



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
November 20, 2025
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- November 6, 2025 Minutes

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Community Recognition: Sullivan Sturtz - 2025 Keene High School Cross-Country Running Achievements

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nomination - Heritage Commission

C. COMMUNICATIONS

1. Keene Downtown Group - Request to Use City Property - Ice and Snow Festival - February 7, 2026
2. Medard Kopczynski - Resignation - Congregate Living and Social Services Licensing Board

D. REPORTS - COUNCIL COMMITTEES

1. Presentation - Heritage Commission Annual Report
2. Request for Consideration of an Ordinance Amendment to Regulate the Muzzling of Dogs *and* Draft Ordinance
3. Creation of New City Code Chapter 44 Relating to Building Construction and Demolition
4. Update to Chapter 18 of the City Code, Property and Housing Standards

5. 2025 Homeland Security Grant Program Award - Critical Care Equipment
6. 2025 Homeland Security Grant Program Award - Hazardous Materials Allocation
7. Execution of an Agreement for Engineering Services With Michael Petrovick Architects, PLLC for the Design of the City Hall Structural Repairs Project (65J0002B)
8. Execution of a Grant Agreement with the Recreational Trails Program (RTP) for the Rehabilitation of the Ashuelot Rail Trail Bridge over the Ashuelot River
9. Re-allocation of FY26 CIP Funds in the Traffic Signal Replacement Program (75M012) for the Downtown Infrastructure Improvements and Reconstruction Project
10. Re-allocation of FY27 CIP Funds in the Stormwater Resiliency Program (75M006) for the Downtown Infrastructure Improvements and Reconstruction Project
11. Re-allocation of Unspent CIP Project Funds from the Road Preservation and Rehabilitation Program (75M002) for the Construction Phase of the George Street Bridge Improvements Project

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

1. Relating to the Muzzling of Vicious Dogs
Ordinance O-2025-35
2. Relating to Update of Chapter 18 Property and Housing Standards Code
Ordinance O-2025-36
3. Relating to New Chapter 44 Building Construction and Demolition
Ordinance O-2025-37

J. ORDINANCES FOR SECOND READING

1. Relating to Pavement Setbacks and Cross Site Access
Ordinance O-2025-29
2. Relating to Class Allocation
Ordinance O-2025-32

K. RESOLUTIONS

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, November 6, 2025. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:02 PM. Roll called: Kate M. Bosley, Laura E. Tobin, Michael J. Remy, Randy L. Filiault, Robert C. Williams, Edward J. Haas, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Jacob R. Favolise, Bryan J. Lake, Catherine I. Workman (arrived at 7:44 PM), Bettina A. Chadbourne, Thomas F. Powers, and Mitchell H. Greenwald were present. Councilor Favolise led the Pledge of Allegiance.

MINUTES FROM PRECEDING MEETING

A motion by Councilor Greenwald to adopt the October 16, 2025 meeting minutes as presented was duly seconded by Councilor Bosley. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

ANNOUNCEMENTS

Mayor Kahn and the Council congratulated Councilor Bosley for receiving an Extraordinary Women Award from The Keene Sentinel on October 16, 2025.

The Mayor announced that the November 4, 2025 Municipal General Election saw just over 20% voter turnout Citywide. In 2023, there were 15,241 registered voters and 2,998 ballots were cast in the Municipal Election. In 2025, there were 16,330 registered voters and Mayor Kahn reported 3,341 ballots cast in this year's election. He called the bigger turnout a success. He noted that the success of the City's elections is due to the City Clerk and her staff. It takes a team of approximately 100 election officials across the City's five voting wards to staff the polling locations. The Mayor thanked all those volunteers and City staff for helping to run a very successful election. He said this year seemed like a very smooth process, he thought people were well-greeted, and the lines were very efficient in handling the larger number of voters. Mayor Kahn said the City owed the Clerk's office a great deal of appreciation for all their efforts.

Mayor Kahn shared upcoming November 2025 events. He noted that Keene's Veteran's Day Celebration would be held November 11, 2025 at 11:00 AM at the Veteran's Memorial at the Keene Recreation Center. Councilor Roberts would represent the City, and the Mayor thanked him for doing so. He continued that the City Hall would be closed for the Thanksgiving Holiday on November 27 to 28, 2025. Finally, the annual Keene Kiwanis Tree Lighting is slated for Friday, November 28, 2025 beginning at 5:00 PM on Central Square.

Next, the Mayor provided updates on the Council's meeting schedule. The Municipal Services, Facilities and Infrastructure (MSFI) Committee meeting of Wednesday, November 26, 2025 would be moved to Tuesday, November 25 at 6:00 PM because of the Thanksgiving Holiday. It was expected that the Finance, Organization and Personnel (FOP) Committee meeting scheduled for the week of Thanksgiving would also be canceled. Mayor Kahn additionally reminded the Council of two upcoming City Council Goals Workshops. First, a progress update on the current Goals: Monday, November 17, 2025 from 6:00 PM to 8:00 PM in Cohen Hall at Keene Public Library. Second, regarding amendments and additions to the Council Goals: Monday, December 1, 2025 at 6:00 PM in Cohen Hall.

PRESENTATION OF RETIREMENT RESOLUTION - CHRISTOPHER L. SIMONDS

The Mayor read into the record and presented Christopher Simonds with a Resolution honoring his 18 years of service to the Keene Police Department. Mr. Simonds thanked the Mayor for the Resolution and thanked his fellow officers for the support. He said he was always supported by the City Council, City Manager, City Attorney, and others, which was appreciated. Mr. Simonds was glad to be moving on to his next adventure.

COMMUNICATION - COUNCILOR GREENWALD - POTENTIAL CONFLICT OF INTEREST - ORDINANCE O-2025-29

A communication was received from Councilor Mitch Greenwald, putting a potential Conflict of Interest on record relative to Ordinance O-2025-29, indicating that it may apply to a property he owns at Mechanic and Pleasant Streets. He requested to be recused from the discussion and vote when the Ordinance comes before the City Council.

Mayor Kahn recognized Councilor Greenwald to explain his conflict. In the interest of transparency, Councilor Greenwald said he owns a property that could be impacted by the Ordinance, and he felt the remaining Councilors could manage without him.

Hearing no objections from the Council, Mayor Kahn granted the recusal and Councilor Greenwald moved to the audience during the public hearing on Ordinance O-2025-29.

PUBLIC HEARING - ORDINANCE O-2025-29 RELATING TO CROSS-SITE ACCESS EXCEPTION FROM THE PARKING LOT PAVEMENT SETBACK

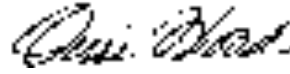
Mayor Kahn opened the Public Hearing at 7:17 PM and the City Clerk read the Hearing notice.

The Mayor welcomed Evan Clements, City Planner/Deputy Zoning Administrator, who explained what he called a very common-sense change to the parking lot regulations within the Land Development Code. The change is to allow for cross-site access where shopping plazas, for example, in many cases, are actually cut up into multiple lots, which sends some vehicular traffic from one plaza to another without having to enter the public right-of-way. Mr. Clements called it a beneficial way for a development pattern to reduce the number of vehicle trips on public roads. It is more convenient for customers, and it exists all throughout the City. So, Mr. Clements said this change would allow new developments and existing developments to be reconfigured in ways that better suit their needs.

Mayor Kahn noted that this came to the Council through the Joint Committee of the Planning Board and Planning Licenses, and Development Committee of the Council. So, the matter had some visibility and hearings prior to this hearing because of those referrals.

Mayor Kahn opened the floor to public comments. Hearing none, he closed the Public Hearing at 7:20 PM, except that written comments would be accepted up until 1:00 PM on Tuesday, November 11, 2025. This Ordinance O-2025-29 would appear before the Planning, Licenses and Development Committee at its November 12, 2025 meeting.

A true record, attest:



City Clerk

CONFIRMATION - CONGREGATE LIVING AND SOCIAL SERVICES LICENSING BOARD

Mayor Kahn nominated Robert Hamm to serve as a Regular Member of the Congregate Living and Social Services Licensing Board, with a term to expire December 31, 2027. A motion by Councilor Greenwald to confirm the nomination was duly seconded by Councilor Tobin.

Councilor Haas said he had come to know Mr. Hamm over the past few years and that he has a great sense of balance between the needs of the community and needs of the social services. Councilor Haas thought Mr. Hamm would be a great addition to the Congregate Living and Social Services Licensing Board, commended him highly for it, and hoped his fellow Councilors would vote in favor of Mr. Hamm's confirmation.

The motion to confirm the nomination carried unanimously on a roll call vote with 14 Councilors present and voting in favor. Councilor Workman was absent.

Mr. Hamm was in the audience and Mayor Kahn thanked him for serving.

COMMUNICATION - MIKE PAPPAS - PETITION - MAGNOLIA WAY RESIDENTS - REQUEST FOR DISCONTINUANCE AND REMOVAL OF SIDEWALK ON NORTHERLY SIDE OF MAGNOLIA WAY

A communication was received from Mike Pappas, submitting a petition containing eight signatures from residents of Magnolia Way asking to discontinue and allow the removal of the sidewalk located on the northerly side of Magnolia Way, extending from Winchester Street to the fire hydrant located at the cul-de-sac of Magnolia Way. They are requesting a variance from Keene Land Use Ordinance Requirements, Section 23.3 requiring that sidewalks be installed with new road infrastructure construction. The petition indicates the sidewalk is not needed, and shortens many of the neighborhood driveways, such that larger parked vehicles extend into the sidewalk. Mayor Kahn referred the communication to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION - FREDERICK B. PARSELLS - LOCAL POLICE DEPARTMENT RESPONSE TO MOTOR VEHICLE INCIDENTS ON STATE MAINTAINED CLASS I AND II ROADS

A communication was received from Frederick Parsells, questioning why the Keene Police Department handles motor vehicle incidents on State-maintained Class I and II roads in the City, indicating he believes it is the responsibility of the State Police under the Urban Compact Agreement. He is concerned that the City may be misinterpreting the agreement and is asking the City Council to review the issue. He would like to see the State assume responsibility, or that the City be reimbursed. Mayor Kahn referred the communication to the City Manager to see if there

could be an administrative resolution, because she had already been communicating about this with Mr. Parsells.

MSFI REPORT - SALE OF CITY PROPERTY - 100 CHURCH STREET

A Municipal Services, Facilities and Infrastructure Committee report was read, on a vote of 0 to 5, the Committee failed to recommend that the City Manager be authorized to do all things necessary to negotiate and execute the sale of 100 Church St., Parcel 574-015. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Greenwald briefly summarized the history of this Committee report and the multiple referrals to the Municipal Services, Facilities and Infrastructure (MSFI) Committee to consider proposals from both the concerned abutters and the interested neighbors. He recalled at least three MSFI meetings on this topic, when the Committee heard from abutters who wanted to purchase the property. He said it also became obvious that neighbors wanted to pull together, address the safety concerns, and make it an attractive space. He said abutters were concerned that if there were safety concerns, that they could install a fence, lights, and more to keep individuals off their property. Councilor Greenwald said that after the Committee heard and listened to the parties, it felt that not selling it would allow the neighborhood group to work with the City on a plan to maintain the parcel into the future. Whereas once it is sold, he said it is gone. This way, he said the neighbors would have an opportunity. Councilor Greenwald explained that the motion came to the Committee as a vote to authorize the sale. He noted that the Committee's unanimous recommendation in this report was not to recommend the sale. An affirmative vote by the Council on this report would support keeping the land and a negative vote by the Council would support selling the land. Mayor Kahn agreed that an affirmative Council vote would be in support of the Committee's decision not to sell the parcel.

Councilor Filiault agreed with Councilor Greenwald's recollection of the history of meetings this issue had been through, starting at the Finance, Organization and Personnel Committee on the heels of the Downtown Infrastructure Project. While the original request from the abutter was for the City to sell the property, Councilor Filiault agreed that it always behooves the Council to give neighbors a shot to try when they step forward saying they want to do something that could be positive. He thought the City Manager might be able to speak to other little pockets of City-owned property in the City that this could work out for, maybe not through the Parks and Recreation Department but Public Works. So, Councilor Filiault supported trying this for a few months and seeing what happens.

Councilor Remy asked for a roll call vote. He was still confused about why the votes were opposite, with a "no" vote to affirm the sale. He said the MSFI Committee did not pass a motion, it did not vote for something. City Attorney Amanda Palmeira said the motion the MSFI Committee voted on was written in the positive to allow the City Manager to be authorized to sell the property. As the City functions under Robert's Rules of Order and parliamentary procedure, a 0 to 5 vote is not a neutral vote, it is a vote not to approve the matter; it affirmatively says that is not what the Committee recommends. So, the City Attorney said the

opposite of what was requested was coming out of the Committee. She said the Council was being asked to affirm the Committee's recommendation not to authorize the sale.

Councilor Favolise said he understood what a "yes" vote and a "no" vote meant here. He thought some of the confusion stemmed from the fact that when the Council had similar situations in the past, it received the opposite guidance from the prior City Attorney about how to phrase the motion. So, if this was how the Council would phrase these motions moving forward, Councilor Favolise thought that would be fine. He did not think that doing one or the other in any given circumstance without any kind of rhyme or reason would be the best practice moving forward. So, Councilor Favolise said he understood the confusion because he did think that there had been inconsistent guidance. On the topic of the motion itself, Councilor Favolise said his thinking had evolved as he was originally pretty clearly in favor of selling. He thought a group had come together that at least had the outlines of a plan and had committed to working with resources in City offices and City departments, as well as working with the neighbors and abutting folks at this 100 Church Street property to come up with a solution that preserves this as a green space and addresses some of the safety and quality of life concerns. Councilor Favolise thought it remained to be seen, as other Councilors alluded, if that would actually happen and be successful. Councilor Favolise still thought it was worth giving it a try, so he would be voting "yes" to keep the property.

Councilor Williams thanked the Council and specifically MSFI for their patience. While this had gone back and forth a number of times, he said it was important to listen to what the constituents had to say about it. He noted that many people wanted to pitch in and help with this park, which Councilor Williams called a great opportunity. However, he said that if the Council voted yes on this, that would be when the hard work begins. People had come forward and said they would improve this park and now he said the issues in the park would need to be addressed, including real safety concerns. He thought those could be addressed but said we have to step up and do it. Councilor Williams called that the next step.

Reacting to an audience member wishing to speak, the Mayor noted there would be no more public comment accepted at this time. Public comment was accepted at the Council Standing Committee level and the Council acts on those Committee recommendations.

The motion to carry out the intent of the report (to retain city ownership of the property) carried on a roll call vote with 13 Councilors voting favor and 1 voting in opposition. Councilor Remy voted in the minority. Councilor Workman was absent.

MSFI REPORT - DOWNTOWN INFRASTRUCTURE PROJECT UPDATE

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending accepting the report on the Downtown Infrastructure Project as informational. Mayor Kahn accepted the report as informational. He called it a good report that explained some controversy the City ran into on the bidding.

MSFI REPORT - EXECUTION OF AN AGREEMENT TO ATTACH CITY LIGHTING TO PRIVATE PROPERTY

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the City Manager be authorized to do all things necessary to negotiate and execute revocable license agreements with the owners of Parcel 575-012, Margaritas, and Parcel 575-057, Local Burger, for the attachment of City-owned and maintained lighting systems to privately owned buildings. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

FOP REPORT - ACCEPTANCE OF FAA AIP GRANT FUNDING FOR AIRPORT PERIMETER FENCE PROJECT

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to accept, execute, and expend grant funding for up to the amount \$350,000 from the Federal Aviation Administration Airport Improvement Program for the Airport Perimeter Fence Project. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

FOP REPORT - 2025 HOMELAND SECURITY GRANT PROGRAM - LOCAL HAZMAT TRAINING AWARD

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to accept and expend the 2025 Homeland Security Grant Program – Local Hazmat Training award. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

FOP REPORT - RELATING TO THE ACCEPTANCE OF DONATIONS FOR THE GOOSE POND PEDESTRIAN BRIDGE PROJECT (65M0012C)

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to accept and expend donations from Savings Bank of Walpole up to the amount of \$10,000 and donations from the public up to \$20,000 for the construction of the Goose Pond Pedestrian Bridge Project (65M0012C). A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Williams expressed his appreciation to the Greater Goose Pond Forest Stewardship Subcommittee, which is a part of the Conservation Commission, for all the work it does at Goose Pond, but specifically for making this happen.

As Chair of the Conservation Commission, Councilor Madison also wanted to thank Greater Goose Pond Forest Stewardship Subcommittee for making this happen. He said this area was

historically kind of treacherous to walk across because it is the spillway for the dam; when the dam is full and water flows through, pedestrians must walk through up to one inch of water. Councilor Madison added that the community could help on Saturday, November 8, 2025 at 9:00 AM, beginning at the Goose Pond South Trailhead on East Surrey Road. Volunteers would be moving the wooden beams to the bridge site and Councilor Madison said many hands make light work. If anyone did not have funds to donate to the bridge, he encouraged them to participate and start their weekend off right to help finish the work quickly.

Councilor Remy requested an update on the fundraising. Carrah Fisk-Hennessey, Parks and Recreation Director, reported the total at \$9,380, including the dollar-for-dollar match from Savings Bank of Walpole. She said that it was about halfway to the \$10,000 Savings Bank of Walpole \$10,000 match. The City subcommittee was still accepting donations and was really excited to make this project come to fruition.

The motion to carry out the intent of the FOP Committee report carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

FOP REPORT - RELATING TO THE EXECUTION OF AN AGREEMENT FOR ENGINEERING SERVICES WITH WESTON & SAMPSON FOR THE DESIGN OF THE COURT STREET WATER MAIN REPLACEMENT PROJECT (34MI0226)

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to execute an agreement with Weston & Sampson for engineering services for the design of the Court Street Water Main Replacement Project (34MI0226) for an amount not to exceed \$165,000. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 14 Councilors present and voting in favor. Councilors Workman was absent.

Councilor Workman arrived at 7:44 PM.

FOP REPORT - RELATING TO THE EXECUTION OF AN AGREEMENT FOR ENGINEERING SERVICES WITH FUSS & O'NEIL FOR THE DESIGN OF THE COURT STREET CULVERT REPLACEMENT PROJECT (75M00626)

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to execute an agreement with Fuss & O'Neil for engineering services for the design of the Court Street Culvert Replacement Project (75M00626) for an amount not to exceed \$128,000. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT - AGREEMENT FOR ENGINEERING SERVICES DURING CONSTRUCTION (CE) WITH GREENMAN PEDERSEN INC (GPI) FOR THE CONSTRUCTION PHASE OF THE DOWNTOWN INFRASTRUCTURE IMPROVEMENTS PROJECT

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to execute an agreement with Greenman Pedersen Inc (GPI) for engineering services during construction for the Downtown Infrastructure Improvements Project, for an amount not to exceed \$1,800,000.00. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Jones recalled that he had some issues with this project from the very beginning, but he understood the need to fix the infrastructure and the need to have a good engineer. So, he would be voting in favor of this.

The motion to carry out the intent of the FOP Committee report carried unanimously with 15 Councilors present and voting in favor.

**FOP REPORT - RELATING TO THE EXECUTION OF AN AGREEMENT FOR
“ENGINEER OF RECORD” SERVICES WITH MCFARLAND JOHNSON FOR THE
GEORGE STREET BRIDGE REPLACEMENT PROJECT (75M020A)**

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to execute an agreement with McFarland Johnson for design engineer of record engineering services during construction for the George Street Bridge Replacement Project (75M020A) up to \$60,000. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

**FOP REPORT - RELATING TO APPROVAL OF DESIGNATION AS SOLE SOURCE
CONTRACTOR OF RECORD - MINKLAND, LLC (C.M. MINKLER)**

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to designate Minkland, LLC (C.M. Minkler) as a “Contractor of Record” in accordance with City Code Sec 2-1332 (5). A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

**FOP REPORT - AUTHORIZATION TO BORROW NHDES CLEAN WATER STATE
REVOLVING FUND (CWSRF) LOAN FUNDS FOR THE REPLACEMENT OF TWO
EXISTING GALVANIZED WATER SERVICES IN ACCORDANCE WITH EPA LEAD AND
COPPER RULE MANDATES**

The first Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to negotiate and execute agreements with the owners of properties served by two (2) existing galvanized water services for the purposes of financing the replacement of private water services. The payment

plans shall not exceed 10 years with an annual interest rate equal to the CWSRF loan rate in effect at the time. A second Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to apply for, accept, and expend NHDES CWSRF funds for the replacement of two existing galvanized water services. A motion by Councilor Powers to carry out the intent of the two Committee reports was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT - RELATING TO THE REALLOCATION OF NHDES CWSRF LOAN FUNDS FROM THE SEWER MAIN LINING PROGRAM (32MI04) TO THE SEWER MANHOLE LINING PROGRAM (32MI06)

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to amend the NHDES Clean Water State Revolving Fund agreements to reallocate the remaining available funds in the NHDES CWSRF Sewer Main Lining Program (32MI04) to the NHDES CWSRF Sewer Manhole Lining Program (32MI06) in an amount not to exceed \$130,000.00. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT - SUBORDINATION AGREEMENT - 310 MARLBORO STREET

A Finance, Organization and Personnel Committee report was read, unanimously recommending to the City Council that the City Manager be authorized to sign a Subordination Agreement to a mortgage from 310 Marlboro Street, LLC to Newburyport Five Cents Savings Bank. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

The City Attorney, Amanda Palmeira, explained that the City's agreement with the property owner does track with the language from 79-E. She said 79-E includes this type of lien, which the City does not strictly need. The City Attorney's office recommended not keeping this lien or to ensure it is not subordinated for a mortgage, which she said would be perfectly fine. She said the City had subordinated its same lien rights on this agreement around January 2024 for the exact same reasons. The Mayor said that it would leave the City in a second position (for the lien) The City Attorney said only on the specific type of lien, which is for the proceeds in case of a flood or other casualty damage, when insurance proceeds would come to the property owner. She said that is what the City's lien is for, but the City Attorney did not recommend it as what the City needed.

