

# TOWN OF STRATFORD, NEW HAMPSHIRE LAND USE ORDINANCE

1994, 2023

## ARTICLE I. TITLE

This ordinance shall be known and may be cited as the "Town of Stratford Land Use Ordinance", hereinafter referred to as the "Ordinance".

## ARTICLE II. AUTHORITY and PURPOSE

Pursuant to the authority conferred by New Hampshire Revised Statutes Annotated 674:16, as amended, the following ordinance is intended and enacted by the voters of the Town of Stratford, NH to promote the health, safety, and general welfare of the inhabitants of Stratford, to protect the value of property, to realize the Town of Stratford Master Plan and to protect our community's environment.

## ARTICLE III. APPLICABILITY OF ORDINANCE and NON-CONFORMING USES

Any non-conforming use of land or buildings existing at the time of the adoption of this Ordinance shall be allowed to continue, and is not affected by the provisions of this Ordinance.

No existing non-conforming use shall be enlarged, expanded, or changed to another non-conforming use.

Except as hereinafter provided, no land or building shall hereafter be altered unless in conformity with the regulation herein specified by this Ordinance.

## ARTICLE IV. DEFINITIONS

**ALTER** – To make any structural or design change, or to enlarge or downsize, a building, or to change the use of land or buildings.

**BUILDING** – A combination of materials constructed for use, occupancy, or ornamentation whether on, above, or below the ground.

**DUMP SITE** – A place where end-of-life industrial or consumer goods have been brought, deposited, or aggregated in such manner that it can be reasonably construed that, effectively, they have been permanently unloaded, stored, buried, or abandoned.

**EXCESSIVE** – Any level or amount that challenges the spirit and intent of the Town of Stratford Master Plan or this Ordinance, or that unreasonably disturbs or endangers the health, safety, peace, resiliency, sustainability, or enjoyment of the community.

**NON-CONFORMING USE** – A use which lawfully exists at the time this Ordinance becomes effective but which does not conform with the regulations of this Ordinance.

**RECREATIONAL VEHICLE** – Any motor home, van, pickup camper, or trailer, as defined in RSA 216-I:1, VIII or as otherwise modified or used to serve as a structure for human habitation.

**REFUSE MATERIAL** – Any end-of-life industrial or consumer good.

**SUSTAINED USE** – Any activity, other than normal and legal public road use, that can be expected to occur intermittently or continuously and is not limited to a unique and specified period of time.

**TENT** – A portable fabric or sheet material structure supported by a frame or ropes and normally used as a temporary

structure for vacation, recreational, event, or commercial purposes.

VARIANCE – As limited by RS 674:33, a relaxation of the terms of this Ordinance granted by the Zoning Board of Adjustment, on appeal.

**ARTICLE V. DISTRICT BOUNDARIES**

For the purpose of regulating the use of the land, the Town of Stratford shall be considered as one district.

**ARTICLE VI. GENERAL REGULATIONS**

No dump sites for hazardous or other waste, including, but not limited to, municipal, private, medical, industrial, or radioactive waste, shall be permitted within the Town of Stratford.

Any sustained use that may produce or emit excessive smoke, fumes, dust, odor, refuse material, noise, vibration, radiation, or the like condition, or that may disturb, or endanger the health, safety, peace, enjoyment, resiliency, or sustainability of the community, is prohibited.

No recreational vehicles, tents, or other housing of an impermanent nature shall be occupied for more than 6 months of the year.

No recreational vehicle, tent, or other housing of an impermanent nature, shall be allowed to be occupied for more than 2 weeks out of every 6 months unless it is provided with a wastewater disposal system approved by the Town Health Officer, who shall inform the Town’s Board of Health of each such approval.

No more than any combination of 2 recreational vehicles, tents or tent platforms, or other housing of an impermanent nature, or any combination thereof, shall be occupied on property not actively registered as, and satisfying all the legal requirements for, a campground.

**ARTICLE VII. ADMINISTRATION and ENFORCEMENT**

**A: Duty of Board of Selectmen**

It shall be the duty of the Board of Selectmen to administer, and enforce the provisions of this Ordinance. The Board of Selectmen shall administer the Land Use Ordinance literally, and shall not have the power to permit any use of land, or buildings which is not in conformance with this Ordinance. Variances must be approved by the Zoning Board of Adjustment.

**B: Enforcement and Penalty.**

1. If any violation of this Ordinance occurs, the Selectmen shall institute in the name of the Town of Stratford, any appropriate action, injunction, or other proceeding, to prevent, restrain, correct, or abate such violation.
2. Any person who violates any of the provisions of this ordinance shall be subject to penalties provided by RSA 676:17 or any other applicable law.

**ARTICLE VIII. ZONING BOARD OF ADJUSTMENT**

The Zoning Board of Adjustment, consistent with RSA 674:33, shall hear and decide appeals if there is alleged to be any error in any order, requirement, decision, or determination made by the Town Health Officer or the Select Board in the enforcement of this Ordinance.

**ARTICLE IX. VALIDITY CLAUSE**

If any portion of this Ordinance is found unlawful, it shall not affect the validity of any other portion of this Ordinance.

**ARTICLE X. RULE OF PRECEDENCE**

Whenever any provision of this Ordinance is in conflict with any Federal, State, or other local ordinance, the more stringent provision shall apply.

**ARTICLE XI. AMENDMENTS**

This Ordinance may be amended in accordance with the provisions of NH RSA 674:16 as written, or amended.

**ARTICLE XII. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage by the local legislative body according to RSA 675:2-5.