

Town of Surry, NH
Zoning Ordinance

Effective Mar. 15, 2017

Price \$4.50

Town of Surry, NH - Zoning Ordinance

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ARTICLE I Purpose and Title

- A. Purpose To promote the health, safety, convenience and general welfare of the community by regulating and restricting the use and construction of buildings and premises in the Town of Surry and for said purposes dividing the Town into districts, the following ordinance is hereby enacted by the voters of the said Town of Surry pursuant to the authority conferred by Chapters 672-677, NH Revised Statutes Annotated, as amended.
- B. Title This ordinance shall be known and may be cited as the "Town of Surry Zoning Ordinance" hereinafter referred to as "this Ordinance".

ARTICLE II Definitions

- A. Access means a way or means of approach to provide physical entrance to a property.
- B. Accessory Dwelling Unit (ADU) means a second independent dwelling unit, attached or detached, which is permitted by a land use control regulation to be located on the same lot, plat, site, or other division of land as the permitted single-family principal dwelling unit.
- C. Accessory Uses means a land use located on a lot with a principal use and that is incidental and secondary to the primary use of the structure and/or land.
- D. Building means any structure having a roof supported by columns or walls and designed or intended for the shelter, support, enclosure or protection of persons, animals or property.
- E. Cottage Industry means any business or industry in which the work is done by the occupant or occupants of one dwelling unit on the lot where the business or industry is located.
- F. Day Care:
1. Child Care Centers means either full-day or half-day childcare that regularly provides services for any part of a day, but less than 24 hours.
 2. Family Day Care means an occupied residence in which child care is regularly provided for any part of a day, but less than 24 hours, except in emergencies, for one to six children from one or more related or unrelated families. The maximum of six children includes children living in the home.
- G. Driveway means a public or private roadway providing primary access for vehicles to a dwelling, business, parking area, or other structure or facility from either a public street or private road that is currently used on a regular basis. This does not include an access that is primarily used for service or maintenance, such as fuel oil delivery.
- H. Dwelling means any building or structure designed or used in whole or in part for human habitation, or intended to be so used and includes any appurtenances belonging thereto or usually

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employed therewith; but not including hotels, boarding or lodging houses.

- I. Dwelling-Multi-Family means a building designed for or occupied by two or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.
- J. Dwelling Unit means one or more rooms arranged, designed and occupied as living quarters for one family only, and containing sleeping, cooking and bathroom facilities and physically separated from any other dwelling units which may be in the same dwelling.
- K. Family Unit means one or more persons related by blood, adoption or marriage occupying a dwelling unit and living together as a single, non-profit housekeeping unit, exclusive of household servants. However, two adults living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage shall be deemed to constitute a family.
- L. Forestry means, for the purpose of this ordinance the harvesting of timber, but does not include the processing of trees into secondary forest products.
- M. Frontage means the length of that boundary of a lot that borders on a public street or, where appropriate, a body of water and is ordinarily regarded as the front of the lot.
- N. Living Area means all heated, conditioned area, calculated by using all exterior dimensions as follows: 100% of primary floor, 100% of second floor with full walls, 75% of second floor with full dormer or dog house dormer, 55% of second floor with 5 foot or lower knee walls, 40% of second floor with tent style (no knee walls).
- O. Lot means a parcel of land occupied or capable of being occupied by one structure or use and the structures or uses accessory thereto, including such open spaces and setbacks as are required by this ordinance. A lot may or may not be the land shown or described as a lot on a recorded deed or plat.
- P. Lot of Record means a parcel, the plat or description of which has been recorded at the county register of deeds.
- Q. Manufactured Housing means manufactured housing as defined by RSA 674:31.
- R. Mobile Home means any structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width, and forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) square feet or more, and which is built on a permanent chassis or designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical heating systems contained therein.
- S. Mobile Home Park means a lot upon which two or more mobile homes, occupied for dwelling purposes are located, regardless of whether or not a charge is made for such accommodations.
- T. Nonconforming means use of land, building or premise which is not a use permitted by the provisions of this ordinance for the district in which such land, building or premise is situated.
- U. Patriotic, Fraternal or Professional Club: means a voluntary or corporate non-profit association of

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a professional, fraternal, educational or charitable nature, having members paying annual dues; and which owns, hires, or leases a building, land, or portions thereof, the use of such premises being restricted to members and their guests.

