

HB 312 - AS INTRODUCED

2019 SESSION

19-0483

11/10

HOUSE BILL **312**

AN ACT relative to municipal regulation of tiny houses.

SPONSORS: Rep. Testerman, Merr. 2

COMMITTEE: Municipal and County Government

ANALYSIS

This bill defines tiny houses and provides for the authority and requirements for municipal regulation.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to municipal regulation of tiny houses.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subdivision; Tiny Houses. Amend RSA 674 by inserting after section 73 the following
2 new subdivision:

3 Tiny Houses

4 674:74 Definition. As used in this subdivision, "tiny house" means a small structure intended
5 for year-round occupancy that meets the requirements of the state building code, as defined in RSA
6 155-A, and may include single-room structures, and which is built on either a permanent
7 foundation or on a chassis that is suitable for registration for transport on public highways of the
8 state.

9 674:75 Individual Tiny Houses.

10 I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this
11 chapter shall allow tiny houses as a matter of right in all zoning districts that permit single family
12 dwellings, and may allow in its discretion tiny houses in all other districts.

13 II. If a municipality permits detached accessory dwelling units pursuant to RSA 674:73, it
14 shall permit a tiny house as a detached accessory dwelling unit. Municipalities allowing tiny
15 houses pursuant to this paragraph may require additional lot area if it has such a requirement for
16 detached accessory dwelling units, and may require the tiny house meet the municipality's zoning
17 dimensional standards for detached accessory dwelling units if such standards exist.

18 III. A tiny house used for habitation shall be connected to both a public water system or a
19 private well and to a public sewer system or a subsurface wastewater disposal system that has been
20 approved by the department of environmental services. Alternatively, a tiny house used for
21 habitation may include self-contained drinking water and sanitary systems.

22 IV.(a) If built on a chassis, a tiny house used for habitation shall be taxable as real estate,
23 but shall not otherwise be regarded as real property.

24 (b) If a tiny house is located on the land of another, the owner of the tiny house shall be
25 liable for property taxes on the tiny house according to RSA 72:7-a unless exempted under RSA
26 72:7-d.

27 674:76 Tiny House Parks. Municipal zoning ordinances shall also make provision for locating
28 tiny homes in group park settings of at least 4 units, in which no more than one of the units may be
29 the property owner. Units shall be adequately spaced to allow for access by fire-fighting apparatus.
30 The overall lot size shall be at least 10,000 square feet, but if the park is not served by public water
31 and sewer, then the park or units shall meet the minimum overall lot-size standards for a

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- 1 community system. The property owner shall have discretion to use either individual lots or a
- 2 single lot and either individual or community wastewater and drinking systems.
- 3 2 Effective Date. This act shall take effect 60 days after its passage.