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BUILDING CODE FOR THE TOWN OF LANGDON, NEW HAMPSHIRE 1996

1. GENERAL PROVISIONS

A. The Inspector of Buildings shall be appointed by the Selectmen annually and shall be the administrative officer of this ordinance. He shall receive applications and fees for the erection of buildings, plumbing, heating and electric wiring thereof as provided in this ordinance; shall keep complete records of all applications and his action on the applications; promptly survey and inspect all buildings, or uses proposed; accept and deposit with the Town Treasurer all fees collected by him under this ordinance,

and may issue permits for erection of all building, and the use of the land, if in his opinion the proposal complies with the law of the State, this ordinance, and other town ordinances and by-laws, provided that in any instance where license or permit fees for uses are required his permits shall constitute only an approval on which the proper authority may issue a license on payment of required fees; any other duties prescribed by law shall act in cooperation with the Fire Chief in any matter in which their duties as prescribed by law may coincide or conflict; and shall take such action in the enforcement of this ordinance as may be directed by the Selectmen.

B. No building construction shall be started; and no building shall be put to any different use than on the day of enactment of this ordinance until a permit thereof has been issued under the terms of this ordinance.

1. Permits will be issued in four (4) parts. (1) A permit will be required for all dwelling foundations. (2) Upon completion of said foundation and approval of same by the Building Inspector, a permit will be issued for the superstructure. (3) A Burner Permit will be required upon a satisfactory inspection of said burner by the town Fire Chief or his designated inspector.. (4) A Certificate of Occupancy will be obtained from the Building Inspector before the building shall be occupied.

C. No application for a permit required by this ordinance shall receive action by the Building Inspector unless made in writing. All applications for a permit to build, construct or alter the use of any building shall be accompanied by a sketch or plan for the proposed construction, encompassing all aspects of this ordinance, and a statement of its intended use when built or constructed. The applicant will include an estimate of completion date. Completion date is defined as that time when, in the opinion of the Building Inspector, the provisions of this ordinance have been carried out. Failure to complete construction within 30 days after applicants estimate will be considered a violation of this ordinance. A fee shall be paid for all permits issued in accordance with the current Schedule of Fees. A building permit shall become void unless operations are commenced within six months from date of approval. Building Permit will be conspicuously posted on the building site.

D. Upon receiving such application the Building Inspector shall promptly take such action as may be indicated in the way of investigation or public hearings to acquaint himself with the merits of the application. He may, without judging the application on its merits, refer the application to the Board of Adjustment. If, however, he finds the proposed building, or use of proposed buildings to conform with the law and this ordinance he may at once issue the permit in writing over his signature. If he finds the proposal in any way conflicts with the law or this ordinance he shall affix whatever restrictions or conditions on the proposed construction or use as may be in his best judgement, right and proper or for reasonable cause refuse the permit. Applicant has the right of appeal to the Board of Adjustment.

E. A permit to be issued by the Road Agent for permanent or temporary access or alteration to an access to and from Town roads or public right-of-way, will be required.

1. Access permit fee will be according to the current schedule of fees.

2. Temporary permits will be granted to commercial or industrial applicants upon proof of acceptable letter of credit or bond sufficient to insure the return of the area to its original condition. A non-refundable fee will be required when application is made to the Road Agent. (See current schedule of fees.)

2. REGULATIONS ON DWELLINGS

A. LOT SIZE: Minimum lot size upon which a dwelling may be built or constructed shall be three (3) acres. All buildings, including attached or detached accessory buildings, shall not occupy more than 25% of the lot.

1. There shall be observed the following setbacks in the construction of new buildings or the relocation of existing ones:

- a. Minimum distance from a public right- of- way will be fifty (50) feet.
- b. Minimum distance from lot sidelines shall be twenty five (25) feet.
- c. Minimum distance from rear lot line will be fifty (50) feet.

2. Lots will have a minimum frontage of three hundred (300) feet on a road, street or public right of way.

3. Driveway specifications shall be submitted at the time of application.

B. BUILDING AREA: Every dwelling unit shall have a minimum ground floor area of six hundred (600) square feet.

1. Two (2) apartments shall be the maximum allowable in one (1) given building. Sufficient area must be provided for entrances, exits and to comply with sanitary regulations.

