

ARTICLE I.
THE CITY.

Sect. 1:01. THE CITY.

The inhabitants of the town of Laconia in the County of Belknap, and the inhabitants of all that part of the town of Gilford lying westerly of a line described as follows - viz., commencing at the southeast corner of school-district No. 13 in said Gilford; thence northerly on the division line of rangeway, between ranges one and two as shown by the Gilford town plan, to the south line of lot originally owned by Joseph Libby; thence easterly on said Libby lot line to the division line or rangeway between ranges two and three; thence northerly, on said division line or rangeway, to Lake Winnepesaukee - shall be a body corporate and politic under the name of the city of Laconia. **(1893 Charter; Section 1)**

Sect. 1:02.

The City of Laconia shall be divided into six wards, each of which shall be described and constituted as follows:

The six wards shall be constituted to have as equal population as is practicable. To achieve that goal, starting upon the issuance of the results of the 2020 census, and every 10 years thereafter upon receipt of the federal census results, the City Council shall promptly initiate review of the ward boundaries to determine if redistricting is necessary. Any necessary changes to the ward lines, shall, as near as practicable, ensure that the wards have equal population.

If the City Council determines that ward redistricting is necessary upon receipt of the federal census results, then the City Council shall promptly undertake and enact such redistricting of ward boundaries in the form of an ordinance, which shall be approved by a two-thirds majority vote of all elected members of the City Council after a duly advertised public hearing posted in two public places at least seven days in advance of such hearing.

This amendment shall take effect upon passage. **(Amended by referendum 11-5-2002, 3,864 yes, 1,075 no; 1-10-2012, 2,427 yes, 1,125 no; 11-22-2021 by Ord. No. 2021-1:02)**

Sect. 1:03.

Said City shall constitute one school district and the administration of all fiscal and prudential affairs of said school district, not vested in the board of education by this act, shall be exercised by the City Council. **(1893 Charter, Section 5, as amended)**

Sect. 1:04.

All property of said Laconia and of said Ward 6, including all school property and property of the fire precincts, shall be vested in said City. **(1893 Charter, Section 6, as amended)**

**ARTICLE II.
ELECTIONS AND ELECTION OFFICERS.**

Sect. 2:01.

Wards 1, 2, 3, 4, 5 and 6, as hereby constituted at every state biennial election commencing with the biennial election in 1976, shall choose by ballot and plurality vote one Supervisor of checklists and the City Council shall also, at its next regular monthly meeting following the state biennial election thereafter by ballot and majority vote choose one supervisor of checklists who shall constitute the Board of Supervisors of checklists of all wards of the City, and the member chosen by the City Council shall be Chairman of the Board. All vacancies occurring in the Board shall be filled by the City Council. **(1893 Charter, Section 8, as amended; further amended and passed 11-4-1975 by referendum; partly obsolete: see RSA 40, 44, 55; amended and passed 11-5-1991 by referendum)**

Sect. 2:02.

Said supervisors shall be in session, in such places as they shall designate, for the purpose of revising and correcting the list of voters, on the Saturday 10 days prior to the election between 11:00 a.m. and 11:30 a.m. and at the discretion of the supervisors for additional hours. If the Saturday falls on a holiday weekend, that session shall be held on Tuesday. Seven days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. No name shall be added to said list after the last meeting except such as have been left off by mistake, and not unless the supervisor in attendance at an election in any ward where such omission occurs clearly knew before the list was made out that the names thus omitted legally belonged on it. Said board shall have all the powers and perform all the duties prescribed by law for supervisors of check lists. **(1893 Charter, Section 9, as amended; amended by referendum 11-4-2014, 3,947 yes, 874 no)**

Sect. 2:03.

Said supervisors shall be in session, in such places as they shall designate, for the purpose of revising and correcting the list of voters, six days at least before the day of election, from nine o'clock in the forenoon till noon, and from two till five o'clock in the afternoon, of each of said days. The first session shall be upon the Tuesday next preceding the day of election. No name shall be added to said list after the last meeting except such as have been left off by mistake, and not unless the supervisor in attendance at an election in any ward where such omission occurs clearly knew before the list was made out that the names thus omitted legally belonged on it. Said Board shall have all the powers and perform all the duties prescribed by law for supervisors of checklists. **(1893 Charter, Section 10, as amended)**

Sect. 2:04.

Each member of the Board of Supervisors shall receive as compensation for each day's services performed by him in accordance with the provisions of this act, such sums as may be determined by the City Council, to be paid out of the City Treasury. **(1893 Charter, Section 11, as amended)**

Sect. 2:05.

At the first election under this act a Moderator and Ward Clerk shall be chosen, by and from the qualified voters of each ward, who shall hold their respective offices until the close of the biennial election in November, 1894; and thereafter, at each state biennial election, a Moderator and Ward Clerk shall be chosen, by and from the qualified voters of each ward, who shall hold their respective offices for the term of two years. The members of the present Board of Selectmen in each ward shall continue in office until their respective terms expire or until their successors are chosen and qualified. At the biennial meeting in 1941 there shall be chosen by and from the qualified voters of each ward one Selectman to serve for the term of four years; at the biennial meeting in 1943 there shall be chosen by and from the qualified voters of each ward one Selectman to serve for the term of four years, and one Selectman to serve for the term of six years; and at each biennial meeting thereafter one Selectman shall be chosen by and from the qualified voters of each ward to serve for the term of six years each. All vacancies in the office of Moderator, Ward Clerk or Selectman shall be filled by the City Council. **(1893 Charter, Section 13, as amended; partly obsolete: see RSA 40:1 and 44:11)**

Sect. 2:06. CONDUCT OF NONPARTISAN MUNICIPAL ELECTIONS.

