



BROOKLINE PLANNING BOARD

This Voter's Guide has been prepared to give voters an opportunity to study the proposed changes to the Zoning and Land Use Ordinance and learn some of the information that led to these proposed changes.

There are eight proposed Amendments, some are housekeeping changes, but others are more complex.

Amendment No. 1 – Section 400 – Districts

Amendment No. 2 – Section 800 & 900 – Nonconforming Uses, Structures, and Lots & Lots of Record

Amendment No. 3 – Section 1000 – Earth Removal

Amendment No. 4 – Section 1200 – Floodplain Ordinance

Amendment No. 5 – Section 1600 – Sign Ordinance

Amendment No. 6 – Section 1800 – Driveway Ordinance

Amendment No. 7 – Section 2100 – Impact Fees

Amendment No. 8 – Section 2450 – Short Term Rental Ordinance

This summary is not intended to substitute for a careful reading of the proposed amendments, which are available from the Brookline Town website or at Town Hall. The Town will not be responsible for any inconsistency between this description and the actual text.

Proposed changes are noted in two ways. Words to be deleted are crossed out like this:

~~Proposed deleted items~~. Words to be added are in italic like this: *Proposed changes*.

Still have questions? Ask Michele Decoteau, Town Planner – (603) 673-8855 x 215 or MDecoteau@BrooklineNH.us.

Amendment No. 1

Section 400 - Districts

Proposed deletion of the old Town of Brookline Zoning Map printed 4-8-97

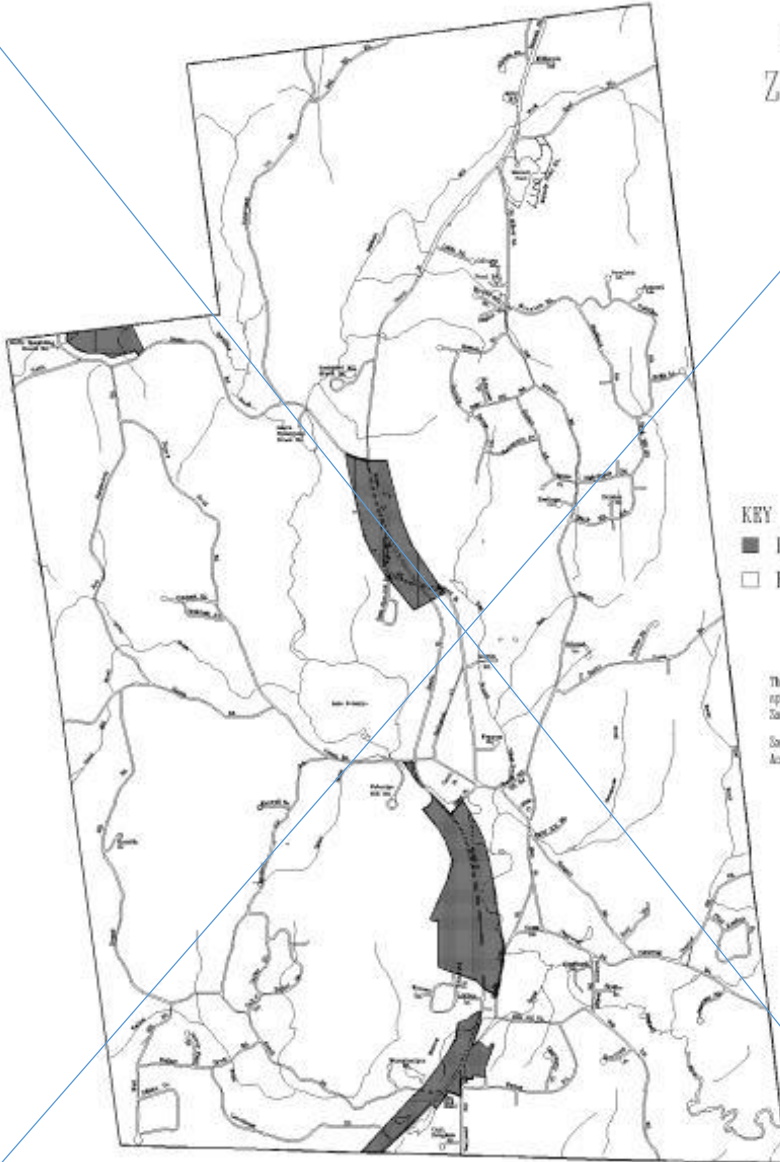
Proposed addition of the Town of Brookline Zoning Map 2023

Reasoning: This is a simple update and an important update. The updated Zoning Map will include changes to both Districts in Brookline made since 1997.

Recommended by the Planning Board.

