Street to Central Avenue and the southern section of Locust Street from Silver Street to Central Avenue shown on the plan titled "Locust Street Reconstruction," dated March 1984.~~

~~*Editor's Note: Franklin Square (10-14-81) and Miracle Mile (4-24-84) deleted from Prohibition January 1990.~~

~~152-6~~

~~152-6~~

~~152-6~~

~~C. Second Street. [Added 4-9-86 by Ord. No. 5-86]~~

~~(1) For a period of five (5) years, beginning with the effective date of this subsection, no person, firm or corporation or any agent or servant thereof shall excavate, construct or in any way encumber any street or sidewalk located within the so-called "Second Street area" in the City of Dover at any time, except for emergencies as may be deemed necessary by the Community Services Director and only upon the provisions of such bond or surety as may be deemed reasonable and necessary by the Community Services Director. All other provisions contained in~~

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

~~152-5 regarding work schedule, police officers, barricades and work inspection shall apply to this section as well. [Amended 9-28-88 by Ord. No. 17-88; amended 03-06-91 by Ord. No. 7-91]~~

~~(2) For the purpose of this subsection, the Second Street area includes, generally, that section of Second Street from Central Avenue to Chestnut Street.~~

~~D. Forest Street. [Added 12-6-89 by Ord. No. 27-89]~~

~~(1) For a period of five (5) years, beginning with the effective date of this ordinance, no person, firm, or corporation or any agent or servant thereof shall excavate, construct or in any way encumber any street, sidewalk or other city owned property or right of way located within the so-called "Forest Street area" in the City of Dover at any time, except for emergencies as may be deemed necessary by the Community Services Director, and only upon the provisions of such bond or surety as may be deemed reasonable and necessary by the Community Services Director. All other provisions contained in 152.5 regarding work schedule, police officers, barricades and work inspection shall apply to this section as well. [Amended 03-06-91 by Ord. No. 7-91]~~

~~(2) For the purpose of this section, the Forest Street area includes, generally, that section of Forest Street extending in a southeasterly direction beyond Essex Street to that area extending in a northwesterly direction beyond Hancock Street.~~

~~(3) This ordinance shall take effect on the completion date of construction and acceptance of the street by the City of Dover.~~

~~E. Preble Street. [Added 12-6-89 by Ord. No. 27-89]~~

~~(1) For a period of five (5) years, beginning with the effective date of this ordinance, no person, firm or corporation or any agent or servant thereof shall excavate, construct or in any way encumber any street, sidewalk or other city owned property or right of way located within the so-called "Preble Street area" in the City of Dover at any time, except for emergencies as may be deemed necessary~~

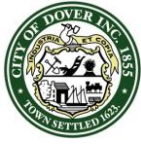
Formatted: Bullets and Numbering

~~152-7~~

~~152-6~~

~~152-6~~

~~-by the Community Services Director, and only upon the provisions of such bond or surety as may be deemed reasonable and necessary by the Community Services Director. All other provisions contained in 152-5 regarding work schedule, police officers, barricades and work inspection shall apply to this section as well. [Amended 03-06-91 by Ord. No. 7-91]~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 11.A.11.

Ordinance Number:

Ordinance Title:

Chapter:

O – 2009.09.23 – 24

Streets and Sidewalks Chapter 152

~~(2) For the purposes of this section, the Preble Street area includes, generally, that section of Preble Street from Central Avenue to Pierce Street.~~

~~(3) This ordinance shall take effect on the completion date of construction and acceptance of the street by the City of Dover.~~

~~F. Upper Central Avenue to Oak Street. [Added 12-6-89 by Ord. No. 28-89]~~

~~(1) For a period of five (5) years, beginning with the effective date of this ordinance, no person, firm, or corporation or any agent or servant thereof, shall excavate, construct or in any way encumber any street, sidewalk or other city owned property or right of way located within the so-called "Upper Central Avenue to Oak Street area" in the City of Dover at any time, except for emergencies as may be deemed necessary by the Community Services Director, and only upon the provisions of such bond or surety as may be deemed reasonable and necessary by the Community Services Director. All other provisions contained in 152.5 regarding work schedule, police officers, barricades and work inspection shall apply to this section as well. [Amended 03-06-91 by Ord. No. 7-91]~~

~~(2) For purposes of this section, the Upper Central Avenue area includes, generally, that section of Central Avenue from the railroad tracks located just before Pierce Street up to the intersection of Central Avenue and Oak Street.~~

~~(3) This ordinance shall take effect on the completion date of construction and acceptance of the street by the City of Dover.~~

~~G. Lower Central Avenue to Stark Avenue. [Added 12-6-89 by Ord. No. 28-89]~~

~~(1) For a period of five (5) years, beginning with the effective date of this ordinance, no person, firm or corporation or any agent or servant thereof shall excavate, construct or in any way encumber any street, sidewalk or other city owned property or right of way located within the so-called "Lower Central Avenue to Stark Avenue area" in the City of Dover at any time, except for emergencies as may be deemed necessary by the Community Services Director and only upon the provisions of such bond or surety as may be deemed reasonable and necessary by the Community Services Director. All other provisions contained in 152-5 regarding work schedule, police officers, barricades and work inspection shall apply to this section as well. [Amended 03-06-91 by Ord. No. 7-91]~~

152-8

152-6

152-6.1

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

~~(2) For purposes of this section, the Lower Central Avenue area includes, generally, that section of Central Avenue from north side of Silver Street intersection to the intersection of Central Avenue and Stark Avenue.~~

~~(3) This ordinance shall take effect on the completion date of construction and acceptance of the street by the City of Dover.~~ **Reserved**

ARTICLE III-A
WAIVER OF PROVISIONS
[Added 1-12-83 by Ord. No. 1-83]

152-6.1. Application; denial; appeal.

A. Any person, firm or corporation desirous of excavating, obstructing or in any way encumbering a street or sidewalk in the City of Dover between the 15th of November and the 15th of April must apply in writing for the right to do so to the Community Services Director pursuant to the terms of 152-5 of this Part 2. **[Amended 12-21-88 by Ord. No. 31-88]**

B. In the event that said application is denied pursuant to the terms of 152-5, the applicant may appeal said denial in writing to the City Council.

C. The City Council, upon receipt of such an appeal, shall, within thirty (30) days, act on said appeal giving due consideration to the following factors:

(1) Any potential adverse impact that granting the appeal would have upon the public safety and welfare.

(2) Any undue hardship that denial of the appeal would have upon the applicant.

D. The City Council shall promptly notify the applicant in writing of its decision to grant or deny the appeal citing the reasons for its decision.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

152-7 152-9 152-9

ARTICLE IV INDEMNIFICATION

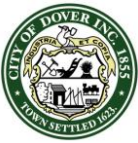
152-7. Deposit required; bonding. [Amended 4-9-86 by Ord. No. 4-86; Amended 04-19-95 by Ord. No. 02-95]

Whenever the Community Services Department shall grant any person, firm or corporation permission to excavate in any street, sidewalk or other city-owned property, in granting such permission, it shall require the requesting party to furnish a deposit to the City of Dover in the amount ~~of five dollars (\$5.) per square foot of trench within the boundaries of said city-owned property or right of way, with a minimum of two hundred dollars (\$200.) per trench, with said deposit to be retained for one (1) year. With the permission of the Community Services Director, said party may, after three (3) years of being granted permits, furnish a nonrevocable letter of credit to the City of Dover in the amount of two thousand dollars (\$2,000.), such letter of credit being subject to an annual review by the Community Services Director. All ditches containing over four hundred (400) square feet of area will be calculated by the Community Services Department as shown on the City Engineer's rate schedule. At this time, a letter of credit for fifteen percent (15%) of the total amount will be required for one (1) year to guarantee the condition of the road. Additional fees, deposits and liens for water and sewer work are specified in other city ordinances set forth in the schedule of fees adopted by the City Council.~~

ARTICLE V WELLS, CELLARS, CISTERN DRAINS

152-8. Excavation standards.

If any person shall dig or sink or cause to be dug or sunk, or leave uncovered any well, cellar, cistern drain or other cavity in the ground near to or adjoining any street, lane, alley or sidewalk in the city, he shall erect a railing or fence on or near the line of such street, lane, alley or sidewalk sufficient to guard and protect travelers and passengers from falling into such well, cellar, cistern, drain or other cavity in the ground or being injured thereby, to the satisfaction of the Building Inspector, and this railing or fence shall be maintained until the Building Inspector grants written permission for its removal.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

152-9. Violations and penalties.

Any person, persons, firm or corporation violating any of the provisions of this Article shall be fined not ~~less than ten dollars (\$10.) nor~~ more than twenty dollars (\$20.) for each day such violation shall continue after written notice from the **Building Inspector Official.**

152-10	152-10	152-12
	ARTICLE VI	
	STREET NUMBERING	

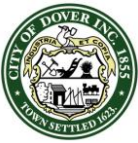
152-10. Powers of Building **Inspector Official.** [Amended 04-19-95 by Ord. No. 03-95]

The Building **Inspector Official** may order the buildings on any street to be numbered or may order any street to be renumbered and shall then require the number by him designated for each building to be affixed thereto or inscribed thereon. He shall, upon application in writing, designate the number or numbers required for any building that may hereafter be erected or any building to which numbers have not previously been assigned if, in his judgment, such action is necessary.

- A. The numbers shall be designated in such a manner so that a number will be assigned or reassigned to every fifty (50) feet of street frontage.
- B. The street numbers, assigned or reassigned, shall be attached to the building in such a manner and in such a place as to be easily seen from the street. Furthermore, such numbers shall be placed in such a location so that it can be illuminated, if necessary, to ensure rapid location by police, fire or other emergency personnel during hours of darkness. Buildings located in rural-type locations, or located in such a manner that the above requirement is inappropriate, shall be identified at the intersection of the entryway to the building and the public right-of-way, and the number shall be of sufficient size to be easily seen by the operator of a vehicle approaching said entryway.

152-11. Violations and penalties.

Any owner or occupant of a building who, more than fifteen (15) days after receiving written notice, neglects or refuses to affix to or inscribe on said building the street number lawfully designated therefor or retain thereon, a street number other than the one (1) so designated shall be fined not ~~less than one dollar (\$1.) nor~~ more than ten dollars (\$10.) for each day such violation shall continue after written notice from the **Building Inspector Official.**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

ARTICLE VII MOVING OF BUILDINGS

152-12. Permit required.

No person shall move or assist in moving any house, shop or other building through any street, lane or alley or over any bridge in this city without first having obtained a permit issued jointly by the Building ~~Inspector~~ **Official**, Chief of Police and Community Services Director. Said person shall comply in all respects with the conditions of the permit.

152-11

152-13

152-16

152-13. Violations and penalties.

Upon the finding of any person, persons, firm or corporation violating any of the provisions of this Article, he shall be fined not less than fifty dollars (\$50.) nor more than one hundred dollars (\$100.).

ARTICLE VIII MARQUEES, SIGNS AND AWNINGS

152-14. Maintenance standards.

No person shall establish or maintain any marquee, sign or awning before or on or attached to his place of business, house or tenement over any part of any sidewalk, unless the same is safely fixed and supported so as in no way to impede, hinder or endanger passengers. The lowest part of such sign or awning shall be at least eight (8) feet above the sidewalk, and lowest of any marquee shall be at least ten (10) feet above the sidewalk; nor shall any person hang, affix or fasten or place or allow to remain upon the outer edge of any sidewalk any sign or showcase whatever or display any goods, merchandise or samples of any business calling, trade, art or craft, so as to obstruct the free passage and view from the street to sidewalk or from the sidewalk to street.

152-15. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this Article shall be fined not ~~less than one dollar (41.) nor~~ more than ten dollars (\$10.) for each day such violation shall continue after written notice from the Building Inspector.



Agenda Item#: 11.A.11.

Ordinance Title:

Chapter:

Streets and Sidewalks Chapter 152

PUBLIC DISPLAY OF GOODS AND WARES

It shall be unlawful for any person, persons, firm or corporation maintaining an establishment in the City of Dover to maintain and/or display goods, wares, racks, counters or other objects in front of its place of business, on the sidewalk beyond a distance of two (2) feet six (6) inches from the building of said establishment, except for city-wide sidewalk sales.

152-21

Any person, persons, firm or corporation violating any of the provisions of this Article shall be fined not ~~less than ten dollars (\$10.) nor~~ more than twenty-five dollars (\$25.).

FALLING ICE AND SNOW

The roofs of all buildings located on or near the line of a street shall be protected by railing or guards of sufficient height and strength to prevent the falling of ice and snow from such roofs to the sidewalks of such streets. The owner of such a building shall be responsible for the adequacy of such railings or guards.

Any person, persons, firm or corporation violating any provisions of this Article shall be fined not ~~less than ten dollars (\$10.) nor~~ more than twenty dollars (\$20.) for each day such violation shall continue after written notice from the Building Inspector.

Document Created by: Legal
Document Posted on: October 8, 2009

Page 16 of 30

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

LIQUIDS ON STREETS AND SIDEWALKS

152-20. Interference with vehicular or pedestrian traffic.

No person shall deposit or cause to be deposited any liquid from private property in or upon any street, sidewalk or city-owned land in the City of Dover in such a manner so as to cause a condition hazardous to pedestrian movements or to the normal and reasonable flow of motor vehicular traffic.

152-21. Violations and penalties.

Any person, persons, firm or corporation violating this Article shall be fined not ~~less than ten dollars (\$10.) nor~~ more than twenty dollars (\$20.) for each day such violation shall continue after written notice from the City Engineer or Director of Community Services.

152-22
152-13
152-25

PART 3 **Sidewalks** [Adopted 12-14-77]

ARTICLE XII **CONSTRUCTION STANDARDS**

152-22. Grade established.

All sidewalks hereafter constructed or relaid within the limits of the City of Dover shall conform to the established grade of the highways, and all such construction shall be under the immediate supervision of the Director of Community Services.

152-23. Construction location and type.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.11.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 – 24</td></tr> <tr> <td>Chapter:</td><td>Streets and Sidewalks Chapter 152</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.11.	Ordinance Title:	O – 2009.09.23 – 24	Chapter:	Streets and Sidewalks Chapter 152
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.11.								
Ordinance Title:	O – 2009.09.23 – 24								
Chapter:	Streets and Sidewalks Chapter 152								

The City Council shall have the final determination of the location and type of construction of all new sidewalks within the City of Dover. The actual construction of such sidewalks shall be under the direction of the Director of Community Services, and only funds so specified by the City Council may be used for this purpose.

152-24. Maintenance and repair.

Existing sidewalks shall be repaired and maintained under the direction of the Director of Community Services with such funds as shall be appropriated by the City Council for such purpose.

152-25. Extensions and improvements limited.

The provisions of this Part shall not obligate the Director of Community Services to assume liabilities for sidewalk extension or improvement, in excess of the sum provided for such purpose by the City Council.

152-14

STREETS AND SIDEWALKS

CHAPTER 152 STREETS AND SIDEWALKS

***PART 1* Construction Specifications**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

**ARTICLE I
STREETS; WATERS MAINS; SEWERS**

- 152-1. Applicability.
- 152-2. Administration.
- 152-3. Reserved

Comment [ABK1]: The purposes of the changes in this ordinance are to standardize the penalties, to remove outdated provisions and to establish a schedule of fees as adopted by the City Council. In addition, the terms Building Official is used.

**PART 2
Maintenance Procedures; Hazards**

**ARTICLE II
STREET EXCAVATIONS; MAINTENANCE OF
CURBS AND SIDEWALKS**

- 152-4. Excavations and obstructions.
- 152-5. Scheduling of work; construction requirements; inspections; violations and penalties.

**ARTICLE III
SPECIFIC AREAS OF FIVE-YEAR PROHIBITION**

- 152-6. Reserved

**ARTICLE III-A
WAIVER OF PROVISIONS**

- 152-6.1. Application; denial; appeal.

**ARTICLE IV
INDEMNIFICATION**

- 152-7. Deposit required; bonding.

**152-1
ARTICLE V
WELLS, CELLARS, CISTERN DRAINS**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

152-8. Excavation standards.

152-9. Violations and penalties.

ARTICLE VI STREET NUMBERING

152-10. Powers of Building ~~Inspector~~ Official.

152-11. Violations and penalties.

ARTICLE VII MOVING OF BUILDINGS

152-12. Permit required.

152-13. Violations and penalties.

ARTICLE VIII MARQUESS, SIGNS AND AWNINGS

152-14. Maintenance standards.

152-15. Violations and penalties.

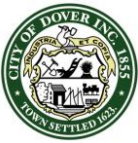
ARTICLE IX PUBLIC DISPLAY OF GOODS AND WARES

152-16. Sidewalk displays.

152-17. Violations and penalties.

ARTICLE X FALLING ICE AND SNOW

152-18. Pedestrian protection.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

152-19. Violations and penalties.
152-2

ARTICLE XI
LIQUIDS ON STREETS AND SIDEWALKS

152-20. Interference with vehicular or pedestrian traffic.

152-21. Violations and penalties.

PART 3
Sidewalks

ARTICLE XII
CONSTRUCTION STANDARDS

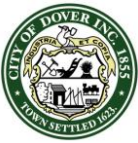
152-22. Grade established.

152-23. Construction location and type.

152-24. Maintenance and repair.

152-25. Extensions and improvements limited.

[HISTORY: Adopted by the City Council of the City of Dover; Part 1, 12-14-77*, Part 2, 12-14-77, Part 3, 12-14-77***, Amendments noted where applicable.]**

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

*Editor's Note: Provisions of this Part 1 are derived from Ch. 38 of the former Code, adopted 12-14-77.

**Editor's Note: Provisions of this Part 2 are derived from Ch. 39 of the former Code, adopted 12-14-77.

***Editor's Note: Provisions of this Part 3 are derived from Ch. 40 of the former Code, adopted 12-14-77.

152-3

152-1

152-4

PART 1
Construction Specifications
[Adopted 12-14-77]

ARTICLE I
STREETS; WATER MAINS, SEWERS

152-1. Applicability.

The construction of streets, water mains, storm and sanitary sewers and other related physical improvements shall be governed by the construction specifications contained in Articles VII and VIII of Chapter 155, Subdivision of Land.

152-2. Administration.

This Part shall be administered by the Director of Community Services.

152-3. Reserved

Comment [ABK2]: Administrative appeals are properly processed to the City Manager.

PART 2
Maintenance Procedures; Hazards
[Adopted 12-14-77]

ARTICLE II
STREET EXCAVATIONS; MAINTENANCE OF
CURBS AND SIDEWALKS

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

152-4. Excavations and obstructions.

No person, firm or corporation or any agent or servant thereof shall excavate, obstruct or in any way encumber, including working within manholes and catch basins, any street, sidewalk or other city-owned property or right-of-way in the City of Dover without first having obtained a written license to do so from the City Engineer or Director of Community Services of said city, except where such licensing power is particularly vested in the City Council. Each and every such licensee shall coordinate each request to excavate, obstruct or

152-4

152-4

152-5

encumber with the City Engineer, Director of Community Services, Police Department, Superintendent of Community Services, Foreman, Water Department, Northern Utilities Company, Fire Department, New England Telephone Company and Public Service Company as required by the City Engineer and as specified on a form issued by the Community Services Department. Any person, persons, firm or corporation violating any of the provisions of this section shall be fined not less than fifty dollars (\$50.) nor more than one hundred dollars (\$100.) for each violation.

152-5. Scheduling of work; construction requirements; inspections; violations and penalties.

Comment [ABK3]: Street by street regulations with 5 year limit have all expired.

A. The Director of Community Services shall specify the time and date for the work, which work may be required at night- time, Saturdays, Sundays or holidays. Scheduling will be such as to not unreasonably interfere with traffic. Except for emergencies as may be deemed essential by Community Services Director, no person, firm or corporation or any agent or servant thereof shall excavate, obstruct or in any way encumber any street or sidewalk in the City of Dover between the 15th of November and the 15th of April. **[Amended 2-29-80 by Ord. No. 4-80, Amended 12-21-88 by Ord. No. 31-88]**

B. The Community Services Director may require the licensee to provide a police officer at the expense of the licensee. The licensee shall erect and maintain suitable barricades with flashers or lanterns so long as public safety and convenience requires. The licensee must provide a safe and convenient pedestrianway to the satisfaction of the City Engineer. The licensee is required to use materials, do the work, backfill and replace pavement in accordance with city standards as specified by the City Engineer or Community Services Director. The City Engineer or his designee shall inspect the site prior to the commencement of backfill, during the backfill operation, prior to the commencement of paving and during the paving operation. It shall be the responsibility of the licensee to arrange for these inspections during normal working hours, and he shall provide a twenty-four-hour notice. The repair of sidewalks shall be accomplished using

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.11.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 – 24</td></tr> <tr> <td>Chapter:</td><td>Streets and Sidewalks Chapter 152</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.11.	Ordinance Title:	O – 2009.09.23 – 24	Chapter:	Streets and Sidewalks Chapter 152
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.11.								
Ordinance Title:	O – 2009.09.23 – 24								
Chapter:	Streets and Sidewalks Chapter 152								

the same material as the rest of the sidewalk, and no ragged joints will be allowed. The licensee is required to keep the work in good repair for a period of one (1) year. The licensee, failing so to do after written notice from the City Engineer or Community Services Director, shall be liable for the cost of any required repairs. **[Amended 2-29-80 by Ord. No. 4-80]**

C. Any person, persons, firm, or corporation violating any of the provisions of this section shall be fined not less than fifty dollars (\$50.) nor more than one hundred dollars (\$100.) for each violation after written notice from the City Engineer or Community Services Director.

152-5

152-6

152-6

ARTICLE III SPECIFIC AREAS OF FIVE-YEAR PROHIBITION

152-6. Reserved

ARTICLE III-A WAIVER OF PROVISIONS [Added 1-12-83 by Ord. No. 1-83]

152-6.1. Application; denial; appeal.

A. Any person, firm or corporation desirous of excavating, obstructing or in any way encumbering a street or sidewalk in the City of Dover between the 15th of November and the 15th of April must apply in writing for the right to do so to the Community Services Director pursuant to the terms of 152-5 of this Part 2. **[Amended 12-21-88 by Ord. No. 31-88]**

B. In the event that said application is denied pursuant to the terms of 152-5, the applicant may appeal said denial in writing to the City Council.

C. The City Council, upon receipt of such an appeal, shall, within thirty (30) days, act on said appeal giving due consideration to the following factors:

- (1) Any potential adverse impact that granting the appeal would have upon the public safety and welfare.
- (2) Any undue hardship that denial of the appeal would have upon the applicant.



Agenda Item#: 11.A.11.

Ordinance Title: **O – 2009.09.23 – 24**

Chapter: Streets and Sidewalks Chapter 152

152-7

152-9

152-9

2009.09.23 Streets and Sidewalks Chapter 152.doc
Page 25 of 30

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.11.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 – 24</td></tr> <tr> <td>Chapter:</td><td>Streets and Sidewalks Chapter 152</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.11.	Ordinance Title:	O – 2009.09.23 – 24	Chapter:	Streets and Sidewalks Chapter 152
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.11.								
Ordinance Title:	O – 2009.09.23 – 24								
Chapter:	Streets and Sidewalks Chapter 152								

cellar, cistern, drain or other cavity in the ground or being injured thereby, to the satisfaction of the Building Inspector, and this railing or fence shall be maintained until the Building Inspector grants written permission for its removal.

152-9. Violations and penalties.

Any person, persons, firm or corporation violating any of the provisions of this Article shall be fined not more than twenty dollars (\$20.) for each day such violation shall continue after written notice from the Building Inspector Official.

152-10

152-12

ARTICLE VI

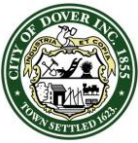
STREET NUMBERING

152-10. Powers of Building Inspector Official. [Amended 04-19-95 by Ord. No. 03-95]

The Building Inspector Official may order the buildings on any street to be numbered or may order any street to be renumbered and shall then require the number by him designated for each building to be affixed thereto or inscribed thereon. He shall, upon application in writing, designate the number or numbers required for any building that may hereafter be erected or any building to which numbers have not previously been assigned if, in his judgment, such action is necessary.

- A. The numbers shall be designated in such a manner so that a number will be assigned or reassigned to every fifty (50) feet of street frontage.
- B. The street numbers, assigned or reassigned, shall be attached to the building in such a manner and in such a place as to be easily seen from the street. Furthermore, such numbers shall be placed in such a location so that it can be illuminated, if necessary, to ensure rapid location by police, fire or other emergency personnel during hours of darkness. Buildings located in rural-type locations, or located in such a manner that the above requirement is inappropriate, shall be identified at the intersection of the entryway to the building and the public right-of-way, and the number shall be of sufficient size to be easily seen by the operator of a vehicle approaching said entryway.

152-11. Violations and penalties.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

Any owner or occupant of a building who, more than fifteen (15) days after receiving written notice, neglects or refuses to affix to or inscribe on said building the street number lawfully designated therefor or retain thereon, a street number other than the one (1) so designated shall be fined not more than ten dollars (\$10.) for each day such violation shall continue after written notice from the Building ~~Inspector~~ **Official**.

ARTICLE VII MOVING OF BUILDINGS

152-12. Permit required.

No person shall move or assist in moving any house, shop or other building through any street, lane or alley or over any bridge in this city without first having obtained a permit issued jointly by the Building ~~Inspector~~ **Official**, Chief of Police and Community Services Director. Said person shall comply in all respects with the conditions of the permit.

152-11

152-13

152-16

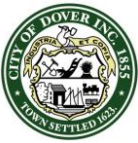
152-13. Violations and penalties.

Upon the finding of any person, persons, firm or corporation violating any of the provisions of this Article, he shall be fined not less than fifty dollars (\$50.) nor more than one hundred dollars (\$100.).

ARTICLE VIII MARQUEES, SIGNS AND AWNINGS

152-14. Maintenance standards.

No person shall establish or maintain any marquee, sign or awning before or on or attached to his place of business, house or tenement over any part of any sidewalk, unless the same is safely fixed and supported so as in no way to impede, hinder or endanger passengers. The lowest part of such sign or awning shall be at least eight (8) feet above the sidewalk, and lowest of any marquee shall be at least ten (10) feet above the sidewalk; nor shall any person hang, affix or fasten or place or allow to remain upon the outer edge of any sidewalk any sign or showcase whatever or display any goods, merchandise or samples of any business calling, trade, art or craft, so as to obstruct the free passage and view from the street to sidewalk or from the sidewalk to street.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

152-15. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this Article shall be fined not more than twenty-five dollars (\$25.) for each day such violation shall continue after written notice from the Building Official.

ARTICLE IX PUBLIC DISPLAY OF GOODS AND WARES

152-16. Sidewalk displays.

It shall be unlawful for any person, persons, firm or corporation maintaining an establishment in the City of Dover to maintain and/or display goods, wares, racks, counters or other objects in from of its place of business, on the sidewalk beyond a distance of two (2) feet six (6) inches from the building of said establishment, except for city-wide sidewalk sales.

152-17
152-12
152-21

152-17. Violations and penalties.

Any person, persons, firm or corporation violating any of the provisions of this Article shall be fined not more than twenty-five dollars (\$25.).

ARTICLE X FALLING ICE AND SNOW

152-18. Pedestrian protection.

The roofs of all buildings located on or near the line of a street shall be protected by railing or guards of sufficient height and strength to prevent the falling of ice and snow from such roofs to the sidewalks of such streets. The owner of such a building shall be responsible for the adequacy of such railings or guards.

152-19. Violations and penalties.

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td>Ordinance Number:</td><td>Agenda Item#: 11.A.11.</td></tr> <tr> <td>Ordinance Title:</td><td>O – 2009.09.23 – 24</td></tr> <tr> <td>Chapter:</td><td>Streets and Sidewalks Chapter 152</td></tr> </table>	CITY OF DOVER - ORDINANCE		Ordinance Number:	Agenda Item#: 11.A.11.	Ordinance Title:	O – 2009.09.23 – 24	Chapter:	Streets and Sidewalks Chapter 152
CITY OF DOVER - ORDINANCE									
Ordinance Number:	Agenda Item#: 11.A.11.								
Ordinance Title:	O – 2009.09.23 – 24								
Chapter:	Streets and Sidewalks Chapter 152								

Any person, persons, firm or corporation violating any provisions of this Article shall be fined not more than twenty-five dollars (\$25.) for each day such violation shall continue after written notice from the Building Inspector.

ARTICLE XI
LIQUIDS ON STREETS AND SIDEWALKS

152-20. Interference with vehicular or pedestrian traffic.

No person shall deposit or cause to be deposited any liquid from private property in or upon any street, sidewalk or city-owned land in the City of Dover in such a manner so as to cause a condition hazardous to pedestrian movements or to the normal and reasonable flow of motor vehicular traffic.

152-21. Violations and penalties.

Any person, persons, firm or corporation violating this Article shall be fined not more than twenty-five dollars (\$25.) for each day such violation shall continue after written notice from the City Engineer or Director of Community Services.

152-22

152-13

152-25

PART 3
Sidewalks
[Adopted 12-14-77]

ARTICLE XII
CONSTRUCTION STANDARDS

152-22. Grade established.

All sidewalks hereafter constructed or relaid within the limits of the City of Dover shall conform to the established grade of the highways, and all such construction shall be under the immediate supervision of the Director of Community Services.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 11.A.11. Ordinance Number: Ordinance Title: O – 2009.09.23 – 24 Chapter: Streets and Sidewalks Chapter 152

152-23. Construction location and type.

The City Council shall have the final determination of the location and type of construction of all new sidewalks within the City of Dover. The actual construction of such sidewalks shall be under the direction of the Director of Community Services, and only funds so specified by the City Council may be used for this purpose.

152-24. Maintenance and repair.

Existing sidewalks shall be repaired and maintained under the direction of the Director of Community Services with such funds as shall be appropriated by the City Council for such purpose.

152-25. Extensions and improvements limited.

The provisions of this Part shall not obligate the Director of Community Services to assume liabilities for sidewalk extension or improvement, in excess of the sum provided for such purpose by the City Council.

152-14

City Manager's Report

October 14, 2009

"Great works are performed not by strength, but by perseverance"

~Samuel Johnson



Submitted by:

J. Michael Joyal, Jr.
City Manager

288 Central Avenue
Dover NH 03820
603.516.6023

PUBLIC WORKS OPERATIONAL FOCUS

Utilities:

WATER: The Utilities Department replaced 4 water gates on Washington Street. Tolend Road water services were cut-over to the new main and crews loamed and hydro-seeded lawns where appropriate. Crews are currently working on the loop tie-in on Atina Way, previously Tolend Road Extension. Water services were cut off to the Woodman Park water bubbler and a leak was repaired at 1 Silver Street. Curb boxes were replaced on Spur Road and Sunset Drive as part of routine maintenance and the curb boxes on Lexington Street were replaced ahead of sidewalk reconstruction. Three leaks were identified and repaired by private contractors on Cataract Avenue, New Rochester Road and Evans Drive. Crews began checking water gates ahead of flushing next month and in anticipation of winter operations.

SEWER: An illicit connection was discovered on Silver Street and crews assisted the owner in having this situation remedied. Crews also discovered and removed an illicit connection at the Robin's Automotive Parts Store before final paving took place in that area. Crews cleaned sewer lines at Beech Street, Longmeadow Road and continued cleaning lines in the Mount Vernon Area. Duke's Root Service treated 4,500 feet of sewer main. Crews continued TV Camera inspection of sewer lines in the Broadway area. There was a sewer backup on Birchwood Place in the City main. A pre-construction meeting was held for the River Street Pump Station and another for the Ash and Redden Street Sewer Replacement Project. Employees attended a Utilities Master Plan Meeting and met with the DOT on the widening of the Spaulding Turnpike from the bridge to the toll booths.

Streets: During the month of September, the Highway Division cleaned and prepped several roads for paving. Brox performed shim and overlay work on Atlantic Avenue and is scheduled to pave Cassily Lane in October. Floral Avenue, Hough Street and Snows Court were also prepped for shimming and paving. Washington Street was cleaned up after paving, to include the pick up of all old frames and covers. Night paving was also performed on Central Avenue, Washington Street, Pierce Street, Fayette Street and Green Street. Numerous press releases and notices were printed and distributed prior to the start of the projects.

Catch basins on Belanger Drive, Eliot Circle and a manhole on Glenwood Avenue were repaired after erosion had formed sink holes around the structures. Catch basins were also repaired or replaced on Lexington Street in preparation for sidewalk updates. A catch basin was installed on Hubbard Road in order to clean the drain system as it was clogged with stone and bark mulch. The culvert at the end of Hough Street was also cleaned of branches and debris. Water run-off problems were corrected on Oak Street by raising the sidewalk so the water is directed towards the basins instead of driveways and lawns. Test pits were dug on lower Washington Street to ensure everything was ready for the new drain line.

