

HB 439 - AS INTRODUCED

2021 SESSION

21-0654

06/08

HOUSE BILL **439**

AN ACT relative to the powers of city councils.

SPONSORS: Rep. Blasek, Hills. 21; Rep. Cushman, Hills. 2; Rep. Harvey-Bolia, Belk. 4; Rep. Johnson, Belk. 3; Rep. Torosian, Rock. 14; Rep. Wallace, Rock. 12; Rep. Prout, Hills. 37

COMMITTEE: Municipal and County Government

ANALYSIS

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

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 One

AN ACT relative to the powers of city councils.

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

1 1 Bylaws and Ordinances. Amend RSA 47:17, XV to read as follows:

2 XV. Miscellaneous. Relative to the grade of streets, and the grade and width of sidewalks;
3 to the laying out and regulating public squares and walks, commons, and other public grounds,
4 public lights, and lamps; to trees planted for shade, ornament, convenience, or use, and the fruit of
5 the same; to trespasses committed on public buildings and other public property, and in private
6 yards and gardens; in relation to cemeteries, public burial grounds, the burial of the dead, and the
7 returning and keeping records thereof, and bills of mortality, and the duties of physicians, sextons
8 and others in relation thereto; relative to public wells, cisterns, pumps, conduits, and reservoirs; the
9 places of military parade and rendezvous, and the marching of military companies with music in the
10 streets of the city; relative to precautions against fire; relative to oaths and bonds of city officers, and
11 penalties upon those elected to such offices refusing to serve; and relative to licensing and regulating
12 butchers, petty grocers, or hucksters, peddlers, hawkers, and common victualers; dealers in and
13 keepers of shops for the purchase, sale or barter of junk, old metals or second-hand articles, and
14 pawnbrokers; under such limitations and restrictions as to them shall appear necessary. ~~[They may~~
15 ~~make any other bylaws and regulations which may seem for the well being of the city; but]~~ No bylaw
16 or ordinance shall be repugnant to the constitution or laws of the state; and such bylaws and
17 ordinances shall take effect and be in force from the time therein limited, without the sanction or
18 confirmation of any other authority whatever.

19 2 Effective Date. This act shall take effect upon its passage.