

## AGENDA

### COMMITTEE ON BILLS ON SECOND READING

**April 5, 2011**  
**Aldermen DeVries, Lopez,**  
**Arnold, Corriveau, Shaw**

**5:15 PM**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

1. Chairman DeVries calls the meeting to order.

2. The Clerk calls the roll.

3. Ordinance Amendment:

“Amending Section 92.09 Fees of the Code of Ordinances of the City of Manchester by adding subsection (H) thereby establishing a site inspection and fee for a recreational fire permit.”

**If the Committee so desires, a motion would be in order that the Ordinance Amendment ought to pass.**

4. Ordinance Amendment:

“Amending the Code of Ordinances of the City of Manchester by amending Chapter 94 Noise Regulations thereby creating a new subsection which exempts City-sponsored fireworks displays or licensed fireworks displays emanating from City property.”

**If the Committee so desires, a motion would be in order that the Ordinance Amendment ought to pass.**

5. Ordinance Amendment:

“Amending Section 92.09 Fees of the Code of Ordinances of the City of Manchester by adding subsection (I) thereby establishing an application and fee for a welding and/or hot work permit in an occupied building.”

**If the Committee so desires, a motion would be in order that the Ordinance Amendment ought to pass.**

6. Ordinance Amendment:

“Amending Chapter 117 Food Service Establishments of the Code of Ordinances of the City of Manchester by Increasing Fees for Food Service Establishments and other Health Department Inspection Services.”

**If the Committee so desires, a motion would be in order that the Ordinance Amendment ought to pass.**

7. Ordinance Amendment:

“Amending Chapter 91 Health and Sanitation of the Code of Ordinances of the City of Manchester by Updating Technical Language and Increasing Fees for Health Department Inspection Services.”

**If the Committee so desires, a motion would be in order that the Ordinance Amendment ought to pass.**

8. Ordinance Amendment:

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

**If the Committee so desires, a motion would be in order that the Ordinance Amendment ought to pass.**

9. If there is no further business, a motion is in order to adjourn.

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Section 92.09 Fees of the Code of Ordinances of the City of Manchester by adding subsection (H) thereby establishing a site inspection and fee for a recreational fire permit.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

### § 92.09 FEES.

(A) The review of any National Fire Protection Association Life Safety Code 101 plan shall be conducted by the Fire Department at a fee of \$50 per hour required with the minimum fee being \$50.

(B) An application for any permit to be issued by the Fire Department or the request of a life safety compliance report, shall be accompanied by a fee of \$100. Permits are renewable every year. Permits are not transferable.

(C) An application for any permit to be issued by the Fire Department or the request of a life safety compliance report for day care providers caring for four to 12 children, shall be accompanied by a fee of \$25. Permits are renewable every three years, and are not transferable.

(D) The review of a fire safety site plan shall be performed by the Fire Department at a charge of \$50 per hour required with the minimum fee being \$50.

(E) The review of a special hazards system plan shall be performed by the Fire Department at a charge of \$1 per device with a minimum fee being \$50.

(F) Exemption. Inspections relating to the licensing of foster homes for the state shall be exempt from the fees.

(G) Commercial occupancies. All commercial occupancies located in the city shall be inspected annually to insure compliance with the fire code adopted by § 92.05 and NFPA Life Safety Code #101. Inspections shall be performed by Fire Department personnel on an annual basis. There shall be no charge for this inspection.

**(H) A site inspection for a recreational fire permit (Class I and Class II fires only) shall be performed by the Fire Department at a charge of \$50. Permits are renewable every year.**

- II. This Ordinance shall take effect upon its passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that the Fire Prevention and Safety Compliance Standards and Recreational Fire Permit be accepted.

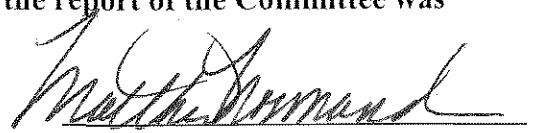
The Committee further recommends that the related Ordinance be referred to the Committee on Bills on Second Reading for technical review.

*(Unanimous vote)*

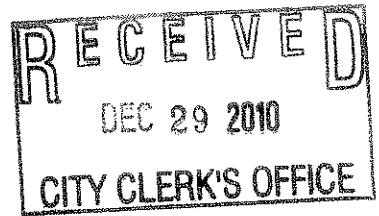
Respectfully submitted,

  
Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held February 1, 2011, on a motion of Alderman O'Neil, duly seconded by Alderman Shea, the report of the Committee was accepted and its recommendations adopted.