Crews performed wellhead protection at the Ireland Well and created a berm to reestablish the area. Roadside brush cutting was conducted at the Waste Water Treatment Plant, Henry Law Avenue, George Street, Portland Avenue, Chapel Street, Adelle Drive, Sylvan Drive, Shamrock Lane, Briarwood Lane and Hayes Lane. Several potholes were patched throughout the city as needed. Crews continued to sweep the downtown area as well as the street and sidewalks on Adelle Drive and Sylvan Drive. Various dead animals were picked up throughout the city and properly disposed of.

Facilities, Grounds & Cemetery Division: Sign work continued in the posting of signs for new developments, replacement of existing signs as needed and in conjunction with the Sidewalk Replacement Program. Facilities and Grounds employees conducted normal day to day maintenance, clean-up and ground maintenance of municipal buildings including bi-weekly trash runs and mowing and trimming of parks and public areas. The soccer fields were prepped for use weekly, including the mowing and lining of fields.

Traffic signal loops were replaced due to construction at Arch & Silver Streets, Chestnut and Washington Streets, Washington and Silver Streets and Back River Rd and Mill Street. The pedestrian lights on the corner of Chestnut and Washington were struck by a box truck and are currently scheduled for repair. Bulbs in several décor lights in the downtown area were replaced.

Employees continued to assist Public Works crews in clearing trees and vegetation for the grinding and paving of streets in several areas. Crews conducted tree work, such as limbing, pruning trees and pulling stumps, as necessary around the City and in the Pine Hill Cemetery.

PROGRAMS AT CITY CENTERS/BUREAUS

Support Services Division: During September, the Police Department was awarded two major grants. The largest was for \$235,000 which will allow the department to purchase much needed equipment as well as conduct several department wide trainings over the next three years. This award, officially known as a Congressionally Selected Grant, was obtained with the assistance of the office of U.S. Representative Carol Shea-Porter.

In addition, the department was awarded a \$40,371 Paul Coverdell Forensic Science Improvement grant from the U.S. Department of Justice. This award is used to continue improvements to the evidence collection and property control function including enhanced training and advanced equipment purchases.

At the request of the school administration, the Police Department conducted a demonstration of the drug detection dog's capabilities for all students at Dover High School on September 17th.

Each month, the Police Department mails out random, anonymous surveys to citizens who had contact with the department. This month, five of the 27 surveys were returned. In rating the officers, all five respondents rated the officer's "attitude and helpfulness" as "excellent". All five respondents also rated the officer's "skills and abilities" as "excellent".

In rating the dispatchers, three rated the dispatcher's "attitude and helpfulness" as "excellent", one "good" and one "fair". In rating the dispatcher's "skills and abilities", three noted "excellent" and two "good". There was only one "added comment" stating that "when you call 911, you should get the local police. Not a state agency. It takes too long."

Police Special Investigations Bureau: During the month of September, ten letters were generated by the Special Investigations Unit and sent to on-site liquor establishments in Dover. "On-site" liquor establishments are bars or restaurants versus "off-site" which are stores that sell alcohol for consumption elsewhere. These letters were the result of the analysis of police reports involving overly intoxicated persons. When it is determined that an intoxicated person had been over-served, a letter is sent from the Police Department to that establishment advising them of the situation. Copies of the letters, along with the police reports, are also forwarded to the New Hampshire Liquor Commission's Bureau of Enforcement for their review.

Also during September, six sex offenders were processed by the department. The processing of a sex offender can range from the annual, semi-annual, quarterly, or initial registration. It can also include a change of address or other information that must be updated.

The Dover Police Special Investigations Unit continues to investigate the deaths of David King and Richard Nolette. Additionally, they continue to investigate a robbery and attempted robbery at the Longhill Shell and the robbery of a man on River Street near the footbridge.

Field Operations Division: The Mounted Unit assisted in two community events during September. First was the Memory Walk to support Alzheimer research, sponsored by Philbrick's Sports on the 12th and secondly, the Cocheco Valley Humane Society's fundraiser on the 26th.

The Speed Awareness Trailer was deployed at eight different locations during the month for 2-3 day periods. The deployment was scheduled in response to resident concerns and to address issues that were identified during the speed enforcement patrols. The locations included Sixth Street, Old Rochester Road, Court Street, Washington Street, Tolend Road, New Rochester Road, Piscataqua Road, and Portland Avenue.

September saw the end of a summer long traffic enforcement campaign funded by four separate grants from New Hampshire Safety. Following is a synopsis of enforcement action taken as a result of these grants.

Grant type	Hours	Stops	Summons	Warnings	Arrests
Speed	88	259	22	239	1
Red Light	88	191	24	189	3
Pedestrian	84	260	18	249	0
DWI	120	177	1	153	12

Community Service Program: program tracked 21 active participants during the month of September. Of those in the program, seven worked hours during the month, totaling 25.5 hours of work accomplished. So far during 2009, 321 hours of community service work has been accomplished and 19 individuals have completed their court ordered obligations.

Diversion Program: The Diversion Committee met on Thursday, September 24th to review five cases. Two juveniles were released from the program after completing the requirements of their Diversion contracts and one juvenile was referred back to the courts for failure to comply with the committee's recommendations. Currently there are two active cases being supervised by the committee. The next meeting will be on October 22nd.

Dover Youth to Youth: Dover Youth to Youth is beginning its 17th school year this fall. With the addition of funding for the Dover Coalition for Youth this year; Y2Y will be focusing its efforts to mirror the coalition's targeted issues of underage drinking, prescription pill and marijuana abuse.

On Friday September 25th, US Senator Judd Gregg came to Dover Middle School to meet with a large group of Dover Youth to Youth students and thank them for their work on tobacco prevention. The Senator wanted to specifically thank the students for their work in promoting the need for FDA regulation of tobacco, a bill they worked on as a group for several years.

In the past, Youth to Youth students have conducted informational activities downtown, talked to their elected officials, created radio spots and took other steps to illustrate the problems associated with tobacco not being regulated. The students cited, for example, that companies routinely add candy flavoring to tobacco products – something that makes them more attractive to kids.

The students found a receptive ear in Senator Gregg, whose staff wrote much of the text of the legislation. At Dover Middle School, the Senator spoke briefly to the youth and emphasized how important it is to get involved and present logical arguments. He presented the students with a flag that had flown over the capitol as a token of his appreciation.

Teen Center: The Teen Center calendar for September consisted of superior educational and social programming for our youth participants. For the month, the Teen Center saw a total of 435 participants, on 19 days of programming, which yielded an average of 23 participants per day.

Some program highlights for the month of September included, but were not limited to the following:

- TC "Welcome Back to School" BBQ (9/2)
- TC Bingo Mania (9/9)
- TC Sports Event – "DISC GOLF" (9/14)
- TC Snack Special – "TACO THURSDAY" (9/17)
- TC Movie Afternoon – "KNOWING" (9/18)
- TC Olympic Games (9/29 & 9/30)

One special event occurred at that Teen Center that was not added into the attendance averages above; the DoverPalooza Show had 75 attendees on September 25th.

Recreation:

The fall/winter/spring Recreation News brochures were printed and are now available at all Recreation Facilities, the Children's Room at the Library, and the City Clerk's Office.

Programs offered are Pilates & Body Sculpt classes this month and also added are Yoga and Tai Chi classes this fall. All fitness classes run in 6 week sessions, and the next sessions will begin in November. Lil' Kickers Indoor Soccer Program took place with fall sessions currently full. Registrations are currently being accepted for all basketball programs. Preparations are being made and sponsors being lined up for these programs as well.

Senior Center: The Dover Community Senior Center continues their recurring daily activities of Bingo, Bridge, Canasta, Cribbage, Duplicate Bridge, Crafts, Poker, Scat, Scrabble, Kitty Whist, Pay Me and Whist. The Senior Book Club meets the last Tuesday of the month. Visiting Nurses come twice a month for blood pressure checks. The popular Mystery Luncheons continue. Senior exercise and yoga classes are held four mornings per week. Two trips took place this month. One to Atlantic City and a day trip train ride. The Craft Group meets each Monday morning. Eleven members went to the NH WWII Museum and the NH Boat Museum.

Indoor/Outdoor Pool: Early Bird lap swim has had approximately 50-100 swimmers depending on the day. Rec Swim has been very slow, due to the time of year and with fall sports starting, averaging 5-10 swimmers during this period every day. Homeschool group resumed with around 50 students every Friday. Seacoast Swim has resumed their season and practices at the pool on a daily basis. Great Bay Masters resumed practice at the Indoor Pool. Twenty one individual lessons were offered with 132 spots available. Ninety five children enjoyed our swim lessons filling up 83% of the spots.

Ice Arena: The CO-ED league is full with 84 skaters and has a waiting list. Most programs start the first week of October. Public skating events have held close to last year's attendance numbers. Rock Night has been consistent with last month and should continue to improve as we move to the fall months. As the weather cools, public skating activity will begin to improve.

DEPARTMENTAL COLLABORATION & ENHANCEMENTS

- ◆ The Incident Response Time Data Review Project continues at the Fire Department. As part of that project, meetings have been held with the Dover Police & Fire Communications Center. A trip is planned to the NH E-911 PSAP or Public Safety Answering Point where every initial 911 calls goes before being transferred to the community the incident is located in. The objective of this review is to find deficiencies and improve customer service delivery as we work toward meeting the goals established in our strategic plan.
- ◆ While continuing to work on the above project, some low cost changes to the Mobile Data Terminals in the ambulances have been identified and are being tested now. This will assist in better data reporting.
- ◆ The Engineering Division continues to work with the School Department by overseeing the installation of sidewalks at the Garrison School utilizing the contractor that is installing sidewalks for Community Services this construction season.
- ◆ The IT Division conducted three trainings on VUEWorks / Treeno to facilitate sharing of and access to information within City departments relating to work orders and online storage.
- ◆ The Police Department is offering to work with the School Department in monitoring Dover High and Middle School via their security cameras. The school has 7 cameras covering the perimeter of the school which could be accessed by our dispatch center. The Police Chief went to the School Board meeting to answer questions regarding this issue. The IT Director is assisting with this. Although the dispatch center will have access to view security cameras, they will not have the ability to be continuously monitored. The cameras instead will allow a quick "set of eyes" to be on scene whenever officers or firefighters are enroute to reported emergency calls around the school grounds. Upon dispatching police or fire personnel, dispatchers will have the ability to call up the cameras and advise responding units of the conditions being observed. This ability will improve both public safety and the safety of our police and fire personnel by providing dispatchers the opportunity to relay a visual account of what our first responders will encounter once they arrive.
- ◆ The Director of Planning and Community Development continues to update a blog set up at <http://dovernhplanning.blogspot.com/>

PARKING & TRANSPORTATION

The Planning Department continued to focus upon the implementation of the Pay and Display Parking Meter Project. Planning staff worked with the Engineering office and Police Department to finalize the locations of the meters. Planning oversaw the creation of the pad sites, implemented by Community Services staff, along side the vendor, Parkeon. Currently, the staff is expecting an installation of the meters on or around November 2, 2009. The program will be implemented soon after.

Planning Staff worked with COAST buses to develop a new FastTrans route 35. This route will follow up the Central Avenue, Locust Street, Chestnut Street corridor and will increase coverage of the FastTrans program throughout the city. Additionally, improvements were made to the existing routes 33 and 34. These changes allow for a more responsive program that will encourage increased usage of the service and allow for a more community based program. An additional change to the service is the reduction in fares from \$1.50 per ride to 50 cents per ride. This reduction is aimed at increasing ridership and is a reaction to that increased ridership.

PLANNING & ZONING

The focus of the Department of Planning and Community Development for the month of September was on the rezoning amendments, and the upcoming elections. The department drafted a letter to election candidates outlining election signage regulations in an effort to assist them in understanding the placement of signs and how sign violations will be enforced.

CITY GROUNDS – FACILITIES & PARKS

Plans for the construction of a Dog Park at Longhill Park are moving along with a layout and budget being developed.

The Park Street Park Renovation Project is being supported by the Dover Rotary Club and area businesses. There will be plans drafted in the next couple of months with the neighborhood's input to determine the next steps.

Parking and drainage work has begun at the Woodman Park Tennis Courts. The remainder of the project may have to wait until spring should delays in the process occur.

Renovation of the Garrison, Horne and Longhill tennis courts will wait until spring due to weather concerns.

McConnell Center common areas continue to be a popular venue for organizations' meetings, seminars, workshops, classes and special events. The DHS Class of 1959 had a reunion event and a chance to see what has been done with their old high school now called the McConnell Center. They were able to enjoy the Senior Center facilities and tour the building.

The flat roof repair at the public library was completed for \$21,400; budget was \$40,000. Some of remaining project funds will be used for ceiling and woodwork repair damaged by leaks.

Urban Tree Services pruned trees in the downtown area from the railroad tracks to City Hall. Several trees were removed as they were dead or dying. Laura Sprague and a group of Girl Scouts rehabbed the small park by the fish ladder at Cocheco Falls. A tree was removed by Urban Tree and the Girl Scouts cleaned all the weeds and debris from the area. City employees picked up the piles as needed and assisted in delivering loam and mulch. The area was then planted with decorative grasses, perennial plants and flowers, and varieties of juniper.

Flags were lowered in honor of those lost on September 11, 2001.

Items for the public auction were moved from City Hall, the McConnell Center, the Armory and the Police Department. This year there was surplus furniture from the renovation of City Hall as well as numerous bikes and other miscellaneous items. After the auction, employees assisted in the disposal of the remaining items.

The pump at the Jenny Thompson pool was re-installed by crews.

Air conditioners were removed from the windows at City Hall and crews have recently started cleaning the windows.

The Jenny Thompson pool closed on Labor Day, the winter pool cover has been applied to the pool and the facility is closed up until next spring.

The indoor pool closed on August 22nd to undergo their annual two week maintenance and opened on Tuesday September 8th.

The Foster Rink at the Arena was put on line to allow an expanded ice schedule.

GENERAL UPDATES

- ◆ The Fire Department coordinated shift training with a focus on injury protection through properly wearing protective gear. A Dover incident in 2004 was revisited where 2 firefighters received burns while fighting a structure fire. In that case, all of the protective gear was worn properly and proper training significantly reduced the injuries received. This was done in review with national trends to maintain situational awareness at the highest level possible.
- ◆ Significant planning occurred in support of the National Fire Prevention week coming in October – 10/4 through 10/10. Fire & Rescue expands to view this as Fire Prevention Month. The SAFE Trailer was scheduled into all public and private elementary schools throughout October to reinforce basic fire safety. Work continues on the *Wizard of Safety* – the next Fire Safety Festival theatrical production that is also given yearly in the elementary schools. This mostly volunteer project, funded by donations, was moved to coincide with Fire Prevention Month this year. It will be delivered in all public and private Dover Elementary Schools the first week of November.
- ◆ A clerk was hired for the Water Division this month. This position replaces a working foreman position in the Meter Division. This will reduce costs in the Water Division, and will allow the continuation of administrative duties for the water meters and backflow devices as well as assist with the department's Work Order Program.
- ◆ The accreditation process in the Police Department continues. The department's crime lab is also in the process of obtaining accreditation. This process is separate from CALEA and does not affect the CALEA process. An on site visit was held in September. The assessors were very impressed with the staff and the ability to manage evidence. There are some operational adjustments to be made if the department wishes to pursue this level of crime lab accreditation. The adjustments are documentation issues only.
- ◆ Planning staff took advantage of a web based education series and learned about the use of software and webware that can improve public interactivity with plans and planning projects. This is part of a monthly staff development program the Director of Planning implemented to ensure that staff maintain awareness of current planning trends and stay abreast of tools and options in performing their roles with the community.

NEIGHBORHOOD AREA SPOTLIGHTS

The Planning Department submitted an application to the NH Department of Environmental Services regarding Willand Pond. This application is for a grant under the Watershed Assistance Program. The grant would assist the cities of Dover and Somersworth in retrofitting the storm water management structures located along the edge of the pond. These retrofits would decrease the nutrient loads entering into Willand Pond and would improve the environmental aspects of the Pond.

ACKNOWLEDGEMENTS & EVENTS

- ◆ The City of Dover has been recognized for a second time in conjunction with the International City/County Managers Association's (ICMA) Annual Awards for Program Excellence. This year, the City's Children's Fire Safety Festival was recognized as one of four nominees for a Community Health and Safety Award and the McConnell Center was nominated along with 12 others for a Community Partnership Award. In 2007, the City was previously recognized by ICMA with a Community Health and Safety Award for our Youth to Youth program.

This year, it was noted that the Children's Fire Safety Festival was nominated due to its innovative and entertaining approach to communicating fire prevention and other safety information to both students and parents alike. The festival is organized each year by the City's fire personnel and their families in conjunction with our local schools. Meanwhile, the McConnell Center was nominated for its role in bringing together and coordinating local government and non-profit services supporting and improving the quality of life for residents. The renovation and ongoing operation of the center has provided the opportunity for both governmental and other agencies to come together allowing for collaboration in providing more efficient and effective services to the public.

The ICMA Annual Awards Program is highly regarded and serves to recognize both the dedication made to public service and outstanding local government programs being provided from throughout not only the United States but other countries as well. We should all be proud of the recognition these programs and our community has received. If for no other reason, both the nominations and recognition acknowledge the dedication and countless hours invested by so many in making Dover a safe, attractive community to live and raise a family

- ◆ City Planner Bruce Woodruff was called up as a member of the Air National Guard and will serve in an undisclosed location for late September, the month of October and early November. Best wishes to Bruce and thank you to his family for supporting him in his service to our country.
- ◆ Joyce Moody has retired from the City of Dover after working nearly 32 years at the public library. The City thanks Joyce for her dedication; she will be missed.
- ◆ The Friends of the Library donated \$100 for books in memory of Ralph Johnson.
- ◆ Thank you to Aubuchon Hardware for their donation of six full 30 gallon bins of various paints which will be used throughout the City on various projects.

City of Dover - Monthlhy Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
INFORMATION TECHNOLOGY							
Info Tech - Total Visitors to Website	44,464	140,299	484,482	42,677	46,337	52,496	141,510
Info Tech - Average Visitors to Website Per Day	1,482	1,524	1,438	1,376	1,494	1,749	4,619
Info Tech – Number of Support Requests Processed	~	~	642	125	90	114	329
Total Email Processed by Server	~	~	~	~	3,631,180	3,893,018	7,524,198
- Detected as Virus	~	~	~	~	19,001	127,927	146,928
- Detected as SPAM	~	~	~	~	3,349,133	3,440,366	6,789,499
CLERK/REGISTRY RECORDS							
Clerk/Collector – Death Certificates Issued	211	660	2,698	189	234	168	591
Clerk/Collector – Marriage Licenses Issued	29	133	294	40	43	23	106
Clerk/Collector – Birth Certificates Issued	216	731	2,845	211	242	255	708
Clerk/Collector – Notary Public Requests	51	199	616	59	70	38	167
Clerk/Collector – Marriage Certificates/Copies Issued	50	~	349	58	73	63	194
Clerk/Collector – Justice of Peace Requests	4	~	43	8	8	2	18
Clerk/Collector - Vehicle Registrations Total	2,250	7,592	27,464	2,508	2,275	2,495	7,278
- EREG - Online Registrations	~	~	~	123	154	191	468
- Mailed Registrations	~	~	~	314	103	325	742
- Office Registrations	~	~	~	2,071	2,018	1,979	6,068
Registry - Deeds	~	~	661	89	69	258	416
Registry - Mortgages	~	~	1,234	114	116	396	626
Registry - Foreclosures	~	~	51	3	8	30	41
PURCHASING DATA							
Finance-Purchase Orders \$1,000 - \$4,999.99	45	92	316	30	22	24	76
Finance-Purchase Orders \$5,000 - \$9,999.99	20	36	94	11	3	6	20
Finance-Purchase Orders \$10,000 - \$24,999.99	8	17	49	11	8	3	22
Finance-Purchase Orders \$25,000 - Over	6	20	57	14	5	8	27
POLICE							
Police Non Motor Vehicle Bookings - Total	122	~	369	81	69	81	231
- Total Arrests	90	~	433	71	56	78	205
- Total Summons	32	~	69	10	13	3	26
- Adult Arrests/Summons	114	~	318	73	61	74	208

City of Dover - Monthly Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
- Juvenile Arrests/Summons	8	~	51	8	8	7	23
- Male Arrests/Summons	85	~	270	62	50	61	173
- Female Arrests/Summons	37	~	99	19	19	20	58
Police Motor Vehicle Stops - Total	928	3,481	8,305	780	476	772	2,028
- Total Summons	122	~	466	75	45	72	192
- Total Warnings	806	~	2,825	705	431	700	1,836
Police Total Speed Violations	240	~	769	351	208	307	866
- Speed Summons	21	~	83	25	19	11	55
- Speed Warnings	219	~	686	326	189	296	811
Police Total All Other Violations	685	~	1,406	429	268	460	1,157
- All Other Summons	99	~	226	50	27	60	137
- All Other Warnings	586	~	1,180	379	241	400	1,020
Police Parking Tickets Issued	457	1,516	7,618	725	499	545	1,769
- Winter Restriction Tickets	0	~	242	0	0	0	0
- Handicapped Violation Tickets	11	~	61	16	9	5	30
Police Dispatch Telephone Calls - Total	8,996	31,782	119,882	10,434	11,056	10,183	31,673
- 911 Calls	375	1,222	4,517	347	440	329	1,116
Police Calls for Service - Total	2,555	8,875	30,260	2,942	2,704	2,568	8,214
- Police Only	~	~	8,152	2,509	2,194	2,147	6,850
- Fire Only	~	~	1,292	353	399	308	1,060
- Police & Fire	~	~	219	51	69	75	195
- Other - Unassigned	~	~	121	29	42	38	109
Police Average Response Time - Priority 1 Calls	~	~	-	~	4:44	5:07	4:55
Police Average Response Time - Priority 2 Calls	~	~	-	~	14:49	12:03	13:26
Police Average Response Time - Priority 3 Calls	~	~	-	~	19:04	21:55	20:29
Police Average Response Time - Priority 4 Calls	~	~	-	~	65:56	71:46	68:51
Dispatch Radio Transmissions - Total	9,995	32,007	113,109	9,227	10,144	8,753	28,124
Adult Arraignments	78	261	874	52	61	54	167
Adult Trials	3	15	79	1	8	6	15
Hearings	21	64	190	4	4	4	12
Criminal Record Requests	88	253	1,001	63	59	79	201
Police Case Reports Processed	1,045	2,632	9,410	421	1,073	1,346	2,840

City of Dover - Montlhy Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
Community Service Program-Juveniles Tracked	27	80	268	27	20	21	68
Community Service Hours	27	135	324	25	11	26	62
Police Total Crimes Handled	239	~	595	217	223	172	612
- Part I Crimes - Total	59	~	256	83	90	59	232
- Murder	0	~	0	0	0	0	0
- Rape	0	~	1	0	2	2	4
- Robbery	2	~	2	2	3	0	5
- Assault	16	~	52	20	24	19	63
- Burglary	4	~	18	3	6	4	13
- Residence	3	~	12	3	6	3	12
- Non-Residence	1	~	6	0	0	1	1
- Larceny/Theft	35	~	175	56	55	32	143
- Auto Theft	0	~	3	1	0	2	3
- Arson	0	~	0	1	0	0	1
- Part II Crimes - Total	182	~	501	134	133	113	380
- Forgery/Counterfeiting	3	~	4	1	0	2	3
- Fraud	3	~	16	15	7	5	27
- Embezzlement	0	~	3	0	0	0	0
- Stolen Property (Buy/Sell/Receive)	1	~	6	0	0	0	0
- Criminal Mischief	33	~	121	33	49	42	124
- Weapons Possession	1	~	2	0	0	0	0
- Prostitution	0	~	0	0	0	0	0
- Sex Offenses	5	~	11	2	4	2	8
- Drug Offenses	14	~	41	6	12	10	28
- Gambling & Bookmaking	0	~	0	0	0	0	0
- Offenses Against Family	1	~	1	2	0	0	2
- Driving While Intoxicated	17	~	37	3	10	7	20
- Liquor Laws	9	~	31	7	6	3	16
- Disorderly Conduct	3	~	15	5	3	7	15
- Vagrancy (Loitering)	0	~	3	0	0	0	0
- All Other Offenses	92	~	210	58	42	35	135
- School Truancy	7	~	24	0	0	5	5

City of Dover - Monthly Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
Accidents - Total	83	~	269	70	65	58	193
- Non Investigative	46	~	153	42	35	35	112
- Property Damage	16	~	42	8	13	10	31
- Injury	6	~	22	5	5	8	18
- Fatal	0	~	0	0	0	0	0
- Hit & Run	13	~	46	15	12	5	32
- DWI Accident	2	~	6	0	0	0	0
Disturbances - Investigative	83	~	346	112	132	132	376
Missing Persons - Investigative	4	~	24	3	5	5	13
Death - Untimely, Suicide & Attempts	4	~	13	3	5	4	12
Animal Investigations - Animal Control Officer	31	~	120	39	43	25	107
FIRE & RESCUE							
Fire & Rescue Total Calls for Service	407	1141	5,018	403	453	380	1,236
- Calls for Fires	17	56	277	30	18	23	71
- Emergency Medical Calls	225	686	2,568	220	251	211	682
- Hazardous Condition Calls	11	34	233	10	5	9	24
- Miscellaneous Service Calls	29	96	428	26	37	29	92
- Lock Out Calls	64	64	672	73	58	54	185
- False/Good Intent Calls	61	205	840	44	84	55	183
Fire Dept Average Response Time - Priority 1 Calls	~	~	~	~	~	6:31	6:31
Fire Dept Average Response Time - Priority 2 Calls	~	~	~	~	~	12:17	12:17
Fire Dept Average Response Time - Priority 3 Calls	~	~	~	~	~	11:00	11:00
Fire Dept Average Response Time - Priority 4 Calls	~	~	~	~	~	15:52	15:52
Simultaneous Emergency Incidents	56	162	778	61	58	62	181
3 or 4 Simultaneous Emergency Incidents	16	47	63	13	19	19	51
Patients Transported to Area Hospitals	219	660	2,349	212	226	195	633
Ambulance Revenue	\$97,365	\$225,196	\$950,211	\$53,209	\$96,817	\$78,892	\$228,918
Fire Loss Totals	\$3,500	\$88,000	\$1,105,975	\$51,350	\$13,800	\$10,695	\$75,845
INSPECTION SERVICES							
Total Inspections	391	951	4,227	387	375	375	1,137
- Life Safety Inspections	2	15	123	25	25	8	58
- Business Inspections	116	201	495	6	17	22	45

City of Dover - Monthlhy Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
- Sprinkler/Alarm Inspections	5	28	232	33	22	52	107
- Car Safety Seat Inspections	0	23	70	8	6	0	14
- Building Inspections	71	179	647	84	74	83	241
- Electrical Inspections	71	212	995	94	76	94	264
- Plumbing/Mechanical Inspections	69	174	861	65	65	61	191
- Health Inspections	47	104	505	56	70	39	165
- School/Daycare Inspections	2	3	39	3	18	12	33
- Oil Burner Inspections	2	3	39	1	2	4	7
- Woodstove/Fireplace Inspections	6	9	30	0	0	0	0
Fire Inspection Services - Total Permits	37	126	1,722	135	120	162	417
- Burning Permits Issued	0	7	689	82	83	112	277
- Blasting Permits Issued	0	0	11	0	2	0	2
- Building Permits Issued - Total	37	119	1,022	41	35	50	126
- Building Permits - New	6	11	~	11	10	24	45
- Apartment Dwelling Units	0	0	~	0	0	0	0
- Commercial	1	1	~	7	5	7	19
- Condo Units	0	0	~	0	0	0	0
- Congregate Care Facility	0	0	~	0	0	0	0
- Convert 1 to 2 Family Dwelling	0	0	~	0	0	0	0
- Duplex Unit	0	1	~	0	0	0	0
- Industrial	1	1	~	0	0	0	0
- Multi-Family	0	0	~	0	0	8	8
- Manufactured Dwelling	2	2	~	0	0	0	0
- Single Family Dwelling	2	6	~	4	5	9	18
- Building Permits - Renovations	31	108	~	30	25	26	81
- Certificate of Occupancy Permits - Total	3	17	~	12	10	31	53
- Apartment Dwelling Units	2	0	~	0	0	18	18
- Commercial	0	3	~	2	0	1	3
- Condo Units	0	0	~	1	0	0	1
- Congregate Care Facility	0	0	~	0	0	0	0
- Convert 1 to 2 Family Dwelling	0	0	~	0	0	0	0
- Duplex Unit	0	0	~	0	0	0	0

City of Dover - Monthly Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
- Industrial	0	0	~	0	0	0	0
- Renovations	0	8	~	4	3	0	7
- Manufactured Dwelling	1	1	~	0	1	5	6
- Single Family Dwelling	0	5	~	5	5	7	17
Monthly Permit Construction Value - Total	\$2,059,200	\$9,584,085	~	\$3,413,100	\$2,602,700	\$3,355,900	\$9,371,700
PLANNING & ZONING							
Planning & Zoning Applications - Total	~	~	~	9	4	13	26
- Major Subdivision Applications	~	~	~	1	1	0	2
- Minor Subdivision Applications	~	~	~	2	0	3	5
- Minor Lot Line Adjustment Applications	~	~	~	1	0	1	2
- Site Plan Applications	~	~	~	0	0	0	0
- Conditional Use Permit Applications	~	~	~	3	0	1	4
- Zoning Variance Applications	~	~	~	2	0	4	6
- Zoning Special Exception Applications	~	~	~	0	0	0	0
- Zoning Appeal Applications	~	~	~	0	0	0	0
- Sign Permit Applications	~	~	~	0	3	4	7
Zoning Violations Investigated	~	~	~	15	10	15	40
COMMUNITY SERVICES							
Comm Serv - PW - Total Incoming Service Calls	~	~	437	100	96	97	293
- Engineering Service Calls Total	~	~	21	0	0	5	5
- Engineering Service Calls Resolved	~	~	~	0	0	2	2
- Engineering Service Calls Unresolved	~	~	~	0	0	3	3
- Highway Service Calls Total	~	~	215	40	47	39	126
- Highway Service Calls Resolved	~	~	~	27	29	37	93
- Highway Service Calls Unresolved	~	~	~	13	18	2	33
- Solid Waste Service Calls Total	~	~	119	28	26	28	82
- Solid Waste Service Calls Resolved	~	~	~	25	11	27	63
- Solid Waste Service Calls Unresolved	~	~	~	3	15	1	19
- Water/Sewer Service Calls Total	~	~	82	19	23	25	67
- Water/Sewer Service Calls Resolved	~	~	~	19	14	23	56
- Water/Sewer Service Calls Unresolved	~	~	~	0	9	2	11
Community Serv- PW - Total Work Orders Generated	~	~	754	48	128	181	357

City of Dover - Monthly Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
- Engineering Work Orders Total	~	~	20	0	0	0	0
- Engineering Work Orders Closed	~	~	~	0	0	0	0
- Engineering Work Orders Remaining Open	~	~	~	0	0	0	0
- Highway Work Orders	~	~	398	42	73	138	253
- Highway Work Orders Closed	~	~	~	~	66	122	188
- Highway Work Orders Remaining Open	~	~	~	~	7	16	23
- Solid Waste Work Orders	~	~	133	0	0	0	0
- Solid Waste Work Orders Closed	~	~	~	~	0	0	0
- Solid Waste Work Orders Remaining Open	~	~	~	~	0	0	0
- Water/Sewer Work Orders	~	~	203	6	55	43	104
- Water/Sewer Work Orders Closed	~	~	~	~	30	21	51
- Water/Sewer Work Orders Remaining Open	~	~	~	~	25	22	47
Facilities/Grounds/Cemetery Work Orders	219	448	1,741	135	134	165	434
Wastewater Work Orders	~	~	~	129	60	182	371
Comm Serv - Water Gallons Pumped	73,584,000	233,446,000	895,409,000	88,311,000	96,436,000	91,276,000	276,023,000
Comm Serv - Average Water Gallons per Day	2,453,000	2,536,333	2,453,667	2,849,000	3,111,000	3,043,000	3,001,000
Comm Serv - Dry Tons Biosolids Processed	~	~	~	62.1	55.4	47.4	164.90
Comm Serv - Gallons of Septage Received	~	~	~	15,950	19,700	30,250	65,900
Comm Serv - Million Gallons Wastewater Treated/Discharged	~	~	~	97.30	77.48	58.8	233.58
Comm. Serv - Million Gallons of Average Daily Flow Treated	~	~	~	3.10	2.49	1.96	2.52
Comm Serv - Highest Daily Peak Flow MGD	~	~	~	5.50	3.67	7.20	7.20
Comm Serv - Tonnage of Trash Collected	402.66	1326.22	4,455.78	410.07	307.42	319.22	1,036.71
Comm Serv - Tonnage of Paper Collected	102.12	320.53	1,310.60	102.46	93.41	92.53	288.40
Comm Serv - Tonnage of Commingles Collected	98.14	325.58	1,192.97	124.95	100.29	93.99	319.23
Comm Serv - F&G Number of Burials - Traditional	8	16	50	3	6	2	11
Comm Serv - F&G Number of Burials - Ash	~	~	25	1	3	4	8
Comm Serv - F&G Monument Concrete Foundations	~	~	43	0	0	0	0
COMMUNITY PROGRAMS							
Rec - Arena Public Skate Attendance	408	1,327	7,418	478	318	288	1,084
Rec - Arena Rock Night Attendance	141	326	1,330	58	97	91	246
Rec - McConnell Center - 'Open Gym' Participants	1,845	5,347	24,269	1,771	1,655	1,708	5,134