TOWN OF BROOKLINE
ZONING DISTRICTS

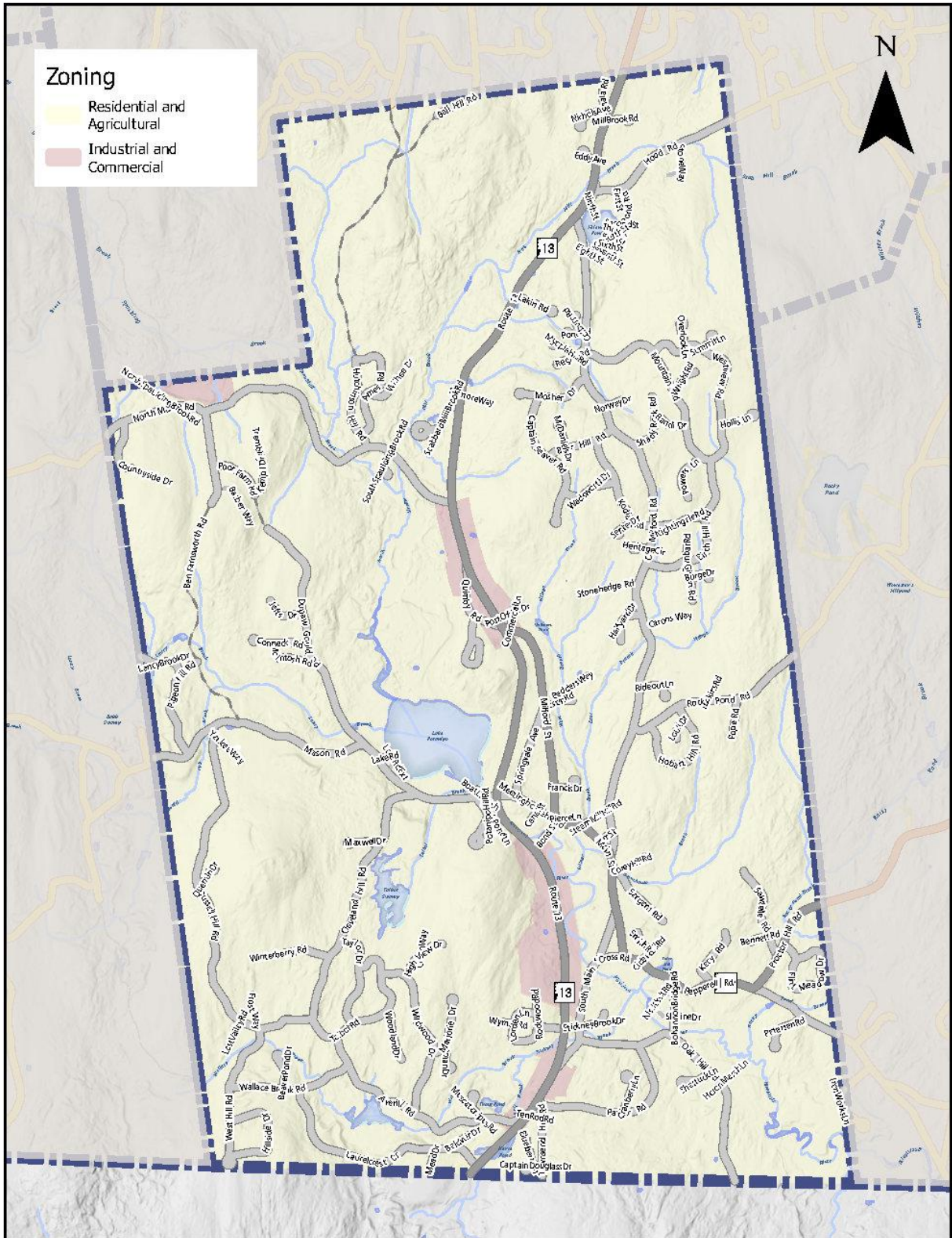
Town of
BROOKLINE
ZONING MAP



- KEY
- INDUSTRIAL/COMMERCIAL
 - RESIDENTIAL/AGRICULTURAL

The districts shown on this map are approximate. Please refer to the Brookline Zoning Ordinance for exact boundaries.
 zoning prepared by NRP;
Assembled by NRP - Date Printed: 4-8-97.





Amendment No. 2

800 Nonconforming Uses, Lots, and Structures

900 Lots of Record

Reasons for the proposed changes:

Lots of Record are lots that have existed as separate lots since before zoning was started in Brookline. Lots of Record are often small or have less frontage than is currently required.

Owners of lots of record should have a clear path to building and abutters will have protections when setbacks need to be reduced.

This proposed change will add a new section to Section 800 defining how vacant Nonconforming Lots of Record can be built on when the lot does not meet dimensional requirements. If the lot cannot be built on without going into setbacks, then a new Special Exception process is outlined.

Remove Section 900 since all the information is contained now in Section 800.

Recommended by the Planning Board.

800.00 NONCONFORMING USES, LOTS, AND STRUCTURES

801.00 Purpose and Intent

The Purpose and Intent of this Ordinance is to allow for the ~~lawful~~ continuance of *lawful* nonconforming uses, structures and lots, in accordance with the criteria outlined below and to allow for a reasonable level of alteration, expansion or change to occur ~~by special exception when it can be demonstrated that the proposed alteration, expansion or change will not change the nature of the use, unduly impact the neighborhood or provide inadequate subsurface disposal of waste.~~

802.00 Definitions

The following definitions shall apply to this section of the Ordinance. General definitions can be found in Section 200.

Pre-zoning nonconforming lot of record: *A lot in separate ownership, the deed recorded on or before 12 March 1968, that does not meet the current dimensional requirements of the Zoning District it is in.*

803.00 Nonconforming Uses

- A. Any nonconforming use may continue in its present use; however, it shall not be changed to another nonconforming use.
- B. Whenever a nonconforming use has been intentionally discontinued or abandoned for a period of one year the use shall not be reestablished.
- C. Any alteration, expansion or change of a nonconforming use shall be permitted by special exception by the Zoning Board of Adjustment if it finds that:

1. The proposed alteration, expansion, or change will not change the nature and purpose of the present use; and
2. The proposed alteration, expansion, or change would involve no substantially different effect on the neighborhood.

804.00 Nonconforming Lots

A. Nonconforming Lots with a structure.

A nonconforming lot that has been developed with a structure may continue in its present use; however, any alteration or expansion shall comply with Sections ~~800.04~~ 803.00 and ~~800.03~~ 805.00.

B. New septic systems, or any changes to existing septic systems, must comply with the NH Division of Water Supply and Pollution Control and the Town of Brookline in accordance with the provisions of RSA 485-A:38 and the Town of Brookline’s Zoning Ordinance Section 303.02.