- V. Permanent resident means an individual or family using any building continuously as a residence for a period of six (6) months or more.
- W. Professional Person means a person engaged in a profession in which attainment of knowledge of some department of science or learning, as distinguished from some skill is used by its practical application to the affairs of others, either advising, guiding, teaching or otherwise serving their interest, health, welfare; such persons shall include, but not be limited to, physicians, dentists, lawyers, engineers, architects and clergymen.
- X. Public Right-of-Way means and includes all present and proposed town roads, rights-of-way dedicated to public use, and the land on both sides which, by statute, determines the width of the right-of-way.
- Y. Public Street means a publicly approved class V or better road used for vehicular travel and the state, county, or town has the responsibility to maintain. Any street, on a plat approved by state law, shall be considered a Public Street whether or not said street has been accepted for maintenance. The public street includes the entire right-of-way.
- Z. Recreational Vehicle For the purpose of this ordinance, the following shall be considered recreational vehicles:
1. Travel Trailer a vehicular structure built on a chassis and designed to be towed by motor vehicle and used as a temporary dwelling for travel, recreation and vacation; having a body width of not more than eight (8) feet six (6) inches and a body length of not more than 40 feet.
 2. Pick-up Coach a structure to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
 3. Motor Home a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
 4. Camping Trailer A canvas, folding structure, mounted on wheels and designed for travel and vacation use.
- AA. Recreational Vehicle Park means a lot upon which two or more recreational vehicles, occupied for temporary dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodations.
- BB. Retail Establishment means those businesses engaged in selling goods or merchandise to the general public for personal household use, and rendering services incidental to the sale of such goods. For the purposes of this ordinance, grocery stores shall be considered retail uses.
- CC. Structure means any object constructed, erected or installed by man and which requires location on the ground or is attached to something having location on the ground, including pavement, signs and billboards but not including fences or walls used as fences.

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ARTICLE III General Provisions

- A. No land may be used in a manner that is disorderly, unsightly, noxious or detrimental to the public or prejudicial to the general welfare, does not comply with applicable state and federal standards for air and water quality, or that may properly be considered a nuisance under the general police powers of the town.
- B. No signs shall be permitted except the following: Town and State Highway directional and regulatory signs, historical signs and those signs used to advertise the profession or goods dealt in by owner or occupant of property on which placed. No sign or group of signs shall exceed twenty (20) square feet, outside dimensions, and none shall be placed so as to obstruct the view of the highway.
- C. No recreational vehicle, as defined by this ordinance, shall be used or occupied as a permanent dwelling within the Town of Surry. The use of a recreational vehicle as a temporary dwelling (outside of a legally existing recreational vehicle park) for recreational or vacation purposes shall not exceed thirty (30) days in any calendar year provided that the Board of Selectmen is satisfied that a safe and sanitary method of sewage, waste water and solid waste disposal will be provided.
- D. Cottage Industries must meet the following conditions:
1. The cottage industry work is limited to an area not to exceed 500 square feet of gross floor area inside the dwelling on the lot or inside an accessory building on the lot.
 2. The use does not result in an alteration of the residential appearance of the dwelling unit or lot upon which it is located.
 3. Maximum traffic relating to the cottage industry shall be ten (10) vehicle trips per day on average, over the course of a single calendar month.
 4. The total number of outside employee hours for the cottage industry shall not exceed twenty (20) hours per week.
 5. Noise levels for the cottage industry shall not exceed sixty-five (65) decibels measured at the property lines.
 6. No more than one sign, non-illuminated, no larger than four (4) square feet, may be erected on the premises. No off-premises signs relating to the cottage industry shall be allowed.
- E. All lots shall have access by means of a driveway that meets the requirements of the Driveway Regulations of the Town of Surry NH. Access to lots and to structures on these lots shall be by driveway cuts on a public street defined herein.