City of Dover - Monthlhy Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
Rec - McConnell Center Common Area Reservations	59	215	934	68	81	86	235
Rec - Senior Center Membership Renewals	34	63	346	6	20	29	55
Rec - Senior Center New Memberships	15	47	167	24	7	22	53
Rec - Senior Center – Participants on Trips	106	226	926	57	55	113	225
Rec - Senior Center – Daily Game/Class Participants	879	2,584	8,366	954	865	689	2,508
Rec - Senior Center – Walk ins, no particular activity	847	2,019	7,262	635	581	624	1,840
Teen Center Participants	517	~	~	~	215	435	650
Library-Circulation	25,594	82,507	296,536	30,677	26,283	23,273	80,233
Library-New Patrons	169	552	1,891	237	180	165	582
Library-Total Cardholders	27,123	80,474	~	25,482	25,628	26,039	26,039
Library-Public Meetings Held	27	87	376	26	22	28	76
Library-Audio Downloads	~	29	1,247	326	321	272	919
Library-Internet/PC Usage	2,700	8,059	30,058	2,510	2,651	2,224	7,385
Library-Museum Passes borrowed	40	201	676	86	84	47	217
Library-Holds Filled	1,495	4,793	16,926	1,574	1,582	1,444	4,600
Library-Remote online holds placed	1,116	3,518	12,983	1,319	1,235	978	3,532
Library-Online Catalog Remote Access Hits	2,519	~	5,018	2,906	2,769	2,301	7,976
Library-Attendance at Programs	208	3,183	6,608	292	118	258	668
Library-Website Visitors	30,768	~	104,031	31,280	33,101	32,344	96,725
Library-Blog & Wiki Readers	2,916	~	4,815	1,422	1,351	1,458	4,231
Library-Total Number of Walk In Visits	~	~	50,265	18,590	16,890	15,280	50,760
ECONOMIC CONDITIONS							
Dover Human Services - Number of Contacts	430	1,206	4,994	470	456	520	1,446
Dover Human Services - Caseload # of Applicants	98	~	685	116	125	145	386
Dover Human Services - # of Assisted Cases	87	~	509	~	94	97	191
Dover Human Services - Case Expenditures	\$32,325	\$89,330	\$443,917	\$46,476	\$34,957	\$34,660	\$116,093
Dover Labor Force	~			17,340	17,150	~	
Dover Unemployment Rate	~			6.0	6.1	~	
Strafford County Labor Force	~			68,990	68,360	~	
Strafford County Unemployment Rate	~			6.8	6.9	~	
State of NH Labor Force	~			738,110	741,280	~	

City of Dover - Monthly Statistics	September	FY09	FY09	July	August	September	FY10	
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals	
Number of Days Represented	31	92	365	31	31	30	92	
State of NH Unemployment Rate	~			6.8	6.8	~		
National Unemployment Rate	6.2			9.5	9.4	9.8		
CITY EMPLOYMENT	# weeks represented	4	13	52	5	4	4	13
HR - Gross Wages Paid	\$1,225,829	\$4,001,914	\$15,333,011	\$1,641,684	\$1,257,762	\$1,295,097	\$4,194,543	
HR - Total Average Number of Employees Paid	335	354	345	348	354	325	342	
- Community Services	70	72	71	76	78	73	76	
- Executive	15	14	15	12	10	11	11	
- Finance	16	16	16	20	20	20	20	
- Fire & Rescue	62	61	60	59	59	59	59	
- Human Services	3	3	3	3	3	3	3	
- Library	23	23	22	22	22	22	22	
- Planning	6	7	6	6	6	6	6	
- Police	82	81	83	81	81	79	80	
- Recreation	58	78	69	69	75	52	65	
HR - Total New Hires	7	22	44	7	0	12	19	
- Seasonal Part-Time	2	8	18	3	0	9	12	
- Seasonal Full-Time	3	4	7	3	0	1	4	
- Regular Part-Time	1	4	5	0	0	1	1	
- Regular Full-Time	0	3	6	0	0	1	1	
- Temporary	1	3	4	1	0	0	1	
HR - Total Separations	7	21	51	1	2	2	5	
- Seasonal Part-Time	6	14	37	0	0	1	1	
- Seasonal Full-Time	1	3	4	0	0	0	0	
- Regular Part-Time	0	1	1	0	0	0	0	
- Regular Full-Time	0	3	7	1	2	1	4	
- Temporary	0	0	2	0	0	0	0	
PUBLIC TRANSIT								
Dover Downeaster Total Commuters	~	~	~	4,175	4,976	9,911	19,062	
- Total Boardings	~	~	~	2,054	2,499	2,452	7,005	
- Total Alightings	~	~	~	2,121	2,477	7,459	12,057	
Dover COAST Routes Total Commuters	12,481	27,921	99,478	7,758	7,136	12,200	27,094	
- Route 1/34	1,567	4,869	17,302	2,105	1,780	1,940	5,825	

City of Dover - Montlhy Statistics	September	FY09	FY09	July	August	September	FY10
	2008	YTD Totals	Totals	2009	2009	2009	YTD Totals
Number of Days Represented	31	92	365	31	31	30	92
- Route 2	5,487	16,875	45,842	4,837	4,673	4,660	14,170
- Route 33	0	0	5,080	724	603	686	2,013
- Community Routes	5,359	5,974	29,811	0	0	4,824	4,824
- ADAs	69	204	1,443	83	80	90	253

COMMUNITY SERVICES CAPITAL IMPROVEMENT PROJECTS Status as of September 2009

STREET IMPROVEMENTS

Current: Pierce, Fayette and Green Streets have been paved as well as two sections of Central Avenue and Washington Street.

Previous: The paving bid has been awarded to Brox. Paving will begin at the end of May or beginning of June.

SIDEWALK IMPROVEMENTS

Current: Construction has been completed on Arch, Central, Pierce, Clifford, Fayette, Third, Fifth and Fourth. Work will continue on Main, Shaws, Lexington and Folsom.

Previous: Construction has started with Arch, Fayette, Pierce and Clifford.

BROADWAY/RR CULVERT (formerly NY St Drainage)

Current: The project was submitted to NHDES for stimulus funding, which if awarded funding, is expected to begin construction during 2010. The City Attorney has come to a resolution with the railroad.

Previous: Meeting with outside attorney to assist in coming to a resolution with the railroad regarding easement issue.

COCHECHO RIVER DREDGING

Current: The City has been notified that the House of Representative FY 2010 budget was approved with \$2 million for the Cocheco Dredge project. We await the approval of the Senate FY 2010 budget which proposes \$2.0 million in its budget for the dredge. The USACOE will begin preparations to contract the dredging once the Senate has approved its budget. Unfortunately the timing of the budget approval and contracting for the upcoming dredging do not coincide well. The ACOE needs 4 months to issue a contract and be certain that funding is approved prior to beginning the contracting process. It is now October and leaves less than 1 month before the dredge window begins. Consequently dredging will not resume until November 2010.

Previous: The City has been notified that the House Committee has included \$1.2 million for the Cocheco Dredge project in the FY 2010 budget and the US Senate Committee has included \$2.0 million in its budget for the dredge. A conference committee will now reconcile the differences and hopefully include the greater amount of \$2.0 million in the 2010 Congressional budget. The USACOE has notified the City that the Cocheco dredge project will not be dredge during the upcoming dredge window this winter despite the good news on the potential funding from Congress. Unfortunately the timing of the budget approval and contracting for the upcoming dredging do not coincide well. The ACOE needs 4 months to issue a contract and be certain that funding is approved prior to beginning the contracting process. It is now nearly August and leaves only 3 months before the dredge window begins. Consequently it appears that dredging will not resume until November 2010. The City has asked the Congressional delegation for assistance in asking the ACOE to modify the process to allow dredging to move forward in November 2009.

WASHINGTON ST BRIDGE TO RIVER ST

Current: The work continues on the bridge deck and utilities approaching the bridge.

Previous: The Steel Beams have been set. The utilities (water, sewer, conduits) have been installed on the bridge.

SEWER INFLOW / INFILTRATION MITIGATION

Current: The Community Services Department has requested Wright Pierce to perform sewer flow monitoring in the downtown area to determine the capacity of the sewer lines on Henry Law Avenue as well as the contribution of I&I during rain events in the sewer shed prior to the reconstruction of the street. The flow monitoring will determine the need for additional I&I work and the potential need for sewer improvements on Henry Law Avenue.

Previous: The project on Old Bellamy Rd, aka Chandler, is complete.

TOLEND LANDFILL REMEDIATION

Current: EPA issued an Explanation of Significant Difference (ESD) document on June 30, 2010. The modified remedy proposes to establish hydraulic control of the contaminants leaving the landfill using a groundwater extraction system and conveyance system to the Dover WWTP. A copy of the ESD was previously transmitted to the City Council by the City Manager. The remedy will be effective and cost \$14 million less than the sparging trench. The remedy will be able to be fully implemented and operational by the end of 2010.

Previous: EPA held a Public Meeting on April 27th to present the proposed modification to the final remedy at the landfill. The EPA proposed the change using an Explanation of Significant Difference (ESD) document. The modified remedy proposes to establish hydraulic control of the contaminants leaving the landfill using a groundwater extraction system and conveyance system to the Dover WWTP. A copy of the ESD was previously transmitted to the City Council by the City Manager. The remedy will be effective and cost \$14 million less than the sparging trench. EPA is accepting comments to the ESD for a 30 day period which began on April 27th.

RIVER ST PUMP STATION UPGRADE

Current: T Buck Construction, the contractor for the River St. pump station upgrade, began work at the end of September. Work is expected to continue for approximately 12 months.

Previous: T Buck Construction was approved by the City Council as the contractor for the River St. pump station upgrade. Work is expected to commence by the end of September following contract signing.

SEWER INFLOW / INFILTRATION MITIGATION

Current: The project on Old Bellamy Rd, aka Chandler, is complete.

Previous: SUR has completed installation of the sewer main and is working to connect the individual services, install new street drainage, and complete reconstruction of the road. The heavy rain and poor soil conditions have made progress slow during the last few weeks. A change order was approved by the City Council in June to improve the road base which will make the road hold up much better for years to come.

REDDEN/ASH STREET SEWER REPLACEMENT

Current: The project has been awarded to SUR and they have started construction.

Previous: The project is out to Bid.

ROUTE 9 RR BRIDGE WATERMAIN REPLACEMENT

Current: The final plans have been delivered to the State. The state will be advertising for construction bids shortly.

Previous: The City is in discussions with the DOT on requirements made by the Railroad.

Total Permits Issued: September 2009

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
09-244	HUNT	245	BACK ROAD	CONST. POLE SHED	A	M	100A	6000	85
09-015	CITY OF DOVER	46	LOCUST STREET	INT. RENO. OF FORENSIC LAB	C	2	1	13000	0
09-030	DOVER ELKS LODGE	282	DURHAM ROAD	REPAIR WATER DAMAGE	C	I	122	50000	525
09-120	CITY OF DOVER	610	TOLEND ROAD	DOVER LANDFILL	C	C	18	100000	0
09-167	SANZACLARE	15	WEEKS LANE	CONST. ADD. & RENO. BLDG. FOR BEAT	C	38	36	138000	1605
09-224	NEXT LEVEL CHURCH	83	MAIN STREET	DECK/PATIO	C	3	31	6000	85
09-235	CORMIER	24	NEW ROCHESTER ROAD	CONST./INST. A METAL ROOF	C	39	91	5000	75
09-273	SHAHEEN	903	CENTRAL AVENUE	ELECTRIC FOR HAIR SALON	C	38	11	100000	1025
08/143	THORNWOOD COMMONS LLC	16	JACQUELINE DRIVE	CNST. SNGL. FAM. DWL. W/ATT. GAR	R	M	4-5	160000	1625
08-144	THORNWOOD COMMONS, LLC	19	JACQUELINE DRIVE	CONST. A SGL FAM DWLG W/ATT. GAR	R	M	4-6	160000	1625
08-145	O'NEIL	17	JACQUELINE DRIVE	CONST. SNGL FAM. DWLG. W/ATT. GAR	R	M	4-7	136000	1385
08-148	THORNWOOD COMMONS LLC	5	JACQUELINE DRIVE	CNST. SNGL. FAM. DWLG W/ATT. GAR	R	M	4-10	200000	2025
08-157	THORNWOOD COMMONS LLC	8	SONIA DRIVE	CNST. SIN. FAM. DWLG W/ATT. GAR	R	M	4-19	160000	1625
09/248	STEWART	12	CORNERSTONE DRIVE	RMV/RPLC/EXPND REAR DECK ADD.	R	B	18-48	5000	75
09-037	MAXFIELD	37	CONIFER COMMONS	ADD INSUL AND FIREWALL TO GARAGE	R	E	19-11	3000	55
09-044	STF DEVELOPMENT	8	WAVERLY DRIVE	1 UNIT OF A 4 FAMILY DWELLING	R	24	2A-2	57500	581.25
09-044	STF DEVELOPMENT	7	WAVERLY DRIVE	1 UNIT OF A 4 FAMILY DWELLING	R	24	2A-2	57500	581.25
09-044	STF DEVELOPMENT	6	WAVERLY DRIVE	1 UNIT OF A 4 FAMILY DWELLING	R	24	2A-2	57500	581.25
09-044	STF DEVELOPMENT	5	WAVERLY DRIVE	1 UNIT OF A 4 FAMILY DWELLING	R	24	2A-A	57500	581.25
09-090	STF DEVELOPMENT	2	WAVERLY DRIVE	1 UNIT OF A 4 FAMILY DWELLING	R	24	2A-2	57500	581.25
09-090	STF DEVELOPMENT	1	WAVERLY DRIVE	1 UNIT OF A 4 FAMILY DWELLING	R	24	2A-2	57500	581.25
09-090	STF DEVELOPMENT	4	WAVERLY DRIVE	1 UNIT OF A 4 FAMILY DWELLING	R	24	2A-2	57500	581.25

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
09-090	STF DEVELOPMENT	3	WAVERLY DRIVE	1 UNIT OF A 4 FAMILY DWELLING	R	24	2A-2	57500	581.25
09-130	PAOLINI	118	BOXWOOD LANE	CNST. SNGL. FAM. DWLG W/ATT. GAR.	R	B	21-25	280000	2825
09-137	FARMHAVEN DEV. ASSOC.	61	BOXWOOD LANE	SINGLE FAMILY W/ ATT. GARAGE	R	B	21-4	300000	3025
09-206	DOVER HOUSING AUTHORITY		MINERAL PARK DRIVE	CREATE ENTRY VESTIBULES AS UNITS	R	33	4	2800	0
09-207	GREELEY	27	OAK STREET	FOUNDATION REPAIR	R	27	257	10000	125
09-221	SPECTRUM ENTERPRISES	40	AYERS LANE	NEW SINGLE FAMILY DWELLING	R	6	73-4	394000	3965
09-222	SPECTRUM ENTERPRISES	44	AYERS LANE	NEW SINGLE FAMILY DWELLING	R	L	73-5	393000	3955
09-226	LAGRASSA	9	RIVERDALE AVENUE	SUN ROOM	R	8	1-79B	30000	325
09-227	SALVATORE	39	GLADIOLA WAY	FNSH BSEMNT FOR ADD. LIV. SPACE	R	A	28-15	4300	75
09-228	FRASER	24	BALDWIN WAY	INGROUND POOL	R	L	40-13	30000	325
09-229	DEMOSIARIS	159	LONG HILL ROAD	SECOND STORY ADDITION & SHED	R	A	18H	113000	1155
09-230	STERN	201	TOLEND ROAD	EXTEND ROOF OVERHANG	R	E	47	2000	45
09-232	WILLIAMS	26	DOVER POINT ROAD	REPAIR/REPLC. PORCH ROOF	R	27	23	5000	75
09-233	DUSINBERRE	126	SIXTH STREET	FOUNDATION REPAIR	R	34	18	6500	95
09-234	TAYLOR	22	MAPLEWOOD AVENUE	CONST. ACCESS. STR. FREE-STANDING	R	D	8L	6500	95
09-236	THOMAS	9	IRONWOOD LANE	CONST./INSTALL AMATEUR RADIO TOW R		B	4-65	2300	55
09-237	GOODWIN	6	REVOLUTION DRIVE	DECK	R	K	21	5500	85
09-238	SPRINGBROOK COMMONS, LL	10	ELLIOTT PARK	ADD DORMER & RENOVATE	R	17	9	31000	335
09-239	MILLER	27	BOSTON HARBOR ROAD	DEMO. ACCESS. STRUC. - GARAGE	R	7	12	0	50
09-242	FOXX	17	SILVER STREET	FIRE ESCAPE	R	9	78	1000	45
09-245	LEGGETT	128	DOVER POINT ROAD	DEMO METAL SHED AND POOL	R	M	67	0	50
09-246	DALEY	106	COCHECHO STREET	RENO. R-DECK EXPNSN & FRNT & SIDE	R	25	73	3000	55
09-251	PAGE	18	ESSEX STREET	SHED	R	24	20	2000	45
09-252	EVANS	129	SPUR ROAD	CONST. ATT. GAR. & MUDRM, PORCH	R	L	31	13500	165
09-254	MCCABE	8	CRANBROOK LANE	DORMER ADDITION W/ BATH	R	D	53	3500	65

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
09-259	GAGNON	21	PLEASANT VALLEY ROAD	CONST. A WHEELCHAIR RAMP	R	I	22	6000	85
09-260	CORRIVEAU	49	SANDY LANE	CONST/INSTALL A SHED	R	A	52	5000	75
09-261	O'NEIL	311	TOLEND ROAD	CONST. STORAGE SHED	R	E-40	3	4000	65

Total Permits Issued: 50

Total Construction Value: \$3,355,900.00

Total Fees Collected: \$33,725.00

Type of Permits Issued		Certificate of Occupancy's	
Apartment dwlg units	0	Apartment Units	18
Commercial	7	Commercial	1
Condo Units	0	Condo Units	0
Congregate Care Facility	0	Congregate Care Facility	0
Convert 1 to 2 Fmly Dwlg	0	Convert 1 to 2 Fmly Dwlg	0
Duplex Unit	0	Duplex Unit	0
Industrial	0	Industrial	0
Multi Family	8	Renovations	0
Manufactured Dwlg	0	Manufactured Dwlg	0
Single Family Dwelling	9	Single Family Dwellings	5
		Total	7

PROJECTS BEFORE DOVER PLANNING BOARD

NAME	LOCATION		Total Units	Units Built*	Units left	DATE OF PB SIGNATURE	DATE OF PB APPROVAL	SCRD DATE	PLANNING FILE #	MAP	L0T	EXPIRATION DATE	SCHOOL	Students**
Code	H = Homes	A = Apts.	C = Condos											
Multi-Family:														
Market Square Condominiums	46 Dover Point Road	C	6	3	3	5/29/2009	5/12/2009		P09-08	K	23	5/29/2013	G	1.98
Paolini	54 Dover Point Road	C	12	0	12		7/22/2008		P08-15	K	20		G	3.96
Cedar Cove	Regent Dr	A	62	62	0	5/29/2008	4/22/2008	6/19/2008	P07-64	E	66	5/29/2012	W	20.46
Summit Land	Fifth St	A	8	8	0	4/7/2008	4/22/2008	Site	P08-10	5	16	4/7/2012	H	2.64
Temple Associates	Washington St	A	15	15	0	3/4/2008	10/23/2007	5/14/2008	P06-03	2	14	3/4/2012	W	4.95
Bamford	Third St	A	20	0	20	9/12/2007	8/14/2007	Site	P06-37	6	46	9/12/2011	H	2.2
New Meadows Inc	Knox Marsh Rd	A	120	48	72	9/27/2005	9/27/2005	Site	P04-04	H	35C	9/27/2009	W	13.2
PRPC	Roseanne Dr	H/C	18	18	0	2/2/2006	9/13/2005	5/23/2006	P04-46	I	3	2/2/2010	G	5.94
Total: Multi-family			123	88	15									34
Subdivisions:														
Scott Subdivision	Back Road	H	3	0	3		7/28/2009		P09-18	M	1		G	1.11
Beacon Circle	Henry Law Ave	H	9	0	9		5/12/2009		P08-25	21	5		G	3.33
Hidden Valley Drive	Hidden Valley Dr	H	10	0	10		3/24/2009		P09-03	I	94C		G	3.7
Harbor Hills	Dover Point Rd	H	14	0	14	4/2/2008	10/23/2007		P07-39	L	89G		G	5.18
Paddocks/Tidewater Farms	Saddle Trail Dr	H	9	1	8	2/21/2008	10/23/2007	2/21/2008	P07-43	N	8	2/21/2012	G	7.4
Long Meadow	Gladiola Way	H	20	14	6	1/30/2008	8/28/2007	2/6/2008	P06-40	A	28	1/30/2012	H	7.4
Picnic Rock	Back River Rd	H	21	2	19	10/31/2007	7/10/2007	11/6/2007	P07-32	16	20	10/31/2011	G	7.77
Schooner Landing	Schooner Dr	H	10	2	8	7/19/2007	4/10/2007	7/25/2007	P06-54	M	96A	7/19/2011	G	3.7
Pacific Landing	Upper Factory Rd	H	15	4	11	2/8/2007	7/25/2006	2/8/2007	P05-72	E	49	2/18/2011	W	5.55
Goldberg/Tolend Rd Prop.	Columbus Ave/Tolend	H	72	0	72	10/5/2006	7/14/2005	11/2/2006	P03-36	G	24	10/5/2010	W	26.64
Stern Subdivision	Lika Dr	H	3	0	3	3/23/2006	2/28/2006	3/23/2006	P05-71	E	45	3/23/2010	W	1.11
Emerald Woods III	Emerald Ln/Viridian Ln	H	37	0	37	1/31/2006	6/14/2005	2/1/2006	P05-10	F	15	1/31/2010	W	13.69
Narrows at Tidewater Farm	Wysteria Dr	H	5	3	2	12/16/2005	8/9/2005	12/21/2005	P05-38	N	8-3	12/16/2009	G	1.85
Duffy Drive	Middle Rd	H	3	3	0	10/24/2005	10/11/2005	10/25/2005	P05-24	M	101	10/24/2009	G	1.11
StoneCroft	Carriage Hill Ln	H	11	8	3	8/9/2005	5/24/2005	8/9/2005	P05-18	A	16	8/9/2009	H	4.07
Havenwood Farm at Alden	Boxwood/Wildewood	H	32	20	12	6/6/2005	5/10/2005	6/7/2005	P04-42	B	21	6/6/2009	H	11.84
Ayer	Falcon Dr	H	5	4	1	5/24/2005	2/22/2005	6/8/2005	P04-61	N	21	5/24/2009	G	1.85
Waldron Falls	Watson Rd	H	10	3	7	3/30/2005	1/11/2005	4/7/2005	P04-59	E	37	3/30/2009	W	6.29
White Tail	Picard Ln	H	17	4	13	1/10/2005	11/10/2004	1/10/2005	P04-47	A	19	1/10/2010	H	6.29
Emerald Woods I & II	Emerald Ln	H	25	17	8	12/6/2004	9/28/2004	12/10/2004	P02-01	F	27	12/6/2008	W	9.25
Weeden	Garrison Rd	H	4	3	1	9/28/2004	6/22/2004	10/4/2004	P04-25	I	1P	9/24/2008	G	1.48
Cornerstone Crossing III	Conerstone Dr	H	18	8	10	7/28/2005	4/12/2005	8/1/2005	P05-13	B	18	7/28/2009	H	6.66
Lionheart	Littleworth Rd.	H	4	2	2	2/24/2004	2/24/2004	3/8/2004	P03-66	G	28-1	2/24/2008	W	1.48
Ayer	McKone Ln	H	2	1	1	6/5/2003	6/5/2003	6/5/2003	P02-67	N	18	6/5/2007	G	0.74
Total: Single Family			347	99	248									135
TOTAL APPROVED UNITS			470	187	263									169
Elderly:														
The Village at Thornwood	Jacqueline Dr/Sonia Dr	H	48	9	39	7/2/2008	3/13/2007		P06-55	M	4	7/2/2011	G	
Arbor Woods	Mast Road	H	63	8	55	2/20/2007	1/9/2007	2/20/2007	P06-24	H	4	2/20/2011	W	
Dover Retirement Cottages	Back River Rd	C	48	0	48	8/4/2006	2/28/2006	Site	P05-48	I	56	8/4/2010	Living	
Total: Elderly			159	17	142									
APPROVED + ELDERLY			629	204	405									169

** Students are estimated based upon Impact Fee multipliers. THERE IS NO GUARANTEE TO THESE NUMBERS

* Built or permit issued and unit under construction

City of Dover

Bid Solicitation Report

For September 2009

10/1/2009

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No PO Notes	
	Approved By		Fund	Function/Division	
Police				Wrecker Towing Services	
B10012	09/03/2009	09/17/2009			
Community Services				Segregation & Recycling of Const. and Demo Debris	
B10017	09/14/2009	09/29/2009			
Community Services				Two Truck Cab and Chassis 36000 lbs	
B10021	09/16/2009	10/05/2009			
Community Services				Snow Plowing/Hauling Services	
B10018	09/18/2009	10/07/2009			
Total for					

City of Dover

Bid Solicitation Report

For September 2009

10/1/2009

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No PO Notes	
	Approved By		Fund	Function/Division	
00 Other					
FIRE & RESCUE				FIRE SAFETY FESTIVAL	
Q10-004	09/23/2009	10/06/2009		T-SHIRT	
			Departmental Agency Fund		
				Total for Other	
21 Police					
Police				Concealable Ballistic Vests	
B10024	09/28/2009	10/13/2009			
				Police Support	
				Total for Police	
30 Comm Serv PW					
CS Admin	09/16/2008	30-253455	Ti-Sales Inc	LMI chemical metering	
Q09-005	09/05/2009	09/15/2009		pump-caustic	2,721.60
	PA			combined with req R30-107674	
			Water Fund	CS - Water	

City of Dover

Bid Solicitation Report

For September 2009

10/1/2009

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By		Fund	Function/Division	
CS Admin				Cutting Edges	
B10019	09/14/2009	09/28/2009			
			General Fund	CS - Snow Rmvl	
Total for Comm Serv PW					2,721.60
55 Other Financing Uses					
Community Services				Ford Fusion	
B10022	09/14/2009	10/06/2009			
			Fleet Maintenance Fund	Internal Service	
Total for Other Financing Uses					
Grand Total All Departments					2,721.60

City of Dover

Purchase Order Report

For September 2009

10/5/2009

Department	PO Date Bid Number Approved By	PO No Bid Date CC Meeting	Vendor Bid Due Item No Fund	Description PO Notes Function/Division	PO Amount
00 Other					
Finance	09/11/2009	15-259621	Department of Transportation, O	Refund Tax Payment Meant for Dover DE	7,079.33
	PA		General Fund		
Total for Other					7,079.33
10 City Council					
CM Office	09/02/2009	13-259468	Coast	Subsidy- Quarterly Installments	118,860.00
	PA		General Fund	City Council	
Total for City Council					118,860.00
18 Planning					
Planning	09/14/2009 B10003	18-259744 07/20/2009	New Hampshire Glass 08/13/2009	McConnell Center Doors & Openers	26,050.00
	PA		CDBG - Entitlement	Public Facilities	
City Managers Office	09/02/2009	13-259478	Gallagher, Callahan & Gartrell, P	Jeanne Hanover vs City of Dover	50,000.00
	PA		Economic Dev Loan Fund	Econ Dev Assist	
Planning	09/14/2009	18-250803	Sebago Technics, Inc	Consultant Work	9,300.00
	PA		Capital Improvements FY04	Transportation Impr Pgm	
Planning	09/16/2009	18-259720	Coast	20% Local match for Operating Fees	60,000.00
	PA			Transportation Impr Pgm	

City of Dover

Purchase Order Report

For September 2009

10/5/2009

Department	PO Date Bid Number Approved By	PO No Bid Date CC Meeting	Vendor Bid Due Item No Fund	Description PO Notes Function/Division	PO Amount
Total for Planning					145,350.00
30 Comm Serv PW					
CS Admin	09/02/2009 B10010	30-259473 08/12/2009	Layne Christensen Company 09/01/2009	Houghs & Campbell Well Cleaning	21,876.00
	PA			Water Fund CS - Water	
CS Admin	09/14/2009	30-259721	Wright-Pierce	River Street Pump Station Construction Oversight	200,000.00
	PA			Sewer Fund CS - Sewer	
CS Admin	09/24/2009 B10014	30-259859 08/24/2009	SUR Construction 09/08/2009	Construction Water Sewer Main Redden/ Ash	469,480.00
	PA				
CS Admin	09/21/2009	30-259745	Emery & Garrett	Study -Rehabilitation of Willand Pond Well	21,500.00
	PA			Water Fund CS - Water	
CS Admin	09/08/2009 B10005	30-259617 07/22/2009	Wright Pierce 08/06/2009	Investment Fee	9,600.00
	PA				
CS Admin	09/14/2009	30-258361	Steve Sarette & son excavation	LI Change Order Sidewalk Imp	123,066.40
	PA			General Fund CS - Streets	
CS Admin	09/14/2009	30-259722	T Buck Construction, Inc.	River Street Pump Station Upgrades	1,460,421.00
	PA			Sewer Fund CS - Sewer	

City of Dover

Purchase Order Report

For September 2009

10/5/2009

Department	PO Date Bid Number Approved By	PO No Bid Date CC Meeting	Vendor Bid Due Fund	Description PO Notes Item No Function/Division	PO Amount
Total for Comm Serv PW					2,305,943.40
35 Recreation					
Recreation Admin	09/23/2009 B10007	35-259860	Vermont Recreation Surfacing & Tennis Court Rehabilitation 07/23/2009 08/01/2009		13,843.00
	PA		Capital Improvements FY08	Recreation Fields	
Recreation Admin	09/15/2009	35-259725	Fox tours-Group tour Specialist	Senior Center Trip to Taj Mahal 9/20-22	8,884.40
	pa		Recreation Pgms		
Total for Recreation					22,727.40
39 Public Library					
Public Library	09/10/2009	39-259616	Sirsidynix	1/2 Maint Dynix System	9,703.28
	PA		General Fund	Public Library	
Total for Public Library					9,703.28
55 Other Financing Uses					
Finance	09/22/2009	15-259815	Treasurer, State of NH	Workers Compensation	6,451.38
	PA		Workers Compensation Fund	Internal Service	
Total for Other Financing Uses					6,451.38
Grand Total All Departments					2,616,114.79

City of Dover

Expenditures of Major Funds

September 30, 2009

(General Fund Includes County, School and Debt Service)