C. Substandard Pre-zoning nonconforming lot of record.

~~A pre-zoning nonconforming lot of record in the Residential/Agricultural District, which is recorded and taxed as a lot of record at the time of passage of this Ordinance and, pursuant to Zoning Ordinance Section 900,~~ may be used for a single family or two family dwelling unit dwelling with the following dimensional provisions: ~~any permitted use in the district in which it is located.~~

For a Single family dwelling unit

1. minimum lot size of 44,000 square feet
2. minimum 150 feet of frontage on a Class V road or better
3. meets setback requirements

For a Two-dwelling unit dwelling

1. minimum lot size of 88,000 square feet
2. minimum 150 feet of frontage on a Class V road or better
3. meets setback requirements

If a pre-zoning nonconforming lot of record cannot meet setback requirements for a dwelling unit or accessory structures, the owner may apply for a special exception from the Zoning Board of Adjustment. The Zoning Board of Adjustment shall grant a Special Exception if the following requirements are met:

1. *The proposed dwelling or accessory structure would not unduly impact the neighborhood, and*
2. *The proposed dwelling unit or structure and its proposed placement would be in keeping with the existing development of the neighborhood.*

805.00 Nonconforming Structures

A. Any ~~lawful~~ nonconforming structure existing at the time of adoption of this Ordinance, may be occupied, operated and maintained.

B. Any increase in the number of bedrooms requires a septic system that complies with the NH Division of Water Supply and Pollution Control and the Town of Brookline in

accordance with the provisions of RSA 485-A:38 and the Town of Brookline Zoning Ordinance Section 303.02.

- C. Any alteration, expansion, or change of a structure which already extends into the front, side, or rear setbacks required for the zone shall be permitted by special exception by the Zoning Board of Adjustment if it finds that:
 - 1. The proposed alteration, expansion, or change will not change the nature and purpose of the present use; and
 - 2. The proposed alteration, expansion, or change would involve no substantially different effect on the neighborhood; and
 - 3. The proposed alteration, expansion, or change would extend no farther into the setback than that portion of the structure which already resides in that setback.
- D. Any development which would create a new extension into a setback shall require a variance from the Zoning Board of Adjustment.
- E. Accessory structures which can meet the setback requirements do not require a special exception or variance.

806.00 Appeals

All appeals shall be conducted in accordance with Section 2500 of this Ordinance.

807.00 Conflicts and Severability

This Section shall comply with Section 2900 of this Ordinance.

900.00 — LOT OF RECORD

901.00 Ownership Classifications

~~901.01 Where a lot in separate ownership, the deed to which is duly recorded on or before 12 March 1968 and which is recorded and taxed according to the 1972 tax records of the Town of Brookline, NH, does not conform to the area and frontage requirements of the zone in which it is located, such lot may be used for any purpose permitted in that zone on said date provided that such use conforms with the requirements of the Water Supply and Pollution Control Commission (WSPCC).~~

~~901.02 Any lot in separate ownership the deed to which is duly recorded between 13 March 1968 and 29 October 1971 and which is recorded and taxed according to the 1972 tax records of the Town of Brookline, NH, may be used for any purpose permitted between said dates in the zone in which it is located provided that it contains an area of 44,000 square feet, has a frontage of not less than 150 feet, and complies with the requirements of the WSPCC.~~

902.00 — Requirements

~~902.01 Any person having a lot size of 44,000 square feet for a single dwelling unit dwelling or 88,000 square feet for a two-family dwelling, 150 feet of frontage, and who can meet the set back and side line requirements as set forth in the Zoning and Land Use Ordinance shall not require a variance in order to obtain a building permit.~~

~~902.02 — Any person having a lot size of less than 44,000 square feet for a single dwelling unit dwelling or 88,000 square feet for a two-family dwelling, and/or less than 150 feet of frontage or who cannot meet the Zoning Ordinance requirements shall require a variance prior to the issuance of a building permit if the changes will either:~~

~~_____ a. — increase the exterior dimensions of the structure so that is not in compliance with the Building Code* (See Appendix A: Table of Amendments, 2010) and Zoning Ordinance; or~~

~~_____ b. — increase the sewage flow as determined by New Hampshire Water Supply and Pollution Control Commission and the Brookline Health Codes.~~

~~902.03 — An application requesting a permit to occupy a lot not conforming in size and/or frontage as otherwise required under this Ordinance shall be accompanied by the original or a certified copy of the recorded deed in question.~~

~~902.04 — A lot shall not be used as a building site unless it has frontage in the amount specified in the Ordinance on a Class V or better road and access is obtained directly from a Class V or better road.~~

Amendment No. 3

Section 1000 – Earth Removal

Reasons for the proposed changes:

Proposed deletion of the current Earth Removal Ordinance and substitute this new Excavation Ordinance.

This proposed change swaps out the old Earth Removal Ordinance for an Excavation Ordinance. The new Ordinance makes clear when an Excavation Permit is required and the process for applying for an Excavation Permit.

Recommended by the Planning Board.

NEW!

1000.00 EXCAVATION ORDINANCE

1001.00 Purpose and Intent

The purpose of this Ordinance is to:

- 1. provide for reasonable opportunities for excavation;*
- 2. minimize safety hazards which can be created by open excavations;*
- 3. ensure that the public health and welfare will be safeguarded;*
- 4. protect natural resources and the environment; and*
- 5. maintain the aesthetic features of the Town.*

To meet the intent of this Ordinance, no earth materials in the Town shall be excavated except in conformance with this Ordinance and Regulations.

1002.00 Definitions

Definitions shall have the meaning as noted in Section 200 and further in the Excavation Site Plan Review Regulations.

Incidental Excavation means excavation of earth which has met the standards of Section 1000.05 and has been granted an exemption by the regulator.

Regulator means the Planning Board of the Town of Brookline.

1003.00 Projects requiring a permit

Any excavation of earth in Brookline is required to obtain a permit unless exempt under SECTION 1005.00 Exemptions. The Regulator is the determining authority if an Excavation Site Plan Permit is required.

1004.00 Procedure

I. Permit Application Process:

- a. Applicants must follow the Application process outlined in the Excavation Site Plan Review Regulations, including, but not limited to, an Excavation Plan and Reclamation Plan that include the items outlined in Sections XI and XII.
- b. Applications must demonstrate the project will meet the Operational Standards in Section VIII

2. Permit Renewal Process:

- a. Applicants may renew an excavation permit every three (3) years provided that the excavation has been actively removing material the prior two (2) years. If no material has been removed for two (2) years, the permit will be considered expired and an applicant must provide the Planning Board a new Excavation Site Plan application.