ARTICLE IV Districts

- A. STATEMENT OF PURPOSE: For the purposes of this ordinance, the Town of Surry is divided into four districts, the intent of which is as follows:

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1. Village Residential District (VR): To ensure that the Village area provides the mix of public and private land uses and arrangements typical of a traditional New Hampshire village. To this end, the regulations are intended to: (1) create a clearly-defined Village area within which residents can walk to facilities; and (2) allow for the establishment of the types of uses that are considered typical for a traditional Village.
 2. Rural Residential District (RR): To provide locations in Town that is intended to be predominantly residential while preserving the rural character of the community. To promote a diversity of housing types that meets various housing needs of the population.
 3. Commercial/Industrial District (C/I): To provide opportunities in Surry for business and industry to locate without disturbing the predominantly rural quality of the Town. To this end, the intent of the regulations is to formalize the existing commercial nature of Route 12 and recognize that the highway is better suited to accommodate this type of development than are the Town roads.
 4. General District (GEN): To accommodate residential uses in what is commonly recognized as being a rural environment. It is intended that larger-lot development can occur in this district, complimented by rural and agricultural uses.
- B. DISTRICT BOUNDARIES are shown on the Surry Zoning Map, and described as follows (distances measured from both sides of the centerline):
1. Village Residential (VR) - Land to the depth of 300 feet of the centerline of Village Road, Route 12A from Crain Road to Pond Road, Crain Road, Pond Road from Route 12A to Village Road, and any additional land contained within the area enclosed by these roads.
 2. Rural Residential (RR) - Land to the depth of 300 feet of the center line of all public streets except all those roads defined in the Village Residential, Commercial/Industrial and General districts.
 3. Commercial/Industrial (C/I) - Land to the depth of 400 feet of the centerline of Route 12 and Old Summit Road.
 4. General (GEN) - All remaining land not specifically defined which includes both sides of Farm Road, Joslin Road, Webster Road, Merriam Road and all other class VI roads.
- C. Where there is doubt as to the location of a district boundary, the burden of proof shall be on the applicant.
- D. Where a district boundary divides a lot, the determination as to which district regulations apply shall be made by the Planning Board, consistent with the intent of the zoning ordinance.

ARTICLE V

Table of Use Regulations

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| Zoning Districts | VR | RR | C/I | GEN |
|--|----|----|-----|-----|
| A. Residential Use | -- | -- | -- | -- |
| 1. Single Unit Dwelling | P | P | NP | P |
| 2. Duplex Dwelling/Accessory Dwelling Unit | SE | P | NP | P |
| 3. Multi-Unit Dwelling | NP | SE | NP | SE |
| 4. Mobile Homes on Individual Lots | NP | NP | NP | P |
| B. Public & Institutional Uses | -- | -- | -- | -- |
| 1. Municipal Facilities & Public Utilities | P | P | P | SE |
| 2. Religious, Governmental, Educational or Cultural Facilities | P | P | NP | P |
| 3. Health Care Facilities | SE | P | SE | P |
| C. Commercial Uses | -- | -- | -- | -- |
| 1. General Retail Establishments. | P | SE | P | SE |
| 2. Office Use (not Cottage Industry) | SE | P | P | P |
| 3. Inn, Motel. | NP | SE | SE | SE |
| 4. Child Care Center | SE | SE | SE | SE |
| 5. Kennels on 10 acres min. | NP | NP | SE | SE |
| 6. Veterinary Establishment. | SE | SE | P | P |
| 7. Automobile Service Station/Repair Facility | NP | SE | P | SE |
| 8. Restaurants, not drive through | SE | SE | P | P |
| 9. Crafts/Artisan Shops for Custom Work | SE | SE | P | P |
| 10. Indoor or Outdoor Recreational Facility | SE | SE | SE | SE |
| D. Business Associated with Residence | -- | -- | -- | -- |
| 1. Boarding House, Bed & Breakfast Establishments | SE | SE | P | P |
| 2. Family Day Care | SE | SE | SE | SE |
| 3. Cottage Industry | P | P | P | P |
| E. Non-Commercial Recreational Uses | -- | -- | -- | -- |
| 1. Municipal Park, Playground, Playing Field or Other Grounds for Outdoor Recreation | P | P | SE | P |
| 2. Private Club or Lodge | SE | SE | SE | SE |

