

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Official Map of the Municipality

Section 674:11

674:11 Amendments to Official Map. – The local legislative body is authorized and empowered, whenever and as often as it may deem it advisable or necessary for the public interest, to change or add to the official map of the municipality. Amendments may be made in order to establish the exterior lines of the new streets or parks, or to widen, extend, relocate, narrow, vacate, abandon, or close existing streets or parks, and to indicate the acceptance of, change of use, acquisition of land for, or sale or lease of any street or other public way, ground, place, property, or structure. No change shall become effective until after a public hearing has been held on the change, at which parties in interest and citizens shall have had an opportunity to be heard. Notice of the public hearing shall be given by publishing at least 10 days before the public hearing a notice of such hearing in a newspaper of general circulation in the municipality, and by posting a notice to the same effect at the city or town hall, or in whatever place other notices required by law in connection with municipal affairs are posted or customarily displayed. Before making such addition, amendment, or change, the local legislative body shall refer the matter to the planning board for a report. If the planning board does not make its report within 30 days of such reference, it shall be deemed to have forfeited the right to further suspend action. In the event that the planning board disapproves the proposed addition, amendment, or change, the local legislative body shall not have the right to overrule the planning board's decision, unless by vote of not less than 2/3 of its entire membership in case of a city, or by majority vote of the legal voters present and voting at a regular or special town or district meeting in the case of a town or village district. Such additions, amendments, and changes when adopted shall become a part of the official map of the municipality and shall be deemed to be final and conclusive with respect to the location of the streets and parks shown on the official map. The locating, widening, narrowing, or closing, or the approval of locating, widening, narrowing, or closing, of streets and parks by the municipality under provisions of law other than those contained in this subdivision shall be deemed to be a change or addition to the official map and shall be subject to all the provisions of this subdivision.

Source. 1983, 447:1, eff. Jan. 1, 1984.