2. Maximum height of any building will be 35 feet measured from finish grade to roof peak. Silos, barns, church towers excepted.

C. FOUNDATIONS: All structures shall be set on solid continuous foundations of concrete or masonry. Footings for all foundations shall be below frost levels. A minimum of 4 feet will be required.

D. EXTERNAL SIDING: Shall be constructed of a permanent type material commonly used for outside construction.

E. ROOFS: No roof of any building shall be covered or recovered in whole or in part save with non-combustible or fire-resistant roofing materials.

F. EXITS: No dwelling shall be built or constructed that does not include at least two exits.

G. WATER: All dwellings will have a supply of potable water, adequate to meet sanitary regulations.

H. CHIMNEY CONSTRUCTION: The installation of heating units and/or appliances will conform to the International Conference of Building Officials (ICBO) as amended, The Fire Prevention Code and the Life Safety Code recommended by ICBO.

I. PLUMBING: All plumbing construction will conform to the ICBO, as amended.

J. **ELECTRIC WIRING:** All electrical wiring shall conform with approved methods and practices as set forth in the ICBO, as amended.

K. **SEWERAGE:** All dwellings shall have a sewerage disposal system including flush toilet, septic tank, and a drain field; all drain fields (leach fields) shall be at least fifty (50) feet from all property lines. **THE TOWN VOTED TO RETAIN THE RIGHT OF FINAL APPROVAL ON ALL SEPTIC AND/OR SEWAGE SYSTEMS.**

3. REGULATIONS ON COMMERCIAL OR PUBLIC BUILDINGS

A. **WALLS:** No building intended or designed to be used for industrial, commercial, or other public use shall be erected or used for any purpose which does not provide non-component parts.

B. **EXITS:** No building intended or designed for any public use or congregation of people shall be erected or used for any purpose which does not provide adequate exits as described in the Regulations of the New Hampshire Fire Marshall's Office.

C. Section 2 (Regulations on Dwellings) D, E, G, H, I, J and K all apply.

4. ACCESSORY BUILDINGS

A. All attached accessory buildings not used for living purposes will conform to Section 2-C, D, E, H, I, J, K.

B. Detached accessory buildings not used for living purposes, will conform to Section 2-D, E, H, J, and the minimum distance from a public right-of-way shall be fifty (50) feet.

C. All accessory buildings not used for living purposes, attached or detached, must be at least twenty five (25) feet from the lot side lines and fifty (50) feet from the rear lot line.

5. TRAILERS AND MOBILE HOMES

A. A permit will be required for the placing of an individual house trailer or mobile home on a lot.

B. Trailers and mobile homes intended for use as a dwelling will not be exempt from Section 2-A, B, G, K.

C. Trailers or mobile homes not conforming in their construction to Section 2-G and K will only be allowable when placed on a lot that contains an approved dwelling. A permit must be obtained for such placing and will be of three months duration and be non-renewable. A non-renewable permit of one year duration may be issued for the placing of such trailer while a permanent home is being erected.

D. Section 4-A also applies to building lots containing a trailer or mobile home.

E. All articles under Section 5 shall apply to trailer and/or Mobile Home Parks.

F. A trailer or mobile home with a width of less than 15 feet (referred to as manufactured housing) shall be supported by piers placed on a concrete slab no less than 3 1/2" thick and no less than the outside dimensions of the unit. The topsoil will be removed and no less than 12" of approved gravel will be placed and compacted under the slab. Piers shall be placed under chassis so as to allow no greater span than 12 feet. Piers of solid masonry material no less than 120 sq. inches on top and its base to be no less at its smallest diameter than half its height. Wheels will be removed from axles and unit shall be skirted. Manufactured housing with a width of 15 feet or greater shall conform to Building Code 2.C. Foundations.

6. EXCEPTIONS

All buildings existing and in use on the effective date of this ordinance together with minor alterations, repairs and general upkeep to existing buildings shall be exempt from the provisions of this ordinance.

7. SUBDIVISIONS

All roads in Subdivisions whether or not intended for eventual Town Maintenance must conform to State T. R. A. Regulations. The Road Agent will be the Supervising Officer. Sufficient bond will be required to insure completion of roads.

8. BOARD OF ADJUSTMENT

The Selectmen shall appoint a Board of Adjustment consisting of five members, said Board to serve without compensation. The Board of Adjustment shall have the authority to hear and decide appeals as to the proper interpretation of this ordinance and to allow minor variances that are not contrary to the public interest and that are within the intention of this ordinance, where a literal enforcement would result in an unnecessary hardship.

9. AMENDMENT

This ordinance may be amended by a majority vote of any legal town meeting when such amendment is published in the warrant calling for the meeting.

10. ENFORCEMENT

Upon any well-founded information that this Ordinance is being violated, the Selectmen shall, on their own initiative, take immediate steps to enforce the provisions of this Ordinance by seeking an injunction in the Superior Court or by any other appropriate legal action. Whoever violates any of the provisions of the above regulations shall be subject to a fine or civil penalty as per NH RSA 676:17 as amended.

11. TAKES EFFECT

This ordinance shall take effect upon its passage.

12. CONFLICTING PROVISIONS

Whenever the regulations made under the authority hereof differ from those described by any statute, ordinance, or other regulations, that provision which imposes the greater restriction, or the higher standard, shall govern.

13. VALIDITY

If any section, clause or provision portion, or phrase of this ordinance shall be held to be invalid or unconstitutional by any court of competent authority such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of this Ordinance.

**SANITARY LAWS OF THE STATE OF
NEW HAMPSHIRE
SECTION D**

REGULATIONS I. Definitions.

For the purpose of this section, the term "recreational camping park" shall mean a plot of ground upon which two or more temporary or permanent tents, travel trailers, tent campers or pickup campers are located, established or maintained, and operated continuously as living quarters for children or adults or for recreation, education, or vacation purposes, either free or by payment of a fee.

A tent means a portable structure made from fabric suitable for this purpose used as a temporary dwelling for recreational or vacation purposes.

A travel trailer means a vehicular, portable structure built on a chassis, designed as a temporary dwelling for travel, recreation and vacation, having body width not exceeding 8 feet and its body length does not exceed 32 feet.

A tent camper or camping trailer means a canvas, folding structure, mounted on wheels and designed for travel, recreation and vacation use.

A pickup camper or coach means a structure to be mounted on a truck chassis, for use as a temporary dwelling for travel, recreation and vacation.

REGULATION II. Supervision

There shall be a caretaker who shall visit each day the park is occupied. Such caretaker shall do whatever may be necessary to keep the park and its equipment in a clean and sanitary condition, to maintain order and to see that the following sanitary regulations are observed. The management of each park shall assume responsibility for maintaining in good repair all sanitary appliances and shall take such action as is necessary to prosecute or eject from the grounds any person who willfully or maliciously damages such appliances, or any person who in any other way fails to comply with these regulations.

REGULATION III. Location

All parks shall be located on a site, graded to insure drainage of surface water, sub-surface water, sewage and freedom from stagnant pools.

REGULATION IV. Space Allocation

a. A minimum of 600 square feet shall be provided for each tent, tent camper and pickup camper space.

b. A minimum of 1,000 square feet shall be provided for each travel trailer space with no onsite sewage disposal system. Exception will be granted permitting the on-site sanitary

disposal of sink drain trailer water only. HOWEVER, if on-site disposal of sewage is desired, the minimum space requirement will be 10,000 square feet, or that assigned a mobile home.

REGULATION V. Roadways

In all recreational camping parks, roadways shall be well drained, graveled, hard surface or paved and maintained in good condition. All spaces allocated in a recreational camping park shall abutt upon a roadway of 20 feet in width, with off street parking, and all oneway roadways shall be a minimum of 12 feet wide.

Selectmen
Town of Langdon, N.H.

**ESTABLISHING A BOARD OF
LICENSING FOR THE
TOWN OF LANGDON, NEW HAMPSHIRE**

Section I.

The Board of Licensing of the Town of Langdon shall consist of the Board of Selectmen. One member of the Board of Licensing will be appointed to serve as secretary of the Board of Licensing. The secretary for the Board of Selectmen shall be responsible for supplying application forms, publishing notices, receiving funds and securing such information as the Board shall require.

Handling of food and wastes, suitability of water supply, adequacy of housing.

- C. Building Inspection
Periodic Events

Safety of Buildings, electricity, plumbing, and signs.

- D. Fire Department

Review of all aspects of application in terms of fire safety, fire prevention and capacity.

SECTION IV.

A. All original license applications required by this Act shall be the subject of a public hearing to be held not less than seven days after public notice shall have been placed in a newspaper of general circulation within the area. Said notice shall be published once and shall be paid for by the applicant. At such hearing the applicant and any citizen desiring to be heard shall appear and state their position regarding the issuance of said license. When any licensee desires to renew his annual license, public notice and hearing shall not be required unless the Board of Licensing so requires.

B. The licensee shall be liable for the cost of any town services provided, such as, but not limited to, police protection, as deemed necessary by the Licensing Board and to be so stated on the license.

SECTION V.

Licenses shall be required for the following activities:

Athletic exhibitions, public dances, circuses, carnivals, parades, live performances, exhibitions, promotional activities, and any similar periodic activity open and available to the public. Specifically excluded are activities conducted by charitable organizations, by governmental agencies, or by religious organizations, unless such activity is generally considered by the Board to be a commercial enterprise.

B. Business Offering - Amusement Devices:

Includes but not limited to billiard tables, pool tables, snooker tables, shooting galleries, individual bowling alleys, pinball machines, coin-operated amusement devices, juke boxes (including all speakers and selectors as one device), children's ride machines, ping-pong tables, and any such similar devices, machines, or facilities. Specifically excluded are devices operated by a charitable organization or private club; food vending machines, soft drink vending machines, cigarette machines, gum machines and similar non-amusement devices.

C. Public Amusements - Includes skating rinks, dance halls, theatres or similar facilities.

SECTION VI.

The Town of Langdon hereby specifically excludes itself from any liability relating to licensee's operations. It shall be the responsibility of the applicant to take suitable measures to protect himself from public liability. In no event will a license from the Town of Langdon be considered as evidence of the soundness of the operation, the safety

SECTION II.

The Board of Licensing shall have the power to review and approve licenses as specified in this

act. Any decision by the Board may be appealed by the Applicant to the Board of Adjustment of the Town of Langdon, which may affirm or deny the findings of the Board. In addition, any citizen aggrieved by an action of the Board may also appeal such findings to the Board of Adjustment for the findings of the Board of Licensing.

SECTION III.

All applications for licenses shall receive the following administrative review.

A. Police Department

Suitability of applicant, handling of traffic and parking problems, and any other matter which the Police Department feels would be of importance in guiding the Licensing Board in the issuance of a license. Fingerprints may be required by the Department.

B. Health Department

Handling of food and wastes, suitability of water supply, adequacy of housing.

C. Building Inspection

Safety of Buildings, electricity, plumbing and signs.

D. Fire Department

Review of all aspects of application in terms of fire safety, fire prevention and capacity.

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B. The licensee shall be liable for the cost of any town services provided, such as, but not limited to, police protection, as deemed necessary by the Licensing Board and to be so stated on the license.

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- B. Business Offerings - Amusement Devices:
Includes but not limited to billiard tables, pool tables, snooker tables, shooting galleries, individual bowling alleys, pinball machines, coin-operated amusement devices, juke boxes (including all speakers and selectors as one device), children's ride machines, ping-pong tables, and any such similar devices, machines, or facilities. Specifically excluded are devices operated by a charitable organization or private club: food vending machines, soft drink vending machines, cigarette machines, gum machines and similar non-amusement devices.

- C. Public Amusements- includes skating rings, dance halls, theatres or similar facilities.

SECTION VI.

The Town of Langdon hereby specifically excludes itself from any liability relating to licensee's operations. It shall be the responsibility of the applicant to take suitable measures to protect himself from public liability. In no event will a license from the Town of Langdon be considered as evidence of the soundness of the operation, the safety of the public using the operation, nor will it be considered as being an endorsement of any kind of the operation. The purpose of this Act is to assure that minimum safeguards are established to protect the public. Any misuse, violation or liability arising from this license will be the responsibility of the individual applicant.

SECTION VII.

No gambling or evidence of gambling shall be permitted involving any of the devices or activities controlled by the Board of Licensing of the Town of Langdon.

SECTION VIII.

No operation or activity as defined in Section V. may operate within the Town of Langdon unless it is currently licensed. Said license shall be exhibited on the premises; it shall specify the name of the holder of the license, the location and type of activity, restrictions established by the Licensing Board, and the date and term of the license.

SECTION IX.

It shall be the responsibility of the Police Department of the Town of Langdon to assure that this act is complied with in all regards. Periodically, the Chief of Police shall report to the Board of Licensing on the status of existing licenses, violations of their provisions, and, in the event that a license has not been properly issued, shall inform the Licensing Board so that proper action can be taken in order to stop the operation. Copies of approved licenses shall be kept by the Clerk in official files. Licenses for periodic events shall be filed in a manner facilitating their future

review. Licenses for business and operations which are of a continuing nature shall be kept in chronological order so that the Board can determine expiration dates in advance of actual expiration.

SECTION X.

Penalties: Any person violating any of the provisions of this Act shall be required to remedy the cause of violation or suffer immediate revocation of license. Unlicensed operations shall cease immediately.

SECTION XI.

Duration of License: Licenses will be issued for a period of time as deemed necessary by the Licensing Board, but not to exceed one year.

SECTION XII.

This Act shall take effect 60 days following its adoption.

ADOPTED: March 19, 1970

ZONING ORDINANCE FOR THE TOWN OF LANGDON, NEW HAMPSHIRE

PREAMBLE: In pursuance of authority conferred by RSA 672-677 and amendments, and for the purpose of promoting the health, safety, morals, prosperity, convenience or general welfare, as well as efficiency and economy in the process of development, of the inhabitants of the incorporated Town of Langdon by securing safety from fire, panic and other dangers, providing adequate areas between buildings and various rights of way, by preserving the rural charm now attached to our Town, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements and by other means in accordance with a comprehensive plan. The Town of Langdon Zoning Board of Adjustment may use and refer to any and all Federal and State regulations which it deems will be helpful and necessary.

NOW THEREFORE BE IT ORDAINED by the majority of voters present and voting at this legal meeting of the Town of Langdon, held on this 6th day of March in the year one thousand nine hundred and seventy three.

SECTION I. Short Title

This ordinance shall hereafter be termed "Zoning Ordinance of 1973". All regulations of the Building Code will apply.

SECTION II. Definitions

For the purpose of this ordinance certain terms are defined as provided in this Section:

- A. PERMANENT BUILDING shall mean any building resting upon a foundation or otherwise legally defined as REAL ESTATE.
- B. NON-CONFORMING shall mean use of land, building or premise which is not a use permitted by the provisions of the ordinance for the district in which such is situated.
- C. BOARD OF ADJUSTMENT means the board authorized by the vote of the Town Meeting of 1965. This board functions under the Authority of RSA 673:3.

SECTION III. Districting

For the purpose of regulating the use of land and the location and construction of buildings, the Town of Langdon, N.H. shall be considered as one district with the following regulations and restrictions:

- A. It shall be primarily a district of residential and agricultural use.

SECTION IV. Agricultural and Residential Use

A. AGRICULTURAL USE shall mean land used for agriculture, horticulture, floriculture, silviculture and animal and poultry husbandry. Refer to RSA 21:34-a

1. The marketing of home produce and/or products derived from the above would be according to RSA 21:34-a.

B. RESIDENTIAL USE as defined and regulated in the Building Code of 1965 and its revisions and amendments.

1. Each lot of record shall not contain more than one permanent dwelling.

2. Home industries that do not exceed requirements of section V-A will be exempt.

SECTION V. Commercial Industrial

A. Commercial and/or Industrial enterprises which would require more than one (1) acre and/or two (2) thousand square feet in ground floor area and/or require two or more employees, will be required to obtain a Special Exception from the Zoning Board of Adjustment. No business shall be permitted which would cause any undue hazard to health, safety or property values or which is offensive to the public because of noise, vibration, excessive traffic, unsanitary conditions, noxious odor or similar reason.

1. Upon request for a special exception by the petitioner, the Zoning Board of Adjustment will call a public hearing. Cost of advertising in local papers, notification of abutters, posting of notices and all other costs will be borne by the petitioner. The Zoning Board of Adjustment will hold a public hearing in accordance with Zoning Board of Adjustment rules and procedures and the New Hampshire Planning and Zoning statutes amended.

2. The Town retains the right of final approval on all septic and/or sewerage systems.

3. Sufficient off-street parking will be provided for employees and patrons.

4. On-premise advertising signs in connection with businesses receiving approval shall be considered as part of the application for commercial exception. They shall be limited to not more than twenty square feet and may be illuminated only by non-colored, non-flashing light. Location may not be within 10 feet of any public right-of-way or within one hundred fifty feet of any intersection unless attached to a building.

B. Before commercial removal of soil, rock, sand, gravel, loam or similar material;

1. A Special Exception must be received from the Zoning Board of Adjustment, including payment of all fees and costs.

2. A permit must be received from the Planning Board in accordance with the Langdon Earth Excavation Regulation

C. No permanent tar-mix, asphalt or gravel-crushing plant shall be set up within the borders of the Town of Langdon. Temporary permits of a 10-working day maximum duration for the use of a portable rock crusher, may be applied for from the Administrator.

SECTION VI. Non-conforming Buildings, Land or Uses

A. All non-conforming properties in active use when this ordinance is passed and adopted may continue indefinitely in their present use.

B. Any and all non-conforming property may be altered and expanded as the business and conditions warrant, provided, however, that any expansion will conform to the Building Code.

C. Any non-conforming use may be changed to another non-conforming use provided the degree of non-conformity is not intensified or may be changed to any conforming use.

D. Any non-conforming use which has been discontinued for more than one (1) year shall be presumed to be discontinued of such non-conforming use.

E. For the purpose of this ordinance, outdoor advertising shall be permitted only as in conformity to the following regulations.

1. An outdoor sign shall not be larger than six square feet.

2. It shall be placed at least ten (10) feet from a road public right-of-way unless affixed to a building and not extending by and/or above the same by more than three (3) feet.

3. Illumination shall be only by continuous non-flashing and non-colored light.

4. A permit for each sign is required from the Administrator and at the usual fee.

5. Placement of signs and lights will be compatible with their surroundings and placed in such a manner as not to create a nuisance or a hazard.

6. Specifically excluded from fees are: temporary signage for activities conducted by charitable organizations, or governmental agencies, unless such signage is considered by the Administrator to be a commercial enterprise.

SECTION VII. Enforcement

A. The building inspector will be the administrator of this ordinance and will supply

application forms and information upon request. Commercial-Industrial permits will be granted only after affirmative action by the Board of Adjustment.

B. Upon any well-founded information that this ordinance is being violated, the Selectmen shall, upon their own initiative, take immediate steps to enforce the provisions of this ordinance by seeking an injunction in the Superior Court or by any other appropriate legal action.

C. The administrator will make as many inspections as he deems necessary or as requested by the Board of Adjustment to ensure compliance.

SECTION VIII. Penalty

A. Every person, persons, firm or corporation violating any of the provisions of this ordinance shall be subject to a fine or civil penalty as per NH RSA 676:17 as amended.

SECTION IX. Amendments

A. This ordinance may be amended by majority vote of any legal town meeting when such amendment is published in the warrant calling for said town meeting and has received the legal public hearings as provided in RSA 47:26.

SECTION X. Saving Clause: Conflict Clause

A. The validity of any provision of this ordinance shall not affect the validity of any other provisions of this ordinance as a whole. Whenever the provisions of this ordinance differ from those prescribed by law, or passed by previous town meeting, the provision which imposes the higher standard shall govern. This applies to existing building regulations.

