



PLANNING, LICENSES AND DEVELOPMENT COMMITTEE  
Council Chambers, Keene City Hall  
February 11, 2026  
6:00 PM

**A. AGENDA ITEMS**

1. Energy & Climate Committee Recommendation Regarding the Commercial Property Assessed Clean Energy & Resiliency (C-PACER) Program
2. REFERRED BACK TO COMMITTEE: Relating to Update of Chapter 18 Property and Housing Standards Code Ordinance O-2025-36-A
3. Relating to Application Procedures for Zoning Applications and the Definition of Primary Entrance Ordinance O-2025-39
4. Relating to Fines for Nuisance, Menace and Vicious Dog Offenses Ordinance O-2026-01

**B. MORE TIME ITEMS**

1. Mark Rebillard - Use of City Property - Series of Small-Scale Downtown Festivals During Downtown Construction Project

**NON PUBLIC SESSION**

**ADJOURNMENT**

## Commercial Property Assessed Clean Energy and Resiliency (C-PACER) District

### Section 1. Purpose.

The commercial property assessed clean energy and resiliency program (C-PACER) permitted by RSA 53-F, allows the [ ] to establish an energy efficiency and clean energy district whereby properties within the boundaries of the district may fund qualifying improvements to real property through private lenders/capital provider whereby the financing is then secured by a special assessment lien on the property through an assessment agreement between the property owner and the [ ].

### Section 2. Authority.

The [ ] of [ ] hereby adopts RSA 53-F [following a vote of the legislative body in the manner specified under RSA 53-F] subject to the following provisions.

### Section 3. Declaration of Public Purpose and Findings.

It is declared that the financing of qualified projects through special assessments is a valid public purpose.

The [ ] of [ ] therefore intends, in accordance with RSA 53-F, the following:

- A. To authorize direct financing between property owners and capital providers as the means to finance qualified projects; and
- B. To authorize special assessments, entered into voluntarily by a property owner with the [ ] by means of a written assessment contract (“Assessment Agreement”), as the means to repay the financing for qualified projects available to property owners by Capital Providers pursuant to a Financing Agreement.

### Section 4. Applicability/Boundaries.

The commercial property assessed clean energy and resiliency district [shall encompass the entire area within the boundaries of the [ ] OR [ ] OR [ ].

### Section 5. Definitions.

This Ordinance hereby incorporates the definitions as set forth in RSA 53-F, as may be amended; in addition, as used in this chapter, the following definitions apply:

*Administrative Agreement* – means the agreement entered into between the New Hampshire Business Authority and the [ ] outlining the terms of the NHBFA’s administration of the C-PACER program for the [ ] and the [ ] roles and responsibilities.

*Property Owner* – means the fee title owner(s) of the property seeking participation in the C-PACER Program. Property Owner may also include the holder of a leasehold estate on the property, provided it is approved by the NH BFA, the holder of said lease provides a copy of the recorded lease or lease term sheet, and a signed and notarized consent of the fee title owner(s) or some other recorded document sufficient to show the leaseholder’s right to bind the property to a C-PACER assessment and lien.

*Real Estate Taxes* – as defined in RSA chapter 72, RSA 76:5 and RSA chapter 80, except shall not include the C-PACER special assessment.

*Taxes* – means Real Estate Taxes including the C-Pacer special assessment.