The motion carried unanimously with 15 Councilors present and voting in favor.

CITY MANAGER COMMENTS

First, City Manager Elizabeth Ferland reported that this morning, November 6, 2025, there was a significant structure fire at a residence on Elliott Street. The incident began at approximately

8:30 AM. Shortly thereafter, the Fire Department issued a mayday when three Keene firefighters became trapped on the second floor and were forced to bail from the structure during suppression efforts. All three firefighters were transported immediately to Cheshire Medical Center. They were treated for burn injuries, most of which were minor. By this evening, they were all released. The City Manager said this incident underscored the importance of training and high-quality protective fire gear—and in this case, that gear performed as designed, preventing more serious injuries. The City Manager also noted the importance of how fires are managed. The cause of the fire was currently under investigation. This event had understandably shaken the Fire Department, and she acknowledged their professionalism and resilience throughout the day, which she witnessed on-scene. She also acknowledged retired fire chief Mark Howard, who was there to support the injured firefighters and do whatever the Chief or Deputy needed; Mr. Howard heard the mayday and arrived at the hospital before City Manager Ferland, and she appreciated his help. The City team came together to support one another—as is always the case during a serious incident—demonstrating once again the strength of this organization and its commitment to keeping the community safe. There would be a detailed press release shortly. The City Manager welcomed Fire Deputy Greg Seymour for comments. Both the Police and Fire Chiefs were attending the *Kristallnacht* Remembrance.

Deputy Seymour reported that it was a very fast-moving fire and the crew was very quickly inundated by fire conditions, for which they were not prepared. High winds, building construction, and the fire having some lead time put the crew at a disadvantage. He said anywhere in town, it can be difficult to know who occupies certain buildings—college students, elderly, or people who work nights and might be sleeping—so, the crew dove in and searched first and second floors for any occupants and thankfully found none. Thankfully, he said they were able to rescue themselves, each other, and do their jobs. Deputy Seymour said the Fire Department crews are very good at pivoting and doing multiple things. So, they got many members off to the hospital quickly. He was very proud of how aggressive the crew was and how they handled themselves before and after. Deputy Seymour had no doubt they would handle themselves the same way tomorrow—because that is what they do.

Mayor Kahn thanked Deputy Seymour for the update and asked which other surrounding departments responded to the call. Deputy Seymour recalled a total of 70 mutual aid fire departments in coordination from Winchendon North to Brattleboro; approximately 105 firefighters worked on the scene. Mayor Kahn said he observed some firefighters on-scene from Surrey and Brattleboro, pointing out that sometimes the City questions its relationship with surrounding towns, and the number of towns who responded was impressive. The City Manager agreed that the City is fortunate to have good relationships with all those towns and that they showed up today. During a fast-moving fire like that, she said we rely on our team to begin the attack and, while support did show up today, it is not always guaranteed. The City Manager noted that for fire departments, that mayday call is a different type of call for help that also brings additional people to the scene. City Manager Ferland said Deputy Seymour did a wonderful job, along with Chief Jason Martin. Deputy Seymour reiterated that the majority of maydays and bad things happen during the first 10 minutes of a fire crew arriving on-scene, which was the case today. The first 10 minutes of the fire are the most aggressive and fastest moving time, when the crew has the fewest resources to help them.

City Manager Ferland continued her report, discussing food distribution updates that were also shared on social media and in some press releases. While the federal government remains shut down and families are not receiving their SNAP benefits, the Governor partnered with the New Hampshire Food Bank and local agencies, including the Keene Community Kitchen, to distribute food throughout the month of November 2025. The Community Kitchen reached out to the City of Keene seeking a location to support food distribution for SNAP recipients in our region. The City offered its Public Works facility for both storage and distribution. Food box pickup for SNAP recipients in the Monadnock Region would take place at Keene Public Works, 350 Marlboro Street, on Saturday, November 8, 2025 from 9:00 AM to 12:00 PM. Recipients must bring their New Hampshire SNAP card for proof of eligibility. Additional distribution dates currently planned include November 15, November 22, and November 29 at the same location and time. The City Manager hoped it would not have to extend beyond that. She stated that food insecurity is a serious concern, and this delay in federal benefits was creating real hardship for many households. Councilor Tobin recently met with the City Manager and Deputy City Manager's Andy Bohannon and Rebecca Landry, and a part of their discussion focused on strengthening food resiliency. Councilor Tobin offered several valuable suggestions, many of which the City Manager would be pursuing. The City Manager said the Community Kitchen was an exceptional partner during the COVID-19 response and was proving to be an equally strong partner now. She would be meeting with them, along with the City's Emergency Management Director and other City staff, to explore strategies for reinforcing this partnership. The Emergency Management Director was also pursuing Federal Emergency Management Agency (FEMA) funding to assist the Community Kitchen in acquiring a generator, as their ability to maintain operations is an important component of the region's food resilience.

Next, the City Manager announced that the Downtown Infrastructure Project was officially out to bid, which was met with applause. She agreed that it was a big relief for everyone. City Staff received final review comments from New Hampshire Department of Environmental Services (DES) on October 31, 2025 and responded on Monday, November 3. All DES comments were resolved by Wednesday, November 5, 2025, and the project was advertised on the City's bid platform on Thursday, November 6, 2025. Bids were due to the City by December 18, 2025. The Engineering Division would be reaching out to qualified construction firms to spread the word and hopefully generate interest in the project. The City Manager encouraged Councilors to spread the word as well, noting it is a large enough project that it should bring in a contractor that the City may not see otherwise.

City Manager Ferland also reported that the City's 3-Million Gallon Tank was nearing completion. On Monday, November 3, 2025, the Public Works Department began the process of disinfecting the recently re-painted water tank on Roxbury Road. On November 4, the Department received the first test results indicating that the tank was safe to put back into service. More tests were running, but if all went well, the City Manager said the tank would be back in service the week of November 10, 2025. On Tuesday, November 4, the Public Works Department notified customers in East Keene that they may observe elevated chlorine in their water (i.e., taste or odor). This was a result of a valve used to isolate the tank leaking, and allowing a small amount of water used in the disinfection to enter the distribution system. Staff were able to quickly flush the system. The City did not receive any calls or complaints from customers.

The City Manager announced that bids were opened for the George Street Bridge replacement on November 6, 2025. The Engineering Division was evaluating the bids and expected to send a recommendation to award the contract to New Hampshire Department of Transportation (DOT) during the week of November 10, 2025. No construction was expected until spring 2026 but awarding the contract now would allow the contractor to fabricate and precast bridge pieces over the winter in preparation.

City Manager Ferland shared another update on the City's progress toward the State of New Hampshire's emergency management system. The Council received a memo on October 29, 2025, regarding the City's progress using this system. In January 2026, there would be a public campaign prior to utilization of the system to get Keene residents to register their cell phones, so they can stay informed during local emergencies and weather parking bans. For example, the City used this system during the most recent water main break and only some people received the text. The City Manager explained that the state uses a reverse 911 system, which works great if you have a landline or local area code, but many residents have cell phones with non-local area codes. So, the City Manager said this education campaign would help people to register their numbers. Then, the City would test it. For instance, the reverse 911 system should even allow the City to pinpoint specific areas, to which it wants to send messages; the City had only tried once, with mixed results.

The City Manager also shared that the City was awarded an \$80,000 Recreational Trails Program (RTP) grant from the New Hampshire Fish and Game Department to support long-needed repairs to the Ashuelot Rail Trail Trestle Bridge. The project includes the removal of deteriorated structural components and the installation of new timber railings and replacement wood decking to restore the bridge to a safe, reliable condition. This bridge serves as a critical connector within the City's multi-use trail network and is an important corridor for Keene State College students, local residents, and regional trail users. Councilor Favolise had been a consistent advocate for prioritizing this repair. Former Keene State College President Melinda Treadwell also expressed strong support for the project, offered to share in the matching requirement, and wrote a letter of support. The City pursued this grant in collaboration with Keene State College to ensure that the structure could be rehabilitated without delay. The City Manager explained that it is an 80/20 grant and the College and City should each be paying 5%. Councilor Favolise thought Pathways for Keene was involved in some of the matches. The City Manager thought so too but was unsure of the exact breakdown. She would be revisiting the topic with the College and Pathways to determine.

The City Manager thanked Councilor Powers for donating a \$100 Barnes & Noble gift card for the City's Holiday Sponsorship Program to assist with the purchase of gifts for families in need. This donation was not included on the donation report later on the agenda.

Lastly, City Manager Ferland reported that David Hickling retired as Airport Director, effective the week of October 27, 2025. The City must have an Airport Director on record, so during the transition until a replacement, Deputy City Manager Rebecca Landry would be Acting Airport Director for the second or third time. So, the City Manager knew the Airport was in good hands

and the Deputy City Manager would help everything move forward smoothly. The City notified the New Hampshire DOT's Aviation District of this change on November 6, 2025.

Mayor Kahn noted that he was at Cheshire Medical Center before the City Council meeting and there was great concern in the room by everyone about the mayday call and the response that was needed to support the Fire Department. He said it was a nice community response to the concern for the safety of the officers and it was clear the community respects their service.

REPORT - ACCEPTANCE OF DONATIONS - FINANCE DIRECTOR

A memorandum was read from Finance Director/Treasurer, Kari Chamberlain, recommending that the City Council accept the donations below with gratitude, and that the City Manager be authorized to use these donations in the manner specified by the donor. A motion by Councilor Powers to accept the donations with gratitude, and that the City Manager be authorized to use these funds in the manner specified by the donor was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

- \$500 donation from Cersosimo Industries for the benefit of the Human Rights Committee's Keene International Festival.
- \$5,000 donation from the Gallup Foundation for the benefit of the Human Rights Committee's Keene International Festival.
- \$71 in community donations during the Human Rights Committee's Pride Event.

REPORT - CANVASS OF MUNICIPAL GENERAL ELECTION RESULTS - CITY CLERK

A memorandum was read from City Clerk Terri Hood, recommending that, pursuant to Section 5 of the City Charter, the candidates receiving the highest number of votes for their respective offices on the Municipal General Ballot are hereby declared elected, and further, pursuant to Section 6 of the City Charter, that the results of Ballot Question 1 – Keno Prohibition and Ballot Question 2 – Social Districts Authorization are hereby declared final and official. A motion by Councilor Powers was duly seconded by Councilor Lake to recommend that, pursuant to Section 5 of the City Charter, the candidates receiving the highest number of votes for their respective offices are declared elected. Further, pursuant to Section 6 of the City Charter, moved to declare that Ballot Question 1 – related to Keno Prohibition passed by majority vote, and Ballot Question 2 – related to Social Districts Authorization failed.

The City Clerk noted this was the first Municipal Election without long-time retired City Clerk, Patty Little, so it was a bit daunting for the Clerk's team. They had to implement some new election equipment that added to the stress. Still, the City Clerk said they could not do it without all of the help and support of the City departments that come and participate in set up, breakdown, and all the logistics that go into making this happen at the five wards. Those Departments include Public Works, Facilities, and IT, who helps with all the technology now used at the polls. She said the Clerk's office was also fortunate to have some volunteers to help clean up at the end because they found the closeout process quicker with the new voting equipment. So, they needed to get to the polls more quickly to get the equipment before things were locked up. In particular, Marti Fiske, Yves Gakunde, and Bryan Ruoff helped that evening

with close-out and taking all the supplies and equipment back to City Hall. Much like the mutual aid the Fire Department receives, the City Clerk said her little office also could not do it without all the help it received. The Mayor thanked her for the coordination and leadership.

The motion carried unanimously with 15 Councilors present and voting in favor.

The vote was certified, and the Mayor congratulated those who were on the ballot and would be sworn in come January 2026. The election results would be posted in City Hall and on the City website.

PB/PLD REPORT - O-2025-28-A RELATING TO ZONE CHANGE FOR FIVE PROPERTIES ON PEARL STREET & WINCHESTER STREET - JOINT PLANNING BOARD/PLD COMMITTEE

A Joint Planning Board/Planning, Licenses and Development Committee report was read, with the Planning Board unanimously finding that the application meets the intent of the 2025 Comprehensive Master Plan, and the Planning, Licenses and Development Committee unanimously recommending the Mayor set a Public Hearing on Ordinance O-2025-28-A. The Mayor filed the memorandum and set a Public hearing on Ordinance O-2025-28-A to be held on Thursday, December 4, 2025 at 7:05 PM.

PB/PLD REPORT - O-2025-34-A: RELATING TO ZONE CHANGE FOR SIX PROPERTIES ON MAPLE AVE & ROUTE 12 - JOINT PLANNING BOARD/PLD COMMITTEE

A Joint Planning Board/Planning, Licenses and Development Committee report was read, with the Planning Board unanimously finding Ordinance O-2025-34-A consistent with the 2025 Comprehensive Master Plan, and the Planning, Licenses and Development Committee unanimously recommending the Mayor set a Public Hearing on Ordinance O-2025-34-A. The Mayor filed the memorandum and set a Public hearing on Ordinance O-2025-34-A to be held on Thursday, December 4, 2025 at 7:00 PM.

ORDINANCE FOR FIRST READING - RELATING TO CLASS ALLOCATION - ORDINANCE O-2025-32

A memorandum was read from ACM/Human Resources Director Beth Fox, recommending the City Council refer Ordinance O-2025-32 to the Finance, Organization and Personnel Committee. Mayor Kahn referred the Ordinance O-2025-32 to the Finance, Organization and Personnel Committee.

ORDINANCE FOR SECOND READING - RELATING TO RULES FOR THE OPERATION OF BICYCLES -ORDINANCE O-2025-33-B

A Municipal Services, Facilities and Infrastructure Committee report was read, on a vote of 4 to 1, recommending the adoption of Ordinance O-2025-33-B. A motion by Councilor Greenwald to adopt Ordinance O-2025-33-B was duly seconded by Councilor Filiault.

Councilor Greenwald explained that in anticipation of the Downtown Project and the coming bike lanes, rule changes were suggested to the operation of bicycles in the City. Most of the rules and regulations about bicycles are spelled out in an NH statute. Councilor Greenwald presented the Council with 55 items that came forth from the City's Bicycle/Pedestrian Path Advisory Committee (BPPAC) and through discussion by the MSFI Committee regarding hopes for safe bike operations downtown. He thought there was great awareness that it would come down to personal responsibility and how people operate their bicycles. Nonetheless, he said it should be an ordinance, which the MSFI Committee presented to the Council in O-2025-33-B. Councilor Greenwald said one of the issues that came up was the operation of electric bicycles and scooters. He said the MSFI Committee decided that the motors should not be engaged in any of these electric devices when they are being used on the downtown bike lanes. He said it would obviously be very difficult to monitor whether that is the case, but thought a statement needed to be made that they should be pedaled like normal bicycles when downtown in the hopes that responsible people would react as such. Councilor Greenwald said this report also came from MSFI with a recommendation for a 10-mile per hour maximum speed limit. At the November 4 Municipal Election polls, voters spoke to Councilor Greenwald about that speed being a little too fast.

A motion by Councilor Greenwald to amend Ordinance O-2025-33-B to change the permitted speed limit of electric bicycles and scooters from 10 mph to 8 mph was duly seconded by Councilor Powers.

Councilor Greenwald realized that monitoring the speed of these bicycles with a radar gun would not happen but thought this change would make a different statement by reducing the allowable speed limit below two digits. He said it may be meaningless, but he hoped for 8 mph.

Councilor Haas supported the change to 8 mph, stating that the idea of going to this lower number is to call attention to it, because people were used to seeing 10 or 15 miles per hour (i.e., round numbers). He said this idea was to call attention to this different, special number to help with awareness. Councilor Haas appreciated the proposed amendment.

Councilor Williams noted that there would be separated bike lanes; people would not be riding bikes in the middle of pedestrians. He thought 10 mph would be a reasonable speed and 8 mph a little low.

Councilor Roberts agreed with 10 mph, stating that many people could run faster than 8 mph. Mayor Kahn agreed that the Council and City staff experimented with cycling speeds and it was very possible to ride at 8 mph and even 6 mph.

Mayor Kahn offered a personal reflection and one he heard at different doorways over the years: the speed limits are not just for people riding bikes but for the public that are concerned about their safety crossing the bike lanes. The Mayor thought it would be a matter of messaging to that concerned constituency that the City is doing what it can to introduce the bike lanes and to keep them safe for pedestrians downtown. He thought reducing this speed below a two-digit number would send that message.

Councilor Jones noted that this Ordinance would address the downtown corridor. It mentioned bike lanes, but the City did not have bike lanes yet. He confirmed with City staff that there was no bicycle riding permitted on sidewalks in the downtown corridor at this time. So, if this Ordinance passed at this meeting, he thought it would immediately make cycling allowable on the sidewalk in advance of the City installing bike lanes. Councilor Jones wondered if adopting this Ordinance was premature. Mayor Kahn thought the intent was for the rules in this Ordinance to become effective at the point that bike lanes are on the sidewalks. City Manager Elizabeth Ferland thought it was important to establish the rules now because the City had received a lot of questions about this. Once the Council adopted the Ordinance, it would allow City staff to begin a public education campaign in advance of the actual construction. Councilor Remy added that the Ordinance explicitly states that the use is only allowed on bike lanes or multiuse paths and there were not bike lanes yet.

Don Lussier, Public Works Director, added that the section of City Code of Ordinances that addresses bicycle use on sidewalks downtown is a separate section of City Code. That section would not be changed one way or another. After passing this Ordinance, Mr. Lussier said it would still be unlawful to ride on a sidewalk downtown once the bike lanes are built. None of that would change.

Councilor Filiault stated that neither speed would be enforceable by the City, but said an unenforceable 8 mph would be better than an unenforceable 10 mph.

The motion to amend Ordinance O-2025-33-B to change the permitted speed limit of electric bicycles and scooters from 10 mph to 8 mph carried, with 8 Councilors voting in favor and 7 Councilors voting in opposition. Councilors Tobin, Remy, Williams, Roberts, Favolise, Lake, and Workman voted in the minority. Ordinance O-2025-33-C was created.

Councilor Haas noted that he was against this debate until the amendment passed, reducing the speed limit to 8 mph. He was pleased with the reduction. Councilor Haas thought calling these “bike lanes” confused them with every other bike lane that might exist anywhere in the City—whether on trails or roadway shoulders. He called it a unique situation. He recalled one point when the City started to refer to them as “sidewalk bike lanes,” and some other names that floated around. Councilor Haas said this is truly just arranged as an expanded sidewalk—more sidewalk where bikes are permitted—not a protected bike lane that is separated from travel. He called it more like a “sidewalk place.” Given the Council had taken the one step, he said it should get on with this and the City should work on a great education campaign. However, in the future, he said the Council would need to think about what these bike lanes really are.

