



Office of the Town Clerk

Town of Provincetown

Special Town Meeting

April 7, 2004

260 Commercial Street
Provincetown, MA 02657
TEL: 508 487-7013
FAX: 508 487-9560

Article 1. General By-law Amendment: Establish Community Preservation Committee. To see if the Town will vote to amend the General By-laws by adding a new section 5.14, as follows:

5-14. Community Preservation Committee By-law

5-14-1. Membership of the Committee. There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to the provisions of G.L., c.44B, §5. The composition of the committee, the appointing authority and the term of office for the committee members shall be as follows: one member of the Conservation Commission as designated by said Commission; one member of the Historical Commission as designated by said Commission; one member of the Planning Board as designated by said Board; one member of the Recreation Commission, as designated by the Commission; one member of the Provincetown Housing Authority as designated by said Authority; one member of the Provincetown Housing Partnership as designated by said Partnership; one member of the Open Space Committee as designated by said Committee; and two individuals to be appointed by the Board of Selectmen. Each member of the Committee shall serve for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier; provided, however, that two of the Board of Selectmen's appointees shall be appointed for initial terms of three years, one appointee shall be appointed for an initial term of two years, and the final appointee shall be appointed for an initial term of one year. Should any of the officers and commissions, boards, or committees who have appointing authority under this by-law be no longer in existence for whatever reason, the Board of Selectmen shall appoint a suitable person to serve in their place. Any member of the Committee may be removed for good cause in accordance with Section 10-2-1 of the Town Charter.

5-14-2. Duties

5-14-2-1. The community preservation committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the department of public works, and the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one annual public informational hearing, or more at its discretion, on the needs, possibilities and resources of the town regarding

A TRUE COPY ATTEST
Doug Christone
TOWN CLERK, PROVINCETOWN



First Landing Place of the Pilgrims





Office of the Town Clerk

Town of Provincetown

Special Town Meeting

April 7, 2004

260 Commercial Street
Provincetown, MA 02657
TEL: 508 487-7013
FAX: 508 487-9560

community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

5-14-2-2. The community preservation committee shall make recommendations to the 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 rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

5-14-2-3. The community preservation committee may include in its recommendation to the 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.

5-14-2-4. In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund in each of the following areas for (a) open space (not including land for recreational use), (b) historic resources; and (c) community housing.

5-14-3. Requirement for a quorum and cost estimates. The community preservation committee shall comply with the provisions of the Open Meeting Law, G.L. c.39, §23B. The committee shall not meet or conduct business without the presence of a majority of the members of the community preservation. The community preservation committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include the committee's anticipated costs.

5-14-4. Amendments. This by-law may be amended from time to time by a majority vote of the Town Meeting, consistent with the provisions of G.L. c.44B.

A TRUE COPY ATTEST

Doug Johnston
TOWN CLERK, PROVINCETOWN

First Landing Place of the Pilgrims





Office of the Town Clerk

Town of Provincetown

Special Town Meeting

April 7, 2004

260 Commercial Street
Provincetown, MA 02657
TEL: 508 487-7013
FAX: 508 487-9560

5-14-5. Severability. In case any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional by any court, every other section, paragraph or part shall continue in full force and effect.

5-14-6. When Effective. Provided that the Community Preservation Act, MGL c. 44B, is accepted at the 2004 Annual Town election, this section shall take effect upon approval by the Attorney General of the Commonwealth and after all requirements of MGL .c. 40, section 32 have been met. Each appointing authority shall have thirty (30) days after the effective date to make its appointments. or to take any other action relative thereto.

[Requested by the Board of Selectmen, Town Manager, Housing Authority, Housing Partnership, and Open Space Committee]

BOARD OF SELECTMEN RECOMMENDS: 5-0-0

FINANCE COMMITTEE RECOMMENDS: 5-2-0

PLANNING BOARD RECOMMENDS: 3-0-0

CONSERVATION COMMISSION RECOMMENDS: 4-0-0

OPEN SPACE COMMITTEE RECOMMENDS: 3-0-0

HOUSING PARTNERSHIP RECOMMENDS: 4-0-0

HOUSING AUTHORITY RECOMMENDS: 4-0-0

Richard Olson moved that the Town vote to amend the General By-laws by adding a new section 5.14, as printed in the warrant, with the following amendment:

Amend §5-14-2-4 to read as follows: "In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space (not including land for recreational use), not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than 80% of the annual revenues in the Community Preservation Fund for community housing."

Motion Passed.

A TRUE COPY ATTEST
Doug Johnstone
TOWN CLERK, PROVINCETOWN
1620
1970

First Landing Place of the Pilgrims



Town of Provincetown

Office of the Town Clerk



Town Hall, 260 Commercial Street
Provincetown, Massachusetts 02657
E-mail: townclerk@provincetown-ma.gov
Facsimile (508) 487-9560
Telephone (508) 487-7013

**Special Town Meeting
Monday, November 17, 2008**

Article 1. General By-law Amendment: Community Preservation Committee By-law. To see if the Town will vote to amend the Provincetown General By-laws by amending §5-14-2-4 to delete the words, "not less than 80%" and insert in place thereof the words, "not less than 10%", or to take any other action relative thereto, so that the section will read as follows:

In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space (not including land for recreational use), not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than 10% of the annual revenues in the Community Preservation Fund for community housing,

or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Town Manager]

BOARD OF SELECTMEN RECOMMENDS: 4-1-0

FINANCE COMMITTEE RECOMMENDS: 9-0-0

HISTORICAL COMMISSION DOES NOT RECOMMEND: 5-0-0

CONSERVATION COMMISSION RECOMMENDS: 3-0-1

Michele Couture moved that the Town vote to approve Article 1 as printed in the warrant. **Motion Passed.**

A TRUE COPY ATTEST

Doug Johnstone
TOWN CLERK, PROVINCETOWN

Town of Provincetown
Office of the Town Clerk



Town Hall, 260 Commercial Street
Provincetown, Massachusetts 02657
E-mail: townclerk@provincetown-ma.gov
Facsimile (508) 487-9560
Telephone (508) 487-7013

Annual Town Meeting
Monday, April 7, 2014

Article 21. General By-law Amendment: Community Preservation Committee

Bylaw. To see if the Town will vote to amend the Provincetown General By-laws by amending §5-14-2-4 as follows:

5-14-2-4. In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space/recreation ~~(not including land for recreational use)~~, not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than ~~40%~~ 60% of the annual revenues in the Community Preservation Fund for community housing, and further to authorize the Board of Selectmen to file a home rule petition to effectuate the intent of the proposed bylaw amendment, if necessary; or to take any other action relative thereto.

[Requested by the Board of Selectmen and Community Housing Council]

Board of Selectmen Recommends: 4-1-0

Finance Committee Recommends: 6-1-0

Conservation Commission Does Not Recommend: 3-0-0

Historical Commission Does Not Recommend: 4-0-0

Community Preservation Committee Does Not Recommend: 7-1-1

Housing Authority Recommends: 5-0-0

Kristin Hatch moved that the Town vote to amend the General Bylaws as printed in the warrant under Article 21. **Motion Passed. (For: 90 Against: 74)**