The procedures set forth in this section shall apply to municipal elections only. The procedures set forth in this section shall apply to municipal elections only. All municipal elections shall be nonpartisan and no ballot shall show a designated party affiliation for any candidate. **(Amended by referendum 11-4-2014, 2,622 yes, 2,333 no)**

The polls shall be open at each municipal election from 8:00 a.m. to 6:00 p.m., and during such additional hours before or after that period as the council may authorize by ordinance. (RSA 44:13) **(Amended per referendum 11-2-2010, 3,859 yes, 793 no, effective 7-1-2011)**

The City Council shall determine the polling hours no later than 30 days prior to a state or federal election. **(Added by referendum 11-2-2010, 3,859 yes, 793 no, effective 7-1-2011)**

THE PRIMARY ELECTION. The printed primary ballot shall contain the name of each and every person who, in accordance with this paragraph, declares his or her candidacy for an office that is to be filled at the next municipal election and for which the person is otherwise qualified under this Charter and New Hampshire law. A person may declare his or her candidacy by filing a written declaration of candidacy with the office of the Laconia City Clerk between the first Wednesday in August and the Friday of the following week. The declaration of candidacy shall be in the following form: **(Amended by referendum 11-4-2014, 3,237 yes, 1,461 no)**

"I, _____, declare that I am domiciled in Ward _____ in the City of Laconia, Belknap County, New Hampshire; that I am registered to vote in Laconia; that I am a candidate for nomination for the office of _____ to be made at the primary election to be held on the _____ day of _____, _____; and I hereby request that my name be printed on the official primary election ballot as a candidate for nomination for this office. I declare that I am eligible to file as a candidate for nomination for this office, and I will not withdraw. If I receive the highest number of votes or the second highest number of votes for this office in the primary election, I hereby request that my name be printed on the official municipal election ballot as a candidate for this office. If elected in the municipal election, I will assume the duties and serve in this office.

Signed this _____ day of _____, _____.

Signature of Declarant

For the offices of Mayor and Ward Councilors, a primary election will be held when three or more declarations of candidacy are filed. If two or less declarations of candidacy are filed the City Clerk shall deem the primary election unnecessary and all names will appear on the municipal election ballot. **(Added by referendum 11-4-2014, 3,237 yes, 1,461 no)**

For all other elected offices there shall be no primary election held. **(Added by referendum 11-4-2014, 3,237 yes, 1,461 no)**

The printed primary ballot shall contain the name of each and every person who, in accordance with this paragraph, declares his or her candidacy for an office that is to be filled at the next municipal election and for which the person is otherwise qualified under this Charter and New Hampshire law. No person's name shall appear on the printed ballot unless that person has filed a declaration of candidacy in accordance with this paragraph; however, the ballot shall contain a space for a write-in for each office. **(Added by referendum 11-4-2014, 3,237 yes, 1,461 no)**

Forms for a declaration of candidacy shall be available from the City Clerk. The names of all primary candidates shall appear on the ballot in alphabetical order as required under RSA 656-5:a. The two candidates receiving the highest number of votes for each office shall be declared nominated candidates for the municipal election; however, in the case of a write-in candidate receiving votes a minimum of 35 votes shall be received to declare any write-in candidate as nominated for the municipal election. **(Amended by referendum 11-4-2014, 3,237 yes, 1,461 no; 11-4-2014, 3,666 yes, 944 no; 11-4-2014, 3,233 yes, 1,494 no)**

The municipal primary election shall be held on the second Tuesday in September of every odd-numbered year. All municipal elections and primaries shall be nonpartisan; and no ballot shall show a designation of party affiliation for any candidate. All ballots shall divide the candidates by office and with respect to each office, the following language shall appear: "Vote for not more than one." All ballots shall conform to the requirements of New Hampshire law. **(Added by referendum 11-4-2014, 3,237 yes, 1,461 no)**

THE MUNICIPAL ELECTION. The municipal election shall be held on the Tuesday following the first Monday in November of each odd-numbered year. **(Added by referendum 11-4-2014, 3,237 yes, 1,461 no)**

For the office of Mayor and Ward Councilor the printed municipal ballot shall contain the names of the two candidates for each office who received the highest and the second highest number of votes in the primary election, if held, and no others. For all other elected offices the printed ballot shall contain the names of all candidates filing a declaration of candidacy. The ballot shall, however, contain space for a write-in for each office. The names of the candidates for each office shall appear in alphabetical order as required under RSA 656-5:a. The candidate for each office who receives the higher number of votes shall be declared elected; however, in the case of a write-in candidate receiving votes a minimum of 35 votes shall be received to declare any write-in candidate as elected for all elected office. **(Amended by referendum 11-4-2014, 3,237 yes, 1,461 no; 11-4-2014, 3,666 yes, 944 no; 11-4-2014, 3,233 yes, 1,494 no)**

A person may declare his or her candidacy for by filing a written declaration of candidacy with the office of the Laconia City Clerk between the first Wednesday in August and the Friday of the following week. The declaration of candidacy shall be in the following form: **(Added by referendum 11-4-2014, 3,237 yes, 1,461 no)**

"I, _____, declare that I am domiciled in Ward _____ in the City of Laconia, Belknap County, New Hampshire; that I am registered to vote in Laconia; that I am a candidate for nomination for the office of _____ to be made at the municipal election to be held on the _____ day of _____, _____; and I hereby request that my name be printed on the official municipal election ballot as a candidate for nomination for this office. I declare that I am eligible to file as a candidate for nomination for this office, and I will not withdraw. If elected in the municipal election, I will assume the duties and serve in this office.

Signed this _____ day of _____, _____.

