

**ARTICLE A - 1000: AMENDMENTS, CONFLICTS AND PENALTIES, ADMINISTRATION,
ENFORCEMENT, and SEVERABILITY**

(Adopted 03/14/2023)

A - 1000.001 AMENDMENTS

Sections 100, 200, 300, and Articles 402, 405, 409, 410, 415, 701 and 1400 may be amended by a vote of Town Meeting following all procedures required in RSA 675:3. Amendments to all other sections of this Ordinance shall be governed by the specific enabling statute for that section or article.

A - 1000.002 CONFLICTS AND PENALTIES

A - 1000.002.001 Conflicts

Conflicting Sections Whenever the regulations made under the authority hereof differ from those prescribed by any statute, ordinance or other regulation, that provision which imposes the greater restriction or the higher standard shall govern.

A - 1000.002.002 Penalties

Any violation of Section 100, 200 or 300, or Articles 402, 405, 409, 410, 415, 701, or 1400, shall be punishable as stated in RSA 676:15, 676:16 and 676:17, as the same may be amended from time to time, including but not limited to the recovery of all costs and attorney's fees. Additionally, in the event the Town is required to seek injunctive relief to enforce any other provision of the Kingston Ordinances, The Town shall seek the imposition of all costs and attorney's fees in pursuing such action from any violator of this Ordinance unless in the judgement of the Selectmen the violation was inadvertent or otherwise excusable. In the event that any person shall fail to obtain any permit required under this Ordinance or any other land use regulation of the Town of Kingston, including but not limited to, the Town's Building Ordinance, the Planning Board's Site Plan Review, Subdivision Regulations, regulations regarding driveways and other accesses to Town Roads, any and all permit or application fees shall be trebled unless the appropriate enforcing body shall find that the failure to obtain the permit was inadvertent or otherwise excusable. The purpose of this provision is to ensure that the Town recovers the costs associated with the administrative enforcement of its

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land use regulations. Any violation of any other article or section of this Ordinance shall be punishable as stated in that article or section.

A - 1000.003 ADMINISTRATION

A - 1000.003.001 General

The provisions of the Kingston Zoning Ordinance shall be administered by the following:

A - 1000.003.001.001

Building Inspector for building permits;

A - 1000.003.001.002

Planning Board for subdivision, site plan review, and conditional use approval; and

A - 1000.003.001.003

Zoning Board of Adjustment for special exception approval of existing lots and any variances granted from the ordinance.

A - 1000.003.002 Enforcement

The Board of Selectmen shall be responsible for the enforcement of the provisions and conditions of the Town of Kingston Zoning Ordinance.

A - 1000.004 SEVERABILITY

If any section, clause, provision or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or impair any other section, clause, provision or portion of this ordinance.