

# THE CHARTER OF THE TOWN OF CONWAY



## NEW HAMPSHIRE

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## PREAMBLE

CONWAY CHARTER

PREAMBLE

This CHARTER applies to all of the TOWN OF CONWAY as originally laid out, in whatever form, division, or parts it is now recognized by, and retains all of the rights granted to the Town of Conway by the General Assembly on October 1, 1765, and all rights subsequently granted to the Town by the State of New Hampshire.

Under the authority granted by the Constitution of the State of New Hampshire and the General Court, the voters of Conway hereby adopt a new Charter. Adoption is made for the following purposes:

- To advance home rule and to secure as vested rights for the Town and its people all powers possible under the laws of this state and nation;
- To clarify the structure and organization of Town Government;
- To define the duties and responsibilities of Town Officers and officials;
- To establish procedural requirements for the proper transaction of Town business;
- To provide for the citizens of Conway a unified and more convenient reference than is available with respect to the basic laws affecting local government.

PART ONE  
BILL OF PARTICULARS

PART I

## BILL OF PARTICULARS

I. RIGHTS OF THE COMMUNITY

Under this Home Rule Charter the citizens of Conway shall forever retain sovereign control, and a responsibility subject only to the preemption of the Constitutions and Laws of the United States and New Hampshire over all areas of commerce and necessities of an ever modernizing society which without limitation of the foregoing includes the following:

- A. Public safety including police, fire, rescue, civil defense, and the local militia.
- B. Public transportation including roads, bridges, tunnels, buses, railroads, taxis, animal drawn carriages, navigable waterways, dockings, moorings and airports.
- C. Public lands including parks and recreation areas, cemeteries and monuments, Town forests, marshes, beaches, rivers and streams, lakes and ponds, and any and all public land and buildings under Town deed or control.
- D. Education and cultural institutions including schools, libraries, and historical preservation.
- E. Public health including rubbish, sewerage, hazardous waste and materials, radioactive waste and materials, disease control and litter control.
- F. Public utilities.
- G. Social evils including gambling, liquor, drugs and prostitution.

II. CHARTER CONSTRUCTION, SEVERABILITY, RESERVATION OF POWERS

Authority for this Home Rule Charter is granted under Part I, Article 39 of the New Hampshire Constitution and the New Hampshire Revised Statutes Annotated Chapter 49-B. The powers of the Town under this Charter shall be interpreted liberally in favor of the town and specific mention of particular powers and rights in the Charter shall not be interpreted as limiting in any way the general power stated in this Charter. SUBJECT only to such limitations as may be imposed by State Constitution and General Laws, the Town of Conway shall have all powers possible for a Town to have as fully and completely as though they were specifically stated in this Charter.

Nothing in this Charter shall be so interpreted in any way to limit rights, powers, and functions conferred upon the citizens. The Town of Conway and the Selectmen of said Town, by general or special enactments, and the rights, powers and functions conferred by this Charter shall be cumulative and in addition to the provisions of such general or special enactments.

If any provisions of the Charter are held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstances is held invalid, the application of this Charter and its provisions to other persons and circumstances shall not be affected thereby.

III. INTERPRETATION OF POWERS OF LEGISLATIVE BODY

Where questions arise concerning the power of the Town Meeting versus the powers of other bodies of Conway Town Government, the intent of this Charter is that a liberal interpretation shall be given to the powers of the Town Meeting.

PART TWO

LEGISLATIVE FORM OF GOVERNMENT

**PART II****LEGISLATIVE FORM OF GOVERNMENT****I. TOWN MEETING AUTHORITY**

The form of government provided by this Charter shall be known as the Selectmen-Official Ballot referendum Town Meeting (SB2) with the Municipal Budget Act. The first session of the Annual Town Meeting, which shall consist of explanation, discussion, and debate of each Warrant Article, shall be held between the first and second Saturdays following the last Monday in February, and the second session, allowing official ballot voting on all Warrant Articles, shall take place on the second Tuesday of April. All registered voters of the Town shall be members of the legislative body eligible to vote on matters that come before it.

**II. DATE AND BUSINESS OF ANNUAL TOWN MEETING**

The date of the Annual Town Meeting shall be as provided by state law.