Signature of Declarant

The election officers in each ward whose duty it is to conduct regular biennial elections shall conduct the primary and municipal elections at City expense in accordance with this section. The supervisor of the checklist in each ward shall fix the polling place therein and give notice thereof when the checklist is posted. All duties of the City Clerk and the supervisors of the checklist set forth in other sections of this Charter or New Hampshire law, to the extent that they are timed with references to the date of the municipal election, shall hereafter be timed with reference to the date of the primary election unless they relate only to the municipal election. **(Amended by referendum 11-7-1995, 1,949 yes, 1,081 no; amended by referendum 11-2-2010, 3,599 yes, 1,001 no, effective 7-1-2011)**

Sect. 2:07. QUALIFICATION OF VOTERS.

Persons who would be qualified to vote in a biennial election if held on the day of such municipal election shall be qualified to vote in all elections held pursuant to this Charter

and Revised Statutes Annotated Chapter 49-C and all elections held hereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and those statutes shall apply to municipal elections so far as consistent with this Charter and Revised Statutes Annotated Chapter 49-C. **(Amended by referendum 11-4-2014, 3,438 yes, 1,442 no)**

Sect. 2:08. PREPARATION OF BALLOTS.

The City Clerk shall prepare the ballots to be used at the municipal elections. Election shall be by the Australian Ballot System, and the ballots shall be prepared in accordance with the procedure provided for in general election laws governing that system. **(RSA 49-C:6) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 2:09. CONTESTED ELECTIONS.

Any election contest shall be resolved in accordance with the procedure set forth in the general election laws governing biennial elections. **(RSA 49-C:7) Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 2:10. RECOUNT PROCEDURE.

Any candidate whose name appeared on a municipal election ballot may file a request for recount in writing with the Laconia City Clerk no later than 5:00 p.m. on the Friday following the municipal election. The applicant shall pay a fee to the Laconia City Clerk, for the use of the City in the same manner as prescribed by RSA 669:31, II. **(Added by referendum 11-4-2014, 3,755 yes, 970 no)**

The following rules and procedures shall be observed during the course of a municipal election recount: **(Added by referendum 11-4-2014, 3,755 yes, 970 no)**

1. The City Clerk will unseal the container holding all ballots cast by voters on the date cast, announcing such publicly.
2. The City Clerk will operate with two-person teams for recounting.
3. For each two-person team, each candidate will have one observer.
4. Each candidate will be informed as to how many two-person teams will be conducting his/her particular recount.
5. No observer will use pencil or pen at the recount.
6. Observers are prohibited from touching the ballots.
7. One member of the two-person team will read the ballot declaring those legal votes apparent from the voters marks. The second member will place the ballot in a stack according to how the ballot was cast.
8. If there is a protest of any ballot it must be made immediately.
9. The candidate who requested the recount may cancel same at any time during the

procedure, at which time the City Clerk will publicly announce the candidate's request to cancel the recount, and the recount will cease at once.

10. The City Clerk will maintain a tally showing the old and new figures and at the completion of the recount will announce the official winner based on the recount figures.
11. No cell phones may be used in the recount room; at no time shall photographs be taken of any ballot. **(Added by referendum 11-2-2010, 3,879 yes, 765 no, effective 7-1-2011; amended by referendum 11-4-2014, 3,755 yes, 970 no)**
12. All members of the public shall be seated in a designated area that will allow for visual and audible observation of the recount. No person shall be seated closer than six feet from the two-person teams conducting the recount unless they are an official observer. **(Added by referendum 11-4-2014, 3,755 yes, 970 no)**

Sect. 2:11. ABSENTEE VOTING.

Any legal voter of the City of Laconia who is absent from the City on the day of any regular or special municipal election, or who, by reason of physical disability, is unable to vote in person at said election, may vote at said election by so-called absentee ballot. The provisions of state law, so far as applicable hereto and not inconsistent herewith, shall apply to such absentee voting in the City, provided that the City clerk shall prepare the forms and ballots for such voting and said Clerk shall also prepare the required instructions. **(Passed 11-4-1975 by referendum; source: Chapter 359, NH Laws of 1975)**

ARTICLE III.
THE CITY COUNCIL.

Sect. 3:01. THE GOVERNING BODY.

The governing body of the City of Laconia shall be an elected council and an elected mayor. At its first meeting the governing body shall choose one of its members as mayor pro-tem to serve in the mayor's absence. The mayor pro-tem shall at all times retain the authority to vote as a ward councilor. Each member of the governing body shall serve for a term of two years commencing on the first business day following January 1 in each even number year. There shall be one councilor elected from each ward and a mayor elected by popular vote. All members of the governing body shall be nominated and elected in accordance with the nonpartisan election procedures set forth elsewhere in this Charter. The Mayor shall have the authority to vote only in the event of a tie vote by the council. **(Amended by referendum 11-7-1995, 1,949 yes, 1,081 no; amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 3:02. QUALIFICATIONS FOR OFFICE.

No person shall be a candidate for the office of Mayor or Ward Council or who is not a duly qualified voter in the ward or city in which they seek election. **(RSA 49-C:9) (Amended by referendum 11-2-2010, 3,908 yes, 741 no, effective 7-1-2011)**

Sect. 3:03. VACANCIES.

Vacancies occurring in the office of Councilor or Mayor from any cause shall be filled for the unexpired term with the election of some qualified person by the recorded votes of at least a majority of all members of the Council at the next regular meeting or at a special meeting called for the express purpose of filling the vacancy within 30 days following the creation of the vacancy. **(RSA 49-C:10) (Amended by referendum 11-2-2010, 3,515 yes, 1,118 no, effective 7-1-2011)**

Sect. 3:04. COMPENSATION.

