

**Chapter VIII - REMOVAL OF MUNICIPAL OFFICIALS**

**SECTION I STATUTORY AUTHORITY**

- A. New Hampshire state law does not grant broad statutory authority to Towns for the removal of municipal officials. Accordingly, the removal of municipal officials is applicable to those officials whose removal is specifically contemplated by state law.

**SECTION II DEFINITION**

- A. The term “Municipal Official” shall mean an elected or appointed individual, including, but not limited to, the members of the Town Council, Zoning Board of Adjustment, Planning Board, Conservation Commission, Historic District Commission, but shall not refer to the full- or part-time employees of the Town and its departments whose discipline and dismissal are covered by the Town Charter and Personnel Plan. The term shall also be construed to mean the members of all other boards, committees and commissions which are political subdivisions of the Town.

**SECTION III REMOVAL PROCEDURE**

- A. Removal shall be for those officials listed below who have been duly elected or appointed by the local Appointing Authority, and for whom a removal procedure has been set forth in New Hampshire State Statute:
- a. Local Land Use Board members pursuant to RSA 673:13
  - b. Town Clerk pursuant to RSA 41:16-c
  - c. Elected Town Treasurer pursuant to RSA 41:26-d
  - d. Tax Collector pursuant to RSA 41:40.
- B. The New Hampshire Superior Court shall retain jurisdiction over any removal proceedings instituted under a conflict of interest ordinance adopted pursuant to RSA 31:39-a.
- C. The New Hampshire Superior Court shall retain jurisdiction for the dismissal of any local official for violation of oath of office by divulging confidential information. The manner of removal shall be in the form of a petition to said court.

**Chapter VIII - REMOVAL OF MUNICIPAL OFFICIALS (con't.)**

**SECTION IV PETITION FOR REMOVAL BY CITIZENS**

- A. Removal of any individual elected official shall be pursuant to the provisions of the Londonderry Town Charter, Section 7.6.

**~~End of Chapter~~**