1005.00 Exemptions

The following excavations are exempt from needing an Excavation Permit and may have other conditions or requirements.

1. Excavations performed exclusively for the lawful construction, reconstruction, or maintenance of a Class IV or Class V highway by the Town of Brookline.
2. Incidental excavations will not remove more than 1,000 cubic yards of earth from a site.
3. Incidental excavations that will remove more than 1,000 cubic yards of earth from a site will need review from the Regulator per the Excavation Site Plan Review Regulations to determine if an Excavation Site Plan is required.
4. Excavation that is incidental to agricultural activities, normal landscaping, or minor topographical adjustments.
5. Excavation from a granite quarry for the purposes of producing dimensional stone, if such an excavation requires a permit under RSA 12-E (Mining and Reclamation).

1006.00 Appeals

All appeals shall be conducted in accordance with Section 2500 of this Ordinance.

1007.00 Conflicts and Severability

This Section shall comply with Section 2900 of this Ordinance.

~~**1000.00 EARTH REMOVAL**~~

~~1000.01~~ — Excavation shall be deemed to be a use allowed by special exception in the Industrial Commercial District as provided in RSA 674:33 IV.

~~1000.02~~ — Excavations performed exclusively for the lawful construction, reconstruction, or maintenance of a class IV or V highway by the Town of Brookline shall be permitted within Town by special exception as provided in RSA 674:33 IV.

~~1000.03~~ — The Zoning Board of Adjustment shall grant such a special exception upon a finding that the applicant has demonstrated that:

- ~~a.~~ The excavation will not cause an unreasonable diminution in area property value or unreasonably change the character of the neighborhood;
- ~~b.~~ The excavation will not unreasonably accelerate the deterioration of highways or create safety hazards in the use thereof;
- ~~c.~~ The excavation will not create any unreasonable nuisance or create health or safety hazards;
- ~~d.~~ The excavation site shall contain natural buffers or other visual buffers to adequately protect the health, safety, and welfare of abutters and Town residents. This buffer shall be used to minimize noise impact, dust impact, visual impact and biological impact of the excavation;
- ~~e.~~ The excavation will not cause erosion of adjacent property;
- ~~f.~~ The excavation will not destroy a habitat of an endangered species.

~~1001.00~~ — The Planning Board shall not grant an extension of an excavation permit unless extenuating circumstances exist. A limit of one extension of an excavation permit shall not exceed a period of one (1) year.

~~1002.00~~ — No new development can be approved or built on a lot which has an existing excavation until reclamation has been completed, as this will be considered premature development.

~~1003.00~~ — Any excavation must also meet the Excavation Regulations and get an Excavation Permit from the Planning Board.

~~1004.00~~ — In addition, the excavation will adhere to the Brookline Zoning and Land Use Ordinance including, but not limited to the Aquifer Protection Ordinance and Wetlands Conservation District.

Amendment No. 4

Section 1200 - Floodplain Ordinance

Reasons for proposed changes:

FEMA updated the floodplain maps and in order for Brookline residents to get the lowest flood insurance rates, the Ordinance needs to be updated.

Update reference to new FEMA floodplain maps, update definitions, update building inspector to Building Official, and clarify the record keeping of Variances to the Floodplain Ordinance. Formatting changes were also made that don't affect the meaning of the Ordinance.

Recommended by the Planning Board.

1200.00 FLOODPLAIN ORDINANCE

1201.00 Purpose and Intent

The following regulations shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Hillsborough, N.H." dated September 25, 2009 or as amended, together with the associated Flood Insurance Rate Maps dated September 25, 2009 or as amended, which are declared to be a part of this ordinance.

1202.00 DEFINITIONS ~~Definition of Terms~~

Definitions shall have the meaning as noted in Section 200 and as noted below.

Area of Special Flood Hazard. The land in the floodplain within the Town of Brookline subject to a one percent (1%) or greater chance of flooding in any given year. The area is designated as Zone A and AE on the Flood Insurance Rate Map.

Base Flood. The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) *The elevation of surface water resulting from the "base flood."*

Basement. Any area of the building having its floor subgrade (below ground level) on all sides.

Building. See Structure.

~~1201.05 Breakaway Wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.~~

Development. See Section 200 Definitions.

FEMA. Federal Emergency Management Agency.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters.
- b. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Elevation Insurance Study. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevation, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood related erosion hazards.

~~Flood Hazard Boundary Map. (FHBM) an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E.~~

Flood Insurance Rate Map. (FIRM) an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community.

~~Flood Insurance Study. See Flood Elevation study.~~

Flood Opening An opening in a foundation or enclosure wall that allows automatic entry and exit of floodwaters. See FEMA “Technical Bulletin 1, Openings in Foundation Walls and Walls of Enclosures.”

Flood Plain or Flood-Prone Area. Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodproofing. Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway. See Regulatory Floodway.

~~1201.16 Functional Dependent Use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship facilities, but does not include long term storage or related manufacturing facilities.~~

Highest Adjacent Grade. Means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure. Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a buildings lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

Mean Sea Level. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, *North American Vertical Datum (NAVD) of 1988*, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New Construction. For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

~~1201.24~~ 100 year Flood. See Base Flood.

Recreational Vehicle. A vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projection; (iii) designed to be self-propelled or permanently towable by a light duty truck, and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. These areas are designated as floodways on the Flood Boundary and Floodway Maps.

Riverine. Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Special Flood Hazard Area. See “Area of Special Flood Hazard”.

Structure. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Start of Construction. Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement. means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a “historic structure,” provided that the alteration will not preclude the structure's continued designation as a “historic structure.”

~~Any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start~~

~~of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places.~~

Violation. The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44CFR Chapter I, part 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation. The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in flood plains of coastal or riverine areas.

