



STAFF REPORT
Public Hearing 8-15-23

AGENDA ITEMS #: 23-81
COUNCIL MTG OF: July 20, 2023
FROM: David Caron, Town Administrator
OFFERED BY: Administration
PREPARED BY: Administration
SUBJECT: Seek authorization to revise the Town's Fees and Fines Schedule

PURPOSE: To seek Town Council approval to revise various fees and fines as may be authorized by RSA 41:9-a, and contained within many town ordinances, administrative regulations and State Statutes.

TOWN ADMINISTRATOR COMMENTS: Please see comments within this staff report.

BACKGROUND:

The Town Council approved Ordinance #2023-003 at the May 2, 2023 Council Meeting which restricted parking at Rider Field to two hours during school periods, effective June 21, 2023. During the review of the Ordinance, the Council directed staff to review the adequacy of the fine schedule and return to the Council with recommendations.

Simultaneously, staff discussed the overall adequacy of the Town's fines and fees schedule which, in some instances had not been adjusted for decades. Thus, all staff were requested to submit recommendations of fines and fees revisions for Council consideration.

DISCUSSION:

Staff utilized Best Management Practices to determine the prevailing fee and fine levels among similar communities as well as the inflationary impact upon the value of the US Dollar for those fees which were woefully outdated. The time allotment necessary to perform certain services was also reviewed, in addition to any court or statutory restrictions on the Council's ability to establish fees and fines.

Fees/Fines recommended fore approval under this Resolution:

- Town Administration permits and licenses.
- Fire Department Inspection, Permits, Plan Reviews and Fire Alarm Monitoring/Malfunctions.
- Planning Review Charges and Application Permits.
- Police Kennel Charges, Parking Fines, Reports, Pistol Permits and Other Licenses.
- DPW Transfer Station Disposal Charges, Health Permit and Inspection Fees, Building and Development Permit Applications.
- Tax Collector Charges (few authorized outside of state statute).
- Town Clerk Charges (few authorized outside of state statute).

Items of Note:

- 1) Recommended changes are noted in yellow.
- 2) The fine for parking violations, which is the original subject of this project, is recommended to be adjusted to \$25 (not including violations of handicapped placards or parking).
- 3) The New Hampshire Supreme Court ruled that the amount to be charged to produce documents be restricted to the actual cost of reproduction, with no charges allowed for research time. Thus, copy charges across the organization have been standardized at \$0.50 per page.
- 4) The Town receives numerous requests for Notary Public certifications which are time consuming and can be obtained throughout the community for a fee. To recognize the impact upon the Town's productivity, it is recommended that a \$3.00 charge be authorized.
- 5) The town or statutory citation to the laws impacted or authorizing these fees is listed. Please note that most fees established by state law (RSA) cannot be adjusted at the local level.
- 6) The Town Council has previously approved revisions to DPW Water and Wastewater Rates and Charges; accordingly, they are not included in these recommendations.
- 7) The Fire Department is scheduled to present recommendations on revising ambulance charges later this summer.
- 8) Staff does not see a need to adjust DPW Engineering Inspection Fees currently.
- 9) Recreation Fees are still under consideration; while staff attempts to recover as much revenue as possible from users, we remain sensitive to the impact of any changes upon the Town's lower income residents who rely upon these programs for recreation activities and wellness.

FISCAL IMPACT:

- 1) The Town will see enhanced revenues from fines and fees, which are currently being quantified by the Finance Department and will be presented in an addendum to this staff report at the August 15 Council Meeting.

RECOMMENDED MOTION:

Please see Resolution #2023-052

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RESOLUTION

Number 2023-052

To Adopt a Revised Fee and Fine Schedule for Town Services,
Ordinances and Regulatory Programs

WHEREAS, Section 7.2 of the Town Charter empowers the Town Council to regulate all fees for the use of Town services; and

WHEREAS, Article 6 of the Town Charter empowers the Town Council as the Legislative Body of the Town to adopt or amend ordinances, which includes the authority to establish a fine structure for violation of town ordinances; and

WHEREAS, most of the Town's fees and fines have not been updated for many years and are in need of adjustment to reflect the cost of providing services and to serve as an effective deterrent to violating town ordinances;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the proposed Schedule of Fees and Fines for the use of Town services and the violation of Town ordinances is hereby adopted; and

BE IT FURTHER RESOLVED that Town Ordinances referenced in the attached Schedule are hereby amended to incorporate the revised fee and fine structure as enacted by the Town Council.

This Resolution shall take effect thirty days after its passage.

Adopted: August 15, 2023.

Attest:

X _____

Charles Foote, Council Chair

Date: _____

X _____

Cristina Guilford, Town Clerk

Date: _____