Councilor Favolise recalled that he was on record earlier in the meeting making a statement about confusion over wording of the 100 Church Street motion. He had spent a little time going through the Rules of Order during this meeting and thought that the previous confusion around positive and negative motions was related to ordinances, which are a little bit different in the Council’s Rules than a Committee report. So, Councilor Favolise wanted to provide that context, stating that if he was the first to complain, he would be the first to contextualize as well. To Councilor Haas's point, Councilor Favolise said the MSFI Committee had what he considered to be relatively extended discussion on a couple of different occasions about—in part Councilor

Jones' point and in part Councilor Haas's point—that “bike lanes,” in this particular Ordinance, are referring to the new designated areas at sidewalk grade that will be put in as part of downtown infrastructure upgrades. So, Councilor Favolise did not anticipate there being any question in the future about what this was referring to, but if there is, he said there are minutes and there is video of the Council asking this question and having it answered. He also said that he did not think this Ordinance was perfect. He knew that enforcement would not be perfect and that there were strong feelings in the community on all sides around the bike lanes. Councilor Favolise said this was well past the point of a conversation about the merits of the bike lanes and he thought the Council needed to do its best to regulate these knowing that they would be a part of the downtown infrastructure project once it is completed. So, Councilor Favolise said he would be voting yes and encouraged all his colleagues to do the same. Mayor Kahn thought that added good context.

Councilor Williams said first, these are bike lanes, not sidewalks; everybody campaigned for bike lanes, not sidewalks, and the City told people there would be bike lanes to use, not sidewalks. He said the City would be protecting the bike lanes. There would be dividers between the sidewalks and the bike lanes. He noted that pedestrians should not be wandering through the bike lane; they have a responsibility to be careful too. Councilor Williams was really concerned about the rule prohibiting the use of electric motors, calling it a very novel idea that he was not aware had been tried anywhere before. He said it would be trying to address a problem the City was unsure it really had in a very sloppy way. Councilor Williams noted that it would effectively ban a number of vehicle types from using those lanes, such as cargo bikes (e.g., people hauling groceries; he asked if banning that would increase safety) or basic two-wheel hoverboards that many kids use. He thought that making those vehicles illegal downtown without any real reason, except being afraid of bike lanes or electric bikes, would be overboard. Councilor Williams thought this would be tough to enforce, adding that when things are difficult to enforce, they tend to only be enforced against certain people, which he thought was a risk. He said the City designed the bike lanes to be safe infrastructure and instead would be sending people out into the street. Councilor Williams was concerned about that and did not think it was a good idea. He thought it would affect businesses. He said he had looked into what it would take to start a bike share business in in Keene, and it would only really be economical to rent electric bikes. He said nobody would be renting electric bikes if this Ordinance passed; that would be a whole type of business that is no longer possible. Councilor Williams recommended that his fellow Councilors vote against this Ordinance and try again in the new year based on the BPPAC's recommendations.

Councilor Jones read from City Code Section 94-464(b), “on bike lanes and multiuse paths within the City of Keene.” He asked someone to explain whether that referred to the whole trail system within the City of Keene. Mayor Kahn thought it sounded like it. Public Works Director Don Lussier clarified from the preamble of the introductory paragraph, where it talks about this being specifically within the Downtown Core Zoning District. So, he said that would include the bike lanes or multiuse paths (i.e., Cheshire Rail Trail) within the extent of the Downtown Infrastructure Project, meaning bike lanes to the extent of Railroad Square and Gilbo Avenue, but the entire network was not intended. Councilor Jones said he was okay with that intention but thought there should be some clarity in the verbiage.

Discussion ensued briefly between Councilors Greenwald and Remy about the Ordinance language and which item numbers it listed “Downtown Core Zoning District.” Councilor Jones suggested changing “within the City of Keene,” to “within the Downtown Core Zoning District.” Mr. Lussier explained that “Downtown Core Zoning District” was omitted from item number 3 because that would also apply to bike lanes. For example, on Washington Street, you are only supposed to be going in the direction of travel. On item number 4, the intention was for people not to leave their bicycles parked anywhere on the bike lanes. So, the Mayor said it was by intent and Mr. Lussier said yes.

Councilor Tobin understood the different perspectives: some people feel like they should be able to go any speed on these bike lanes and some feel like the City should not have bike lanes at all. Councilor Tobin thought the City landed here—somewhere in the middle. She imagined this evolving over time once people started riding the bike lanes. As the Council would start seeing flaws in the guidelines set out, she said it would come back and address them. Councilor Tobin noted that people were concerned about pedestrians having to cross from their parking spots to the sidewalks. She was not especially concerned. However, she also understood that to make people feel safer and as an introduction to the idea of bike lanes as something new downtown, she was comfortable easing into it. Councilor Tobin imagined that at some point it would not be a problem, and the City would adapt the parameters accordingly as people follow the right speed/guidelines and no one gets hurt.

Councilor Filiault agreed with Councilor Williams that the Council should defeat this Ordinance, but Councilor Filiault did not think it was worthy of bringing back. He said it was no secret that 81 MSFI meetings ago, early in the Downtown Infrastructure Project, he was opposed to the bike lanes because there is only so much space to be prioritized between the building faces on Main Street. Councilor Filiault thought the space would be better utilized for increased pedestrian space and increased outdoor seating. He said he still felt that way and could not change it, at least until January 1, 2026, when a new item could be introduced to the Council per its Rules of Order. Councilor Filiault noted that he was the one dissenting MSFI Committee vote. He stated that he was not in favor of a completely unenforceable Ordinance, which he said was created here. He commented that no one would be looking at whether electric motors are disengaged or 8 vs. 10 mph; it would be unenforceable. Councilor Filiault added his adamant opposition to anything with a motor on the sidewalk. If allowing an electric motor, he questioned why gas lawn mowers should not be allowed on the sidewalks downtown; why not just allow gas motors on the sidewalk? With the exception of electrical medical devices, Councilor Filiault did not feel that anything should be on the downtown bike lanes as long as the bike lanes go through this Council. He heard mention that if bikes are allowed on the bike lanes, then electric bikes must be allowed too. Councilor Filiault said that was untrue, citing NH RSA 259:20 and RSA 259:27-a, which allow local agencies to restrict any electric vehicle in a certain area if an elected body deems them unsafe. He said there were New Hampshire laws saying the City could allow bikes without allowing electric bikes. Councilor Filiault thought that if Councilors spoke to community members today, they would find the same as at the beginning of the project: opposition to the bike lanes—about 90% in Councilor Filiault’s opinion based on his constituents, and probably higher for electric. He said at this point, the bike lanes were still on the project, so he had to follow the Council’s will. He still thought it made no sense to pass an unenforceable Ordinance and to allow electric vehicles on downtown sidewalks, where pedestrians can be crossing into

stores. Councilor Filiault thought there should be more space for pedestrians and more space for outdoor seating on these two blocks. He noted that the City spent years working on its bike and trail system; you can come into Keene from all four directions and be within one block of a business. He knew that at many of the meetings there was discussion about having bike lanes and electric bikes like bigger cities. Councilor Filiault said anywhere in the world would be happy to creating a bike system that goes within one block of anywhere. He said this Ordinance was about a two-block area. He said most people drive, park in a parking lot, and still have to walk the extra block. While the bike lanes were in the project, he reiterated that allowing an electric motor vehicle would be absolutely unenforceable; who would walk around downtown determining if motors are turned on or if those vehicles are going 8, 10, or 12 mph? Councilor Filiault would not vote in support of the Ordinance.

Councilor Madison called the question, which was duly seconded by Councilor Bosley.

The motion to adopt Ordinance O-2025-33-C carried on a roll call vote with 8 Councilors voting in favor and 7 Councilors voting in opposition. Councilors Remy, Filiault, Williams, Jones, Roberts, Chadbourne, and Powers voted in the minority.

Councilor Remy asked if the Council had just functionally banned handicapped scooters on Main Street, noting that b)2) in the Ordinance did not clarify that it was not referring to “scooters.” Discussion ensued briefly. Mayor Kahn anticipated this discussion would arise again.

NON PUBLIC SESSION

A motion by Councilor Greenwald to go into non-public session to discuss legal matters pursuant to RSA 91-A:3,II(L), and land matters pursuant to RSA 91-A:3,II(d) was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor. The session began at 8:55 PM.

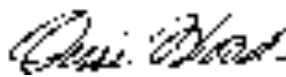
Councilor Greenwald departed the session at 9:20 PM. Mayor Kahn departed the session at 9:25 PM. By consensus the City Council appointed Councilor Powers as Temporary Chair to preside over the remainder of the non-public session.

The session concluded at 9:42 PM. A motion by Councilor Chadbourne to seal the minutes of the non-public session held this evening as divulgence of the information would render the proposed actions ineffective was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 14 Councilors present and voting in favor. Councilor Greenwald was not present for the vote.

ADJOURNMENT

There being no further business, Councilor Powers adjourned the meeting at 9:43 PM.

A true record, attest:


City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Mayor Jay V. Kahn
Through: Terri Hood, City Clerk
Subject: **Nomination - Heritage Commission**

Council Action:

In City Council November 20, 2025.

Nomination tabled until the next regular meeting.

Recommendation:

Attachments:

None

Background:

I hereby nominate the following individuals to serve on the designated board or commission:

Heritage Commission

Marilyn Huston
Slot 4

December 31, 2028



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Mark Rebillard Keene Downtown Group Chair
Through: Terri Hood, City Clerk
Subject: **Keene Downtown Group - Request to Use City Property - Ice and Snow Festival - February 7, 2026**

Council Action:

In City Council November 20, 2025.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. ISF 2025-2026 Letter to Council

Background:

Mr. Rebillard has submitted the annual request for a license to conduct the 2026 Ice and Snow Festival on City property on February 7, 2026.

January 31, 2025
Mayor Jay Kahn
Keene City Council
3 Washington Street
Keene, NH 03431

Dear Mayor Kahn and City Council,

On behalf of the Keene Downtown Group I ask the City of Keene to grant a license for the 23rd annual Keene Ice & Snow Festival to be held on Saturday, February 7, 2026.

The Keene Downtown Group is a 501c6 all volunteer organization that has hosted the Keene Ice & Snow Festival as well as other community events such as the Keene Art Walk and The Keene Music Festival.

The Keene Ice & Snow Festival provides a free day of family fun in mid-winter. Scheduled activities include; a children's train ride, a snow slide, free hot chocolate at 12 participating downtown merchants, a scavenger hunt, campfire smores, character actors, face painting, a sugar on snow station and art from 12 ice carvers whose sculptures are illuminated to shine like christmas tree bulbs into the evening.

Thank you for your consideration.



wntown Group Chair

PO Box 80
Keene, NH 03431
603-439-0321



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Medard Kopczynski
Through: Terri Hood, City Clerk
Subject: **Medard Kopczynski - Resignation - Congregate Living and Social Services Licensing Board**

Council Action:

In City Council November 20, 2025.

Voted unanimously to accept the resignation, with an effective date of January 1, 2026.

Recommendation:

Attachments:

1. Communication_Kopczynski

Background:

Mr. Kopczynski has tendered his resignation from the Congregate Living and Social Services Licensing Board effective January 1, 2026. He has served on the Board since December 2021.

November 18, 2025

Re: Congregate Living and Social Services Board

To: Mayor and City Council

It is with deep regret that I must tender my resignation from the Congregate Living and Social Services Board effective January 01, 2026.

I would like to thank the Mayor and the Council for their confidence and support through the years of the work of the board. I think it has made a difference in the community.

I would like to thank the Mayor and Council for providing me with this opportunity to serve. I have been a great believer and supporter of public service. It is what makes a difference in our community.

Once again, thank you!



Richard Kenneth Kopczynski



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: **Presentation - Heritage Commission Annual Report**

Council Action:

**In City Council November 20, 2025.
Report accepted as informational.**

Recommendation:

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the presentation – Heritage Commission Annual Report – be accepted as informational.

Attachments:

None

Background:

Chair Bosley welcomed Molly Ellis, Chair of the City's Heritage Commission (HC), for the HC's annual report. Ms. Ellis noted there is a lot of work the HC is engaged in throughout the year that the public might not hear about. Ms. Ellis stated that she has been Chair of the Commission for approximately one year; her predecessors were Cauley Powell and Rosie Carey.

Ms. Ellis summarized the HC's biggest past projects before welcoming questions:

- **Extant Historic Carriage Houses and Urban Barns in Keene's Washington/Court Street Neighborhood:** This effort was focused on finding what old carriage houses and barns are still standing because typically the City only learns of them when they are about to be demolished. So, the HC wanted to find out which houses still have old barns; when they were built many had horses and carriages as old farmhouses, such as Ms. Ellis' house. The total project cost was \$11,666.00, but the Heritage Commission received a grant for \$10,000 and the HC paid about \$1,200 and provided in-kind costs.
- **Italian Neighborhood Mapping Project:** Ms. Ellis said the HC is very proud of this project. CGIS Solutions was hired to create a customized crowdsourcing application for a public facing mapping tool. The idea was to create a website with a map that people could use, pick an address, and submit photos of family or events that correspond to those specific locations with captions that tell their heritage/historic stories. The HC solicited a grant to pay for this

website's creation. Once completed, Ms. Ellis said the second portion of the project was the HC interviewing members of Italian descent from the Old Italian neighborhood (as a newer member of Keene she did not realize there was one). Heritage Commissioners took photos of houses that are still standing and compared them to old photos for a "then and now," and uploaded those photos onto the map. The interview questions asked about life in the 1920s, when a lot of people of Italian descent came to Keene to work on the railroad. She said it was fascinating, all available on the website map, and the HC was very proud of it.

- Recovering Black History: Ms. Ellis called this a fascinating project. The Heritage Commission partnered with the Monadnock Center of History and Culture and the Black Heritage Trail of New Hampshire. Together, they hired a public historian, Dr. Kabria Baumgartner of Northeastern University, to contextualize and synthesize a lot of research the HC had compiled from the Cheshire County Historical Society. Dr. Baumgartner presented at the Historical Society in 2024. The project was meant to learn about the history of Black people in the Monadnock region and Keene, specifically focusing on the lives of Black individuals instead of the White people who helped Slaves escape.
- Video of Main Street and Central Square Before Reconstruction: The HC was currently working on this project before the Downtown Infrastructure Project to provide historical context for some of the buildings when they were built and how they are now by talking to people who live and work in them. The concept was to create a snapshot of downtown before the project.
- Ongoing HC work: Demolition review requests, grant applications, writing letters of support for other projects, and trying to raise awareness of historic resources.

Chair Bosley thanked Ms. Ellis and the HC for their efforts to preserve all this history for Keene and its residents here. Chair Bosley owned a historic carriage house on Court Street that was attached to the farmhouse she lived in. She asked where people go to find out what the HC had been able to document about barns and carriage houses. Ms. Ellis said it was all linked to the HC's webpage on the Keene website; she would share the link with the Council, as well as the report the consultants wrote, which documented every carriage house. Chair Bosley thought the HC's effort was really amazing. She asked the City Manager to have the City's social media staff publicize some of this information and get some PR for the Heritage Commission, as well as Keene's Italian neighborhood that had a lot of interaction with Council right now because of a project in that neighborhood. Ms. Ellis noted that the City's GIS Coordinator was still uploading the final details onto the Italian neighborhood website and the public facing website might not be linked to the HC webpage yet, but she would send it to the Council. Chair Bosley reiterated that the HC was doing such incredible work and the Council appreciated the annual update. However, she encouraged the HC to follow up more frequently during the year and send information along as projects are completed. That way, the details could be shared with the community more and people could access resources. Chair Bosley knew the Keene Sentinel and other local papers published historical photos to get people interested in remembering places. Ms. Ellis thought that would be great and appreciated the idea.

Councilor Haas thanked Ms. Ellis and appreciated the current snapshot of downtown before the Infrastructure Project. Councilor Haas asked when the Italian neighborhood project occurred. Ms. Ellis thought that happened about two to three years prior and Recovering Black History was one to two years prior. The Carriage House project had been ongoing and wrapped before Ms. Ellis joined the Commission in 2022. Councilor Haas echoed Chair Bosley that the City should publicize the HC's work. He suggested perhaps a showing for the Italian heritage project at The Colonial Showroom. He left the communication strategies with the City Manager.

Vice Chair Jones said it was good to see Ms. Ellis. The Vice Chair thought there was so much history the City was missing, so he thanked the HC for this work. He noted that down every different street through the north-center of Keene, if you look in the backyards, there would be an old barn that had been there forever. He said it was good to see some of that history documented. Vice Chair Jones recounted speaking to someone who grew up in the Stonehome Farm on the corner of Summit Road and Maple Avenue, noting there is so much history within a lot of Keene buildings. Thanks to the HC, he said the City was starting to learn about them. He thanked Ms. Ellis and the HC.

The following motion by Councilor Williams was duly seconded by Vice Chair Jones.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the presentation – Heritage Commission Annual Report – be accepted as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

Subject: Request for Consideration of an Ordinance Amendment to Regulate the Muzzling of Dogs *and* Draft Ordinance

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Attorney be directed to introduce an Ordinance for first reading relating to Regulating the Muzzling of Dogs.

Attachments:

None

Background:

Chair Bosley recognized City Attorney, Amanda Palmeira. The City Attorney recalled that on September 10, 2025 the PLD Committee discussed the statute changes, which authorized municipalities to require vicious dogs to wear muzzles, and at that meeting the Committee directed her to submit a draft Ordinance for their consideration. The City Attorney found that other towns were also working on the same question since the statute change, which she found interesting. She recalled the Committee discussing ideas about a strict muzzling requirement, when a dog is found to be "vicious." In the City's existing Code Section 10-35(d), a dog will be vicious if they "bite, attack, or prey on game animals, domestic animals, fowl, or human beings." The Committee also talked about the nuance of dog behavior and training, such as how a dog might be found vicious, but may not necessarily be dangerous at home with its owner. The City Attorney referred to the draft Ordinance in the agenda packet. She thanked Police Chief Steve Stewart and Animal Control Officer (ACO) Michelle Grimes for their assistance preparing the Ordinance.

The City Attorney reviewed the four sections of the draft Ordinance (page 2 of 31 in the PLD meeting packet) and welcomed feedback on the draft language:

1. This section is the requirement for a dog that is found to be vicious to be muzzled. It does not apply when they are on the owner's residence or property. The highlighted section showed the 2025-351

muzzling requirement for two years. The City Attorney highlighted it because the Committee talked about this, but she was not quite clear whether or not it should be indefinite, so it was a placeholder for more discussion.

2. This section is the ability for the dog owner to present a certificate to the ACO that shows the dog completed a reactivity class or one-on-one training with a certified trainer. The ACO spoke with the City Attorney about what this might look like, and the City Attorney included language for the ACO to use their discretion to accept the certificate (e.g., in case it is clearly fake or extremely old).
3. This section imposes a \$50 fine if the owner does not muzzle their dog when required. The City Attorney noted that it might sound a little low, given other fines, and said that is because the muzzling authority is in a specific part of the statute, which only allows violations to be \$50. She noted some possibly relevant good news: the statute would be changing again, effective January 2026, with much higher fines for the traditional fines in the forfeiture provisions.
4. This section was included by the City Attorney in case the Committee wanted it to be a part of the muzzling requirement scheme, as the statute does already allow the ACO to have authority to take a dog into custody if the owner fails to, “abate a nuisance,” which would include failing to muzzle a dog if it is ordered to be muzzled.

Chair Bosley welcomed comments from Councilor Williams, who originally introduced this item. Councilor Williams thought this was very strong work and thanked the City Attorney. Councilor Williams liked the highlighted two-year date from the offense in Section a), he did not want this to be a life sentence, in case a dog may be rambunctious in its youth and then could be a more reformed when it gets older and more tired; the crimes of a dog’s youth should not haunt it in its old age and he appreciated that. Councilor Williams also liked that there would be the possibility of time off for good behavior if the dog is trained by a certified trainer, recalling there are different levels of trainers, and it could be to the ACO’s discretion of acceptable accreditation. Councilor Williams thought the asset forfeiture was appropriate too, stating \$50 is not a huge fine, but he was also leery of putting undue financial burdens on people. Overall, he thought it was nice work and Councilor Williams was glad to have Ms. Palmeira as City Attorney.

Chair Bosley was unsure whether she had an opinion about it but clarified that the \$50 associated with this language would not be a substitution for the initial fine in violation for the vicious behavior. The City Attorney said that was correct. Chair Bosley said there would be the initial fine associated with vicious behavior and then said the \$50 fine would be for not following the letter of the law. Chair Bosley said not muzzling and then having a second incident, while not wearing the muzzle, would result in a larger fine. The City Attorney said that was correct. She noted that the draft Ordinance language listed the muzzling requirement in addition to any forfeiture to be paid under Section 10-36 of the Code of Ordinances and welcomed suggestions to make that clearer.

