

Minutes Ordinance Committee Meeting 02/06/2013

Attendance:

Committee Members:

Councilor Cheney, Councilor Weston, Councilor Weeden, Attorney Krans

City Staff:

Attendance was taken all present. Minutes 01/30/2013 approved (Weston 1st, Weeden 2nd, Unanimous).

Committee direction went to Chapters not reviewed at last meeting as Attorney Krans wanted more time to catch up on implementing and getting those to the Committee. Overhead projector with code was available to the Committee for dynamic changes and versioning with the date of the meeting. Once the Code is received back the Committee can approve that version.

****Chapter 116 HEALTH, PUBLIC. (01-23-2013 version) – Page P116-2 116-3 Ord. No. ?? – Amended language with Ordinance Number verified. Committee discussed the Codification impact of the renumbering 116-2.1 to 116-3 and 116-3 to 116-4, 116-4 to 116-5 and the discontinuing of the sections currently referenced by 116-3, 116-5 and 116-6 and the new reserved language to put in the section numbers along with the descriptions as this is the first instance in codification where there are a few discontinued with renumbering in a row. I.e: change will be:**

116-4. Reserved (Formerly Keeping of Animals; See Chapter 170 Zoning); 116-6 Reserved (Formerly 116-5 Construction of Privies and Cesspools, 116-6 Permitted Hours of Cesspool Cleaning)

116-7 removed privy and cesspool language, corrected spelling error on expedient. 116-8 notation s/b added not amended, 116-9 notation s/b added not amended, Page P116-5 116-3 Violations and Penalties footnote Committee added (1983) when referring to Ch 1 as this codification effort will have a Ch 1 General Provisions from this year 2013 which will have references to current updates in Chapters. Page p116-6 notation s/b added not amended.

****Chapter 127 MUNICIPAL RECORDS (12-13-2012 version) last discussed 01-09-2013 – was not available for Committee review today electronically. From minutes 01-09-2013: (“HISTORY need Ord No, 127-1 paragraph A first RSA reference should be 33-A:3-a, paragraph B the last sentence should be removed. 127-2 sentence under Definitions**

should read “As used in this Chapter, the following terms shall have the following meanings:” as somewhat consistent with other chapters.”)

****Chapter 132 ADULT ENTERTAINMENT PROHIBITIONS (12-17-2012, 01-22-2013, 01-23-2013 VERSIONS)** – last discussed 09-26-2012 and 10-10-2012 . Committee was looking at 3 versions and 01-22-2013 being struck out and 01-23-2013 being different than 12-17-2012 and all subsequent to report received from Councilor Hooper after meeting with Captain Terlemezian the decision was made to put this on the agenda with Department discussion.

From minutes 09-26-2012: Councilor Hooper stated that Captain Terlemezian was working on some groundwork for the review of Chapter 56 Adult Bookstores, 66 Bicycles, 82 Curfew, 86 Dances, 132 Adult Entertainment, 133 Peddlers and that she was going to meet with him next Thursday. From written report to Committee from Councilor Hooper and Captain Terlemezian on Chapters 56, 66, 132, 133 ... 10-10-2012: 132-2.A. The following businesses are specifically prohibited: sex book stores, motion picture devices showing sex movies and businesses featuring nude or semi-nude dancers, strippers, sexually oriented massage parlors, or any other businesses featuring similar type entertainments

****Chapter 133 PEDDLERS AND VENDORS (01-23-2013 VERSION)** – Reviewed Chapter page P133-1 133-1 and 133-3 capitalization of Chapter and Peddlers and Vender. 133-2 addition of “In addition, a health license is required.” – when added – reference to. P133-2 SELL will be modified to “Includes any exchange or attempt to exchange for money a product or service. Hanger on P133-3. Discussion on where F Health License went. Also the entire fee schedule section with dates. 133-7.B 133-8 Chapter capitalization.

From written report to Committee from Councilor Hooper and Captain Terlemezian on Chapters 56, 66, 132, 133 ... 10-10-2012: 133 – It appears the committee crossed out from “the word peddler shall include hawker and huckster” under definitions (133-3_ and added F. health license under 133-6. Captain Terlemezian indicated that the department had no problem with this ordinance.

****Chapter 135 PLUMBING (12-13-2012 VERSION)** – Page 135-1 TOC needed formerly language on 135-4 and 135-5. Page P135-2 notation language for amended to end of paragraph – capitalize C in chapter at beginning of paragraph. Discussion as to the State Plumbing Code and any applicable RSA further review of other sections of the chapter to

disclose a comprehensive trail to go to the Inspection Services Division for copies of the State Plumbing Code which Attorney Krans stated is not an RSA. 135-3 added the words "this Chapter" before 135.22 inline in the text. Added formerly language to 135-4 and 135-5. 135-15 City Clerk changed to Inspection Services Division. 135-7 added "this Chapter" before 135-21 inline text to clarify removed the "therefor" inline text and added "this Chapter" inline before 135-18 to clarify. 135-18 removed "code" and replaced with Chapter for consistency in Chapters in this Codification effort. Removed extra period at end of paragraph. 135-19 moved to correct amended notation language to 135-19.B. Hanger at bottom of page P135-4. 135-24 corrected money notations and discussion as to whether it is \$100 or \$200. Will have Inspection Services clear up.

Discussion on getting some preliminary version of Chapter 166.

Returned to agenda. Next meeting 02-13-2013 at 8:00, meeting adjourned (Weston 1st, Weeden 2nd).