  
City Clerk

James A. Burkush  
Chief of Department



**City of Manchester**  
**Fire Department**  
Fire Prevention Bureau

**FIRE PREVENTION AND SAFETY COMPLIANCE STANDARD 2011-1**

DATE: 1 January 2011  
REGARDING: OPEN FIRES WITHIN CITY LIMITS  
DETAILS: (Description of specific orders to be followed)

**OPEN BURNING AND RECREATIONAL FIRES SHALL BE PROHIBITED IN THE CITY OF MANCHESTER, NH.**

Exception:

1. Recreational fires shall be permitted in an approved outdoor fireplace having a spark arrestor.
  - a. A permit shall be required and obtained by the property owner from the Fire Prevention Bureau
  - b. An annual site inspection by the Fire Department shall be required (\$50.00 fee)
  - c. Only clean fire wood can be burned by the property owner / permit holder
  - d. Fires shall not be conducted within 25 feet of a structure or combustible material
  - e. Fires shall be constantly attended until they are extinguished
  - f. A minimum of one approved portable fire extinguisher or other on-site fire extinguishing equipment such as a garden hose shall be available for immediate use

CODE OF ORDINANCE REFERENCE: **CITY OF MANCHESTER CODE OF ORDINANCE SECTION 92.05, INTERNATIONAL FIRE CODE 2006 ED**  
SECTION 104.1 & 307.1.1 and NH RSA 227-L:17(II)

*James Burkush*

James A. Burkush,  
Chief of Department

*Edward O'Reilly*

Edward O'Reilly,  
Chief of Fire Prevention

James A. Burkush  
Chief of Department



**City of Manchester**  
**Fire Department**  
Fire Prevention Bureau

**FIRE PREVENTION AND SAFETY COMPLIANCE STANDARD 2011-3**

DATE: 1 January 2011  
REGARDING: OUTDOOR COOKING  
DETAILS: (Description of specific orders to be followed)

**CHARCOAL BURNERS AND OTHER OPEN FLAME COOKING SHALL NOT BE OPERATED ON COMBUSTIBLE BALCONIES OR WITHIN 10 FEET OF COMBUSTIBLE CONSTRUCTION IN THE CITY OF MANCHESTER, NH.**

Exception:

1. One-and-two family dwellings

**LP-GAS BURNERS HAVING AN LP-GAS CONTAINER WITH A WATER CAPACITY GREATER THAN 2.5 POUNDS (NOMINAL 1 POUND LP-GAS CAPACITY) SHALL NOT BE LOCATED OR STORED ON COMBUSTIBLE BALCONIES OR WITHIN 10 FEET OF COMBUSTIBLE CONSTRUCTION IN THE CITY OF MANCHESTER, NH.**

Exception:

1. One-and-two family dwellings

CODE OF ORDINANCE REFERENCE: **CITY OF MANCHESTER CODE OF ORDINANCE** SECTION 92.05, **INTERNATIONAL FIRE CODE 2006 ED** SECTION 308.3.1 & 308.3.1.1

Handwritten signature of James A. Burkush in cursive.

James A. Burkush,  
Chief of Department

Handwritten signature of Edward O'Reilly in cursive.

Edward O'Reilly,  
Chief of Fire Prevention



**City of Manchester**

*Fire Department*

Fire Prevention Bureau

**Recreational Fire Permit**

James A. Burkush  
Chief of Department

100 Merrimack St Manchester, NH 03101

Phone (603) 669-2256 Fax (603) 665-6802

www.ManchesterNH.gov

PERMITTEE \_\_\_\_\_

DATE(S) \_\_\_\_\_ TIME: From \_\_\_\_\_ To \_\_\_\_\_

PERMIT FOR:      Category I       Seasonal (Category I)       Category II

**Category I RECREATIONAL FIRES shall be permitted in an approved outdoor fireplace having a spark arrestor**


- A permit shall be required and obtained by the property owner from the Fire Prevention Bureau
- An annual site inspection by the Fire Department shall be required (\$50.00 fee)
- Only clean fire wood can be burned by the property owner / permit holder
- Fires shall not be conducted within 25 feet of a structure or combustible material
- Fires shall be constantly attended until they are extinguished
- A minimum of one approved portable fire extinguisher or other on-site fire extinguishing equipment

such as a garden hose shall be available for immediate use

**Category II RECREATIONAL FIRES - see attached document(s)**

I, the undersigned permittee, am eighteen years of age or older and understand the law, regulations and my responsibilities under the terms of this permit.

Signature of Permittee: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Issuing Agent: \_\_\_\_\_

Town of: MANCHESTER, NH

Date Issued: \_\_\_\_\_

January 2011

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by amending Chapter 94 Noise Regulations thereby creating a new subsection which exempts City-sponsored fireworks displays or licensed fireworks displays emanating from City property.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by inserting new language as bolded (**bold**), and deleting existing language as ~~struekthrough~~ . Portions of the following sections that remain unchanged appear in regular type.

