

*Introduced: 10/19/98*

*Second Read/Publ Hrg.: 00/00/00*

*Adopted: 00/00/00*

*Ordinance 98-4*

*AN AMENDMENT TO THE ZONING ORDINANCE  
RELATING TO A PROCEDURE FOR AMENDMENTS TO  
THE ORDINANCE*

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*WHEREAS* the Londonderry Town Council ratified the Londonderry Town Charter at its meeting of July 1, 1996 which was previously adopted by voters attending the Annual Town Meeting held at Londonderry High School on March 11, 1996; and,

*WHEREAS* the Londonderry Town Council is desirous of amending the Zoning Ordinance Section XXIII - Amendments to include certain procedures for adopting zoning ordinances and amendments thereto as set forth in RSA 675:2; and

*WHEREAS* the Londonderry Town Council is vested with the power to effect such changes to the Zoning Ordinance; and,

*WHEREAS* the Town Council recognizes that such change will promote the orderly maintenance of the Zoning Ordinance

*NOW THEREFORE BE IT ORDAINED* by the Town Council of the Town of Londonderry that Section XIII - Amendments is revised as heretofore attached.

Arthur E. Rugg  
Chairman - Londonderry Town Council

*A TRUE COPY ATTEST:* \_\_\_\_\_  
00/00/00 Joan M. Savina  
Town

Clerk



**TOWN OF LONDONDERRY, N.H.**  
**ZONING REGULATIONS**  
**Chapter 1—ZONING ORDINANCE**

**SECTION XXII      AMENDMENTS**

**A.      *The local legislative body (Town Council) shall determine the manner in which a zoning ordinance, historic district ordinance or building code is established and amended; provided, however, that any questions concerning the establishment of any such ordinance or code may be placed on a ballot separate from the ballot used to elect city or town officers.***

**B.      *Pursuant to the provisions of the Londonderry Town Charter, voters may petition for an amendment to a zoning ordinance, historic district ordinance, or a building code, by the following procedure:***

**1.      *Petitioned amendments shall be presented to the Town Clerk in correct form as determined by the Town Council, who shall then assure that the requisite number of registered voters have signed the petition,***

**2.      *The Town Clerk shall follow response procedures as set forth in the Town Charter, Section 7 - Initiative Petitions to the petitioners,***

**3.      *The Town Clerk shall forward said petition to the Town Council for determination of validity, propriety and purpose of the amendment,***

**4.      *The Town Council may, after review of the petition, determine the need for Town counsel evaluation should a question of legality arise or, the Town Council may forward the petition to the Planning Board for review and public hearing process***

**5.      *After the public hearing, the Planning Board shall, by vote, determine the final form of the ordinance, amendment, or amendments to be presented to the Town Council; which ordinance, amendment, or amendments may include editorial revisions and textural modifications resulting from the proceedings of that hearing***

**6.      *The Town Council shall hold a public hearing, take public input and make modifications as it deems appropriate, and render a vote to adopt the amendment.***

**C.      *The Planning Board shall forward to the Town Council all proposed amendments to a zoning ordinance, historic district ordinance, or building code no later than five days after its final public hearing and vote on any ordinance or amendment for the Council's action.***

**1.      *The Town Council may, after review of the petition, determine the need for Town counsel evaluation should a question of legality arise***

**2.      *The Town Council shall hold a public hearing no later than 30 days after receipt of opinion from Town counsel***

**D.      *The method for amending a zoning ordinance, historic district ordinance or building code may also be utilized to repeal such ordinance or code.***

**TOWN OF LONDONDERRY, N.H.**  
**ZONING REGULATIONS**  
**Chapter 1—ZONING ORDINANCE**

**SECTION XXII**      **AMENDMENTS** (*Cont'd*)

*E. Emergency Amendments*

1. Pursuant to the provisions of the Londonderry Town Charter Section 3.8, the Council may adopt one or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by a public utility for its services, or authorize the borrowing of money, except as provided in Section 3.9 - Emergency Expenditures - of said Charter.

2. Such ordinance shall be published and printed as prescribed for other adopted ordinances and shall become effective upon adoption.

3. Every ordinance adopted pursuant to this section shall be automatically repealed as of the sixty first (61<sup>st</sup>) day following the date on which it was adopted; but this shall not prevent re-enactment of the ordinance in the manner specified in this section if the emergency still exists.

4. An emergency ordinance may be repealed in the same manner specified for adoption in.