Account	Original Budget	Adjusted Budget	Expenditures This Period	Expenditures Year to Date	Encumb	Budget Availability	Avail %
1000 General Fund							
City Council	301,884.00	330,155.75	6,690.98	56,904.40	129,169.47	144,081.88	43.64
Executive	780,347.00	782,462.00	50,213.99	100,583.03	2,617.80	679,261.17	86.81
Finance	1,411,996.00	1,416,654.29	92,638.64	215,791.42	130,560.81	1,070,302.06	75.55
Planning	381,875.00	386,755.00	27,739.96	62,137.74	3,322.32	321,294.94	83.07
Misc Gen Gov't	786,757.00	915,583.94	66,414.21	110,674.42	89,697.04	715,212.48	78.12
Police	6,341,897.00	6,374,069.64	437,555.98	956,821.60	24,907.77	5,392,340.27	84.60
Fire & Rescue	6,244,629.00	6,251,522.47	485,990.40	1,068,869.18	1,599.34	5,181,053.95	82.88
Comm Serv PW	5,377,105.00	6,448,643.42	322,572.66	749,274.94	813,653.25	4,885,715.23	75.76
Recreation	2,337,275.00	2,354,092.12	145,741.93	335,065.86	24,233.97	1,994,792.29	84.74
Public Library	1,063,736.00	1,079,423.43	81,909.47	178,442.71	3,120.44	897,860.28	83.18
Human Services	712,277.00	717,196.53	52,586.34	119,775.15	4,909.11	592,512.27	82.62
Debt Service	9,979,748.00	9,979,748.00	99,854.50	637,177.00	0.00	9,342,571.00	93.62
Other Financing Sources/Uses	125,000.00	125,000.00	0.00	0.00	0.00	125,000.00	100.00
School	40,699,081.00	40,699,081.00	3,214,001.15	4,587,155.63	13,901.20	36,098,024.17	88.69
Intergovernmental	7,002,420.00	7,002,420.00	0.00	0.00	0.00	7,002,420.00	100.00
Total for General Fund	83,546,027.00	84,862,807.59	5,083,910.21	9,178,673.08	1,241,692.52	74,442,441.99	87.72
3320 Residential Solid Waste							
Comm Serv PW	1,077,465.00	1,152,299.46	8,820.29	110,450.34	842,272.40	199,576.72	17.32
Total for Residential Solid Waste	1,077,465.00	1,152,299.46	8,820.29	110,450.34	842,272.40	199,576.72	17.32
3381 McConnell Center							
Comm Serv PW	0.00	0.00	254.20	274.20	0.00	(274.20)	0.00
Recreation	774,724.00	780,026.54	21,672.39	47,930.25	25,219.57	706,876.72	90.62
Total for McConnell Center	774,724.00	780,026.54	21,926.59	48,204.45	25,219.57	706,602.52	90.59

City of Dover

Expenditures of Major Funds

September 30, 2009

(General Fund Includes County, School and Debt Service)

Account	Original Budget	Adjusted Budget	Expenditures This Period	Expenditures Year to Date	Encumb	Budget Availability	Avail %
5300 Water Fund							
Comm Serv PW	4,162,633.00	4,240,236.54	222,228.64	509,057.64	103,824.95	3,627,353.95	85.55
Total for Water Fund	4,162,633.00	4,240,236.54	222,228.64	509,057.64	103,824.95	3,627,353.95	85.55
5320 Sewer Fund							
Comm Serv PW	5,750,387.00	5,838,764.36	377,442.76	766,018.34	59,534.50	5,013,211.52	85.86
Total for Sewer Fund	5,750,387.00	5,838,764.36	377,442.76	766,018.34	59,534.50	5,013,211.52	85.86

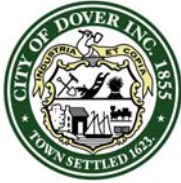
City of Dover

Revenues of Major Funds

September 30, 2009

(General Fund Includes Property Taxes and Education Revenues)

Account	Original Budget	Adjusted Budget	Revenues This Period	Revenues Year To Date	Revenue Due	Uncollected %
1000 General Fund						
Taxes	59,805,993.00	59,805,991.63	10,017.37	155,121.93	59,650,869.70	99.74
Licenses & Permits	4,315,000.00	4,315,000.00	367,122.51	701,352.13	3,613,428.37	83.74
Intergovernmental	1,989,485.00	1,989,485.00	67,641.52	255,677.19	1,733,807.81	87.15
Charges for Services	3,131,457.00	3,131,457.00	199,313.29	346,416.37	2,785,040.63	88.94
Misc. Revenue	575,163.00	575,163.00	51,573.05	66,855.96	508,307.04	88.38
Education	13,211,005.00	13,211,005.00	797,161.54	2,081,343.27	11,129,661.73	84.25
Operating Transfers In	517,924.00	517,924.00	0.00	0.00	517,924.00	100.00
Total for General Fund	83,546,027.00	83,546,025.63	1,492,829.28	3,606,766.85	79,939,039.28	95.68
3320 Residential Solid Waste						
Charges for Services	1,077,465.00	1,077,465.00	99,945.30	172,733.40	904,731.60	83.97
Misc. Revenue	0.00	0.00	82.81	91.52	(91.52)	0.00
Total for Residential Solid Waste	1,077,465.00	1,077,465.00	100,028.11	172,824.92	904,640.08	83.96
3381 McConnell Center						
Misc. Revenue	691,903.00	691,903.00	45,812.94	93,807.02	598,095.98	86.44
Operating Transfers In	82,821.00	82,821.00	5,687.92	11,375.84	71,445.16	86.26
Total for McConnell Center	774,724.00	774,724.00	51,500.86	105,182.86	669,541.14	86.42
5300 Water Fund						
Charges for Services	4,141,633.00	4,141,633.00	145,965.09	272,099.11	3,869,533.89	93.43
Misc. Revenue	21,000.00	21,000.00	4,373.12	6,828.31	14,171.69	67.48
Total for Water Fund	4,162,633.00	4,162,633.00	150,338.21	278,927.42	3,883,705.58	93.30
5320 Sewer Fund						
Intergovernmental	154,097.00	154,097.00	0.00	7,702.00	146,395.00	95.00
Charges for Services	4,579,371.00	4,579,371.00	159,398.77	297,471.53	4,281,899.47	93.50
Misc. Revenue	32,000.00	32,000.00	5,716.35	8,306.67	23,693.33	74.04
Other Financing Sources	984,919.00	984,919.00	0.00	0.00	984,919.00	100.00
Total for Sewer Fund	5,750,387.00	5,750,387.00	165,115.12	313,480.20	5,436,906.80	94.55



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor DeDe led the Pledge of Allegiance.

3. ROLL CALL

Present: Mayor Myers, Deputy Mayor Trefethen, Councilors Callaghan, Carrier, Cheney, DeDe, McCusker, Scott and Weston.

Also Present: City Manager Joyal, City Attorney Krans and City Clerk Lavertu.

4. PROCLAMATIONS – None

5. APPROVAL OF AGENDA

Deputy Mayor Trefethen made a motion to approve the Agenda; seconded by Councilor Callaghan.

Vote: 9/0.

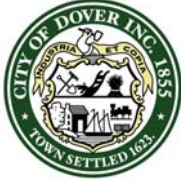
6. CITIZEN'S FORUM

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Harvey J. Lynch, 26B Lincoln Street: He referred to the advertisement in the Foster's Daily Democrat for a Media Services Coordinator for \$30,000 to \$60,000 a year. He asked why there wasn't a freeze on hiring in the City during this recession. He said some people asked him about the bed bug problem in Dover, and asked if the situation is being taken care of. He said it is spreading in some of the buildings, and they're getting too close to his street. He felt the situation needed to be handled.

David Montenegro, 55 Union Street: He said he had a specific question for the Mayor, since he has filed to run for re-election. He asked the Mayor his position on the abuses of Police power in Dover, and what he planned to do about it. He referred to the August 28th article in The Foster's Daily Democrat about a 21-year-old woman named Katie Beaudette, who was mashed into the ground on her 21st birthday by Dover's finest. He asked how the Mayor will address this issue in his next term.

Mayor Myers said Citizen's Forum is a chance for the citizen's to speak to the Council, and the reason that he has no response.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

Richard Hebbard, 97 Spruce Lane: He referred to the brush cutter mounted on the loader that the City owns. He said he has noticed over the past few years that the workers keep creeping over the property line onto private property. He said if private property is blocking the right of way it was up to the City to notify that abutter and have them take care of it. He said he noticed this happening across the street from his property, and he went over to tell them to stop because they were on private property. He said he had also tried to contact the Community Services Director, Doug Steele, but told the woman who answered what he was planning to do. He said instead of calling him back, Mr. Steele had contacted the property owner to ask him if they could cut the brush. He said he later saw the property-owner, who was disturbed at how far onto his property the City had gone. He said the property-owner was concerned about erosion on the hill, and that the trees and bushes were used as a buffer. He said this work was also done on the end of Spruce Lane, near Mast Road. He suggested to the City Manager that he have someone who understands property rights and State laws explain to the workers what they can and can't do, because right now they are breaking the law and violating people's property rights. He said the buck stops with the City Manager and he is responsible. He said he hopes this stops, because he will file a lawsuit against the City again to make sure this doesn't happen.

Gary Green, 18 Footbridge Lane, Chairman of the Dover Utilities Commission: He said on Monday night the Dover Utilities Commission passed a \$4.5 million package to build a water tower in the North End. This amount is down \$2 million from what is in the CIP.

Mayor Myers, seeing no one else wishing to speak, closed the Citizen's Forum.

7. PUBLIC HEARINGS

A. RESOLUTION: REPROGRAMMING OF UNEXPENDED BOND PROCEEDS FROM WOODMAN PARK TENNIS COURT TO "OTHER" TENNIS COURTS
SPONSORED BY MAYOR MYERS BY REQUEST

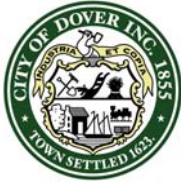
Mayor Myers, seeing no one wishing to speak, closed the Public Hearing.

B. RESOLUTION: REPROGRAMMING OF UNEXPENDED BOND PROCEEDS AND REDUCE PRIOR UNISSUED BOND AUTHORIZATION
SPONSORED BY MAYOR MYERS

Mayor Myers, seeing no one wishing to speak, closed the Public Hearing.

C. RESOLUTION: BUDGET AMENDMENT #3 - GENERAL FUND REDUCTION OF DEBT SERVICE CITY - INTEREST
SPONSORED BY MAYOR MYERS

Mayor Myers, seeing no one wishing to speak, closed the Public Hearing.



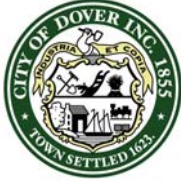
CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

D. RESOLUTIONS: BUDGET AMENDMENTS #4 THROUGH #24 (EXCLUDING #17, #18, AND #20)

Richard Hughes, 51 New Rochester Road: He said there were 24 Resolutions on the Agenda and he felt that nearly all will adversely affect the myriad of City functions and projects. He said the overall goal of these Resolutions is to eliminate any increase in the property tax because of the loss of \$600,000 in revenue from the State of New Hampshire. He asked why all these reductions were only coming from the City side of the budget. He said there were already cuts made during the regular budget procedure last spring. He said the City employees have agreed to a wage freeze on both salary and steps, and the department heads are taking salary cuts. He referred to the March 10th article in Foster's Daily Democrat, where it stated that all proposed School cuts were restored. He said the City Council approved the same amount for the School budget on June 3rd. He said not one dollar has been cut from the Dover School budget since it was approved by the School Board in March. He referred to a second article from a September 15th issue of Foster's where it states "Dover School Officials: second round of further cuts is not needed." He said that was very misleading, because it couldn't be further cuts when there haven't been any cuts to start with. He referred to a third article from a September 5th issue of Foster's regarding School labor contracts: "Under an existing administrative contract they are receiving a 3% increase and about 60% of the other two unions received a 3.2% step increase despite stalled negotiations on a new contract." He said it was also noted that the administrators are now contributing between 8% and 10% towards their health insurance for the first time. He said it also said that the School Board has invited the two unions without a contract back to the bargaining table, which he felt opened up the possibility of additional raises this year. He reminded the Council that City employees will have no salary or step increases this year, along with paying 20% of their health insurance premiums. He referred to an earlier City Council Workshop where the School Department's Business Administrator was asked if there were any one-time expense that the School Department could defer a year, and she would not identify a single item in a \$43 million budget. He said about five years ago the School Department was shortchanged by the State for \$600,000 and the City quickly made up the shortfall. He said he has not seen a single case where the School Department is willing to trim a single dollar from the budget to help offset the loss of the State's revenue to the City. He said it was time for the School Department to pay a share. He said most of the budget amendments on the Agenda are for cutting the City's operating accounts for electricity, natural gas, maintenance supplies, snow plowing, etc. He said if the City will be turning out lights, lowering thermostats, doing less cleaning of City buildings, and doing less snowplowing, then he suggested that the School Department be expected to do the same with a bottom line cut in their budget. He referred to the Resolution for a cut in outside legal services for the City, and said he felt the School Department should do the same, since they quickly hired outside legal services to challenge the actions of the City Council. He referred to Resolution #4, Budget Amendment #24, regarding changing the wording of the previous action of the Council to tap the Sand and Gravel Fund to offset the \$400,000 of State revenue. He said the original resolution apparently upset the School Department, and it is being proposed to change the wording to place any and all burden on the City, and showing that the School is unwilling to assist the City.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

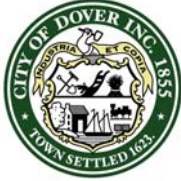
Raymond Bardwell, 199 Spur Road: He reminded the Council that he favors the tax cap, but said he has told some of the Councilors that it wouldn't have been needed if previous Councilors had stepped up and addressed spending. He said he is bothered by the Council's wringing of their hands over next year's situation. He said he watched Portsmouth deliberate over their budget and only raise it 1%, and he felt Dover could have done the same. He said he felt the Sand and Gravel Fund was robbed for this year's shortfall. He referred to an article in Foster's Daily Democrat reporting salaries. He said it wasn't the citizen's job to tell the Council that they are being paid too much. He said it was the job of City Manager Joyal. He said he was rankled that Foster's published that before the lights are turned on at the Library it costs the City \$881,350. He said the Head Librarian makes \$135,000 gross with benefits, and he felt that was a lot of money. He said he worked for a national company and didn't make that kind of money. He said if he were on the Council he would ask the City Manager to do a study of all New England Towns of comparable size, because he felt the City's salaries were out of whack. He said it is the job of the citizens to challenge the Council to pass a budget that is reasonable. He said he is hearing from people that the well is going dry. He said he was concerned with the cutting of the snow removal budget, and then in February the Council needs to find more money so they don't go over the tax cap. He said he was on the Joint Building Committee (JBC) and they are doing deferred maintenance on the schools, because it is the first thing that is cut.

Kirt Schuman, 30 Cushing Street, Executive Director for the Greater Dover Chamber of Commerce: He urged the Council not to support Budget Amendment #15 that would potentially eliminate the previously approved grant for the Cochecho Arts Festival. He said the community appreciates the festival more and more with each passing year. He said sponsorship levels have dropped with the economy. He said without the grant they will be presenting a very different festival next year. He said there are also resolutions that will jeopardize the Fireworks and Dover Main Street programs, and urged the Council not to support them.

Mayor Myers, seeing no one else wishing to speak, closed the Public Hearing.

**E. RESOLUTION: BUDGET AMENDMENT #17 – DELAY CERTAIN CIP PROJECTS
AND REDUCE GENERAL FUND DEBT SERVICE CITY – INTEREST
APPROPRIATION
SPONSORED BY COUNCILOR SCOTT**

Mayor Myers, seeing no one wishing to speak, closed the Public Hearing.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

**F. RESOLUTION: BUDGET AMENDMENT #18 – GENERAL FUND – DELAY
ENERGY EFFICIENCY FY2010 CIP PROJECT AND REDUCE DEBT SERVICE
CITY – INTEREST
SPONSORED BY COUNCILOR SCOTT**

Gary Green, 18 Footbridge Lane: He spoke against this Resolution. He thanked the Council on their hard work on the budget crises that the City is going through, and he understood their frustrations over the many things affecting the budget that the Council has no control over. He said he has heard a lot of reasons why the Council should not have voted for the energy contract. He used the analogy of Joe Friday, who played Jack Webb on Dragnet, and the line he is remembered for is "Get the facts. Nothing but the facts." He said the facts of the energy contract is that it is not a capital outlay that the City can put off for a couple of years. He said he works on the McConnell Center Advisory Committee, and it's a fact that there is outdated electrical equipment that is wasting City money every day. He spoke about the outdated equipment at the Arena. He said the contract will fix these problems and the savings will be guaranteed. He said the McConnell Center, Arena, and Wastewater Treatment Plant were the major components listed in the energy audit. He said if the Council puts it on hold tonight, the City will also lose the stimulus funding for the Wastewater Treatment Plant. He said the guaranteed savings will pay for the debt service. He said according to the spreadsheet that he and the Council have, the City will save \$1 million over the ten years of the contract. He said the Resolution only addresses the cost and doesn't address the immediate savings that the City will see. He said the City will be ahead by \$145,000 in the first year. He said he didn't have time to go over all the savings the City will enjoy with this contract, but those were the facts. He said he supported going forward with the contract, and said the contract said that if the City doesn't realize the savings, ESCO will write a check in the amount of the shortfall.

Mayor Myers, seeing no one else wishing to speak, closed the Public Hearing.

**G. RESOLUTION: BUDGET AMENDMENT #20 – GENERAL FUND REDUCTION OF
DEBT SERVICE CITY – INTEREST
SPONSORED BY COUNCILOR CALLAGHAN**

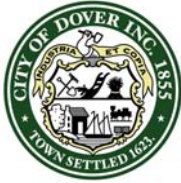
Mayor Myers, seeing no one wishing to speak, closed the Public Hearing.

8. CITY MANAGER'S REPORT

City Manager Joyal just wanted to point the Council's attention to the briefing they have on their desks regarding legal services and economic development.

Deputy Mayor Trefethen moved to accept the City Manager's Report; seconded by Councilor Carrier.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

9. MINUTES

- A. September 2, 2009 – Workshop Session
- B. September 9, 2009 – Regular Meeting
- C. September 14, 2009 – Special Meeting

Deputy Mayor Trefethen moved to approve the Minutes; seconded by Councilor Weston. Mayor Myers asked if the Council had any additions, deletions, corrections to the Minutes as presented.

Councilor DeDe referred to Page 9/16 of the September 9, 2009 meeting, and read the following: "City Manager Joyal said it was not the Finance Director that came up with these numbers." He said the City Manager didn't stop there. He said the City Manager added that it was the sponsors of the resolution.

Mayor Myers asked for a vote on adding that into the Minutes.

Vote: 9/0.

Councilor Cheney said she just wanted to clarify her statement on Page 11/16 of the September 9, 2009 Minutes: "Councilor Cheney said she supported the amendment, because she wasn't comfortable giving education any of this, because the shortfall came on the City side." She said she supported the amendment made by Councilor Callaghan that the shortfall at minimum be divided \$200,000/\$200,000. She said she did support the amendment, but the premise was that she didn't think the Council should be doing anything to the education side of the budget. Mayor Myers asked if she wanted the Minutes changed.

Councilor Cheney said she didn't want to change the Minutes, but she wanted to clarify her statement.

Mayor Myers asked for a vote on the three sets of Minutes with the one amendment.

Vote: 9/0.

10. MAYOR'S REPORT

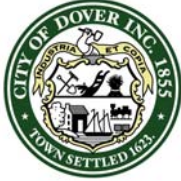
Mayor Myers spoke about the Alzheimer's Memory Walk that was hosted by Philbrick Sports. He said he attended a Flag Retirement Ceremony at the County Complex. He said he did three ribbon cuttings for new businesses that joined the Dover Chamber of Commerce. He also reminded people that there will be a dunking booth at the Apple Harvest Day to help raise money for the Girl's Hockey Team. He said he will be volunteering his time in the dunking booth at high noon.

Deputy Mayor Trefethen moved to accept the Mayor's Report; seconded by Councilor Weston.

Vote: 9/0.

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING - None



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

B. RESOLUTIONS

1. RESOLUTION: REPROGRAMMING OF UNEXPENDED BOND PROCEEDS FROM WOODMAN PARK TENNIS COURT TO "OTHER" TENNIS COURTS SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor McCusker. Mayor Myers reminded the Council that all of the Budget amendments take a 2/3 vote to pass.

Roll Call Vote: 9/0.

2. RESOLUTION: REPROGRAMMING OF UNEXPENDED BOND PROCEEDS AND REDUCE PRIOR UNISSUED BOND AUTHORIZATION SPONSORED BY MAYOR MYERS

Mayor Myers moved for its adoption; seconded by Councilor McCusker.

Mayor Myers said this Resolution dealt with leftover funds from street projects, and it also dealt with two signalization projects that were approved in a prior CIP as part of the Rizzo traffic report, but the City has not started on them yet. He said the Resolution would stop the action on those signalization projects, in addition to stopping the action in Year 1 on Piscataqua Road design work, in the amount of \$100,000, and the Silver Street center lane, of almost \$100,000. He said those dollars would be reprogrammed into General Street Repairs. He said the next Resolution deals with making a reduction in a debt finance line for that same dollar amount. He said in essence this lets the City issue a lesser bond and lesser dollar amount to cover the same number of projects. He said the Resolution also dealt with the savings that the City didn't have to bond, they authorized \$950,000 for a fire apparatus, but were able to buy it for \$835,000, thus rescinding the bond authorization for an additional \$115,000.

Councilor Cheney asked for clarification that the \$867,000, being reprogrammed into General Streets and Improvement, was still a bonded amount.

Mayor Myers said it was reprogramming a few specific street repairs and putting it into General Streets and Improvement.

Councilor Cheney asked if this amount was how much they were under budget.

Mayor Myers referred to Page 3/3 of the Resolution, and said two are complete and came in under budget, and three projects will be deferred.

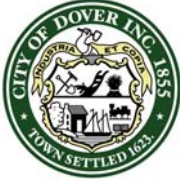
Councilor Cheney asked how the City will be saving \$41,000 with this Resolution.

Mayor Myers said if this Resolution and the next Resolution are passed by the Council then \$890,000 will not be bonded, thus saving \$41,000 in interest.

Councilor Callaghan asked, if the Council moves the \$867,000 over into General Streets and Sidewalk Improvements as debt financed money, if that will increase the total amount in General Streets and Sidewalk Improvements.

Mayor Myers said this Resolution was tied into 11.B.3. on the Agenda, which then said to reduce it the same amount and go for a lesser bond. He said General Streets and Sidewalk Improvements would end up being the same.

Councilor Callaghan asked if they were moving the cash.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

Mayor Myers said it was bonded money that was already approved by the Council that he is asking to have reprogrammed from streets projects that they aren't going to do, and put into General Streets and Sidewalk Improvements. He said the money has to be used for streets because that was the way it was advertised.

Deputy Mayor Trefethen said when the Council approved the CIP they approved \$3.8 million in bonding. He said these two resolutions mean the City will only be bonding \$3 million and saving \$41,000 in interest.

Roll Call Vote: 9/0.

3. RESOLUTION: BUDGET AMENDMENT #3 SPONSORED BY MAYOR MYERS

Mayor Myers moved for its adoption; seconded by Councilor DeDe.

Roll Call Vote: 9/0.

4. RESOLUTION: BUDGET AMENDMENT #24 – AMEND USE OF SAND AND GRAVEL REVENUES SPONSORED BY COUNCILOR WESTON

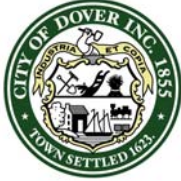
Councilor Weston moved for its adoption; seconded by Councilor McCusker. Councilor Weston referred to Budget Amendment #2 that was passed by the Council two weeks ago. She said Budget Amendment #2 had language in it that was inserted without her authorization. She said this Budget Amendment is reflective of the original intent. She said the City side of the budget realized a shortfall of \$600,000 after the State budget was approved. She said this Budget Amendment covers \$400,000 of the revenue shortfall with another form of revenue, the Sand and Gravel Fund. This action does not raise any money from property taxes. She said this would amend Budget Amendment #2. She asked for full support on this Resolution from the Council. She said a no vote would effectively cut the School Budget \$350,000 next year.

Councilor DeDe said with respect to the Councilor feeling that something had been changed without her knowledge, it was specifically stated that night during the course of the deliberations the breakdown of the expenses were submitted by the sponsors. He said Ron Huml stated that it would have a negative impact on the School Department. He said the Mayor also articulated it very clearly, and he felt it would have been impossible for the Council not to know what they were voting on. He said the vote that night was 7/2, with Mayor Myers and Councilor McCusker dissenting. He said he would not vote to change it now.

Councilor Carrier said the Resolution has him as a co-sponsor. He said he was on medical leave and was unable to look into this too deeply to understand it. He asked the City Manager if this new amendment would directly impact the City's side of the budget next year.

City Manager Joyal said that was correct.

Councilor Carrier said the City will start next year's budget negative \$400,000, and the School would have no impact.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

City Manager Joyal said that was correct. He said the City had \$50,000 in the budget for a management study to deal with storm water regulations that just went into effect July 1st. He said he didn't expect those funds to be needed next year. He said it wouldn't set the City back next year. He said if we're talking about the full \$400,000, then \$350,000 is a gap that would be created in the City budget.

Deputy Mayor Trefethen said he understood why the School Board and School Administration would be upset by the vote on Budget Amendment #2. He said it was very clear before the vote was taken what the impact would be to the School Department. He said this Resolution just shifts the problem, but the problem is the same no matter where you park it. He said he felt it should be left alone and the Council should move on.

Councilor Weston referred to the original budget amendment that she received, which did not include that language. She asked the City Manager to explain how the Resolution, if left the same, would impact the School side of the budget and how it gives the City side extra money to spend next year. She said she has seen estimates where it gives the City side around \$500,000.

City Manager Joyal said he wasn't sure where she got that estimate. He said if the budget stays as it is currently amended, then he suspects that someone took the \$350,000 that is in the tax levy, because that is the basis of the tax cap calculation, and said the City had that left to use next year.

Councilor Weston referred to the Citizen's Forum comment that the School Board did not cut their budget, and said this action cut it by \$350,000.

Mayor Myers said Budget Amendment #2 did not cut the School's budget this year. He said he explained two weeks ago that it was dangerous to put this into the operating budget. He said he was surprised that someone is saying that they did not know what they were voting on. He said he is not willing to put this to the City side, as he didn't want to do this to the School side. He said he agreed with Mr. Hughes' comments during Citizen's Forum. He said the School received an additional \$800,000 in adequacy money from the State this year. He said he was surprised the Council passed the original amendment two weeks ago, but he didn't think they should burden the City with it.

Councilor Cheney said she did bring it to the sponsors' attention, but she did support it because she did not want to pass on \$400,000 to the taxpayers.

Councilor McCusker said he didn't vote for the original amendment, because he didn't feel it was fair to have the School Department start with a negative \$350,000 next year, nor did he feel it was fair for the City to start with a negative \$350,000 next year. He said he would not support this Resolution.

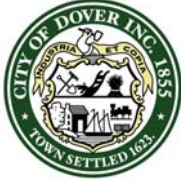
Councilor Callaghan said he voted for the original amendment as an alternative to raising property taxes. He made a friendly amendment to split the \$400,000 in half, \$200,000 for the School and \$200,000 for the City; seconded by Councilor Weston.

Mayor Myers asked for a vote on the amendment.

Vote: 3/6; Failed. Councilors Callaghan, Scott, and Weston voted in favor.

Mayor Myers asked for a Roll Call Vote on the Resolution.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

5. RESOLUTION: BUDGET AMENDMENT #4 – REDUCTION OF GENERAL FUND CAPITAL OUTLAY GENERAL STREET IMPROVEMENTS APPROPRIATION SPONSORED BY DEPUTY MAYOR TREFETHEN

Deputy Mayor Trefethen moved for its approval; seconded by Councilor McCusker.

Deputy Mayor Trefethen said this was one area that can wait one year.

Councilor DeDe said he wouldn't support this Resolution. He said lowering the budget \$160,000 will put the City that much lower next year, and possibly more than that in the following year if the Council is working with a negative CPIU. He said these roads need to be done. He agreed with Councilor Carrier's observation a few weeks ago when he said the burden should be shared across the board: the School Department, City, and the taxpayers. He said this was not the fault of the Council, but it is the Council that gets blamed.

Councilor McCusker agreed with Councilor DeDe. He said the Council has already cut so much out of it already, but they have to find the money somewhere.

Councilor Callaghan said he will support this Resolution. He referred to the Resolution and asked Deputy Mayor Trefethen if he meant taking the \$160,000 from the total for Land Improvements, or just from General Streets and Sidewalk Improvements.

Deputy Mayor Trefethen said he was taking it from General Streets and Sidewalk Improvements.

Councilor Weston said she had heard presentations on delaying road repairs, and that time is of the essence on completing these streets. She said she would not support this Resolution, because putting it off one year may be the difference of saving or not saving a street.

Councilor Cheney said she would support this Resolution.

Councilor Carrier said he would support this Resolution. He said no one wanted to cut a dime from General Streets and Sidewalk Improvements, because some of the roads are in deplorable condition. He said Mr. Steele and his crew can help the City survive another year with patching.

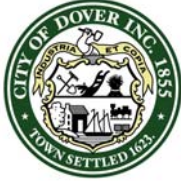
Mayor Myers said this Resolution was his biggest challenge, but he would support it. He said he felt it was a true cut and some of the other amendments were not.

Roll Call Vote: 7/2; Passed. Councilors DeDe and Weston were opposed.

6. RESOLUTION: BUDGET AMENDMENT #5 – REDUCTION OF GENERAL FUND RENTAL OF EQUIPMENT APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott said this was one of 14 budget amendments that he has put forth. He said they were based on conversations he has had at the post office, supermarkets, and other places in town. He said he is hearing that the taxpayers will not accept a further increase in their taxes. He said the economic situation is bleak. He said Governor Lynch is talking about laying off 700 people, or 5% of the State's workforce. He said the Governor is also talking about a 20-day non-paid furlough as a way to lower expenses to meet their budget. He said he felt there wasn't going to be much improvement in the



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

next two years. He said they had to go through the City's budget with a fine-tooth comb to make sure they haven't left money there that may be excess. He said this Resolution addresses the rental of equipment. He said in FY2009 \$60,000 was budgeted for, and in FY2010 it has been increased to \$116,000. He said he wants to lower it by \$40,000, leaving \$76,000, which is 24% more than what was appropriated in 2009.

Councilor Cheney asked for clarification on the actual amounts.

Mayor Myers said the increase is due to the catch basins needing to be cleaned out every two years, instead of every four years, due to an unfunded mandate from the EPA. Councilor DeDe said he will vote no on this Resolution and all the Resolutions to Budget Amendment #19 that Councilor Scott has offered. He said he didn't want to waste the public's time.

Deputy Mayor Trefethen said cutting this and not doing the catch basin will cost the City more in fines. He said when the City told EPA that the City had accidentally released some effluent into the river; the City was still fined a lot of money.

Councilor Callaghan said the Council has the obligation to not raise taxes. He said they can revisit this if the City doesn't win the non-funded mandate argument.

Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

7. RESOLUTION: BUDGET AMENDMENT #6 – REDUCTION OF GENERAL FUND MAINTENANCE CHARGES BUILDING APPROPRIATIONS SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Carrier.

Councilor Scott said this account has going up substantially. He said in 2008 it was \$38,000 and this year it has more than doubled. He recommended that that line item be reduced by \$40,000.

Councilor Cheney corrected the amounts. It was \$87,000 in FY2008 and \$91,000 in FY2009, and it is jumping up to \$160,000 in FY2010.

Mayor Myers said that was due to the Arena being rolled into the General Fund. He said he will not support this Resolution.

Deputy Mayor Trefethen said the Arena was in the black this year, so the General Fund received more in revenues to cover the expenses.

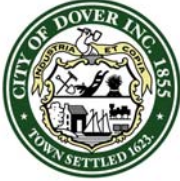
Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

8. RESOLUTION: BUDGET AMENDMENT #7 – REDUCTION OF GENERAL FUND WASTE DISPOSAL SERVICES APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott said this was the same situation. He said expenses are going up much faster than inflation. He said in 2008 it was \$38,000 and this year it has more than doubled. He recommended that that line item be reduced by \$40,000.

Councilor Callaghan asked why this went up so much.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

Mayor Myers said this went up because the City took construction debris out of the Bag & Tag program. He said there was corresponding revenue for this as well when the City takes in construction debris.

Roll Call Vote: 1/7; Failed. Councilor Scott voted in favor. Councilor McCusker was absent from the Council Chambers.

**9. RESOLUTION: BUDGET AMENDMENT #8 – REDUCTION OF GENERAL FUND
LEGAL SERVICES APPROPRIATION**
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Cheney.
Councilor Scott recommended that legal services be reduced by \$10,000 to match what was appropriated in FY2008.

Roll Call Vote: 4/4; Failed. Councilors Callaghan, Cheney, Scott and Weston voted in favor. Councilor McCusker was absent from the Council Chambers.

**10. RESOLUTION: BUDGET AMENDMENT #9 – REDUCTION OF GENERAL FUND
MANAGEMENT SERVICES APPROPRIATION**
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott recommended to reduce \$20,000 from this account.

Councilor Cheney said this account has gone up quite a bit in the last few years, and asked what it was for.

Mayor Myers said the most recent increase dealt with the contractual obligations for the assessing function. He said the rates have also increased due to bond counsel.

Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney and Scott voted in favor.

**11. RESOLUTION: BUDGET AMENDMENT #10 – REDUCTION OF GENERAL FUND
CONTRACT SNOW PLOWING APPROPRIATION**
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Weston.

