



ORDINANCE

PROCEDURE FOR PUBLIC HEARINGS

CITY OF NASHUA

In the Year Two Thousand and Eight

The City of Nashua ordains that Chapter 5, entitled “Administration of Government”, Article III “Rules and Order of Business”, Sections 5-27, 5-28 and 5-29 of the Nashua Revised Ordinance, as amended, be further amended by deleting the struck-through language and adding the new underlined language as follows:

“§ 5-27. Dating, signing, and recording, publication and printing of ordinances.”

C. The City Clerk shall cause all ordinances passed by the Board of Aldermen to be published by title one day in a newspaper of local circulation; but whenever the City shall make a general revision of all its ordinances, no publication of such revised ordinances shall be required in any newspaper.

D. Immediately after the passage of any ordinance, the City Clerk shall cause the same to be printed upon sheets uniform in size and style as the Code, and sufficient in number to meet the public needs.

§ 5-28. ~~Publication of ordinances~~ Public hearings.

~~The City Clerk shall cause all ordinances passed by the Board of Aldermen to be published by title one day in a newspaper of local circulation; but whenever the City shall make a general revision of all its ordinances, no publication of such revised ordinances shall be required in any newspaper.~~

Public hearings shall be conducted as follows, unless another procedure is required by statute or ordinance:

A. An explanation of the subject of the hearing shall be presented to the public by the sponsor(s) of the measure being heard or by administrative or professional staff under prior arrangement with the chair of the board or committee holding the public hearing.

- B. Following the presentation set forth in subsection A, the chair shall recognize members of the public to testify in favor, followed by members of the public opposed and shall allow an opportunity for rebuttal by members of the public.
- C. The chair of the board or committee holding the hearing may allow questions from the public and recognize sponsors or staff to respond to those questions.
- D. The public hearing shall not be limited in duration nor may members of the public be denied the opportunity to speak, but the chair may set or extend time limits for each member of the public speaking, subject to motion and affirmative vote by members of the board or committee holding the hearing.

~~§ 5-29. Printing ordinances for public distribution (Reserved).~~

~~Immediately after the passage of any ordinance the City Clerk shall cause the same to be printed upon sheets uniform in size and style as the Code, and sufficient in number to meet the public needs."~~

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall take effect following its passage.

LEGISLATIVE YEAR 2008

ORDINANCE: 0-08-32

PURPOSE: Procedure for public hearings

ENDORSER(S): Alderman-at-Large Fred S. Teeboom

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: None.

ANALYSIS

This ordinance establishes a procedure for public hearings. An explanation of the subject of the hearing shall be presented by the endorser or by designated administrative or professional staff. This provision is consistent with certain statutory requirements for providing information to the public about the subject matter of particular hearings. See, for example, RSA 231:28 (details of construction and cost of layout for Class VI highway at public hearing.) Following the presentation, members of the public speaking for and against the measure shall be recognized by the chair of the board or committee. Members of the public shall be allowed an opportunity to rebut opposing views. Public hearings shall not be limited in duration nor shall members of the public be denied the opportunity to speak. The chairperson may set or extend reasonable time limits for members of the public subject to votes by the board or committee.

Former § 5-28 and 5-29 are consolidated in § 5-27 as subsections C and D.

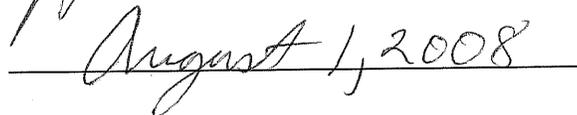
Approved as to form:

Office of Corporation Counsel

By:



Date:



ORDINANCE

0-08-37

Procedure for public hearings

IN THE BOARD OF ALDERMEN

1ST READING AUGUST 12, 2008

Referred to:

PERSONNEL/ADMINISTRATIVE AFFAIRS

2nd Reading SEPTEMBER 23, 2008

3rd Reading _____

4th Reading _____

Other Action _____

Passed SEPTEMBER 23, 2008

Indefinitely Postponed _____

Defeated _____

Attest: Paul H. Berger
City Clerk

Steve A. Beth
President

Approved Sept 29-2008
(Date)

Donald L. Breaux
Mayor's Signature

Endorsed by

Paul H. Berger
Law Wilkhuie

Vetoed: _____

Veto Sustained: _____

Veto Overridden: _____

Attest: _____
City Clerk

President