



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information, 8 days prior** to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: October 3, 2017
 Submitted by: Town Council Chair Nancy Harrington and Vice Chair Finlay Rothhaus
 Department:
 Speakers:

Date of Meeting: October 12, 2017
 Time Required: 20 minutes
 Background Info. Supplied: Yes: No:

CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input checked="" type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

Public Hearing – Introduction of Chapter 1, General Provisions, of the Merrimack Town Code

DESCRIPTION OF ITEM

The Town Council will hold a public hearing to consider the acceptance of Chapter 1, General Provisions, of the Merrimack Town Code, pursuant to Charter Article V.

REFERENCE (IF KNOWN)

RSA: _____ Warrant Article: _____
 Charter Article: **V** Town Meeting: _____
 Other: _____ N/A

EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input type="checkbox"/>

CONTACT INFORMATION

Name: **Nancy Harrington** Address: **6 Baboosic Lake Road**
 Phone Number: _____ Email Address: **nharrington@merrimacknh.gov**

APPROVAL

Town Manager: Yes No: Chair/Vice Chair: Yes No:



LEGAL NOTICE
Town of Merrimack
Public Hearing



Residents of Merrimack are hereby advised that the Town Council will conduct a public hearing to consider the recommended changes to Chapters 11, 79, 139, 158 and 178, and for the introduction of Chapter 1, General Provisions, of the Merrimack Town Code, pursuant to Charter Article V. Copies of the proposed changes are available at the Town Manager's office, Town Clerk's office, the Merrimack Public Library and also on the Town's website. All interested parties are invited to attend. The public hearing will be held on **Thursday, October 12, 2017 at 7:00 PM** in the Matthew Thornton Room located at 8 Baboosic Lake Road in Merrimack.

For Town of Merrimack Use:

Posted: October 4, 2017

To Be Published: October 4, 2017 (*Union Leader*)

CHAPTER 1

Chapter 1, GENERAL PROVISIONS

§1-1. Adoption of Code.

The Town of Merrimack ordains that the ordinances, bylaws and articles of the Town of Merrimack adopted by the Town Council of the Town of Merrimack, codified and consolidated into chapters and sections, and consisting of Chapters 1 through 193, together with the Charter and an Appendix are hereby approved, adopted, ordained and enacted as the "Code of the Town of Merrimack," hereinafter referred to as the "Code."

§1-2. Continuation of existing provisions; Charter not affected.

The provisions of the Code, insofar as they are substantively the same as those of the legislation in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such legislation and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior legislation. Nothing in this ordinance shall be deemed to affect in any way the provisions of the Charter of the Town Merrimack.

§1-3. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§1-4. Copy of Code on file.

- A. A copy of the Code, in loose-leaf form, is on file in the office of the Town Clerk and is available to persons desiring to examine the same during all times while said Code is in effect.
- B. The Town Clerk of the Town of Merrimack is hereby directed to make copies of the Code of the Town of Merrimack available at no charge to members of the Town Council, heads of municipal departments and any public library within the Town. Any person may inspect the Code at the office of the Town Clerk at no charge. Any person, other than those enumerated as being able to obtain copies of the Code without charge, shall be allowed to purchase copies of the Code from the Town Clerk.

§1-5. Amendments to Code.

Any and all additions, deletions, amendments or supplements to the Code, when adopted in such form as to indicate the intention of the Town Council to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Town of Merrimack" shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§1-6. Code book to be kept up-to-date.

It shall be the duty of the Town Clerk, or someone authorized and directed by the Clerk, to keep up-to-date the certified copy of the book containing the Code required to be filed in the Clerk's office for use by the public. All changes in said Code and all legislation adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new

ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§1-7. Sale of Code book.

Copies of the Code may be purchased from the Clerk upon the payment of a fee to be set by the Town Council, and the Town Council may also arrange for procedures for the periodic supplementation thereof.

§1-8. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Town of Merrimack to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to a fine of not more than \$1,000.

§1-9. Severability of Code provisions and ordinance provisions.

- A. Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.
- B. Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.