Chair Bosley asked the Committee if it wanted to move immediately to muzzling after first bite offense, or wanted there be an opportunity for the person to take ownership and responsibility for the dog, and then muzzling would be the consequence for a second offense. Councilor Haas replied that it is hard because there are degrees of bites—from a dog flashing its teeth and not causing injury to tearing a garment, which is often conceived of as a bite—and he wondered if they should all initiate this process. Councilor Haas added that Section b) did not really define what a “reactivity class” or a “certified trainer” is. He said it would be left to the ACO’s discretion whether the dog/owner has completed some kind of behavior modification, and there would be a lot of uncertainties with that being contested. There could always be problems when something is left to someone’s discretion. So, Councilor Haas wanted to be clear on when a bite is in fact a bite, wondering whether the City

could define a “bite.” He pointed out the possibilities for disputes between people saying someone’s dog bit them when the owner claims they only actually licked them. Vice Chair Jones thought he recalled ACO Grimes saying there was no real certification for dog training. Chair Bosley thought that was incorrect. She thought some people were certified; not every trainer needs to be certified but some can receive professional certifications, which ACO Grimes holds. Councilor Williams replied to Councilor Haas, stating that if a bite is large enough for an owner to be fined and a dog declared vicious, that would be a clean enough line for Councilor Williams. Councilor Williams also felt that one vicious bite offense would be appropriate for muzzling, stating that the goal is to protect people, and he would not want a second bite to really cause damage.

Chair Bosley welcomed ACO Grimes from the Keene Police Department. The ACO shared insights about the definition of a “bite.” She said the professional training world and often courts use the Ian Dunbar Dog Bite Scale, which is a very defined and professional bite determination level from one to six. Ms. Grimes had used the scale as well when looking at bite types. Chair Bosley asked if there was a level on the Scale that ACO Grimes would associate with vicious, for example. The ACO replied, for instance, that a Level 2 bite would be considered a dog that nips at somebody’s pants but does not actually put teeth on skin.

ACO Grimes also shared her perspective on whether a first or second bite offense would be more appropriate for muzzling. She said her only personal concern was that as written, a dog would be considered “nuisance, menace, or vicious,” depending on if the dog, “growls, snaps at, runs after, or chases.” The ACO wanted to ensure that a dog would not be punished for wanting to make sure that they are safe; for example, if two dogs meet each other and one is not acting appropriate. She noted it could get into the hearsay of two dog owners. However, ACO Grimes also expressed concern about waiting to enact muzzling at second offenses if the first bites are at a certain bite level. So, she aligned with Councilor Haas on wanting to define “bite” a little better and eliminate some of that unfortunate grey area with dog behavior. Ultimately, Chair Bosley said her impression was that these determinations would fall to the ACO, whose opinion would be questioned when a dog owner receives a decision they do not like. So, Chair Bosley’s concern was also how to follow-up and track the dog after the bite incident.

ACO Grimes followed up on the comments about dog training certification, which she is very passionate about because it is an unregulated industry. Whereas a registered nurse in human medicine must have a certificate to legally call themselves a nurse, it is not the case for dog trainers. She cited only one industry called the Certification Council for Pet Dog Training, (CCPDT) offering an actual credentialed certification, but many other organizations in the dog training industry may become more accredited at some point. In this conversation, regardless of who makes the decision at the time as to whether a dog gets time off for good behavior (i.e., training), ACO Grimes’ personal and professional opinion was that it be completed by a professional certified dog trainer (CCPDT) vs. anyone who can just say they are a long-term pet trainer).

The Committee reviewed specifics of the Ian Dunbar Dog Bite Scale, which Councilor Madison Googled during the meeting:

- Level 1: No skin contact.
- Level 2: Skin contact without puncture (i.e., no skin break; a nip).
- Level 3: Shallow skin contact.
- Level 4: Deep punctures and bruising.
- Level 5: Multiple bites with serious injuries (i.e., hospitalized).

- Level 6: Fatal dog attack.

Chair Bosley referred to the current Ordinance on vicious dogs, which she said referred to dogs that “runs after, or chases.” She was concerned about instances ACO Grimes described in which one dog enters another’s space and is disrespectful and the other dog tries to correct it but does not puncture its skin. She wondered if one dog’s appropriate response of snapping or correcting in those instances should be muzzled. Also, dogs that might be acting like puppies and misbehave/be disrespectful but not actually vicious according to this definition. The City Attorney noted that Keene City Code Section 10-35 listed six dog behaviors, which were then categorized as nuisance, menace, or vicious. Only one behavior is vicious, and that is if the dog—whether alone or with other dogs—“bites, attacks, or preys on animals or humans.” She thought what Chair Bosley described was closer to a “menace” dog, which runs after, chases, and growls at vehicles or people. The City Attorney said menace would not be a muzzling category.

Chair Bosley asked whether the Committee wanted to be as specific as defining a bite at a certain level for the purpose of muzzling. For example, she said Level 3 was the first associated with a puncture. The City Attorney noted that the City’s authority for muzzling came from statute (RSA) and there was no definition of bite there. The City Attorney was unsure that it was something the City would want to be defining so specifically when the RSA set out exactly the dog behaviors the City could regulate. If the City added a definition, she said it might be leaving that shadow of blessing from the RSA because the City would be changing what the RSA says the City has the authority to do. Chair Bosley felt the Council needed to be able to give the Animal Control Officer some sort of line, at which they have the authority to determine a bite, noting the Committee had discussed lots of different instances. For example, an uninvited person gets down in a dog’s face and the dog nips; that person could use this ordinance to potentially say that it was a vicious attack. Chair Bosley said she would not want that dog to be muzzled. She expressed her preference for there to be an associated injury, specifically a bite that has some sort of puncture, not necessarily multiple bites and bruising. Chair Bosley thought a Level 3 Bite made sense as a point she would be comfortable asking the Animal Control Officer to recommend muzzling.

The City Attorney said she understood the Chair’s perspective. The City Attorney recalled the Committee’s conversations about the nuance of dog behavior. She heard that ACO Grimes had a pretty good system in place when looking at dog bites. City Attorney Palmeira wanted to emphasize again that what was in this Ordinance was verbatim from the RSA. She was unsure the City had the authority to start adding new language that specific. Chair Bosley asked if the RSA just gave the City the authority to create its own ordinance regarding muzzling. The City Attorney said that was true, but that when the Ordinance is associated with and tied to the definition of “vicious dog” and the activity that comes with a vicious dog, that is controlled by RSA; that is verbatim what the RSA says can be a behavior the City can categorize as a vicious dog. The City Attorney noted it was very similar to other types of law enforcement, when RSA or City Code says a Police Officer shall judge something and clearly use their discretion. She said this really went back to the conversation the Committee had been having about nuance and behavior. The City Attorney said the more exact they tried to be about what the Animal Control Officer’s authority is, the less authority she would have to act judiciously and equitably in these situations. The City Attorney recommended leaving the ACO with that authority in the City Code.

Chair Bosley felt the City would need a policy and stated that if the City Attorney would not let Chair Bosley write the policy into the Ordinance, the Police Department would need a really clear policy. Chair Bosley said she felt the exact opposite to the City Attorney. Chair Bosley said she felt like

defining “bite” would protect the ACO (Ms. Grimes or anyone in the future) from unintentionally treating the public differently in different circumstances. Chair Bosley thought that without some sort of common response, the public could have different consequences, which would open the City to liability. If the City Attorney was not comfortable including it in the Ordinance, Chair Bosley wanted to see the City Manager work with the ACO to ensure there are very clear policies for how and when this type of provision would be initiated.

Councilor Haas said that in City Code Section 10-35, “vicious dogs” are defined. He added that this Ordinance, Section 10-40, would only factor in if the dog has been judged vicious under Section 10-35. He asked the three categories of dogs in 10-35 per RSA and Chair Bosley replied: nuisance, menace, and vicious. Councilor Haas asked the City Attorney at which of the six Ian Dunbar Scale levels of bites each category in Section 10-35 would come into play. Chair Bosley said they were not associated and that was the problem; at this time, any level of bite would make a dog “vicious.” She said that was her concern with the nuance of this for dogs that might nip when they need their space, for example. So currently, Councilor Haas said the ACO was left to judge the broadest interpretation of what vicious could be. Chair Bosley said yes, unless the Council wrote something into this Ordinance or created some sort of policy.

The City Attorney wanted to be careful about what they called the “broad interpretation” of vicious. She said there is a menu of categories in the RSA that the municipality has the authority to choose from and assign to its own. Section 10-35 represents the categories the previous City Council assigned. The City Attorney would not say this definition of “vicious” was the broadest of all the categories in the RSA, only the one that was selected by this City to qualify as a vicious dog. As far as the City Attorney knew, that was the only category in Section 10-35 that included bites. Chair Bosley said that was correct. From what the Committee heard, Chair Bosley said bites were on a scale of one to six, with Level 1 being no contact, which in her opinion is not a dog that deserves to be considered vicious and muzzled. She thought that could possibly happen with some sort of direction. Chair Bosley also noted that someone could demand muzzling, when they are not injured but have an emotional reaction and feel violated. Without clarification, Chair Bosley thought this draft Ordinance would be putting the Animal Control Officer in a very tenuous situation to make decisions without a clear policy. Chair Bosley said in her opinion it would create different decisions for different people based on whatever emotional reaction is happening at the moment, creating an opportunity for liability. She also did not want to see dogs who do not actually bite forced into this situation where they must be muzzled. She said she was unsure how to get there.

ACO Grimes noted that per the law, a dog that “growls, snaps at,” is considered a menace dog. When she mentioned using the Bite Scale in a professional setting for training, ACO Grimes stated that she would not use it as her “black and white interpretation.” She said when someone calls her about a bite, she looks at the overall presentation of the information, the environment, what the dog(s) was doing, who was involved, and more. Ms. Grimes stated that when she looks at the Bite Scale, she would not personally mark a dog at Bite Levels 1 or 2 as vicious. She said dogs at Bite Levels 1 and 2 do not miss accidentally, noting that when dogs put their teeth on you as just pressure without puncture, it is a warning. ACO Grimes said she also understood her unique position because of her background and education. She understood the Committee’s thought process to define things, which Ms. Grimes appreciated because not every future ACO may have the same education. Chair Bosley thought it was helpful, that the point was made, and she was on the same page with ACO Grimes about the correct Level at which a vicious bite really begins. Chair Bosley thought there must be some policy for future ACOs, who might not as clearly understand the will of this Council that created the Ordinance; there could also be an instance of two ACOs. ACO Grimes reiterated her goal

for muzzling to be a correction,
not a punishment.

Chair Bosley asked if ACO Grimes had an opinion as to whether muzzling should apply to the first or second bite offense. The ACO said no, calling it a very hard question for her to answer because of the grey areas of dog behavior.

Chair Bosley recommended starting with the Ordinance the way the City Attorney presented it. Chair Bosley said that hopefully the Council could revisit it with some feedback from ACO Grimes in one year and see how it is going, if the ACO has had to enact the Ordinance, and if anyone was able to complete any of these criteria. Chair Bosley requested an update from the ACO at that time.

There were no public comments.

The following motion by Councilor Williams was duly seconded by Vice Chair Jones.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Attorney be directed to introduce an Ordinance for first reading relating to Regulating the Muzzling of Dogs.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

Subject: **Creation of New City Code Chapter 44 Relating to Building Construction and Demolition**

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends the City Manager be directed to introduce an ordinance for first reading relative to the creation of a new City Code Chapter 44 Relating to Building Construction and Demolition.

Attachments:

None

Background:

Chair Bosley welcomed Community Development Director Paul Andrus. Mr. Andrus introduced Fire Marshal/Building Official, Rick Wood, Code Enforcement Officer/Floodplain Administrator Mike Hagan, and Housing and Health Inspector Ryan Lawliss to discuss the proposed new City Code Chapter 44 relating to Building Construction and Demolition. Mr. Wood said his 19 months with the City had been quite busy and productive. He acknowledged that Chapter 44 was a long process, which Mr. Hagan and Mr. Lawliss worked predominantly through, including Mr. Lawliss for years. Mr. Wood called them great partners in trying to create this. He said a primary reason he joined the City was to evaluate the current permitting, inspection, and enforcement system with a goal to create this continuously improving, customer-centric environment. Mr. Wood said that was done through the idea of engagement, transparency, efficiency, collaboration, and communication to create the idea of a "One-City" approach instead of a multi-departmental approach. Mr. Wood explained the proposed changes in City Code Chapter 44.

The Building Code and the Housing and Property Standards are currently combined in Chapter 18. With this proposal, Mr. Wood said Building Construction Standards would be removed from Chapter 18 and made into the separate, streamlined Chapter 44. Mr. Wood said in recognizing that community development is really economic development, staff aimed to continually ask themselves,

when presented with provisions in code or regulation: why? What are they for? What are they accomplishing? Is there a compelling interest or need that is unique? He said this was the same process of staff working through the ideas that were in place, considering why, and if they were compelling. If they were not compelling or they conflicted with New Hampshire law (there had been a lot of state law changes to building codes in recent years), they were removed; Mr. Wood said it was in keeping with the idea of leveling the playing field, increasing certainty, and anchoring ourselves in customer service.

Fire Marshal Wood explained that Chapter 44 was set-up as an enactment, enforcement, and administration chapter of the New Hampshire building code. He said the City only had a few modifications to the state building code, which is restrictive on what the City can modify under current law. So, he said staff included an add-on to the Permits section to clarify that permits are required for manufactured housing remodels and installs. Mr. Wood said they ran into some challenges with that for a storm in 2024, recalling a lot of back-and-forth about whether permits are required. We wanted to make it very clear that the permits *are* required, which is why Mr. Wood said they added Chapter 44. He referred to the recommendation to insert Table 301.2(1), which he said were already adopted standards in the International Residential Code Chapter 3 as adopted by the New Hampshire building code and City of Keene; this would streamline it into one location for easy access.

Mr. Wood explained another proposed section regarding the size of accessory buildings, such as tool sheds. At this time, he said the State of New Hampshire had modified the International Building Code down, so that sheds 200 square feet or less did not require a Building Permit. Staff proposed reducing that to 120 square feet in the City of Keene, which would align with the current Land Development Code that says anything more than 125 square feet would require setbacks. Mr. Wood said that when these proposals were submitted for review to the State Building Code Review Board, which is required currently by the new law, the Board provided feedback. Mr. Wood said City staff were still unsure whether or not they agreed with the feedback, so they left it as a placeholder for the Council to be aware of. He recognized it was something that could be problematic, so if it stayed at the 200-foot state regulation, then Mr. Wood said staff may look at modifying the permitted square feet in the Land Development Code instead to have some unity and so no potential problems arise. Chair Bosley asked what section of Chapter 44 this was in. Mr. Wood said it was not included as written; it was left out purposefully because the state provided some feedback that it might not comply. City staff were still working through that, but Mr. Wood wanted to bring it to the Council's attention.

Mr. Wood concluded his presentation on the proposed Chapter 44, Article III, Demolition Review. The only difference was that it reduced the scope to focus on demolition of buildings in the Historic District. Essentially, Mr. Wood said these proposed changes in Chapter 44, all the Building Provisions, are the City's way of saying it will follow the New Hampshire building code and how.

Chair Bosley summarized, stating that staff had proposed Chapter 44 as an independent section to bring the City Code up to date and meet the state building code. Chair Bosley said Chapter 44 was submitted to the state, reviewed, and the City took feedback, so this version of Chapter 44 was something the state had signed off on. Mr. Wood agreed, stating there was a preliminary state review and once enacted, the City is obligated to send it back to the state. He added the City cannot enforce things that are unique, so the City would not be doing anything different than the state is doing, so he called it kind of nebulous. The state would review and approve the City's enacted copy and put it on the State of New Hampshire's web page as a confirmed ordinance for compliance.

Councilor Haas thanked City staff, saying it is good to be coordinated and organized like this, and a separate section would make referencing easier. He cited a Demolition Review Committee in Sec. 44-13 and asked for more details on that Committee. Mr. Wood said the Demolition Review Committee exists in the City and he thought most of the members were administrative at this time. Mr. Hagan said that portion of the Ordinance had been in place for 10 years and there was an RSA that allowed the 3-member Committee to be formed, with a requirement to review demolitions. It is now an administrative review; a demolition delay to ensure the applicant meets the requirements and cannot be stopped from demolishing. Councilor Haas asked if that happens as a part of the Community Development Department and Mr. Hagan said yes. When the Community Development Department receives a Demolition Permit application, the Demolition Review Committee is notified within seven days and then has 10 days to review the application. That process delays demolition sometimes by almost one month, so he said it was stripped back to an administrative process vs. full Historic District Commission review. It used to apply to any building over 50 years old, over 500 square feet, or eligible to be on the National Register of Historic Places as a historic building. Mr. Hagan said that it was stripped back as well because there are a lot of 50-year-old garages over 500 square feet, with no historic significance, so those demolitions slowed the permit process. In transparency and to streamline the process, the 50-year stipulation was removed and now Demolition Review only applies in the Historic District or to buildings eligible for the National Register of Historic Places, for which there are criteria. Mr. Wood clarified that the Demolition Review Committee comprises members appointed by the Mayor including a member of the Historic District Commission, not just members of the Community Development Department. Councilor Haas said that when the Community Development Department receives a Demolition Permit application, the Demolition Review Committee exists already, it does not need to be formed ad hoc. Mr. Wood agreed.

Vice Chair Jones noted the recommended motion was for staff to prepare an ordinance. He asked if the Community Development Department was ready for that. Mr. Wood thought they were ready to start moving the process forward, noting it had been in progress for a long time and they wanted to get the Council's feedback at this stage. He said they were ready to move toward finalizing Chapter 44.

Chair Bosley asked City Attorney Amanda Palmeira to confirm that Chapter 44 would not need to appear before the Joint Committee of the Planning Board/Planning, Licenses and Development Committee. The City Attorney said that was correct because Chapter 44 is a proposed part of the City Code of Ordinances. Chair Bosley said this draft would go to City Council as an Ordinance for first reading, come back to the PLD Committee, and then return to the City Council for a vote as an Ordinance for second reading. The City Attorney said yes.

Chair Bosley opened the floor to public comments.

Toby Tousley of 500 Washington Street said the State of New Hampshire was allowing cities and municipalities to have more restrictive codes than the state. He commented on something he thought was lost upon people regarding the problem with existing homes and searching for more affordable homes. While he knew the Community Development Department was not suggesting this, Mr. Tousley said he was making the Committee aware that the one thing the City of Keene does not want to do is make more restrictive codes. He said the main thing that makes housing expensive is code; every year, he said more and more layers of code are added, making both confusing and expensive. In Mr. Tousley's lifetime, he noted how prohibitive it had become. He said it was the single biggest reason he did not care how many zoning changes the City makes because it would never beat the

code problem. Mr. Tousley urged the Committee to beware of making more regulations that make it even worse, so they could understand that it could be dangerous.

Molly Ellis of 87 Cross Street, Chair of City's Heritage Commission (HC), noted that three HC members form the Demolition Review Committee and at least two members must visit any proposed demolition sites to review them. Ms. Ellis said almost always, they are clearly dilapidated and the Committee signs off on the demolition. If they are buildings of historical value, she said the Committee might try to arrange some way to preserve something within the 30 days; noting that had not occurred during her time on the HC. Chair Bosley agreed, recalling her experience developing a 1700s tavern with an upstairs ballroom into a school. Because of how they used the funding, Chair Bosley said the project included architectural documentation of all the rooms, some of which were very tacky and not historical (e.g., 1950s bathrooms). She said they may be in 100 years. Chair Bosley called it an interesting part of the process and said it is valuable that the City gets the opportunity if there is something left to document.

Chair Bosley said she appreciated City staff's effort in separating these portions of the Code and getting the City close to what the state allows. She agreed with Mr. Tousley that code is very overwhelming, hard to follow, and not very organized. So, she thought City staff were nailing it as far as what the Council has asked for. She agreed that since Covid there had been incredible pressure on people to create affordable units, any units to take some of the pressure off. She said the Council had been asking the City to make this simpler and do it from a customer's perspective. So, Chair Bosley thought it was great that the Community Development Department heard that feedback and brought this back. Mr. Wood said the team was really tuned into the idea of identifying the barriers to someone improving their property. He said staff went through this Chapter with a keen eye toward removing those barriers and making it as simplistic as possible.

Recognizing that any code requirement is some sort of burden, no matter how good and needed it is, Councilor Haas asked the downside of not doing this. Mr. Wood said at this time, Chapter 18 had provisions that were not enforceable; over the previous two years, the state made provisions in RSA 155-A, which is a state building code that invalidated a lot of what we had in our Code, creating confusion. Mr. Wood said staff were suggesting for the City to have a unified playbook, so there would be a better chance of getting things right the first time. Councilor Haas said he liked the timing of Demolition Permit review and the 30-day pressure on the Demolition Review Committee to produce findings; that time passes quickly, and he hopes that helps things.