1203.00 Provisions Procedure

All proposed development in any special flood hazard areas shall require a permit.

The Building ~~Inspector~~ *Official* shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall;

1. be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic load, including the effects of buoyancy,
2. be constructed with materials resistant to flood damage,
3. be constructed by methods and practices that minimize flood damages,
4. be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located *as to prevent water from entering or accumulating* within the components during conditions of flooding.

Where new and replacement water and sewer systems (including on-site systems) are proposed in flood-prone areas the applicant shall provide the Building ~~Inspector~~ *Official* with assurance that new and replacement sanitary sewage systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

The Building Inspector Official shall maintain for public inspection, and furnish upon request, any certification of flood-proofing and the as built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement. If the structure has been floodproofed, the as built elevation (in relation to mean sea level) to which the structure was floodproofed. This information must be furnished by the applicant.

~~1202.05~~ The Building Inspector Official shall review proposed developments to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. It shall be the responsibility of the applicant to certify these assurances to the Building Inspector Official.

~~1202.06~~ In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Department of Environmental Services and submit copies of such notification to the Building Inspector Official, in addition to the copies required by the RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector Official, including notice of all scheduled hearings before the Wetlands Bureau.

With the altered or relocated portion of any watercourse, the applicant shall submit to the Building Inspector Official, certification provided by a registered professional engineer assuring that the flood carrying capacity of the watercourse has been maintained.

Until a Regulatory Floodway is designated along watercourses, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE on the FIRM, unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Along watercourses that have a designated Regulatory Floodway no encroachments, including fill, new construction, substantial improvements, and other development are allowed within the designated Regulatory Floodway *unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment that would not result in any increase in flood levels within the community during the base flood discharge.*

The Building Inspector Official shall obtain, review, and reasonably utilize any floodway data available from a Federal, State, or other source as criteria for requiring that all developments located in Zone A meet the floodway requirements: “No encroachments, including fill, new construction, substantial improvements and other developments are allowed within the floodway that would result in any increase in flood levels with the community during the base flood discharge”.

1204.00 Special Flood Areas

In a special flood hazard area, the Building Official shall determine the base flood elevation in the following order of precedence according to the data available:

In Zone AE, refer to the base flood elevation data provide in the community's Flood Insurance Study and accompanying FIRM.

In Zone A, the Building Official shall obtain, review and reasonably utilize any base flood elevation ~~+100-year flood elevation~~ data available from any Federal, State or other sources including data submitted for development proposals submitted to the community (i.e., subdivisions, site plan approvals). Where a base flood elevation is not available or not known for Zone A, the base flood elevation shall be determined to be at least 2 feet above the highest adjacent grade.

~~1202.08~~ The Building Inspector's Official's ~~+100-year~~ base flood elevation determination will be used as criteria for requiring in *Special Flood Hazard Areas Zone-A* that:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the ~~+100-year~~ base flood level;
2. All new construction and substantial improvements of nonresidential structures have the lowest floor (including basement) elevated to or above the ~~+100-year~~ base flood level; or together with attendant utility and sanitary facilities, shall;
 - a. Be floodproofed so that below the ~~+100-year~~ base flood elevation the structure is watertight with walls substantially impermeable to the passage of water or be constructed with materials resistant to flood damage;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy and;
 - c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;
3. All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces;
4. Recreational vehicles placed on sites within Zone A and AE shall either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions and ready for highway use, or (iii) meet all standards of this ordinance ~~44CFR Chapter I part 60.3 (b) (1) of the National Flood Insurance Program regulations~~ and the elevation and anchoring requirements for Manufactured Homes in this ordinance ~~paragraph (c) (6) of section 60.3~~ For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding

are permitted providing the enclosed areas meet the following requirements:

- a. The enclosed area is unfinished or flood resistant, usable solely for parking of vehicles, building access or storage;
- b. The area is not a basement;
- c. Shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - i. A minimum of two *flood* openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters;

~~1202.09 This Ordinance may be amended by a majority vote of any legal Town meeting when such amendment is included in the Official Town Warrant.~~

~~1202.10 It shall be the duty of the Selectboard to enforce the provisions of this Ordinance.~~

~~1202.11 The Building Inspector Official shall not in any case be liable for any damage resulting from construction done under his or her permit whether or not such construction is in conformity with the provisions of the Ordinance.~~

~~1202.12 The invalidity of any provision or part of a provision of this Ordinance shall not affect the validity of any other provisions.~~

~~1202.13 Every person, persons, firm, or corporation violating any of the provisions of this Ordinance shall be fined as determined by the Selectboard for each day such violation may exist.~~

1205.00 Variance and Appeals Procedure

Any order, requirement, decision or determination of the building Official made under this Ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.

If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, ~~1(b)~~, the applicant shall have the burden of showing in addition to the usual variance standards under state law:

1. that the variance will not result in increased flood heights, additional threats to public

safety, or extraordinary public expense.

2. that if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
3. that the variance is the minimum necessary, considering the flood hazard, to afford relief.

The Zoning Board of Adjustment shall notify the applicant in writing that: (i) the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

The ~~community~~ Zoning Board of Adjustment Secretary shall (i) maintain a record of all variance actions, including their justification for their issuance, and (ii) *inform the Building Official of all variance actions. The Building Official will report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.*

1206.00 Conflicts and Severability

This Section shall comply with Section 2900 of this Ordinance.

Amendment No. 5

Section 1600 – Sign Ordinance

Reasons for the proposed changes:

Delete the Sign and Conditional Use Permit Applications from the Ordinance.

The proposed change deletes the two permits in the Ordinance. Permits should be in the regulations to allow them to be amended as needed and fees charged in accordance with Section 1603.03 rather than requiring a vote at Town Meeting every time something needs to be changed in an application.

Recommended by the Planning Board.