P=permitted NP=not permitted SE=special exception

| Zoning Districts | VR | RR | C/I | GEN |
|------------------|----|----|-----|-----|
|------------------|----|----|-----|-----|

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| | | | | |
|--|----|----|----|----|
| F. Commercial Agricultural Use | -- | -- | -- | -- |
| 1. Farms and Truck Gardens | SE | P | P | P |
| 2. Forestry (using best management practices) | P | P | P | P |
| G. Wholesale/Storage & Construction | -- | -- | -- | -- |
| 1. Wholesale business and storage in an enclosed structure | NP | NP | P | SE |
| 2. Open-lot storage of lumber or used building material, provided such material is fenced, screened and set back 100 feet from all property lines. | NP | SE | P | SE |
| 3. Building trades and services. such as, but not limited to, building trades, excavation, well drilling, landscaping, and maintenance. | NP | SE | P | SE |
| H. Light Industrial Uses | -- | -- | -- | -- |
| 1. Excavation of earth materials, including access to the site, subject to "Town of Surry, Regulations Governing Earth Excavations" | NP | SE | P | P |
| 2. Sawmill operations, provided all structures & storage are located a min. of 250 ft. of any property line. | NP | NP | SE | SE |
| 3. Cabinetry & woodworking excluding sawmills. | | | P | P |
| 4. Other light industrial uses. | | | P | SE |
| I. Accessory Uses | -- | -- | -- | -- |
| 1. Any structure or use accessory to any of the principal uses listed herein. | SE | SE | SE | SE |

P=permitted NP=not permitted SE=special exception

Article VI Land and Space Requirements Table

| District | Min, Lot size (Acres) | Min Lot Width (1) | Min Lot Depth | Front Set back | Side Set back | Rear Set back | Frontage | Stories | Height |
|----------|-----------------------|-------------------|---------------|----------------|---------------|---------------|----------|---------|--------|
| VR | 1 | 150 | 200 | 30 | 10 | 10 | 150 | 3 | 40 |
| RR | 2 | 200 | 300 | 50 | 15 | 15 | 200 | 3 | 40 |
| C/I | 3 | 300 | 300 | 50 | 25 | 25 | 300 | 3 | 40 |
| GEN | 2 | 200 | 300 | 50 | 15 | 15 | 200 | 3 | 40 |

(In feet unless otherwise indicated)

(1) Over the full lot depth

ARTICLE VII Supplemental Regulations

- A. Every primary dwelling erected in a Residence District within 300 feet of the centerline of any public street shall have at minimum ground floor area of six hundred (600) square feet, outside dimensions for each family unit.
- B. All chimneys in any district shall be constructed to conform to current National Fire Protection Association (NFPA) regulations and extend at least three (3) feet above the highest point where

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they pass the roof of a building and at least two (2) feet higher than any portion of the building within ten (10) feet, and shall have a clean-out opening at the base. All entrances to chimneys shall be of fireproof construction. Chimneys shall not be used to support beams or timbers in any manner. No smoke pipe shall be installed so as to be within twelve (12) inches of any combustible floor or ceiling, unless amply protected with non-combustible material. No smoke-pipe shall be installed which passes into or through partitions or walls of combustible material, except when guarded by a double collar of metal with air space of at least five (5) inches of brick or other non-combustible material. All construction shall conform to rules and regulations prescribed by the State Fire Marshall and shall be subject to inspection by the Fire Engineers of the Town of Surry.

