

CHAPTER 26

INDUSTRIAL DEVELOPMENT AUTHORITY

Section 26.1 That there be created hereby, the Somersworth Industrial Development Authority to consist of nine members, plus the Mayor as ex-officio member. (Amended 1/8/1986).

Section 26.2 The members shall be appointed by the Mayor, with the approval of the Council. Three members shall be designated for one-year terms, three members for two-year terms, and three members for three-year terms, and thereafter for three-year terms. (Amended 1/8/1986).

Section 26.3 All members of the Authority shall serve as much without compensation, and no more than two members may be City Councilmen, and no more than two members may be members of the Planning Board.

Section 26.4 Members of the Authority may, after public hearing, be removed by the Mayor and/or Council for inefficiency, neglect of duty or malfeasance in office. The Mayor or the Council as the case may be, shall file with the City Clerk a written statement of reasons for such removal.

Section 26.5 Vacancies in the membership of the Authority occurring otherwise and through the expiration of terms shall be filled for the unexpired term.

Section 26.6 The Authority shall elect its Chairman from its membership, and fill such other offices as it may be necessary for its work. The term of the Chairman and other officers shall be for one year with eligibility for re-election. The Authority shall meet regularly, and shall adopt rules for the transaction of business, and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. Said Authority shall submit annually to the Mayor and City Council a report of the proceedings year's activities. (Amended 1/8/1986).

Section 26.7 The Authority may appoint such members as it may be deemed necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law, as govern other corresponding civil employees of the City. The Authority may also contract with City Planner, Engineer, Architects and other consultants for such service as it may require. The expenditures of the Authority shall be within the amounts donated to, earned, or appropriated by the Council. Said Authority shall submit annually to the Mayor and Council a proposed work program and funding request for staffing consultants, advertising, travel, etc. necessary to carry out its program for inclusion in the City's annual operating budget. (Amended 1/8/1986).

1. To acquire by gift from a voluntary corporation or association forming under the provisions of RSA 292:1 one or more industrial facilities located within or partially within the City of Somersworth.
2. To lease to any person, firm, partnership or corporation, either public or private, any or all of its industrial facilities for such rentals or upon such terms and conditions and for such period or periods as the City Council of the City of Somersworth may determine advisable, provided, however, that said lease or leases shall require that the payment of all costs of operation, maintenance and upkeep of such industrial facilities will be paid by the lessee, sub-lessee or occupant thereof, and that under no circumstances shall the City of Somersworth be obligated directly or indirectly for the payment of such costs.
3. To sell and convey all or any part of any industrial facility owned by it, at public or private sale, with or without advertisement, and do all facts necessary to the accomplishments of such sale or conveyance.
4. To cooperate with or convey to the State of New Hampshire any or all of such industrial facilities as provided for in the Revised Statutes Annotated.
5. To acquire title to an industrial facility by gift, with approval of the Governor and council as set forth in RSA 162-G Section 5.
6. Finder's Fees. The Authority is empowered to reward, by cash payment or other remuneration from funds donated to or earned by the Authority or appropriated to it by the City Council, any person who provides information or referral which results in an industrial, commercial or business enterprise to locate, start up and conduct business within the boundaries of the City. (Passed 8/22/1988).

Section 26:9 Said Authority shall not have the power to operate an industrial facility owned by it as a business, or in any manner except as the lessor thereof.

Section 26:10 The Authority shall have the power to negotiate with the City for tax exemption, provided that in lieu of such taxes and special assessments, the Authority shall require any lessee or occupant of the industrial facility to make annual payments to the City for its just share of the public expense, including but not limited to education, highway, maintenance, fire and police protection, and other similar public expenses and governmental services, and with the approval of the State Tax Commission.

Section 26.11 If any provisions of this ordinance is declared unconstitutional or the application thereof to any person or circumstances is held invalid, the invalidity of the remainder of the act and application to other persons and circumstances shall not be affected. July 22, 1969.