The Mayor and Council shall be compensated based on such sum as the Council shall determine by ordinance. **(RSA 49-C:11) (Amended by referendum 11-2-2010, 3,043 yes, 1,488 no, effective 7-1-2011)**

Sect. 3:05. MEETINGS.

The Mayor shall preside over all meetings of the Council, and the City Clerk shall act as a clerk of the Council. All meetings of the Council shall be public. The Council shall hold two regular meetings on the second and fourth Mondays of each month at 7:00 p.m. Whenever a regular monthly meeting falls on a holiday listed in RSA 288:1, a day of holiday observance as defined in RSA 288:2, a day on which City of Laconia municipal offices are not open for business, or on Christmas or New Year's Eve, then the Council shall establish the alternate meeting date and time. Special meetings shall be held at the written request of the Manager or a majority of the Council, by giving written notice to each Councilor either by hand, e-mail or in the Council mailboxes at City Hall. The Council shall establish its own rules, and a majority shall constitute a quorum for the transaction of business. The newly elected Council shall assume office on the first

business day following January 1 in each even number year. The first regular meeting of the newly elected Council shall be on the day the newly elected Councilors are inaugurated. A special meeting may be held prior to that date pursuant to the provisions of this section. **(Amended by referendum vote 11-7-1995, 2,743 yes, 310 no; amended by referendum 11-2-2010, 3,893 yes, 739 no, effective 7-1-2011)**

Sect. 3:06. ORDINANCES.

Municipal legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The enacting clause of each ordinance shall be "The City of Laconia Ordains," and the effective date of each ordinance shall be specified in it. All ordinances shall be recorded at length uniformly and permanently by the City Clerk, and each ordinance so recorded shall be authenticated by the signature of the Mayor and the City Clerk. Ordinance shall be published, compiled and revised in such manner and at such times as the Council shall determine. **(RSA 49-C:14) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 3:07. GENERAL POWERS.

Except as herein otherwise provided, the Council hereby established shall have all the powers and discharge all the duties conferred or imposed upon city councils in convention, city councils voting concurrently, or boards of mayor and aldermen acting separately, by chapters 44 to 48, inclusive, of the RSA or other general law now in force or hereinafter enacted, or upon the existing city councils or board of mayor and alderman of the City of Laconia by special laws not hereby repealed. The Council shall have the powers of selectmen of towns so far as consistent with this Charter. All provision of such laws pertaining to the powers or duties of any or all such bodies shall be construed to apply to the Council hereby established unless a contrary intent or provision herein appears, in accordance with the purpose of RSA 49-C to confer upon said Council all functions of either or both branches of the existing city councils, whether legislative, executive or judicial. **(RSA 49-C:15) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 3:08. GENERAL POWERS AND DUTIES OF MAYOR

The Mayor shall be the official head of the City for all ceremonial purposes. The Mayor shall preside at all meetings of the Council. The Mayor shall have the authority to vote only in the event of a tie vote by the Council. The Mayor shall serve as the Chairman of the Laconia Airport Authority. All other duties of mayors prescribed by law shall be exercised by the City Manager provided for in this Charter. **(RSA 49-C:16) (Amended and passed 11-4-1975 by referendum; amended by referendum 11-7-1989; amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

ARTICLE IV.
ADMINISTRATIVE SERVICE.

Sect. 4:01. MANAGER.

The chief administrative officer of the City shall be called the Manager. The Council shall appoint as Manager for an indefinite term, and fix the salary of, a qualified person who receive the votes of at least a majority of the Council. The first Council elected under this Charter shall appoint a Manager within three months after the effective date of this Charter. **(RSA-C:17) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 4:02. QUALIFICATIONS.

The Manager shall be chosen solely on the basis of the applicant's executive and administrative qualifications, but the Manager need not be a resident of the City or the state at the time of appointment. **(RSA 49-C:17) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 4:03. REMOVAL.

The manager may be removed by a majority vote of the members of the council as herein provided. At least 30 days before the proposed removal of the manager, the council shall adopt a resolution stating its intention to remove the manager and the reasons therefor, a copy of which shall be served forthwith on the manager who may, within 10 days, demand a public hearing in which event the manager shall not be removed until such public hearing has been held. Upon or after passage of such a resolution the council may suspend the manager from duty, but the manager shall continue to receive pay until removal. In case of such a suspension the council may appoint an acting manager to serve at the pleasure of the council for not more than 90 days. The action of the council in removing the manager shall be final. **(RSA 49-C:17) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 4:04. GENERAL POWERS AND DUTIES OF MANAGER.

The Manager shall supervise the administrative affairs of the City and shall carry out the policies enacted by the Council. The Manager shall be charged with the preservation of the public peace and health and safety of persons and property and shall see to the enforcement of the ordinances of the City, this Charter, and the laws of the state. The Manager shall keep the Council informed of the condition and needs of the City and shall make such reports and recommendations as the Manager may deem advisable, and perform such other duties as may be prescribed by this charter, or required of the manager by ordinance or resolution of the Council, not inconsistent with this Charter. The Manager shall have and perform such other powers and duties not inconsistent with the provisions of this Charter as now are or hereafter may be conferred or imposed upon the Manager by municipal ordinance or upon mayors of cities by general law. The Manager shall have the right to take part in the discussion of all matters coming before the Council, but not the right to vote. **(RSA 49-CA:16, 49-C:18) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 4:05. APPOINTIVE POWER OF MANAGER.

