

7:30 PM

Aldermanic Chamber and by Zoom

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Meeting ID: 870 2331 8812 Passcode: 182261

To Join by Telephone: 1-929-205-6099
Meeting ID: 870 2331 8812 Passcode: 182261

If for some reason you cannot connect to Zoom, please contact us at (603) 589-3329 and they will help you with connectivity. The public may also view the meeting via Channel 16.

-
1. PRESIDENT LORI WILSHIRE CALLS ASSEMBLY TO ORDER
 2. PRAYER OFFERED BY CITY CLERK SUSAN K. LOVERING
 3. PLEDGE TO THE FLAG LED BY ALDERMAN-AT-LARGE MELBOURNE MORAN, JR.
 4. ROLL CALL
 5. REMARKS BY THE MAYOR
 6. RESPONSE TO REMARKS OF THE MAYOR
 7. RECOGNITIONS
 8. READING OF MINUTES OF PREVIOUS MEETINGS
 9. COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS
 - From: Donna Graham, Legislative Affairs Manager
Re: New Middle School Naming
 - From: Lisa Fauteux, Director of Public Works
Re: Referral from Board of Aldermen – R-22-038
 - From: Tim Cummings, Director of Economic Development
Re: Communication on Supplemental Appropriation of \$75,000 – R-22-047
 - 9(a). PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING
 - 9(b). COMMUNICATIONS REQUIRING FINAL APPROVAL
 - From: Susan K. Lovering, City Clerk
Re: Issuance of Warrant to Chief of Police for Unlicensed Dogs
 - From: Susan K. Lovering, City Clerk
Re: NRO 5-6 Compensation – Alderwoman-at-Large Gloria Timmons

PETITIONS

NOMINATIONS, APPOINTMENTS AND ELECTIONS

REPORTS OF COMMITTEE

Finance
Committee.....05/04/2022
Budget Review
Committee.....06/16/2022

CONFIRMATION OF MAYOR'S APPOINTMENTS

UNFINISHED BUSINESS – RESOLUTIONS

R-22-035

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B.
O'Brien, Sr. Alderman John
Sullivan
Alderman Patricia
Klee Alderman
Thomas Lopez
Alderman Alex
Comeau Alderman
Richard A. Dowd
Alderman John Cathey
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

RELATIVE TO THE ADOPTION OF THE FISCAL YEAR 2023 PROPOSED BUDGET FOR THE CITY OF NASHUA GENERAL, ENTERPRISE, SPECIAL REVENUE AND GRANT FUNDS

- Budget Review Committee with anticipated recommendation for final passage with possible amendments

R-22-038

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B.
O'Brien, Sr. Alderman Patricia
Klee
Alderman-at-Large Melbourne
Moran, Jr. Alderman Thomas
Lopez
Alderman-at-Large Ben Clemons
Alderwoman-at-Large Shoshanna Kelly
Alderman Alex Comeau
Alderman Richard A.
Dowd Alderman Tyler
Gouveia Alderman
John Cathey Alderman
Derek Thibeault
Alderman-at-Large Lori
Wilshire

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF

TWO MILLION AND FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$2,450,000) FOR WALNUT STREET OVAL INTERSECTION PROJECT AND WEST PEARL STREET STREETSCAPING

- Budget Review Committee with anticipated recommendation for final passage

R-22-042

Endorsers: Mayor Jim Donchess
Alderman Patricia Klee
Alderman-at-Large Melbourne
Moran, Jr. Alderman Thomas
Lopez
Alderman-at-Large Michael B.
O'Brien, Sr. Alderman Richard A.
Dowd
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$320,000 FROM FY2022 ASSIGNED FUND BALANCE INTO DEPARTMENT 152 "FIRE", ACCOUNT 51330 "SHIFT COVERAGE"

- Budget Review Committee with anticipated recommendation for final passage
- Board of Public Works with a positive recommendation

UNFINISHED BUSINESS – ORDINANCES

NEW BUSINESS – RESOLUTIONS

R-22-045

Endorser: Mayor Jim Donchess

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$50,294.73 OF FY2022 UNANTICIPATED REVENUE INTO FUND 7024 "OPIOID ABATEMENT EXPENDABLE TRUST FUND"

