

**City Council Public Hearing
July 16, 2019
Council Chambers
7:04 PM**

COUNCILORS PRESENT

Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Hutchinson
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Deputy Mayor Varney
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager
Terence O'Rourke, City Attorney

COUNCILORS EXCUSED/ABSENT

Councilor Abbott
Councilor Walker

Minutes

1. Call to Order

Mayor McCarley called the City Council Public Hearing to order at 7:04 PM. Deputy City Clerk Cassie Givara took a silent roll call. All Councilors were presents except for Councilor Abbott and Councilor Walker, who were excused.

Mayor McCarley invited members of the public to come forward and address the Council regarding the proposed amendments.

2. Amendment to Chapter 75 of the General Ordinances of the City of Rochester Regarding Means of Escape [Fires and Fire Safety]

Amendment to Chapter 75 of the General Ordinances of the City of Rochester Means of Escape

THE CITY OF ROCHESTER ORDAINS:

That Chapter 75 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in red):

§ 75-11 Means of escape.

~~All factories, hotels, tenement houses, public halls, schoolhouses and other buildings used as places of public resort in the City shall be provided with ample means of escape in case of a fire and adequate facilities for entrance and exits on all occasions, and be so erected as not to endanger the health and safety of persons who occupy them.~~

The effective date of these amendments shall be upon passage.

No discussion.

3. Amendment to Chapter 94 of the General Ordinances of the City of Rochester Regarding Overcrowded Housing

Amendment to Chapter 94 of the General Ordinances of the City of Rochester Regarding Overcrowded Housing

THE CITY OF ROCHESTER ORDAINS:

That Chapter 94 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in red):

§ 94-1. Overcrowded housing.

No owner, lessee, or keeper of any tenement house, lodging house, or boardinghouse shall cause or allow any such house to be overcrowded or allow so great a number of persons to dwell or sleep in such house or houses or any portion thereof so as to cause danger to health, and no such place or room shall be so overcrowded that there shall be less than 500 cubic feet of air or a floor space of less than 50 square feet to each occupant of such place, building or room. ~~No room as a living or sleeping room shall hereafter be built without direct opening to the outdoor air.~~

The effective date of these amendments shall be upon passage.

No Discussion.

4. Amendment to Chapter 40 of the General Ordinances of the City

of Rochester Regarding Building, Plumbing, Electrical, and Life Safety Codes

Amendment to Chapter 40 of the General Ordinances of the City of Rochester Regarding Building, Plumbing, Electrical, and Life Safety Codes

THE CITY OF ROCHESTER ORDAINS:

That Chapter 40 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in red):

§ 40-1 Statutory authority.

The provisions of New Hampshire Revised Statutes Annotated Chapter 673, as amended, pertaining to an inspector of buildings, building plans, regulations, and appeal are hereby adopted.

§ 40-2 Building Code Board of Appeals.

The power of a Building Code Board of Appeals in Chapter 673 of the New Hampshire Revised Statutes Annotated shall be vested in the Rochester Zoning Board of Adjustment.

§ 40-3 Recognition and adoption of State Building Code and State Fire Code.

The City of Rochester hereby recognizes that the State Building Code under RSA 155-A and the State Fire Code under RSA 153 are applicable within the City of Rochester and for enforcement purposes adopts the provisions of the same.

§ 40-4 Department of Building, Zoning, and Licensing Services.

For enforcement purposes by the City of Rochester, all references in the State Building Code under RSA 155-A, or in any applicable successor code, to the "department of building safety" shall be deemed to refer to the Department of Building, Zoning, and Licensing Services for the City of Rochester, and all duties as defined therein, including those imposed upon the "Building Official," shall be assumed by said Director of the Building, Zoning, and Licensing Services Department, along with the right to enforce the same.

§ 40-5 Adoption of other codes.

A. Pursuant to the provisions of RSA 47:22, 674:51 and 674:51-a, there are hereby adopted by the City of Rochester for the purpose of establishing rules and regulations, including the issuance of permits for the construction, alteration, removal, demolition, equipment,

location, maintenance, use and occupancy of buildings and structures, installation of plumbing, use of concrete, masonry, metal, iron and wood, and other building material, the installation of electric wiring, and fire protection incident thereto and for the prevention of fires, the following codes:

(1) International Property Maintenance Code (2006 edition), published by the International Code Council, Inc., Copyright 2006.

(2) International Existing Building Code ~~(2009 edition), published by the International Code Council, Inc., Copyright 2009.~~ as codified at RSA 153.

B. Three copies of each of the aforesaid codes have been and are now on file in the office of the City Clerk of the City of Rochester and three copies of such codes are filed with the Department of Building, Zoning, and Licensing Services for the City of Rochester. Such codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling on the construction of all buildings and other structures within the corporate limits of the City of Rochester. There are annexed to such of the aforesaid codes, as filed in the office of the City Clerk and the Department of Building, Zoning, and Licensing Services, as set forth below, the following exhibits setting forth the insertions in, deletions from, exceptions to and/or changes in such codes, which insertions, deletions, exceptions and/or changes are adopted as part of the aforementioned codes:

(1) Exhibit A, Statement dated September 4, 2007, of insertions in, deletions from, exceptions to and changes in the International Property Maintenance Code (2006 edition) by the City of Rochester, New Hampshire.

(2) Exhibit A, Statement dated January 4, 2011, of insertions in, deletions from, exceptions to and changes in the International Existing Building Code (2009 edition) by the City of Rochester, New Hampshire.

§ 40-6 Life Safety Code.

The duties defined in and the enforcement of the Life Safety Code, ~~NFPA 101 (2003 edition),~~ as codified at RSA 153 or any applicable successor code, shall be assumed by the Fire Chief of the City of Rochester or his/her authorized representative.

§ 40-7 Electrical Code and Property Maintenance Code.

The duties defined in and the enforcement of the NEC 2005, National Electrical Code ~~(2005 edition)~~, as codified by RSA 155-A and the International Property Maintenance Code (2006 edition), or any applicable successor codes, shall be assumed by the Director of Building, Zoning, and Licensing Services or his/her authorized representative.

§ 40-8 Plumbing Code.

The duties defined in and the enforcement of the International Plumbing Code ~~(2006 edition)~~, as codified at RSA 153 or any applicable successor code, shall be assumed by the Director of Building, Zoning, and Licensing Services, or his/her authorized representative, except as otherwise provided in Chapter 200, Sewers, of the Code of the City of Rochester where the same are defined as the duties of the Commissioner of Public Works, with inspections to be done by the Director of Building, Zoning, and Licensing Services or an authorized member of the Division of Water Supply Works or Division of Sewage and Waste Treatment Works.

The effective date of these amendments shall be upon passage.

No Discussion.

5. Adjournment

Mayor McCarley **ADJOURNED** the City Council Public Hearing at 7:04 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk