

Floor Amendment to HB 1098

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to fire code compliance for building permits on class VI highways.
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5 Amend the bill by replacing section 1 with the following:
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7 1 Planning and Zoning; Local Land Use Planning and Regulatory Powers; Erection of Buildings
8 on Streets. Amend RSA 674:41, I(c) to read as follows:

9 (c) Is a class VI highway, provided that the applicant:

10 (1) Signs a liability waiver acknowledging that the:

11 (A) Municipality shall not maintain the highway nor provide any services to any
12 lot accessible by the highway;

13 (B) Municipality shall not accept any responsibility for losses or damages caused
14 by a lack of services; and

15 (C) Responsibility for such services falls solely on the applicant; and

16 (2) Prior to the issuance of a building permit, produces evidence that this waiver has
17 been recorded in the county register of deeds; and

18 (3) Prior to the issuance of a building permit, proves the lot and any buildings
19 thereon are insurable; ~~[or]~~ **and**

20 (4) ***The local governing body may, after input from the municipality's***
21 ***building official or fire chief, or a combination of both, require the applicant to upgrade***
22 ***the class VI highway to meet the requirements of the state fire code. For the purposes of***
23 ***this section, the municipality's building official or fire chief, or a combination of both,***
24 ***shall determine if the class VI highway meets the state fire code prior to the issuance of a***
25 ***building permit or the erection of a structure.***

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AMENDED ANALYSIS

This bill allows municipalities to require class VI highway upgrades to meet state fire code.