~~1609.00 – Conditional use Permit Application~~

**Brookline Planning Board
Conditional Use Permit Sign Application**

~~This application must be submitted to the Planning Board Secretary /Town Planner at least 30 days prior to the date of the Planning Board meeting at which the applicant wishes to appear. (Section 3.2 of the Non-Residential Site Plan Regulations, Submission Procedure)~~

~~Map/Lot# _____ Zone _____ Date _____~~

~~Applicant Name _____ Phone # _____~~

~~Applicant E-Mail _____~~

~~Applicant Address _____~~

~~Location of Activity _____~~

~~Property Owner Name & Address _____~~

~~Owner(s) Signature _____~~

~~_____ Date _____~~

~~Applicant(s) Signature _____ Date _____~~

~~Signatures of both owner and applicant are required.~~

You must include at least the following information with this application and submit 4 complete copies:

- ~~Rendering of proposed sign and its supporting structure (including the building for a wall sign)~~
- ~~Photograph of sign location~~
- ~~Completed waiver request form, if one or more waivers are requested.~~
- ~~Dimensions of proposed sign~~
- ~~Color(s) of proposed sign~~
- ~~Detailed location such as a copy of the site plan showing the proposed location~~
- ~~Manner of lighting (must comply with all town regulations and ordinances).~~

Fees for Conditional Use Permit application (sign)

Application fee \$ 20.00

Application Review fee \$50.00

Notice per abutter by certified mail \$2.00 plus postage cost

Other fees – Billed separately when applicable, based on the time spent for review, inspections and meeting attendance by the Town Planner, Town Engineer, and Town Counsel.

***~~Abutters list: List of names and addresses of abutters; 3 sets of Avery 5160 address labels with names and addresses of abutters (to address envelopes). Abutters include owner and applicant if not the same.~~**

Payment Amount _____ Received by _____
 Date _____

~~1610.00 Waiver Request Form – Conditional Use Permit Application~~

~~Brookline Planning Board
Waiver Request Form – Conditional Use Sign Permit Application~~

~~Lot Number _____~~

~~Date: _____ Meeting Date:~~

~~Applicant:~~

~~Address:~~

~~Owner of Property:~~

~~What provision of the Site Plan, Subdivision or Excavation Regulations are you asking to be waived?~~

~~Conditional Use requires meeting the standard as set in section 1602.00. Please state the reasons your request should be approved:~~

~~**Note:** This application is not acceptable unless all required statements have been made. Additional information may be supplied on separate pages if the space provided is inadequate.~~

~~The use is specifically authorized in the Ordinance as a conditional use because:~~

~~The development in its proposed location will comply with all requirements of this section, and with the specific conditions or standards established in this Ordinance for the particular use because:~~

The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located because:

The use will not have a substantial adverse impact on vehicular or pedestrian safety because:

The use will not have a substantial adverse impact on the appearance and visual quality of the surrounding neighborhood. In evaluating visual impact, the Planning Board may consider architectural and design elements because:

The use will be adequately serviced by necessary public utilities and by community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use because:

Applicant _____ Date _____
— (Signature) —

Amendment No 6

Section 1800 – Driveway Ordinance

Delete the Driveway Permit Application from the Ordinance.

Reasoning: This application should be in the Regulations to make it easier to amend as needed and fees charged in accordance with Section 1808.01.

Recommended by the Planning Board.

DRIVEWAY PERMIT APPLICATION

Application Date: _____

Permit Number: _____

Lot Number: _____

Subdivision (if applicable):

Owner (or applicant):

Address of Applicant:

Phone Number of Applicant:

Street Address of Driveway:

1) ~~The driveway will be inspected by the Driveway Inspector, who will ensure that the driveway is in compliance with Section 7 of the Brookline Subdivision Regulations.~~

2) ~~The fee for a driveway permit, as established by the Brookline Selectboard, I have submitted this fee.~~

3) ~~Any necessary State permits such as Wetlands, Timber Cutting, and Curb Cut permits have already been obtained. Curb cuts need to be shown on the subdivision plans.~~

4) ~~On any paved road, the driveway needs to be paved 15 feet from the edge of the road, or from the road to the property line, whichever distance is smaller, to encourage proper drainage and sedimentation & erosion control. This paving is required unless other specifications are made by the Department of Public Works Director as per Section 1800 of the Zoning Ordinance.~~

~~I have read and understand the above and Section 7 and Section 1800 (attached) which pertain to driveways. The driveway that I propose is in compliance with those regulations.~~

Signature of Applicant: _____

_____ CASH

Fee Paid: _____ (Date) CHECK # _____

Amendment No. 7

Section 2100 – Impact Fees

Reasons for the proposed changes:

This will make the language consistent regarding the units in impact fee calculations. Currently it is sometimes housing, housing units, dwellings, or permits. The Board proposes dwelling units so that when new dwelling units are created, an impact fee will be assessed.

This proposed change will make the units in the Impact Fee Schedule consistently dwelling units and clarify when impact fees are assessed.

Recommended by the Planning Board.

2100 IMPACT FEES

2101.01 Purpose

This ordinance is enacted pursuant to RSA 674:16 and 674:21, and in order to:

- a. Promote public health, safety, convenience, welfare, and prosperity;
- b. Ensure that adequate and appropriate facilities are available to individuals who may come to be located in the Town of Brookline, New Hampshire;
- c. Prevent scattered or premature development of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of drainage, transportation, schools, fire protection or other public services, or necessitate the excessive expenditure of public funds for the supply of such services;
- d. Provide for the harmonious development of the municipality and its environs; and
- e. Ensure the proper arrangement and coordination of streets.

2102.00 Definitions

Any term not defined here shall have the same meaning as defined in Section 200.00 of this Ordinance.

Impact Fee. A fee or assessment imposed upon development, including subdivision, building construction or other land use change, in order to help meet the needs occasioned by that development for the construction or improvement of capital facilities owned or operated by the municipality, including and limited to water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; storm water, drainage and flood control facilities; public road systems and rights-of-way; municipal office facilities; public school facilities; the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; solid waste collection,

transfer, recycling, processing and disposal facilities; public library facilities; and public recreational facilities not including public open space.

