

## CHAPTER 9

### MISCELLANEOUS PUBLIC WELFARE

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#### **Article I:           DISORDERLY HOUSES**

##### **Section 9.101:   PROHIBITED**

No person shall keep or maintain or continue any disorderly house or shop or house of ill fame in this City.

##### **Section 9.102:   PENALTY**

If any person shall violate the provisions of this Ordinance, he shall be fined not less than \$1.00 nor more than \$100.00 for each day he shall keep, maintain, or continue any such disorderly house, shop or house of ill fame.

**Article II:           (Reserved for future use; Deleted in entirety 10/22/2012)**

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## **ARTICLE III: REGULATION OF MINORS**

### **Section 9.301: CURFEW**

The curfew regulations as set forth in the N.H. RSA, Chapter 571, Section 8-11 inclusive are hereby adopted by the City of Portsmouth.

### **Section 9.302: SUPERVISION OF BUSINESS PREMISES**

No business premises shall be open to the public after the hours of 6:00 p.m. unless the proprietor or his agent or employee is present to supervise activities on the premises.

**ARTICLE IV:        RESERVED FOR FUTURE USE**

(Article entitled Removal of Dog Excrement deleted in its entirety 5/16/05)

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**ARTICLE V:    *RESERVED FOR FUTURE USE***

(Article entitled Public Way Obstructions, Placement & Registration deleted in its entirety 12/08/2025)

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**Article VI: CITY PLANTS OR PROPERTY**

**Section 9.601: DAMAGE TO CITY PLANTS OR PROPERTY**

No person shall wantonly or willfully destroy shrubbery, pull up, bend or mar growing trees or otherwise injure or cause to be injured any shrubs, flowers or trees on City property maintained by the City, or shall wantonly or willfully damage or deface any other property of the City or of any department thereof.

**Section 9.602: PENALTY**

Any person violating any provision of this ordinance shall be subject to a fine or penalty in the amount of \$100.00.

(Article VI Adopted in its entirety 1/9/95)

## **Article VII: MUNICIPAL FACILITIES FOR SKATEBOARDING OR ROLLERBLADING OR ROLLERSKIING**

### **Section 9.701: APPLICATION**

This ordinance is adopted pursuant to the provisions of RSA 507-B:11 for the purpose of requiring the use of certain safety equipment at any facility owned or operated by the City, or any subdivision of the City, for skateboarding or rollerblading, or rollerskiing and to secure the protection from liability for the City afforded by that statute.

### **Section 9.702: MANDATE**

No person shall be permitted to ride a skateboard or rollerblade or rollerski at any recreational facility owned or operated by the City or any of its subdivisions for those purposes unless that person is wearing a helmet, elbow pads, and kneepads.

### **Section 9.703: PENALTY**

Any person violating the provisions of this ordinance shall be subject to a fifty dollar (\$50.00) fine upon conviction of that violation.

### **Section 9.704: POSTING**

Signs shall be posted at any facility described in this ordinance to afford reasonable notice that any person riding a skateboard or rollerblading or rollerskiing at the facility must wear a helmet, elbow pads and knee pads and that any person failing to do so will be subject to the penalties provided by the ordinance.

## **Article VIII: BOARDING OR ROOMING HOUSES (Adopted 09-17-2007)**

### **Section 9.801: DEFINITION**

The term Boarding House or Rooming House shall apply to any residential structure in which more than 3 rooms are rented, leased or otherwise made available to tenants where such rooms do not contain separate bathroom facilities.

### **Section 9.802: PERMIT REQUIRED**

Commencing January 1, 2008 every Boarding House and Rooming House in the City shall operate only on the issuance of a Boarding House permit issued by the City Council. Each such permit issued by the City Council shall be for a one year period commencing from the date of issuance and must be renewed annually by the owner of the property on which the Boarding House is located by application to the City Council. The Boarding House permit shall not be transferable.

### **Section 9.803: TERMS AND CONDITIONS**

The terms and conditions under which the holder of any such Boarding House permit shall operate are as follows:

- A. The permit holder must maintain compliance with all City and State laws regarding such facilities including but not limited to the zoning ordinance, fire code and health regulations of the City.
- B. There must be posted at all times at the front entrance of the facility a sign indicating 24 hour, seven days a week, valid and effective contact information for the management of the facility.
- C. The permit holder must maintain the facility in such a manner so as not to cause unreasonable interference with the use and occupancy of other properties in the vicinity of the facility.
- D. The permit shall not allow any more rooms to be rented, leased or made available, or persons to occupy the Rooming or Boarding House than are authorized by the Portsmouth Zoning Ordinance.

### **Section 9.804: PERMIT RENEWAL**

Prior to renewing the Boarding House permit for any facility, the City may conduct such investigations as it deems appropriate to determine compliance with this ordinance. Failure of the owner of the facility to comply with the provision of this ordinance shall be cause for non-renewal of the permit.

**Section 9.805: ENFORCEMENT**

The provisions of this ordinance may be enforced by the municipal administration utilizing any or all of the following:

- A. Suspension, revocation or termination of the Boarding House or Rooming House permit.
- B. By filing an appropriate action in a court of competent jurisdiction seeking specific performance by the permittee or property owner of the terms of this ordinance.
- C. By the filing of a complaint in the Portsmouth District Court against the permittee seeking such penalties as may be allowed under state law in the case of conviction of a violation level offense.