The Manager shall have power to appoint and remove, subject to the provisions of this Charter, all officers and employees in the administrative service of the City, but the Manager may authorize the head of a department or office who is responsible to the Manager to appoint and remove subordinates in such department or office. All such appointments shall be without definite term unless for provisional, temporary or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan. The members of the Planning Board, Zoning Board of Adjustment, Building Code Board of Appeals and Parks and Recreation Commission shall be appointed by majority vote of the City Council with such terms, number of members, powers and duties as prescribed by state law, by this Charter or by ordinance. **(RSA 49-C:18) (Amended and passed 11-4-1975 by referendum; amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 4:06. NONINTERFERENCE BY THE COUNCIL.

Neither the Council nor any of its members shall direct or request, except employment, or his removal therefrom, by the Manager or any of the administrative officers. Neither the Council nor any member thereof shall give orders to any of the administrative officers, either publicly or privately, but they may make suggestions and recommendations. Any Councilor who violates the provisions of this section shall forfeit the office of Councilor as of the date the council determines by majority vote that such violation occurred. **(RSA 49-C:19) (Amended and passed 11-4-1975 by referendum; amended by referendum 11-2-2010, 2,742 yes, 1,321 no, effective 7-1-2011)**

Sect. 4:07. APPOINTIVE OFFICERS.

There shall be appointed by the Manager, three Assessors, a City Clerk, Treasurer, Fire Chief, City Solicitor, members of the Housing Authority, and overseer of the poor, and such other officers as are necessary to administer all departments which the Council shall establish, which departments shall replace all existing departments, boards, and commissions. The powers and duties of these officers and heads of departments so appointed shall be those prescribed by state law, by this Charter or by ordinance. **(RSA 49-C:20) (Amended by referendum 11-2-2010, 2,213 yes, 1,844 no, effective 7-1-2011)**

Sect. 4:08. ADMINISTRATIVE DEPARTMENTS.

The first Manager under this Charter shall draft and submit to the Council within nine months after assuming office an ordinance dividing the administrative service of the City into departments, divisions, and bureaus and defining the functions and duties of each. After the adoption of that ordinance, upon recommendation of the Manager, the Council, by ordinance, may create, consolidate, or abolish departments, divisions, and bureaus of the City and define or alter their functions and duties. Such ordinances shall be known as the "administrative code." Officers shall have supervision and control of their respective departments and the employees therein and shall have power to prescribe rules and regulations, not inconsistent with general law, this Charter, the administrative code, and

the rules and regulations of the merit plan. Pending passage of such code, the Manager may establish temporary regulations. **(RSA 49-C:21) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 4:09. PURCHASING PROCEDURE.

The administrative code shall establish purchasing and contract procedure, including the assignment of all responsibility for purchases to a single person, the combination of purchasing of similar articles by different departments and purchasing by competitive bids wherever practical. **(Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

**ARTICLE V.
FINANCE.**

Sect. 5:01. FISCAL YEAR.

The fiscal and budget year of the City shall begin on the first day of July and end on the last day of June unless another date shall be fixed by ordinance. **(RSA 49-C:22) (Amended by referendum 11-2-2010, 3,484 yes, 635 no, effective 7-1-2011)**

Sect. 5:02. FINANCIAL CONTROL.

The Manager shall appoint an officer other than the Treasurer who shall maintain accounting control over the finances of the City, make financial reports, and perform such other duties as may be required by the administrative code. The Finance Director shall audit and approve all authorized claims against the City before paying the same. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:03. BUDGET PROCEDURE.

At such time as may be requested by the Manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his control. The Manager shall submit the proposed budget to the Council at least one month before the start of the fiscal year of the budget. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:03.5. BUDGET PROCEDURE.

A. Limitation on budget increases. Recognizing that final tax rates for the City of Laconia are set by the New Hampshire Department of Revenue Administration pursuant to RSA 21 J:35, I, the Administration, the School Department and the City Council of the City of Laconia shall develop their annual budget proposals and the City Council shall act upon such proposals in accordance with the mandates of this section.

Override Provision. Budgetary restrictions described in any part of section 5:03.5 may be over-ridden upon a two-thirds vote of the Laconia City Council. Such an override expires following adoption of the annual budget. Subsequent budgets or supplemental appropriations require additional two-thirds override votes, or the limitations expressed below in section 5:03.5 will apply.

1. In submitting their proposed budgets to the City Council, the Administration and the School Department shall not propose total expenditures in an amount exceeding the tax rate established during the prior fiscal year increased by a factor equal to the change in the National Consumer Price Index - Urban as published by the United States Department of Labor for the calendar year immediately preceding the year of the budget adoption.
2. In establishing a combined municipal budget, the City Council shall be allowed to assume an estimated property tax rate only in an amount not to exceed the tax rate established during the prior fiscal year increased by a factor

equal to the change in the National Consumer Price Index - Urban as published by the United States Department of Labor for the calendar year immediately preceding the year of the budget adoption.

- B. Exception to budget increase limitation. Capital expenditures, and the total or any part of the principal and interest payments of any municipal bond, whether established for school or municipal purposes, may be excepted from being included in the expenditures that are subject to the prior limitation upon a two-thirds vote of the City Council. The exception made under this section shall expire upon adoption of the budget for the next budget year, unless the council votes by a two-thirds majority to renew the exception for the next budget year.
- C. Budget limitation in a revaluation year. When the City Council accepts an increase in real estate values as the result of a City wide revaluation, the City Council shall adhere to a maximum increase in the combined real estate tax revenues as follows: The combined real estate taxes raised from the prior budget year shall be increased by a factor no more than the change in the National Consumer Price Index - Urban as published by the United States Department of Labor for the calendar year immediately preceding budget adoption, then this figure shall be used in establishing the new combined municipal budget.
- D. Budget limitation with annual changes in assessments. When annual changes in real estate values occur as a result of State of New Hampshire assessing requirements, the City Council shall adhere to a maximum increase in the combined real estate tax revenues as follows:
 - 1. The combined real estate taxes raised from the prior year shall be increased by a factor of no more than the change in the National Consumer Price Index - Urban as published by the United States Department of Labor for the calendar year immediately preceding budget adoption, plus real estate taxes calculated by applying the prior year real estate tax rate to the net increase in new construction. "Net increase in new construction" is defined as: the total dollar value of building permits less total dollar value of demolition permits issued for the period of April 1 - March 31 preceding budget adoption.
- E. Total expenditures for any given budget year shall not exceed the amount of funds reasonably calculated to be derived by the tax rate established pursuant to Paragraph A. 2. herein, increased by the other revenues generated by the municipality. **(Added by referendum 11-8-2005)**

Sect. 5:04. BUDGET HEARING.

