



CITY OF PORTSMOUTH, NEW HAMPSHIRE  
GOVERNANCE COMMITTEE

PUBLIC MEETING NOTICE  
MONDAY, AUGUST 11, 2025 AT 11:00 A.M.  
City Hall Complex, Conference Room A  
1 Junkins Avenue  
Portsmouth, NH 03801

*Members of the public also have the option to join the meeting over Zoom.  
(See below for more details)\**

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1. Welcome and Call to Order
  2. Roll Call
  3. Approval of the minutes of the July 14, 2025 Governance Committee meeting
  4. Draft Encumbrance Ordinance
    - a. Projection Signs
      - Planning Department: Peter Britz, Director of Planning and Sustainability and Peter Stith, Planning Manager
    - b. Sidewalk Obstructions
      - City Clerk's Office: Kelli Barnaby, City Clerk
  5. Other Business
  6. Public Comment
  7. Announcements
  8. Adjournment

**\*Join Zoom Meeting**

**You are invited to a Zoom meeting.**

**When: August 11, 2025 11:00 PM Eastern Time (US and Canada)**

**Register in advance for this meeting:**

**[https://us06web.zoom.us/meeting/register/nns\\_uiNISRW1wVpxq9VSww](https://us06web.zoom.us/meeting/register/nns_uiNISRW1wVpxq9VSww)**

**After registering, you will receive a confirmation email containing information about joining the meeting.**



CITY OF PORTSMOUTH, NEW HAMPSHIRE  
GOVERNANCE COMMITTEE  
MEETING MINUTES  
Monday, July 14, 2025  
City Hall Complex, Conference Room A  
1 Junkins Avenue, Portsmouth, NH

1. **Welcome and Call to Order:** The meeting was called to order at 11:00 a.m.
2. **Roll Call:** Councilor Katherine Cook; Councilor Vincent Lombardi; and Councilor John Tabor were present. Assistant Mayor Joanna Kelley was absent.  
  
Staff: Karen Conard, City Manager; Carl Weber, Deputy City Manager; Susan Morrell, City Attorney; and Jane Ferrini, Senior Assistant City Attorney  
  
Also present: Petra Huda, Portsmouth, NH; Jackie Cali-Pitts, Portsmouth, NH  
  
Zoom: Tom Nies, Portsmouth, NH
3. **Review and Approval of the Minutes of the June 23, 2025 meeting:** Councilor Lombardi moved to accept the minutes of the June 23, 2025 meeting. Seconded by Councilor Tabor. Councilor Cook and the City Manager each noted a typo in the draft minutes. Councilor Lombardi amended the motion to approve the minutes with the noted revisions. Councilor Tabor seconded the motion. All in favor. The motion was approved.
4. **Update on Draft Encumbrance Ordinance:** Senior Assistant City Attorney Jane Ferrini provided an explanation regarding a proposed encumbrance ordinance which would streamline all the different encumbrance ordinances into one ordinance so that people will be able to find all encumbrance related information in one place. She advised that there are currently four (4) different chapters and four (4) different city council policies regarding various encumbrances. She compiled an outline of current permits and where the information is currently located within the chapters and policies. Discussion ensued regarding special events, public forum space, renting City property, abuse, penalties, and appeals. It was decided that the Committee would begin the review process by discussing projecting signs and sidewalk obstructions at the next meeting.
5. **Other Business:** None
6. **Public Comment:** In regard to the draft encumbrance ordinance, Petra Huda asked how is this process is a deviation from the current process, is this an efficient process and what is the goal of the changes? She also asked for clarification on renting City property and if there was an appeal involved, and the time frame involved.

Jackie Cali-Pitts provided the Committee with information on the City building on City property in the area of Kearsarge Way and that the City should also need to obtain a permit, buy and pay taxes on the property as the rules should apply to everyone.

Tom Nies spoke to the City's Ethics Policy and the Volunteer Handbook which were released earlier this year to new appointees to boards and new volunteers. He stated that the Committee should reconsider and mandate or encourage all existing board members and volunteers to review this information as well in order to benefit and be brought up to date on the same material.

