

**Town of Lexington
Vote of 2005 Annual Town Meeting**

**ARTICLE 8: ESTABLISHMENT OF COMMUNITY PRESERVATION
COMMITTEE**

MOTION: That the Town hereby amends Chapter 29 of the Code of the Town of Lexington by adding the following Article at the end of such Chapter for the purpose of establishing a Community Preservation Committee; provided, however, that this bylaw shall not take effect unless and until such time as Sections 3 to 7, inclusive, of Chapter 44B of the General Laws (the Massachusetts Community Preservation Act) are accepted by the Town in the manner required by such Act:

"ARTICLE VII"

Community Preservation Committee

§29-23 Establishment; membership; terms; vacancies.

There is hereby established a Community Preservation Committee pursuant to Section 5 of Chapter 44B of the General Laws (the "Act") consisting of nine (9) members. The Board of Selectmen shall appoint three (3) members of the Community Preservation Committee and the following bodies shall each select one of its members for membership on the Community Preservation Committee: the Conservation Commission, the Planning Board, the Recreation Committee, the Historical Commission, the Housing Authority and the Housing Partnership. Each appointing body shall make the required appointments of members to serve the initial term on the Community Preservation Committee not later than thirty (30) days after the effective date of this bylaw and shall make the required appointments to serve each subsequent term not later than the date on which the term of the previously appointed member expires. The initial term of each member of the Community Preservation Committee shall commence upon appointment and expire on June 30, 2007. The terms of each member of the Community Preservation Committee appointed thereafter shall be for two years commencing on June 30 in the year in which they are appointed and expiring on the second anniversary thereof. Mid-term vacancies shall be filled by the body that appointed the member who created the vacancy by appointing another member in accordance with this section to serve on the Community Preservation Committee for the remainder of the unexpired term. Each appointment of a member to the Community Preservation Committee shall be by majority vote of the appointing body, a certified copy of which vote shall be sent by the clerk of the appointing body to the Town Clerk.

§29-24. Organization; meetings.

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum, which shall consist of a majority of its members. The Community Preservation Committee shall approve its actions by majority vote.

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§29-25. Responsibilities; study; hearing; recommendations.

The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. In conducting such study, the Community Preservation Committee shall consult with the appointing bodies identified in section 1 of this bylaw and shall hold at least one annual public informational hearing 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 weeks preceding the hearing in a newspaper of general circulation in the Town.

The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation, preservation, rehabilitation and restoration of properties and real property interests, as provided in the Act, which recommendations may include setting aside funds for later spending for purposes that are consistent with the Act. The recommendations made by the Community Preservation Committee shall include the anticipated costs of such recommendations.

§29-26. Warrant articles.

The Board of Selectmen shall insert an article in the warrant for each Annual Town Meeting, and for any Special Town Meeting upon the written request of the Community Preservation Committee, to enable Town Meeting to make appropriations for community preservation purposes recommended by the Community Preservation Committee for the current or next fiscal year. The community preservation purposes recommended by the Community Preservation Committee to be funded from the Community Preservation Fund shall be in addition to and coordinated with the annual report of recommended capital expenditures prepared by the Capital Expenditures Committee, and the Capital Expenditures Committee shall state whether it endorses each recommendation of the Community Preservation Committee.

§29-27. Construction.

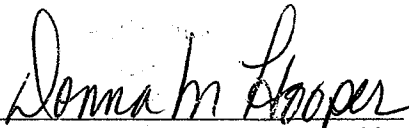
At all times this bylaw shall be interpreted in a manner consistent with the Act. In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect."

Motion Adopted Unanimously.

March 30, 2005

A true copy.

Attest:


Donna M. Hooper, Town Clerk

**Town of Lexington
Vote of 2003 Annual Town Meeting**

**Article 24 CONSERVATION COMMISSION – NON-CRIMINAL
DISPOSITION**

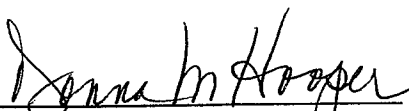
MOTION: That Chapter 1, § 6 of the Code of Lexington be amended as follows:

1. By deleting the current fine schedule:
 Chapter 130, Wetland Protection
 Fine schedule:
 1st, 2nd and 3rd offenses: \$50 per violation
 4th and subsequent offenses: \$100 per violation
2. By inserting the following fine schedule:
 Chapter 130, Wetland Protection
 Maximum Fine Schedule:
 1st offense: \$100 per violation
 2nd and 3rd offenses: \$200 per violation
 4th and subsequent offenses: \$300 per violation
3. By deleting the current fine schedule:
 Chapter 145, Conservation Commission.
 Fine Schedule: \$50 per violation
4. By inserting the following fine schedule:
 Chapter 145, Conservation Commission.
 Fine Schedule:
 1st offense: \$100 per violation
 2nd and 3rd offenses: \$150 per violation
 4th and subsequent offenses: \$200 per violation

Declared Unanimously Adopted.
April 2, 2003

A true copy.

Attest:


Donna M. Hooper, Town Clerk