A public hearing on the budget shall be held before its final adoption by the Council, at such time and place as the Council shall direct, and notice of such public hearing together with a summary of the budget as submitted shall be published at least one week in advance by the City Clerk. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:05. DATE OF FINAL ADOPTION.

The budget shall be finally adopted not later than the 27th day of the first month of the fiscal year. Should the Council take no final action on or prior to such day, the budget, as submitted, shall be deemed to have been finally adopted by the Council. This section shall not apply to the first fiscal year after this Charter takes effect. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:06. APPROPRIATIONS AFTER BUDGET IS ADOPTED.

No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by a two-thirds majority of the Council after a public hearing held to discuss said appropriation. The Council shall by resolution designate the source of any money so appropriated. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:07. BUDGET CONTROL.

At the beginning of each quarterly period during the fiscal year and more often if required by the Council, the Manager shall submit to the Council data showing the relation between the estimated and actual income and expense to date, and if it shall appear that the income is less than anticipated, the Manager with the approval of the Council may reduce the appropriation for any item or items, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the total anticipated revenues. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,376 yes, 704 no, effective 7-1-2011)**

The Manager may provide for monthly or quarterly allotments of appropriations to departments, funds, or agencies under such rules as he shall prescribe. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:08. TRANSFER OF APPROPRIATIONS.

After the budget has been adopted, no money shall be drawn from the treasury of the City, nor shall any obligation for the expenditure of money be incurred, except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any department, with the approval of the Manager, may transfer any unencumbered balance or any portion thereof from one fund or agency within his department to another fund or agency within his department; The manager, with the approval of the Council, may transfer any unencumbered appropriation balance or any portion thereof from one department to another. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:09. DEPOSITORY.

The Council shall designate the depository or depositories for City funds and shall provide for the daily deposit of all City moneys. The Council may provide for such security for City deposits as it may deem necessary, except that personal surety bonds shall not be deemed proper security. **(RSA 49-C:23) (Amended by referendum**

11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)

Sect. 5:10. INDEPENDENT AUDIT.

An independent audit shall be made of all accounts of the City government at least annually and more frequently if deemed necessary by the Council. Such audit shall be made by certified public accountants experienced in municipal accounting. An abstract of the results of such audit shall be made public. At least once every five years the Council shall request that such audit be made by the New Hampshire State Tax Commission or by auditors selected by said Commission if then authorized by law to make such audit. An annual report of the City's business shall be made available. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:11. OFFICIAL BONDS.

Any City officer elected or appointed by authority of this Charter may be required by the Manager to give a bond to be approved by the City Solicitor for the faithful performance of the duties of his office, but all officers receiving or disbursing City funds shall be so bonded. All official bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the City. Such bonds shall be filed with the City Clerk. **(RSA 49-C:23) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 5:12. BORROWING PROCEDURE.

Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the administrative code, the Council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the City and the issuance of bonds of the City or other evidence of indebtedness therefor, and may pledge the full faith, credit and resources of the City for the payment of the obligation created thereby. Borrowing for a term exceeding one year shall be authorized by the Council only after a duly advertised public hearing. **(RSA 49-C:24) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

ARTICLE VI.
MERIT PLAN.

Sect. 6:01. APPOINTMENTS.

Appointments and promotions to all positions in the service of the City shall be made solely on the basis of merit and only after examination of the applicant's fitness. So far as practicable examinations shall be competitive. **(RSA 49-C:18) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 6:02. RULES AND REGULATIONS.

The first Manager under this Charter shall draft and submit to the Council within three months after assuming office a set of rules and regulations, which shall become effective one month after its submission unless vetoed by the Council within that period, providing for the establishment of a merit system of personnel administration and for the implementation of such portions of that system as are prescribed by this Charter. The rules and regulations shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations, and any other matters necessary to the maintenance of efficient service and the improvement of working conditions. The rules and regulations shall continue in force subject to amendments submitted from time to time by the Manager which shall become effective one month after their submission unless vetoed by the Council within that period. Until the first set of such rules and regulations becomes effective, the Manager may establish temporary rules and regulations. **(RSA 49-C:21) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 6:03. COMPENSATION.

The compensation of all officers and employees not fixed by this Charter shall be fixed in the rules and regulations of the merit plan by a schedule of pay which shall include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said rules and regulations. In increasing or decreasing items in the City budget, the Council shall not increase or decrease any individual salary item but shall act solely with respect to total salaries in the various departments of the City. **(RSA 49-C:34) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 6:04. PERSONNEL ADVISORY BOARD.