The business of the meeting shall be to elect officials, to vote on Articles in the posted Warrant, to enact a budget, and to act on any other business that may lawfully come before the meeting.

**III. RULES OF TOWN MEETING**

Except where they are specified by State Statute and this Charter, rules governing the structure and conduct of Town Meeting shall be Robert's Rules of Order.

**IV. MODERATOR**

A Moderator shall be elected for a two (2) year term by a plurality vote to preside over sessions of Town Meetings and state elections.

**V. PREPARATION OF WARRANT AND ANNUAL REPORT**

As provided for by Statute, Town Charter and By-Laws, the Selectmen shall direct the preparation of a Warrant for the Town Meeting and an Annual Report that shall be a complete record of all important Town business for the previous year. The Selectmen shall, where consistent with legal requirements and if deemed appropriate by them, consolidate warrant articles to be acted on by the legislative body at Town Meeting to expedite matters before the legislative body.

**VI. PETITIONER'S WARRANT ARTICLES**

Petitioner's Warrant Articles shall be submitted to the Selectmen in written form. Except for Petitioner's Warrant Articles pertaining to Planning Board and Zoning matters which shall be controlled by the applicable State Statutes, on written application of twenty five (25) or more voters or two percent (2%) of the voters in the Town (whichever if fewer) per RSA 39:3, presented to the Selectmen at least 35 days before the day prescribed for an annual or biannual meeting, the Selectmen shall insert in their Warrant for such meeting the petitioned article(s).

**VII. BUDGET PREPARATION**

As provided for by the Municipal Budget Act, all monied Articles along with the Town Budget are submitted for review and recommendation to the Budget Committee.

### VIII. CLOSING AND POSTING OF WARRANT

The Warrant for the Annual Town Meeting shall be closed to the insertion of Petitioned Warrant Articles on the fifth (5<sup>th</sup>) Tuesday before the day prescribed for an Annual Town Meeting (RSA 39:3), except the Selectmen may originate and insert Articles any time prior to the posting of the Warrant. The Warrant must be posted and copies available to the general public on or before the last Monday in February per RSA 40:13,II-b(d).

### IX. SPECIAL TOWN MEETING

A Special Town Meeting may be called by the Selectmen at their discretion or shall be called by petition of five percent (5%) of the registered voters of the Town presented to the Selectmen, not less than sixty (60) days before the next annual meeting per RSA 39:3. Adjourned sessions shall reconvene within the designated number of days set by a majority vote of Town Meeting.

### X. ELECTION OF OFFICIALS

Any qualified voter of the Town may run for office by filing a Declaration of Candidacy with the Town Clerk during the filing period established by State Statute.

### XI. CHECKLIST AND BALLOT

The Town shall elect in accordance with State Statutes and Town By-Laws, Supervisors of the Checklist, who shall perform all legal functions of that office, including registering eligible voters and maintaining an up-to-date checklist.

All elections for municipal offices and statutory ballot questions shall be by "Australian Ballot" in accordance with state and federal laws.

### XII. VACANCIES

When a vacancy occurs in any Town office, unless otherwise provided for by Statute, the Board of Selectmen may appoint someone to serve in the vacancy until the next Annual Town Meeting.

When a vacancy occurs on the Board of Selectmen, the Selectmen may appoint a replacement according to the method used in filling other vacancies. The person so appointed shall serve until the next Annual Town Meeting when the voters of the Town shall then elect a Selectman to serve for the balance of the unexpired term, if applicable.

### XIII. CONFLICT OF INTEREST

No Conway Town official or employee, elected or appointed, may engage in any Town activity other than normal duties in which they may stand to profit monetarily.

Any elected or appointed officer or employee of the Town who has a financial interest, direct or indirect, in any planned or existing contract, job, work or service to be performed for the Town or voluntary sale to the Town of any land, materials, supplies, equipment or other property shall make full disclosure of such interest to the Board, Commission or Town Manager to or by which he officer or employee is elected, appointed or employed prior to the Town's deliberating on any such matter or transaction. The person so financially interested in such matters or transactions shall not vote in any of the Board of Selectmen's

consideration of such matter or transaction or any other town consideration of such matter or transaction, but this shall not prohibit such person from providing information as may be appropriate to the due deliberation and consideration of such matter.