R-22-046

Endorser: Mayor Jim Donchess

RELATIVE TO THE TRANSFER OF \$4,500 FROM DEPARTMENT 194 "CONTINGENCY", ACCOUNT 70100 "GENERAL CONTINGENCY" TO DEPARTMENT 103 "LEGAL", ACCOUNTING CLASSIFICATION 51 "SALARIES & WAGES"

R-22-047

Endorser: Mayor Jim Donchess
Alderman O'Brien
Alderman Sullivan

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$75,000 OF FY2022 UNANTICIPATED REVENUE INTO FUND 7058 "PARK REHABILITATION EXPENDABLE TRUST FUND"

NEW BUSINESS – ORDINANCES

O-22-019

Endorser: Alderman-at-Large Ben Clemons

CHANGING THE DOWNTOWN IMPROVEMENTS FUNDING PLAN

O-22-020

Endorser: Alderman Richard A. Dowd

ESTABLISHING ONE-WAY STREETS AND CHANGING THE STOP INTERSECTION NEAR FRANKLIN STREET SCHOOL

O-22-021

Endorser: Alderman Richard A. Dowd

ESTABLISHING NO PARKING AREAS DURING SCHOOL HOURS NEAR FRANKLIN STREET SCHOOL

O-22-022

Endorser: Alderman Ernest A. Jett
Alderman-at-Large Gloria Timmons

UPDATING ENVIRONMENTAL HEALTH DEPARTMENT FOOD-SERVICE FEES

O-22-023

Endorser: Alderman Richard A. Dowd
Alderman-at-Large Melbourne Moran, Jr.

UPDATING FIRE PREVENTION FEES

PERIOD FOR GENERAL PUBLIC COMMENT

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Committee announcements:

ADJOURNMENT



TO: Lori Wilshire, President
Cc: Board of Aldermen
FROM: Tim Cummings, Economic Development Director
Date: June 22, 2022
RE: Communication on R-22-047 Relative to a Supplemental
Appropriation of \$75,000 for Saint Andrew's Park Improvements

I am writing to ask that you favorably approve R-22-047 Relative to Saint Andrew's Park Improvements.

The genius of this legislation comes from the sale of a facade easement off Amherst Street. Where the City released an easement in exchange for \$50,000 along with some other additional minor conditions. At any rate, at the time of when the easement release approval was sought by me a few ideas were floated as uses for the funds. Specifically, the idea of using it for downtown public art was articulated. However, this use failed to gain traction and consensus. Fast forward to the Joint PEDC and Infrastructure Committee on May 17th where now that we had received the \$50,000 I asked the Joint body what their pleasure would be in using the funds. Again, it was clear that using it on public art in the downtown was not a prevailing matter, but some of the suggestions were as follows: parking improvements, historic preservation, supplemental CDBG spending, additional money for the Performing Arts Center or use it on Court Street Theater.

Ultimately, the general sentiment expressed was that there was a preference to preserve the \$50,000 and not allow it to lapse to the unassigned fund balance where it would default to unless some sort of proactive action was taken. Additionally, it was clear there was consensus to use the funds for general infrastructure improvements.

To that end and hearing the sentiments of the Joint body. I made some internal inquiries to see if there was a capital improvement need that fit with the available money. After speaking with Director Fauteux, I learned that Saint Andrew's Park was in need of repair. Furthermore, it is my understanding that Saint Andrew's Park is the last park in the city to receive some sort of attention and/or upgrade.

I further learned that there is a tentative plan to procure equipment along the lines of the following to improve the park if there was \$75,000 available:

- Swings including one inclusive
- Climbing Web Activity Net,
- Some Playground Structures w/ Climbing Structures and Slides
- Congo Drums
- Inclusive spinner
- Mushroom Steps

**Please note, some of these items may change and is for illustrative purposes only to help provide an understanding as to how the money may be used.*

As noted above having identified \$50,000 of the necessary \$75,000 there is a need to find an additional \$25,000. In consultation with the Finance Department, I learned that through miscellaneous revenue an additional \$25,000 could be identified with a NHRS reimbursement and the sale of some vehicles/equipment. Using these three sources, we could achieve the \$75,000 without raising the funds through the property tax base.

The below chart more clearly identifies the three sources of funds that aggregates to \$75,000.

45100	Sale of Vehicles & Equipment	\$13,000
45910	NHRS Reimbursements	\$12,000
45912	Other Reimbursements (release of the easement)	<u>\$50,000</u>
		\$75,000

Therefore, I am recommending and requesting that R-22-047 be adopted.