### § 94.11 EXEMPTIONS.

The maximum permissible sound pressure levels as specified in § 94.10, Table A shall not apply to sounds emitted from:

**(P) Any City-sponsored fireworks display or a fireworks display approved by the City in conjunction with a specific licensed event and emanating from City property, a public recreational area, or a civic stadium.**

- II. This ordinance shall take effect upon passage.



**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that Ordinance amendment:

“Amending the Code of Ordinances of the City of Manchester by amending Chapter 94 Noise Regulations thereby creating a new subsection which exempts City-sponsored fireworks displays or licensed fireworks displays emanating from City property.”

be approved and referred to the Committee on Bills on Second Reading for technical review.

*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

Respectfully submitted,



Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held March 1, 2011, on a motion of Alderman O’Neil, duly seconded by Alderman Shea, the report of the Committee was accepted and its recommendations adopted.

  
City Clerk

**Freeman, Heather**

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**From:** Normand, Matthew  
**Sent:** Tuesday, January 11, 2011 8:49 PM  
**To:** Freeman, Heather  
**Subject:** FW: Meeting Agendas

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**From:** bobkat319@myfairpoint.net [mailto:bobkat319@myfairpoint.net]  
**Sent:** Monday, January 10, 2011 3:32 PM  
**To:** CityClerk; CityClerk  
**Subject:** Meeting Agendas

this summer I communicated with several alderman as well as your office concerning a noise complaint based on the fireworks from Fishercat stadium The police department stopped by one evening and their readings confirmed my readings that the noise, on many occasions exceeded the decibe; limits allowed limits for our neighborhood. Since August this has been, aparently, on the back burner with regards to the issue being handed off to the Committee on Admin and Info systems. What is going on with this complaint. sending copy to Phil G., my alderman as well regards bob katchen 978-749-7758 (day) 603-621-0521 (evening

bob katchen



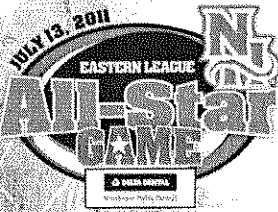
# FISHER CATS BASEBALL

## 2011 SCHEDULE

MERCHANTSAUTO.COM

Guarantee  
your seat  
to the 2011  
Northeast

Delta  
Dental  
Eastern  
League  
All-Star  
Game  
with  
Fisher  
Cats  
Season  
Tickets!



### April

SUN	MON	TUES	WEDS	THURS	FRI	SAT
					1	2
3	4	5	6	7 TRN 6:35	8 TRN 6:35	9 TRN 1:35
10 TRN 1:35	11 REA 6:35	12 REA 6:35	13 REA 6:35	14 BIN	15 BIN	16 BIN
17 BIN	18 NBR	19 NBR	20 NBR	21 BIN 6:35	22 BIN 6:35	23 BIN 1:35
24 OFF	25 NBR 6:35	26 NBR 6:35	27 NBR 6:35	28 NBR 6:35	29 TRN	30 TRN

### May

SUN	MON	TUES	WEDS	THURS	FRI	SAT
1 TRN	2 REA	3 REA	4 REA	5 REA	6 BIN 6:35	7 BIN 1:35
8 BIN 1:35	9 POR 6:35	10 POR 6:35	11 POR 10:35	12 REA	13 REA	14 REA
15 REA	16 OFF	17 BIN 7:05	18 BIN 7:05	19 BIN 10:35	20 NBR	21 NBR
22 NBR	23 POR	24 POR	25 POR	26 POR	27 NBR 7:05	28 NBR 7:05
29 NBR 1:35	30 NBR 1:35	31 HAR				

### June

SUN	MON	TUES	WEDS	THURS	FRI	SAT
			1 HAR	2 HAR	3 TRN	4 TRN
5 TRN	6 OFF	7 BOW 7:05	8 BOW 7:05	9 BOW 7:05	10 RIC 7:05	11 RIC 7:05
12 RIC 1:35	13 OFF	14 AKR	15 AKR	16 AKR	17 ERI	18 ERI NHIAA
19 ERI	20 OFF	21 ALT 7:05	22 ALT 7:05	23 ALT 7:05	24 POR 7:05	25 POR 7:05
26 POR 1:35	27 TRN	28 TRN	29 TRN	30 POR		

### July

SUN	MON	TUES	WEDS	THURS	FRI	SAT
					1 POR	2 POR
3 POR	4 NBR 7:05	5 NBR 7:05	6 NBR 7:05	7 NBR 7:05	8 POR 7:05	9 POR 7:05
10 POR 6:35	11 POR 12:05	12 EL BLK	13 EL ASG	14 BIN	15 BIN	16 BIN
17 BIN	18 REA 7:05	19 REA 7:05	20 REA 7:05	21 POR 7:05	22 POR 7:05	23 POR 7:05
24 POR 1:35	25 NBR	26 NBR	27 NBR	28 REA 7:05	29 REA 7:05	30 REA 7:05
31 REA 1:35						