The following motion by Vice Chair Jones was duly seconded by Councilor Madison.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends the City Manager be directed to introduce an ordinance for first reading relative to the creation of a new City Code Chapter 44 Relating to Building Construction and Demolition.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: Update to Chapter 18 of the City Code, Property and Housing Standards

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends the City Manager be directed to introduce an ordinance for first reading relating to amendments to Chapter 18 of the City Code, incorporating the changes discussed by the Committee.

Attachments:

None

Background:

Chair Bosley welcomed Community Development Director Paul Andrus. Mr. Andrus introduced Fire Marshal/Building Official, Rick Wood, Code Enforcement Officer/Floodplain Administrator Mike Hagan, and Housing and Health Inspector Ryan Lawliss to discuss updates to City Code of Ordinances Chapter 18. Mr. Wood said the big push on Chapter 18 was to align it with other regulations, predominantly the Land Development Code. At this time, he said the LDC were using different definitions that conflicted with the building codes. So, Mr. Wood said the goal was to create alignment between the different regulatory arms. It was not presented as track changes because it was essentially a wholesale change to strip out one section that would require realignment of everything else, and the former City Attorney recommended a full replacement.

Mr. Wood highlighted specific parts of the Chapter 18 update and welcomed questions:

- Sec. 18-2. – Definitions: Updated to match the Building and Land Use Code Definitions to reduce confusion. Mr. Wood explained how having different definitions would create challenges for the end user, so staff tried to align things.
- Article II. – Unfit Structures: Previously named “Hazardous Buildings.” Realigned to follow the statute, which calls them unfit structures.

- Article III. – Property Standards:Removed items that could be enforced in other City codes. Mr. Wood said these building aspects only come into play during a construction project for the Community Development Department and they were merged, so those more operational and maintenance issues blurred the lines. By separating Article III, Mr. Wood said they removed those construction standards.
 1. Sec. 18-12. – Minimum Standards for All Property: At this time, Chapter 18 allows zero unregistered vehicles on a property and Mr. Wood said that had created some disparity. For example, Mr. Wood said it would not be reasonable to think someone would register a plow truck that is only used to plow their rural driveway. Yet, he said someone with a single unregistered vehicle downtown parked on an approved parking surface would technically be a violation. Staff researched other communities in the state and consistently found they all basically agreed that one unregistered vehicle is no problem. Mr. Wood said more than one unregistered vehicle would be when to take action that prevents the real issue of feeling like a junkyard. Additionally, staff spend an enormous amount of time chasing things like unregistered vehicles.
 2. Sec. 18-12– Minimum Standards for All Property: Another proposed change in this section is on waste storage containers and bulk containers that refers to corner lots and some other things in rural areas. Mr. Wood said it cleared up disparities that would make enforcement much clearer and more uniform throughout the City. At this time, depending on the zone, Mr. Wood said it created burdens in some zones, and the proposed changes would streamline.
 3. Sec. 18-13. – Recreation and Camping Vehicles: Aligned these standards with the parking standards for motor vehicles and approved surfaces.
- Article IV. – Housing Standards:The proposed updates to this section clarified that these Housing Standards only apply to rental properties, per New Hampshire RSA 48-A. Mr. Wood said they also added a new requirement for posting of emergency contact information so rental tenants, code enforcement responders, etc., know who to contact at all times. He cited daily experiences that can become very problematic when unable to find property owners who live in other cities, when tenants do not have heat or water, for example. Mr. Wood said the newly proposed expectation would be to post property owner contact information within rental properties.
 1. Sec. 18-26. – Heating Facilities: The current heating standard in the City’s regulation was 70 degrees Fahrenheit and this change proposed 65 degrees Fahrenheit to align with state law.
- Article V. – Property and Housing Standards Enforcement: Clarified the process and moved the City to a more administrative appeals process, with the remedy to any discrepancy in the District Court.

Chair Bosley had some questions as a real estate investor. She cited a property with four townhomes and asked where in that building the notice of her contact information should be posted: in each individual residence or a common hallway? Mr. Wood replied that a townhouse, by definition in the Code, is considered a single-family dwelling, despite being multi-unit; it is a multiple attached single-family dwelling by Code. Mr. Wood said the multi-unit dwellings are where staff tend to run into more challenges with the contact information. Mr. Lawliss said it tends to be even harder for properties with landlords who are not present in Keene. Even with Keene landlords, he commented on phone numbers changing or staff turnover. So, Mr. Lawliss said the centralized contact locations would help. He thought staff might need to clarify for four-unit townhouse cases like Chair Bosley mentioned or work with those property owners individually. Chair Bosley asked if there is an opportunity for a

property owner to call the Fire Department or Community Development, describe the properties they manage, and share updated on-call information to alleviate the posting issue. Mr. Wood said they tried something like that for years, but the problem was maintaining the information. He said they constantly update property contacts in their emergency response software, but every few months, contacts phase out and it was untenable to manage. So historically, they found they needed the information, but it was out-of-date and inaccurate. Mr. Wood knew it would be a bit of a burden up front, but said the intent was to place that back on the property owner to ensure that information is available to tenants and first responders. Often, the Community Development Department or Fire Department receive complaints and their first responsibility to ask if they have contacted the property owner to find the resolution there first. Mr. Wood said this proposed change to Chapter 18 would help City staff to streamline that realignment. Chair Bosley said she was not opposed to it but wanted there to be an educational component. If this does not happen in the beginning, she asked that staff take an opportunity to educate the property owner because these changes would not necessarily be front page news. Mr. Wood commended Mr. Lawliss again for thinking about how City staff do business every day, which is really about compliance with the regulations, not punishment. Mr. Wood said Mr. Lawliss does a fantastic job. Mr. Wood said the City was often criticized for how much it tries to work with people on that compliance, so he said staff would ensure some sort of campaign, with a soft start and goal to get there.

Councilor Madison agreed with all the proposed changes, noting he works in a similar field for New Hampshire Department of Environmental Services. He often responds to multi-unit apartment buildings for hazmat calls in the middle of the night and the owner is some trust out of Massachusetts or Florida, for example, and they cannot actually contact anyone to resolve the issue. So, Councilor Madison said having contact information at the ready would make things a lot easier for Code Enforcement, Fire Departments, and for tenants vs. having to consult property records. Councilor Madison added that the State of New Hampshire commonly receives complaints about someone running a junkyard. He noted there is a difference between junkyards, which are a state statute defined activity, and what he called “junky yards,” with a lot of junk, garbage, collectibles, and art in a yard and no law to prevent it. Councilor Madison said he sees a lot of unregistered cars in junky yards but usually there will only be one per property that does not leak oil/gas or cause problems, but he said it creates opportunities for neighbors with animosity toward an individual to start weaponizing Code Enforcement against them. Councilor Madison thought it would cut back the Community Development Department’s workload pretty substantially to stop chasing these things. He appreciated all these changes and the hard work, noting he had heard positive things about the way Code Enforcement works in the community.

Chair Bosley opened the floor to public comments.

Toby Tousley of 500 Washington Street shared some things for the Committee to consider in the Chapter 18 proposal:

- Article III. Division 2. Sec. 18-12. – Minimum Standards for All Property, 4): Discusses *waste and yard waste* but under Sec. 18-2. – Definitions, he said yard waste was defined as being placed in a container, so he thought there was ambiguity. He said the intent was to ensure household waste goes in the proper container. He wanted to ensure this would not cause a violation for blowing leaves curbside for City pickup and said that it was not clear to him as written in the draft Chapter 18.
- Article III. Division 2. Sec. 18-12. – Minimum Standards for All Property, 5): Discusses *bulk waste storage containers*. Mr. Tousley said this lengthy section goes on to describe how one

remedies the violation of an overflowing waste storage container. It provides 12 hours to remedy the overflowing container, which Mr. Tousley called an unreasonable length of time. For example, if someone is notified at 4:00 PM, they would have to correct the violation by 4:00 AM the next morning; recycling centers close at 3:00 PM and the City Ordinance disallows dumpster pickup before 7:00 AM. Mr. Tousley questioned under what circumstance that would be possible. He called it unreasonable and recommended allowing more time.

- Article IV. Division 2. Sec. 18-16. – Posting of Emergency Contact Information, A): Mr. Tousley said he took exception to the single-family dwelling distinction because a rental property under definition is any unit that is not occupied by the owner, which could be a single-family home. He quoted the proposed Chapter 18, “All rental properties shall have been posted...” and thought all four of Chair Bosley’s single-family townhouses should be posted and any rented single-family home. Chair Bosley thought Accessory Dwelling Units (ADUs) should be under that standard too. Mr. Tousley agreed about posting a name and contact. However, he said it would be more burdensome, requiring a statement that disputes should be addressed to the property owner before the Community Development Department and to list the Community Development Department contact info and website; Mr. Tousley said that was not his responsibility. He also cautioned not guiding tenants to call landlords during emergencies before 911. He said the whole idea seemed stupid to him and he did not think it would end the inundation of calls to the Community Development Department; Mr. Tousley said some do not want to confront their landlords and they want someone to whine to.
- Article IV. Division 3. Appeals: Mr. Tousley confirmed it was a proposal for administrative appeals and said it felt like “the fox guarding the hen house.” He compared it to someone being pulled over by a cop, wanting to appeal the decision, and only being able to do so administratively, not in court. Mr. Tousley asked if any further appeal would be allowed beyond the administrative decisions written in the proposed Chapter 18. He felt applicants should be able to go to the Board of Appeals.

Councilor Laura Tobin of Center Street was really excited to see the proposal to post property owners’ contact information in case of emergencies. She recalled a few years prior, when a neighbor’s basement was flooded and they were staying in a hotel but could not get in contact with the landlord; Councilor Tobin’s contact went to an answering service that was only operating between 7:00 PM and 7:00 AM, so there was no way to leave a real message. She said this information is necessary for tenants to have. With the idea of shifting toward a more customer centric operation, Councilor Tobin also thought it was important to recognize the renters are a part of the City as well and to help them with services too, even though they do not own the property. Councilor Tobin shared thoughts she hoped would be helpful in resolving some issues after reviewing the proposed changes to Chapter 18:

- Flooding from rain: She did not see it addressed. There was something about basement flooding, but nothing about a whole building flooding from the roof structure. Councilor Tobin asked for it to be considered as an option.
- Windows that do not work: Councilor Tobin said parts of the proposed Chapter 18 seemed to imply the expectation is that windows must work and must have screens. However, she recalled an instance when four of five windows in her rental could not be opened and when she inquired with the Community Development Department, there was nothing they could do. She hoped the intent would be clearer now that it is all compiled in one place and maybe it would not be a problem.

- Heat: She wondered if there was a way to incorporate and address when a rental has no insulation to supplement the heat and the tenant is required to heat the building/space themselves. Councilor Tobin also recalled having her heat turned off and the landlord telling her it is the standard practice in this area by landlords on April 1 (when heat is included in rent), even if it might be 20 degrees outside.

Chair Bosley led the Committee and staff in addressing the public's concerns that were mentioned, beginning with yard waste. Mr. Wood clarified the nuance that yard waste means vegetative type matter vs. solid waste or sanitary waste. He said one of the challenges is accumulation of yard waste and sometimes there are conflicting factors. For example, some parts of the City might also have forestry regulations if a property abuts a woodland that would prohibit certain activities. Mr. Lawliss referred to the definition of *yard waste* on page 6 of the proposed Chapter 18 (page 19 of the PLD meeting packet), "placed into a waste storage container." He said raking leaves to the side of the road would not be a storage container, so therefore it would not be considered yard waste. Chair Bosley said only in the instance of the definition of *yard waste* per the proposed Chapter 18, which "shall mean grass trimmings, leaves, tree branches and similar ornamental plant material and shall be incorporated in the term 'waste' whenever yard waste is placed into a waste storage container." Mr. Lawliss agreed.

Mr. Tousley's said his concern was that there was ambiguity between that definition of yard waste and the reference to both *waste* and *yard waste* in Sec. 18-12., "No person shall permit waste or yard waste to accumulate upon any premises, or the interior of any structure. Every occupant and/or property owner shall dispose of waste in a clean and sanitary manner by placing such waste in a waste storage container." He was concerned that it could be misconstrued as all yard waste shall be brought into a waste container. Mr. Tousley suggested another paragraph, etc., to clarify. Chair Bosley wondered if something like, "yard waste, as defined," would help. Mr. Wood asked if it was appropriate to have the Committee's support to move this idea forward with the understanding that the first draft would incorporate those changes and try to reduce the ambiguity. Chair Bosley said that was exactly right.

Next, the Committee discussed the concerns raised about the time period to rectify overflowing bulk waste storage containers. Chair Bosley said she agreed that 12 hours seemed pretty unreachable and wondered about 24 hours instead. Mr. Wood wanted to provide some examples of why 12 hours is important. Mr. Wood said the remedy is simple, which is to get the stuff into a container, and that it can be remedied fairly quickly. He said Code Enforcement had consistent problems with certain places having undersized waste disposal containers on purpose so they could pay less, and then containers overflow constantly. Mr. Wood said this was creating one of the City's increased challenges, which is an increased rodent problem. So, he said there was a real focus on getting trash, in particular, containerized appropriately. For those reasons, Mr. Wood said the 12-hour window is tight on purpose; it is meant to get some action. He stated that Code Enforcement is not typically giving out tickets at 12 hours, but it might be after several requests. Mr. Lawliss thought Mr. Tousley's example of a 4:00 PM citation for 4:00 AM disposal was an extreme one. Mr. Lawliss thought a more common occurrence would be an 8:00 AM citation to clean up by that night. He said staff try to use some reason and common sense and try to work with property owners. For example, if there was a 4:00 PM citation, Mr. Lawliss said he could work with the property owner to see if they could arrange clean up by 10:00 AM the next day. He said including the 12-hour time frame gives City staff the authority when people are not cooperative addressing the compliance.

Vice Chair Jones wondered if 24 hours could not be a reasonable time frame. Mr. Lawliss said the

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Council could establish whatever period it felt most appropriate. He thought the question was where it would make a difference. Mr. Lawliss said he thought sometimes 12 hours could motivate people to get things done sooner, whereas a 24-hour limit could easily turn into tomorrow and then requests for extra hours, etc. He cautioned how far to trickle down. Councilor Haas preferred a longer time frame vs. staff having some flexibility with the property owner (e.g., to rectify in 14 vs. 12 hours). Councilor Haas supported writing it as something definite, and 24 hours seemed appropriate to him. Chair Bosley tended to agree. She fully understood the impetus of getting something gross cleaned up and that there were lots of infestations happening in Keene she never heard about 20 years prior. She said it was shocking for people to find rats in their homes in rural neighborhoods in West Keene and neighborhoods in Central Keene, although she said it is not specific to an area. Chair Bosley also understood the need to give the property owner a reasonable expectation and not feel as though they are getting a favor from Mr. Lawliss to allow extra morning hours, for example.

Mr. Wood wanted to ensure there was clarity that in Code Enforcement work, the staff must use discretion all the time. He said it is not about giving anybody a favor but about using the tools at staff's disposal to accomplish the compliance, which might look and feel different in each instance. He compared it to the conversation with the Animal Control Officer and some levels of discretion required in any regulatory environment. Mr. Wood understood the desire to have a very narrow tailored trigger but stated that just because the Code might say 24 hours, he wanted everybody to understand that if someone told staff they could have it cleared in 30 hours, it would be fine because the goal is removal and compliance. He said staff were not opposed to changing it to 24 hours. The existing rule in the Ordinance was 12 hours, and Mr. Wood said it could be helpful for repeat offenders because it could trigger a first ticket offense, which has a process for adjudications too. He wanted the Committee to have that background. Chair Bosley thought she heard the majority of the Committee members saying 24 hours made sense to them, so it was an update she was comfortable recommending.

Chair Bosley returned to Sec. 18-16. – Posting of Emergency Contact Information. She agreed that it listed, "All rental properties shall have been posted in a regularly accessible common area with written notification..." Chair Bosley wanted to clarify her townhouse scenario, stating the property is a townhouse style, with one deed to one person and four units. She said she wanted it to be really clear whether a property owner would have to post these notifications in ADUs or if they reside onsite; or in her townhome scenario that would be someone's private residence, which she call unlikely, citing difficulty with the tenants keeping smoke detectors properly installed, let alone a plaque on the wall. She hoped for clarity on staff's intent. Mr. Wood agreed after hearing Chair Bosley's and Mr. Tousley's comments, that there was room to tighten this up so it would make more sense. He agreed that ideas such as an exception for owner occupied locations and ADUs would certainly be reasonable approaches. Mr. Wood recalled highlighting the difference for a townhouse between the different codes; in the building code it is about the style of the building. He thought there was an opportunity to work on that. Mr. Wood said he did think there was value to having the notification for a rental building that has multiple units, period. He cited the challenge of many single-family Keene homes rented to four individuals in separate units, which he called a whole different look and feel. Mr. Wood said staff would try to tighten this standard up.

Mr. Wood confirmed for Sec. 18-16., the Committee was seeking a way to not have the notifications required in owner-occupied units or ADUs, which he called easy. Additionally, language for where the notices should be posted in single-entry units and what those should look/feel like. Chair Bosley said with the understanding that if the City is asking for posting in single-entry units, she would be very clear that the owner could ensure it is there when the tenant rents the property but that does not

mean it is going to be maintained. Mr. Wood said it was understood and no different than things Code Enforcement deals with, like smoke detectors. Chair Bosley noted in many cases, tenants only display plaques like those on notified inspections days. She said she saw the value in it and thought Councilor Madison had a great point about the relevance to his work with New Hampshire DES. Chair Bosley appreciates it when Code Enforcement alerts her that something is happening at one of her properties or to have interactions with any City department.

Next, the Committee addressed Councilor Tobin's concern that the Ordinance did not specify windows but talked about screens. Chair Bosley wanted to be clear about the requirement, noting that not every window in the City of Keene opens. One of the largest complaints she heard about the Colony Mill's beautiful, amazing renovation was that those windows are not open, and she said people choose to live there or not. Chair Bosley thought the City should be conscientious of the expectation in the general sense. Mr. Wood thought it was an important statement. He explained there are buildings with windows required for ventilation purposes, which is different than buildings with mechanical ventilation. So, he agreed that it would not be easy and would need to be nuanced. Staff would work on cleaning it up to make more sense.

Related to Councilor Tobin's question on floods specifically from roofing, Mr. Lawliss referred to Sec. 18-20. – Interior Surfaces, which includes windows, "Interior surfaces, including floors, walls, windows, doors, and ceilings shall be maintained in good, clean, compliant, and sanitary condition." He said some of these questions are partially covered and answered with a little nuance instead of having windows mentioned in multiple different parts of code. Mr. Lawliss said they tried to streamline these into areas centered around openings and drainage of them. Chair Bosley thought that might be a partial answer to the roofing question and felt like the code related to maintenance of roofing is probably not in this section. Mr. Lawliss agreed, stating roofing is covered under Property Standards because it applies to properties other than rentals. He referred to Sec. 18-12. – Minimum Standards for All Property, 10) "Exterior surfaces, accessory structures, and structural members, including but not limited to, roofs, chimney, doors, windows, door and window frames, cornices, porches, trim, balconies, decks, and fences, shall be maintained structurally sound and good repair, and shall be capable of safely supporting the imposed dead and live loads."

The Committee concluded on the Appeals process. Chair Bosley said she saw that following a decision, an appeal would go to the Community Development Director. She asked if there was a person outside the Community Development Department involved. The City Attorney said there is a Building Board of Appeals, which is where the RSA directs appeals of the Building Code. She said the City is authorized under law to create an administrative appeal such as what was proposed in Chapter 18, which she said was the case in the Fire Code (appeals to the Fire Chief) and had been blessed by case law for a very long time. Chair Bosley wondered if that should be referenced in this section. The City Attorney said it would not be a bad idea to include but she would ensure it is in the letters and violations that go out. Chair Bosley suggested including it, so people reading Chapter 18 understand they are reading something that follows the City's common practices. Mr. Lawliss emphasized that in his years with the City, two appeals went to the Building Board of Appeals and in both cases, the Board thought its expertise was less related to the questions of trash on a lawn vs. building architecture/engineering. He thought some of those concerns might have been more related to fines and fine amounts, which could have been administrative reviews and avoided that process. Mr. Lawliss thought staff could add more clarity on what property owners' next steps should be when aggrieved by an administrative decision. Chair Bosley said she did not have experience with this but the few moments she had seen appeals as a Committee member they regarded zoning decisions, which are very different than Chapter 18. Chair Bosley said zoning has a process through the Zoning

Administrator, Community Development Director, and then the Zoning Board of Adjustment. So, it made sense to Chair Bosley to have an out-of-house appeal process to have the decision supported when people do not agree, to review what the Ordinance says, and ensure the decision aligns, even though it is not the highest and best use of the Board's time. Mr. Lawliss agreed, stating that Community Development Department staff would consult the RSA again with the City Attorney's help, noting that some of the RSA refers directly to the courts vs. a board for certain decisions, so they would clarify those specific cases. Chair Bosley appreciated added clarity. Mr. Lawliss also clarified with Mr. Tousley that Mr. Wood is not the Community Development Director, Mr. Andrus is.