- C. Every dwelling house hereafter erected within three hundred (300) feet from the centerline of any public street shall be placed upon a permanent and approved type foundation. Foundations will consist of footings and foundation walls. All footings must be constructed of concrete, preferably below the level of frost, but at least below grade level. All foundation walls must be constructed of concrete; cinder block or cement block, brick, stone or other approved permanent masonry type material.
- D. Every dwelling hereafter erected within the town limits shall be provided with the following sanitation and sewage facilities in accordance with New Hampshire Department of Environmental Services (NHDES) Water Division design rules for individual sewage disposal systems. Said rules are those current at the time of construction. These include proper sizing and installation of system components. All 'individual sewage disposal systems' in the Town of Surry shall be setback 100 feet from very poorly drained soils or jurisdictional wetlands and 75 feet from poorly drained soils. All systems shall conform with the provisions of RSA 485-A.
- E. The Board Of Selectmen may order the owner of any hazardous building, within the town limits, to correct the hazardous condition of such building or to raze or remove the same, under the authority of Chapter 155-B, RSA. All proceedings shall be in accordance with this chapter.
- F. Accessory Dwelling Units
 - 1. The Accessory Dwelling Unit (ADU) will be no larger than 750 square feet of living space, additionally the total area of all porches/decks/etc. combined can be no larger than 30 percent of the accessory dwelling living area.
 - 2. No third floors are allowed on self-standing buildings.
 - 3. The ADU shall have an independent means of ingress and egress, or shall have ingress and egress through a common space such as a shared hallway to an exterior door.
 - 4. Either the ADU or the principal dwelling unit shall be the principal residence and legal domicile of the owner of the property. If either of the units fails to be owner-occupied, then the property must comply with the zoning requirements for a multi-family dwelling.
 - 5. The ADU shall be provided a minimum of 2 off-street parking spaces.
 - 6. The ADU shall make provision for adequate water supply and sewage disposal service in compliance with RSA 485-A:38 and regulations adopted by the New Hampshire Department of Environmental Services.
 - 7. The ADU shall comply with all lot setback requirements.

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ARTICLE VIII Non-Conforming Uses

- A. Any lawful use of land or of a building, or part thereof, at the time of the adoption of this Ordinance may be continued, although such use does not conform to the provisions of this ordinance; any building occupied by a non-conforming use may be structurally altered or the use of such building changed to any other use not more detrimental to the character of the District in which it is located. Should any conforming building occupied by a non-conforming use be destroyed or damaged by fire or other casualty, in whole or in part, it may be replaced within two years by a building to be used for the same purpose as the one destroyed, provided that such reconstructed building or new building shall not exceed in cubic contents the original building by more than twenty-five (25) percent.
- B. Where or whenever an existing non-conforming use is, or becomes, discontinued or abandoned for a continuous period of one year, any subsequent use shall conform to the terms of this Ordinance. This includes, but is not limited to, uses that were conforming from variance or special exception.
- C. No present non-conforming use shall be extended or enlarged beyond the limits or area occupied by such non-conforming use on the date of the adoption of this Ordinance, except that gravel banks in lawful operation at the time an amendment is adopted may continue operation subject, however, to the following limitations:
 - 1. The depth of excavation shall not be increased below the grade of the lowest point excavated on the effective date of the amendment, and
 - 2. The total horizontal area of excavation within the property shall not be increased by more than 25 percent of its area on said effective date.
- D. Amendment of this section will not legalize unlawful non-conforming use at the time of its adoption.