### August

SUN	MON	TUES	WEDS	THURS	FRI	SAT
	1 OFF	2 RIC	3 RIC	4 RIC	5 BOW	6 BOW
7 BOW	8 OFF	9 ERI 7:05	10 ERI 12:05	11 ERI 7:05	12 AKR 7:05	13 AKR 7:05
14 AKR 1:35	15 OFF	16 ALT	17 ALT	18 ALT	19 NBR	20 NBR
21 NBR	22 TRN 7:05	23 TRN 7:05	24 TRN 7:05	25 HAR 7:05	26 HAR 7:05	27 HAR 7:05
28 HAR 1:35	29 TRN	30 TRN	31 TRN			

### September

SUN	MON	TUES	WEDS	THURS	FRI	SAT
				1 TRN	2 POR	3 POR
4 POR	5 POR	6 OFF	EASTERN LEAGUE PLAYOFFS			

- Eastern League Teams**
- AKR Akron Aeros (Indians)
  - ALT Altoona Curve (Pirates)
  - BIN Binghamton Mets (Mets)
  - BOW Bowie Baysox (Orioles)
  - ERI Erie SeaWolves (Tigers)
  - HAR Harrisburg Senators (Nationals)
  - NBR New Britain Rock Cats (Twins)
  - POR Portland Sea Dogs (Red Sox)
  - RIC Richmond Flying Squirrels (Giants)
  - REA Reading Phillies (Phillies)
  - TRN Trenton Thunder (Yankees)

- Home Game
- Atlas Fireworks Show
- Away Game
- Day Game
- EL All-Star Game and Block Party
- NHIAA Championships in Manchester

(603) 885-2000

fishercats.com

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Section 92.09 Fees of the Code of Ordinances of the City of Manchester by adding subsection (I) thereby establishing an application and fee for a welding and/or hot work permit in an occupied building.”

*Page 1 of 2*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

§ 92.09 FEES.

(A) The review of any National Fire Protection Association Life Safety Code 101 plan shall be conducted by the Fire Department at a fee of \$50 per hour required with the minimum fee being \$50.

(B) An application for any permit to be issued by the Fire Department or the request of a life safety compliance report, shall be accompanied by a fee of \$100. Permits are renewable every year. Permits are not transferable.

(C) An application for any permit to be issued by the Fire Department or the request of a life safety compliance report for day care providers caring for four to 12 children, shall be accompanied by a fee of \$25. Permits are renewable every three years, and are not transferable.

(D) The review of a fire safety site plan shall be performed by the Fire Department at a charge of \$50 per hour required with the minimum fee being \$50.

(E) The review of a special hazards system plan shall be performed by the Fire Department at a charge of \$1 per device with a minimum fee being \$50.

(F) Exemption. Inspections relating to the licensing of foster homes for the state shall be exempt from the fees.

(G) Commercial occupancies. All commercial occupancies located in the city shall be inspected annually to insure compliance with the fire code adopted by § 92.05 and NFPA Life Safety Code #101. Inspections shall be performed by Fire Department personnel on an annual basis. There shall be no charge for this inspection.

(H) A site inspection for a recreational fire permit (Class I and Class II fires only) shall be performed by the Fire Department at a charge of \$50. Permits are renewable every year.

# City of Manchester New Hampshire

*In the year Two Thousand and*

*Eleven*

## AN ORDINANCE

“Amending Section 92.09 Fees of the Code of Ordinances of the City of Manchester by adding subsection (I) thereby establishing an application and fee for a welding and/or hot work permit in an occupied building.”

*Page 2 of 2*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

- (I) An Application for a welding and/or hot work permit in an occupied building to be issued by the Fire Department shall be accompanied by a fee of \$25.**
  
- II. This Ordinance shall take effect upon its passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that the request from the Fire Department to begin charging a \$25.00 fee for reviewing welding and/or hot work permit application requests be approved.

The Committee further recommends that the related Ordinance be referred to the Committee on Bills on Second Reading for technical review.

*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

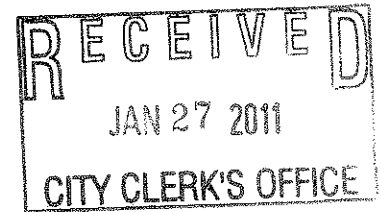
Respectfully submitted,

  
Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held March 1, 2011, on a motion of Alderman O'Neil, duly seconded by Alderman Shea, the report of the Committee was accepted and its recommendations adopted.