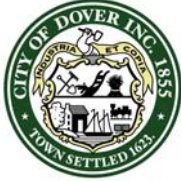
Councilor Scott said contract snow plowing was \$38,000 in FY2008 and has been increased to \$85,000 in FY2010. He recommended that \$40,000 be reduced from this account. He recommended if there is a heavy snow to have the people in Community Services do the work. He said the Governor has asked that it be non-paid work.

City Manager Joyal said it wasn't legal.

Deputy Mayor Trefethen said a major portion of this increase was due to the price of diesel.

Mayor Myers said there are fewer people working in Community Services due to staff reductions, and by default the City needs to contract more.

City Manager Joyal said there were also more streets.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

Councilor Callaghan said he would not support this Resolution. He felt the City should be paying more money on private snowplowing and less money on overtime with our employees.

Councilor Cheney said she would not support this Resolution.

Roll Call Vote: 1/8; Failed. Councilor Scott voted in favor.

12. RESOLUTION: BUDGET AMENDMENT #11 – REDUCTION OF GENERAL FUND NATURAL GAS APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott said in FY2008 the amount spent in this account was \$134,000, the amount appropriated in FY2010 is \$354,000. He recommended that it be reduced \$70,000, and to look at why it is going up so rapidly.

Mayor Myers said it was because the Arena came into the General Fund. He said the Arena does have the revenue to offset it. He said he wasn't in agreement with reducing it \$70,000, but he reminded the Council of the information provided by the City Manager on August 5th regarding areas where there were possible reductions. He said the locked in rate per therm for natural gas is less than anticipated. He said the City Manager was planning to use this savings to offset other unanticipated expenses, but he would be interested in a friendly amendment to change the amount from \$70,000 to \$20,000.

Councilor Callaghan made a motion to amend the Resolution to reduce the amount to \$20,000; seconded by Deputy Mayor Trefethen.

Deputy Mayor Trefethen said he agreed with the Mayor. He said the \$20,000 is a realistic estimate of what could be saved in the General Fund.

Councilor McCusker said he can't support just taking a random number.

Councilor DeDe said he wasn't willing to take this money away from the City Manager to cover the unexpected expenses.

Councilor Cheney wanted to say that she would support the amendment.

Mayor Myers asked for a vote on the amendment to change the amount from \$70,000 to \$20,000.

Vote: 7/2; Passed. Councilors DeDe and McCusker were opposed.

Mayor Myers asked for a Roll Call Vote on the amended Resolution.

Roll Call Vote: 7/2; Passed. Councilors DeDe and McCusker were opposed.

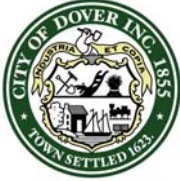
13. RESOLUTION: BUDGET AMENDMENT #12 – REDUCTION OF GENERAL FUND ELECTRICITY APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Carrier.

Councilor Scott said in FY2008 the City spent \$473,000 and it has jumped up by 45% to \$686,000 this year. He said that jump required some attention. He recommended that it be reduced by \$100,000.

Mayor Myers said the Arena uses several hundred thousand dollars in electricity.

Roll Call Vote: 1/8; Failed. Councilor Scott voted in favor.



CITY OF DOVER

CITY COUNCIL - MINUTES

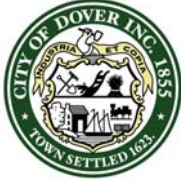
Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

14. RESOLUTION: BUDGET AMENDMENT #13 – REDUCTION OF GENERAL FUND MAINTENANCE SUPPLIES – BUILDINGS APPROPRIATION
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Weston.
Councilor Scott said in FY2008 \$33,000 was spent in this account, and it was increased to \$53,000 in FY2010. He recommended that it be reduced by \$10,000 to force the City to live within its means.
Mayor Myers again said this increase was due to the Arena being included in the General Fund.
Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

15. RESOLUTION: BUDGET AMENDMENT #14 – REDUCTION OF GENERAL FUND MAINTENANCE SUPPLIES – IMPROVEMENTS OTHER THAN BUILDINGS APPROPRIATION
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Cheney.
Councilor Scott said in FY2008 \$82,000 was spent in this account, and it was increased to \$132,000. He recommended that it be reduced by \$40,000, and to learn to live within this number.
City Manager Joyal wanted to remind the Council that this account is used to purchase supplies and materials for small street repairs.
Councilor Cheney said she felt this account has gone up too much, and she is going to support this amendment.
Councilor Callaghan wanted clarification on why it was going up so much this year.
Mayor Myers asked Mr. Steele to speak to the Council on this issue.
Mr. Steele said during his budget presentation he had requested an additional \$30,000. He said they have never budgeted enough for this account. He said it was to pay for the maintenance of the unfunded drainage system utility.
Councilor Callaghan asked if the sewer fund could be used to pay for the drainage.
Mr. Steele said Sewer is strictly an Enterprise Fund for wastewater, and this is part of the General Fund under the Community Services Department. He felt it was justifiable and needed.
Councilor Callaghan made a motion to amend the reduction to \$20,000; seconded by Councilor Weston.
Deputy Mayor Trefethen said the Council has reached \$221,000 in cuts, and asked Councilor Callaghan the number he was trying to reach.
Councilor Callaghan said as much as possible, because he wanted to reduce the amount of money that they're taking away from the School's budget next year. He said he would like to reduce that as much as possible. He felt that every dollar reduced is worth the effort to look for.
Deputy Mayor Trefethen asked how reducing line items on the municipal side of the budget affects the School's budget.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

Councilor Callaghan said they are reducing spending, and they won't have to have the reduction in spending out of the School's budget next year.

Mayor Myers asked Councilor Callaghan if he planned to reduce the amount taken out of the Sand and Gravel Fund by the amount the Council approves to reduce the budget, and then reduce the School levy.

Councilor Callaghan said that was correct.

Mayor Myers said he saw the reductions over \$200,000 as reducing property taxes this year for the citizens.

Councilor Callaghan said he would be more than happy to reduce the property taxes, but he didn't know how to do that.

Deputy Mayor Trefethen said that was what they were doing.

Mayor Myers asked for a vote on the amendment to the resolution.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott and Weston voted in favor.

Deputy Mayor Trefethen made a motion to amend the reduction by \$10,000, making the appropriation \$122,000; seconded by Councilor Weston.

Councilor DeDe said he wasn't voting for this amendment. He said \$10,000 doesn't really affect the property taxes, and Mr. Steele just said he didn't budget enough for it.

Councilor McCusker said as an avid runner and biker he sees the deplorable condition of these catch basins and drains. He felt if the Council really thought it should have been reduced, it should have been done in June.

Councilor Scott said \$10,000 here and \$10,000 there can become big money.

Mayor Myers asked for a vote on the amendment.

Vote: 5/4; Passed. Mayor Myers, Councilors Carrier, DeDe and McCusker were opposed.

Roll Call Vote: 6/3; Passed. Mayor Myers, Councilors DeDe and McCusker were opposed.

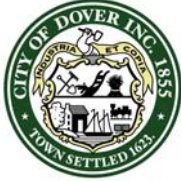
16. RESOLUTION: BUDGET AMENDMENT #15 – REDUCTION OF GENERAL FUND GRANTS/SUBSIDY APPROPRIATIONS SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott said in FY2008 \$182,000 was spent in this account, and in FY2010 it has more than doubled to \$395,000. He said he believed charity starts at home, and should not require the taxpayers of Dover to contribute to these grants and subsidies. He said the Chamber of Commerce is pushing hard for their share of it, and he felt they should be benefitting by all the business being brought in by the Children's Museum. He recommended that this be reduced by \$150,000, and that will still be 35% higher than FY2008.

Councilor Cheney asked for clarification on the matching funds and why this increased so much.

Mayor Myers said the major components include Economic Development funding, the McConnell Center funding, and Coast Bus. He said the funding for Chamber of Commerce, Dover Main Street, and the fireworks are the nickels and dimes of this line item. He said he would not vote to reduce it.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

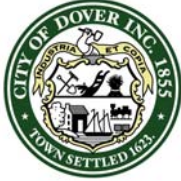
Roll Call Vote: 1/8; Failed. Councilor Scott voted in favor.

17. RESOLUTION: BUDGET AMENDMENT #16 – REDUCTION OF GENERAL FUND MAINTENANCE CHARGES EQUIPMENT APPROPRIATION AND REDUCTION OF DOVERNET BUDGET
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan. Councilor Scott said in FY2008 \$345,000 was spent in this account, and in FY2010 it has increased to \$546,000. He recommended that it be reduced by \$50,000. Councilor Cheney asked for an explanation. Mayor Myers said when the cable franchise fee was voted on that it was talked about hiring a full-time person to be doing web content, and hopefully updating Channel 22 and offering meeting videos On Demand. He said camera operators will now come out of the Franchise Fee instead of the General Fund. He said it does zero out at the end of the year as an internal service fund.
Roll Call Vote: 2/7; Failed. Councilors Callaghan and Scott voted in favor.

18. RESOLUTION: BUDGET AMENDMENT #17 – DELAY CERTAIN CIP PROJECTS AND REDUCE GENERAL FUND DEBT SERVICE CITY- INTEREST APPROPRIATION
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Cheney. Councilor Scott said he was proposing that the City delay for one year the Henry Law Avenue addition and Applevale Avenue improvements to save interest. Deputy Mayor Trefethen asked how much would be saved in interest if they only delayed the Applevale Avenue improvement project. Mayor Myers said it would save around \$9,500 for Applevale Avenue and \$41,000 for Henry Law Avenue. Deputy Mayor Trefethen made a motion that they only delay the Applevale Avenue portion, saving \$9,500 in interest; seconded by Councilor Scott. Deputy Mayor Trefethen said Community Services has improved the road and it can wait another year. Mayor Myers said he did think it was important to finish the Henry Law Avenue portion. He said he would support the amendment. Councilor Scott said he felt Henry Law Avenue could wait. Mayor Myers asked for a vote on the amendment.
Vote: 4/5; Failed. Mayor Myers, Deputy Mayor Trefethen, Councilors Callaghan and Weston voted in favor.
City Manager Joyal said that Henry Law Avenue was expected to be done in conjunction with utility work on Paul Street and Wallingford Street. He said he had heard from Applevale Avenue residents, and he just wanted the Council to know that they may feel that they were misled.
Roll Call Vote: 2/7; Failed. Councilors Callaghan and Scott voted in favor.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

**19. RESOLUTION: BUDGET AMENDMENT #18 – GENERAL FUND – DELAY
ENERGY EFFICIENCY FY2010 CIP PROJECT AND REDUCE DEBT SERVICE
CITY – INTEREST
SPONSORED BY COUNCILOR SCOTT**

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.
Councilor Scott said the taxpayers will not accept any increase in taxes, and the Council must find places where the City can delay or reduce the spending.
Mayor Myers said he agreed with Mr. Green's comments during Citizen's Forum that this is positive cash flow, a win/win situation, and the City is receiving stimulus dollars. He said he would not be voting to delay this and lose the stimulus dollars.
Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

**20. RESOLUTION: BUDGET AMENDMENT #20 – GENERAL FUND REDUCTION OF
DEBT SERVICE CITY – INTEREST
SPONSORED BY COUNCILOR CALLAGHAN**

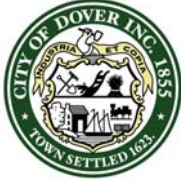
Councilor Callaghan moved for its adoption; seconded by Councilor Scott.
Councilor Callaghan said this Resolution reverses some of the spending of the healthcare savings, \$181,000, which was done by the Council on June 3rd.
Mayor Myers said they have addressed the \$600,000 revenue shortfall. He said he is not in favor of this Resolution.
Roll Call Vote: 2/7; Failed. Councilors Callaghan and Scott voted in favor.

**21. RESOLUTION: BUDGET AMENDMENT #21 – GENERAL FUND REDUCTION OF
SNOW REMOVAL OVERTIME
SPONSORED BY COUNCILOR CALLAGHAN**

Councilor Callaghan moved for its adoption; seconded by Councilor Cheney.
Councilor Callaghan said this Resolution also reverses some of the spending of the healthcare savings, \$181,000, which was done by the Council on June 3rd.
Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

**22. RESOLUTION: BUDGET AMENDMENT #22 – GENERAL FUND REDUCTION OF
COMMUNITY SERVICES OVERTIME
SPONSORED BY COUNCILOR CALLAGHAN**

Councilor Callaghan moved for its adoption; seconded by Councilor Scott.
Councilor Callaghan said this Resolution is requesting a 10% reduction in overtime in Community Services.
Mayor Myers corrected Page 3/3 that the reduction is \$4,674.
Roll Call Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

23. RESOLUTION: BUDGET AMENDMENT #23 – AMEND USE OF SAND AND GRAVEL REVENUES SPONSORED BY COUNCILOR CALLAGHAN

Councilor Callahan moved for its adoption; seconded by Councilor Scott.

Councilor Callaghan said he would like to amend the amount taken out of the Sand and Gravel Fund to \$385,000; \$335,000 to the School's side and \$50,000 to the City's side; seconded by Councilor Weston.

Deputy Mayor Trefethen said this is just satisfying the revenue issues that have occurred since the budget was passed. He said the Council did pass a budget that did raise taxes.

Mayor Myers asked for a vote on the amendment.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.

Councilor Callaghan said he wasn't sure the Resolution did anything anymore.

Mayor Myers said he could withdraw the Resolution.

Councilor Callaghan made a motion to reduce the entire \$30,000 from the amount taken out of the Sand and Gravel Fund to be applied to the School's side of the budget; seconded by Councilor Weston.

Mayor Myers asked for a vote on the amendment.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.

Councilor Callaghan withdrew the Resolution.

Mayor Myers, seeing no objections, withdrew the Resolution.

24. RESOLUTION: BUDGET AMENDMENT #19 – GENERAL FUND BUDGETARY USE OF UNRESERVED FUND BALANCE SPONSORED BY COUNCILOR CHENEY

Councilor Cheney moved for its adoption; seconded by Councilor Callaghan.

Councilor Cheney referred to the handout received from the City Manager on August 5th.

She said the Unreserved Fund Balance is at 6.5%, and the minimum is 6%. She said that would leave the City \$465,000 over the minimum. She said they received an email today that said that the City is a little bit above the 6%. She asked for clarification.

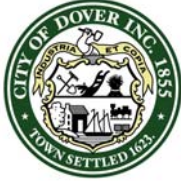
City Manager Joyal said the difference is primarily because of the adjustment of revenues and expenses for year-end. He said the School net of revenue/expenses was \$50,000, and the City net of revenue/expenses was \$550,000. He said there are three items driving the fund balance down: capital outlays that are carried forward into the next year and remain restricted; McConnell Center, which had a \$206,000 advance this year; and the change in deferred revenue in property taxes, an increase there for \$173,000, which is a result of outstanding tax bills that have yet to be paid.

Councilor Cheney asked if any of the changes the Council made impact the numbers at all.

City Manager Joyal said no.

Councilor Cheney asked how many parcels were liened.

City Manager Joyal said he didn't know how many were liened, but there was an increase of \$173,000 in deferred tax revenue resulting from 86 additional properties with



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

outstanding taxes at year-end, which is just under 1% of the total taxable parcels in the City.

Councilor Cheney asked the City Manager what areas he expected to change when audited financials are completed.

City Manager Joyal asked Finance Director Daniel Lynch to answer that question.

Mr. Lynch said there might be a few areas in expenditures that will get recorded in looking at Accounts Payable at year-end. He said they try to get all invoices properly reflected in the proper fiscal year, which might equate to a few thousand dollars. He said he didn't foresee any other areas for changes.

Councilor Cheney said from August 5th to September 22nd the Fund Balance went down \$460,000.

Mr. Lynch said almost \$173,000 of that was the increase to deferred property tax revenues.

City Manager Joyal said that is not usually known until the end of August when the lien process is complete, which is the reason they were holding off on the year-end financials.

Councilor Cheney said the City is \$65,000 over the 6%. She said she researched past uses for using Unreserved Fund Balance, and reducing the tax levy is not unheard of. She made an amendment to the Resolution to take \$18,817 from the Unreserved Fund Balance. She said this will round it up to a total of \$250,000.

Councilor Scott said it was unfortunate that a majority of the Councilors don't understand that the taxpayers will not accept any increase in taxes, and have rejected most of the suggestions to reduce spending.

Deputy Mayor Trefethen said he wasn't going to support this Resolution, because using Unreserved Fund Balance to reduce the tax levy is just adding to next year's tax levy, and he felt the amount was insignificant even on very expensive house.

Councilor McCusker made a motion to suspend the rules to extend the meeting past 10:30 pm to complete the Agenda; seconded by Councilor Carrier.

Roll Call Vote: 9/0.

Mayor Myers asked for a vote on the amendment to the Resolution.

Vote: 3/6; Failed. Councilors Callaghan, Cheney and Scott voted in favor.

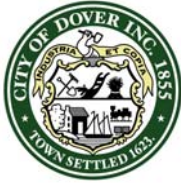
Councilor Cheney said she would like to withdraw the Resolution.

Mayor Myers, seeing no objections, withdrew the Resolution.

12. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Dover High School Football Boosters**
2. **RAFFLE – Wentworth-Douglass Hospital and Health Foundation**
3. **RAFFLE – Wentworth Home**
4. **RUN/WALK – Moms on the Run**
5. **TAG – Seacoast Titans**



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

COMMITTEE REPORTS

1. Appointments Committee	7. City / School Joint Service Committee
2. Arts Commission	8. Solid Waste Advisory Committee
3. McConnell Center Committee	9. Transportation Advisory Committee
4. Planning Board	10. Joint Building Committee
5. Cable Franchise Negotiations Committee	11. Legislative Liaison
6. School Board Liaison	12. Coast Bus

Deputy Mayor Trefethen moved for the approval of the Consent Calendar; seconded by Councilor Weston.

Mayor Myers asked the Council if they had any items they would like to pull for further discussion.

Councilor Callaghan asked to pull Item 12.A.4.

Mayor Myers asked for a vote on the remaining items on the Consent Calendar.

Vote: 9/0.

Deputy Mayor Trefethen moved for the approval of Item 12.A.4.; seconded by Councilor Weston.

Councilor Callaghan asked if there was a cost associated with this to the City, and if there was police escort.

City Manager Joyal said no.

Councilor McCusker said there isn't a need, because the route doesn't block any intersections.

Vote: 9/0.

B. RESOLUTIONS

1. RESOLUTION: B10014 REDDEN STREET AND ASH STREET SEWER REPLACEMENT

SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Cheney.

Roll Call Vote: 9/0.

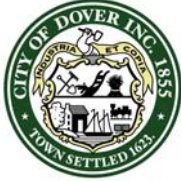
C. ORDINANCES IN 1ST READING

Mayor Myers asked the City Manager if all of the ordinances can be referred to a public hearing at the same time.

City Manager Joyal said he would have to suspend the rules and do them as a Consent Calendar.

Deputy Mayor Trefethen made a motion to suspend the rules and combine all of the Ordinances as a Consent Calendar; seconded by Councilor Cheney.

Roll Call Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

- 1. SPRING STREET PARKING
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY COUNCILOR WESTON**
- 2. BUILDING CONSTRUCTION – CHAPTER 68
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 3. EATING AND DRINKING ESTABLISHMENT – CHAPTER 99
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 4. ELECTRICAL STANDARDS – CHAPTER 102
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 5. FIRE PREVENTION AND LIFE SAFETY – CHAPTER 109
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 6. FLOODPLAIN DEVELOPMENT – CHAPTER 113
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 7. OFFENSES – CHAPTER 131
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 8. PLUMBING – CHAPTER 135
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 9. STREETS AND SIDEWALKS – CHAPTER 152
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**

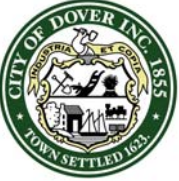
Deputy Mayor Trefethen moved to referred all of the above Ordinances to a Public Hearing on October 14, 2009; seconded by Councilor Weston.

Councilor Scott said he would like a legal opinion on 12.C.7. on whether or not it violates the 2nd Amendment, The Right to Bear and Carry Arms. He said he was concerned about Page 33 regarding securing your firearm with a trigger lock and that the firearm must be in a securely locked box.

Mayor Myers said there was a motion to refer these to a public hearing.

Councilor Scott said he felt it was too soon to move this to public hearing.

Mayor Myers asked for a vote on referring these to a public hearing.

 CITY OF DOVER	CITY COUNCIL - MINUTES Meeting Type: Regular Meeting Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820 Meeting Date: Wednesday, September 23, 2009 Meeting Time: 7:00pm

Vote: 6/2; Passed. Councilors Cheney and Scott were opposed. Councilor Callaghan was absent from the Council Chambers.

D. COUNCIL CORRESPONDENCE – None

13. COUNCIL MATTERS OF INTEREST

Councilor Scott referred to the advertisement for a new position which is not on the Merit Plan, and he wanted to know what authority the City Manager had to advertise for a new position. City Manager Joyal said it was a position that was on the Classification Plan; an IT Administrator, titled Media Access Coordinator. He said this position is funded by the Franchise Fee for Channel 22. He said with the determination that the School Board did not want to take over operations of Channel 22, the City will be coordinating that.

Councilor Scott said the Franchise Fee was an additional tax to the citizens of Dover and he didn't think it was appropriate at this time of financial crisis.

Mayor Myers said this position is tying into the technology of Dover's cable, Channel 22, and internet, which was the exact reason why the City enacted the franchise fee.

Councilor Scott said he felt the Council was acting irresponsibly.

Deputy Mayor Trefethen spoke to Councilor Scott and said he lost his job in July, he hasn't found any work yet, and he is probably going to put his house up for sale because he probably can't afford that much longer. He asked Councilor Scott not to tell him that he doesn't understand ---- Mayor Myers interrupted him and said it was getting too personal.

Deputy Mayor Trefethen said he felt Councilor Scott's comments were personal.

Councilor Callaghan said he received a call from a veteran who didn't leave his name or number, and he asked that they get in touch with him again so he can try to help him.

Councilor McCusker requested that the Councilors keep the pages for 12.C.1 through 12.C.9. so they don't have to be duplicated again for the October 14th meeting.

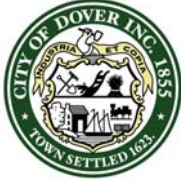
City Clerk Lavertu said historically there have been Councilors who don't bring it and she would have to copy it.

Mayor Myers said the entire Council agrees to hang on to their copies and bring it to the October 14th meeting. He said they will refer to them by their titles.

Councilor Weston said she also received a call from the veteran and was able to leave him a message by using caller ID. She said basically he was asking if the City is taking away a deduction for veterans.

City Manager Joyal said he has received an inquiry about this. He said part of the Assessing Office's responsibility is to make sure that we have the appropriate documentation to justify the exemptions and credits on properties. He said the Assessing Office is trying to communicate with all of the people who are currently eligible or have been eligible in the past for the credits or exemptions, asking them to provide the documentation that is required to make sure that we're compliant with State law. He said the person that is trying to get in touch with you just needs to get in contact with the Assessing Office and provide the documentation that is needed to continue to substantiate the credit and exemption.

Councilor Weston said the message she received said the City was taking it away.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

City Manager Joyal said the City cannot legally provide tax credits or exemptions unless appropriate documentation has been submitted and verified. He said the gentleman needs to talk with the Assessing Office to find out what they need for documentation.

Councilor DeDe said he didn't want to spend any additional money for a legal opinion when the City has a crackerjack attorney already.

Councilor Cheney said she received the same call from the veteran and she asked the City Manager for a copy of the letter. She said New Hampshire is requiring municipalities to review all credits and exemptions.

City Manager Joyal said when people apply for a veteran credit there are certain military documents that they have to provide. He said the City doesn't retain that copy for privacy reasons, because there are Social Security numbers and other private information on it. He said there is a periodic request that they produce that information.

Deputy Mayor Trefethen said he actually talked with this veteran. He said the State decides who qualifies and not the City. He said there are certain years that don't qualify, usually because there wasn't a war. He said some of these people who have been receiving the credit might find out they don't qualify.

City Manager Joyal wanted to thank Mr. Lynch for working with the Councilors on getting these entire budget amendments put together.

14. ADJOURN

Councilor McCusker made a motion to adjourn; seconded by Councilor Carrier.
Vote: 9/0.



RECEIVED
DOVER CITY CLERK
DOVER, NH

2009 SEP 14 A 11:50

APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

RAFFLE*.....TAG*.....PARADE**..... BLOCK PARTY**..... ROAD TOLL***.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Brian Duceille Scholarship Fund

Federal Tax ID number for Organization: 42-1722314

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Sarah Gnrk

Day Time Telephone: 207-251-8412

Address: 35 Fox Ridge Dr. Berwick, ME

Email Address: Sarah.gnrk@gmail.com

Purpose of Permit: 5K Road Race

Date of Event: Oct. 24, 2009 Specific Time: 9:00 am - 10:30 am

Location of Event: Start and end at Dover High School.

(Raffle Permit only)

Prize (s) To Be Awarded: _____

Amount of Donation: _____

Date of Drawing: _____

Specific Time: _____

Place of Drawing: _____

* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited. Information on these requirements may be found at http://doj.nh.gov/publications/charitable_forms.html.

** NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

***NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Sarah Gnrk

Date: 9/14/09

Licensing Board approval

(MES)

Date: 09/21/2009

Revised 03/17/08

M Speidel - DPD

1st. Annual "Brian Doucette" Memorial Golf Tournament

*I pulled this
From A
Web site
WJ*

Brian W. Doucette was a 3 star, All American boy. He graduated from Noble High School, in Berwick, ME in 2006. Later in the Fall, he attended Bridgton Academy, an all boy's prep school. Brian loved to play sports, whether it was football, baseball, lacrosse, but his passion was hockey. We believe that Brian was born with skates on his feet. His favorite pass time was being apart of the "Learn to Skate" program. Brian taught children, as young as 4 years old, to skate. This was the only time that Brian did not mind getting up at 7am. Hunting, fishing, and bonfires were his bonding time with family and friends. This was a time that he could relax and talk about the ones that got away. Where every he was, he just lit up the place. His trademake was his "girl gettin' gear", a pair of jeans, with work boots, a flannel shirt with the arms cut out, his baseball hat just off to the side, and most of all, his contageous smile. (that I miss every day) January 8, 2007, our world changed forever. A parents worst nightmare. The Bridgton hockey team had to return from Christmas vacation early because of a hockey game. Unfortunately, the game was cancelled. Four boys, including Brian, went to a near by college to visit some friends. Because of cufew, the boys had to back to school by 10pm. On the way back to school, the boys were hit by a drunk driver. Brian and another boy (Patrick Reddy, from Lynnfield, MA) were killed. What we have left are fond memories of this wonderful boy, who I was lucky enough to have as a son. Shortly after the accident, we stared this scholarship fund in memory of Brian. Every year we award a student from Noble High School, \$2000.00. We donated money to various youth programs. We sponsor a hockey team that travels to Sweden. We do what we can to keep Brian alive in every ones hearts. #2 in your programs #1 in your heart!!! The proud mother of Brian Williams Doucette Ann

Simons, William

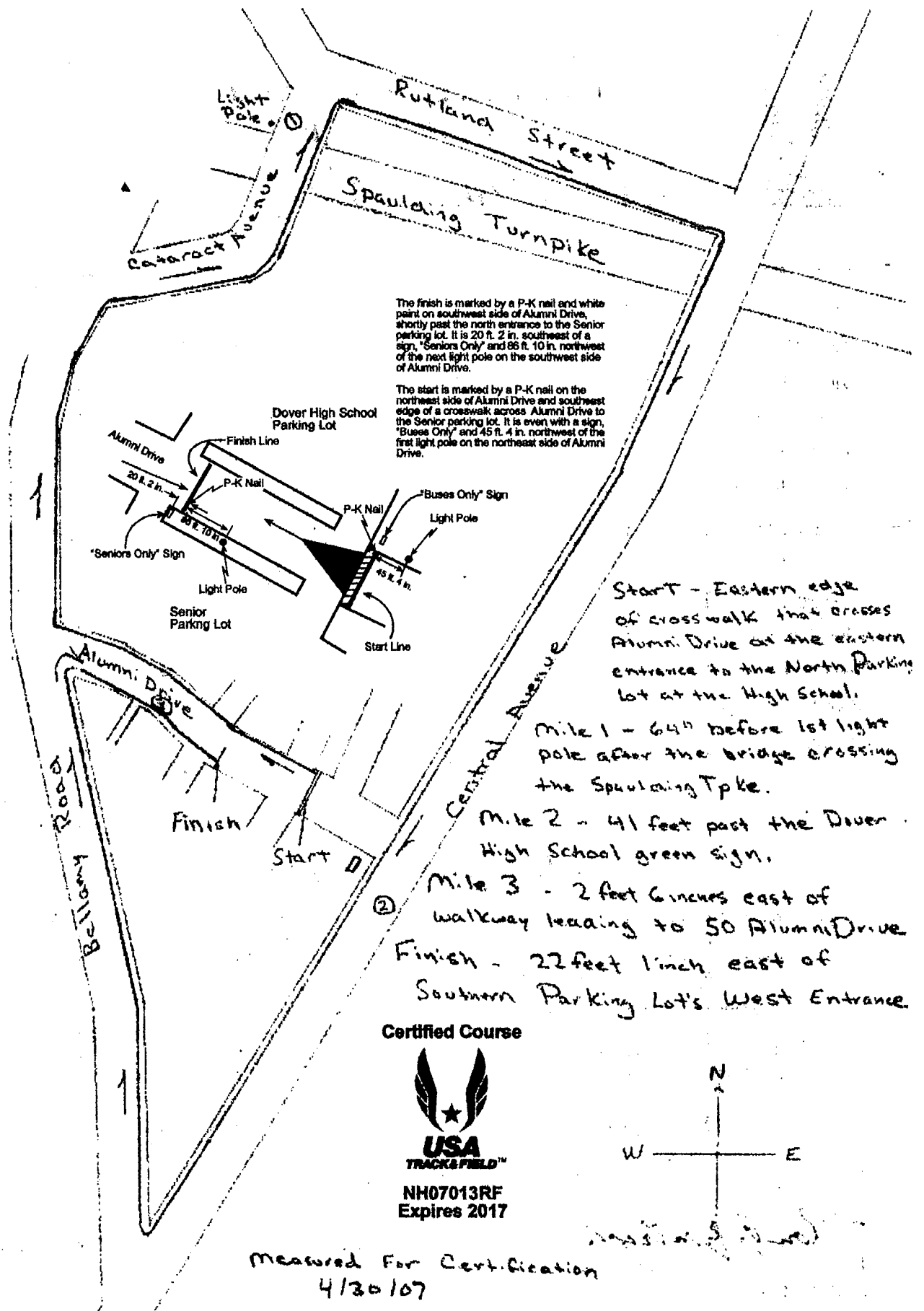
From: Sarah Gnirk [sarah.gnirk@gmail.com]
Sent: Wednesday, September 16, 2009 10:10 AM
To: Simons, William
Subject: 5K map and traffic safety plan for Oct 24th

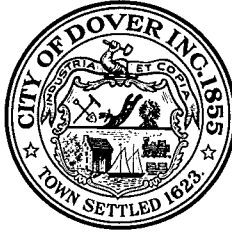
I attached the map of the route for the race and my plan is to have 2 police officers at the race. One at the intersection of Rutland and Central Ave and another where the Spaulding exit meets Central Ave. I chose those locations because those are the biggest intersections with the most traffic. I would have 4 volunteers to help with traffic direction and they would be at the end of Alumni drive to point runners in the right direction at the beginning of the race and also at the end of the race. The second would be at the intersection of Bellamy Road and Cataract Ave. The third would be at the intersection of Cataract Ave and Rutland St. The fourth would be at the intersection of Rutland St and Central Ave. There will also be a water table set up with at least 2 or 3 people on the side of Rutland St.

I chose Dover because of the route mainly because it is the safest one I could think of and also because Dover is a good location for runners all around the area.

Thanks for your help.

Sarah Gnirk





**APPLICATION
CITY OF DOVER, NEW HAMPSHIRE**

RAFFLE*.....TAG*.....PARADE..... BLOCK PARTY**..... ROAD TOLL***.....**

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Kiwanis Club of Dover, NH

Federal Tax ID number for Organization: 020194230

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Grover L. Tasker, Sr.

Day Time Telephone: 603-742-4961

Address: 621 Central Ave., Dover, NH 03820

Email Address grover@taskerfh.com

Purpose of Permit: Fund raiser for Kiwanis Club

Date of Event: Saturday Oct. 24, 2009

Specific Time: 9:00 a.m. to 11:00 a.m.

Location of Event: Downtown Dover - River Walk

(Raffle Permit only)

Prize (s) To Be Awarded: _____

Amount of Donation: _____ **Date of Drawing:** _____ **Specific Time:** _____

Place of Drawing: _____

*** NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS:** Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited. Information on these requirements may be found at http://doj.nh.gov/publications/charitable_forms.html.

**** NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA**

*****NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT**

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: (s) Grover L. Tasker, Sr.

Date: Sept. 28, 2009

Licensing Board approval

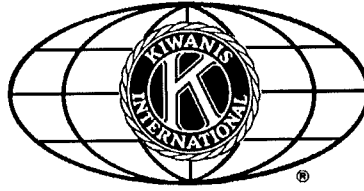
Date: 9/28/2009

Revised 03/17/08

Spicel DPD

ob w/f

KIWANIS CLUB
of Dover, New Hampshire



621 Central Ave., Dover, NH 03820

September 22, 2009

City of Dover

RE: Application for a Parade Permit

Each year the Dover Kiwanis Club has a walk to raise money for their shoes & boots campaign for the needy children in the Dover area.

Enclosed is our proposed walking route for this years walk on Saturday October 24th. The walk starts about 9:00 a.m. and is finished by 11:00 a.m.

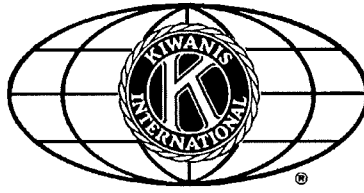
Thank you for your prompt consideration to this application.

A handwritten signature in cursive script that reads 'Grover L. Tasker, Sr.'.

Grover L. Tasker, Sr.
Committee Chair

Grover L. Tasker, Sr.
FH, 10/20/09

KIWANIS CLUB
of Dover, New Hampshire



621 Central Ave., Dover, NH 03820

**Walking route for the 2009 Kiwanis Walk-A-Thon in Dover, NH
Saturday October 24, 2009**

Proposed walking route is as follows:

Starting on the sidewalk in front of the Cocheco Mills Courtyard on Central Ave.

Cross Central Ave. in crosswalk to corner of First St. and turn left on Central Ave.

Cross the bridge over the river and turn right on the walkway beside the Spinelli office. Follow the walkway down by the river walking toward Chestnut St. – walking behind the Riverview Apartment Building.

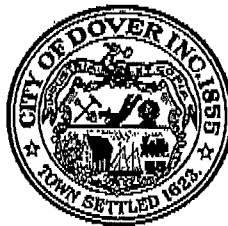
Continue on walkway under Chestnut St. and behind the Cocheco Park Apartment Building and behind Waldron Towers Apartment Building, and go out to Green St., go right to Washington St.

Go right on Washington St. past Capitol Drive and take right on the Bike Route – this crosses the river to the parking lot at the Train Station – at parking lot go to your right out to Chestnut St.

Cross Chestnut St. and take either Third St. or Second St. to Central Ave. and back to the starting point at Cocheco Mills Court Yard.

THANK YOU FOR YOUR SUPPORT

09 SEP 10 AM 11:48



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

RAFFLE*.....TAG*.....PARADE**..... BLOCK PARTY**..... ROAD TOLL***.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Saint Mary Academy

Federal Tax ID number for Organization: 02-0342967

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Meaghan Puglisi Day Time Telephone: 988-1333

Address: 222 Central Avenue Email Address: puglisi@saintmaryacademy.org

Purpose of Permit: parade

Date of Event: Nov. 29, 2009 Sun Specific Time: 3pm

Location of Event: through downtown Dover

(Raffle Permit only)

Prize (s) To Be Awarded: _____

Amount of Donation: _____ Date of Drawing: _____ Specific Time: _____

Place of Drawing: _____

* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited. Information on these requirements may be found at http://doj.nh.gov/publications/charitable_forms.html.

** NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

***NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

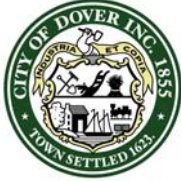
Signature: Meaghan Puglisi Date: 9/10/09

Licensing Board approval: [Signature] Date: 9/25/09

Revised 03/17/08

OK
W

OK
MES (Speidel)
Holiday Parade



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A4

Resolution Number: **R - 2009.10.14-153**
Resolution Re: Holiday Parade Street Closures

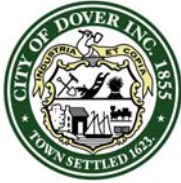
- WHEREAS: The annual Holiday Parade is an important community event which attracts citizens and visitors from other communities to downtown Dover; and
- WHEREAS: The parade is typically held on the Sunday immediately following Thanksgiving and will be held this year on November 29, 2009 at 2:45 PM.; and
- WHEREAS: The parade route will be held on Central Avenue and requires closure of several streets near the start to accommodate staging of parade entrants; and
- WHEREAS: The sponsor of this event, St. Mary Academy, has submitted a parade permit application that has been approved by the Dover Police Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

A portion of Sixth Street (Horne Street to Central Avenue), Maple Street, Grove Street, Mt Vernon and Milk Streets will be closed to vehicular traffic beginning at 12:00 PM, and a portion of Central Avenue from Sixth Street to CARE Pharmacy will be closed beginning at 2:45 PM.

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Mayor Scott Myers By request
Approved as to Legal Form:	Allan B. Krans, Sr. City Attorney		
Recorded by:	Karen Lavertu City Clerk		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A4

Resolution Number: **R - 2009.10.14-153**
Resolution Re: Holiday Parade Street Closures

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

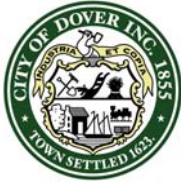
CITY OF DOVER - RESOLUTION

Agenda Item#:
12A4

Resolution Number: **R - 2009.10.14-153**
Resolution Re: Holiday Parade Street Closures

RESOLUTION BACKGROUND MATERIAL:

Saint Mary Academy is organizing the annual Holiday Parade this year, having assuming the responsibility from the Benevolent Protective Order of Elks. The event has always been held on the Sunday following Thanksgiving and brings several thousand citizens to the downtown area. The parade route extends along Central Avenue from its start at Sixth Street to its end at CARE Pharmacy. The staging area for the parade requires the closure of a portion of Sixth Street and connecting neighborhood streets for a few hours before the parade begins. The Dover Police Department works with parade organizers to ensure that neighborhood residents near the staging area are notified and that temporary parking restrictions and traffic diversions are posted.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A5

Resolution Number: **R – 2009.10.14-154**

Resolution Re: Adoption of 2009 Emergency Operations Plan

WHEREAS: The City of Dover 2009 Emergency Operations Plan represents a concerted effort on the part of City government to provide a mechanism for effectively responding to and recovering from the impact of natural or human-caused disasters or emergencies; and

WHEREAS: The adoption of the current 2009 Emergency Operations Plan nullifies the previous adopted plan, as it is now outdated.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The 2009 Emergency Operations Plan be adopted.

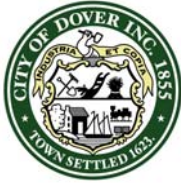
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A5

Resolution Number: **R – 2009.10.14-154**

Resolution Re: Adoption of 2009 Emergency Operations Plan

DOCUMENT HISTORY:

First Reading Date:

Public Hearing Date:

Approved Date:

Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

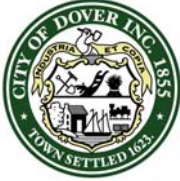
Agenda Item#:
12A5

Resolution Number: **R – 2009.10.14-154**

Resolution Re: Adoption of 2009 Emergency Operations Plan

RESOLUTION BACKGROUND MATERIAL:

The purpose of this plan and associated supporting documents is to facilitate the delivery of local government, community, and mutual aid resources, and to provide a needed assistance and relief to disaster victims and the community at large. As no community has the resources to manage a major emergency without outside assistance, this plan represents the City's best intentions to deal with disaster within the framework of community-wide cooperation, and statewide coordination.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A6

Resolution Number: **R – 2009.10.14-155**

Resolution Re: Adoption of National Incident Management System (NIMS)

- WHEREAS: Emergency response to critical incidents, whether natural or manmade, requires integrated professional management; and
- WHEREAS: Unified command of such incidents is recognized as the management model to maximize the public safety response; and
- WHEREAS: The National Incident Management System, herein referred to as NIMS, has been identified by the Federal Government as being the requisite emergency management system for all political subdivisions; and
- WHEREAS: Failure to adopt NIMS as the requisite emergency management system may preclude reimbursement to the political subdivision for costs expended during and after a declared emergency or disaster and for training and preparation for such disasters or emergencies.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

It shall be the public policy of The City of Dover to adopt the NIMS concept of emergency planning and unified command. It shall further be the policy of the City of Dover to train public officials responsible for emergency management.

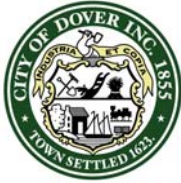
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A6

Resolution Number: **R – 2009.10.14-155**

Resolution Re: Adoption of National Incident Management System (NIMS)

DOCUMENT HISTORY:

First Reading Date:

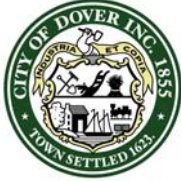
Public Hearing Date:

Approved Date:

Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A6

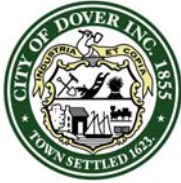
Resolution Number: **R – 2009.10.14-155**

Resolution Re: Adoption of National Incident Management System (NIMS)

RESOLUTION BACKGROUND MATERIAL:

The City's emergency management system is required to participate in NIMS in order to receive federal funding.

All municipal, state, and federal response entities have adopted this system in order to effectively manage emergency response incidents that affect Dover and it's surrounding communities.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A7

Resolution Number: **R – 2009.10.14-156**

Resolution Re: Setting Voting Hours for the November 3, 2009 Municipal Election

WHEREAS: In accordance with State RSA, the City Council must set voting hours in their respective communities; and

WHEREAS: The Municipal Election will be held on November 3, 2009

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The voting hours at all Wards in the City of Dover will be from 8:00 a.m. to 7:00 p.m. for the Municipal Election on November 3, 2009.

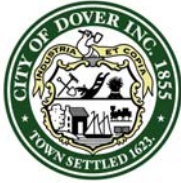
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A7

Resolution Number: **R – 2009.10.14-156**

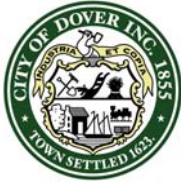
Resolution Re: Setting Voting Hours for the November 3, 2009 Municipal Election

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

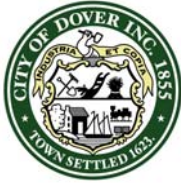
Agenda Item#:
12A7

Resolution Number: **R – 2009.10.14-156**

Resolution Re: Setting Voting Hours for the November 3, 2009 Municipal Election

RESOLUTION BACKGROUND MATERIAL:

The Moderators and Supervisors of the Checklist have been contacted in regards to these hours and are in agreement. The City Clerk also concurs with these hours. Rules regarding absentee voting will allow people who work during these hours to vote via absentee ballot which previously had not been allowed.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A8

Resolution Number: **R – 2009.10.14-157**
Resolution Re: Ward 4 Moderator

WHEREAS: The current Ward 4 Moderator, Dorothy Wagner, has moved out of the area

WHEREAS: Lee Skinner, a registered Ward 4 voter, has volunteered to be a temporary replacement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

That Lee Skinner be appointed as the Ward 4 Moderator as a temporary replacement for the November 3, 2009 Municipal election.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A8

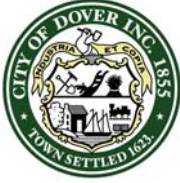
Resolution Number: **R – 2009.10.14-157**
Resolution Re: Ward 4 Moderator

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



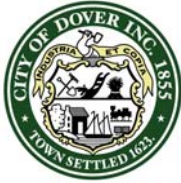
CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A8

Resolution Number: **R – 2009.10.14-157**
Resolution Re: Ward 4 Moderator

RESOLUTION BACKGROUND MATERIAL:



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A9

Resolution Number: **R - 2009.09.23 - 159**

Resolution Re: Award of Blanket Purchase Order for Automotive Parts and Supplies

WHEREAS: There are several State of New Hampshire contract pricing schedules available for municipal use with various vendors that represent different automotive supplies. Fisher Auto Parts aka Robbins Automotive of Dover, NH is such a vendor with whom the City does a significant amount of business and the annual expenditure may exceed the \$25,000 threshold amount that requires City Council approval.

WHEREAS: Fisher Auto Parts offers a discount off "jobber" pricing in the amount of 20% with a prompt pay discount of 2%. The City had been very pleased with the availability and quality of parts, the service and the pricing structure offered by this vendor; and

WHEREAS: Fisher Auto Parts. has offered to extend their current discounted pricing schedule for another one (1) year period of time through September 30, 2010 and it seems to be financially prudent for the City to take advantage of this offer.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

Per Dover Purchasing Regulations 3-36B; The purchasing agent may, with approval by City Manager waive bidding procedure when purchasing through State of NH or at State bid prices but not superseding 3-39, Council approval of over \$25,000.

The Purchasing Agent is hereby authorized to issue a Blanket Purchase Order to Fisher Auto Parts of Dover, NH for miscellaneous automotive parts and supplies at a discounted rate of 20% and 2% for prompt pay. This authorization shall be limited so as not to exceed available funding

Financing

Account	Description	Appropriation	Balance
Listed in Background	Auto Parts/supplies		

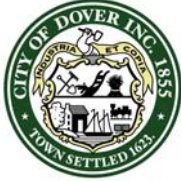
AUTHORIZATION

Approved as to Funding: Daniel R Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A9

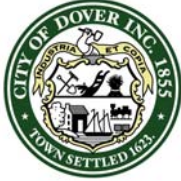
Resolution Number: **R - 2009.09.23 - 159**
Resolution Re: Award of Blanket Purchase Order for Automotive Parts and Supplies

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen		
Councilor, Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A9

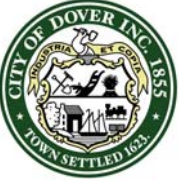
Resolution Number: **R - 2009.09.23 - 159**

Resolution Re: Award of Blanket Purchase Order for Automotive Parts and Supplies

RESOLUTION BACKGROUND MATERIAL:

There are several State of New Hampshire contract pricing schedules available for municipal use with various vendors that represent different automotive supplies. Fisher Automotive of Dover, NH is such a vendor with the State of NH and with whom the City does a significant amount of business. Total for FY09 was \$75,030. The annual expenditure exceeds the \$25,000 threshold amount that requires City Council approval. Fisher Auto Parts offers a discount off "jobber" pricing in the amount of 20% with a prompt pay discount of 2% to the city. The City had been very pleased with the availability and quality of parts, the service and the pricing structure offered by Robbins Auto Parts, Inc and wishes to continue with their current discounted pricing schedule for another one (1) year period of time through September 30, 2010.

Account	Spent 09	2010 Appropriation	Bal as of 9/11/09
1000-41941-4651-0000-00-30	118.20	8,264.00	6,773.00
1000-41951-4626-0000-00-30	59.61	8,400.00	7,266.00
1000-41951-4653-0000-00-30	6.43	400.00	49.00
1000-42220-4433-0000-00-22	255.18	12,278.00	8,957.00
1000-42220-4434-0000-00-22	9,256.09	45,050.00	42,284.00
1000-42220-4612-0000-00-22	223.48	4,650.00	4,650.00
1000-42280-4651-0000-00-22	419.91	10,300.00	8,614.00
1000-43121-4681-0000-00-30	14.12	3,047.00	2,000.00
1000-43180-4612-0000-00-30	7.83	4,900.00	4,355.00
1000-43180-4651-0000-00-30	5.47	3,500.00	3,336.00
1000-43180-4652-0000-00-30	374.10	34,650.00	31,052.00
1000-43180-4653-0000-00-30	112.71	1,500.00	1,456.00
1000-43180-4654-0000-00-30	54.74	7,000.00	6,945.00
1000-43180-4681-0000-00-30	26.89	6,300.00	6,195.00
1000-45110-4654-0000-00-35	4.50	750.00	750.00
1000-45121-4612-0000-00-35	4.83	23,000.00	2,941.00
1000-45149-4612-0000-00-35	189.30	10,500.00	9,031.00
1000-45149-4654-0000-00-35	300.66	2,800.00	2,622.00
3381-41941-4612-0000-00-35	4.43	3,496.00	2,563.00
3381-41941-4651-0000-00-35	20.26	12,907.00	12,354.00
4008-42220-4743-2251-08-22	169.74	0.00	0.00
5320-43250-4612-0000-00-30	104.82	54,500.00	53,297.00
5320-43250-4653-0000-00-30	502.07	25,000.00	2,500.00
5320-43256-4652-0000-00-30	627.16	20,000.00	11,404.00
5320-43256-4654-0000-00-30	75.57	4,000.00	3,978.00
5500-45149-4651-0000-00-35	16.58	10,000.00	7,723.00
6310-49200-4895-0000-00-55	62,075.95	165,240.00	165,240.00
	75,030.63	482,432.00	408,335.00

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - RESOLUTION</th></tr> <tr> <td>Resolution Number:</td><td>R - 2009.09.23 - 159</td></tr> <tr> <td>Resolution Re:</td><td>Award of Blanket Purchase Order for Automotive Parts and Supplies</td></tr> <tr> <td></td><td>Agenda Item#: 12A9</td></tr> </table>	CITY OF DOVER - RESOLUTION		Resolution Number:	R - 2009.09.23 - 159	Resolution Re:	Award of Blanket Purchase Order for Automotive Parts and Supplies		Agenda Item#: 12A9
CITY OF DOVER - RESOLUTION									
Resolution Number:	R - 2009.09.23 - 159								
Resolution Re:	Award of Blanket Purchase Order for Automotive Parts and Supplies								
	Agenda Item#: 12A9								

Bid Information:

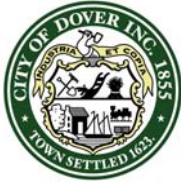
The State of New Hampshire solicits bids from qualified vendors for different types of vehicle parts and accessories to be acquired on an “as needed” basis and any municipality can “piggy back” on those same contracts with special contract pricing once a vendor or vendors is / are identified.

Award Information:

A purchase order will be issued to authorize this expenditure.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	NA	Number of Responses:	NA
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes/state 855073
Prices will hold for:	September 30, 2009	Estimated Delivery:	As needed
Recommended Award to:	Fisher Auto Parts aka Robbins Auto Parks	Fund:	Various
Other Approvals Required:	State NH	References Checked:	Satisfactory
Previously Worked for City:	yes	Reason for Council Approval:	Cost estimated at \$25,000 or greater



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A10

Resolution Number: **R - 200909.23- 160**

Resolution Re: Award of Blanket Purchase Order for Tires and
Miscellaneous Related Supplies

WHEREAS: The City of Dover has a fleet of approximately 150 vehicles, to include cars, trucks and certain mobile equipment which are maintained by the Fleet Maintenance Division of the Community Services Department; and

WHEREAS: Tires and related accessories replacement for the various vehicles is an on-going process, as needed and required depending upon specific vehicle usage and the total annual tire and accessories replacement acquisition costs will vary depending upon circumstances; and

WHEREAS: There are several State of New Hampshire contract pricing schedules available for municipal use with various vendors that represent different manufacturers and types of tires and related accessories, Contract #216083 with varying discounts from the Manufacturers Government Sales/Price List; and

WHEREAS: Sullivan Tire Company of Dover, NH is such a vendor with the State NH and with whom the City does a significant amount of business. The annual expenditure may exceed the \$25,000 threshold amount that requires City Council approval.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

Per Dover Purchasing Regulations 3-36B; The purchasing agent may, with approval by City Manager waive bidding procedure when purchasing through State of NH or at State bid prices but not superseding 3-39, Council approval of over \$25,000.

The Purchasing Agent is hereby authorized to issue a Blanket Purchase Order to Sullivan Tire Company, Dover, NH for Tires and Miscellaneous Automotive Tires and related supplies as needed. This authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance as of 9/11/08
6310-49200-4895-0000-00-55	Internal Cost of sales	165,240.00	165,240.00
1000-42220-4434-0000-00-22	F&R Suppression vehicles	45,050.00	42,284.00

AUTHORIZATION

Approved as to Funding: Daniel R Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A10

Resolution Number: **R - 200909.23- 160**

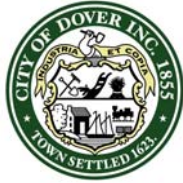
Resolution Re: Award of Blanket Purchase Order for Tires and
Miscellaneous Related Supplies

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen		
Councilor, Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A10

Resolution Number: **R - 200909.23- 160**
Resolution Re: Award of Blanket Purchase Order for Tires and
Miscellaneous Related Supplies

RESOLUTION BACKGROUND MATERIAL:

The City of Dover has a fleet of approximately 150 vehicles, to include cars, trucks and certain mobile equipment which are maintained by the Fleet Maintenance Division of the Community Services Department. Tires and related accessories replacement for the various vehicles is an on-going process, as needed and required depending upon specific vehicle usage and the total annual tire and accessories replacement acquisition costs will vary depending upon circumstances. There are several State of New Hampshire contract pricing schedules available for municipal use with various vendors that represent different manufacturers and types of tires and related accessories. Sullivan Tire Company of Dover, NH is such a vendor with the State NH and with whom the City does a significant amount of business. Total for FY2009 as \$33,957.00. The annual expenditures may exceed the \$25,000 threshold amount that requires City Council approval.

Bid Information:

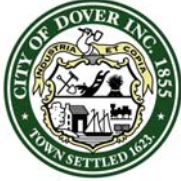
The State of New Hampshire solicits bids from qualified vendors for different types of vehicle tires / accessories to be acquired on an "as needed" basis and any municipality can "piggy back" on those same contracts with special contract pricing once a vendor or vendors is / are identified.

Award Information:

A purchase order will be issued to authorize this expenditure.

Purchasing Information:

Type:	Purchase Order	Advertised:	N0
Invitations Mailed:	NA	Number of Responses:	NA
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes/state 216083
Prices will hold for:	September 30, 2010	Estimated Delivery:	As needed
Recommended Award to:	Sullivan Tire	Fund:	Various
Other Approvals Required:	State NH	References Checked:	Satisfactory
Previously Worked for City:	yes	Reason for Council Approval:	Cost estimated at \$25,000 or greater



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12A11

Resolution Number: **R - 2009.10.14 - 161**

Resolution Re: Plow Hitch & Hydraulics & Dump Body –
State of NH award to Howard P. Fairfield Inc

WHEREAS: In January 2009 the State of NH through bid solicitation #260-09 awarded Howard P. Fairfield Inc the contract for the purchase of Everest Power Tilt wing plow hitches and hydraulics at the cost of \$17,731.00 each.. Also, the State of NH through bid B257-09, awarded Howard P. Fairfield the contract for 4-6 Cubic Yard dump bodies at the rate of \$10,389.00 each; and

WHEREAS: The city would like to take advantage of these prices and piggy back of the state contracts for two (2) plow hitches and hydraulics for a total of \$35,462.00. The city would also purchase two (2) dump body units at \$10,389.00 each for a total of \$20,778.00. At the same time the city would purchase two (2) dual flow 2 FFL 12 sander controls at the rate of \$750.00 each for a total of \$1,500.00. The total acquisition amount would be \$57,740.00. These items will be attached to the two (2) trucks being purchased under separate resolution to council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

Per Dover Purchasing Regulations 3-36B; The purchasing agent may, with approval by City Manager waive bidding procedure when purchasing through State of NH or at State bid prices but not superseding 3-39, Council approval of over \$25,000.

The Purchasing Agent is hereby authorized to issue a Purchase Order to Howard P. Fairfield, LLC in the amount of \$57,740.00 and corresponding State NH pricing rates. This authorization shall be limited so as not to exceed available funding

Financing

Account	Description	Appropriation	Balance 10/01/09
4005-43121-4741-3114-05-30	PW Snow Removal Equipment	90,000.00	18,980.92
4000-43121-4743-3110-00-30	PW Vehicle and Equipment	150,000.00	0.02
4005-43121-4743-3110-05-30	PW Vehicle and Equipment	220,000.00	1,664.00
4006-43121-4743-3110-06-30	PW Vehicle and Equipment	120,000.00	200.00
4007-43121-4743-3110-07-30	PW Vehicle and Equipment	125,000.00	70,000.00

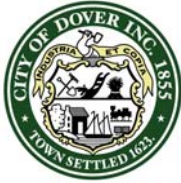
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A11

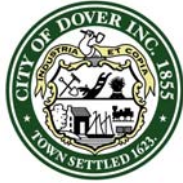
Resolution Number: **R - 2009.10.14 - 161**
Resolution Re: Plow Hitch & Hydraulics & Dump Body –
State of NH award to Howard P. Fairfield Inc

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A11

Resolution Number: **R - 2009.10.14 - 161**
Resolution Re: Plow Hitch & Hydraulics & Dump Body –
State of NH award to Howard P. Fairfield Inc

RESOLUTION BACKGROUND MATERIAL:

Quantity: two (2)

- HFP Everest PT Tilt-Detach front hitch
- HPF Everest ACPF/HCC36/ST62 low mount patrol wing system
- Commercial central hydraulics with front mounted pump, frame mounted tank, quado in cab controls for hydraulics functions.
- HPF Everest W132 Steel wing
- Duel flow 2 FFL 12 sander control
- 4-5 Cubic Yard Dump Body with cab protector

Bid Information:

The State of New Hampshire solicited bids from qualified vendors and any municipality can “piggy back” on those same contracts with special contract pricing once a vendor is identified. This process has been completed with four (4) vendors responding of which replies are under separate cover to this resolution.

Award Information:

A purchase order will be issued to the vendor selected to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	NA	Number of Responses:	NA
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Not with the City but with the State of NH
Prices will hold for:	Until Delivered	Estimated Delivery:	As needed
Recommended Award to:	Howard P. Fairfield LLC	Fund:	CIP
Other Approvals Required:	Yes State of NH	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

STATE OF NEW HAMPSHIRE
DATE:1/12/09

BID #260-09		HP FAIRFIELD				VIKING CIVES			
REQUISITION:220849,220848, 163895		HPF DTH				VIKONG SERIES			
DESCRIPTION									
VENDOR		QTY	UNIT \$	EXTENSION \$	QTY	UNIT \$	EXTENSION \$		
ITEM #1 DOUBLE WING POWER TILT PLOW HITCH AND HYDRAULICS - 2009 INTERNATIONAL 7400 SFA		4	24,191.00	96,764.00	4	26,063.00	104,252.00		
ITEM #2 DOUBLE WING POWER TILT PLOW HITCH AND HYDRAULICS - 2009 INTERNATIONAL 7600 SFA		4	24,191.00	96,764.00	4	26,063.00	104,252.00		
ITEM #3 RIGHT HAND SINGLE WING PLOW HITCH AND HYDRAULICS - 2009 INTERNATIONAL		12	17,731.00	212,772.00	12	18,681.00	224,172.00		
ITEM #4 LEFT HAND SINGLE WING PLOW HITCH AND HYDRAULICS - 2009 INTERNATIONAL		1	17,731.00	17,731.00	1	18,681.00	18,681.00		

NO BID
HEWS CO
VALK MANUFACTURING

424,031.00

451,357.00

HOWARD P. FAIRFIELD, LLC

QUOTE # 125561



"MUNICIPAL SPECIALISTS"

PHONE: 603-848-2363 FAX: 603-335-2926

<http://www.hpfairfield.com>

FROM:

Bob Hackett

94 Sheep Davis Rd

Pembroke, NH 03275

QUOTED TO: City Of Dover
288 Central Avenue
204150 Dover, NH 03820
ATTN: Sam Crowley

DATE: August 25, 2009

CUSTOMER PHONE: 603-743-6068

CUSTOMER FAX: 603-743-6086

COMMENTS: RE: State Bid # 260-09 Purchase Order # 64470

QTY	DESCRIPTION	PRICE	EXT. PRICE
2	**HPF/ EVEREST PT TILT/DETACH FRONT HITCH ** HPF/EVEREST ACPF/HCC36/ST62 LOW MOUNT PATROL WING SYSTEM ** COMMERCIAL CENTRAL HYDRAULICS WITH FRONT MOUNTED PUMP, FRAME MOUNTED TANK, QUADCO IN-CAB CONTROLS TO OPERATE HYDRAULIC FUNCTIONS. ** HPF/EVEREST W132 STEEL WING ** NO PLOW-CITY TO REUSE OLD PLOW ** NO BODY-CITY TO SWAP BODY FROM OLD CHASSIS ** NO LABOR -- CITY TO INSTALL ALL EQUIPMENT	\$17,731.00	\$35,462.00
2	** ADD DUAL FLOW 2 FFL 12 SANDER CONTROL = \$ 750.00	\$750.00	\$1,500.00

OPTION:

HPF TO INSTALL HYDRAULICS = \$ 1,375.00

HPF TO INSTALL FRONT HITCH = \$ 1,650.00

*** ONE YEAR WARRANTY PARTS AND LABOR ***

SIGNED Bob Hackett

ACKNOWLEDGED

QUOTE TOTAL \$36,962.00

Please note the following regarding installation quotes:

A clean truck frame without obstruction is assumed in the pricing of our quote. Re-positioning of air tanks, fuel tanks, exhaust, battery box or other obstacles for the ease of installation may be necessary and require additional charges. H.P. Fairfield, LLC will notify you before modification if this occurs.



SEE REVERSE SIDE FOR IMPORTANT INSTRUCTIONS

STATE OF NEW HAMPSHIRE
PURCHASE ORDER

PAGE 01/02
RELATE TO PURCHASE ORDER AND
REQUISITION IN ALL CORRESPONDENCE

64470

TERMS OF PAYMENT	DATE ISSUED	DATE REQUIRED	APPROPRIATION CODE/NUMBER	REQUISITION NO.
NET 30 DAYS	01/13/09	SEE BELOW	015-096-3005-030-0325 FY09	220848

SEE DELIVERY TERMS REVERSE SIDE

BILL TO: NH DEPT OF TRANSPORTATION
BUREAU OF MECHANICAL SERVICES
PO BOX 456
CONCORD NH 03302-0456

SHIP TO: NH DEPT OF TRANSPORTATION
BUREAU OF MECHANICAL SERVICES
33 SMOKEY BEAR BLVD
CONCORD NH 03301

CONTACT PERSON: TOM JELLEY 603-271-3721

V
E
N
D
O
R

HOWARD P FAIRFIELD LLC
94 SHEEP DAVIS RD
PEMBROKE NH 03275

#20783

FAX: 228-5246

TOTAL AMOUNT
OF THIS
PURCHASE ORDER \$230,503.00

PURCHASED BY A. HOFMANN/dab 603-271-2550

IN ACCORDANCE WITH PROPOSAL #

260-09

RFO

TEL QUOTE

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	COMMODITY CLASS NO.	UNIT PRICE	EXTENSION
	12	EA	HPF DTH-CL SINGLE, NEW RIGHT HAND SINGLE WING PLOW, HITCH AND SYDRAULIC SYSTEM AS PER BID #260-09 AND SPECIFICATIONS DATED DECEMBER 8, 2008	6542020	17,731.00	212,772.00
	1	EA	HPF DTH-CL SINGLE, NEW LEFT HAND SINGLE WING PLOW, HITCH AND HYDRAULIC SYSTEM AS PER BID #260-09 AND SPECIFICATIONS DATED DECEMBER 8, 2008			17,731.00
			TO BE MOUNTED BY STATE PERSONNEL ON: 2009 INTERNATIONAL 7400 SFA ALLISON 3500 TRANSMISSION 10 RH UNITS FRONT FENDER EXTENSIONS 1 LH UNIT RF AIR OVERLOAD			
			TO BE MOUNTED BY STATE PERSONNEL ON: 2009 INTERNATIONAL 7600 SFA ALLISON 4500 TRANSMISSION 2 RH UNITS FRONT FENDER EXTENSIONS			
			DELIVERY: PROTOTYPE DELIVERED 45 CALENDAR DAYS FROM RECEIPT OF ORDER - ORDER COMPLETE 90 CALENDAR DAYS FROM APPROVAL OF PROTOTYPE			
			MATERIAL SAFETY DATA SHEET(S) REQUIRED IF APPLICABLE			

SHIPPING INSTRUCTIONS:

☐ PREPAY & ADD

☒ F.O.B. DESTINATION

☐ SPECIAL

Reviewed by: *Alan Hoffmann*
Authorized Signature: *Paul J. House*
AUTHORIZED SIGNATURE

NOTE: The seller, in accepting this order, agrees to and accepts the conditions on the reverse side of this order.