THANK YOU.

LEGISLATIVE YEAR 2022

RESOLUTION: R-22-046

PURPOSE: Relative to the transfer of \$4,500 from Department 194 “Contingency”, Account 70100 “General Contingency” to Department 103 “Legal”, Accounting Classification 51 “Salaries & Wages”

SPONSOR(S): Mayor Jim Donchess

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: Reduces amount available in general contingency by \$4,500 that could be used for escrow or surplus in FY22. The current balance in the general contingency account is \$150,600.

ANALYSIS

This resolution authorizes the transfer of \$4,500 from General Contingency into the Legal Department for the purpose of funding FY2022 unanticipated additional payroll expenses.

Charter Sec. 53 permits the Board of Aldermen to transfer any unencumbered appropriation balance or any portion from one department, fund or agency to another.

NRO 5-130, H provides that “when proposed legislation to transfer or re-appropriate a particular appropriation or purpose thereof has had its first reading, such funds shall not be expended or transferred while the legislation is pending”.

**Approved as to account
structure, numbers and
amount:**

Financial Services Division

By: 

Approved as to form:

Office of Corporation Counsel

By: 

Date: 



RESOLUTION

RELATIVE TO THE TRANSFER OF \$4,500 FROM DEPARTMENT 194
“CONTINGENCY”, ACCOUNT 70100 “GENERAL CONTINGENCY” TO
DEPARTMENT 103 “LEGAL”, ACCOUNTING CLASSIFICATION 51 “SALARIES &
WAGES”

CITY OF NASHUA

In the Year Two Thousand and Twenty-Two

RESOLVED by the Board of Aldermen of the City of Nashua that \$4,500 be transferred from Department 194 “Contingency”, Account 70100 “General Contingency” into Department 103 “Legal”, Accounting Classification 51 “Salaries & Wages” for the purpose of funding FY2022 unanticipated additional payroll expenses.

LEGISLATIVE YEAR 2022

RESOLUTION:

R-22-047

PURPOSE:

Relative to the supplemental appropriation of \$75,000 of FY2022 unanticipated revenue into Fund 7058 "Park Rehabilitation Expendable Trust Fund"

SPONSOR(S):

Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman John Sullivan

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE:

This resolution will reduce FY2022 year-end General Fund surplus. The current balance in the Park Rehabilitation Expendable Trust fund is \$2,473.

ANALYSIS

This resolution appropriates \$75,000 of FY2022 unanticipated revenue into the Park Rehabilitation Expendable Trust Fund for the purpose of making improvements and repairs at Saint Andrew's Park.

Charter Sec. 53 permits specific non-budget, supplementary appropriations. There should be notice and a public hearing. A two-thirds vote is required under Charter Sec. 56-b for an item or amount not in the mayor's budget. A roll call is required under Charter Sec. 49.

**Approved as to account
structure, numbers,
and amount:**

Financial Services Division

By: 

Approved as to form:

Office of Corporation Counsel

By: 

Date: 23 June 2022



RESOLUTION

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$75,000 OF FY2022 UNANTICIPATED REVENUE INTO FUND 7058 "PARK REHABILITATION EXPENDABLE TRUST FUND"

In the Year Two Thousand and Twenty-Two

RESOLVED by the Board of Aldermen of the City of Nashua to appropriate \$75,000 of FY2022 unanticipated revenue from Department 118 "Other General Government", Account Classification 45 "Miscellaneous Revenue" into Fund 7058 "Park Rehabilitation Expendable Trust Fund" for the purpose of repairs, replacements and improvements at Saint Andrew's Park located on the City's Tax Map B Lot 140.

LEGISLATIVE YEAR 2022

ORDINANCE: O-22-019
PURPOSE: Changing the downtown improvements funding plan
SPONSOR(S): Alderman-at-Large Ben Clemons

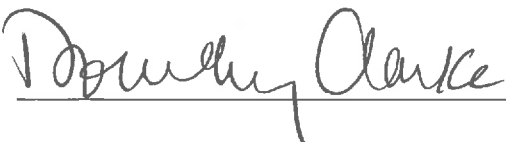
**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: This legislation recommends, upon the annual approval of the Board of Aldermen as part of the Adopted Budget process, the annual transfer of \$100,000 into the Downtown Improvements Expendable Trust Fund.