The following motion by Councilor Haas was duly seconded by Councilor Madison.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends the City Manager be directed to introduce an ordinance for first reading relating to amendments to Chapter 18 of the City Code, incorporating the changes discussed by the Committee.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.5.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **2025 Homeland Security Grant Program Award - Critical Care Equipment**

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 4 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to accept and expend the 2025 Homeland Security Grant Program Award – Critical Care Equipment in the amount of \$57,118.00.

Attachments:

None

Background:

Fire Chief Martin addressed the committee first and stated the first item before the committee is the State of New Hampshire Homeland Security Grant for FY25. This grant is specifically for critical care equipment in the amount of \$57,118. This grant will allow Keene Fire Department to purchase specialized EMS equipment and enable KFD paramedics to provide expanded medical treatment with ultrasound technology and whole blood products. The Chief noted there is no match component for this grant.

The following motion by Councilor Chadbourne was duly seconded by Councilor Lake.

On a vote of 4 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to accept and expend the 2025 Homeland Security Grant Program Award – Critical Care Equipment in the amount of \$57,118.00.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.6.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **2025 Homeland Security Grant Program Award - Hazardous Materials Allocation**

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 4 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to accept and expend the 2025 Homeland Security Grant Program Award – Hazardous Materials Allocation in the amount of \$23,128.00.

Attachments:

None

Background:

Chief Martin stated the next item is another grant; New Hampshire Homeland Security Grant for hazardous materials allocation. He stated this grant would be used to purchase hazardous materials, equipment and training to go along with some of the new equipment previously stated.

The following motion by Councilor Lake was duly seconded by Councilor Roberts.

On a vote of 4 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to accept and expend the 2025 Homeland Security Grant Program Award – Hazardous Materials Allocation in the amount of \$23,128.00.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.7.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Execution of an Agreement for Engineering Services With Michael Petrovick Architects, PLLC for the Design of the City Hall Structural Repairs Project (65J0002B)

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to execute an agreement with Michael Petrovick Architects, PLLC for the Design of the City Hall Structural Repairs Project (65J0002B) for an amount not to exceed \$130,000.

Attachments:

None

Background:

City Engineer Bryan Ruoff addressed the committee next. Mr. Ruoff stated the City hired an engineering company to perform an assessment of the structural conditions of City Hall. Inspections were performed in March 20, 2017 and the results of those inspections identified significant deficiencies.

In 2022, the City hired Dubois King to perform an assessment of the current conditions and developed contract documents for construction. In FY23 and 24, some of those recommendations were performed, but a vast majority of the repairs still need to be addressed. Mr. Ruoff stated the City sent out a request for proposal for engineering services for an update to the structural assessment, development of contract documents for construction for the repairs and are looking to bid those construction repairs by early next year. One engineering firm submitted a response. Staff negotiated their fee down from \$158,000 to \$130,000 and mutually agreed upon that scope fee and contract schedule for the project.

Chair Powers asked whether this engineering plan would address all the necessary repairs or would

the work need to be done in phases. Mr. Ruoff stated there is Phase A which is the immediate need, Phase B is still urgent but not immediate and Phase C will be the next phase of the work.

Councilor Remy joined the meeting at 6:07 PM.

The following motion by Councilor Roberts was duly seconded by Councilor Chadbourne.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to execute an agreement with Michael Petrovick Architects, PLLC for the Design of the City Hall Structural Repairs Project (65J0002B) for an amount not to exceed \$130,000.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.8.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Execution of a Grant Agreement with the Recreational Trails Program (RTP) for the Rehabilitation of the Ashuelot Rail Trail Bridge over the Ashuelot River

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to execute and expend a grant agreement with the Recreation Trails Program (RTP) for engineering services and the construction phase of the Ashuelot Rail Trail Bridge Rehabilitation Project (65J0022A).

Attachments:

None

Background:

Mr. Ruoff stated the City Manager at the last council meeting spoke about a grant the City had received. There are certain conditions that need to be met to be able to accept the grant; the first is City Council's approval and acceptance of the grant.

Mr. Ruoff explained the City back in May performed an inspection of the Ashuelot River Rail Trail Bridge over the Ashuelot River. Its condition determined scope of work that needed to be done to rehabilitate the bridge and staff came up with a preliminary cost estimate for those services. The City has an engineer on board to draft plans and perform the work. The plan is to complete this work next year. At the present time staff is looking for approval from Council to accept this \$80,000 grant for which there is a 20% City match which likely will be paid by Keene State College and the City. He noted these details are still being worked out but felt this was a great opportunity to make much-needed repairs on this pedestrian bridge.

The following motion by Councilor Chadbourne was duly seconded by Councilor Lake.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to execute and expend a grant agreement with the Recreation Trails Program (RTP) for engineering services and the construction phase of the Ashuelot Rail Trail Bridge Rehabilitation Project (65J0022A).



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.9.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Re-allocation of FY26 CIP Funds in the Traffic Signal Replacement Program (75M012) for the Downtown Infrastructure Improvements and Reconstruction Project

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to re-allocate CIP FY26 allocated funds in the Traffic Signal Replacement Program (75M012) to the Downtown Infrastructure Improvements Project.

Attachments:

None

Background:

Mr. Ruoff stated this item deals with getting the downtown infrastructure improvement project and associated funding lined up for construction. The City allocated in FY24 and 25 traffic signal cost in the CIP. Based on the bid results of the Island Street Reconstruction and the engineer's opinion of probable construction costs, it is likely that the cost that are already allocated for traffic signal improvements as part of the downtown project are not going to be enough to cover the cost. He stated the City won't know the exact cost until the bids are opened in mid-December. At this time, staff would like to have everything in place and ready to move forward.

Mr. Ruoff stated what staff is proposing is a deviation from the capital improvement plan to reallocate the funds from the Ashbrook Court traffic signal repair funds and use that for the downtown infrastructure improvement project. As part of the CIP update, the City will rebuild that cost into FY30 CIP and put the money back at that time.

The following motion by Councilor Lake was duly seconded by Councilor Roberts.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City

Manager be authorized do all things necessary to re-allocate CIP FY26 allocated funds in the Traffic Signal Replacement Program (75M012) to the Downtown Infrastructure Improvements Project.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.10.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Re-allocation of FY27 CIP Funds in the Stormwater Resiliency Program (75M006) for the Downtown Infrastructure Improvements and Reconstruction Project**

Council Action:
In City Council November 20, 2025.
Report accepted as informational.

Recommendation:
On a vote of 4 to 0, the Finance, Organization and Personnel Committee recommends accepting this item as informational.

Attachments:
None

Background:
Mr. Ruoff stated with this item, staff is asking to reallocate planned FY27 CIP funds from Court Street stormwater improvement project to the downtown infrastructure project. These funds again would be added back in FY30. He stated since these funds haven't been allocated, hence, cannot officially ask for this transfer. As a result, is asking to withdraw the requested motion and accept this as informational.

The committee deferred to the City Attorney or the Deputy City Manager as to how the motion should be made. Ms. Landry stated the motion should be to accept this item as informational and went on to say the next CIP is being prepared now, which will include FY27, FY28 as well as the seven-year projection. Both items just addressed by the City Engineer will be contemplated in that plan and Council would have the opportunity to review, comment and make changes when the CIP is being discussed.

The following motion by Councilor Roberts was duly seconded by Councilor Chadbourne.

On a vote of 4 to 0, the Finance, Organization and Personnel Committee recommends accepting this item as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.11.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Re-allocation of Unspent CIP Project Funds from the Road Preservation and Rehabilitation Program (75M002) for the Construction Phase of the George Street Bridge Improvements Project**

Council Action:

In City Council November 20, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to reallocate unspent allocated program funds in the amount of \$150,000 from the Road Preservations and Rehabilitation Program (75M002) to the George Street Bridge Replacement Project (75M0020A).

Attachments:

None

Background:

The City Engineer address this next item. He indicated the City opened bids last week for the George Street Bridge Replacement Improvements project. The bids came in close to \$100,000 over the engineer's estimate. He felt the price increases reflect the difference between a local firm versus a remote Massachusetts firm. He stated they are still a very reputable firm and are worth hiring.

Staff's request is to use some unused unallocated CIP funds for the road rehabilitation project and put it towards the George Street Bridge project. He added there is approximately \$1,000,000 in unallocated, unencumbered, unused road rehabilitation funds.

The following motion by Councilor Chadbourne was duly seconded by Councilor Lake.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to reallocate unspent allocated program funds in the amount of \$150,000 from the Road Preservations and Rehabilitation Program (75M002) to the George Street Bridge Replacement Project (75M0020A).



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.1.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Amanda Palmeira, City Attorney
Through:
Subject: Relating to the Muzzling of Vicious Dogs
Ordinance O-2025-35

Council Action:

In City Council November 20, 2025.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

That the City Council refer Ordinance O-2025-35 to the Planning, Licenses, and Development Committee.

Attachments:

1. Ordinance O-2025-35 Referral

Background:

On August 21, 2025, Councilor Bobby Williams submitted a communication requesting the City Council to consider adopting an ordinance that would require vicious dogs, as defined by City Code, to be muzzled as permitted by a recent change to State Law RSA 466:39. The Planning, Licenses, and Development Committee discussed the item on September 10 and sought for the City Attorney to present a draft ordinance to the Committee. The City Attorney presented a draft ordinance to the Committee on November 12, following which the Committee voted to recommend that the City Attorney be directed to submit the ordinance to the City Council for first reading. The attached is the requested ordinance.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-five

AN ORDINANCE Relating to the Muzzling of Vicious Dogs

Be it ordained by the City Council of the City of Keene, as follows:

That the City Code of the City of Keene, New Hampshire, as amended, is hereby amended by adding as Section 10-40 in Article II, "DOGS," of Chapter 10, entitled "ANIMALS" the language as follows:

Sec. 10-40. Muzzling vicious dogs.

- a) If a dog is adjudged to be a vicious dog under Section 10-35(d), and if the offense occurred in a place other than the owner's residence or property, the dog must wear a muzzle when in a place other than the owner's residence or property for two years from the date of the offense. This requirement is in addition to any forfeitures to be paid under Section 10-36.
- b) The requirement to muzzle a dog shall be lifted if the owner can produce a certificate that the dog has completed a reactivity class or otherwise has written confirmation from a certified trainer that the dog has completed one-on-one private behavior modification training. Such certificate shall be reviewed and accepted at the discretion of the animal control officer.
- c) Pursuant to RSA 466:39, in addition to the forfeitures to be paid under Section 10-36, the owner shall forfeit \$50.00 for each instance of failure to comply with the muzzling requirements of this section.
- d) Pursuant to RSA 466:31, III(a), if an owner fails to comply with an order to muzzle a dog and the dog incurs a second vicious dog violation within 12 months of being so ordered, the animal control officer may have the dog taken into custody and disposition of the dog may be determined by the court.

In City Council November 20, 2025.
Referred to the Planning, Licenses and
Development Committee.

A handwritten signature in cursive script, likely belonging to the City Clerk.

City Clerk

Jay V. Kahn, Mayor



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.2.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Richard Wood, Fire Marshall/Building Official
Paul Andrus, Community Development Director

Through: Elizabeth Ferland, City Manager

Subject: **Relating to Update of Chapter 18 Property and Housing Standards Code Ordinance O-2025-36**

Council Action:

In City Council November 20, 2025.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

That the City Council refer Ordinance O-2025-36 to the Planning, Licenses, and Development Committee.

Attachments:

1. Ordinance O-2025-36 Referral

Background:

The proposed update to Chapter 18 is intended to modernize and clarify the City of Keene's existing ordinances, ensuring that they remain consistent with current best practices, legal standards, and community needs. Over time, certain portions of Chapter 18 have become outdated or ambiguous, which has led to inefficiencies in enforcement and confusion for both residents and city staff. By updating the language and structure, the City aims to provide clearer guidance, strengthen compliance, reduce any redundancies, and promote a fair and transparent system that works effectively for everyone.

The update consolidates overlapping sections, eliminates redundant provisions, and introduces new language that better reflects the realities of how Keene operates today. These changes will improve accessibility for residents by making the code easier to understand, while also supporting city staff with more practical tools for administration and enforcement. The revisions ensure that Keene remains in compliance with broader regulatory frameworks while tailoring policies to the city's unique context.

The attached was reviewed in draft form at the November 12th Planning Licensing and Development Committee and is being submitted with minor revisions, as requested by the Committee.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to Update of Chapter 18 Property and Housing Standards Code

Be it ordained by the City Council of the City of Keene, as follows:

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by repealing the current Chapter 18, and replacing it with a new Chapter 18, as follows:

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ARTICLE I. - IN GENERAL

Sec. 18-1. - Authority.

Articles I—VII of this chapter are adopted by the City of Keene ("city") in accordance with, and under the authority granted by City of Keene Land Development Code, RSA 47:17, RSA 48-A, and RSA 147.

Sec. 18-2. - Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Whenever the words *dwelling*, *dwelling unit*, or *premises*, are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Accessory structure shall mean a structure that is subordinate and customarily incidental to a principal structure that is located on the same lot.

Building shall mean any structure used or intended for sheltering any use or occupancy

Bulk container shall mean any dumpster, roll-off container, or compactor dumpster, or more than two cans greater than 64 gallons. See also "waste storage container."

Community Development department shall mean the officials of the city, and/or their duly authorized representatives, charged with the administration and enforcement of this chapter.

Dwelling shall mean a structure, or portion thereof, designed or used exclusively for human habitation, including single-family dwellings, two-family dwellings, and multi-family dwellings. Dwellings may be either attached or detached.

Dwelling unit shall mean a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Exterminated shall mean the control and elimination of insects, rodents, vermin, and other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poison spraying, fumigating, trapping, or by any other approved pest elimination methods.

Garbage shall mean the animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food. See also "waste."

Habitable space shall mean space in a building for living, sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces are not considered habitable spaces.

Handrails shall mean a horizontal or sloping rail intended for grasping by the hand for guidance or support.

Hazardous condition shall mean any inadequate maintenance, repair or disrepair, modification, physical damage or other condition which constitutes a hazard to public safety or health.

Infestation shall mean the presence of insects, rodents, vermin, and other pests.

Kitchen shall mean an area used or designated to be used for the preparation of food.

Litter shall mean all rubbish, refuse, garbage, trash, debris, dead animals, and other discarded materials of every kind and description. See also "waste."

Natural Person shall mean a human being distinguished from a person (as a corporation) created by operation of law.

Occupant shall mean any person maintaining possession or control over a premise.

Owner shall mean any person, group of persons, or other legal entity having title to, or sufficient proprietary interest in, the use, structure, or lot in question.

Person shall mean an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization. See also, "natural person."

Plumbing or plumbing fixture shall mean a receptacle or device that is connected to a water supply system or discharges to a drainage system or both. Such receptacles or devices require a supply of water; or discharge liquid waste or liquid borne solid waste; or require a supply of water and discharge waste to a drainage system.

Premises shall mean a lot or parcel of land including any building or accessory structure thereon.

Public agency shall mean the Community Development Department or the department; designated by ordinance, code or bylaw to exercise the powers and perform the duties conferred upon it by this chapter.

Public nuisance includes the following:

- 1) Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to abandoned wells, shafts, basements, excavations, and unsafe fences or structures.
- 2) Any premises that have unsanitary sewage or unsanitary plumbing facilities.
- 3) Any premises designated as unfit for human habitation or use.
- 4) Any premises from which the plumbing, heating, and/or facilities required in this chapter have been removed, or from which utilities have been disconnected, destroyed, removed, or rendered ineffective, or the required precautions against trespassers have not been provided.
- 5) Any premises which are capable of being a fire hazard or are unsafe or unsecure as to endanger life, limb, or property.

6) Any premises which are unsanitary, unsafe, or which are littered with rubbish or garbage.

7) Any structure, building or appurtenance that is in a state of dilapidation, deterioration, or decay; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure and is dangerous to anyone on or near the premises.

Rental property shall mean any dwelling unit not occupied by the owner thereof.

Rubbish shall mean all combustible and noncombustible waste materials, except garbage, and the term shall include but not be limited to the residue from burned wood, coal, coke and other combustible materials, papers, rags, cartons, boxes, wood excelsior, rubber, leather, tin cans, metals, mineral matter, glass, crockery, dust and other similar materials, automobile parts and household furniture and appliances. See also "waste."

Structure shall mean anything constructed or erected which requires location on or in the ground or attached to something having location on or in the ground, including signs, billboards, fences, and swimming pools. See also "building."

Unfit for human habitation shall mean a dwelling or dwelling unit which, due to dilapidation, dangerous defect, lack of ventilation or sanitary facilities or other unhealthy or hazardous condition is unfit for human occupancy.

Ventilation shall mean the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

1) Mechanical: ventilation by power-driven devices.

2) Natural: ventilation by opening to outer air, through windows, skylights, doors, louvers, or stack wind driven devices.

Waste shall mean all garbage, litter, and rubbish.

Waste storage container shall mean any container or can include a bulk container that is used as a central collection point for the temporary storage of waste

[Sec. 18-3. - Administration and enforcement in general.](#)

The Community Development Department and its delegated officers shall exercise the powers to carry out this chapter, including but not limited to the following:

A) To investigate buildings, premises, and dwellings or dwelling unit's conditions in the municipality to determine which buildings, premises, and dwellings or dwelling units therein are unfit for human habitation or otherwise in violation of this chapter.

B) To enter upon premises for the purpose of making examinations and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted.

C) To appoint and fix the duties of such officers, agents, and employees as are deemed necessary to carry out the purposes of this chapter.

D) To delegate any of its functions under this chapter to the officers that it may designate.

ARTICLE II. – Unfit Structures

DIVISION 1. - GENERALLY

Sec. 18-4. - Purpose.

The purpose of this article is to cause the repair, closing, or demolition or removal of unfit structures, as per RSA 48-A:2; to provide avenues to compliance with RSA chapter 48-A; and to direct how complaints of an unfit structure are addressed.

DIVISION 2. – ENFORCEMENT

Sec. 18-5. – Complaint; Notice of Hearing

Whenever a petition is filed with the Community Development Department by at least ten residents of the municipality charging that any dwelling is unfit for human habitation, or whenever it appears to the Community Development Department by inspection that any dwelling is unfit for human habitation, it shall, if preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner, every mortgagee of record, and all occupants a complaint stating the charges in that respect. If the person to be served resides outside the state, service may be made upon him by registered mail; and if there are any unascertained persons having an interest in said dwelling, notice may be given to them by publication in a newspaper having general circulation in the municipality, such publication to be at least ten days before the date set for the hearing. Such complaint shall contain a notice that a hearing will be held before the Community Development Department at a place therein fixed not less than ten days nor more than 30 days after the serving of said complaint; that the owner, mortgagee, and occupants shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Community Development Department

Sec. 18-6. - Determination of the Community Development Department; issuance of orders, posting placards.

- 1) If, after notice and hearing, the Community Development Department determines, according to the standards of this Chapter, that the premises are in violation of the requirements of this article, they shall state in writing their findings of fact in support of such determination and shall issue and cause to be served upon the owners and occupants an order or orders to correct the violation. If the repair, alteration, or improvement of the dwelling cannot be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost, the Community Development Department shall issue an order requiring the owner, within the time specified in the order, to remove or demolish the dwelling.
- 2) If the order issued in accordance with subsection (a) of this section states that the dwelling or dwelling unit is unfit for human habitation, the Community Development Department shall also notify by certified mail, return receipt requested, any mortgagee or lien holder of their findings and determinations, and post, in a conspicuous place or places upon the affected dwelling or dwelling unit, a placard or placards bearing the following words: "Condemned as Unfit for Human Habitation."

3) Any dwelling or dwelling unit that has been determined unfit for human habitation and that has been placarded as such by the Community Development department shall be vacated within a reasonable time as required by the Community Development Department. No owner shall rent to any person for human habitation, and no person shall occupy any dwelling or dwelling unit that has been determined unfit for human habitation and that has been placarded by the Community Development Department after the date which the department has required the dwelling or dwelling unit to be vacated.

4) No dwelling or dwelling unit which has been determined unfit for human habitation and that has been placarded as such shall again be used for human habitation until written approval is secured from, and the placard is removed by, the Community Development Department. The Community Development Department shall remove the placard whenever the defect or defects upon which the determination of unfit for human habitation was based have been eliminated.

5) No person shall deface or remove the placard from any dwelling or dwelling unit that has been determined unfit for human habitation and placarded as such.

