

**CITY OF LACONIA**

In the Year of Our Lord two thousand and twenty-one

**A RESOLUTION ESTABLISHING PLANTATION ROAD AND COLONIAL ROAD AS EMERGENCY LANES UNDER RSA 231:59-A**

Resolved by the City Council of the City of Laconia as follows:

WHEREAS, the Laconia City Council has recognized the need to designate portions of roads as emergency lanes because of the public need for keeping such lanes passable by emergency vehicles is supported by an identified public welfare and safety interest which surpasses or differs from any private benefits to landowners abutting each lane; and

WHEREAS a properly noticed public hearing was held on November 22, 2021, and

WHEREAS notice was mailed to all persons known to have a legal interest in each way on November 9, 2021, by certified mail and has satisfied the requirement to notify within 10 days of the noticed public hearing: and

WHEREAS this action shall not be construed to create any duty or liability on the part of any municipality toward any person or property; and

WHEREAS no landowner or any other person shall be entitled to damages by virtue of the creation of emergency lanes, or failure to create them, or the maintenance of them, or the failure to maintain them, and no person shall be deemed to have any right to rely on such maintenance; and

WHEREAS the City Council is taking this action to give the abutting property owners time to organize to create a Homeowner's or Road Association or to have the City accept the roads under the betterment process the emergency lane declaration will expire on June 1, 2024.

WHEREAS, as this action shall not be deemed to alter the classification or legal status of any highway or private way, or to limit or restrict the authority of the City to regulate the use of class VI highways pursuant to such statutes as RSA 41:11, RSA 236:9--13, and RSA 674:41, or to authorize any person to pass over any private way when permission has been denied.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby designates the following streets, ways or portions thereof as emergency lanes as permitted by RSA 231:59-a:

Plantation Road  
Colonial Road

This Resolution shall take effect upon its passage.

Andrew Hosmer, Mayor

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2021.

Cheryl Hebert, City Clerk