

ADOPTING ORDINANCE

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF GENERAL ORDINANCES OF THE CITY OF ROCHESTER, NEW HAMPSHIRE; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE EFFECTIVE DATE OF SUCH CODE AND PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

THE CITY OF ROCHESTER ORDAINS:

Section 1. Adoption. The Code of Ordinances consisting of the appended Chapters 1 to 5, 10 to 17, 19 to 30, 32 to 34, 40 to 43, and 60 to 66, inclusive, is hereby adopted and enacted as the "General Ordinances of the City of Rochester" and shall, except as otherwise provided for herein, be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances passed by the Mayor and City Council on or before June 6, 1995, except such as are by reference thereto expressly saved from repeal or continued in force and effect.

Section 2. Effective Date of Code. All provisions of such Code shall be in full force and effect from and after June 6, 1995, except when a different effective date is specified therein.

Section 3. Limitation of Repeal. The repeal provided for in Section 1 hereof shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date hereof

Section 4. Continuity of Prior Ordinances. Insofar as the provisions of the appended General Ordinances of the City of Rochester are, in their effect, the same as ordinances existing in force immediately prior to the effective date of this ordinance, they shall be construed as a continuation of such ordinances. Specifically, without limiting the generality of the foregoing, the adoption of the General Ordinances of the City of Rochester herein shall not constitute a repeal of the provisions of Chapter 40 of the General Ordinances of the City of Rochester, 1981, as amended, relating to the Inspector of Building Plans Regulations and Appeal and Chapter 42 of the General Ordinances of the City of Rochester, 1981, as amended relating to Zoning, but shall merely constitute a continuation and recodification of such prior ordinances and shall, to the extent necessitated by the enactment hereof, cause references to city officials heretofore contained therein to be changed so as to conform the designation of such officials to the official titles conferred upon such officials by this codification of the General Ordinances of the City of Rochester. The repeal provided for in Section 1 hereof shall not, except as expressly provided for herein, affect any ordinance:

AO - 1

- (a) Extending or contracting the boundaries of the City;
- (b) Dedicating, naming, establishing, opening, paving, widening, vacating, abandoning, changing or accepting any street, highway, alley, easement, park, square, playground, building, bridge, terminal or other facility or public way within the City;
- (c) Providing for local improvements, or making assessments thereof;
- (d) Authorizing any purchase or sale;
- (e) Approving or accepting any subdivision or plat in the City;
- (f) Authorizing or directing the issuance of any bonds or other evidence of indebtedness;
- (g) Authorizing or directing the making of any investment;
- (h) Making or otherwise affecting any appropriations;
- (i) Levying or otherwise affecting any taxes, not inconsistent herewith;
- (j) Promising or guaranteeing the payment of money for the City;
- (k) Affecting any contract or obligation assumed by the City;
- (l) Pertaining to zoning or rezoning;
- (m) Regulating or restricting traffic or parking on particular streets or in particular locations in the City, not inconsistent herewith;
- (n) Administrative in nature and not inconsistent herewith.

Section 5. Non-Revival of Prior Repealed Ordinances. The repeal provided for by Section 1 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 6. Amendments to Code. Any and all additions and amendments to the General Ordinances of the City of Rochester when passed in such form as to indicate the intention of the Mayor and City Council to make the same a part thereof, shall be deemed to be incorporated in such Code so that reference to the "General Ordinances of the City of Rochester" shall be understood and intended to include such additions and amendments.

6/6/95

AO-2

Section 7. Unlawful Additions to or Deletions From Code. It shall be unlawful for any person to change or amend, by additions or deletions, any part or portion of the General Ordinances of the City of Rochester or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Rochester to be misrepresented thereby. Any person violating this section shall be punished

6/6/95

as provided in Section 30.1 of the General Ordinances of the City of Rochester as herein established.

Section 8. Repeal. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict, hereby repealed.

Section 9. Effective Date. This ordinance shall become effective June 6, 1995.

AO-3

6/6/95