  
City Clerk

**James A. Burkush**  
**Chief of Department**



**City of Manchester**  
***Fire Department***  
**Fire Prevention Bureau**

January 27, 2011

Committee on Administration/Information Systems  
1 City Hall Plaza  
Manchester, NH

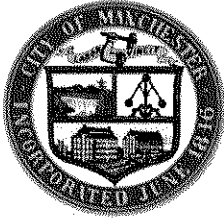
Dear Committee Members,

The Manchester Fire Prevention Bureau has been issuing a welding and or hot work permit for occupied buildings within the City of Manchester for several years. This office is requesting your approval to begin charging a \$25 fee for reviewing the permit application and all of the applicable documents associated with the permit request. See attached documents.

If you have any questions regarding this or any other matter, please contact Inspector Paul Allard at the Fire Prevention Bureau.

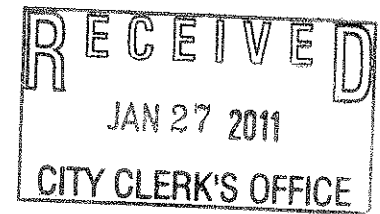
Yours in Fire Safety,

Paul Allard, Fire Inspector II  
Fire Prevention Bureau



James A. Burkush  
Chief of Department

## City of Manchester Fire Department



100 Merrimack Street, Manchester, NH 03101  
Telephone: (603) 669-2256 Fax: (603) 665-6802  
www.ManchesterNH.gov

### Manchester Fire Department Rules and Regulations

Relating to:

#### CONSTRUCTION PERMIT FOR WELDING AND HOT WORK IN OR UPON ANY STRUCTURE

- This application shall include, but is not limited to: operations including cutting, welding and the installation of torch-applied roof systems or any other similar situation within or upon any building excluding those classified as R-3.
- A Permit shall be obtained five (5) business days prior to conducting hot work within the City of Manchester.
- The contractor (responsible party doing the work) shall issue a check in the amount of twenty five dollars (\$25.00), made payable to the City of Manchester, and submitted along with the Welding and Hot Work Construction Permit application.
- A Permit shall be required anytime hot work is conducted within or on an occupied structure in the City of Manchester.
- A minimum of one (1) Manchester Firefighter shall be hired at the applicable detail rate when any hot work is conducted within or upon an occupied building.
- The Pre-Hot Work check must be conducted prior to beginning any work. This checklist can be found on the responsible party's copy of the Hot Work Permit.
- The Permit shall be kept at the work site during the work and available upon request of the code official.
- All hot work shall be conducted in accordance with Chapter 26 of the 2006 Edition of the International Fire Code and Chapter 41 of the 2003 edition of NFPA 1 the Uniform Fire Code.
- A copy of the responsible party's current insurance policy shall be submitted along with the Hot Work Permit application.



James A. Burkush  
Chief of Department



**City of Manchester**  
*Fire Department*  
Fire Prevention Bureau

January 1, 2011

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: Required Welding and Hot Work Construction Permits in Buildings

Dear Contractor:

The City of Manchester Fire Department is now requiring a construction permit for hot work operations in buildings within the city. The requirements for the hot work operations and the construction permit requirements can be obtained from the Manchester Fire Prevention Bureau. Enclosed please find a Welding and Hot Work Construction Permit for Buildings along with the Manchester Fire Department Rules and Regulations Relating to the Welding and Hot Work in an Occupied Structure. The terms and conditions contained herein shall be implemented immediately.

If you have any questions regarding the above, please contact the Manchester Fire Department Fire Prevention Bureau.

Yours in Fire Safety,

*Edward O'Reilly*

Edward O'Reilly  
Chief of Fire Prevention

James A. Burkush  
Chief of Department



City of Manchester  
Fire Department  
Fire Prevention Bureau

Welding and Hot Work Permit  
Occupied Buildings

Project Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Building Owner: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Responsible Party: \_\_\_\_\_  
 Company Name: \_\_\_\_\_  
 Company Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Company Phone: \_\_\_\_\_  
 Insurance Company: \_\_\_\_\_  
 Phone: \_\_\_\_\_

Description of work to be completed:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Manchester Fire Prevention  
Bureau - Office use only

Date Received: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Date Expires: \_\_\_\_\_

Approved by: \_\_\_\_\_

Number of Fire  
Fighters to be hired: \_\_\_\_\_

Check Number: \_\_\_\_\_

Copy of Insurance Re'cd by FPB:

