

TITLE LXIV
PLANNING AND ZONING

CHAPTER 673
LOCAL LAND USE BOARDS

General Provisions

Section 673:16

673:16 Staff; Finances. –

I. Each local land use board may appoint such employees as it deems necessary for its work who shall be subject to the same employment rules as other corresponding civil employees of the municipality. Each board may also contract with planners, engineers, architects, and other consultants for such services as it may require. The expenditures of the board, exclusive of gifts, reimbursements, or amounts held pursuant to paragraph II, shall be within the amounts appropriated for the purpose by the local legislative body, which may provide such funds, equipment, and accommodations as it deems necessary or advisable for the board's work. Each board may accept and use gifts, grants, or contributions for the exercise of its functions, in accordance with procedures established for the expenditure of funds within the municipality.

II. Any fee which a local land use board, acting pursuant to this title, collects from an applicant to cover an expense lawfully imposed upon that applicant, including but not limited to the expense of notice, the expense of consultant services or investigative studies under RSA 676:4, I(g) or RSA 676:5, IV, or the implementation of conditions lawfully imposed as part of a conditional approval, may be paid out toward that expense without approval of the local legislative body. Such fees:

(a) Shall, whenever held by the municipality, be placed in the custody of the municipal treasurer, subject to the same investment limitations as for other municipal funds.

(b) Shall be paid out only for the purpose for which the expense was imposed upon the applicant.

(c) Shall be held in a separate, nonlapsing account, and not commingled with other municipal funds; provided, however, that such fees may be used to reimburse any account from which an amount has been paid out in anticipation of the receipt of said fees.

(d) Shall be paid out by the municipal treasurer only upon order of the local land use board or its designated agent for such purpose. This paragraph shall not apply to application, permit, or inspection fees which have been set by the local legislative body as part of an ordinance, or by the selectmen under RSA 41:9-a. Notwithstanding RSA 672:7, a building inspector shall not be considered a "local land use board" for purposes of this section.

Source. 1983, 447:1. 1991, 377:5. 1992, 172:1, 2, eff. July 7, 1992. 2010, 303:2, eff. Sept. 11, 2010.