SECTION XI. Flood Plain Ordinance

I. Purpose

Certain areas of the Town of Langdon, New Hampshire are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968. Therefore the Town of Langdon has chosen to become a participating community in the National Flood Insurance Program, and agrees to comply with the requirements of the National Flood Insurance Act of 1968(P.L. 90-488, as amended) as detailed in this Floodplain Management Ordinance.

This Ordinance establishes a permit system and review procedure for development activities in

the designated flood hazard areas of the Town of Langdon, New Hampshire.

II. Establishment

This ordinance, adopted pursuant to the authority of FRS674:16, shall be known as the Town of Langdon Floodplain Management Ordinance. The regulations in this ordinance shall overlay and supplement the regulations in the Town of Langdon Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of the ordinance differs or appears to conflict with any provision of the zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

The following regulations in the ordinance shall apply to all lands designated as special Flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the Town Langdon, NH" dated May 23, 2006 or as amended, together with the associated (Flood Hazard Boundary Maps or Flood Insurance Rate Maps) dated May 23, 2006 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

III Permits:

All proposed development in any special flood hazard area shall require a permit.

IV. Construction Requirements

The Building Inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:

- a. be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy
- b. be constructed with materials resistant to flood damage
- c. be constructed by methods and practices that minimize flood damages
- d. be constructed with electrical, heating ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

V. Water and Sewer Systems

Where new or replacement water and sewer systems (including on-site systems) are proposed in a special flood hazard area the applicant shall provide the Building Inspector with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems

will be located to avoid impairment to them or contamination from them during periods of flooding.

VI. Certification

For all new or substantially improved structures located in special flood hazard areas, the applicant shall furnish the following information to the Building Inspector:

- a. The as-built elevation (in relation to NGVD) of the lowest floor (including basement) and include whether or not such structures contain a basement.
- b. If the structure has been floodproofed, the as-built elevation (in relation to NGVD) to which the structure was floodproofed.
- c. Any certification of floodproofing.

The Building Inspector shall maintain the aforementioned information for public inspection, and shall furnish such information upon request.

VII. Other Permits

The Building Inspector shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

VIII. Watercourses

1. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Department of Environmental Services and submit copies of such notification to the Building Inspector, in addition to the copies required by the RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector, including notice of all scheduled hearings before the Wetlands Bureau.
2. The applicant shall submit to the Building Inspector certification provided by a registered professional engineer assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.
3. The Building Inspector shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following Floodway requirements:
“No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge”.

IX. Special Flood Hazard Areas

1. In Zone A the Building Inspector shall obtain, review, and reasonably utilize any 100-year flood elevation data available from any federal, state, or other source including data

submitted for development proposals submitted to the community. (i.e. subdivisions, site plan approvals)

2. The Building Inspector's 100 year flood elevation determination will be used as criteria for requiring in Zone A that:
 - a. All new construction or substantial improvement of residential structures have the lowest floor (including basement elevated to or above the 100 year flood elevation.
 - b. That all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:
 - (i) be floodproofed so that below the 100-year flood elevation the structure is watertight with walls substantially impermeable to the passage of water.
 - (ii.) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
 - (iii) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section.
 - c. All manufactured homes to be placed or substantially improved within special flood areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured is at or above the 100-year flood elevation; and be securely anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top frame ties to ground anchors.
 - d. All recreation vehicles placed on sites within Zone A shall either:
 - (i) be on site for fewer than 180 consecutive days; or
 - (ii) be fully licensed and ready for highway use; or:
 - (iii) meet all standards of Section III of this ordinance and the elevation and anchoring requirements for "manufactured homes" in section IX (2) of this ordinance.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
 - e. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:
 - (1) The enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage;
 - (2) The area is not a basement; and
 - (3) Shall be designed to automatically equalize hydrostatic flood forces and exterior walls by slowing the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