Off-site Improvement / Exaction. Those improvements that are necessitated by a development but which are located outside the boundaries of the property that is subject to a subdivision plat or site plan approval by the planning board. Such off-site improvements shall be limited to any necessary highway, drainage and sewer and water upgrades pertinent to that development.

2103.00 Authority

2103.01 The Planning Board may, as a condition of approval of any subdivision or non-residential site plan, and when consistent with applicable Board regulations, require an applicant to pay an impact fee for the applicant's fair share of off-site improvements to public facilities affected by the development.

2103.02 Nothing in this section shall be construed to limit the existing authority of the Planning Board to disapprove proposed development which is scattered or premature, or which would require an excessive expenditure of public funds, or which would otherwise violate applicable ordinances and regulations. Nothing in this section shall be construed to limit the Planning Board's authority to require off-site work to be performed by the applicant in lieu of paying an impact fee, or the Board's authority to impose other types of conditions of approval. Nothing in this section shall be construed to affect types of fees governed by other statutes, town ordinances or regulations.

2104.00 Assessment Methodology and Establishment and Review of Fees

2104.01 Proportionality

The amount of the impact fee shall be calculated by the Planning Board to be a proportional share of municipal capital improvement costs which is reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee.

2104.02 Existing Deficiencies

Upgrading of existing facilities and infrastructures, the need for which is not created by new development, shall not be paid for by impact fees.

2104.03 Impact Fee Schedule

The Impact Fee Schedule shall be prepared in accordance with RSA 674:21, and shall be calculated using the following factors, based upon the most recent data available or a conservative estimate:

- a. A determination of the size of the capital facility.
- b. An estimate of the proportion of users from future Brookline households subject to the impact
 - i. fee that will use the facility when it has reached its capacity.

- c. Projections of future users based upon residential ~~building permit~~ *dwelling unit* projections.
- d. Estimates of the cost of the facility to the Town of Brookline, including financing and excluding non-municipal funding sources.
- e. Credits subtracted from a base fee accounting for property taxes paid by the proportion of the project to be financed by impact fees.
- f. A fee assessed per ~~housing~~ *dwelling unit* or the most appropriate factor for the specific impact fee being charged.
- g. A determination of the number of ~~building permits~~ *dwelling units* that will need to be ~~created-issue~~ in order to finance the impact fee.
- h. An accounting of the number of ~~permits issued~~ *dwelling units*, with a maximum number of ~~permits~~ *dwelling units* to be assessed an impact fee prior to the fee's termination.
- i. Exemptions, if any.

2104.04 Computation of Impact Fees

- a. The amounts of the impact fees shall be determined using the values contained in the Impact Fee Schedules for the following types of facilities:
 - 1. School Facilities
 - 2. Municipal Facilities
 - 3. Public Libraries
 - 4. Public Recreation Facilities

2104.05 Review of Impact Fees

The Planning Board shall review an established impact fee schedule on an annual basis, based upon a recommendation of the Capital Improvements Committee. The Planning Board shall modify the impact fee schedule if it finds that new data is available that will refine the schedule. This may include the replacement of figures used in the impact fee schedule with more accurate or recent projections, data and figures.

2104.06 Relationship to the Capital Improvements Program

Whenever an impact fee or off-site improvement is assessed in accordance with this ordinance, the project shall become part of the Capital Improvements Program (CIP) as an administrative adjustment. The CIP, when modified by the Town, shall include all projects that are funded through impact fees and all off-site improvements / exactions.

2105.00 Off-site Improvements / Exactions

2105.01 Ability to assess off-site improvements / exactions

An improvement that is required by the Planning Board for either a site plan or subdivision that is necessary for the project to operate properly shall be considered to be an off-site improvement or exaction. Off-site improvements for site specific applications shall be assessed on a case by case basis and shall be in addition to other impact fees imposed pursuant to this ordinance. The applicant shall be assessed their proportionate share for the need for the project. In cases where it is determined that such an improvement is necessary for the proper functioning of the project, the Planning Board shall so notify the applicant and the applicant may be required to present to the Board a study which identifies the proportionate share of the cost of such improvement that the applicant's project necessitates. The Board may, at the expense of the applicant, refer such study to a consultant of its own to determine the reliability of the findings which shall be considered by the Board to arrive at a resolution of this issue. The applicant shall be assessed their proportionate share for the need for the project. In cases where it is determined that an improvement is necessary for the proper functioning of a site plan or subdivision, but that the applicant, for whatever reason, is determined to contribute more than its proportionate share to the improvement under this section, and, therefore, that the improvement will also accommodate other future development, the Town, at the request and expense of the applicant, may establish a separate project related impact fee that assesses other future site plans or subdivision for their proportionate share of the improvement to reimburse the applicant for such disproportionate share of the improvement to reimburse the applicant for such disproportionate contribution. Such impact fees shall be provided to the original applicant with any interest.

2106.00 Administration

2106.01 Accounting

In accord with RSA 673:16, II and RSA 674:21, V(c), impact fees shall be accounted for separately, shall be segregated from the Town's general fund, may be spent upon order of the Selectboard, and shall be used solely for the capital improvements for which they are collected, or to recoup the cost of capital improvements made in anticipation of the needs for which the fees were collected to meet.

2106.02 Assessment

All impact fees imposed pursuant to this section shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development, as determined by the Planning Board *per RSA 674.21, V.(d)*. ~~The amount of the impact fee to be imposed is that which is in place at the time of subdivision, site plan approval.~~

2106.03 Reserved

2106.04 Collection

Impact fees shall be collected as a condition for the issuance of a certificate of occupancy; provided, however, in projects where off-site improvements are to be constructed

simultaneously with a project's development, and where a municipality has appropriated the necessary funds to cover such portions of the work for which it will be responsible, that municipality may advance the time of collection of the impact fee to the issuance of a building permit. Nothing in this section shall prevent the Planning Board and the assessed party from establishing an alternate, mutually acceptable schedule of payment.