No elected or appointed officer or employee of the Town shall solicit or accept any gift or gratuity which could, in any manner, be construed to affect or influence the performance of his/her official duties.

Violations of any of the foregoing provisions may constitute a conflict of interest and subject the official or employee to removal proceedings and/or proceedings under the recall provisions of this Charter.

#### XIV. FORFEITURE OF OFFICE

Any person while in Town office convicted of a Class A felony in New Hampshire or its equivalent under the laws of any other State or Federal Law shall forfeit such office forthwith.

#### ADMINISTRATIVE

#### XV. BOARD OF SELECTMEN

##### A. POWERS

The executive and administrative arm of Town Government, except where provided otherwise by this Charter, or general law, shall be entrusted to and exercised by a Board of five (5) Selectmen, elected at-large by plurality vote to staggered three (3) year terms. The Board shall discharge all duties conferred or imposed upon it by law and this Charter.

##### B. ORGANIZATION

Within seven (7) days of the Annual Town Election, the Board shall hold an organizational meeting. The Board will elect a Chairperson and a Vice-Chairperson from among their Board and appoint a Secretary to the Board for the purposes of keeping a record of all Board meetings. The Chairperson shall be recognized as the head of the Town for all ceremonial purposes, and shall preside over meetings of the Board. In the absence of the Chairperson all of the duties will be assumed by the Vice-Chairperson.

At the organizational meeting, the Board shall adopt rules of order and fix the time and place of regular meetings. Meetings shall be held on a regular meeting date unless on a holiday in which case no regular meeting shall be required. Voting on all matters, except procedural, shall be by roll call unless there is a unanimous agreement.

Special meetings of the Board may be called at any time by the Chairperson, or any other three (3) members. Notice of any special meeting shall be given to all members and public notice given as statute requires, except for an emergency meeting.

The Minutes of each meeting shall be approved by the Board and the official copy authenticated by the signature of the Secretary of the Board or its Chairperson. Minutes of the meeting shall be made available for public inspection as per Statute required. The Board must keep an official record of its proceedings which, except for nonpublic sessions as covered by RSA 91-A:3, shall be open for public inspection.

**XVI. TOWN MANAGER**

The Town shall have a Town Manager having powers and responsibilities pursuant to those enumerated in RSA ch 37 but subject to the limitations established by this Charter, existing and future adopted applicable provisions on Conway Code as may be amended from time to time, and the powers reserved to or as may be established by the Town hereafter. The Town Manager shall be under written contract to the Town having a term as thereunder established but not to exceed five (5) years. Nothing shall prohibit successive contracts with a Town manger provided the term shall not exceed five (5) years. Said contract shall be negotiated, or renegotiated as applicable, between the Town Manager and the Selectmen. The Selectmen shall establish an office for same.

**XVII. TOWN CLERK/TAX COLLECTOR**

One person shall be chosen Town Clerk/Tax Collector in a manner set forth in the State Statute and shall perform all of the duties required by New Hampshire Law and shall furnish bond as required, provided the Town shall pay the cost thereof. The term of office shall be three (3) years. The Selectmen shall establish an office for same.

**XVIII. TOWN TREASURER**

The Town Treasurer shall be chosen in a manner set forth in the State Statute and shall perform all the duties required by New Hampshire Law and shall furnish bond as required, provided the Town shall pay the cost thereof. The term of office shall be three (3) years. The Treasurer shall also perform the following duties: Keep Selectmen's payment books and receive all monies. The Town Treasurer shall keep all records at appropriate offices designated by the Selectmen.

**XIX. TRUSTEES OF TRUST FUND**

Three (3) Trustees of the Trust Funds shall be elected in accordance with State Statute and hold and exercise all duties, rights and obligations of said office under New Hampshire law.

**XX. LIBRARY TRUSTEES**

Seven (7) Library Trustees shall be elected in accordance with State Statutes and hold and exercise all duties, rights and obligations of said office under New Hampshire law.