X. Variances and Appeals

1. Any order, requirement, decision or determination of the Building Inspector made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5
2. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I (b) the applicant shall have the burden of showing in addition to the usual variance standards under state law that:
 - a. the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
 - b. If the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief
3. The Zoning Board of Adjustment shall notify the applicant in writing that:
 - a. The issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
 - b. Such construction below the base level increases risks to life and property. Such notifications shall be maintained with a record of all variance actions.
4. The Community shall:
 - a. Maintain a record of all variance actions, including their justification for their issuance; and
 - b. Report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

GREATER RESTRICTOR SECTION:

If any provision of this ordinance differs or appears in conflict with any other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

ENFORCEMENT SECTION:

It shall be the duty of the Board of Selectmen (or their designees) to enforce and administer the provisions of the Ordinance in accordance with RSA 676.

SECTION XI – DEFINITIONS

The following definitions shall apply only to this Floodplain Management Ordinance, and shall not be affected by the provisions of any other ordinance of the Town of Langdon.

1. "Area of Special Flood Hazard" is the land in the floodplain within the Town of Langdon subject to a one-percent or greater possibility of flooding in any given year. The area is designated as **(Zone A on the FHBM or as Zone(s) A, AO, AH, AI-30, AE on the FIRM).**

2. "Base Flood" means the flood having a one-percent possibility of being equaled or exceeded in any given year.
3. "Basement" means any area of a building having its floor subgrade on all sides.
4. "Building" – see structure.
5. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operation or storage of equipment or materials.
6. "FEMA" means the Federal Emergency Management Agency.
7. "Flood or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. the overflow of inland or tidal waters, or
 - b. the unusual and rapid accumulation or runoff of surface waters from any source.
8. "Flood Hazard Boundary Map" (FHBM) means an official map of a community, issued by the Administrator, where the boundaries of the flood, mudslide (i.e. mudflow) related erosion areas having special flood hazards have been designated as Zone A.
9. "Flood Insurance Rate Map" (FIRM) means an official map of a community, on which the Administrator has delineated both the special hazard areas, and the risk premium zones applicable to the community.
10. "Flood Insurance Study" (FIS) means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e. mudflow) and / or flood related erosion hazards.
11. "Floodplain" or "Flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of "Flooding").
12. "Flood proofing" means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water, and sanitation facilities, structures, and their contents.
13. "Floodway" – see "Regulatory Floodway".
14. "Functionally dependent use" means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities but does not include long –term storage or related manufacturing facilities.
15. "Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
16. "Historic Structure" means any structure that is:
 - a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior:
or

- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - i. by an approved state program as determined by the Secretary of the Interior, or
 - ii. directly by the Secretary of the Interior in states without approved programs.
17. “Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than basement area is not considered a building’s lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
18. “Manufactured Home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term “manufactured home” includes park trailers, travel trailers; and other similar vehicles placed on site for greater than 180 consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.
19. “Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
20. “Mean sea level” means the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988 or other datum to which base flood elevations shown on a community’s Flood Insurance Rate Maps are referenced.
21. “New construction” means, for the purposes of determining insurance rates, structures for which the start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
22. “100-year flood” – see “base flood”
23. “Recreational Vehicle” is defined as:
 - a. built on a single chassis;
 - b. 400 square feet or less when measured at the largest horizontal projection;
 - c. Designed to be self-propelled or permanently towable by a light duty truck; and
 - d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.
24. “Regulatory floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
25. “Special flood hazard area” – see “Area of Special Flood Hazard”.
26. “Structure means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
27. “Start of Construction” includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement as within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a

- manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets, and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure.
28. “Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
29. “Substantial Improvement” means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should equal:
- a. The appraised value prior to the start of the initial repair or improvement, or
 - b. In the case of damage, the value of the structure prior to the damage occurring.
- For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration effects the external dimensions of the structure. This term includes structures that have incurred substantial damage, regardless of actual repair work performed. This term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued destination as a “historic structure”.
30. “Violation” means the failure of a structure or other development to be fully compliant with the community’s flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required under Section VI or Section IX(2)(b) of this ordinance is presumed to be in violation until such time as that documentation is provided.
31. “Water surface elevation” means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) or 1988, or other datum where specified, of floods of various magnitudes and frequencies in the floodplains.