Duration of work: \_\_\_\_\_ **Permit #** HW - \_\_\_\_ - \_\_\_\_\_

	<b>Pre Hot Work Check:</b>
_____	Hot work equipment to be used shall be in satisfactory operating condition and in good repair
_____	Hot work site is clear of combustibles or combustibles are protected
_____	Exposed construction is of noncombustible materials or, if combustible, then protected
_____	Openings are protected
_____	Floors are kept clean
_____	No exposed combustibles are located on the opposite side of partitions, walls, ceilings or floors
_____	Fire watches, where required are assigned
_____	Approved actions have been taken to prevent accidental activation of suppression and detection equipment
_____	Fire extinguishers and hoses (where provided) are operable and available

This permit shall be kept at the work site during the work and available upon request of the code official.  
All hot work shall be conducted in accordance with Chapter 26 of the 2006 Edition of the International Fire Code and Chapter 41 of the 2003 edition of NFPA I the Uniform Fire Code.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

100 Merrimack Street • Manchester, NH 03101 • Telephone (603) 669-2256 • Fax: (603) 665-6802  
www.ManchesterNH.gov

Jan 2011

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 117 Food Service Establishments of the Code of Ordinances of the City of Manchester by Increasing Fees for Food Service Establishments and other Health Department Inspection Services.”

*Page 1 of 2*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

§ 117.19 PERMIT FEE.

The fee for any permit application pursuant to the subchapter shall be in accordance with the following schedule:

<i>Class</i>	<i>Description of Establishment</i>	<i>Fee</i>
Class I	Food-service establishments having a seating capacity of 100 persons or greater; supermarkets	\$500 <b>\$550</b>
Class I-A	Supermarket with bulk foods, salad bar, and/or food buffet	900 <b>1000</b>
Class II	Food-service establishments having a seating capacity of greater than 25 but less than 100 persons; bakeries; warehouses; distributors; nursing homes; commissaries; food processors, markets with less than two prep areas	300 <b>330</b>
Class III-A	Markets selling only prepackaged food products; mobile food operations; food service operations having a seating capacity of 25 persons or less; child day care facilities	180 <b>200</b>
Class III-B	Clubs incorporated under the laws of the State or which are affiliated with any national fraternal organization for the same members and bona fide guests of liquor	100 <b>110</b>
Class IV	Temporary food-service establishments	<b>15/Day/Vendor</b>

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 117 Food Service Establishments of the Code of Ordinances of the City of Manchester by Increasing Fees for Food Service Establishments and other Health Department Inspection Services.”

*Page 2 of 2*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Class IV-A	Locally based food establishment with current Health Department permit	50
Class IV-B	Establishments which do not possess a current Health Department permit or are located outside of the jurisdiction of the Manchester Health Department	100
Class V-A	Non-profit organizations not holding a liquor permit and not serving meals on a daily basis; public and parochial schools and institutions and governmental facilities	No fee
Class V-B	<b>Government Facilities, public schools</b>	<b>No Fee</b>

II. This Ordinance shall take effect upon its passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that Ordinance Amendment:

“Amending Chapter 117 Food Service Establishments of the Code of Ordinances of the City of Manchester by Increasing Fees for Food Service Establishments and other Health Department Inspection Services.”

be approved and referred to the Committee on Bills on Second Reading for technical review.

*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

Respectfully submitted,

  
Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held March 1, 2011, on a motion of Alderman Lopez, duly seconded by Alderman Shea, the report of the Committee was accepted and its recommendations adopted.

  
City Clerk

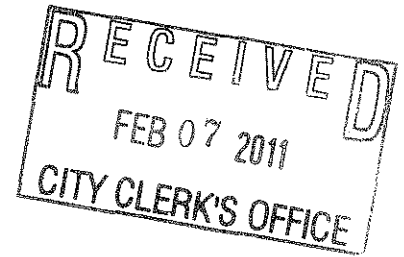
*Timothy M. Soucy, MPH, REHS*  
*Public Health Director*

*Anna J. Thomas, MPH*  
*Deputy Public Health Director*



**BOARD OF HEALTH**  
*Carol Bednarowski*  
*Robert Duhaime, RN, MBA*  
*Fernando Ferrucci, MD*  
*William Mehan, DMD, MS*  
*Kristin Schmidt, PA-C*

**CITY OF MANCHESTER**  
*Health Department*



February 3, 2011

Aldermen Mike Lopez, Chairman  
Committee on Administration  
C/o Matthew Normand, City Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101

RE: Revision to City of Manchester Code of Ordinances, Chapter 117 Food Service Establishments

Dear Chairman Lopez and Members of the Committee:

On behalf of the Health Department, I am requesting the following changes to the City of Manchester Code of Ordinances, Chapter 117 Food Service Establishments.

Food Service Establishment permit fees were last increased in 2006 (approximately five years ago). We are requesting an approximate 10% increase to permit fees to become effective May 1, 2011. In addition, we are requesting that non-profit organizations now pay a nominal fee for a food service permit, and have modified how we will permit temporary food service establishments, all other sections will remain the same. Attached is the proposed fee schedule.