**XXI. BUDGET COMMITTEE**

The Budget Committee shall consist of twelve (12) Budget Committee members to be elected in accordance with State Statutes plus one (1) member chosen by the School Board of the School District for the Town, and one (1) member of the Board of Commissioners of each Village District or Precinct wholly within the Town to be designated respectively by the Board of Commissioners thereof, and one (1) member of the Board of Selectmen to be designated by said Board with all members to hold and exercise all duties, rights and obligations of said office under New Hampshire law. Non-elected members of the Budget Committee may be represented at any meeting by an alternate School Board member, Board of Commissioners member or Board of Selectmen member designated by the respective Board with said alternate to serve with the same authority as the chosen member. Qualifications for office, term and vacancies of members of the Budget Committee shall be pursuant to State Statute.

XXII. COMMISSIONS

The Town shall have the following commissions and boards which, from time to time, may be consolidated, enlarged or abolished by vote at Town Meeting consistent with State Statute where applicable. Nothing shall prohibit the Town at any regular or special meeting from establishing additional commissions and boards of the Town having powers and duties invested in them on their establishment. The powers and duties of such additional, consolidated and/or enlarged commissions and boards under their enactment shall be construed as a by-law or ordinance modifying, where applicable, the powers and duties of the Town Manager as otherwise allowed and provided under RSA 37:6 VII, as amended from time to time.

A. SCHOULER PARK COMMISSION

The Schouler Park Commission shall review and supervise as directed and authorized by the Board of Selectmen from time to time, the operation and maintenance of the Schouler Park in North Conway Village. The Schouler Park Commission shall consist of three (3) voting members to be appointed by the Selectmen for staggered terms of three (3) years each.

B. WASHINGTON STREET PARK COMMISSION

The Washington Street Park Commission shall review and supervise as directed and authorized by the Board of Selectmen from time to time, the operation and maintenance of Washington Street Park in Conway Village. The Washington Street Park Commission shall consist of three (3) voting members to be appointed by the Selectmen for staggered terms of three (3) years each.

C. CONWAY CONSERVATION COMMISSION

The Conway Conservation Commission shall be invested with the powers and duties set forth in RSA ch 36-A, as amended, and shall cooperate with the Board of Selectmen from time to time, in identifying Town properties and rights which shall be managed and controlled by this commission. The Conway Conservation Commission shall consist of not less than three (3) nor more than six (6) voting members plus a member designated from the Board of Selectmen who shall be an ex officio voting member. The six (6) appointed members shall serve staggered terms of three (3) years each. One (1) member of the Conservation Commission may also serve on the Conway Planning Board. In addition, the Selectmen may appoint up to seven (7) alternate members for staggered terms of three (3) years each provided the Selectmen shall appoint from among their number an alternate to serve in the absence of the Selectman acting as ex officio member of the Conservation Commission. On absence of any Conservation Commission member, the Chairperson of the Conservation Commission may appoint an alternate to serve in place of the absent member provided the Selectmen's alternate shall only be appointed to act for the absent Selectmen acting as ex officio member of the Conservation Commission. Any members so appointed may, after public hearing, if requested, be removed for cause by the Board of Selectmen.

D. CONWAY PLANNING BOARD

The Conway Planning Board has been established pursuant to RSA 673:1 and shall continue as now invested with the same powers and duties which shall include, but not in

limitation of the foregoing, all powers and duties set forth in RSA 674:1 (planning), RSA 674:35 (subdivision), and RSA 674:43 (site plan) and 674:5-8 (capital improvements) as each may be amended from time to time. The Planning Board shall consist of seven (7) voting members with one (1) member to be one (1) designated Selectman as a voting ex officio member per RSA 673:2 II (a) and six (6) voting members to be elected by the Town per RSA 673:2 II (b) and (c) both as may be amended from time to time. In addition, the Planning Board shall appoint up to five (5) alternate members for terms of three (3) years each provided the Selectmen shall appoint from among their number an alternate to serve in the absence of the Selectman acting as ex officio member of the Planning Board. On absence of any Planning Board member, the Chairperson of the Planning Board may appoint an alternate to serve in place of the absent member provided the Selectmen's alternate shall only be appointed to act for the absent Selectmen acting as ex officio member of the Planning Board. In all respects, the Planning Board shall act pursuant to State Statute. Existing regulations and bylaws of the Planning Board shall remain in full force and effect but may be amended from time to time hereafter by the Planning Board.