STATE OF NEW HAMPSHIRE

DATE:11/8/09

BID #257-09

REQUISITION #:163200

DESCRIPTION :

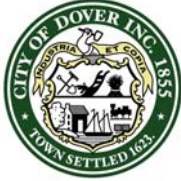
		4 TO 6 CU YD DUMP BODY				4 TO 6 CU YD DUMP BODY				10 TO 12 CU YD DUMP BODY		
		WITHOUT CAB PROTECTORS				WITH CAB PROTECTORS				WITH CAB PROTECTORS		
VENDOR	QTY	UNIT \$	EXT \$	DESC	QTY	UNIT \$	EXT \$	DESC	QTY	UNIT \$	EXT \$	DESC
HP FAIRFIELD	2	10,161.00	20,322.00	EVEREST	13	10,389.00	135,057.00	EVEREST	6	17,881.00	107,286.00	EVEREST

NO BID:

EW SLEEPER

NON CONFORMING:

INTER-STATE FORD TRUCK SALES



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12A11

Resolution Number: **R - 2009.10.14 - 161**

Resolution Re: Plow Hitch & Hydraulics & Dump Body –
State of NH award to Howard P. Fairfield Inc

WHEREAS: In January 2009 the State of NH through bid solicitation #260-09 awarded Howard P. Fairfield Inc the contract for the purchase of Everest Power Tilt wing plow hitches and hydraulics at the cost of \$17,731.00 each.. Also, the State of NH through bid B257-09, awarded Howard P. Fairfield the contract for 4-6 Cubic Yard dump bodies at the rate of \$10,389.00 each; and

WHEREAS: The city would like to take advantage of these prices and piggy back of the state contracts for two (2) plow hitches and hydraulics for a total of \$35,462.00. The city would also purchase two (2) dump body units at \$10,389.00 each for a total of \$20,778.00. At the same time the city would purchase two (2) dual flow 2 FFL 12 sander controls at the rate of \$750.00 each for a total of \$1,500.00. The total acquisition amount would be \$57,740.00. These items will be attached to the two (2) trucks being purchased under separate resolution to council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

Per Dover Purchasing Regulations 3-36B; The purchasing agent may, with approval by City Manager waive bidding procedure when purchasing through State of NH or at State bid prices but not superseding 3-39, Council approval of over \$25,000.

The Purchasing Agent is hereby authorized to issue a Purchase Order to Howard P. Fairfield, LLC in the amount of \$57,740.00 and corresponding State NH pricing rates. This authorization shall be limited so as not to exceed available funding

Financing

Account	Description	Appropriation	Balance 10/01/09
4005-43121-4741-3114-05-30	PW Snow Removal Equipment	90,000.00	18,980.92
4000-43121-4743-3110-00-30	PW Vehicle and Equipment	150,000.00	0.02
4005-43121-4743-3110-05-30	PW Vehicle and Equipment	220,000.00	1,664.00
4006-43121-4743-3110-06-30	PW Vehicle and Equipment	120,000.00	200.00
4007-43121-4743-3110-07-30	PW Vehicle and Equipment	125,000.00	70,000.00

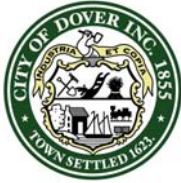
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A11

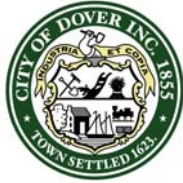
Resolution Number: **R - 2009.10.14 - 161**
Resolution Re: Plow Hitch & Hydraulics & Dump Body –
State of NH award to Howard P. Fairfield Inc

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A11

Resolution Number: **R - 2009.10.14 - 161**
Resolution Re: Plow Hitch & Hydraulics & Dump Body –
State of NH award to Howard P. Fairfield Inc

RESOLUTION BACKGROUND MATERIAL:

Quantity: two (2)

- HFP Everest PT Tilt-Detach front hitch
- HPF Everest ACPF/HCC36/ST62 low mount patrol wing system
- Commercial central hydraulics with front mounted pump, frame mounted tank, quado in cab controls for hydraulics functions.
- HPF Everest W132 Steel wing
- Duel flow 2 FFL 12 sander control
- 4-5 Cubic Yard Dump Body with cab protector

Bid Information:

The State of New Hampshire solicited bids from qualified vendors and any municipality can “piggy back” on those same contracts with special contract pricing once a vendor is identified. This process has been completed with four (4) vendors responding of which replies are under separate cover to this resolution.

Award Information:

A purchase order will be issued to the vendor selected to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	NA	Number of Responses:	NA
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Not with the City but with the State of NH
Prices will hold for:	Until Delivered	Estimated Delivery:	As needed
Recommended Award to:	Howard P. Fairfield LLC	Fund:	CIP
Other Approvals Required:	Yes State of NH	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

STATE OF NEW HAMPSHIRE
DATE:1/12/09

BID #260-09		HP FAIRFIELD				VIKING CIVES			
REQUISITION:220849,220848, 163895		HPF DTH				VIKONG SERIES			
DESCRIPTION									
VENDOR		QTY	UNIT \$	EXTENSION \$	QTY	UNIT \$	EXTENSION \$		
ITEM #1 DOUBLE WING POWER TILT PLOW HITCH AND HYDRAULICS - 2009 INTERNATIONAL 7400 SFA		4	24,191.00	96,764.00	4	26,063.00	104,252.00		
ITEM #2 DOUBLE WING POWER TILT PLOW HITCH AND HYDRAULICS - 2009 INTERNATIONAL 7600 SFA		4	24,191.00	96,764.00	4	26,063.00	104,252.00		
ITEM #3 RIGHT HAND SINGLE WING PLOW HITCH AND HYDRAULICS - 2009 INTERNATIONAL		12	17,731.00	212,772.00	12	18,681.00	224,172.00		
ITEM #4 LEFT HAND SINGLE WING PLOW HITCH AND HYDRAULICS - 2009 INTERNATIONAL		1	17,731.00	17,731.00	1	18,681.00	18,681.00		

NO BID
HEWS CO
VALK MANUFACTURING

424,031.00

451,357.00

HOWARD P. FAIRFIELD, LLC

QUOTE # 125561



"MUNICIPAL SPECIALISTS"

PHONE: 603-848-2363 FAX: 603-335-2926

<http://www.hpfairfield.com>

FROM:

Bob Hackett

94 Sheep Davis Rd

Pembroke, NH 03275

QUOTED TO: City Of Dover
288 Central Avenue
204150 Dover, NH 03820
ATTN: Sam Crowley

DATE: August 25, 2009

CUSTOMER PHONE: 603-743-6068

CUSTOMER FAX: 603-743-6086

COMMENTS: RE: State Bid # 260-09 Purchase Order # 64470

QTY	DESCRIPTION	PRICE	EXT. PRICE
2	**HPF/ EVEREST PT TILT/DETACH FRONT HITCH ** HPF/EVEREST ACPF/HCC36/ST62 LOW MOUNT PATROL WING SYSTEM ** COMMERCIAL CENTRAL HYDRAULICS WITH FRONT MOUNTED PUMP, FRAME MOUNTED TANK, QUADCO IN-CAB CONTROLS TO OPERATE HYDRAULIC FUNCTIONS. ** HPF/EVEREST W132 STEEL WING ** NO PLOW-CITY TO REUSE OLD PLOW ** NO BODY-CITY TO SWAP BODY FROM OLD CHASSIS ** NO LABOR -- CITY TO INSTALL ALL EQUIPMENT	\$17,731.00	\$35,462.00
2	** ADD DUAL FLOW 2 FFL 12 SANDER CONTROL = \$ 750.00	\$750.00	\$1,500.00

OPTION:

HPF TO INSTALL HYDRAULICS = \$ 1,375.00

HPF TO INSTALL FRONT HITCH = \$ 1,650.00

*** ONE YEAR WARRANTY PARTS AND LABOR ***

SIGNED Bob Hackett

ACKNOWLEDGED

QUOTE TOTAL \$36,962.00

Please note the following regarding installation quotes:

A clean truck frame without obstruction is assumed in the pricing of our quote. Re-positioning of air tanks, fuel tanks, exhaust, battery box or other obstacles for the ease of installation may be necessary and require additional charges. H.P. Fairfield, LLC will notify you before modification if this occurs.



SEE REVERSE SIDE FOR IMPORTANT INSTRUCTIONS

STATE OF NEW HAMPSHIRE
PURCHASE ORDER

PAGE 01/02
RELATE TO PURCHASE ORDER AND
REQUISITION IN ALL CORRESPONDENCE

64470

TERMS OF PAYMENT	DATE ISSUED	DATE REQUIRED	APPROPRIATION CODE/NUMBER	REQUISITION NO.
NET 30 DAYS	01/13/09	SEE BELOW SEE DELIVERY TERMS REVERSE SIDE	015-096-3005-030-0325 FY09	220848

BILL TO: NH DEPT OF TRANSPORTATION
BUREAU OF MECHANICAL SERVICES
PO BOX 456
CONCORD NH 03302-0456

SHIP TO: NH DEPT OF TRANSPORTATION
BUREAU OF MECHANICAL SERVICES
33 SMOKEY BEAR BLVD
CONCORD NH 03301

CONTACT PERSON: TOM JELLEY 603-271-3721

V
E
N
D
O
R

HOWARD P FAIRFIELD LLC
94 SHEEP DAVIS RD
PEMBROKE NH 03275

#20783

FAX: 228-5246

TOTAL AMOUNT
OF THIS
PURCHASE ORDER

\$230,503.00

PURCHASED BY A. HOFMANN/dab 603-271-2550

IN ACCORDANCE WITH PROPOSAL #

260-09

RFO

TEL QUOTE

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	COMMODITY CLASS NO.	UNIT PRICE	EXTENSION
	12	EA	HPF DTH-CL SINGLE, NEW RIGHT HAND SINGLE WING PLOW, HITCH AND SYDRAULIC SYSTEM AS PER BID #260-09 AND SPECIFICATIONS DATED DECEMBER 8, 2008	6542020	17,731.00	212,772.00
	1	EA	HPF DTH-CL SINGLE, NEW LEFT HAND SINGLE WING PLOW, HITCH AND HYDRAULIC SYSTEM AS PER BID #260-09 AND SPECIFICATIONS DATED DECEMBER 8, 2008			17,731.00
			TO BE MOUNTED BY STATE PERSONNEL ON: 2009 INTERNATIONAL 7400 SFA ALLISON 3500 TRANSMISSION 10 RH UNITS FRONT FENDER EXTENSIONS 1 LH UNIT RF AIR OVERLOAD			
			TO BE MOUNTED BY STATE PERSONNEL ON: 2009 INTERNATIONAL 7600 SFA ALLISON 4500 TRANSMISSION 2 RH UNITS FRONT FENDER EXTENSIONS			
			DELIVERY: PROTOTYPE DELIVERED 45 CALENDAR DAYS FROM RECEIPT OF ORDER - ORDER COMPLETE 90 CALENDAR DAYS FROM APPROVAL OF PROTOTYPE			
			MATERIAL SAFETY DATA SHEET(S) REQUIRED IF APPLICABLE			

SHIPPING INSTRUCTIONS:

☐ PREPAY & ADD

☒ F.O.B. DESTINATION

☐ SPECIAL

Reviewed by: *Alan Hoffmann*
Authorized Signature: *Paul J. House*
AUTHORIZED SIGNATURE

STATE OF NEW HAMPSHIRE

DATE:11/8/09

BID #257-09

REQUISITION #:163200

DESCRIPTION :

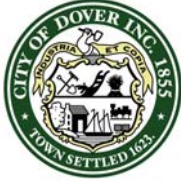
		4 TO 6 CU YD DUMP BODY				4 TO 6 CU YD DUMP BODY				10 TO 12 CU YD DUMP BODY		
		WITHOUT CAB PROTECTORS				WITH CAB PROTECTORS				WITH CAB PROTECTORS		
VENDOR	QTY	UNIT \$	EXT \$	DESC	QTY	UNIT \$	EXT \$	DESC	QTY	UNIT \$	EXT \$	DESC
HP FAIRFIELD	2	10,161.00	20,322.00	EVEREST	13	10,389.00	135,057.00	EVEREST	6	17,881.00	107,286.00	EVEREST

NO BID:

EW SLEEPER

NON CONFORMING:

INTER-STATE FORD TRUCK SALES



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A12

Resolution Number: **R - 2009.10.14 - 162**

Resolution Re: B10004 Change Order I Hydrogeological Services for the Willand Pond Well

WHEREAS: Sealed requests for proposal #B10004 was requested and received for professional services in the field of Hydro-geological and engineering studies with experience in exploration, development and permitting of public water supply wells. Eight proposals were received on August 5, 2009 and five firms were selected for interviews. The consensus of the evaluating committee was to award to Emery & Garrett Groundwater Inc at a rate of \$21,500.00. The scope of services being performed are Phase I - preliminary fatal flaw assessment and Phase II – Preparation of a computer model of the aquifer; and,

WHEREAS: Emery & Garrett identified five phases with multiple tasks in each phase. At this time the city is requesting council approval of the initial task of Phase III at a fee of \$45,000.00. The proposed work will determine the condition and utility of the abandoned former supply well. If the well is found to be in tact, a step test will be performed to determine the wells performance and capabilities.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a change order to Emery Garrett Groundwater Inc PO30-259745 for Phase III given the amount of \$45,000.00. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance 10/8/09
5300-43320-4331-3574-05-30	Water Exploration	84,677.00	67,702.50

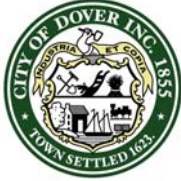
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A12

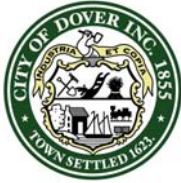
Resolution Number: **R - 2009.10.14 - 162**
Resolution Re: B10004 Change Order I Hydrogeological Services for the
Willand Pond Well

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A12

Resolution Number: **R - 2009.10.14 - 162**

Resolution Re: B10004 Change Order I Hydrogeological Services for the Willand Pond Well

RESOLUTION BACKGROUND MATERIAL:

The Community Services Department issued an RFQ to identify a consultant who could help the City of Dover evaluate the potential of reestablishing a former public water supply well at Willand Pond. The project could potentially augment the City's water supply capacity and provide control of water levels in Willand Pond that has resulted from changes that have occurred during the last 20 years.

The RFQ requested that qualified firms structure their proposals such that the work tasks are phased and if it became apparent at any point the project was not feasible the work would be terminated.

Eight proposals were received and five consultants were interviewed. Emery and Garrett Groundwater Inc (EGGI) was selected for the project. EGGI identified five phases with multiple tasks within each phase. A purchase order was issued in September to Emery Garrett to perform Phase I, a preliminary assessment of all the available information, and Phase II, the preparation of a computer model of the aquifer.

At this time, we are requesting City council approval of initial task of Phase III. The proposed work will determine the condition and utility of the abandoned former supply well. The well has been unearthed and found to have been filled with sand. The sand must be cleaned from the well and then inspected. If the well is found to be in tact, a step test will be performed to determine the well's performance and capability. A successful step test would lead to the design of a long term pump test which would require review and approval by NHDES. The long term pump test would provide important information regarding the aquifers response to pumping that would be used in the computer model. The model would then predict how much water would be able to be supplied, and how that rate of pumping would influence the pond level.

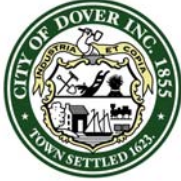
Once the well has been assessed and found to be adequate for use and all permits have been received, which are needed to perform this pump test, a future Resolution will be presented to the City Council for approval to perform the long term pump test.

Bid Information:

B10004 Hydrogeological Services August 5, 2009 @ 2:00pm

Award Information:

A change order will be issued to the Emery and Garrett Groundwater Inc to authorize future expenditures.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A12

Resolution Number: **R - 2009.10.14 - 162**
Resolution Re: B10004 Change Order I Hydrogeological Services for the
Willand Pond Well

Purchasing Information:

Type:	Change Order	Advertised:	No
Invitations Mailed:	40	Number of Responses:	8 and 1 nb
Warranty:	na	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Not with the City but with the State of NH
Prices will hold for:	Until Completion	Estimated Delivery:	As needed
Recommended Award to:	Emery & Garrett	Fund:	Water
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

Vendor Solicitation List:

XDD LLC
Dennis Keane
22 Marion Way Unit 3
Stratham NH 03885

Golder Associates
400 Commercial Street
Manchester, NH 03101

S.W. Cole Engineering, Inc.
33 Londonderry Road # 6
Londonderry, NH 03053

John Turner Consulting, Inc.
19 Dover Street
Dover, NH 023820

Great Works Test Boring, Inc.
PO Box 491
Rollinsford, NH 03869

WH Shurtleff Co.
One Runway Road, Suite B
South Portland, ME 04106

Maguire Group, Inc.
110 Corporate Drive, Suite 6
Portsmouth, NH 03802-6619

ATC Associates, Inc.
150 Zachary Road
Manchester, NH 03103

JGI Eastern, Inc.
77 Sundial Avenue
Suite 401 W
Manchester, NH 03103

RW Gillespie & Assoc.
86 Industrial Park Road Suite 4
Saco, ME 04073

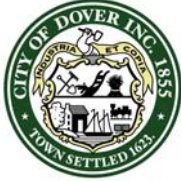
Clough Harbourt & Assoc.
11 King Court
Keene NH 03431

Stevens Associates
60 Northrp Dr
Brentwood NH 03833

CLD
Park Pl Corporate Center
York ME 03909

Underwood Engineers
25 Vaughan Mall
Portsmouth NH 03801

Roaring Brook Consultants
15 Sewall Rd
So Berwick ME 03908



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A12

Resolution Number: **R - 2009.10.14 - 162**

Resolution Re: B10004 Change Order I Hydrogeological Services for the
Willand Pond Well

Tri Tech Engineers
755 Central Ave
Dover NH 03820

Civilworks Inc
PO Box 1166
Dover NH 03820

Appledore Engineering
15 Dye St
Portsmouth NH 03801

Aries Engineering Inc.
Attn: Peter McGlew
46 South Main Street
Concord, NH 03301

Jacques Whitford
27 Congress Street
Portsmouth, NH 03801

Hydro Source Associates
26 Winter Street
Ashland, NH 03217

Exeter Environmental Associates
1 Oak Hill Lane
Exeter, NH 03833

Miller Engineering
100 Sheffield Road
P.O. Box 4776
Manchester, NH 03108

N.E. Environmental Assoc.
P.O. Box 2394
Concord, NH 03302-2394

Aqua Terra Environmental
Consultants, Inc.
P.O. Box 4247
Portsmouth, NH 03802

GeoInsight Inc.
25 Sundial Avenue
Suite 515W
Manchester, NH 03103-7244

Earth Tech
300 Baker Avenue
Concord, MA 01742

ESC Marin
722 Route 3A, Ste #3
Bow, NH 03304

Thomas R. Fargo
14 Cobble Hill Drive
Dover, NH 03820

ENSR International
171 Daniel Webster Highway
Belmont NH 03220

Wright Pierce
135 Commerce Way
Portsmouth, NH 03801

Haley & Aldrich
340 Granite Street
Manchester, NH 03102

Emery & Garrett Groundwater
P. O. Box 1578
Meredith, NH 03253

Weston Solutions, Inc
Attn: Bette Nowack
1 Wall St
Manchester, NH 03101

Ransom Environmental
Attn: Steve Rickenrich
195 Commerce Way Ste D
Portsmouth, NH 03801

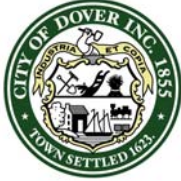
Haley & Aldrich
Attn: Jim Griswald
340 Granite St 3rd Fl
Manchester, NH 03102

CEI
Attn: Eileen Paniteer
21 Depot St
Merrimack, NH 03054

Aries Engineering Inc.
Attn: Peter McGlew
46 South Main St
Concord, NH 03301

Woodward & Curran
Attn: Greg Cataldo
41 Hutchins Dr
Portland, ME 04102

GZA
380 Harvey Rd
Manchester, NH 03103



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A12

Resolution Number: **R - 2009.10.14 - 162**

Resolution Re: B10004 Change Order I Hydrogeological Services for the
Willand Pond Well

Bid Results & Short listed for Interviews

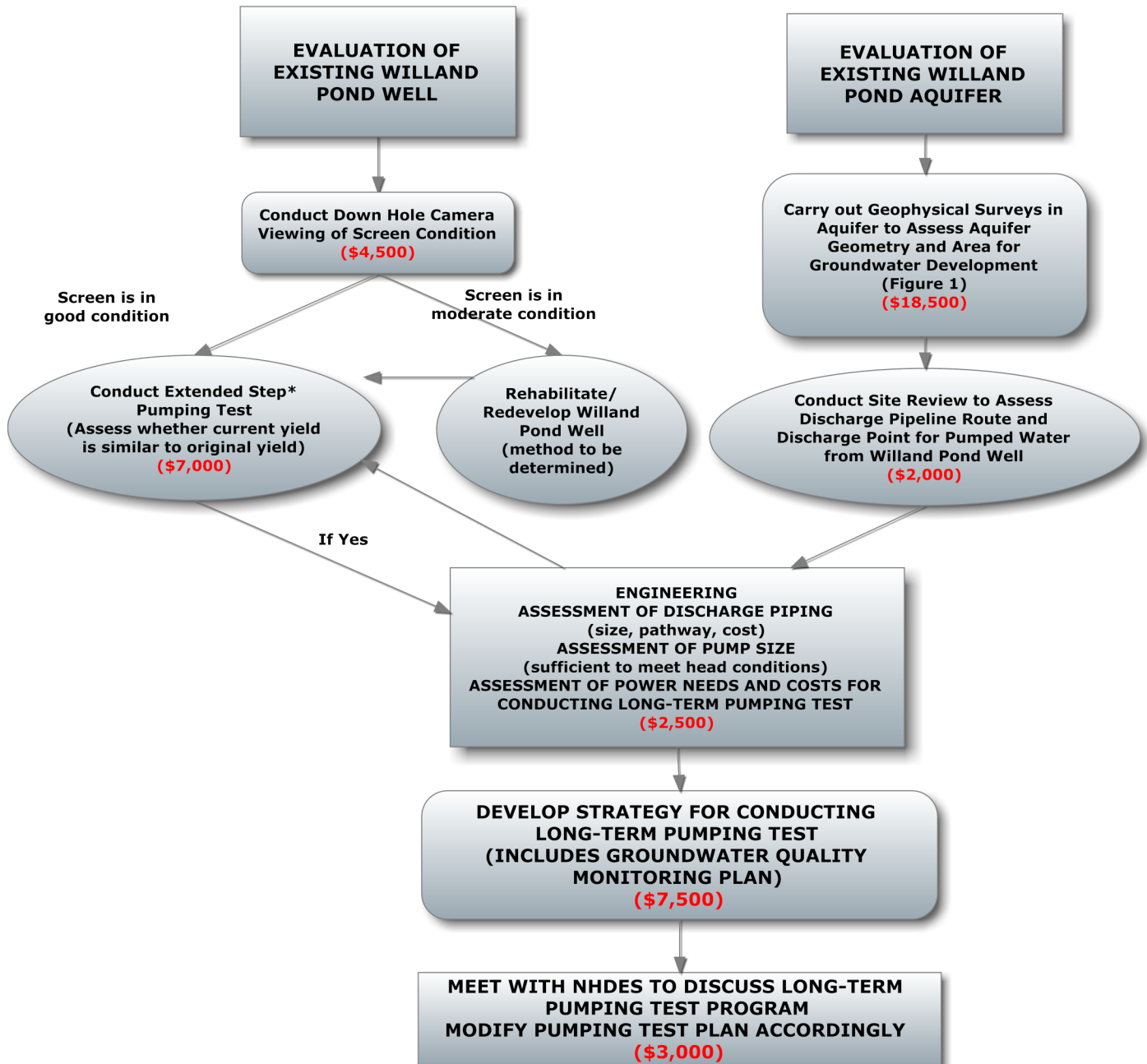
Hydro-Geological Services Public Well Supply

<i>Vendor</i>	<i>Fee Schedule</i>
Weston & Sampson Engineers Inc 100 International Dr Ste 152 Portsmouth NH 03801	\$35,100.00 Excludes Pumping tests or Laboratory costs
Emery & Garrett Groundwater Inc 56 Main St PO Box 1578 Meredith NH 03253	Phase I \$5,000.00 Phase II \$16,000.00
AECOM Environmental 171 Daniel Webster Hwy Ste 11 Belmont NH 03220	\$58,365.00
Wright Pierce Engineering 230 Commerce Way Ste 302 Portsmouth NH 03801	\$19,400.00
HydroSource Associates 50 Winter St Ashland NH 03217	\$39,750.00
Stantec 5 Dartmouth Dr Ste 101 Auburn NH 03032	
Hoyle Tanner Associates Inc 150 Dow St Manchester NH 03101	
GZA GeoEnvironmental Inc 380 Harvey Rd Manchester NH 03103	
Civil Works Inc Dover NH No Bid	

WILLAND POND WELL INVESTIGATION DOVER, NEW HAMPSHIRE

PHASE III (MODIFIED) -- PART I WORK SCOPE/ESTIMATED COSTS

EVALUATION OF POTENTIAL YIELD OF WILLAND POND WELL
ASSESSMENT OF EFFECTIVENESS OF PUMPING WILLAND POND WELL
ON WILLAND POND SURFACE WATER LEVELS



TOTAL PHASE III -- PART I = \$45,000**

*Assumes Pump is rented. It may be decided that it would be better to purchase a pump for this pumping test and therefore these prices are subject to change.

**Assumes that redevelopment of well is not required.

WILLAND POND WELL INVESTIGATION DOVER, NEW HAMPSHIRE

PHASE III (MODIFIED) -- PART II LONG-TERM PUMPING TEST PROGRAM (Costs to be submitted upon conclusion of Part I)

**SUBMITTAL OF PUMPING TEST PLAN AND
ESTIMATED COSTS TO CITY OF DOVER TO
CARRY OUT LONG-TERM PUMPING PROGRAM**

**INSTALLATION OF MONITORING
WELLS BASED UPON DATA COLLECTED
FROM GEOPHYSICAL SURVEYS AND
HYDROGEOLOGICAL INVESTIGATIONS
PERFORMED TO DATE**

**IMPLEMENT GROUNDWATER AND
SURFACE WATER QUALITY
MONITORING PLAN**

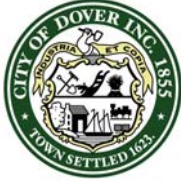
**Install Groundwater
Monitoring Equipment in
Selected ...**

**TO INCLUDE:
VOCs
Iron/Manganese
pH/Temperature
Turbidity, etc.
Drinking Water Standards**

TO INCLUDE

- Observation Wells
- Wetland Piezometers
- Willand Pond and Other Surface Water Bodies
- Off-Site Water Supply Wells

**CONDUCT PUMPING AND
MONITORING PROGRAM
(Extend to 6 Months, if possible)**



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A13

Resolution Number: **R - 2009.09.23 - 163**

Resolution Re: B10006 Purchase of Wheel Loader Backhoe

WHEREAS: Sealed request for bid B10006 was issued and received on August 18, 2009 @ 2:00pm for the purchase of a Wheel Loader Backhoe; and

WHEREAS: Five vendors replied with varying equipment and pricing. On September 15, 2009 all five vendors hauled their machines to Mast Road for a performance test. The bid meeting specifications and passing all performance tests was submitted by Nortrax New England LLC in the amount of \$80,500 less trade in allowance of city owned 1995 case 580 in the amount of (\$14,000.00) for a new purchase of \$66,500.00. It is the recommendation to award to Nortrax NE LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The purchasing agent is hereby authorized to issue a purchase order to Nortrax NE LLC in the bid amount of \$66,500.00 and corresponding rates provided on 8/18/09. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
5320-43250-4741-0000-99-30	Sewer Machinery	50,000.00	50,000.00
5300-43320-4741-0000-99-30	Water Machinery	70,000.00	32,728.98

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A13

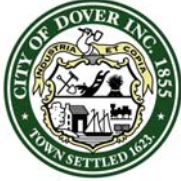
Resolution Number: **R - 2009.09.23 - 163**
Resolution Re: B10006 Purchase of Wheel Loader Backhoe

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A13

Resolution Number: **R - 2009.09.23 - 163**
Resolution Re: B10006 Purchase of Wheel Loader Backhoe

RESOLUTION BACKGROUND MATERIAL:

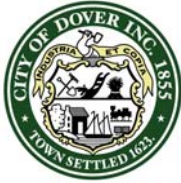
Sealed request for bid B10006 was issued and received on August 18, 2009 @ 2:00pm for the purchase of a wheel loader backhoe. The machines were all put through a series of tests at the Mast Road Facility on 9/15/09. Community Services conducted a very elaborate field test with all of the back hoes that replied. The test involved lifting, digging, and loading, this test also involved all of the city's heavy equipment operators, at the conclusion of this test it has been determined that the John Deere 410J is the most advantageous to the city and is the bid meeting specifications and passing performance tests. It is the recommendation to award to Nortrax NE LLC for the John Deere 410J in the amount of \$80,500 less trade in of 1995 Case 580 in the amount of (\$14,000.00) for a net purchase of \$66,500.00

Bid Information:

Sealed bid B10006 received August 18, 2009 @ 2:00pm.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	29	Number of Responses:	5 and 3 no bids
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until received	Estimated Delivery:	As needed
Recommended Award to:	Nortrax NE LLC	Fund:	Water & Sewer
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A13

Resolution Number: **R - 2009.09.23 - 163**
Resolution Re: B10006 Purchase of Wheel Loader Backhoe

Vendor Solicitation List:

Jordan Milton
Interstate 89, Exit 6
Hopkinton NH 03302-0206

Gorham Tractor & Equipment
Co.
780 Narragansett Trail
Buxton, ME 04093

Beauregard Equipment
231 Sheep Davis Road
Concord, NH 03301

R.C. Hazelton Co.
P.O. Box 5088
Manchester, NH 3108-5088

Bobcat of New Hampshire
9 Dover Road (Rte 4)
Chichester, NH 03234-6515

Hews Co Inc.
12 Robinson Road
Bow, NH 03304

Capitol Construction Equipment
& Supply
7 Gordon Road
Bow, NH 03304-3306

Jordan Equipment
744 Clough Hill Road
Pembroke, NH 03275-3814

Chadwick DeRoss
237 Sheep Davis Road
Concord, NH 03301

C.N. Wood Co. Inc.
200 Merrimac Street
Woburn, MA 01801

Parker Danner
94 Pleasant Street
So. Portland, ME 04106

Northern Truck & Equipment
P.O. Box 595
Rollinsford, NH 03869-5115

Nation's Rent
17 Old Manchester Road
Candia NH 03039

E.W. Sleeper Co. Inc.
Loudon Road
P.O. Box 2468
Concord, NH 03301

W.D. Matthews Machinery Co.
901 Center St
PO Box 319
Auburn ME 04212-0319

Knoxland Equipment, Inc.
6 Warner Road
Warner, NH 03278

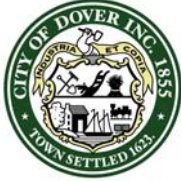
United Rentals
40 Willow Street
Manchester, NH 03103

Winmill Equipment Company
3 International Road
PO Box 4010
Windham NH 03087

D& L Thomas Equipment Corp.
Route 9, Box 200
Spofford, NH 03462

Howard P. Fairfield
94 Sheep Davis Road
Pembroke, NH 03275

Conway Tractor
Route 302
North Conway NH 03860



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12A13

Resolution Number: **R - 2009.09.23 - 163**
Resolution Re: B10006 Purchase of Wheel Loader Backhoe

Scammon Equipment
US Route 1, PO Box 1049
Saco ME 04072

MB Tractor and Equipment
658 Harold Dow Hwy
Eliot, ME 03903

Northland Holder
RR#3, Box 1570
Turner, ME 04282

Goodall Tractor
683 Heartford Turnpike
Shrewsbury, MA

Nortrax
98 Sheep Davis Road
Pembroke, NH 03275

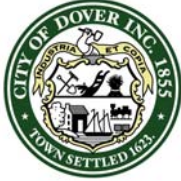
Tenco
82 Community Drive
Litchfield, ME 04350

Spencer Trucking
279 Green Street
Somersworth, NH 03878

Tenco
450 No Main St
Barre VT 05641

Results

B10006	equipment / Price	Trade In	Net Cost	Available
Milton Cat 554 Maple St hopkinton NH	2008 420E ST new cat tier 2 \$64,500.00	(\$12,000.00)	\$52,500.00	In stock not sure which machine
	2009 420E ST new cat tier 3 \$67,700.00			
Beauregard Equ 231 Sheeps Davis Rd Concord NH	2009 Case 590 super M Series III \$77,150.00	(\$14,000.00)	\$63,150.00	90 day ARO
	2009 Case 590 super M PLUS Series III \$81,750.00			



CITY OF DOVER

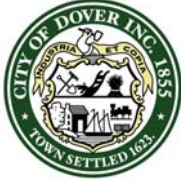
CITY OF DOVER - RESOLUTION

Agenda Item#:
12A13

Resolution Number: **R - 2009.09.23 - 163**

Resolution Re: B10006 Purchase of Wheel Loader Backhoe

Nortrax NE LLC 98 Sheeps Davis Rd Pembroke NH	JD410J			
	\$80,500.00	(\$14,000.00)	\$66,500.00	4-6 weeks
	Hydraulics 410J TMC			
	\$89,500.00	(\$14,000.00)	\$75,500.00	4-6 weeks
Chappell Tractor East 251 Rte 125 Brentwood NH	2009 New Holland B110B			
	\$77,950.00	(\$10,000.00)	\$67,950.00	?
	NH B95TC			
	\$67,950.00	(\$10,000.00)	\$57,950.00	
Casey Equipment PO Box 309 Kingston NH	2009 JCB model 3CX-15			In stock not sure which machine
	\$82,498.00	(\$12,500.00)	\$69,998.00	
	2009 JCB Stock Unit model 3CX-15			
	\$85,036.00	(\$12,500.00)	\$72,536.00	
Bobcat of NH	No Bid			
CN Wood Co Inc	No Bid			
Jordan Equipment	No Bid			



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A14

Resolution Number: **R - 2009.09.23 - 164**

Resolution Re: B10015 Purchase of Five 2010 Ford Police Crown Vics

WHEREAS: Sealed request for bid B10015 was issued and received on September 14, 2009 @ 2:00pm for the purchase of (5) five 2010 Ford Police Interceptors; and

WHEREAS: Low bid meeting specifications was submitted by Hillsboro Ford Inc in the amount of \$22,884.00 each for a total of **\$114,420.00** It is the recommendation to award to low bid Hillsboro Ford Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The purchasing agent is hereby authorized to issue a purchase order to Hillsboro Ford Inc in the bid amount of \$114,420.00 and corresponding rates provided on 9/14/09. The amount of this authorization shall be limited so as not to exceed available funding.