ANALYSIS

This legislation changes the proposed annual funding for downtown improvements to \$100,000 annually for the FY2024 budget forward. This funding plan is not binding on any board of aldermen, and is subject to annual budget appropriations.

Approved as to form: Office of Corporation Counsel

By: 

Date: 23 June 2022



ORDINANCE

CHANGING THE DOWNTOWN IMPROVEMENTS FUNDING PLAN

CITY OF NASHUA

In the Year Two Thousand and Twenty-Two

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, Article XI “Parking Meters”, Section 320-43.1 “Funding for downtown improvements” of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

“§ 320-43.1. Funding for downtown improvements.

- A.—Starting with the ~~FY2013~~ Fiscal Year 2024 budget (June 2023), an amount equivalent to the sum of ~~any parking revenue received over and above \$728,000~~ of \$100,000 shall be appropriated annually in the budget to be used for the purpose of improving the Downtown - 1 zoning district. Uses of these funds shall include, but not be limited to, improvements to infrastructure, beautification, and marketing and promotion. ~~The time frame for the calculation of the amount shall be January 1 to December 31. Beginning in 2013, if at the end of the year the parking revenue shall fall below \$1,128,000 or exceed \$1,378,000, the Board of Aldermen shall review the amount of \$728,000 above, and adjust that amount as necessary.~~
- B.—~~Notwithstanding subsection A above, for the calendar year of 2021, and Fiscal Year Budget 2022, an amount equivalent to the sum of parking revenue of \$100,000 shall be appropriated in the FY2022 budget for the purpose of improving the Downtown 1 zoning district. In calendar year 2022, and Fiscal Budget Year 2023, the funding shall resume as stated in subsection A, above.”~~

LEGISLATIVE YEAR 2022

ORDINANCE: O-22-020

PURPOSE: Establishing one-way streets and changing the stop intersection near the Franklin Street School

ENDORSERS: Alderman Richard A. Dowd

**COMMITTEE
ASSIGNMENT:**

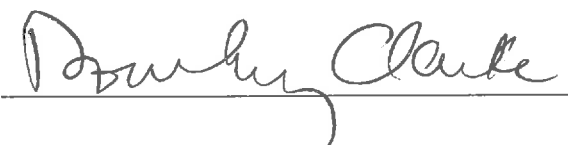
FISCAL NOTE: The contractor for the Franklin Street School project will be performing the signage and striping work for the project. The contractor's preliminary cost estimate for all the signage and striping work is \$20,000.

ANALYSIS

This legislation would establish four sections of streets near the Franklin Street School as one-way streets, requiring travel in a clockwise direction. The legislation also authorizes the removal of a stop sign on Charles Street as it would no longer be necessary.

The erection, removal and maintenance of all traffic control devices must conform to applicable state statutes and the latest edition of the manual on Uniform Traffic Control Devices. RSA 47:17 VIII (a). The Board should consult with the City Traffic Engineer to determine if this ordinance is in compliance.

Approved as to form: Office of Corporation Counsel

By: 

Date: 23 June 2022



ORDINANCE

ESTABLISHING ONE-WAY STREETS AND CHANGING THE STOP INTERSECTION NEAR THE FRANKLIN STREET SCHOOL

CITY OF NASHUA

In the Year Two Thousand and Twenty-Two

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, of the Nashua Revised Ordinances, as amended, be hereby further amended as follows:

1. In Article VII "One-Way Streets", Section 320-27 "One-way streets at all times", add the following new underlined language in the appropriate alphabetical order:

“§ 320-27. One-way streets at all times.

The following streets are hereby designated as one-way streets:

Name of Street	Direction of Travel	Location
...		
<u>Charles Street</u>	<u>Northerly</u>	<u>From Franklin Street to Terrace Street</u>
<u>Franklin Street</u>	<u>Westerly</u>	<u>From Locust Street to Charles Street</u>
<u>Locust Street</u>	<u>Southerly</u>	<u>From Winter Street to Franklin Street</u>
<u>Winter Street</u>	<u>Easterly</u>	<u>From Charles Street to Locust Street”</u>

2. In Article III “Stop and Yield Intersections”, Section 320-4 “Stop intersections”, subsection D, delete the struck-through language as shown:

“§ 320-4. Stop intersections.