E. ZONING BOARD OF ADJUSTMENT

The Zoning Board of Adjustment has been established pursuant to State Statute and shall continue as now invested with the same powers and duties as designated by State Statute from time to time. The existing bylaws controlling the procedural operation of the Zoning Board of Adjustment shall remain in full force and effect but may be amended from time to time hereafter by the Zoning Board of Adjustment. The Zoning Board of Adjustment shall consist of five (5) voting members who shall be appointed by the Selectmen for staggered terms of three (3) years each. On absence of any Zoning Board of Adjustment regular member, the Chairperson may appoint an alternate member to act in the place of the absent regular member.

F. POLICE COMMISSION

The Police Commission has been established for the Town of Conway pursuant to the General Laws of New Hampshire for 1969 Chapter 570 and as adopted by the Town at its Annual Town Meeting of March 12, 1968, and shall continue as now invested with the same powers and duties as thereunder enumerated, provided nothing hereunder shall prohibit amendment thereof from time to time by the State of New Hampshire and the Town of Conway, as applicable.

XXIII. COMPENSATION

Compensation of all Town Officials, elected or appointed, and Town Employees shall be as voted by the Town, and if no salaries or other compensation have been determined by the Town, they shall be determined by the Board of Selectmen who may delegate this responsibility hereunder to its Town Manager or others as appropriate. Nothing hereunder shall be construed to limit the authority of the Conway Police Commission or other Commissions now or hereafter established by express vote of the Town, from determining salaries and compensation of its employees.

**PART THREE**  
**GENERAL PROVISIONS**

Part III

GENERAL PROVISIONS

I. NAME AND CORPORATE EXISTENCE RETAINED

The Inhabitants of the Town of Conway, within the corporate limits now established, shall continue to be a municipal corporation by the official name of the "Town of Conway".

The Town may by its By-Laws adopt official seals, flags or other symbols of the community.

II. ADOPTION AND ENFORCEMENT OF ORDINANCES AND BY-LAWS

Authority for the enactment of all Ordinances and By-Laws authorized to be enacted by the municipality shall be vested in the Town Meeting except for emergency Ordinances and By-Laws, as provided for in the next section. Except for emergency Ordinances and By-Laws, or those with dates specified by Statute, Ordinances and By-Laws, shall become effective on adoption unless otherwise specified therein. The Selectmen will prosecute any person violating Ordinances or By-Laws through the Town Manager, Town attorney or police officers who for such purposes shall be informing officers and will maintain actions to restrain actual or threatened violations of the same. The establishment of any fine or penalty shall be by Ordinance. Notwithstanding the above, RSA 41:11 authorizes the Board of Selectmen to adopt regulations to regulate highways not otherwise regulated by the commissioner of the department of transportation.

III. ADMINISTRATIVE SERVICES

The administrative services of the Town shall by ordinances adopted by the Selectmen, be divided into such departments or other agencies as are necessary for the proper and efficient management of the affairs of the Town. Said ordinance shall define the function and duties of each Town department or agency and shall be known as the "Administrative Code". The Board of Selectmen may, by amendment to the Administrative Code Ordinance, create, consolidate or abolish departments or agencies and define or alter their functions and duties. The head of each department or agency established by the Administrative Code shall have and exercise supervision and control of his/her department or agency and the employee therein, subject to the authority, review and/or orders of the Town Manager, and shall have the power to prescribe rules and regulations not inconsistent with state/federal law, this Charter, the Administrative Code and the authority of the Town Manager.

IV. REPEAL OF ORDINANCES AND BY-LAWS

Regular Ordinances and By-Laws may be repealed or amended at Town Meeting by a majority vote.

V. CONTINUATION OF ORDINANCES AND BY-LAWS

All By-Laws, Ordinances, Resolutions, Rules, Regulations and Votes of the Town Meeting which are in force at the time of this Charter is adopted, not inconsistent with the provisions of this Charter, shall continue in force until amended or repealed, including By-Laws, if any, which have been passed and have been approved but have not been published.

