

The current bylaw as amended by the 2013 Town Meeting

ARTICLE 38

Community Preservation Committee

Section 1. Establishment

In accordance with M.G.L. Chapter 44B, known as the Community Preservation Act, there is hereby established a Community Preservation Committee ("the Committee") consisting of nine members. The composition of the Committee, the methods of appointment of the members and the terms of office of the members of the Committee shall be as follows:

One (1) member of the Conservation Commission as designated by that Commission, for a term of three (3) years;

One (1) member of the Historical Commission as designated by that Commission, for a term of three (3) years;

One (1) member of the Planning Board as designated by that Board, for a term of three (3) years;

One (1) member of the Housing Authority as designated by that Authority, for a term of three (3) years;

One (1) member of the Recreation Commission as designated by that Commission, for a term of three (3) years;

One (1) member of the Board of Selectmen as designated by that Board, for an initial term of one (1) year and thereafter for a term of three (3) years;

One (1) member to be appointed by the Board of Selectmen, for an initial term of one (1) year and thereafter for a term of three (3) years;

Two (2) members to be appointed by the Moderator, one (1) to be appointed for initial term of one (1) year and thereafter for a term of three (3) years, and the other to be appointed for an initial term of two (2) years and thereafter for a term of three (3) years.

Section 2. Amendments

This Article 38 may be amended from time to time by a majority vote of Town Meeting, provided that no such amendment may cause this Article to conflict with the Community Preservation Act.

Section 3. Severability

In case any section, paragraph or other part of this Article shall be for any reason declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part hereof shall continue in full force and effect.

Section 4. Effective Date

This Article shall take effect immediately upon approval of the Attorney General of the Commonwealth and proper posting by the Town Clerk in accordance with Section 32. Each of the appointing authorities designated in Section 1 shall have thirty (30) days after such approval to make their initial appointments. Should any such appointing authority other than the Board of Selectmen fail to make its initial appointment within such time, the Board of Selectmen shall make such appointment. Should the Board of Selectmen fail to make any of its initial appointments within such time, the Moderator shall make such appointments.

TOWN OF HINGHAM

OFFICE OF TOWN CLERK

EILEEN A. McCracken
TOWN CLERK



I, Eileen A. McCracken, Town Clerk of the Town of Hingham, certify that at the Annual Town Meeting of the Town of Hingham held April 29, 2003, pursuant of Article 25 of the Warrant, it was

VOTED: That the Town amend the General By-Laws of the Town of Hingham, adopted March 13, 1939, as heretofore amended, in Article 38, by substituting the following for the first sentence of paragraph (B) of Section 2 of said Article:

"The Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation and support of community housing; and for the rehabilitation or restoration of such open space, land for recreational use and community housing that is acquired or created as provided in the Community Preservation Act."

A Unanimous Vote

ATTEST:

Eileen A. McCracken

Eileen A. McCracken
Town Clerk

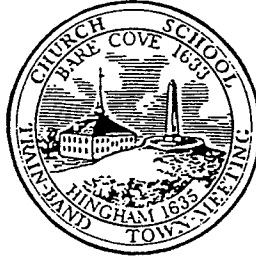
**A TRUE COPY
ATTEST:**

Eileen A. McCracken
TOWN CLERK:

TOWN OF HINGHAM

OFFICE OF TOWN CLERK

EILEEN A. McCracken
TOWN CLERK



I, Eileen A. McCracken, Town Clerk of the Town of Hingham, certify that at the Annual Town Meeting of the Town of Hingham held April 23, 2001, pursuant of Article 26 of the Warrant it was

VOTED: That the following be adopted as Article 38 of the By-laws of the Town of Hingham, said Article not to become effective unless the Town accepts Sections 3 through 7 of the Community Preservation Act by vote at the April 28, 2001 Town Election:

ARTICLE 38

Community Preservation Committee

Section 1. Establishment

In accordance with MGL Chapter 44B, known as the Community Preservation Act, there is hereby established a Community Preservation Committee (the "Committee") consisting of nine (9) members. The composition of the Committee, the methods of appointment of the members and the terms of office of the members of the Committee shall be as follows:

One (1) member of the Conservation Commission as designated by that Commission, for a term of three (3) years;

One (1) member of the Historical Commission as designated by that Commission, for a term of three (3) years;

One (1) member of the Planning Board as designated by that Board, for a term of three (3) years;

One (1) member of the Housing Authority as designated by that Authority, for a term of three (3) years;

One (1) member of the Board of Selectmen as designated by that Board, for an initial term of one (1) year and thereafter for a term of three (3) years;

Two (2) members to be appointed by the Board of Selectmen, one (1) to be appointed for an initial term of one (1) year and thereafter for a term of three (3) years, and the other to be appointed for an initial term of two (2) years and thereafter for a term of three (3) years; and



Two (2) members to be appointed by the Moderator, one (1) to be appointed for an initial term of one (1) year and thereafter for a term of three (3) years, and the other to be appointed for an initial term of two (2) years and thereafter for a term of three (3) years.

Section 2. Duties

(A) The Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing Town boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Housing Authority and the Open Space Acquisition Committee, or persons acting in those capacities or performing like duties, in conducting such studies. As a part of its study, the Committee shall hold one (1) or more public informational hearings on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two (2) weeks preceding such hearing in a newspaper of general circulation in the Town.

(B) The Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for the rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in the Community Preservation Act. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. Recommendations to Town Meeting shall include their anticipated costs.

(C) The Committee may include in its recommendation to Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set aside for later spending funds for general purposes that are consistent with community preservation.

Section 3. Quorum Requirement

The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Committee shall approve its actions by majority vote.

Section 4. Amendments

This Article 38 may be amended from time to time by a majority vote of Town Meeting, provided that no such amendment may cause this Article to conflict with the Community Preservation Act.

Section 5. Severability

In case any section, paragraph or other part of this Article shall be for any reason declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part hereof shall continue in full force and effect.

Section 6. Effective Date

This Article shall take effect immediately upon approval of the Attorney General of the Commonwealth. Each of the appointing authorities designated in Section 1 shall have thirty (30) days after such approval to make their initial appointments. Should any such appointing authority other than the Board of Selectmen fail to make its initial appointment within such time, the Board of Selectmen shall make such appointment. Should the Board of Selectmen fail to make any of its initial appointments within such time, the Moderator shall make such appointments.

2/3rds VOTE REQUIRED

Majority Vote

2/3rds Declared

Motion Adopted

ATTEST:

A handwritten signature in cursive script that reads "Eileen A. McCracken". The signature is written in dark ink and is positioned above the printed name and title of the signatory.

Eileen A. McCracken
Town Clerk