I will be glad to answer any questions the committee may have in this regard.

Sincerely,

Timothy M. Soucy, MPH, REHS  
Public Health Director

Attachment (1)

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 91 Health and Sanitation of the Code of Ordinances of the City of Manchester by Updating Technical Language and Increasing Fees for Health Department Inspection Services.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

### § 91.37 ANNUAL PERMIT REQUIRED

No person, corporation, or other entity shall operate, maintain, or allow to be used, any public swimming pool, spa, or hot tub except when in possession of a valid permit issued by the Health Department. The permits shall be issued for an annual fee of \$175 for each indoor pool; or ~~\$125~~ **\$175** per outdoor pool or natural bathing place. Spa and hot tub permits will be issued at \$125 per tub or spa up to two units and \$100 for each additional unit at each site. No permit fee shall be charged for ~~city~~ **government-owned** facilities.

### § 91.42 QUALITY OF WATER

Public swimming pools, recreational spas, hot tubs, and natural bathing areas shall be maintained and operated at all times in accordance with New Hampshire Public Bathing Facility Rules, ~~Env Ws-1100~~ **Env Wq-1100**. A copy of these regulations shall be on file at the City Health Department.

- II. This Ordinance shall take effect upon its passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that Ordinance Amendment:

“Amending Chapter 91 Health and Sanitation of the Code of Ordinances of the City of Manchester by Updating Technical Language and Increasing Fees for Health Department Inspection Services.”

be approved and referred to the Committee on Bills on Second Reading for technical review.

*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

Respectfully submitted,



Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held March 1, 2011, on a motion of Alderman Lopez, duly seconded by Alderman Shea, the report of the Committee was accepted and its recommendations adopted.

  
City Clerk



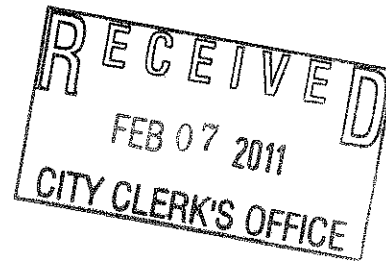
*Timothy M. Soucy, MPH, REHS*  
*Public Health Director*

*Anna J. Thomas, MPH*  
*Deputy Public Health Director*



**BOARD OF HEALTH**  
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*Kristin Schmidt, PA-C*

**CITY OF MANCHESTER**  
*Health Department*



February 3, 2011

Aldermen Mike Lopez, Chairman  
Committee on Administration  
C/o Matthew Normand, City Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101

RE: Revision to City of Manchester Code of Ordinances, Chapter 91 Health and Sanitation

Dear Chairman Lopez and Members of the Committee:

On behalf of the Health Department, I am requesting the following changes to the City of Manchester Code of Ordinances, Chapter 91 Health and Sanitation.

It has been ten years since the Swimming and Bathing Facilities Subchapter has been updated. There are three changes we are requesting. The first is a language change to reflect the correct State of New Hampshire Code of Administrative Rules, the second adds a penalty for operating without a permit and the final change includes increases to the fee structure, all other sections will remain the same. Attached are the proposed ordinance changes.

I will be glad to answer any questions the committee may have in this regard.

Sincerely,

Timothy M. Soucy, MPH, REHS  
Public Health Director

Attachment (1)

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

*Page 1 of 3*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

### § 53.03 REVIEW OF PROPOSED PLANS

(A) Any person proposing to subdivide land shall submit a copy of the proposed subdivision plan to the Health Authority for its review and determination as to whether the site is suitable for development with sewage disposal systems. The applicant is advised to contact the Health Authority prior to digging test pits and performing percolation tests on the tract of land to be subdivided. All such test pits and percolation tests shall be subject to verification by on-site inspection by the Health Authority, prior to its review of the subdivision plan.

(B) The Health Authority in its review will consider soil data, lot sizes, percolation test results, depth to seasonal high water table, location of existing or proposed private water sources and the general requirements for design and construction of sewage disposal systems. The Health Authority may require submission of additional engineering geological or soil information and/or a study of the economic feasibility of the proposed sewage disposal systems prior to making its determination. The Health Authority may specify in its determination the minimum lot sizes or other conditions on which its determination is based in accordance with soil types, environmental conditions, and such guidelines as may be established by the Health Authority. No subdivision plan shall receive final approval by the Planning Board until the Health Authority has reviewed the plan and has determined that the site in question is suitable for development with sewage disposal systems.