## VI. CONTINUATION OF GOVERNMENT

All departments, boards, commissions and other Town agencies, and members thereof, whether elected or appointed, shall continue in the performance of their powers, duties and functions until successors have been elected or appointed as provided by this Charter or by the General Laws.

## VII. CONTINUATION OF ADMINISTRATIVE PERSONNEL

Any person holding an office or position in the administrative service of the Town at the time this Charter takes effect shall retain such office or position and continue in the performance of his/her duties until or unless provisions shall have been made, in accordance with this Charter for the performance of such duties or the discontinuance of such office or position.

## VIII. CONTINUANCE OF CONTRACTS AND OBLIGATIONS

All contracts or obligations entered into by the Town prior to the effective date of this Charter shall continue in full force and effect.

## IX. THE CONWAY CODE

The Board of Selectmen shall hereafter, in at least every two (2) year intervals, provide for the review and update of the general codification of all existing Ordinances and By-Laws and this Charter of the Town. The general codification shall continue as now existing or modified by a majority vote of the Board and shall be in loose-leaf form together with this Charter and any amendments thereto, and with such codes of technical regulations and other rules and regulations as the Board may specify. This compilation shall be known as the Conway Code.

The Conway Code shall be maintained currently by there being inserted, all new Ordinances, By-Laws, and other pertinent material including an indexed record of rescinded Ordinances and other changes. Copies of the Code and of new Ordinances and By-Laws enacted shall be made available on request to officials, libraries and public offices for public reference and also made available to the public for purchase at a reasonable price.

## X. TRANSFER OF RECORDS AND PROPERTY

All records, property, and equipment, whatsoever, of any office, department or agency or part thereof, the powers and duties of which are assigned in whole or in part to another office or agency, shall be transferred forthwith to the office, department or agency to which such powers and duties are assigned.

## XI. TOWN PROPERTY AND REAL ESTATE

The Selectmen have control of all Town property which has not been placed in the care of a particular board, commission, trustees of the trust funds, officers or departments by the By-Laws, or by the vote of the Town Meeting. The power to purchase, sell and convey property for public use rests with the Town Meeting.

No Town real estate or property may be conveyed to any person unless the Town by a majority vote at Town Meeting authorizes the Selectmen to dispose of such property or real estate unless otherwise provided by the General Laws. Real estate or property must be disposed of by either a public auction or by advertised sealed bids unless otherwise allowed per Town Meeting vote. The Selectmen have the power to set a minimum amount for which the real estate or property is to be sold, and to set the terms

and conditions for the sale. The Selectmen may by a specific article in the Town Warrant be authorized to dispose of property or real estate in a different manner than auction or sealed bid. Authority to transfer or to sell real estate or property continues in effect for one (1) year from the date of the Town Meeting unless otherwise provided.

XII. SPECIFIC PROVISIONS SHALL PREVAIL

To the extent that any specific provisions of this Charter shall conflict with any provision expressed in general terms, the specific provision shall prevail.

XIII. TRANSITIONAL PROVISIONS

- (A) The Inhabitants of the Town of Conway shall continue to be a body politic and corporate under the name of the "Town of Conway" and as such to enjoy all the rights, immunities, powers, privileges and be subject to all the duties and liabilities now appertaining to, or incumbent upon them as a municipal corporation. Under this Charter all existing property of the Town shall remain vested in it and all its existing debts and obligations shall remain obligatory upon it.
- (B) The incumbents in all elective or appointive Town offices, not abolished or superseded when this Charter takes effect, shall continue to hold office until the expiration of their respective terms where a term of office exists, or until such offices are abolished or superseded by any lawful act of the Town.
- (C) All Ordinances and other Town legislation now in effect shall remain in effect until altered or repealed except where a contrary intent appears in this Charter. In the event of an implied repeal by virtue of existing Town legislation being contrary to any section of this Charter, the legislation shall be deemed repealed only to the minimum extent necessary to bring the legislation into conformance with this Charter.

