

# CITY OF CONCORD

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*In the year of our Lord two thousand and twenty-one*

**RESOLUTION:** ESTABLISHING BIRCH STREET AS AN EMERGENCY LANE UNDER  
RSA 231:59-a

*The City of Concord resolves as follows:*

**WHEREAS,** the Concord City Council has recognized the need to designate Birch Street as an emergency lane without winter maintenance because the public need for keeping this public highway 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 October 12, 2021; 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**WHEREAS,** the declaration of Birch Street as an emergency lane may be rescinded or disregarded by City Council at any time without notice.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Concord that:

- A. Birch Street is hereby designated as an emergency lane in accordance with RSA 231:59-a.
- B. This Resolution shall take effect upon its passage.