(C) Nothing in this section is to be construed as relieving the applicant of the permit requirements relative to individual sewage disposal systems on each proposed lot. Plans shall not be submitted to the New Hampshire Department of Environmental Services for its review and determination without certification by the Health Authority that applicable local requirements have been met. All plans and specifications submitted to the Health Authority shall also be consistent with the requirements of the New Hampshire Department of Environmental Services, Subdivision and Individual Sewage Disposal System Design Rules, ~~Chapter Env-Ws-1000~~ **Chapter Env Wq-1000** for submission of plans.

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

*Page 2 of 3*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

### § 53.04 PERMIT; INSPECTION; FEES

(A) *Design plans.* Any person proposing to design a sewage disposal system shall contact the Health Authority prior to digging test pits and performing percolation tests on the proposed system site. All such test pits and percolation tests shall be subject to verification by on-site inspection by the Health Authority prior to its review of the system design plan.

(B) *Review of design plan.* Any person proposing to construct, repair, or rebuild a sewage disposal system shall submit a properly prepared plan to the Health Authority for review of soil data, lot size, and the proposed sewage disposal system. The Health Authority may require the system designer or property owner to submit additional engineering, geological or soil information, and/or an analysis of the economic feasibility of the proposed sewage disposal system, prior to making its judgment on the approval or disapproval of the system plan. Plans shall not be submitted to the New Hampshire Department of Environmental Services for its review and determination without certification by the Health Authority that applicable local requirements have been met. All plans and specifications submitted to the Health Authority shall also be consistent with the requirements of the New Hampshire Department of Environmental Services Subdivision and Individual Sewage Disposal System Design Rules, ~~Chapter Env-Ws 1000~~ **Chapter Env Wq-1000** for submission of plans.

(C) *Plan review fee.* There is no fee for the initial review of a design plan for a proposed on-site sewage disposal system. Subsequent reviews when a plan is revised shall require that a plan review fee of \$15 for a residential single household plan and \$25 for a subdivision, commercial, or other sewage disposal system plan be paid prior to said review.

(D) *Test pit inspection fee.* For each test pit inspected and recorded by the Health Authority, a fee of \$25 shall be paid to the Manchester Health Department.

(E) *Permit required; fee.* Prior to commencing construction, any person who wishes to install, alter, or repair an individual sewage disposal system in Manchester, shall obtain a permit from the Health Authority. The permit fee shall be \$100 for a single household sewage disposal system and \$150 for a commercial or other sewage disposal system.

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

*Page 3 of 3*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

(F) *Reinspection fee.* In the event that a newly constructed septic system is not approved for operation following two inspections, a reinspection fee of \$25 shall be paid to the Health Department for each additional required inspection.

- II. This Ordinance shall take effect upon its passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that Ordinance Amendment:

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

be approved and referred to the Committee on Bills on Second Reading for technical review.

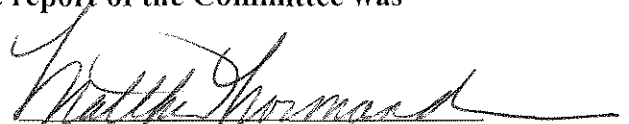
*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

Respectfully submitted,



Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held March 1, 2011, on a motion of Alderman O’Neil, duly seconded by Alderman Shea, the report of the Committee was accepted and its recommendations adopted.



City Clerk

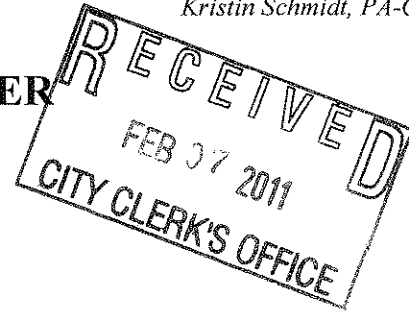
*Timothy M. Soucy, MPH, REHS*  
*Public Health Director*

*Anna J. Thomas, MPH*  
*Deputy Public Health Director*



**BOARD OF HEALTH**  
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*Kristin Schmidt, PA-C*

**CITY OF MANCHESTER**  
*Health Department*



February 3, 2011

Aldermen Mike Lopez, Chairman  
Committee on Administration  
C/o Matthew Normand, City Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101

RE: Revision to City of Manchester Code of Ordinances, Chapter 53  
On-Site Sewage Disposal Systems

Dear Chairman Lopez and Members of the Committee:

On behalf of the Health Department, I am requesting the following changes to the City of Manchester Code of Ordinances, Chapter 53 On-Site Sewage Disposal Systems.

It has been ten years since the On-site Sewage Disposal System Ordinance has been updated. There are two changes we are requesting. The first is a language change to reflect the correct State of New Hampshire Code of Administrative Rules and the second are increases to the fee structure, all other sections will remain the same. Attached are the proposed ordinance changes.

I will be glad to answer any questions the committee may have in this regard.

Sincerely,

Timothy M. Soucy, MPH, REHS  
Public Health Director

Attachment (2)