XIV. AMENDMENT OR REPEAL

Amendment or repeal of this Charter shall be in accordance with State Statute RSA Ch 49-B.

XV. EFFECTIVE DATE

This Charter shall become effective upon approval in accordance with State Statute RSA Ch 49-B.

XVI. SHORT TITLE

This document shall be known and may be cited as the Conway Charter.

XVII. PRECINCTS AND DISTRICTS WITHIN THE TOWN OF CONWAY

This Charter recognizes the Conway Village Fire District, East Conway Fire District, Center Conway Fire District, North Conway Water Precinct, Kearsarge Lighting Precinct, and Intervale Lighting Precinct, which now exist with the full rights and powers of village precincts and districts respectively and as separate corporate entities under the laws of the State of New Hampshire.

XVIII. CONWAY SCHOOL DISTRICT

This Charter recognizes the Conway School District which now exists with the full rights and powers of a school district and a separate corporate entity under the Laws of the State of New Hampshire.

XIX. CHARTER ENFORCEMENT

The provisions of this Charter may be enforced by any citizen of the Town of Conway or the Board of Selectmen of the Town by appropriate action brought in the Superior Courts of this State or such other State or Federal Courts may have jurisdiction over the terms and subject matter of this Charter.

## GLOSSARY

GLOSSARY

ADMINISTRATIVE CODE:	The Administrative Code shall be those ordinances adopted by the Board of Selectmen designating the organizational chart and management functions and duties of departments providing service of the Town.
AFFIDAVIT:	A voluntary sworn declaration, in writing, made before competent authority.
AUSTRALIAN BALLOT:	A ballot bearing the names of all the candidates of all parties, so arranged as to insure absolute secrecy and liberty in polling votes.
BOARD:	Board of Selectmen
CHARTER:	A document granting and defining the home rule rights, liberties and powers of the town as authorized by the New Hampshire State Constitution and State Statutes.
CODE:	The published ordinances and by-laws of the Town arranged in a systematic form by chapters and sections.
CONTRACT:	An agreement which creates, modifies, or destroys a legal relation.
CUMULATIVE:	Steadily increasing in volume or strength.
EMERGENCY:	A sudden unexpected happening or an unforeseen occasion or condition.
EMPLOYEE:	One who works for the Town in return for salary, wages or other considerations.
EMPLOYER:	The Town.
ENACTMENT:	The act of establishing a law or ordinance.
FISCAL YEAR:	A twelve month period used by the Town as a basis for business reckoning. Present fiscal year – January 1st to December 31st.
GENERAL COURT:	The official title of the Legislature in New Hampshire.
GENERAL LAWS:	The State Law which is binding upon all members of a community and referring to the Revised Statutes Annotated (RSA).
LEGISLATIVE BODY:	Town Meeting.
MUNICIPAL CORPORATION:	An incorporated town.

NOW:	The adoption date of this Charter.
OFFICIAL:	A person elected or appointed to fill an office established by Town or State Statutes.
OVERSEER:	Local officials to whom is delegated the ministerial work of a department.
PLURALITY VOTE:	The excess of the votes cast for one candidate over those cast for any other.
PRECINCT:	Any incorporated subdivision of the Town as established for the purposes set forth in the Statutes; also known as Village Districts.
PROMULGATE:	To make known or announce officially and formally.
QUALIFIED VOTER:	A registered voter.
QUORUM:	Such a number of members of any corporate body as is necessary for the legal transaction of business.
RATIFY:	Make valid by approving.
RESIDENT:	One having legal residence or domicile.
RIGHT TO KNOW LAW:	That general law which defines the public's rights of access to public proceedings and records.
STATUTE:	The written will of the General Court expressed according to form necessary to constitute a law of the State and rendered authentic by certain prescribed forms and solemnities.
TOWN:	Town of Conway
TOWN BY-LAWS AND ORDINANCES:	A local law of a municipal corporation of a general and permanent nature.
TOWN MEETING:	An assembly of qualified voters for the purpose of transacting Town business in accordance with State Statutes.
VESTED RIGHTS:	Established by law as a permanent right.
WARRANT:	Notice of a Town Meeting together with the subject matter to be considered