

CHAPTER 7
HB 1124 – FINAL VERSION

04/17/14 1242s

2014 SESSION

14-2162
06/05

HOUSE BILL ***1124***

AN ACT relative to the adoption of zoning ordinances in towns that use official ballot voting and ratifying a warrant article adopted at the 2014 annual meeting of the town of Rye.

SPONSORS: Rep. Coffey, Hills 25

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

 This bill permits towns to opt out of official ballot voting requirements for the consideration and adoption of zoning ordinances.

 This bill also ratifies a warrant article adopted by the town of Rye at the 2014 annual meeting.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to the adoption of zoning ordinances in towns that use official ballot voting and ratifying a warrant article adopted at the 2014 annual meeting of the town of Rye.

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

1 7:1 Use of Official Ballot; Budget Hearing Schedule. Amend RSA 40:13, II-a(c) to read as
2 follows:

3 (c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a
4 [~~and RSA 675:3~~] shall be held on or before the third Tuesday in January. One or more supplemental
5 budget hearings may be held at any time before the first session of the annual meeting, subject to the
6 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to
7 a later date or time, additional notice shall not be required for a supplemental session if the date,
8 time, and place of the supplemental session are made known at the original hearing.

9 7:2 Use of Official Ballot; Budget Hearing Schedule. Amend RSA 40:13, II-b(c) to read as
10 follows:

11 (c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a
12 [~~and RSA 675:3~~] shall be held on or before the third Tuesday in February. One or more
13 supplemental budget hearings may be held at any time before the first session of the annual
14 meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any
15 supplemental hearing is recessed to a later date or time, additional notice shall not be required for a
16 supplemental session if the date, time, and place of the supplemental session are made known at the
17 original hearing.

18 7:3 Use of Official Ballot; Budget Hearing Schedule. Amend RSA 40:13, II-c(c) to read as
19 follows:

20 (c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a
21 [~~and RSA 675:3~~] shall be held on or before the third Tuesday in March. One or more supplemental
22 budget hearings may be held at any time before the first session of the annual meeting, subject to the
23 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to
24 a later date or time, additional notice shall not be required for a supplemental session if the date,
25 time, and place of the supplemental session are made known at the original hearing.

26 7:4 Use of Official Ballot; Zoning Ordinance Repeal. Amend RSA 40:13, XVII to read as follows:

27 XVII. Notwithstanding any other provision of law, if the sole purpose of a special meeting is
28 to consider the adoption, amendment, or repeal of a zoning ordinance, historic district ordinance, or

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1 building code pursuant to RSA 675, *including the adoption of an emergency zoning and*
2 *planning ordinance pursuant to RSA 675:4-a*, the meeting shall consist of only one session,
3 which shall be for voting by official ballot on the proposed ordinance, code, amendment, or repeal.
4 The warrant for the meeting shall be posted in accordance with RSA 39:5. ~~[This paragraph shall not~~
5 ~~apply to a special meeting for consideration of the adoption of an emergency temporary zoning and~~
6 ~~planning ordinance pursuant to RSA 675:4-a.]~~

7 7:5 Town of Rye; Ratification of Warrant Article. Warrant article 7, approving a \$3,000,000
8 bond for the purpose of financing the acquisition of conservation easements or open space lands by
9 the town of Rye that was adopted at the March 11, 2014 annual meeting of the town of Rye by more
10 than the required 3/5 vote is hereby legalized, ratified, and confirmed regardless of the fact that the
11 public hearing required by RSA 33:8-a and the notice of such hearing were not held and posted in
12 accordance with the requirements of RSA 40:13, II-a(a) and (c).

13 7:6 Effective Date.

14 I. Section 5 of this act shall take effect upon its passage.

15 II. The remainder of this act shall take effect 60 days after its passage.

16
17 Approved: May 6, 2014

18 Effective Date: I. Section 5 shall take effect May 6, 2014.

19 II. Remainder shall take effect July 5, 2014.