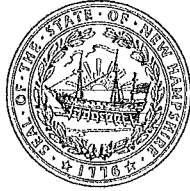


**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY  
ATTORNEY GENERAL



ANN M. RICE  
DEPUTY ATTORNEY GENERAL

July 26, 2011

**RECEIVED**

JUL 27 2011

**NH DEPT OF REV ADMIN  
MUNICIPAL SERVICES**

Karen Lavertu, Clerk/Tax Collector  
City of Dover  
288 Central Avenue  
Dover, NH 03820-4169

Re: Proposed Charter Amendments:  
Limitation on Property Tax Levy Increase &  
Redistricting of Ward Boundaries Based on 2010 Census

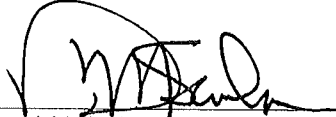
Dear Ms. Lavertu:

Pursuant to RSA 49-B:5-a, you have submitted proposed charter amendments on behalf of the City of Dover for review.

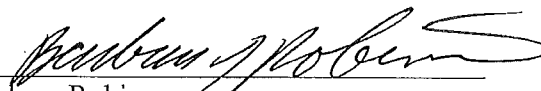
Upon review, the N.H. Department of Justice, the Secretary of State's Office, and the Department of Revenue Administration, pursuant to RSA 49-B:5-a, do not object to the proposed amendments to the existing city charter.

Please feel free to contact Assistant Attorney General Matthew Mavrogeorge of the Attorney General's Office, Barbara Robinson of the Department of Revenue Administration, or David Scanlan of the Secretary of State's Office if you have any questions.

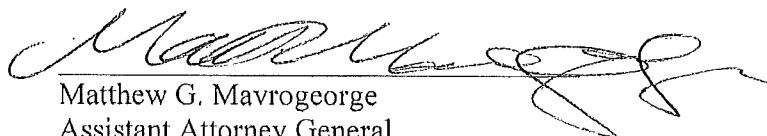
Sincerely yours,

  
\_\_\_\_\_  
David M. Scanlan  
Deputy Secretary of State

Karen Lavertus, Clerk/Tax Collector, City of Dover  
Re: Proposed Charter Amendments  
July 26, 2011  
Page 2



Barbara Robinson  
Director, Municipal Services Division  
Department of Revenue Administration



Matthew G. Mavrogeorge  
Assistant Attorney General  
N.H. Department of Justice  
Civil Bureau

638482

QUESTION: SHALL THE DOVER CHARTER BE AMENDED AS FOLLOWS:

**6-3.1 Limitation on Property Tax Levy Increase**

The City Council shall adopt the annual municipal budget for city and school purposes to limit the property tax levy on taxpayers to the property tax levy from the previous tax year increased by the amount of inflation calculated from the Consumer Price Index-Boston and the net increase in new construction. Enterprise funds, dedicated funds, capital reserve funds, grants, county tax, state property tax, and revenues from sources other than local taxes shall be excluded from the limitation on the property tax levy. Appropriations in the annual municipal budget shall not exceed the property tax levy increased by other revenues generated by the municipality.

- A. The “amount of inflation” means the average of the thirty-six (36) month changes for the calendar years immediately preceding the budget year as stated in the Consumer Price Index-Boston published by the United States Department of Labor.
- B. “Net increase in new construction” means the total value of building permits minus the total value of demolition permits for the previous calendar year based on information provided from city departments.
- C. The “property tax levy” means the amount sought to be collected from property taxes.
- D. The budget limit provisions on the total property tax levy may be overridden by a two-thirds (2/3) majority vote of all elected members of the City Council.”
- E. If any provision of this section are invalidated in proceedings before a court of law, the remaining provisions consistent with the general law and constitution shall remain in full force and effect.

Background: This charter amendment changes the existing tax cap provisions by substituting in the whole and replaces with new substituted language. The new language is consistent with new state legislation. The amended language limits budget increases to a three year inflation formula with exclusions.