ARTICLE IX Administration, Enforcement and Penalty

- A. It shall be the duty of the Board of Selectmen, and the Board is hereby given power and authority, to enforce the provisions of this ordinance.
- B. The Board of Selectmen shall issue any and all building and sign permits requested when such is in accordance with the provisions of this ordinance. The Board of Selectmen may make a reasonable charge for such permits. All such permits shall be valid for a period not exceeding one year.
- C. After passage of this ordinance, it shall be unlawful to erect any structure or building, including mobile homes and trailers, or alter the bulk of any building or relocate any building in any district without first obtaining a building permit. This permit shall be void unless work has been started within one year from date of issuance of the permit. No permit will be issued, for any purpose that may result in improper or inadequate transportation, water, sewage, schools, fire protection or other public requirements; nor necessitates an excessive expenditure of public funds to supply such services.
- D. The building inspector shall have the authority to perform inspections as may be necessary to

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assure compliance with the local building code and issue any certificates of occupancy. The Zoning Board of Adjustment shall serve as the building code board of appeals to which decisions of the building inspector can be appealed.

- E. Whoever violates any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine not exceeding \$275 dollars for each day of such violation.
- F. Upon any well-founded information that this ordinance is being violated, the Board of Selectmen shall take immediate steps to enforce the provisions of this ordinance by seeking an injunction in the Superior Court or by any legal action as authorized by Chapter 676, NH Revised Statutes Annotated, as amended.

ARTICLE X Board of Adjustment

- A. Creation. A Board of Adjustment is hereby created and its members shall be appointed by the Selectmen in accordance with, and shall have the terms and powers hereby conferred upon the Board of Adjustment by, the provisions of Chapters 672-677, NH Revised Statutes Annotated, as amended.
- B. Adoption of Rules. The Board of Adjustment shall adopt rules to govern its proceedings in accordance with the provisions of this ordinance, and the provisions of Chapters 676 and 677 NH Revised Statutes Annotated, as amended.
- C. Interpretation. The Board of Adjustment may hear and decide a case where it is alleged there is error in any order, requirement, decision or determination made by the Selectmen, or their agent, in the enforcement of this Ordinance.
- D. Special Exceptions. The Board of Adjustment may in appropriate cases, and subject to appropriate conditions and safeguards as determined by the Board, grant a permit for a special exception. The Board, in acting on an application for a special exception, shall take into consideration the following conditions:
 - 1. The proposed use shall be permitted in the District.
 - 2. The specific site is an appropriate location for such use.
 - 3. The use, as developed, will not adversely affect the adjacent area.
 - 4. There will be no nuisance or serious hazard to vehicles or pedestrians.
 - 5. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
 - 6. The proposed use shall comply with all the frontage, setbacks, minimum land area, sanitary protection, signs and parking requirements for itself or its most similar use, except where specifically named by the Board, the reasons for such waiver to be set forth in writing by the Board.
 - 7. Any special exception may be reviewed and revoked for violation of the conditions of the permit; but only after proper notification and hearing. The Board may, at its discretion

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require such guarantee or surety as it considers necessary to insure compliance with the conditions of the exception.

8. The applicant shall pay all relevant costs in connection with any related public hearing.
9. Any special exception approval will require a Site Plan Review approval by the Planning Board.

E. Variance. The Board of Adjustment may authorize a variance from the terms of this ordinance only where the Board finds that all of the following conditions apply:

1. There are special circumstances or conditions applying to the land or structure for which a variance is sought (such as, but not limited to, the exceptional narrowness, shallowness, or shape of the property in question, or exceptional topographical conditions), which are peculiar to such land or structure, and the application of the requirements of this ordinance will deprive an owner of such property a reasonable use of it, and will impose upon such owner a hardship not shared by the owners of other property in the same district.
2. The specific variance as granted is the minimum variance that will grant reasonable relief to the owner and is necessary for a reasonable use of the land or structure.
3. The granting of the variance will be in harmony with the general purposes of intent of this ordinance, and with the convenience, welfare, and character of the district within which it is proposed, and will not be injurious or otherwise detrimental to the public welfare.