There is hereby established a Personnel Advisory Board of three citizens holding no other municipal office and appointed, one member by the Manager, one by the Council, and the third by these two appointees. In the first instance only the member appointed by the Manager shall serve for one year, the member appointed by the Council for two years, and the third member for three years, in each case beginning on the effective date of this Charter; the terms of all succeeding members shall be for three years beginning on the expiration of the term each succeeds. It shall be the duty of the Personnel Advisory Board to study the broad problems of personnel policy and administration, to advise the Council concerning the personnel policies of the City and the Manager regarding the administration of the merit plan and to hear appeals from any employee aggrieved as to the status or condition of his employment. The Board shall issue written

reports containing findings of facts and recommendations to the Manager upon such appeals, but the Board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee for religious, racial, or political reasons. **(RSA 49-C:34) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 6:05. CERTIFICATION OF COMPENSATION.

No compensation shall be paid without certification by the Manager, or such officer as he may direct, that the recipients are employed by the City and that their rates of compensation comply with the pay schedule provided for in Section 6:03. If such officer approves payments not in conformity therewith, he and his surety shall be liable for the amount of such payments. A taxpayer may maintain a civil action to restrain payment of compensation to persons unlawfully appointed or employed or to recover for the City any sums paid contrary to the provisions of this Charter. **(RSA 49-C:34) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 6:06. EMPLOYEES WHEN CHARTER ADOPTED.

No employee of the City at the time this Charter is adopted shall be required to take any examination in order to continue within the employment of the City. All other provisions of the merit plan will apply to such employees. **(RSA 49-C:29) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

ARTICLE VII.
SPECIAL ASSESSMENTS.

Sect. 7:01. COUNCIL RESOLUTION.

The Council shall have power to determine that not exceeding 50% of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefitted and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments, and what part, if any, shall be a general obligation of the City, the number of installments in which special assessments may be paid, and shall designate the districts or land and premises upon which special assessments shall be levied. **(RSA 49-C:25) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 7:02. PROCEDURE FIXED BY ORDINANCES.

The Council shall prescribe by general ordinance complete special assessment procedure concerning plans and specifications, estimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection of special assessments, and any other matters concerning the making of improvements by the special assessment method. **(RSA 49-C:26) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

ARTICLE VIII.
MISCELLANEOUS PROVISIONS.

Sect. 8:01. OATH OF OFFICE.

Every person elected or appointed to any City office before entering upon the duties of his office shall take and subscribe to an oath of office as provided by law which shall be filed and kept in the office of the City Clerk. **(RSA 49-C:28) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 8:02. NOTICE OF ELECTION OR APPOINTMENT.

Written notice of election or appointment of any City officer shall be mailed to him at his address by the City Clerk within 48 hours after the appointment is made or the vote canvassed. If within 10 days from the date of the notice, such officer shall not take, subscribe to, and file with the City Clerk an oath of office, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant, unless the council shall extend the time in which such officer may qualify. **(RSA 49-C:29) (Amended by referendum 11-2-2010, 3,314 yes, 744 no, effective 7-1-2011)**

Sect. 8:03. VACANCY DEFINED.

In addition to other provisions of this Charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, is convicted of a felony, is judicially declared to be mentally incompetent, or when the appointee fails to attend four meetings in a calendar year without an excuse that is acceptable to the appointing party. **(RSA 652:12) (Amended by referendum 11-2-2010, 3,491 yes, 741 no, effective 7-1-2011)**

Sect. 8:04. OFFICIAL INTEREST IN CONTRACTS.

No elective or appointive officer or employee of the City shall take part in a decision concerning the business of the City in which he has a financial interest aside from his salary as such officer or employee, direct or indirect, greater than any other citizen or taxpayer. **(RSA 49-C:34) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 8:05. PRIVATE USE OF PUBLIC PROPERTY.

No officer or employee shall devote any City property or labor to private use except as may be provided by law or ordinance. **(RSA 49-C:34) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 8:06. USE OF STREETS BY PUBLIC UTILITIES.

Every public utility shall pay such part of the cost of improvement or maintenance of streets, alleys, bridges, and public places as shall arise from its use thereof.¹ **(Amended**

1. Editor's Note: Former Section 8:07, Liability for discharge, which immediately followed this section, was repealed by referendum 11-2-2010, 2,960 yes, 1,078 no, effective 7-1-2011; former Section 8:08, Notice of claim, which immediately followed former Section 8:07, was repealed by referendum 11-2-2010, 2,989 yes, 992 no, effective 7-1-2011; and former Section 8:09, Violations, which immediately followed Section 8:08, was repealed by referendum 11-2-2010, 2,978 yes, 1,007 no, effective 7-1-2011.

Sect. 8:06

Sect. 8:07

by referendum 11-2-2010, 2,907 yes, 1,134 no, effective 7-1-2011)

Sect. 8:07. PUBLIC RECORDS.

All records of the City shall be public in accordance with RSA 91-A. **(RSA 49-C:32)**
(Amended by referendum 11-2-2010, 3,627 yes, 568 no, effective 7-1-2011)

ARTICLE IX.
BOARD OF EDUCATION.

Sect. 9:01.

The general management and control of the public schools and of the buildings and property pertaining thereto shall be vested in a Board of Education consisting of seven members, elected by the qualified voters of the City for three year terms. There shall be one school Board member elected from each ward, and one member elected at large. The members of the present Board of Education shall continue in office until their respective terms expire, or until their successors are elected and qualified.

Each year, at the first official Board meeting held after the annual election, the school board shall elect a Chairperson and a Vice Chairperson from among its members. The Chairperson and the Vice Chairperson shall have all voting privileges. The Chairperson shall be an ex officio member of all school Board committees.

At the November 1996 election, Wards Four (4) and Five (5) shall elect members; at the November 1997 election, the City shall elect the one member at large and Wards Six (6) and One (1) shall elect members; and at the November 1998 election, Wards Two (2) and Three (3) shall elect members. In a biennial election year, the City Clerk shall prepare a separate municipal ballot which shall be used in elections for members of the Board of Education. The Board of Education shall have the power and perform all the duties of and be subject to the liabilities pertaining to school boards of towns, except as otherwise provided by law. All bills, notes and demands made or contracted for school purposes shall be paid from the city treasury. Members of the Board shall receive such compensation as the City Council shall determine.

