

# The Vermont Statutes Online

## Title 24: Municipal and County Government

### *Chapter 118: CONSERVATION COMMISSIONS*

#### **§ 4501. Creation of conservation commissions**

A conservation commission may be created at any time when a municipality votes to create one, or, if the charter of a municipality permits it, when the legislative body of the municipality votes to create one. (Added 1977, No. 250 (Adj. Sess.), § 1.)

#### **§ 4502. Membership; appointment; terms**

(a) A conservation commission shall have not less than three nor more than nine members. All members shall serve without compensation, but may be reimbursed by the municipality for necessary and reasonable expenses. All members shall be residents of the municipality.

(b) Members of the conservation commission shall be appointed, and any vacancy filled, by the legislative body of the municipality. The term of each member shall be for four years, except for those first appointed, whose terms shall be varied in length so that in the future the number whose terms expire in each successive year shall be minimized. (Added 1977, No. 250 (Adj. Sess.), § 1.)

#### **§ 4503. Removals; vacancies**

(a) Any member of a conservation commission may be removed at any time for just cause by vote of the legislative body, for reasons given to him in writing and after a public hearing thereon if he so requests.

(b) Any appointment to fill a vacancy shall be for the unexpired term. (Added 1977, No. 250 (Adj. Sess.), § 1.)

#### **§ 4504. Rules**

(a) At its organizational meeting a conservation commission shall adopt by majority vote of those present and voting such rules as it deems necessary and appropriate for the performance of its functions. It shall annually elect a chairman, a treasurer, and a clerk.

(b) Times and places of meetings of a conservation commission shall be publicly posted in the municipality, and its meetings shall be open to the public.

(c) A conservation commission shall keep a record of its transactions, which shall be filed with the town clerk as a public record of the municipality. (Added 1977, No. 250 (Adj. Sess.), § 1.)

#### **§ 4505. Powers and duties of conservation commissions**

Any conservation commission created under this chapter may:

(1) make an inventory and conduct continuing studies of the natural resources of the municipality including but not limited to:

(A) air, surface and ground waters, and pollution thereof;

(B) soils and their capabilities;

(C) mineral and other earth resources;

(D) streams, lakes, ponds, wetlands, and floodplains;

(E) unique or fragile biologic sites;

(F) scenic and recreational resources;

(G) plant and animal life, especially the rare and endangered species;

(H) prime agricultural and forest land, and other open lands;

(2) make and maintain an inventory of lands within the municipality which have historic, educational, cultural, scientific, architectural, or archaeological values in which the public has an interest;

(3) recommend to the legislative body of the municipality the purchase or the receipt of gifts of land or rights thereto, or other property, for the purposes of this chapter;

(4) receive appropriations for operating expenses including clerical help by appropriation through the budget of the legislative body;

(5) receive money, grants or private gifts from any source, for the purposes of this chapter. **Grants and gifts received by the trustee of public funds shall be carried in a conservation fund from year to year to be expended only for purposes of this chapter;**

(6) receive gifts of land or other property for the purposes of this chapter, by consent of the legislative body or by the affirmative vote of the municipality;

(7) administer the lands, properties and other rights which have been acquired by the municipality for the purposes of this chapter;

(8) assist the local planning commission or zoning board of adjustment or the district environmental commission, by providing advisory environmental evaluations where pertinent to applications made to those bodies, for permits for development;

(9) cooperate with the local legislative body, planning commission, zoning board of adjustment, road committee or other municipal or private organizations on matters affecting the local environment or the natural resources of the municipality;

(10) prepare, collect, publish, advertise and distribute relevant books, maps and other documents and maintain communication with similar organizations; and encourage through educational activities the public understanding of local natural resources and conservation needs;

(11) make a brief annual report to the municipality of its finances and transactions for the year just passed, and its plans and prospects for the ensuing year. (Added 1977, No. 250 (Adj. Sess.), § 1.)

#### **§ 4506. Disposition of property**

Land, rights or other property acquired by a municipality under this chapter shall not be sold or diverted to uses other than conservation or recreation except after approval by an affirmative vote of the voters of the town at the annual meeting. (Added 1977, No. 250 (Adj. Sess.), § 1.)