

# **ARTICLE XI GENERAL PROVISIONS**

## **11-1 AGREEMENTS WITH OTHER MUNICIPALITIES**

The Council is authorized, as provided by New Hampshire State Law, to enter into agreements and regional compacts with neighboring cities and towns, state agencies, or private nonprofit corporations for the purpose of resolving their common problems for the mutual advantage and benefits of the Town and its neighboring cities and towns.

## **11-2 AUTHENTICATION OF CHARTER / COPIES TO BE KEPT ON FILE**

### **A. Authentication of Charter**

Upon adoption, the official Charter, duly authenticated by affixing the signatures of all members of the Charter Commission and the Board of Selectmen, the Town Clerk and affixing the Town Seal, shall be filed with the Town Clerk and remain in the Town Clerk's office as the official Charter of the Town of Merrimack. At its first meeting, the Town Council shall affirm the validity of the Town Charter.

### **B. Amendments**

All amendments to this Charter shall be authenticated by the Town Council and be filed with and remain a part of the official Charter.

### **C. Maintenance**

The Town Clerk shall be responsible for the proper maintenance of the Charter. Copies of the Charter shall be available to the public, and the Town Clerk may charge a fee to defray printing costs.

## **11-3 CHARTER AMENDMENTS**

Amendments to this Charter may be initiated pursuant to the provisions of New Hampshire State Law.

## **11-4 INDEMNIFICATION OF TOWN OFFICERS, BOARD MEMBERS, AND EMPLOYEES**

All Town officers and members of Town agencies shall be deemed to be public or municipal officers or officials. The Town shall indemnify any such officer or member for expenses or damages incurred in the defense or settlement of a claim against the officer or member which arose while acting in good faith within the scope of official duties or employment, but only to the extent and subject to the limitations imposed by New Hampshire State Law.

## **11-5 LAND USE ORDINANCES**

All land use regulations and ordinances, including the adoption of the zoning ordinances and amendments by referendum, must be adopted pursuant to New Hampshire State Law.

## **11-6 RESCISSIONS**

### **A. Municipal Budget Act**

By adoption of this Charter, the voters and the Town of Merrimack expressly repeal and rescind the previous adoption of the provisions of the Municipal Budget Act.

### **B. Historic District Commission**

By adoption of this Charter, the voters and the Town of Merrimack expressly repeal and rescind the previous establishment of the Historic District Commission.

## **11-7 PUBLIC RECORDS AND MEETINGS**

All records of the Town and all meetings of the Council, boards, committees, commissions, authorities or other municipal bodies shall be open to the public, and their minutes and other records shall be available to the public in accordance with the provisions of New Hampshire State Law.

## **11-8 REORGANIZATION PLANS**

### **A. Council Initiated**

Except for those agencies established by this Charter or as otherwise prohibited by New Hampshire State Law, the Council may reorganize, consolidate, or abolish any existing Town agency in whole or in part or establish new Town agencies and prescribe the functions of any Town agencies provided that such action shall not eliminate the statutory duties of Town officials. Such reorganization plans shall be accompanied by explanatory messages when purposed.

### **B. Manager Initiated**

The Manager may prepare and submit to the Council for its approval proposed reorganization plans which may, subject to applicable law and this Charter, reorganize, consolidate or abolish any Town agency in whole or in part, or establish new Town agencies as are deemed necessary or expedient. Such reorganization plans shall be accompanied by explanatory messages when submitted.

## **11-9 SEVERABILITY**

The sections of this Charter and the parts hereof are separable. If any portion or section of this Charter, or the application thereof to any person or circumstance, shall be held invalid by a court or competent jurisdiction, the remainder of the Charter shall not be affected thereby. If a clause, portion of or section of this Charter is so held invalid, then the applicable provisions of New Hampshire State Law, if any shall govern.

## **11-10 SPECIFIC PROVISIONS TO PREVAIL**

To the extent that any specific provision contained in this Charter conflicts with any provision expressed in general terms, the specific provision shall prevail.