## **Section 6. Qualified Projects and Improvements.**

The following applies to qualified projects and improvements:

- A. Must be a type of resiliency improvement, energy conservation and efficiency improvement, clean energy improvement, or water conservation improvement, on privately owned commercial, industrial, or agricultural real property, or multifamily residential real property with five or more dwelling units.
- B. May be new construction or a retrofit, rehabilitation, or redevelopment of existing construction.
- C. The types of qualified projects and improvements include, but are not limited to:
  - a. Solar PV
  - b. Solar Thermal
  - c. Wood biomass
  - d. Wind
  - e. Geothermal systems
  - f. Air sealing
  - g. Insulation
  - h. HVAC systems meeting or exceeding ENERGY STAR standards
  - i. Building modifications to increase use of daylighting
  - j. Replacement of windows with units meeting or exceeding ENERGY STAR standards
  - k. Energy controls or energy recovery systems
  - l. Efficient lighting equipment
  - m. Air quality improvements
  - n. Snow and/or flood mitigation
  - o. Energy storage and microgrids
  - p. Alternative vehicle charging infrastructure
  - q. Fire and/or wind resistance improvements
  - r. Measures, equipment, or devices that:
    - i. decrease the consumption of, or demand for, water,
    - ii. address safe drinking water
    - iii. eliminate lead from water used for drinking or cooking
- D. Improvements must be permanently affixed to a building or facility that is part of the real property.

**Section 7. Program Administration.**

The C-PACER Program shall be administered by the New Hampshire Business Finance Authority (“NHBFA”), or a third party designated by the NHBFA.

**Section 8. Local Administration; Program Official.**

The [ \_\_\_\_\_ ] shall be the designated [ \_\_\_\_\_ ]’s] Program Official responsible for: executing the appropriate documentation for the imposition of the special assessment; working with the NHBFA; and administering the duties and responsibilities of the [ \_\_\_\_\_ ] set forth in the administrative agreement with the NHBFA.

**Section 9. Priority; Collection and Enforcement.**

The [ \_\_\_\_\_ ] has the authority to bill and collect on the special assessment and lien, except that the [ \_\_\_\_\_ ] may delegate such responsibilities to any outside third party approved by the NH BFA; such delegation shall occur on the “Assignment of Notice of Assessment and C-PACER Lien and Assignment of Assessment Agreement for C-PACER Financing” (the “Assignment”) whereby the [ \_\_\_\_\_ ] assigns the special assessment lien to the Capital Provider.

- A. If the [ \_\_\_\_\_ ] does not delegate billing and collection responsibilities to a third party, the [ \_\_\_\_\_ ] shall bill and collect the special assessments, and such billing and collection may be made by the tax collector or other official responsible for property tax collection pursuant to RSA 80:19, by bills for water or sewer service or another municipal service, or by separate bills.
- B. Delinquent payments incur interest and penalties as specified in the financing agreement between the property owner and the Capital Provider.
- C. Each special assessment imposed under this ordinance, including any interest on the assessment and any penalty, constitutes a first and prior lien against the property on which the assessment is imposed, from the date on which the notice of special assessment is recorded at the Registry of Deeds in the county in which the district area is located until the assessment, interest, and any penalty, is paid.
- D. The lien runs with the property.
- E. Notwithstanding RSA 80:19, in the case of default or delinquency, enforcement shall only be by the capital provider through the procedures under RSA 479, including the power of sale, or as set forth in the Deed of Trust, if applicable. Any outstanding and delinquent property taxes at the time of the enforcement action shall be satisfied along with the delinquent amounts of the special assessment lien. The [ \_\_\_\_\_ ] is not responsible for, nor required to, tax deed the property for any default or delinquency of C-PACER payments to the Capital Provider.

F. Assessments not yet due may not be accelerated.

G. Assessments may not be eliminated by foreclosure or bankruptcy.

**Section 10. Tax Liening, Tax Deeding, Sale Proceeds.**

For any C-PACER property which is tax liened pursuant to RSA chapter 80 for failure to pay Real Estate Taxes, the C-PACER lender shall be permitted to redeem the property by making sufficient payment as required by RSA 80:32 or RSA 80:76.

For any C-PACER property which is tax deeded pursuant to RSA chapter 80 for failure to pay Real Estate Taxes, the [ ] will make all reasonable attempts to sell the property in as short a time frame as possible, following the process of RSA 80:76 et seq., including the 90-day right of repurchase requirements contained in RSA 80:89. The [ ] will include in any public notice for the sale of the property, any auction notice, any bid documents, and any Purchase and Sale, a clear notification that the property is subject to a C-PACER assessment and lien.