Sec. 18-7. – Procedure for Enforcement

If the owner fails to comply with an order, made pursuant to the provisions of this article, to repair, alter, improve or to vacate and close the dwelling, or to remove or demolish the dwelling, the Community Development Department may file a petition in the superior court in which it shall set forth the charges issued pursuant to this article, as well as any other allegations bearing upon the unfitness of the dwelling for human habitation.

Sec. 18-8. – Liens

Whenever the Community Development Department shall incur cost for the repair, alteration, improvement, vacating or closing, or for the removal or demolition of a dwelling, pursuant to an order of the superior court, the amount of such costs shall be a lien against the real property as to which such cost was incurred and such lien, including as part thereof upon allowance of his costs and necessary attorneys' fees, may be foreclosed upon order of the superior court made pursuant to a petition for that purpose filed in said court. Such lien shall be subordinate to mortgages of record made before the institution of proceedings under this chapter. Notice of said lien shall be filed with the register of deeds for the county in which the real estate is situated and shall be recorded by him. If the dwelling is demolished by the public agency, he shall sell the materials of such dwelling and pay the proceeds of such sale over to the superior court, for distribution to such persons as the court shall find entitled thereto.

DIVISION 3. - APPEALS

Sec. 18-9. – Appeal Process.

If any owner is aggrieved by a decision of the Community Development Department, they may appeal to the City Council. The City Council shall hold a public hearing, due notice of hearing having first been given to the Community Development Department and to the owner. The City Council may affirm or revoke the decision of the Community Development Department, or they may modify the same in accordance with their findings. If they shall affirm or modify the decision, the Community Development Department shall proceed to enforce the order as affirmed or so modified.

ARTICLE III. - PROPERTY STANDARDS

DIVISION 1. - GENERALLY

Sec. 18-10. - Purpose.

The purpose of this article is to provide minimum standards for property maintenance not otherwise incorporated into the building code necessary to preserve neighborhoods, abate nuisances, and protect the public health, safety, and welfare of city residents.

DIVISION 2. - GENERAL REQUIREMENTS FOR PROPERTY MAINTENANCE

Sec. 18-11. - Applicability.

The following section shall be considered minimum standards for all property in the city.

Sec. 18-12. - Minimum standards for all property.

- 1) No person shall cause or maintain a public nuisance on any property within the city.
- 2) All motor vehicles shall be parked on-site, on approved parking surfaces that comply with the parking standards of the land development code.
- 3) No person shall park, keep, store, or permit the parking, keeping, or storage of more than one unregistered motor vehicle on any premises unless stored within an entirely closed garage.
- 4) No person shall permit waste to accumulate upon any premises, or the interior of any structure. Every occupant and/or property owner shall dispose of waste in a clean and sanitary manner by placing such waste in a waste storage container. Except within 24 hours of scheduled curbside collection, no person shall place any containers of recyclable or non-recyclable waste storage containers on any sidewalk, street, alley, or other public place except as otherwise permitted under this chapter. Waste storage containers shall not remain at the curbside after being picked up by the hauler for more than 24 hours.
- 5) Waste storage containers and bulk containers must be located where they can be serviced, utilized by occupants, placed to reduce waste, and be maintained in a sanitary condition to prevent infestation. Bulk containers shall be accessible by motorized disposal equipment without going over impervious surfaces except as otherwise approved by the planning board as part of a site plan.
 - a) Waste storage containers shall be stored to the rear of the front setback or front line of the house or building, whichever is less.
 - b) Waste storage containers and bulk containers shall be of sufficient size and capacity, shall not be filled to overflowing, shall avoid noisome odors, and shall have lids with hinges that allow for the container to be closed anytime there is waste placed therein. If the container has side access panels, they shall be maintained in the closed position any time waste is placed within the container. The container will be of durable construction and not be allowed to deteriorate to the point that holes occur in the body of the container that will allow access by rodents or contribute to infestation. The waste storage containers bulk container owner must take appropriate

action to immediately cause the waste storage containers or bulk container to be emptied of its contents when full. If the waste storage containers and bulk container owner is notified that the waste storage containers and bulk container upon their property is in violation of any of the foregoing offenses, the waste storage containers and bulk container owner shall within 24 hours of notification cause the offense to be remedied or shall be in violation of this section.

c) Temporary bulk containers may be located on any premises for the purposes of providing a container for renovation, construction, or cleaning out for moving. A bulk container used for these purposes shall not be placed within the public right-of-way, and the owner of the premises shall comply with the provisions of subsection above. Temporary bulk containers shall not remain on the premises for longer than 90 days without the written approval of the community development department.

6) All premises shall be maintained free of overgrown, dead, diseased, decaying, or hazardous trees, shrubs, ground cover, or weeds that restrict or impede access to or public use of adjacent sidewalks and streets, obstruct traffic-control signs and devices and fire hydrants; and pose a risk of hazardous condition.

7) Vacant structures and premises thereof or vacant land shall be maintained in a secure and sanitary condition as provided herein so as not to adversely affect public health or safety.

8) Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

9) Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

10) Exterior surfaces, accessory structures, and structural members, including but not limited to, roofs, chimney, doors, windows, door and window frames, cornices, porches, trim, balconies, decks, and fences, shall be maintained structurally sound and good repair, and shall be capable of safely supporting the imposed dead and live loads.

11) Structures shall be kept free from wildlife, insect, and rodent infestation. Structures in which wildlife, insects, or rodents are found shall be promptly exterminated or removed by approved processes that will not be injurious to human health. After removal or elimination, proper precautions shall be taken to prevent reinfestation.

Sec. 18-13. - Recreational camping vehicle.

It shall be unlawful for any person to park any recreational camping vehicle on any public place or on any tract of land, occupied or unoccupied, within the city, except as provided in this article.

No person shall park, store, or occupy any recreational camping vehicle or major recreational equipment on the premises appurtenant to any occupied dwelling or in any vacant lot, except under the following conditions:

1) When permitted pursuant to an approved site-plan in conformance with all City of Keene ordinances and regulations.

- 2) Motorized recreational camping vehicles shall be stored on approved parking surfaces that comply with the parking standards of the land use code.
- 3) All recreational camping vehicles shall be located to the rear of the front setback or front line of the house, whichever is less.
- 4) Recreational camping vehicles or equipment shall not be occupied as a residential unit or prepared for residential occupation.

ARTICLE IV. - HOUSING STANDARDS

DIVISION 1. - GENERALLY

Sec. 18-14. - Purpose.

The purpose of this article is to provide minimum standards for housing use and maintenance necessary to preserve neighborhoods, abate nuisances and protect the public health, safety and welfare of city residents. Nothing herein is intended to preclude prosecution under any other statute, ordinance, or regulation which imposes a higher standard than those prescribed herein.

DIVISION 2. - GENERAL REQUIREMENTS FOR HOUSING STANDARDS

Sec. 18-15. - Applicability.

The following sections constitute the minimum standards for use and occupancy of all rental property.

Sec. 18-16. - Posting of emergency contact information.

A) All rental properties, except properties occupied by the property owner as their primary residence, shall have posted in a regularly accessible common area or where no common area exists, inside each dwelling unit, with written notification containing the following:

- 1) The name, address and telephone number of the owner or his/her agent. If the owner or their agent does not reside within one (1) hour drive of the subject structure, the owner must post, in addition to their agent's name, the name, address and telephone number of a person to contact in the case of an emergency who resides within one (1) hour drive of the structure.
- 2) A statement noting that disputes regarding fire code, property standards and/or housing standards are the responsibilities of the property owner and, therefore, should be addressed to the property owner(s) when contacting, or before contacting, the Community Development Department, with such disputes.
- 3) The address, telephone number, and website address of the Community Development Department.

B) Transfer of ownership. Upon transfer of ownership, the new owner shall comply with the posting or filing of emergency and Community Development Department information within 5 businesses days of transfer.

C) Unattended Emergency Contact. Whenever emergency contacts are left unattended for a period of 24 hours or longer, another name and emergency number shall be provided in accordance with this section.

Sec. 18-17. - Common hallways and stairways.

The means of egress from the building, including exterior means of egress stairways, and every common hall and stairway in any dwelling, other than in one- and two-family dwellings, shall be lit by capable means.

Sec. 18-18. - Ventilation.

Every bathroom and toilet room shall have a window with a minimum sash area of three-square feet unless the room is ventilated by capable mechanical means.

Sec. 18-19. - Outdoor and interior stairs and handrails.

Exterior and interior stairs shall be maintained structurally sound, and no part thereof shall show excessive wear, be broken, warped, cracked, or loose. Handrails shall be provided on not less than one side of each flight of stairs with four or more risers. Handrails shall be not less than 34 inches and not more than 38 inches in height. Guardrails shall be provided for those portions of open-sided walking surfaces, including floors, stairs, ramps, and landings that are located more than 30 inches measured vertically to the floor or grade below. Guardrails shall be firmly fastened and capable of supporting all imposed loads at all times and a minimum of 36 inches in height.

Sec. 18-20. - Interior surfaces.

Interior surfaces, including floors, walls, windows, doors, and ceilings shall be maintained in good, clean, compliant, and sanitary condition. Peeling paint, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, or other defective surface conditions shall be corrected.

Sec. 18-21. - Floor coverings.

Carpeting, linoleum, or other covering on stairs and floors shall be securely fastened, without tears or holes.

Sec. 18-22. - Plumbing.

All plumbing fixtures, vents, drains, and water supply lines shall be properly installed, connected, and maintained in working order, shall be kept free from obstructions, and leaks.

Sec. 18-23. - Sanitary facilities.

The following minimum sanitary facilities shall be supplied and maintained in sanitary, safe, and working condition:

- 1) Water closet and lavatory. Every dwelling or dwelling unit shall contain within its walls a room separate from habitable rooms that contains a water closet and lavatory, which affords privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. All water closets shall be supplied with cold running water. The lavatory shall be supplied with hot and cold running water and a functioning drain.

2) Bathtub or shower. Every dwelling or dwelling unit shall contain a room which affords privacy to a person in the room, and which is equipped with a bathtub or shower supplied with hot and cold running water and a functioning drain. The walls above the shower compartment shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than six feet above the floor.

3) Kitchen area. Every dwelling unit shall contain a kitchen area, and every kitchen area shall have a sink, which shall be supplied with hot and cold running water and a functioning drain, and appliances to refrigerate and cook food.

Sec. 18-24. - Water and sewer system.

Every kitchen sink, lavatory, bathtub or shower, and water closet shall be connected to either a functioning public or private water and sewer system.

Sec. 18-25. - Water heating facilities.

Every dwelling or dwelling unit shall be supplied with water heating facilities, which are installed, maintained, and connected with hot water lines to the fixtures required in this division to be supplied with hot water.

Sec. 18-26. - Heating facilities.

Every dwelling or dwelling unit shall have heating equipment and appurtenances which are installed and maintained in safe condition and are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments located therein to a temperature of at least 65 degrees Fahrenheit at 48 inches above floor level.

Sec. 18-27. - Electrical service and outlets.

Every dwelling or dwelling unit shall be supplied with electric service, outlets and fixtures maintained in accordance with the provisions of the National Electrical Code adopted by the State of New Hampshire. There shall be no broken or frayed wires, fixtures, or missing cover plates.

Secs. 18-28. – Windows, doors, and openings.

During the period from May 1 to November 1 windows in habitable spaces shall be supplied with tightly fitting screens capable of preventing bugs from entering. Every basement hatchway or entryway shall be maintained to prevent infestation or the entrance of rain, and surface drainage water.

ARTICLE V. – PROPERTY AND HOUSING STANDARDS ENFORCEMENT

DIVISION 1. - GENERALLY

Sec. 18-29. - Purpose.

The purpose of this article is to provide enforcement and appeals process for Article III Property Standards and Article IV Housing Standards

DIVISION 2. - ENFORCEMENT

Sec. 18-30. – Service of Notice of Violation

A) Whenever the Community Development Department determines that there has been or is a violation of this chapter, they shall give notice of such violation to the person or persons responsible therefor. Such notice shall:

- 1) Be in writing.
- 2) Include a description of the real estate sufficient for identification.
- 3) Specify the violation that exists, and the remedial action required.
- 4) Allow a reasonable time for the performance of any act it requires.

B) Notices of violation, complaints, or orders shall be deemed to be properly served upon the person responsible for an alleged violation if a copy thereof is delivered to them personally, or left at their usual place of abode or business with a person of suitable age and discretion who shall be informed of the contents thereof, or sent by first-class mail to their last known address, or posted in a conspicuous place on or about the premises affected, or served, delivered, or published in any other way reasonably calculated to provide actual notice.

C) Notice of violation under this section includes citations issued pursuant to Section 18-31 of this chapter

Sec. 18-31. – Citations

A) Generally. A designee of the Community Development Department may issue citations to any person, natural or otherwise, including but not limited to any owner, landlord, agent, tenant, lessee or sublessee, who violates a provision of this chapter or permit, allows or suffers any violation of this chapter, or who fails to comply with an order or orders issued in accordance with the provisions of this chapter. Such citations may be issued either in addition to or in the place of other remedies available to the city. Such citations shall be in accordance with the procedures established by the Community Development Department and the City of Keene Code of Ordinances.

B) Action on citations. Citations shall be written upon standard forms authorized by the Community Development Department. Citations shall specify the reason for the citation and shall direct abatement of such conditions that cause the issuance of such citations within a reasonable and certain period of time. Where citations order compliance, the Community Development Department may cause such citations to be filed without further action after applicable fees, as provided by this chapter, have been paid.

Sec. 18-32. – Prosecution

If any order is not complied with in the time frame ordered, the Community Development Department may enforce the penalty provisions of this chapter through legal action against the person responsible for the violation, requesting a court to order them to:

- 1) Restrain, correct, or remove the violation or refrain from any further execution or work.
- 2) Restrain or correct the erection, installation, or alteration of such building.

- 3) Require the removal of work in violation.
- 4) Prevent the occupation or use of the building, structure, or part thereof erected, constructed, installed, or altered in violation of, or not in compliance with, the provisions of this chapter, or in violation of a plan or specification under which an approval, permit or certificate was issued.

Sec. 18-33. – Violations and Penalties

Any person who violates any provision of this chapter shall, upon conviction thereof, be penalized as provided in Sections 1-15 through 1-19 of the City Code. Each day a violation continues after written notice of violation shall constitute a separate offense.

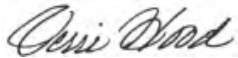
DIVISION 3. - APPEALS

Sec. 18-34. - Appeal.

Any person aggrieved by an order, decision or requirement of the housing standards enforcement officer, under article III and/or article IV, may appeal to the housing standards board of appeals established by City Code section 2- 1098 to 2-1100 which may grant relief from the order for actions taken on properties for noncompliance with article III. Any such appeal shall be filed within 15 days of the date of the action aggrieved from. The board of appeals may affirm, reverse or modify such order, decision or requirement when in the opinion of the board, the enforcement of the order, decision or requirement would do manifest injustice and would be contrary to the spirit and purpose of the ordinance and the public interest. The board may waive the requirements of subsection 18-12 (5), when it has been shown that the requirements create a hardship due to the unique characteristics of the site.

Article V Reserved
Article VI Reserved
Article VII Reserved

In City Council November 20, 2025.
Referred to the Planning, Licenses and
Development Committee.



City Clerk

Jay V. Kahn, Mayor



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.3.

Meeting Date: November 20, 2025

To: Mayor and Keene City Council

From: Michael Hagan, Flood Plain Administrator
Paul Andrus, Community Development Director

Through: Elizabeth Ferland, City Manager

Subject: **Relating to New Chapter 44 Building Construction and Demolition Ordinance O-2025-37**

Council Action:

In City Council November 20, 2025.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

That the City Council refer Ordinance O-2025-37 to the Planning, Licenses, and Development Committee.

Attachments:

1. Ordinance O-2025-37 Referral

Background:

This update to the City's Building Construction Regulations modernizes the City's compliance with legislation passed in 2024 updating RSA 674:51 and synchronizes the City Building Regulations with the NH State Building Code. Specifically, the revised statute allows municipalities to adopt building code provisions that are more restrictive than the State Building Code but no longer permits the adoption of provisions that are less stringent than the minimum standards set forth in the State Building Code. This update removes provisions of the Building Code from Chapter 18 and moves them to a new Chapter 44, enabling the Community Development Department to administer the state building code in the City of Keene as required by statute. This proposed ordinance has been reviewed by the State Building Code Review Board for compliance with the state building code as required. The text of the proposed ordinance has been updated with the recommendations coming out of the November 12th PLD meeting meeting.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to Chapter 44 Building Construction and Demolition

Be it ordained by the City Council of the City of Keene, as follows:

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by adding a new Chapter 44 entitled "Building Construction and Demolition", as follows:

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Chapter 44

Building Construction and Demolition

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Article V Reserved

Article VI Reserved

Article VII Reserved

ARTICLE I. - IN GENERAL

Sec. 44-1. - Authority.

Articles I—IV of this chapter are adopted by the City of Keene ("city") in accordance with, and under the authority granted by City of Keene Land Development Code, RSA 155-A:3, RSA 674:34, RSA 674:51 and RSA 674:51-a.

Sec. 44-2. - Definitions.

For the purpose of articles, I—IV of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Whenever the words dwelling, dwelling unit, or premises, are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Accessory structure shall mean a structure that is subordinate and customarily incidental to a principal structure that is located on the same lot.

Community Development department shall mean the officials of the city, and/or their duly authorized representatives, charged with the administration and enforcement of this chapter.

Demolition shall mean the razing, destruction, removal, or relocation, entirely (or in significant part) of a building, structure or other resource.

Premises shall mean a lot or parcel of land including any building or accessory structure thereon.

Sec. 44-3. - Purpose.

The City of Keene promulgates this chapter to establish minimum regulations governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation,

replacement, addition to, demolition of buildings and building systems in the City. Providing for the issuance of permits, collection of fees, making of inspection and for the enforcement of this chapter as provided by law in RSA 155-A:2.

ARTICLE II. - TECHNICAL CODES

DIVISION 1. - GENERALLY

Sec. 44-4. - Administrative amendments to adopted codes.

The following sections apply to the administrative sections of the NH State Building Code adopted pursuant to NH Revised Statutes Annotated (RSA) 155-A.

A) Whenever "department of building safety" appears in the codes, it shall read "community development department."

B) Nothing contained in this section shall be interpreted or construed to allow any work for which a permit is not required herein to be done in any manner contrary to the requirements of the state building code and laws of the city. Violations of the codes or other laws in any work not requiring a permit shall be subject to the general penalty of the codes in the same manner as if a permit had been required.

Sec. 44-5. –

A) Permits required under NH RSA 155-A. Any person who intends to erect a building, structure, or sign; alter an existing building, structure, or sign; or construct or demolish any building, structure, or sign; or change the occupancy of a building or structure, shall obtain a permit from the Community Development Department. and if applicable, the Keene Fire Department, before the work can begin. This Requirement includes any type of work which is regulated by the state building and fire codes. Applications shall be submitted as prescribed by the Community Development Department in sufficient detail and clarity to verify compliance or the application will be rejected. The following shall be added to the adopted NH State Building Code:

International Residential Code R105.1.1 "Permit shall be required for installation, repair, or alterations in buildings covered by NH RSA 205-D Manufactured Housing Installation."

B) Exceptions: The following exceptions apply in addition to those found in Chapter One of the State Building Code.

Whereas the International Residential Code section R105.2 Exception 1 allows for 200 square foot structures to be exempt from permitting. The City of Keene replaces the NH R105.2(1) as indicated below:

- "One-story detached residential accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet."

Sec 44-6. Design Criteria

The City of Keene has adopted the following insertions to the State Building Code.

- 1) The International Residential Code as adopted by the State of NH.

a. In Chapter 3, Building Planning, Section 301.2, Climatic and Geographic Design Criteria, Table 301.2, insert the following:

TABLE 301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

DRAINAGE DISTRICT	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM:			WINTER DESIGN TEMP	ICE BARrier INSTALLMENT REQUIRED	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Tree/soil effects	Special wind region	Windborne debris zone		Weathering	Frost (in. Depth)	Yard/ice					
III	140	YES	NO	NO	B	SEVERE	4"	NO	-1	YES	YES	2000	46.7

Sec 44-7. Issuance of Permits.

Permits shall be applied for in person at the Community Development Dept., online, or via email. Notification will be sent once your permit has been approved and you will be informed of the fee to be paid prior to issuance.

Sec 44-8. Third Party Plan Review.