2106.05 Refund

Any portion of an impact fee which has not become encumbered or otherwise legally bound to be spent for the purpose for which it was collected, shall be refunded, with any accrued interest, to the assessed party or successor in interest:

- a. When the subdivision or site plan approval expires under the respective rules of the Planning Board, or under the terms of the decision, without having become vested under RSA 674:39, and without any extension being granted by the Planning Board; OR
- b. When such approval is revoked under RSA 676:4-a; OR
- c. Six years after its collection, or, if any extension of approval is granted by the Planning Board, six years after such extension is granted; OR
- d. Six years after its collection, whenever the calculation of an impact fee has been predicated upon some portion of capital improvement costs being borne by the Town, and the Legislative Body of the Town has failed to appropriate the Town's share of the capital improvement costs.

2107.00 Appeals

~~In accord with RSA 676:5, III, appeals of the decision of the Planning Board in administering this ordinance may be made to Superior Court, as provided in RSA 677:15.~~

All appeals shall be conducted in accordance with Section 2500 of this Ordinance.

Amendment No. 8

Section 2450 – Short Term Rental Ordinance

Reasons for proposed changes:

This is a new Ordinance that has a permit requirement for Short Term Rentals, a required life safety inspection, and outlines an enforcement procedure.

Recommended by the Planning Board.

New!

Section 2450: Short Term Rental Ordinance

2450.01 Purpose and Intent

The Purpose and Intent of this Ordinance is:

- 1. to promote the health, safety, and general welfare of the citizens of the Town of Brookline and its visitors;*
- 2. to encourage economic activity that is beneficial to the Town and its citizens while protecting peaceful enjoyment for their neighbors and abutters;*
- 3. to help meet the goals of the Economic Development Chapter of the Master Plan to expand business development to offset the high tax burden placed on residential property owners; and*
- 4. to help maintain the Town's traditional New England look and feel and its rural community character.*

2450.02 Authority

The Planning Board is hereby authorized under NH RSA 674:16 to regulate the location and use of buildings, structures, and land used for business, industrial, residential, or other purposes. The Planning Board, under NH RSA 674:21 is hereby authorized to grant Conditional Use Permits as an innovative land use control.

2450.03 Definitions

The following definitions shall apply to this section of the Ordinance. General definitions can be found in Section 200.

Short-term Rental (STR) – The rental of a residential dwelling unit for a term of less than thirty (30) consecutive days. STRs can apply to a single room, a separate suite or an entire house but not to a hotel, motel, or Tourist or Motor Court.

STR Owner – Any property owner who receives payment for operating an STR unit.

STR Operator – A person, or entity, designated by the owner of an STR who shall be responsible for operating the STR in compliance with the law. The STR Owner may designate themselves as the STR Operator.

2450.04 General Requirements

Short-term Rental establishments shall be subject to the following general requirements:

- A. Rental unit must be a dwelling unit.*

- B. STR Units may be rented for no more than 180 days per calendar year.
- C. STR Units rented to the same person or party must be for a term of less than thirty (30) consecutive days.
- D. STR Units must have one designated STR Operator authorized to hear complaints and address remedies, who is able to provide response to the site within 60 minutes.
- E. Off-street parking must be provided with a minimum of one (1) and a maximum of two (2) parking spaces per rented bedroom, in addition to parking for any other dwelling residents. One additional renter's visitor parking space is allowed per unit.
- F. STRs must comply with all local, state, and federal laws and regulations.
- G. STR units must meet the following Performance Standards:
 - 1. No objectional circumstances such as noise, excessive traffic, excessive outside activities, loud music, or large numbers of people are allowed.
 - 2. Quiet hours are 9:00PM to 7:00AM and no renter's visitor to the STR are allowed to stay during the quiet hours.
 - 3. STR Units must provide adequate measures for trash disposal.
 - 4. STR Units must comply with all Fire Safety requirements. Renters must obtain daily burn permits.
 - 5. Performance standards apply to both the renter and their visitors.

2450.05 Procedure

- A. STR Owner seeking a Short-Term Rental Permit shall first apply for a Site Plan approval from the Planning Board in accordance with Section B: Site Plan Regulations, and Section B - 3: Short Term Rental Regulations.
- B. The Planning Board shall determine whether the STR Owner has presented sufficient evidence supporting the Performance Standards outlined in Section 2450.04 G and the following questions, to make the findings that the use as proposed may be granted a Conditional Use Permit:
 - 1. Will not detract from the residential character of the lot.
 - 2. Is subordinate and incidental to the main residential use of the dwelling.
 - 3. Will not create excessive traffic, noise or odors in the neighborhood where it is proposed.
 - 4. Will not be a hazard to Public Safety or Life Safety.
 - 5. Will not adversely affect the character of the neighborhood, nor otherwise be injurious, obnoxious or offensive.
- C. Permits are granted for one year. For permit renewals, an annual Life Safety Inspection by the Building and Fire Departments must be submitted with the renewal application. The Conditional Use Permit is not transferable.
 - 1. If violations of the conditions of the permit occur, a compliance hearing must be conducted by the Planning Board to determine if the permit may be revoked.

2450.06 Enforcement

Short Term Rentals will have the following escalating enforcement of this Ordinance.

- A. Initial complaints
 - 1. Initial complaints concerning the STR shall be directed to the STR Operator. The STR Operator shall resolve the issue within 24 hours. If the STR Operator is unable to resolve the issue, the complaint shall be moved to the next step.
- B. Additional or Unresolved Complaints

- I. *If the STR Operator is unable to resolve the complaint, the details of the complaint must be shared in writing with the Code Enforcement Officer (CEO). The CEO shall follow the enforcement procedures outlined in Section 2500 of this Ordinance.*

2450.07 Appeals

All appeals shall be conducted in accordance with Section 2500 of this Ordinance.

2450.08 Conflicts and Severability

This Section shall comply with Section 2900 of this Ordinance