Account	Description	Appropriation	Balance
1000-42120-4742-0000-00-21	Police ops light vehicle	114,183	114,183
1000-42120-4742-0000-98-21	Police ops light vehicle	1,615	1,615

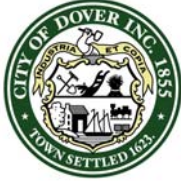
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A14

Resolution Number: **R - 2009.09.23 - 164**

Resolution Re: B10015 Purchase of Five 2010 Ford Police Crown Vics

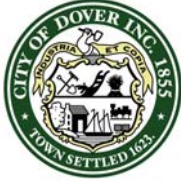
DOCUMENT HISTORY:

First Reading Date:
Approved Date:

Public Hearing Date:
Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A14

Resolution Number: **R - 2009.09.23 - 164**

Resolution Re: B10015 Purchase of Five 2010 Ford Police Crown Vics

RESOLUTION BACKGROUND MATERIAL:

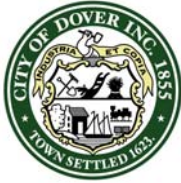
Sealed request for bid B10015 was issued and received on September 14, 2009 @ 2:00pm for the purchase of (5) Five 2010 Ford Police Interceptors. Low bid meeting specifications was submitted by Hillsboro Ford Inc in the amount of \$22,884.00 each for a total of **\$114,420.00** It is the recommendation to award to low bid Hillsboro Ford Inc.

Bid Information:

Sealed bid B10015 received September 14, 2009 @ 2:00pm.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	17	Number of Responses:	8
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until received	Estimated Delivery:	As needed
Recommended Award to:	Hillsboro Ford	Fund:	GF
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A14

Resolution Number: **R - 2009.09.23 - 164**

Resolution Re: B10015 Purchase of Five 2010 Ford Police Crown Vics

Vendor Solicitation List:

Mr. Tom Trites
Miller Auto World
P. O. Box 730
Wolfeboro, NH 03894

Bill Dube Ford
Attn: Debbie Reed
40 Dover Point Road
Dover, NH 03820

Irwin Motors
Bisson Avenue
P. O. Box 1309
Laconia, NH 03247-1309

Arundel Ford
1561 Portland Road
Arundel, ME 04046-8116

Mr. Chris Pappas
Grappone Auto Junction
P. O. Box 1200
Concord, NH 03302

Hampton Ford
178 Lafayette Road
N. Hampton, NH 03862

Granite Ford
Kevin Donovan
P. O. Box 1998
Rochester, NH 03866-1998

Tilton Ford
P. O. Box 1360
Tilton, NH 03276

Hillsboro Ford
16 Antrim Road
P. O. Box 2160
Hillsboro, NH 03244

Portsmouth Ford
400 Spaulding Turnpike
Portsmouth, NH 03801

M & M Ford
PO Box 490
Epsom, NH 03581

AutoFair Ford
1475 S. Willow Street
Manchester, NH 03103

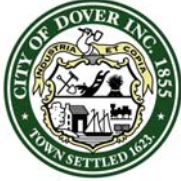
Meredith Motor Co, Inc.
Meredith Ford
339 DW Hi-way
Meredith, NH 03253

McFarland Ford Sales, Inc
151 Portsmouth Ave
Exeter, NH 03833

Newman Ford Hydunai LLC
470 S. Broadway
Salem, NH 03079

Claremont Ford Lincoln
RR 1 Box 209
Washington Street
Claremont NH 03743

Dave Starkey
Starkey Ford
PO Box 37
York ME 03909-0037



CITY OF DOVER

CITY OF DOVER - RESOLUTION

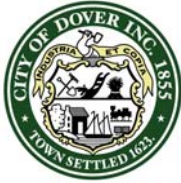
Agenda Item#:
12A14

Resolution Number: **R - 2009.09.23 - 164**

Resolution Re: B10015 Purchase of Five 2010 Ford Police Crown Vics

Results

Vendor	Price Per Vehicle	Option #2	Available
Hillsboro Ford, Inc 16 Antrim Road PO Box 2160 (Jct. Routes 202 & 9) Hillsboro, NH 03244-2160	\$22,884.00 x 5=\$114,420.00 730A package has standard 3:55 limited slip axel and option 43C limited slip is neither compatible or available with 730A package	\$23,620.00 x 5=\$118,620.00 730A package has standard 3:55 limited slip axel and option 43C limited slip is neither compatible or available with 730A package this bid for 2010 which are already ordered and have vin#'s exceptions: center hub caps not full size	6-14 weeks
John Grappone Ford PO Box 1200 Concord, NH 03302	\$22,898.00 x 5=\$114,490.00 43C Limited Slip Differential not available with 730A		8-12 weeks
Starkey Ford Inc Po box 37 York ME 03909	\$23,070.00 x 5=\$115,350.00		Order
Hampton Ford Hundai 177 Lafayette Rd No. Hampton NH 03862	\$23,116.68 x 5=\$115,583.40		8-12 weeks
The Irwin Zone Bisson Ave Laconia, NH 03246	\$23,145.00 x 5=\$115,725.00		90-120 days ARO
Salem Ford 470 So. Broadway St Salem NH 03079	\$23,371.00 x 5=\$116,855.00		12-18 weeks
Stoneham Motor Co 185 Main St Stoneham MA 02180	\$23,395.00 x 5=\$116,975.00		90-110 days ARO
Colonial Ford 147 Samoset St Plymouth MA 02360	\$23,398.00 x 5=\$116,990.00		Yes



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A15

Resolution Number: **R – 2009.10.14-165**

Resolution Re: B10016 Train Station Glass Vestibule & CDBG-R
Substantial Program Amendment

WHEREAS: Sealed RFP B10016 was requested and received for design build services for a glass vestibule for the train station at Chestnut St in Dover NH. A pre-bid meeting was held on September 11, 2009 with ten (10) vendors attending. Proposals were received on 9/30/09 @ 2:00 pm. The low bid deemed most advantageous to the city was submitted by Careno Construction Company LLC in the base amount of \$36,125.00 with an optional ceramic tile flooring of \$1,250.00 for a total of \$37,375.00; and

WHEREAS: The City of Dover has been awarded CDBG-R funds under the Stimulus Program and authorization to accept the funds was awarded on 5/27/09 via resolution R-2009.05.27-68 agenda item #12A3. The Planning Department is required by HUD to prepare, and the Governing Body adopt any CDBG-R substantial program amendments to the Action Plan which is a detailed expenditure plan for the use of C. D. funds; and

WHEREAS: Planning Administration has reviewed the project options and recommends the following amendment to transfer funds from the McConnell Center Improvement account to partially cover the Train Station Vestibule project. The recommended disbursements of funds have been reviewed for compliance with HUD statutory requirements and for meeting national objectives.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The CDBG-R substantial program amendment to the “Action Plan” be adopted with the following appropriation transfers.

Financing

Account	Description	Appropriation	Change	Balance
2101-46341-4741-1102-00-18	CDBG-R McConnell	85,214.00	(10,000.00)	75,214.00
2101-46341-4725-3102-00-18	CDBG-R Train Station	-	10,000.00	10,000.00

No public hearing required. Majority of council vote is required.

AND, FURTHER BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The purchasing agent is hereby authorized to issue a purchase order to Careno Construction LLC given the bid amount of \$37,375.00 and corresponding rates submitted on 9/30/09. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	balance
2100-46341-4725-3102-10-18	Train Station Building Imprv	30,000.00	30,000.00
2101-46341-4725-3102-00-18	CDBG-R Train Station	10,000.00	10,000.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A15

Resolution Number: **R – 2009.10.14-165**
Resolution Re: B10016 Train Station Glass Vestibule & CDBG-R
Substantial Program Amendment

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

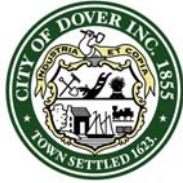
Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A15

Resolution Number: **R – 2009.10.14-165**

Resolution Re: B10016 Train Station Glass Vestibule & CDBG-R
Substantial Program Amendment

RESOLUTION BACKGROUND MATERIAL:

CDBG-R Substantial Program Amendment Description

The City of Dover received an increase to its FFY08 Block Grant in the amount of \$94,682 that was accepted via resolution R-2009.05.27-68 #12A3. This is part of the Stimulus and Recovery package and designated as CDBG-R. Any time there is a substantial change to the use of CDBG-R funds; HUD requires the municipality to do a CDBG-R Substantial Program Amendment.

The City of Dover solicited sealed bids for the design and build of a glass vestibule at the Dover Train Station at Chestnut st.

The bid specifications included, but not limited to:

- The vestibule will go from the existing double doors and run out to the first set of posts.
- Removing the granite curbing on the left side of vestibule area & pour new concrete pad.
- The vestibule should be heated in the most expedient fashion as part of the design.
- Construct an approx. 10X10 glass vestibule with a single door and ADA push button opener.
- The new construction will go up to the existing platform ceiling
- Door lock to be keyed alike with interior doors.
- Glass panels are to be fixed insulated glass.
- Move display board to left side of vestibule and rotate 90°
- Move dedication plaque to opposite side where display board was located.
- Remove electrical outlet on right side of vestibule and install on left side of vestibule.
- Install duplex receptacle inside of vestibule on left side near new door.
- Install communication line for the Quick Track machine and test.
- Install additional speaker in ceiling outside of vestibule connected to existing speaker.
- Move ceiling light in way of vestibule wall.
- Paint and finish all exterior work to match train station.

Bid Information:

Sealed bid B10016 received September 30, 2009 @ 2:00pm.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A15

Resolution Number: **R – 2009.10.14-165**
Resolution Re: B10016 Train Station Glass Vestibule & CDBG-R
Substantial Program Amendment

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	17	Number of Responses:	2 & 1 no bid
Warranty:	Manufacturers 1 year	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until completed	Estimated Delivery:	4 weeks After notice
Recommended Award to:	Careno Construction	Fund:	CDBG-R
Other Approvals Required:	Yes	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

Vendor List

New Hampshire Glass
1 Mirona Road
Portsmouth, NH 03801

Portland Glass
119 New Rochester Road
Dover NH 03820

Interstate Glass and Mirror
228 Rte 108
Somersworth, NH 03878

Fulcrum Associates
5 Tech Circle
Amherst, NH 03031-2848

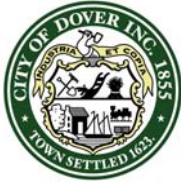
Hutter Construction Corporation
810 Turnpike Road
P. O. Box 257
New Ipswich, NH 03071

North Branch Construction
76 Old Turnpike Road
Concord, NH 03301-5242

Horne Construction
88 Airport Drive
Suite 200
Rochester, NH 03867-1702

David R. Whitcher Builder, Inc.
254 Drake Hill Road
P. O.Box 69
Strafford, NH 03884

Martini Northern
299 Hanover Street
Portsmouth, NH 03801



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A15

Resolution Number: **R – 2009.10.14-165**

Resolution Re: B10016 Train Station Glass Vestibule & CDBG-R
Substantial Program Amendment

Eckman Construction
84 Palomino Lane
Bedford, NH 03110-6449

Conneston Construction, Inc.
P. O. Box 7546
Gilford, NH 03247

DeStefano & Associates, Inc.
2456 Lafayette Road
Portsmouth, NH 03901-5624

Pine Brook Corporation
37 Route 236
Suite 105
Kittery, ME 03904

Bonnette, Page & Stone
91 Bisson Avenue
Laconia, NH 03246

Meridian Construction
Corporation
P. O. Box 759
Laconia, NH 03247-0759

Fuller Brothers Construction Inc
PO Box 987
No Hampton NH 03862-0987

Field Desk Management
245 Thornton Street
Portsmouth, NH 03801

Theriacult / Landmann
118 Congress Street
Portland, ME 04101

D.C.S. Construction Corp.
PO Box 86
Chocorua, NH 03817

Ricci Construction Co.
225 Banfield Road
Portsmouth, NH 03801

S.A. Jennison Building
Contractor
23 Highland Ridge Road
Barrington, NH 03825

Careno Construction
P. O. Box 120
Portsmouth, NH 0801

Jewett Construction
P.O. Box 405
Raymond, NH 03077

Schuler General Contractor
5 Railroad Avenue
Newmarket, NH 03857

Kendor Corporation
95 Old Center Road
Deerfield, NH 03037

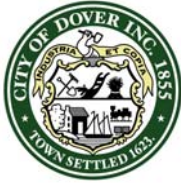
Trumbull-Nelson Construction
200 Lebanon Street
PO Box 1000
Hanover NH 03755

Opechee
11 Corporate Drive
Belmont, NH 03220

Keymount Construction
308 Messer Street
PO Box 819
Laconia, NH 03247

Engelwood Construction
Corporation
PO Box 4793
Manchester, NH 03108-4793

Kinsmen Corporation
P. O. Box 16117
Hooksett, NH 03106-6117



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A15

Resolution Number: **R – 2009.10.14-165**
Resolution Re: B10016 Train Station Glass Vestibule & CDBG-R
Substantial Program Amendment

Methuen Corporation
40 Lowell Road
Salem, NH 03079

Baybutt Construction
25 Avon Street
Keene NH 03431

Kelly Construction Co.
750 East Industrial Park Drive
Manchester NH 03109

Jewett Construction Co., Inc.
PO Box 405
Raymond NH 03077

Bonnette, Page & Stone Corp.
65 Water Street
Laconia NH 03247

Engleberth Construction
463 Mountain View Drive, Suite
201
Colchester, VT 05446-5952

Granger Northern
84 Middle Street
Portland ME 04101

McFarland Johnson Inc.
Concord Center
10 Ferry Street, Unit 11, Ste. 210
Concord NH 03301-5022

Cobb Hill Construction, Inc.
PO Box 2397
Concord NH 03302

Jonathan Kenyon
15 Horne St,
Dover, NH 03820

Douglas Dodd General
Contractor
15 Hanson St # E
Dover, NH 03820-4183

Pennshire Builders, Inc.
19 Laurel Ln
Somersworth, NH 03878-1112

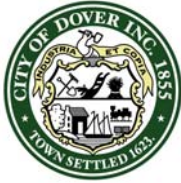
Careno Construction Co.
PO Box 120
Portsmouth, NH 03801

H. Lowery Construction
Company
P. O. Box 1276
Brattleboro, VT 05302

Dmt Construction Inc
36 Mount Vernon St
Dover, NH 03820

Bid Results

<u>Vendor</u>	<u>Cost</u>	<u>Option 1</u>
Horne Construction 88 Airport Drive Suite 200 Rochester, NH 03867-1706	49,836.00	+8,664.00 Total being \$58,500.00
Careno Construction Co, LLC PO Box 120 Portsmouth, NH 03801	36,125.00	+1,250.00 Total being \$37,375
Gagne Builders	No Bid Not Bonded	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A16

Resolution Number: **R – 2009-10-14-166**
Resolution Re: **Award of Bid#B10017 for Segregation and recycling of construction debris and demolition waste**

WHEREAS: Sealed bid B10017 was requested and received for the segregation and recycling of construction debris and demolition waste on September 29, 2009 at 2:00 p.m; and

WHEREAS: Responses received from three vendors were reviewed and evaluated with the bid deemed most advantageous being submitted by Aggregate Recycling Corp. in the amount of \$70.00 per ton.

WHEREAS Following consideration of travel costs and other operations factors by the Community Services Waste Recycling Division, it is the recommendation to award the project to Aggregate Recycling Corp. at \$70.00 per ton for an estimated 1300 tons with estimated annual expenditures expected to be \$91,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Aggregate Recycling Corp of Eliot ME given the estimated bid amount of \$91,000.00 and corresponding rate of \$70.00 per ton provided September 29, 2009. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
3320-43230-4421-0000-00-30	CS Waste Disposal Services	451,250.00	112,696.00

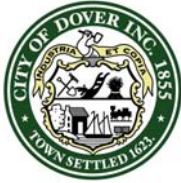
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A16

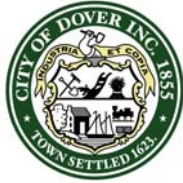
Resolution Number: **R – 2009-10-14-166**
Resolution Re: **Award of Bid#B10017 for Segregation and recycling of construction debris and demolition waste**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A16

Resolution Number: **R – 2009-10-14-166**
Resolution Re: **Award of Bid#B10017 for Segregation and recycling of construction debris and demolition waste**

RESOLUTION BACKGROUND MATERIAL:

The Community Service Department has identified several companies that provide segregation and recycling of construction debris and demolition waste services. The city is moving away from sending construction debris waste to land fills and toward recycling as much of this material as possible. The city generates approximately 1,300 tons of debris annually and has two dumpsters that it will fill and haul to Aggregate Recycling in Eliot ME for segregation and recycling. Another vendor, a further distance from the City, submitted a response with lower rates and one vendor submitted with the same price. A cost analysis was done by City Personnel to determine the most advantageous bid. Aggregate Recycling Corporation is the closest distance from the Mast Rd Recycling facility in Dover and therefore, saving wear and tear on the vehicle, as well as gas, oil and tires and employee hourly wages.

Bid Information:

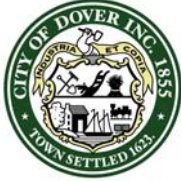
The City of Dover has solicited by sealed bid to identify qualified, reliable vendor needed for the segregation and recycling of construction debris and demolition waste disposal

Award Information:

A purchase order will be issued to Aggregate Recycling Corp to be used as needed.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	22	Number of Responses:	3
Warranty:	None	Terms:	Net 30, FOB Dover
Work Bonded:	NA	Contract:	No
Prices will hold for:	One year	Estimated Delivery:	As needed
Recommended Award to:	ARC	Fund:	Waste 3320-
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A16

Resolution Number: **R – 2009-10-14-166**

Resolution Re: **Award of Bid#B10017 for Segregation and recycling of construction debris and demolition waste**

Vendor List

Waste Management of N.H.
4 Liberty Lane West
Hampton NH 03842

Casella Waste Systems
53 Pellham Rd
Salem NH 03079

B.F.I.
360 Constitution Avenue
Portsmouth, NH 03801

Corcoran Environmental Svs
PO Box 536
W Kennebunk ME 04094

E.R.R.Co
Dave Diveto
270 Exeter Road
Epping, NH 03042

Advanced Recycling
25 Sanquest Street
Concord, NH 03301

Pinard Waste Systems
PO Box 5048
Manchester, NH 03108

Bestway Disposal Services
PO Box 460
Epping, NH 03042

Aggregate Recycling Corp
Jay Dougherty
PO Box 363
Eliot ME 03903-0363

Atlantic North Waste Systems
53 Pelham Road
Salem, NH 03079

Environmental Resource
Route 27
Epping NH 03042

Waste Management of N.H.
P.O. Box 7065
Rochester, NH 03867

Recycling Services, Inc.
Industrial Blvd.
P.O. Box 305
Claremont, NH 03743

Troiano Waste Services
Jim Nevin Acct Manager
197 Lincoln St
So. Portland, ME 04106

Brockton Iron & Steel
45 Freight Street
Brockton, MA

Commercial Paving & Recycling
2 Gibson Road
Scarborough, ME 04074

Maine Metal Recycling
522 Washington, Avenue
PO Box 1478
Auburn, ME 04210

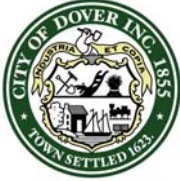
Jeff Simpson
281 Jagger Mill Rd
Sanford ME 04073

Haul Away, Inc.
29 Commercial Drive
Brentwood, NH 03833

Maquire Equipment
PO Box 13
Readville MA 02137-0013

Best Way Disposal
453 Rte 125
Brantwood, NH 03833

Atlantic North Waste Systems
53 Pelham Road
Salem, NH 03079
Attn: Joanne Stanley



CITY OF DOVER

CITY OF DOVER - RESOLUTION

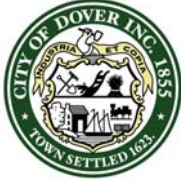
Agenda Item#:
12A16

Resolution Number: **R – 2009-10-14-166**

Resolution Re: **Award of Bid#B10017 for Segregation and recycling of construction debris and demolition waste**

Bid Results

Vendor	\$ per ton
CPRC Group 70 Pleasant Hill Rd Scarborough ME 04074	\$55.00
Environmental Resources Return Corp 270 Exeter Rd Epping NH 03042	\$70.00
ARC Jay Doherty PO Box 363 Eliot ME 03903	\$70.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A17

Resolution Number: **R - 2009.10.14 - 167**

Resolution Re: B10021 Purchase of two truck-cab-chassis

WHEREAS: Sealed bid B10021 was requested and received for the purchase of two (2) trucks, cab, and chassis with a GVW rating of at least 36,000 pounds on October 5, 2009 @2:00pm; and

WHEREAS: Responses were received from three vendors with two offering vehicles and one with a no bid response. The low bid meeting specifications was submitted by Liberty International Truck Sales of NH LLC in the amount of \$67,996 each, for a total bid of \$135,992.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The purchasing agent is hereby authorized to issue a purchase order to Liberty International Truck Sales of NH LLC in the bid amount of \$135,992.00 and corresponding rates provided on 10/5/09. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance 10/5/09
4007-43121-4743-3110-07-30	PW Vehicles & Equipment	125,000.00	53,882.94
1000-43121-4741-0000-99-30	PW Streets Machinery & Equipment	31,700.00	31,700.00
1000-43121-4741-0000-00-30	PW Streets Machinery & Equipment	100,000.00	100,000.00

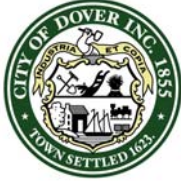
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A17

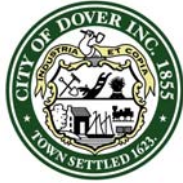
Resolution Number: **R - 2009.10.14 - 167**
Resolution Re: B10021 Purchase of two truck-cab-chassis

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A17

Resolution Number: **R - 2009.10.14 - 167**

Resolution Re: B10021 Purchase of two truck-cab-chassis

RESOLUTION BACKGROUND MATERIAL:

Request for bids on pricing and availability of two (2) new truck cab and chassis with a GVW rating of at least 36,000 pounds was solicited and received on 10/5/09. Liberty International is offering a year 2010 7400 SFA 4x2 GVWR of 36,220 in the amount of \$67,996.00 each for a total of \$135,992.00

Bid Information:

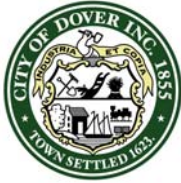
Sealed bid B10021 was solicited and received on 10/5/09 @ 2:00pm

Award Information:

A purchase order will be issued to the vendor selected to authorize expenditure.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	26	Number of Responses:	2 and 1 NB
Warranty:	5 yr	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	na
Prices will hold for:	10/31/09	Estimated Delivery:	60-75 days
Recommended Award to:	Liberty International Trucks of NH LLC	Fund:	Streets
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12A17

Resolution Number: **R - 2009.10.14 - 167**

Resolution Re: B10021 Purchase of two truck-cab-chassis

Vendor Solicitation List:

Consolidated Utility Bodies
14 Caldwell Drive
Amherst, NH 03031

C.N. Wood Co.
200 Merrimac Street
Woburn, MA 01801

Lacey Truck Equipment
PO Box 87
Medford MA 02155

Jansco Truck Equipment
840 Cumberland Hill Road
Woonsocket RI 02895

Hews Co., Inc.
190 Rumery Road
S. Portland ME 04106

Precision Truck
Candia 4 Corners
Candia NH 03034

W. A. Messer
170 Warren Avenue
Westbrook ME 04092

G.S. Truck Equipment Corp.
Route 12-A
Plainfield NH 03781

Donovan Equipment Co., Inc.
6 Enterprise Drive
Londonderry, NH 03053

Howard Fairfield, Inc.
94 Sheep Davis Road
Pembroke NH 03275

Manchester Mack Sales, Inc.
One Mack Ave.; PO Box 4640
Manchester NH 03108

EW Sleeper
P. O. Box 2468
Concord, NH 03302-2468

J & J Truck Bodies
733 South Center Avenue
PO Box 735
Somerset, PA 15501

Watertown Ford Commercial
Truck Center/America's Body
625 Pleasant Street
Watertown, MA 02472

Tenco New England
450 N. Main Street
Barre, VT 05641

Grappone Truck Center
Route 3A
Concord NH 03301

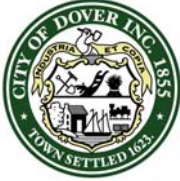
DiPrizio Garage, Inc.
Route 153
Middleton NH 03887

Rochester Truck Repairs
8 Flagg Road
Gonic NH 03839

Portland North Truck Center
110 Gray Rd
Falmouth ME 04105

Minuteman Trucks
2181 Providence Hwy
Walpole MA 02081

Nutmeg International Trucks
268 Park St
W. Springfield MA 01089



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12A17

Resolution Number: **R - 2009.10.14 - 167**

Resolution Re: B10021 Purchase of two truck-cab-chassis

Freightliner of NH Inc
Rte 102
Londonderry NH 03053

Peterbuilt of NH
734 Rte 3A
Bow NH 03304

Yankee Kenworth
24 Hall St
Concord NH 03301

McDevitt Trucks
1 Mack Ave
Manchester NH 03108

Liberty International
1400 South Willow St
Manchester NH 03103

Results

Vendor	<i>Freightliner of NH Inc.</i>	<i>Liberty International</i>	<i>CN Woods</i>
<i>Vehicle Offered</i>	<i>M2 106 V Conventional Chasses</i>	<i>2010 7400 SFA 4x2 SA525</i>	<i>No Bid</i>
Vehicle price each	\$64,393	\$67,996	
Extended warrantee (5 yrs)	\$1,261	Included	
Dealer options	\$3,950	included	
Less Federal Excise Tax	(\$166)	0	
Sum	\$69,438	\$67,996	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B1

Resolution Number: **R – 2009.10.14-158**

Resolution Re: Authorization to Enter Into Agreements for Sidewalk and Streetscape Improvement Upgrades

WHEREAS: From time to time, property owners request certain upgrades to the sidewalk, streetscape and landscaping adjacent to their property; and

WHEREAS: The City would incur extras in cost to complete such requests; and

WHEREAS: The Property Owners have expressed their willingness to pay for the extras in cost of such projects.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Manager be authorized to enter into Agreements for Sidewalk and Streetscape Improvement Upgrades at the property owner's request.

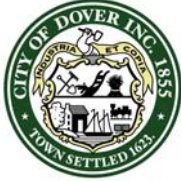
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B1

Resolution Number: **R – 2009.10.14-158**

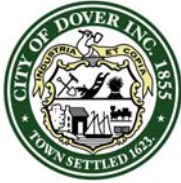
Resolution Re: Authorization to Enter Into Agreements for Sidewalk and Streetscape Improvement Upgrades

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B1

Resolution Number: **R – 2009.10.14-158**

Resolution Re: Authorization to Enter Into Agreements for Sidewalk and Streetscape Improvement Upgrades

RESOLUTION BACKGROUND MATERIAL:



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B2

Resolution Number: **R – 2009.10.14 - 168**

Resolution Re: The bench in front of Café on the Corner

WHEREAS: There were a series of e-mail communications that indicate the Mayor was involved in the process of deciding to remove the Bench in front of Café on the Corner; and

WHEREAS: According to the charter an elected official must not interfere with the operations of the nor give instruction to city employees; and

WHEREAS: The Mayor as a member of the city council acted on his own on this matter without any communication or permission from the council; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
Be it resolved that the policy of this council in this instance is to restore the bench to its original position and thereby eliminate the concern of the public that an elected official is acting inappropriately.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor David Scott, Ward 3

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B2

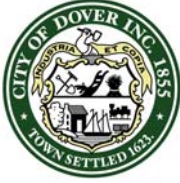
Resolution Number: **R – 2009.10.14 - 168**
Resolution Re: The bench in front of Café on the Corner

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

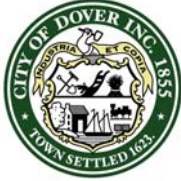
Agenda Item#:
12B2

Resolution Number: **R – 2009.10.14 - 168**

Resolution Re: The bench in front of Café on the Corner

RESOLUTION BACKGROUND MATERIAL:

The background is contained in the “whereas” clauses.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B2

Resolution Number: **R – 2009.10.14 - 169**

Resolution Re: Responsiveness to requests by the public

- WHEREAS: The city Manager is an officer of the city of Dover; and
- WHEREAS: Article 8 of the New Hampshire Constitution states, “All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive”, and
- WHEREAS: Article 32 of the New Hampshire Constitution states, “The people have a right, in an orderly and peaceable manner, to assemble and consult upon the common good, give instructions to their representatives, and to request of the legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer.”, and
- WHEREAS: Citizens and taxpayers come before the city council to speak at public forum with specific questions regarding disbursement of funds and/ or actions taken, or not taken, by the City Manager, or city staff, and
- WHEREAS: In many cases the city manager has not been responsive and has ignored the questions of the public and their requests for information.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT: the Dover city council directs the city manager to respond in writing to any and all questions by citizens and taxpayers to the City manager in his next City Managers report to the council.

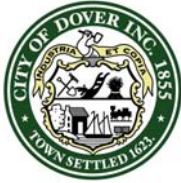
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor David Scott, Ward 3

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B2

Resolution Number: **R – 2009.10.14 - 169**

Resolution Re: Responsiveness to requests by the public

DOCUMENT HISTORY:

First Reading Date:

Public Hearing Date:

Approved Date:

Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

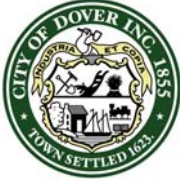
Agenda Item#:
12B2

Resolution Number: **R – 2009.10.14 - 169**

Resolution Re: Responsiveness to requests by the public

RESOLUTION BACKGROUND MATERIAL:

The background is contained in the “whereas” clauses.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B4

Resolution Number: **R – 2009.10.14 - 170**

Resolution Re: Right of access to the officials of their government

WHEREAS: Article 32 of the New Hampshire constitution (rights of Assembly, instruction and petition) States that the people have a right.....to give instructions to their Representatives; and

WHEREAS: This access for instruction must be convenient for the citizen and designed to encourage and not discourage public input; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The council resolves to allow each citizen a maximum of a 5 minute comment at the beginning of any workshop on the subject of the workshop.

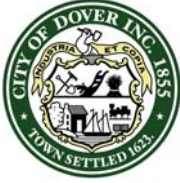
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor David Scott, Ward 3

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B4

Resolution Number: **R – 2009.10.14 - 170**

Resolution Re: Right of access to the officials of their government

DOCUMENT HISTORY:

First Reading Date:

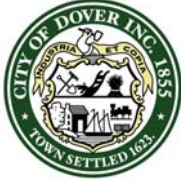
Public Hearing Date:

Approved Date:

Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B4

Resolution Number: **R – 2009.10.14 - 170**

Resolution Re: Right of access to the officials of their government

RESOLUTION BACKGROUND MATERIAL:

The background is contained in the “whereas” clauses.