...

D. The following intersections are hereby designated as stop or through streets, and

ORDINANCE

O-22-020

authority is hereby granted for the erection of a stop sign at the corner so designated in accordance with the tenor of this chapter:

Stop Sign on	Sign Location	At Intersection of
...		
Charles Street	Northwest Corner	Franklin Street

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

This ordinance shall become effective at the time of removal and/or installation of the necessary sign(s) and/or device(s).

LEGISLATIVE YEAR 2022

ORDINANCE:

O-22-021

PURPOSE:

Establishing no parking areas during school hours near the Franklin Street School

ENDORSERS:

Alderman Richard A. Dowd

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE:

The contractor for the Franklin Street School project will be performing the signage and striping work for the project. The contractor's preliminary cost estimate for all the signage and striping work is \$20,000.

ANALYSIS

This legislation would establish no parking areas during school hours on four sections of streets near the Franklin Street School.

Approved as to form:

Office of Corporation Counsel

By:

Dorothy Clarke

Date:

23 June 2022



ORDINANCE

ESTABLISHING NO PARKING AREAS DURING SCHOOL HOURS NEAR THE FRANKLIN STREET SCHOOL

CITY OF NASHUA

In the Year Two Thousand and Twenty-Two

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, Article XII “Parking, Stopping and Standing”, Section 320-61 “Parking in school zones”, subsection A of the Nashua Revised Ordinances, as amended, be hereby further amended by adding the following new underlined language in the appropriate alphabetical order:

“§ 320-61. Parking in school zones.

There shall be no parking or stopping in a school zone during school hours:

- A. Between duly erected signs stating “No Parking Between Signs During School Hours.”

The following street(s) shall have no parking during school hours:

Name of Street	Side	Location
...		
<u>Charles Street</u>	<u>East</u>	<u>From Franklin Street to Winter Street</u>
<u>Franklin Street</u>	<u>North</u>	<u>From Locust Street to Charles Street</u>
<u>Locust Street</u>	<u>Both</u>	<u>Entire Length</u>
<u>Winter Street</u>	<u>North</u>	<u>From Charles Street to Locust Street”</u>

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

This ordinance shall become effective at the time of removal and/or installation of the necessary sign(s) and/or device(s).

LEGISLATIVE YEAR 2022

ORDINANCE: O-22-022

PURPOSE: Updating Environmental Health Department Food-Service Fees

SPONSOR(S): Alderman Ernest A. Jette
Aldерwoman-at-Large Gloria Timmons

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: Increased fees will result in additional general fund revenues.

ANALYSIS

This legislation updates the fees for food service licenses, plan reviews and inspections as detailed in the legislation. The Board of Health voted to approve these proposed changes on June 15, 2022.

Approved as to form: Office of Corporation Counsel

By: Douglas Clarke

Date: 27 June 2022



ORDINANCE

UPDATING ENVIRONMENTAL HEALTH DEPARTMENT FOOD-SERVICE FEES

CITY OF NASHUA

In the Year Two Thousand and Twenty-Two

The City of Nashua ordains that Part II “General Legislation”, Chapter 170 “Food-Service Establishments” of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

“§ 170-4. Fee schedule.

A.—Each application for, or renewal of, a license to operate a food-service establishment within the meaning of this chapter shall be accompanied by a fee appropriate to the type and size of the operation in accordance with the following schedule:

- (1) — Bakeries: ~~\$175.~~
- (2) — Caterers: ~~\$175.~~
- (3) — Commissaries: ~~\$175.~~
- (4) — Hospitals: ~~\$175.~~
- (5) — Nursing homes: ~~\$175.~~
- (6) — Private schools: ~~\$175.~~
- (7) — Beverage manufacturing and bottling: ~~\$140.~~
- (8) — Mobile vendors: ~~\$140.~~

