

TITLE LXIV PLANNING AND ZONING

CHAPTER 675 ENACTMENT AND ADOPTION PROCEDURES

Zoning Ordinance, Historic District Ordinance and Building Code Enactment Procedures

Section 675:4

675:4 Method of Enactment by Petition. –

I. Twenty-five or more voters may petition for an amendment to a zoning ordinance, historic district ordinance, or a building code. Petitioned amendments shall be voted only at the annual town or village district meeting. A petition to amend a zoning ordinance, historic district ordinance, or a building code shall be submitted to the board of selectmen or the village district commissioners during the period between 120 and 90 days prior to the annual town or village district meeting. The petition shall be in correct warrant article form, as determined by the selectmen or village district commissioners, to amend the zoning ordinance, historic district ordinance, or building code. The selectmen or the village district commissioners shall submit the petitions to the planning board in a timely manner.

II. The planning board at its first regular meeting following the petition period shall set the date of the public hearing for each petitioned amendment which is received and shall hold a public hearing on each petitioned amendment. Notice for the time and place of the public hearing shall be the same as that provided in RSA 675:7.

III. Each petitioned amendment shall be placed on a ballot which may be separate from the ballot used to elect town or village district officers. A notation on the ballot stating the planning board's approval or disapproval shall immediately follow the question's description. Any petitioned question receiving an affirmative vote of a majority of the legal voters present and voting shall be adopted, except as provided in RSA 675:5. The planning board shall forward to the town or village district clerk all proposed amendments to a zoning ordinance, historic district ordinance, or building code under this section not later than the fifth Tuesday prior to the date for electing town or village district officers.

IV. The town or village district clerk shall include each question on a petitioned amendment on the appropriate official or special ballot, or separate official ballot, in the same manner as provided in paragraph III and in RSA 675:3, VII.

V. The method for amending a zoning ordinance, historic district ordinance or building code, as set forth in this section, may also be utilized to repeal such ordinance or code. The ballot question shall use the word "repeal" in place of the word "amendment."

Source. 1983, 447:1. 1985, 103:24; 266:3. 1990, 54:3. 1996, 43:2, eff. June 23, 1996.