All members of the Board of Education shall be nominated and elected in accordance with the nonpartisan election procedures set forth in Article II of this Charter. **(Amended by referendum 11-4-2003, 1,324 yes, 423 no)**

Any vacancies occurring on the Board of Education shall be filled in accordance with RSA 671:33. **(Amended by referendum 11-7-1995, 1,739 yes, 1346 no)**

**ARTICLE X.
POLICE COMMISSION.**

Sect. 10:01.

Notwithstanding any other provision of this charter, the Police Department of the City shall be governed by a Police Commission consisting of three persons, who shall be elected by the qualified voters of the City. Those Commissioners serving under color of Laws of 1913, Chapter 148 when this popular election amendment is adopted shall continue in office until their successors are duly elected and qualified. At the November 1995 regular municipal election, all three members shall be elected. The candidates receiving the highest and the next highest number of votes in that election shall be elected to four-year terms, and the candidate receiving the next highest number of votes shall be elected to a two-year term. Thereafter, each Commissioner shall be elected to a term of four years. All elections of Police Commissioners shall be held in odd-numbered years.

All members of the Police Commission shall be nominated and elected in accordance with the nonpartisan election procedures set forth in Article II of this Charter. **(Amended by referendum 11-4-2003, 1,341 yes, 407 no)**

Sect. 10:02.

It shall be the duties of said Police Commissioners to appoint such police officers, constables and superior officers, as they may in their judgment deem necessary, and to fix their compensation.

Sect. 10:03.

The compensation of the Police Commissioners shall be fixed by the City Council.

Sect. 10:04.

The Police Commissioners shall have authority to remove any officer at any time for just cause and after due hearing, which cause shall be specified in the order of removal.

Sect. 10:05.

The Police Commissioners shall have full power to make all rules for the government of the police force and to enforce said rules.

This amendment shall take effect upon passage. **(Added by referendum 11-2-1993, 1,621 yes, 1,396 no)**

ARTICLE XI.
LIBRARY BOARD OF TRUSTEES

Sect. 11:01. ELECTION; TERMS.

The City Council shall annually at a regular City Council meeting in March elect two trustees of the Laconia Public Library to serve for terms of three years. The Superintendent of Schools of the City shall also be a trustee by virtue of his/her said office, but the Superintendent shall have the authority to appoint a subordinate official or employee of the school district to serve as library trustee in his/her stead. Any such delegate shall serve at the pleasure of the Superintendent.

Sect. 11:02. POWERS AND DUTIES.

The Library Board of Trustees shall have all the powers and duties set forth in RSA 202-A, as amended.

Sect. 11:03. VACANCIES.

The City Council shall appoint a person to fill a vacancy occurring on the Library Board of Trustees within two months of the remaining trustees notifying the City Council of the vacancy. Such appointee shall serve out the remainder of the term. The Board of Library Trustees may recommend names of persons for appointment.

Sect. 11:04. ALTERNATES.

The City Council may appoint up to three persons to serve for one year terms as alternate members of the Library Board of Trustees, who shall serve when elected members of the Board are unable to attend a board meeting. The Library Board of Trustees may recommend the names of persons for appointment.

Sect. 11:05. EFFECTIVE DATE.

This Article XI shall become effective on March 1, 2011. **(Amended by referendum 1-10-2012, 2,741 yes, 831 no)**

ARTICLE XII.
SAVING CLAUSES AND TRANSITIONAL CLAUSES.
(Renumbered 11-3-1992 and 1-10-2012 based on added referendums)

Sect. 12:01. SAVING CLAUSE.

So much of the previous Charter of the City and of laws passed in amendment or supplementary thereof, as is now in force relative to the constitution and bounds of its several wards, its school districts and sewer, lighting, and other special precincts and their government and affairs, to its water works, District Court, and to the borrowing of money in aid of its school districts, is hereby continued in force, with the exception of such provisions as are inconsistent with this Charter; but all special legislation relative to the government of the City, not herein expressly saved, is hereby repealed. All general laws relative to the government of cities shall remain in force in the City so far as the same can be applied consistently with the intents and purposes of this Charter, but shall be deemed superseded as to this City so far as inconsistent herewith. Existing ordinances and other municipal regulations shall remain in force so far as the same can be applied consistently with the intents and purposes of this Charter, but are hereby annulled so far as inconsistent herewith. In all existing laws, ordinances and regulations hereby saved, references to the city councils, board of mayor and aldermen, board of public works, or other bodies or officers hereby abolished and superseded, or to bodies or officers whose constitution or functions are hereby altered, shall be taken to mean the body or officer upon whom jurisdiction of the matter in questions is conferred by this Charter or by the administrative code. **(RSA 49-C:34) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 12:02. TENURE OF OFFICE.

The incumbents when this Charter takes effect who are not elected by popular vote, of all municipal offices not hereby abolished or superseded, shall continue to hold the same until the expiration of their respective terms where a term of years exists, or until such offices are abolished or superseded by lawful ordinances. **(RSA 49-C:27) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

Sect. 12:03. SEPARABILITY.

The sections of this Charter are separable. If any portion of this Charter, or if the application of this Charter to any person or circumstance, shall be invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected hereby. **(RSA 49-C:34) (Amended by referendum 11-2-2010, 3,334 yes, 1,235 no, effective 7-1-2011)**

NOTE: Home Rule Referendum passed 3-9-1965 and 3-9-1971.