- (9) — Shellfish vendors: \$140.
 - (10) — Churches: \$35.
 - (11) — Temporary licenses: \$35.
 - (12) — Food manufacturing and packaging: \$280.
 - (13) — Social clubs: \$45.
 - (14) — Vending locations: \$15.
 - (15) — Retail stores:
 - (a) — Prepackaged items only: \$90.
 - (b) — With perishable foods add: \$90.
 - (c) — With delicatessen add: \$90.
 - (d) — With bulk foods/salad bar add: \$90.
 - (16) — Restaurants: \$75.
 - (a) — Plus \$1.50 per seat (based on Fire Department permit).
 - (b) — Plus \$1.50 per seat for open air cafe seating.
 - (17) — Restaurants with common seating (mall): \$200.
- (A-1) Supermarkets and wholesale clubs with bulk food, salad bar, and/or kitchen or food buffet: \$1,000.
- (B-1) Restaurants with seating capacity >100 seats; supermarkets as not defined in A-1; mall restaurants with common seating; hotels without banquet and/or function rooms: \$550.
- (B-2) Hotels and country clubs with banquet and/or function rooms: \$1,500.
- (C-1) Restaurants with seating capacity >25 but <100; bakeries; food distributors; nursing homes; hospitals; food processors; beverage manufacturers; commissaries; caterer; retail markets with no more than two retail designations: \$350.

(C-2) Retail markets with three or more designations: \$450.

(D-1) Restaurants with <25 seats; private schools; childcare facilities; mobile vendors; retail markets selling only prepackaged items: \$200.

(E-1) Social clubs; seasonal concession stands; seasonal vendors: \$100.

(E-2) Vending locations: \$25.

(F-1) Public schools, religious institutions, soup kitchens, food pantries, non-profit organizations not holding a liquor license: No Fee.

(G-1) Temporary event vendor: \$50. Additional \$25 expedite fee for applications received less than 2 weeks prior to the event.

(G-2) Farmers market vendor: \$50. Additional \$25 expedite fee for applications received less than 2 weeks prior to the event.

Annual license renewal applications received after the 10th day of the month following license date of expiration will be charged a \$25 late fee. If the renewal application and payment is not received after the 20th day of the month following license date of expiration, the food service establishment shall have its license suspended for operating without a valid license. After renewal and late fee are paid, the facility will be seen in good standing and may have its license reinstated.

B.—The Environmental Health Department shall make the final determination as to which license fee is applicable to each individual food-service operation or establishment. Retail designations used to determine fees include, but are not limited to, prepacked food, perishable food, delicatessen, bulk food, salad bar, and shellfish vendor.

...

§ 170-11. Inspections.

...

C. Whenever an inspection of a food-service establishment is conducted, a record of the inspection and findings shall be recorded on a uniform inspection report form which has been approved by the Health Officer. This form shall summarize the requirements necessary for such establishments to meet the minimum standards as governed by regulations adopted under § 170-5. A copy of the completed inspection form shall be furnished to the owner or operator of the food-service establishment at the time of inspection within one business day in accordance

with § 170-6. Reinspection may be required if the routine inspection rating does not meet minimum guidelines and criteria established by the department.

- D. ~~The cost of such reinspection shall be 1/2 of the cost of the annual license fee of the food service establishment.~~ The cost of such reinspection shall be \$200 for fee categories A-1, B-1, and B-2. The cost of such reinspection shall be \$100 for fee categories C-1, C-2, D-1, E-1, and E-2. There is no fee to inspect for fire, flood or chemical damage, or to assess damage to supplies and equipment for insurance purposes.
- E. Whenever a change of ownership occurs, a change of ownership inspection is required in accordance with § 170-2. The cost of such change of ownership inspection shall be \$50.

§ 170-12. Approval of plans; fees.

...

- B. Fees for the mandatory food-service plan review and associated inspection(s) are established in accordance with the following schedule:
 - (1) Major remodeling of existing establishment: ~~\$75.~~\$100.
 - (2) Remodeling of existing establishment limited to equipment change and minor structural modifications: ~~\$35.~~\$50.
 - (3) ~~Food service establishments other than restaurants or supermarkets: \$75.~~ New food service establishment categorized as A-1, B-1, or B-2: \$200.
 - (4) ~~New restaurant with less than 50 seats: \$75.~~ New food service establishment categorized as C-1, C-2, D-1, or E-1: \$125.
 - (5) ~~New restaurant with 50 to 100 seats: \$100.~~
 - (6) ~~New restaurant with more than 100 seats: \$125.~~
 - (7) ~~Supermarkets: \$125.”~~

This ordinance shall become effective upon passage.

LEGISLATIVE YEAR 2022

ORDINANCE: O-22-023

PURPOSE: Updating Fire Prevention Fees

SPONSOR(S): Alderman Richard A. Dowd
Alderman-at-Large Melbourne Moran, Jr.