Upon sale of the property, the process laid out in RSA 80:88 et seq. for the distribution of proceeds shall be followed, and any delinquent C-PACER special assessment payments are considered “Taxes” for purposes of payment from sale proceeds (RSA 80:19 – “For the purposes of this chapter, the word ‘taxes’ shall include special assessments.”).

The C-PACER special assessment and lien remain on the property and shall pass to the new owner, who becomes responsible for payment upon transfer of title.

**Section 11. Liability.**

The [ ] shall incur no liability as a result of the C-PACER Program or for the private debt created or evidenced by the Assessment Agreement, the Assessment and C-PACER Lien, the Financing Agreement, or any related document, nor shall any members of the governing body, employees, board members or officers of the [ ] be personally liable for exercising any rights or responsibilities pursuant to or in furtherance of the C-PACER Program. The [ ]’s participation in the C-PACER Program shall not be interpreted to pledge, offer, or encumber the [ ]’s full faith and credit.



# 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:*

Repeal and replace the contents of Chapter 18 with the content below:

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## Article VII Reserved

### 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~~ the following information:

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) Section 18-16 (A) shall not apply to the following rental properties:**

**1) Properties occupied by the owner as the owner's primary residence.**

**2) Properties without an accessible common area available to tenant(s) for any shared use purpose.**

**BC)** 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.

€D) 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 **or article IV**. Any such appeal shall be filed within 15 days of the date of the action aggrieved from.

The **housing standards** 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 **housing standards** board **of appeals** 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 VI Reserved**  
**Article VII Reserved**  
**Article VII Reserved**

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Jay V. Kahn, Mayor



# CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to Application Procedures for Zoning Applications and the Definition of Primary Entrance

*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. Amend Section 26.3.3.E to clarify when mailing labels should be submitted as part of an application to amend the zoning text or zoning map, as follows.
  - E. If a proposed zoning amendment would change the ~~zoning district boundary of or the~~ minimum lot sizes and ~~or~~ permitted uses in a zoning district containing 100 or fewer parcels, **or if a proposed map amendment would impact 100 or fewer properties, 4-sets 2-sets** of mailing labels and a list of property owners of each property subject to the proposed amendment shall be submitted, in addition to the requirements of the foregoing section. Such list and labels shall include the owner's name and mailing address and the tax map parcel number for each affected property.
  
2. Modify the submittal requirements for zoning variance and zoning special exception applications in Section 26.5.4.B and Section 26.6.4. by removing the requirement for the scaled plot plan to show all structures and open spaces on lots adjacent to the lot in question, as follows:
  - B. A scaled plot plan clearly displaying the location and dimensions of all structures and open spaces on the lot in question ~~and on the adjacent lots~~, as well as any proposed changes to the site, such as, but not limited to, additions to existing structures or the construction of new structures.
  
3. Add a new section after Section 26.5.4 to require on-site posting of public hearings for zoning variance applications, as follows. The intent of this proposed change is to improve awareness for abutting property owners and residents regarding requests for zoning relief.

**26.5.5 On-Site Posting of Public Hearing**

- A. An applicant for a variance shall, not less than 5 calendar days prior to the date of the public hearing on the application, post a sign obtained from the Community Development Department providing notice that zoning relief is being sought for the property, in a location on the premises visible to the public.**
- B. This sign shall be removed by the applicant no later than 10 calendar days after completion of the public hearing and returned to the Community Development Department.**

- 4. Add a new section after Section 26.6.4 to require on-site posting of public hearings for zoning special exception applications, as follows. The intent of this proposed change is to improve awareness for abutting property owners and residents regarding requests for zoning relief.

