

## **Establishment of an Inland Wetlands and Watercourses**

**Statutory Reference or Authority:** Conn. Gen. Stat. §22a-42

**Purpose:** To implement the purposes and provisions of the Inland Wetlands and Watercourses Act, Sections 22a-36 to 22a-45 inclusive, of the Connecticut General Statutes, as amended.

**Definitions:** None.

**Exceptions:** N/A.

**Ordinance Text:**

### **1. Creation of Inland Wetlands Agency**

There shall be an Inland Wetlands and Water Courses Agency established in the Town of Hampton in accordance with An Act Concerning Inland Wetlands and Water Courses (Public Act 155, 1972 Session of the General Assembly, State of Connecticut, amended Public Act 571, 1973 Session.).

### **2. Responsibilities**

Said Agency shall have all the powers and responsibilities authorized under said Public Act 155, and as amended.

### **3. Membership**

The Agency shall be composed of seven (7) members and two (2) alternates appointed by the Board of Selectmen. As provided in Section 9-167a of the Connecticut General Statutes, not more than five (5) members shall be of the same political party.

*Terms of the members and alternate members of the Agency shall be for a period of three years following shorter appointments being made to allow for the terms to be revolving.* Reappointment to the same position upon expiration of the term may be made.

### **4. Conflict of Interest**

No member or alternate member of the Hampton Inland Wetlands and Watercourses Agency shall participate in the hearing or decision of any matter in which he is directly or indirectly interested in a personal or financial sense. In the event of such disqualification, such fact shall be entered on the records of the Agency and replacement for the hearing and determination of the particular matter or matters in which the disqualification arose shall be made from alternate members.

### **5. Vacancies**

Any vacancy in the membership of the Agency which may occur through death, resignation, or otherwise shall be filled by an alternate member of the Agency or eligible citizen of the Town of Hampton, by recommendation of the Agency and appointment by the Board of Selectmen, to serve the remainder of the unexpired portion of the term of the former Commission member.

In the event that an Agency member misses four (4) consecutive regular meetings or six (6) regular meetings in a calendar year and upon recommendation of the Agency, the

Board of Selectmen, following a written warning to the member regarding possible removal, may remove said member and fill the vacancy created.

## **6. Effective Date**

The provisions of this Ordinance shall become effective fifteen (15) days after adoption by the Hampton Town Meeting and publication in accordance with Public Act 155, as amended.

**Fees:** N/A.

**Penalties:** N/A.

**Cross References:** Conn. Gen. Stat. §9-167a regarding minority party representation.

### **Relevant History:**

**1972:** PA 155, 1972.

**1973:** Amended PA 571, 1973.

**Original Approval:** Town Meeting May 21, 1974. Amendment made in 1977 month unknown.

**Original Publication Date:** Not documented but grandfathered per CGS 7-157c.

#### **November 2008:**

1. Reformatted to new template
2. "Commission" changed to "Agency" to reflect updated statutory language.
3. Under "Vacancies," added provision for the Agency to make recommendations to the BOS for appointment or removal of members and stipulated that if an Agency member misses four (4) consecutive regular meetings or six (6) regular meetings in a calendar year and upon recommendation of the Agency, the Board of Selectmen, following a written warning to the member regarding possible removal, may remove said member and fill the vacancy created.
4. Added language about conflicts of interest based on Chapter 440; Sec. 22a-42.
5. Added provision for reappointment to the same position upon expiration of a member's term based on Chapter 440 Sec. 22a-42.

**2014:** May: defined term lengths for members and alternates.

Approved: May 16, 2014 at Annual Town Meeting

Published:

Effective Date: Fifteen (15) days after pending publication