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: Increased fees will result in additional general fund revenues.

ANALYSIS

This legislation updates the Fire Prevention fees for permits and inspections as shown in the legislation.

Approved as to form: Office of Corporation Counsel

By: Dorothy Clark

Date: 27 June 2022



ORDINANCE

UPDATING FIRE PREVENTION FEES

CITY OF NASHUA

In the Year Two Thousand and Twenty-Two

The City of Nashua ordains that Part II “General Legislation”, Chapter 156 “Fire Prevention”, Article VI “Fire-Suppression Systems”, Section 156-20 “Permits and fee schedules”, of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

“§ 156-20. Permits and fee schedules.

- A. A permit shall not be valid until the prescribed fees have been paid and the permit issued. No permit to begin work for new construction, alteration, removal, demolition or other building or fire operation shall be issued until the fees prescribed in this section have been paid to the Office of the Fire Marshal, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost or scope of work involved be approved until the additional fee has been paid.
- B. The Board of Aldermen may, at its option, waive or reimburse, as the case may be, payment of fees payable under this section, in whole or in part, to the extent of the value of municipal public improvements and/or land dedication, which an applicant obligates itself to make, over and above impact fees and the applicant's fair share of off-site improvements imposed as a condition of site plan or subdivision approval.
 - (1) Permits/fees:
 - (a) Life safety/site plan review fee, per building (includes one rough and one final inspection):

[1] Site plan review, no new structures: \$75.

~~[1]~~[2] Up to 5,000 square feet area: ~~\$75~~100.

~~[2]~~[3] Five thousand one square feet to 15,000 square feet:
~~\$200~~250.

~~[3]~~[4] Fifteen thousand one square feet to 25,000 square feet:
~~\$325~~375.

~~[4]~~[5] ~~Over 25,000 square feet: \$600.~~ Twenty five thousand one square feet to 50,000 square feet: \$650.

[6] Over 50,000 square feet: \$850.

(b) Fire suppression systems permit, NEW SYSTEMS (includes one rough and one final inspection):

[1] Application fee: \$20.

[2] NFPA 13D system (per riser): ~~\$55~~75.

~~[3]~~ NFPA 13R system (per riser): \$110.

~~[4]~~ NFPA 13 systems (per riser):

[3] NFPA 13 and 13R systems (per riser):

[a] Up to 10,000 square feet of protected area:
~~\$220~~275.

[b] Ten thousand one square feet to 25,000 square feet:
~~\$450~~500.

[c] Twenty-five thousand one square feet to 52,000 square feet: ~~\$600~~675.

[d] Over 52,000 square feet: \$850.

~~[5]~~[4] Partial sprinkler system (not complete building protection):

[a] Up to 6 sprinkler heads: ~~\$30~~50.

[b] Seven to 20 sprinkler heads: ~~\$110~~130.

~~[6]~~[5] Standpipe systems (not part of combined sprinkler/standpipe systems):

- [a] Up to 3 floors (per riser): ~~\$110~~150.
- [b] Add per floor beyond 3 add: ~~\$55~~75.
- ~~[7]~~[6] Carbon dioxide systems (per system): \$220.
 - ~~[a]~~—Preengineered systems, each: ~~\$150~~.
 - ~~[b]~~—Engineered systems, each: ~~\$220~~.
- ~~[8]~~[7] Clean agent extinguishing systems (per system): \$220.
 - ~~[a]~~—Preengineered, each: ~~\$150~~.
 - ~~[b]~~—Engineered, each: ~~\$220~~.
- ~~[9]~~[8] Dry chemical systems (per system): \$130.
 - ~~[a]~~—Preengineered systems:
 - ~~[i]~~—Commercial cooking: ~~\$75~~
 - ~~[a]~~ ~~[ii]~~—Service station pump protection: ~~\$100~~150.
 - ~~[b]~~—Other systems: ~~\$110~~.
 - ~~[i]~~—Engineered, each: ~~\$220~~.
- ~~[10]~~[9] Wet chemical systems or commercial kitchen suppression systems, each: ~~\$110~~150.
- ~~[11]~~[10] Fire pump installation: ~~\$275~~350.
- (c) Modification to existing suppression systems (each system):
 - [1] Application fee: \$20.
 - [2] Water and/or foam systems (all types):
 - [a] One to six heads (addition or relocation of heads): ~~\$30~~45.
 - [b] Seven to 20 heads (addition or relocation of heads): ~~\$110~~150.