7. **Announcements:** The next Governance Committee meeting was scheduled for Monday, August 11, 2025 at 11:00 a.m.
8. **Adjournment:** Councilor Lombardi moved to adjourn the meeting, seconded by Councilor Tabor. All in favor. Motion was approved. Meeting adjourned at 1:12 p.m.

Meeting Minutes prepared by:  
Barbara Zulkiewicz

Minutes approved: \_\_\_\_\_

## ARTICLE \_\_: LICENSE AND ENCUMBRANCE PERMITS FOR USE OF PUBLIC PROPERTY

### Section \_\_.101: **STATEMENT OF PURPOSE**

The purpose of this ordinance is to establish a comprehensive framework for the licensing and encumbering of public property within the City and aims to ensure the responsible use and management of public assets, create an efficient and transparent approval process and safeguard the interests of the community while promoting economic development. By regulating the use of public property, the City seeks to:

1. **Enhance Efficiency and Transparency:** Establish efficient and transparent procedures for issuing licenses and encumbrance permits for use of public property.
2. **Promote Fair Access:** Provide the public with equitable access to public property.
3. **Preserve Public Assets:** Maintain and preserve the integrity of public property.
4. **Facilitate Economic Development:** Support local businesses and economic activities by providing clear guidelines for the use of public property.
5. **Maintain Public Safety:** Ensure that public property is used in a manner that protects the health, safety, and welfare of residents and visitors.

### Section \_\_.102: **AUTHORITY**

The City has an interest in regulating all uses of public property.

The City Manager is authorized to oversee City property and to establish and publish rules, regulations, and procedures related to all permits and licenses that regulate the temporary placement, installation, location or use of any obstruction on, in or over public property, including but not limited to structures, fixtures, objects, equipment or other encroachment ("Encumbrance"). Public property includes but is not limited to public roads, right-of-way, streets, lanes, alleys, sidewalk, parking space, loading zone and other City property, including intrusions into the airspace over public property ("Public Property").

The City Manager, or their designee, shall prescribe the forms necessary for the issuance and management of encumbrance permits and licenses under this Chapter. All rules, regulations and procedures associated with these licenses and permits shall be reviewed and approved by the City Manager and will be published on the City's website. The City Manager shall provide regular updates to the City Council regarding the issuance of encumbrance permits and licenses under this Chapter.

(Note to discuss administrative approval for temporary, short-term encumbrances for under 90 days.)

**Section \_\_\_\_.** 103: **ENCUMBRANCE PERMITS, LICENSES AND USE OF PUBLIC PROPERTY**

No person shall place or erect an Encumbrance that projects over the airspace of Public Property unless the City has issued a permit or license.

No license or permit will be issued for an Encumbrance that endangers public safety, impedes the free path of travel for the public, including pedestrian and vehicular traffic, or impedes egress or access to driveways, entrances, hydrants, poles, utilities, traffic signs or other government use.

Permits and licenses for Encumbrances may be temporarily or permanently suspended in an emergency or if the public interest requires such termination.

Permits and Licenses may be issued for the following Encumbrances that are in compliance with the provisions set forth above, the published rules, regulations and procedures for permits and licenses described in Section 102 and the specific provisions set forth below:

**A. Projecting Signs and Awnings**

Dimensional requirements for permanently affixed signs and awnings that project over the airspace of Public Property shall comply with the height, setback and dimensional standards set forth in the City's Zoning Ordinance.

**B. Flags**

Annual permits may be issued for flags that do not exceed 12 square feet in area and and that have at least 7 feet of clearance above Public Property.

(Note to discuss "Open" flags v. name of business for advertising purposes, flags are not a sign for purposes of zoning ordinance and existing limitation of either one advertising flag or A-frame sign per business)

**C. A- Frame Signs**

Annual permits may be issued for one A-Frame Sign located in front of a business on Public Property that does not exceed 8 square feet in area on each side.

**D. Tables, Chairs and Benches**

Annual permits may be issued for tables, chairs and benches for use by the general public on Public Property if, among other things, the number, size and location of the tables, chairs and benches do not impede the free path of travel for the public.

**E. Planters**

Annual permits may be issued for planters on Public Property if, among other things, the size and location of the planters do not impede the free path of travel for the public. Permits will be revoked if the plants in the planters are not maintained.