

HB 1268 - AS INTRODUCED

2022 SESSION

22-2170

10/05

HOUSE BILL **1268**

AN ACT limiting the authority for city council bylaws and ordinances.

SPONSORS: Rep. Harvey-Bolia, Belk. 4; Rep. Abramson, Rock. 37; Rep. Potucek, Rock. 6; Rep. Renzullo, Hills. 37; Rep. Yakubovich, Merr. 24

COMMITTEE: Municipal and County Government

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ANALYSIS

This bill limits the authority of city councils to make bylaws and ordinances to those they are specifically empowered to make.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT limiting the authority for city council bylaws and ordinances.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Powers of City Councils; Bylaws and Ordinances; Limitations Added. Amend RSA 47:17, XV  
2 to read as follows:

3 XV. Miscellaneous. Relative to the grade of streets, and the grade and width of sidewalks;  
4 to the laying out and regulating public squares and walks, commons, and other public grounds,  
5 public lights, and lamps; to trees planted for shade, ornament, convenience, or use, and the fruit of  
6 the same; to trespasses committed on public buildings and other public property, and in private  
7 yards and gardens; in relation to cemeteries, public burial grounds, the burial of the dead, and the  
8 returning and keeping records thereof, and bills of mortality, and the duties of physicians, sextons  
9 and others in relation thereto; relative to public wells, cisterns, pumps, conduits, and reservoirs; the  
10 places of military parade and rendezvous, and the marching of military companies with music in the  
11 streets of the city; relative to precautions against fire; relative to oaths and bonds of city officers, and  
12 penalties upon those elected to such offices refusing to serve; and relative to licensing and regulating  
13 butchers, petty grocers, or hucksters, peddlers, hawkers, and common victualers; dealers in and  
14 keepers of shops for the purchase, sale or barter of junk, old metals or second-hand articles, and  
15 pawnbrokers; under such limitations and restrictions as to them shall appear necessary. They may  
16 make ~~[any]~~ other bylaws and regulations ~~[which may seem for the well-being of]~~ **for the purpose of**  
17 **addressing locations that present a clear and present danger to** the city; but no bylaw or  
18 ordinance shall be repugnant to the constitution or laws of the state; and such bylaws and  
19 ordinances shall take effect **upon their adoption** and be in force ~~[from the time therein limited]~~ **for**  
20 **a period not to exceed 10 days**, without the sanction or confirmation of any other authority  
21 whatever.

22 2 Effective Date. This act shall take effect 60 days after its passage.