**26.6.5 On-Site Posting of Public Hearing**

- A. An applicant for a special exception shall, not less than 5 calendar days prior to the date of the public hearing on the application, post a sign obtained from the Community Development Department providing notice that zoning relief is being sought for the property, in a location on the premises visible to the public.**
- B. This sign shall be removed by the applicant no later than 10 calendar days after completion of the public hearing and returned to the Community Development Department.**

- 5. Add a new section after Section 26.7.4 to require on-site posting of public hearings for expansion or enlargement of nonconforming use applications, as follows. The intent of this proposed change is to improve awareness for abutting property owners and residents regarding requests for zoning relief.

**26.7.5 On-Site Posting of Public Hearing**

- A. An applicant for an expansion or enlargement of a nonconforming use shall, not less than 5 calendar days prior to the date of the public hearing on the application, post a sign obtained from the Community Development Department providing notice that zoning relief is being sought for the property, in a location on the premises visible to the public.**
- B. This sign shall be removed by the applicant no later than 10 calendar days after completion of the public hearing and returned to the Community Development Department.**

6. Add a new definition for the term “primary entrance” to Article 29, as follows.

**Primary Entrance - The main or principal way people enter and exit a building or structure for day-to-day use. It is the entrance used by the majority of the public or residents. Entrances used primarily for service, freight, or emergencies shall not constitute a primary entrance.**

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Jay V. Kahn, Mayor

In City Council December 18, 2025.  
Referred to the Planning, Licenses and  
Development Committee.

  
City Clerk



# CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Six

AN ORDINANCE Relating to Fines for Nuisance, Menace and Vicious Dog Offenses

***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 the bolded underlined text to the provisions of Chapter 10, Article II, Section 10-36 of the City Code, entitled “**Forfeiture for nuisance, menace or vicious dogs.**”, and deleting the stricken text as follows:

**10-36. Forfeitures for nuisance, menace or vicious dogs.**

(a) Whoever owns a dog that violates section 10-35 and whose dog is adjudged to be either a nuisance, a menace or vicious shall forfeit the following:

(1) Nuisance dog:

a. For the first offense.....~~\$25.00~~ **Warning**

b. For the second nuisance or subsequent offense committed within 12 months of the first offense.....~~\$100.00~~ **\$50.00**

**c. Third or subsequent offense within 12 months of the first offense: \$100.00**

(2) Menace dog:

**For violations classified as menacing offenses under RSA 466:31, II(e)-(f):**

a. For the first offense.....~~\$50.00~~ **\$200.00**

b. For the second menace or subsequent offense committed within 12 months of the first offense.....~~\$200.00~~ **\$400.00**

(3) Vicious dog:

**For violations classified as vicious offenses under RSA 466:31, II(g):**

a. For the first offense.....~~\$100.00~~ **\$400.00, plus liability for all medical expenses incurred by the injured person.**

b. For the second vicious or subsequent offense committed within 12 months of the first offense.....~~\$400.00~~ **\$1000.00, plus liability for all medical expenses incurred by the injured person.**

(b) These forfeitures shall be paid to the city clerk within 96 hours from the time notice is given by any law enforcement officer or animal control officer to the owner or keeper of the dog. Any person making this forfeiture shall have deemed to have waived the right to have the case heard in the circuit court, and shall not be prosecuted or found guilty of a violation of RSA 466:31. Any person who does not pay the civil forfeiture shall have the case disposed of in circuit court. Any person who pays a civil forfeiture, as specified in this section, two times within a 12-month period, according to the records of the police department, may not pay the civil forfeiture for subsequent violations of this section in that 12-month period, but shall have these cases disposed of in circuit court. For a vicious dog, where its behavior represents such a threat to public safety, immediate circuit court proceedings may be initiated in lieu of civil forfeiture.

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Jay V. Kahn, Mayor

In City Council February 5, 2026.  
Referred to the Planning, Licenses and  
Development Committee.

  
City Clerk