F. Appeal.

1. An appeal cannot be taken to or granted by the Board of Adjustment for both a special exception and variance at the same time or concurrently for the same case, use, structure or lot.
2. Appeals to the Board of Adjustment may be taken by any person aggrieved, or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the officer from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Board shall fix a reasonable time for the hearing notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, or by agent or attorney. The appellant shall pay all relevant costs in connection with the hearing.

G. Public Hearing. No request for an appeal of an administrative decision, variance, or special exception shall be granted by the Board of Adjustment without first holding a public hearing in accordance with the provisions and procedures of Chapter 676:7, NH Revised Statutes Annotated, as amended.

ARTICLE XI Amendments

The provisions of this ordinance may be amended from time to time in accordance with the provisions and procedures outlined in Chapter 675, NH Revised Statutes Annotated, as amended.

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ARTICLE XII **Validity**

The invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision hereof.

ARTICLE XIII **Existing Ordinance**

Nothing contained in this Ordinance shall be construed as repealing or modifying any other ordinance or regulation of this town, except such as may be specifically repealed or modified by this Ordinance, but shall be in addition thereto. Nor shall anything in this Ordinance be construed as repealing or modifying any private restrictions placed upon property by covenant, deed or other private agreement, or any restrictive covenants running with the land to which the town is a party, but shall be in addition thereto.

Whenever the provisions of this Ordinance differ from those prescribed by any statute, other ordinance or other regulation or restriction, that provision which imposes the greater restriction or the higher standard shall govern.

ARTICLE XIV **History**

"Surry Planning Board" acting as a zoning commission under the authority given to it by law was composed of Messrs. John A. Westlund, Robert M. Crain, Merton Tenney, Robert F. Reid and Richard G. Taylor. As such, it made extensive examination of the town, held general investigations and discussions and as a result of the same, presented their findings to a Public Hearing at Surry Town Hall on February 5, 1951. Upon the recommendation received at the Public Hearing, the question was submitted to Town Meeting, March 13, 1951. The vote being in the affirmative, the Ordinance was approved and as of that date, recorded.

ARTICLE XV **Codes**

- A. As authorized by RSA 155-A:3, the most recent edition of the International Code Council's International Residential Code is applicable to all projects for which a building permit is required.
- B. In addition, the most recent edition of the Life Safety Code, NFPA Doc. No 101 is applicable to new schools, new halls and new public buildings; and applicable to all multi-family dwellings except owner-occupied two family dwellings; all lodging, rooming or boarding houses; all accommodations for tourists and overnight guests; all nursing homes; all commercial and industrial buildings.

Revised and retyped April 1, 1968

Revised and retyped March 15, 1971

Revised and retyped April 1, 1974

Revised and retyped June 20, 1975

Adopted March 2, 1976, with revised format, without substantive changes.

Revised (amended) and retyped March 1985

Revised and retyped, July 26, 1999

Revised and Amended April 1, 2003, following master plan update

Revised and Amended Mar 14, 2006

Revised and Amended Mar 13, 2007

Revised and Amended Mar 13, 2009

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Revised and Amended Mar 12, 2010
Revised and Amended Mar 16, 2012
Revised and Amended Mar 12, 2014
Revised and Amended Mar. 9, 2016
Revised and Amended Mar. 15, 2017

Article XV Effective Date

These regulations shall take effect upon their adoption as indicated by the attached signatures, and all regulations or parts of regulations, inconsistent therewith, are hereby repealed.

_____ Chairman _____ Date

_____ Secretary _____ Date

_____ Member _____ Date

_____ Member _____ Date

_____ Member _____ Date

FILED _____ Date

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