

**CITY OF WORCESTER**



**PART TWO, ORGANIZATION OF CITY AGENCIES OF THE  
REVISED ORDINANCES OF 2015**

**Ordained by the City Council September 21, 2015**

**As Amended Through April 11, 2023**

## **§ 19. Community Preservation Committee**

(a) *Establishment of the Community Preservation Fund.* By virtue of the Worcester voters adopting sections 3 through 7 of chapter 44B of the General Laws, the city of Worcester hereby establishes on the books of the city an appropriations account known as the “Community Preservation Fund” for the deposit of collections, gifts, grants, appropriations, and other funds qualifying under section 7 of chapter 44B of the General Laws.

(b) *Establishment of the Community Preservation Committee.* Under authority of section 5(a) of chapter 44B of the General Laws, there is hereby established under the jurisdiction of the city manager an executive board of the city to be known as the “Community Preservation Committee.”

(c) *Membership.* The Community Preservation Committee shall consist of nine members appointed under the provisions of section 5(a) of chapter 44B of the General Laws as follows:

- (1) one delegate of the city’s conservation commission, as designated by the commission.
- (2) one delegate of the city’s historical commission, as designated by the commission.
- (3) one delegate of the city’s planning board, as designated by the board.
- (4) one delegate of the city’s parks and recreation commission, as designated by the commission.
- (5) one delegate of the board of directors of the Worcester Housing Authority, as designated by the Authority.
- (6) four at-large members of the community appointed by the city manager.

(d) *Term – Initial Appointments.* The initial appointments of the members shall be staggered such that the first city manager appointee shall serve a term of one year; the second and third city manager appointees shall serve for terms of two years; the fourth city manager appointee shall serve a term of three years; the conservation commission appointee shall serve a term of one year; the historical commission appointee shall serve a term of two years; the planning board appointee shall serve a term of three years; the parks and recreation commission appointee shall serve a term of one year; and the Housing Authority appointee shall serve a term of two years. Thereafter, the terms of such members shall be three years. Every appointee shall serve as a member of the Community Preservation Committee until the appointment and confirmation of their successor. In the event of the death, disability, resignation, or removal of any member prior to the expiration of the term for which they were appointed, the city manager shall appoint a replacement member who shall serve for the balance of the unexpired term of the member for which they are replacing. All members may be reappointed in accordance with the provisions and limitations of the city charter. All members shall serve at the pleasure of the city manager except that no member shall be removed from office solely on account of any vote or position taken on any matter pending before or decided by the Community Preservation Committee. The chair of the Community Preservation Committee shall be designated by the city manager.

(e) *Function of the Community Preservation Committee.* It shall be the function of the Community Preservation Committee to advise and assist the city manager and the city administration in efforts relating to community preservation, including open space, historic resources, and community housing. The Community Preservation Committee shall make recommendations to the city manager for appropriations from the Community Preservation Fund for said purposes, as well as eligible administrative and operating expenses, and the city manager may then make a recommendation to the city council for final appropriation.

(f) *Duties and Responsibilities.* In accordance with section 5(b) of chapter 44B of the General Laws, the duties and responsibilities of the Community Preservation Committee are as follows:

(1) The Community Preservation Committee shall study the needs, possibilities, and resources of the city regarding community preservation, including the consideration of regional projects for community preservation. The Community Preservation Committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the board of parks and recreation commissioners and the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Community Preservation Committee shall hold one or more public informational hearings on the needs, possibilities, and resources of the city regarding 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 city.

(2) The Community Preservation Committee shall make recommendations for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section; provided, however, that funds expended pursuant to this ordinance shall not be used for maintenance. With respect to community housing, the Community Preservation Committee shall recommend, whenever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.

(3) The Community Preservation Committee may include in its recommendations 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.

(4) The Community Preservation Committee may recommend, and the city council may approve, appropriations from the fund to acquire land, or real property interests therein, held for railroad purposes to be used by the city for recreational use as a rail trail as defined in section 35A of chapter 82 of the General Laws. Notwithstanding subsection section 12(a) of chapter 44B of the General Laws, land, or real property interests therein, acquired pursuant to this paragraph shall remain subject to any property interest, including restrictions or reversionary interests, required to be held by the grantor or the United States pursuant to the federal National Trails System Act of 1968, as amended. Notwithstanding the definition of real property interest in section 2 of chapter 44 of the General Laws, land, or real property interests therein, acquired pursuant to this paragraph shall be considered a real property interest for purposes of this ordinance, and a conservation restriction that meets the requirements of sections 31 to 33, inclusive, of chapter 184 of the General Laws shall be required.

(5) The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the community preservation committee shall constitute a quorum. The community preservation committee shall approve its actions by majority vote. Recommendations for appropriation shall include their anticipated costs.

(g) The chief development officer of the city, or his or her designee, shall administer the business and public affairs of the Community Preservation Committee and serve as the clerk and keeper of its official records.