- [c] Twenty-one to 100 heads (addition or relocation of heads): ~~\$220~~250.
- [d] Add for each head beyond 100: \$1.
- ~~[e]~~ ~~Change in head location only/per floor maximum 10 heads: \$30.~~
- ~~[f]~~[e] Annual corp. in-house modification permit (per building): \$300.
- [3] Standpipe systems up to three floors: ~~\$75~~130.
 - [a] Add for each floor beyond 3: ~~\$25~~50.
- [4] Carbon dioxide systems: ~~\$75~~100.
- [5] Clean agent extinguishing systems: ~~\$75~~100.
- [6] Dry chemical systems: ~~\$75~~100.
- [7] Wet chemical systems: ~~\$75~~100.
- [8] Other systems: ~~\$75~~100.
- (d) Fire alarms systems permits:
 - [1] Application fee: \$20.
 - [2] Master box installation: ~~\$110~~130.
 - [3] Automatic fire-detection systems (per FACP):
 - [a] Up to 25 devices: ~~\$110~~130.
 - [b] 26-49 devices: \$200.
 - ~~[b]~~[c] Fifty to 99 devices: ~~\$220~~250.
 - ~~[e]~~[d] Add for each device beyond 99: \$1.
 - [4] Modification to automatic fire-detection systems:
 - [a] FACP change out/upgrade (plus 20% of devices): ~~\$30~~50.

- [b] Add/Relocate one to 10 devices: ~~\$55~~75.
 - [c] Add/Relocate 11 to 50 devices: ~~\$110~~130.
 - [d] Add for each device beyond 50: \$1.
 - [e] Annual corp. in-house modification permit (per building): \$300.
- (2) Permit fees:
- (a) Place of assembly ~~permits inspection fee, per permitted area (valid for 1 year: \$50.~~
 - [1] ~~Greater than 99 people (valid for three years): \$50.~~
 - [2] ~~One hundred people or more (valid for one year): \$50.~~
 - (b) Fireworks display (per display): ~~\$100~~125.
 - (c) Explosive/blastng (per site):
 - [1] Up to seven days: ~~\$100~~200.
 - [2] Add for each additional day beyond seven: ~~\$10~~20.
 - (d) Underground storage tank (per tank):
 - [1] Removal only (~~except LP-gas cylinders~~): ~~\$60~~75.
 - [2] Installation only: ~~\$75~~100.
 - [3] Removal and reinstallation (~~except LP-gas cylinders~~): ~~\$125~~150.
 - (e) Aboveground storage tank (greater than 499 gallon capacity):
 - [1] Removal only (~~except LP-gas cylinders~~): ~~\$60~~75.
 - [2] Installation only: ~~\$75~~100.
 - [3] Removal and reinstallation (~~except LP-gas cylinders~~): ~~\$125~~150.

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- (3) Inspection fees (every two years unless noted):
- (a) Family day-care homes (up to six children): ~~\$30~~50.
 - (b) Group day-care homes (seven to 12 children): ~~\$50~~75.
 - (c) Day-care centers and/or nurseries (more than 12 children or more than four children under the age of two years old): ~~\$100~~150.
 - (d) Foster care (up to three children/adults): ~~\$30~~50.
 - (e) Residential board and care:
 - [1] Four to 16 persons: ~~\$100~~125.
 - [2] More than 16 persons: ~~\$150~~200.
 - (f) Rooming/lodging home inspections:
 - [1] Up to 16 beds: ~~\$100~~125.
 - [2] More than 16 beds: ~~\$150~~200.
 - (g) Health care facility (nursing home/hospital), annual: ~~\$200~~250.
 - (h) Food truck / trailer inspection (permit to operate valid for 1 year):
\$30.
 - ~~(h)~~(i) Reinspection fee (each inspection):
 - [1] After first failed ~~final~~ inspection of ~~permit~~: \$150.
- (4) Miscellaneous fees:
- (a) Environmental searches, property history searches (per address):
\$75.
 - (b) Incident reports (per incident): ~~\$10~~20.
 - (c) Investigation report (per investigation): ~~\$25~~50.
 - (d) Photocopies (per page): \$1.”

This ordinance shall become effective upon passage.