Whenever requested by an owner or owners authorized representative, or when required by the community development department for projects larger than 5,000 square feet or any complex project shall be reviewed by a third-party entity approved by the department. (See Sec 44-16 and Appendix B for Fee Schedule)

The owner or owner's representative must submit to the department, for review and acceptance, which third party(ies) is(are) proposed. The proposed third party must provide the department with the names, qualifications, resumes individuals to be used for the project. The individual(s) must have prior plan review experience and a combination of certification(s) and demonstrable experience in the discipline(s) to be reviewed. In addition, the third party must certify there are no conflicts of interest with the building owner, developer, contractor(s), or design professional(s) of record. The acceptance of the third-party reviewer is at the sole discretion of the Building Official.

Section 44-9. Permit Expiration.

Every permit issued shall be considered expired unless work authorized by such permit commences within 180 days of permit issuance. A permit shall also be considered expired if continued progress toward completion is halted for more than 180 days as documented between the two most recent inspections. Once a permit expires, the applicant will need to submit a new application complete, adequate design documentation, and applicable permit fee for a new permit to be issued.

The Building Official or authorized designee may grant one or more written extensions of time, for periods of not more than 180 days each. It is the responsibility of the permit holder to maintain their permit as active and request any required extension in writing demonstrating the need for the requested extension.

Section 44-10. Work Commencing without a Permit or before Permit Issuance.

Any person who commences any work on a building, structure, or sign as outlined in Sec 44.5 before obtaining the necessary permits, shall be subject to an additional penalty in section 44-16.a.2

Sec. 44-11. - Appeal.

Section 44-11. Board of Appeals

Any person aggrieved by an order, interpretation, or application of this code by the building official may, within 15 days of the date of the order, appeal to the board of appeal established under City Code [section 2-741](#). The board of appeal shall be constrained to review and render decisions consistent with International Building Code section 113.2. and in accordance with RSA 155-A:11-b

ARTICLE III. - DEMOLITION REVIEW

Sec. 44-12. - Criteria.

Except for buildings located in the historic district as defined under the Land Development Code, any building or part of a building in the city will fall under the provisions of this article where:

- 1) The proposed demolition is greater than 500 square feet of gross floor area; and
- 2) The building is listed or is eligible for listing in the National Register of Historic Places or is listed in the New Hampshire State Register of Historic Places.

Sec. 44-13. - Procedure.

When an application for a demolition permit, or a building permit involving demolition, or a site plan review involving demolition is made, or a formal written application is submitted to the Building Official for a determination under this article, the Building Official will determine if the building, or section of the building, meets the above criteria. If it does, the Building Official shall:

- 1) Forward a copy of the application to the demolition review committee.
- 2) Within five business days of its receipt of a copy of the application, the committee shall issue a preliminary recommendation regarding the granting of a demolition permit. If the committee issues a recommendation in favor of the granting of such a permit, a demolition permit shall be issued. If the committee determines the building to be potentially significant as defined by subsection 44-8(C), it shall issue a recommendation in opposition of granting the demolition permit. If the committee recommends against granting the demolition permit, within two business days of that decision the code administrator or his designee shall notify the applicant that a sign identifying the building as proposed for demolition is ready for posting in a visible location on the premises. Posting of the sign within five business days of receiving notification from the Building Official shall be the responsibility of the applicant. When the committee issues a recommendation to delay the granting of a permit for demolition, no permit shall be issued until a more thorough investigation is undertaken and a final written recommendation is provided by the committee to the Building Official. Investigation and recommendation shall be completed within 30 calendar days of the committee's receipt of a copy of the application.
- 3) During the maximum 30 calendar-day-period, the committee shall meet with the property owner and conduct such public hearings and investigations as it may determine to be necessary in the formulation of its written recommendation regarding the granting of such permit. The committee shall consider the following criteria in its deliberation:

- a. The building or structure is of such interest or quality that it would meet national, state or local criteria for designation as a historic, cultural, or architectural landmark.
- b. The building or structure is of such unusual or uncommon design, texture, or materials that it could not be reproduced or could be reproduced only with great difficulty and expense.
- c. The building or structure is of such architectural or historic interest that its removal would be to the detriment of the public interest.
- d. Retention of the building or structure would help preserve and protect a historic place or area of historic interest in the city.

Sec. 44-14. - Demolition review committee responsibilities.

It is the responsibility of the demolition review committee to:

- 1) Render a decision within five business days of receipt of the demolition application as to whether the building might be significant within the standards and specifications provided above. If no decision is made within five business days, the application will be deemed to be approved, and the permit may be issued.
- 2) Hold a meeting between the demolition review committee and the applicant (or applicant's representative) to discuss alternatives to demolition if the committee determines the building is significant and its loss potentially detrimental to the community.

Sec. 44-15. - Demolition.

- 1) If no alternatives to demolition have been identified and agreed to by the applicant after the meeting provided for in the preceding section, the applicant is free to proceed with demolition provided a permit is issued by the community development department. Prior to demolition, and if the applicant is in agreement, the demolition review committee shall photographically document the building. The committee shall also encourage the applicant to salvage significant architectural features.
- 2) Nothing in this article shall be construed to prevent immediate demolition where public safety is at stake and the building has been determined by the Building Official to be a public hazard and demolition is the only viable recourse.

Sec. 44-16 Permit fee schedule also in Appendix B of City Code

In addition to the minimum fee as required under subsection (a) (1) hereof, a fee shall be assessed and paid at the rate of \$8.00 per thousand improvement value rounded up to the nearest thousand when over \$5,000.00 for permits issued under the scope of work as described in the International Residential Code as adopted under the State Building Code.

In addition to the minimum fee as required under subsection (a) (1) hereof, a fee shall be assessed and paid at the rate of a fee of \$10.00 per thousand when over \$5,000.00 for permits issued under the scope of work as described in the International Building Code as adopted

under the State Building Code. A copy of a signed contract will be submitted to verify the value of the work to be performed by a contractor. Whenever during the time that the permit is active, and the scope changes, when that change increases the value the fee will be adjusted. For noncontract work, such as when a homeowner furnishes his own or has furnished free labor, but purchases the materials, the fee shall be based on the actual cost of all material with a multiplier of two applied. When there is a disagreement between the applicant and the department on the value of permit fees, the department may use any recognized method including but not limited to similar projects, nationally recognized construction value tables, or any other source relevant to determining improvement value.

(a) Permit fees shall be in accordance with the following schedule:

- (1) The minimum permit fee shall be \$100.00
- (2) Substantial modifications to active permits shall require a separate application and fee. Substantial modifications are changes that result in project cost increase greater than 25 percent, or the creation of additional square footage greater than 25 percent, whichever is less. When there is a substantial modification to a permit application, a fee shall be estimated for the work completed in addition to the new work proposed in the modification.
- (3) The permit fee for a modular home installation shall be based on the cost to install the unit as determined by the department.
- (4) Applications for permits shall be issued from the community development department. Completed applications together with all necessary supporting documentation shall be submitted to the Keene Fire Department Prevention Bureau which shall complete the permit, conduct inspection and issue final approvals.

(b) **Additional fees:** Projects completed without a permit, projects begun prior to the issuance of a permit, failure to cure problems raised in plans examination critiques, failure to complete work prior to inspection, and work not done in compliance with permitted plans or in violation of the codes result in, increased cost, diminished efficiency and error. This cost and inefficiency have not been reflected in the fee schedule contained herein and therefore the following additional fees shall be assessed to defray said costs.

- (1) Work commenced prior to permit issuance: 25 percent of the permit fee for the first violation, 50 percent of the permit fee for the second, and 100 percent of the permit fee for the third and all subsequent violations or \$100.00 whichever is greater.
- (2) On individual projects: Permit plans rejected by the department three times: Will incur a penalty of 10 percent of the original permit fee.
- (3) Re-inspection fee: \$50.00 for each inspection of an element of construction after the second rejection.

(c) **Incentives:** Permit application and plans, which are professionally prepared by licensed architects or engineers, require less effort by staff to review plans for permit. Therefore, the following incentives are created to facilitate the use of licensed architects or engineers.

(d) Plan reviews:

(1) Whenever requested by an owner or owners authorized representative, and when required by the community development department on plan reviews for projects larger than 5,000 square feet or any complex project shall be reviewed by a third-party entity approved by the department and permit fees will be reduced by 40 percent.

(2) The fee for any permit for a project shown on any plan prepared by a license architect or engineer where state law does not require such preparation shall be reduced by 15 percent.

(3) The fee for any permit for a project that has a licensed electrician and/or plumber where state law does not require such work to be performed by a licensed trade person shall be reduced by 10 percent per trade, maximum of 20 percent reduction allowed.

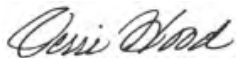
(4) Incomplete applications shall be rejected.

ARTICLE IV. - RESERVED

ARTICLE V. - RESERVED

ARTICLE VI. – RESERVED

In City Council November 20, 2025.
Referred to the Planning, Licenses and
Development Committee.



City Clerk

Jay V. Kahn, Mayor



CITY OF KEENE NEW HAMPSHIRE

ITEM #J.1.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: **Relating to Pavement Setbacks and Cross Site Access
Ordinance O-2025-29**

Council Action:

In City Council November 20, 2025.

Voted with 13 in favor and one refusal to adopt Ordinance O-2025-29.

Recommendation:

On a vote of 5 to 0 the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2025-29.

Attachments:

1. Article 9_Parking
2. Ordinance O-2025-29_Adopted

Background:

Chair Bosley noted that no further public comments would be accepted on this Ordinance as there was already a Public Hearing. She welcomed a summary from Community Development Director, Paul Andrus.

Mr. Andrus explained that City staff thought Ordinance O-2025-29 was a very common-sense update to Land Development Code Section 9.4.2, "Dimensions & Citing." Essentially, it would allow for cross-access among commercial properties within the City, which exists in reality. However, he said due to the existing Code, when faced with instances of no cross-site access, the only remedy was to actually put it in the site plan through a variance process. Mr. Andrus said this change would have a very defined impact on public safety and many different things that the Code is trying to address. Mr. Andrus said this was really a clean-up in the spirit of a lot of the things the Committee had discussed during this meeting.

Chair Bosley recalled the Public Hearing on this Ordinance being pretty quiet and did not think there was a lot of public interest in this topic. She did think there were plenty of cases where this already existed and said it would be great if they could be conforming or allowed to keep traffic off the City streets, if appropriate. Chair Bosley also thought it was a great addition to the Ordinance for property

owners to be able to determine that. So, she was satisfied.

The following motion by Councilor Madison was duly seconded by Vice Chair Jones.

On a vote of 5 to 0 the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2025-29.

- C. Driveways and associated parking space(s) shall not have a slope greater than 15%.

9.3.5 Long Driveways

Driveways longer than 300-ft shall meet the following standards.

- A. Shall be limited in width to 10-ft, in order to minimize site disruptions.
- B. Every 300-ft there shall be an improved turnout, which is at least 8-ft wide and 15-ft long.
- C. Shall include at its terminus a vehicular turnaround as described for dead-end streets in Article 22.
- D. If the driveway slope is greater than 10%, the first 20-ft from the public road shall be at a slope of 5% or less.

9.4.6 Driveways Crossing Steep Slopes

For driveways located in or crossing prohibitive and precautionary slopes, as defined in Article 12 Hillside Protection Overlay District, the following standards shall apply.

- A. Driveway route shall follow the natural contours of the existing slope to minimize disturbance of vegetation and soils.
- B. Cutting and filling of slopes to construct a driveway shall comply with applicable grading standards of Article 12.
- C. Shared driveways shall be used to avoid entering into or crossing precautionary slope areas and to reduce grading, paving and site disturbance.

9.4 PARKING LOT DESIGN STANDARDS

9.4.1 Applicability

Section 9.4 shall apply only to parking lots or parking spaces that are associated with uses other than single- and two-family dwellings.

9.4.2 Dimensions & Siting

- A. **Setbacks.** Unless otherwise specified in Table 9-4 or elsewhere in this LDC, the setbacks for paved and unpaved parking lots and travel surfaces associated with all uses other than single-family and two-family dwellings are listed in Table 9-2.

1. **Drive aisles that provide vehicular connections across property lines shall be exempt from parking lot surface setbacks with the following requirements:**
 - a. **The connection shall be a minimum of 22 feet in width for two-way traffic and 11 feet for one-way traffic, as measured along a lot line or boundary between separate properties.**
 - b. **Connections shall be far enough from the front property line to promote vehicular and pedestrian safety.**
 - c. **The connection shall be an extension of a travel lane of the subject parking lot and align to the maximum extent practicable with a travel lane on any adjacent parking lot.**
 - d. **Adequate site lines shall be provided.**
 - e. **Shared access agreements between properties shall be required where necessary.**
 - f. **Planning review shall be required per Section 26.12.3.**

Table 9-2: Travel & Parking Surface Setbacks

Parking Lot Size	Min Setback	
	Front	Side/Rear
≤10,000 sf	8 ft	8 ft



CITY OF KEENE

In the Year of Our Lord Two Thousand and _____ Twenty Five

AN ORDINANCE Relating to Pavement Setbacks and Cross Site Access

Be it ordained by the City Council of the City of Keene, as follows:

That Chapter 100 of the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended by deleting the stricken text and adding the bolded and underlined text, as follows:

1. That Section 9.4.2 "Dimensions & Siting," subsection A "Setbacks" be amended to create an exception for cross site access over property lines, as follows:
 - A. 1. Drive aisles that provide vehicular connections across property lines shall be exempt from parking lot surface setbacks with the following requirements:
 - a. The connection shall be a minimum of 22 feet in width for two-way traffic and 11 feet for one-way traffic, as measured along a lot line or boundary between separate properties.
 - b. Connections shall be far enough from the front property line to promote vehicular and pedestrian safety.
 - c. The connection shall be an extension of a travel lane of the subject parking lot and align to the maximum extent practicable with a travel lane on any adjacent parking lot.
 - d. Adequate site lines shall be provided.
 - e. Shared access agreements between properties shall be required where necessary.
 - f. Planning review shall be required per Section 26.12.3.

A handwritten signature in black ink, appearing to read "Jay Kahn".

Jay V. Kahn, Mayor

In City Council August 21, 2025.
Referred to the Joint Planning Board and
Planning, Licenses and Development
Committee.

A handwritten signature in black ink, appearing to read "Cindi Wood".
City Clerk

A true copy;

Attest: A handwritten signature in black ink, appearing to read "Cindi Wood".
City Clerk

PASSED: November 20, 2025



CITY OF KEENE NEW HAMPSHIRE

ITEM #J.2.

Meeting Date: November 20, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Relating to Class Allocation
Ordinance O-2025-32

Council Action:

In City Council November 20, 2025.

Voted unanimously to adopt Ordinance O-2025-32.

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2025-32.

Attachments:

1. Ordinance O-2025-32 Adopted

Background:

HR Director/Asst. City Manager addressed the committee and began by introducing the City's new HR Director, Darcey Newport who started her employ yesterday.

Ms. Fox stated she is before the committee with two proposed updates to the City's class allocation ordinance. The first one is an update to Section 62-166, which is a housekeeping update as part of the ACME contract. This contract was approved after staff submitted the class allocation ordinance as part of the budget cycle and some new job titles were established.

To fill these positions in the first instance, the City did not need job titles to be on the probationary scale but felt it was prudent to make the adjustments and add them at this time.

There are three new job titles that staff is looking to add to the probationary Public Works schedule. The first one is a Water Meter and Backflow Specialist.

The second is a Water Sewer Senior Equipment Operator and the third is a Water Meter and Backflow Foreman. There will also be a deletion of a job title, which is the Water Meter Technician. Ms. Fox stated none of these job titles add positions to the department structure except there are some changes to duties, responsibilities and clarify some of the position scopes.

The second section of the ordinance to be updated is Section 62-194 which is the section that

applies to non-union personnel. There are two changes proposed and the first is to deal with recruitments, which has been problematic.

The first change will eliminate an existing Civil Engineer position and create a new position entitled Assistant City Engineer. This position will require a PE, which our current civil engineer positions do not. Ms. Fox noted this skill set is necessary in the department and will also establish for that division a clearer role of who is in charge when the City engineer for some reason is not available and reduce the likelihood that everything has to default back to the Public Works Director. An S18 position is being deleted and an S22 position is being added.

The second change is to eliminate the existing job title of Assistant City Attorney and regrade the position. Ms. Fox noted this job description has been updated and have made significant adjustments to clarify its responsibilities and regrade that position to an S24 and re-title that position as Deputy City Attorney. Ms. Fox explained the reason for this change is to attract the right candidates for this position. She stated there is funding in the existing budget to support these positions. There will be an impact on future year budgets because the positions that are being eliminated are positions that are currently at a lower pay grade.

The Chair asked for the annualized cost. Ms. Fox stated the annualized cost for both changes is approximately \$39,000 in total.

The following motion by Councilor Lake was duly seconded by Councilor Remy.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2025-32.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to Class Allocation

Be it ordained by the City Council of the City of Keene, as follows:

That the ordinances of the City of Keene as amended, are hereby further amended by inserting the bold text in Section 62-166 “Probationary public works hourly wage schedule” and 62-194, “Administrative, Office, Technical and Management Personnel” of Chapter 62 entitled Personnel as follows:

Section 62-166 Probationary public works hourly wage schedule

PPW 2	Maintenance Aide I; Recycler I; Recycler I/Attendant
PPW 4	Water & Sewer Service Aide I
PPW 5	Maintenance Aide II; Motor Equipment Operator I; Recycler II; Water & Sewer Service Aide II
PPW 7	Mechanic I
PPW 8	Motor Equipment Operator II; Water Meter & Backflow Specialist
PPW 9	Mechanic II; Sign Maker; Maintenance Mechanic; Utility Operator
PPW 10	Highway Foreman; Transfer Station Foreman; Maintenance Technician I; Lead Mechanic; Water/Sewer Senior Equipment Operator
PPW 11	Water Meter Technician ; Maintenance Electrician
PPW 12	Water & Sewer Foreman; Maintenance Technician II; Shop Manager; Solid Waste Operations Foreman; Senior Utility Operator; Highway Operations Foreman; Water Meter & Backflow Foreman

Section 62-194. Administrative, office, technical and management personnel

S 4	Library Aide
S 5	Minute Taker
S 6	Administrative Assistant; Records Clerk
S 7	Administrative Assistant I
S 8	NO POSITIONS ASSIGNED
S 9	NO POSITIONS ASSIGNED
S 10	Audio Video Production Specialist; Recreation Specialist
S 11	Office Manager; Parking Services Technician

S 12 Librarian I; Planning Technician; Executive Secretary; Staff Accountant; Purchasing Specialist; Human Resource Specialist

S 13 NO POSITIONS ASSIGNED

S 14 NO POSITIONS ASSIGNED

S 15 Executive Assistant; Librarian II; Payroll Administrator; Human Resources Assistant; Youth Services Manager; Engineering Technician; Assistant City Clerk; Senior Paralegal; Police Dispatch Supervisor; Social Worker; Fire Department Administrator; Deputy Revenue Collector

S 16 Planner; Laboratory Supervisor; GIS Coordinator

S 17 Property Appraiser; Recreation Programmer; Librarian III; Airport Maintenance & Operations Manager; IT Systems Specialist; Parking Operations Manager; Recreation Facilities Manager

S 18 Purchasing Agent; Civil Engineer; Solid Waste Manager; Maintenance Manager; Revenue Collector; Records Manager/Deputy City Clerk; Laboratory Manager; Human Services Manager; Treatment Plant Manager; Deputy City Clerk; Infrastructure Project Manager

S 19 Senior Planner, Recreation Manager; Fleet Services Manager; Accounting & Fund Manager; Highway Operations Manager; Building Construction Manager

S 20 Systems Administrator; Purchasing & Contract Services Manager; ~~Assistant City Attorney~~; Water/Sewer Operations Manager

S 21 NO POSITIONS ASSIGNED

S 22 **Assistant City Engineer**

S 23 NO POSITIONS ASSIGNED

S 24 City Engineer; Database Administrator; Building/Health Official; **Deputy City Attorney**

S 25 Assistant Finance Director/Assistant Treasurer; Assistant Public Works Director/Division Head; Airport Director

S 26 City Assessor; Human Resources Director; Library Director; Parks & Recreation Director

S 27 IT Director; Community Development Director; Police Captain; Deputy Fire Chief

S 28 Finance Director/Treasurer

S 29 Public Works Director

S 30 Police Chief; Fire Chief

S 31 Deputy City Manager

S 32 NO POSITIONS ASSIGNED

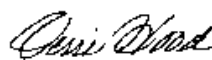


Jay V. Kahn, Mayor

In City Council November 6, 2025.
Referred to the Finance, Organization
and Personnel Committee.

 City Clerk

A true copy;

Attest: 
City Clerk

PASSED: November 20, 2025