

Litchfield Heritage Commission

BY-LAWS & RULES OF PROCEDURE

TOWN OF LITCHFIELD, NEW HAMPSHIRE

Adopted by Litchfield Heritage Commission June 11, 2019

- I. Authority:** The Litchfield Heritage Commission (the Commission) was established by the voters of the Town of Litchfield in March 2018 (Town Meeting Warrant Article 12):

To see if the Town will vote to establish a Heritage Commission in accordance with the provisions of RSA 673 and RSA 674 with members of the Commission to be appointed by the Board of Selectmen. The Commission shall be comprised of five citizens with up to five additional citizens appointed as alternate members. The purpose of such a Commission is to advise and assist other local boards and commissions; conduct inventories; educate the public on matters relating to historic preservation; provide information on historical resources; and serve as a resource for revitalization efforts. A heritage commission can also accept and expend funds from a non-lapsing heritage fund, acquire and manage property, and hold preservation easements.

A Demolition Review Ordinance was also established by the voters of the Town of Litchfield in March 2018 (Town Meeting Warrant Article 3):

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town of Litchfield Zoning Ordinance as follows?

Adopt a new section 1040.00 “Demolition Review Ordinance” to allow for review of historic structures prior to demolition. The ordinance proposes a delay of up to 40 days prior to issuance of a demolition permit for structures built prior to 1960 and greater than 500 square feet that are architecturally, culturally or historically significant. This delay would allow an opportunity to consider preservation options or alternatives to demolition. This article shall take effect on July 1, 2018. This article is contingent on an

affirmative vote on Article 12, which establishes a Heritage Commission. Should Article 12 fail, this article will be null and void.

- II. Title:** The Commission is hereby designated as the “Litchfield Heritage Commission”.
- III. Purpose:** The Litchfield Heritage Commission is established in accordance with RSA 673 for the proper recognition, use, and protection of resources, tangible or intangible, primarily man-made, that are valued for their historic, cultural, aesthetic, or community significance within their natural, built or cultural contexts.
- IV. Powers:** Pursuant to RSA 674:44-b and in accordance with Warrant Articles 12 and 3 established by the voters of the Town of Litchfield in March 2018, the Commission shall have advisory and review authority, including but not limited to:
1. Survey and inventory all cultural resources.
 2. Conduct research as needed.
 3. Assist the Planning Board, as requested, in the development and review of those sections of the Master Plan which address cultural and historic resources.
 4. Advise, upon request, local agencies and other local boards in their review of requests on matters affecting or potentially affecting cultural and historic resources.
 5. Coordinate activities with appropriate service organizations and nonprofit groups.
 6. Publicize its activities.
 7. Receive gifts of money and property, both real and personal, in the name of the Town, subject to the approval of the Board of Selectmen, such gifts to be managed and controlled by the Commission for its proper purpose.
 8. Hold meetings and hearings necessary to carry out its duties.
- V. Appropriations and expenditures:** Pursuant to RSA 674:44-d upon establishment of the Litchfield Heritage Commission, the Town may appropriate money as deemed necessary to carry out its purposes. The whole money received pursuant to RSA 674:44-b shall be placed in a Heritage Fund and allowed to accumulate from year to year.

- VI. Membership:** Regular Members: The Selectmen shall appoint a Litchfield Heritage Commission comprised of five members. Membership on the Commission shall be as follows:
- a. Each member or alternate member shall be a resident of Litchfield.
 - b. One member shall include a selectman to act as an ex-officio member with the power to vote.
 - c. Not more than one member may be a member of the Planning Board.

The appointment of members shall conform to the terms and requirements of RSA 673:4-a and RSA 673:5.

Alternate Members: The Board of Selectmen may appoint, in addition to regular members, not more than five alternate members who may serve whenever a regular member is either absent or disqualifies himself or herself. The Chair shall designate an alternate to vote in his or her place; except that only the alternate designated by the Board of Selectmen for its ex-officio member shall serve in place of that member. When designated to vote, the alternate shall continue as a voting member until the end of the meeting unless the regular member for whom the alternate is voting subsequently joins the meeting, in which case the alternate shall continue as a voting member only until the immediate issue under consideration is decided. All voting and non-voting members may participate in all discussions.

Appointment: The ex-officio member from the Board of Selectmen and any member from any town board or commission shall be appointed by vote of their respective boards. All other regular members and alternates shall be appointed by the Board of Selectmen with recommendations from the Commission.

Qualifications: In determining each member's qualifications the Board of Selectmen shall take into consideration the appointee's demonstrated interest and ability to understand, appreciate and promote the purpose of the Heritage Commission.

Terms: Except as provided for in RSA 673:5 I (b), the term of the ex-officio member shall coincide with the term for that other office. The

term of all other regular and alternate members shall be three years in accordance with RSA 673:5 II.

Removal: Members may be removed for cause in a manner provided by RSA 673:13. Pursuant to RSA 673:13 I, after a public hearing, appointed members and alternate members of an appointed local land use board may be removed by the appointing authority upon written findings of inefficiency, neglect of duty, or malfeasance in office.

VII. Officers: Election of Officers: The Commission shall elect, by a majority vote at its annual meeting (the first regular meeting after the town meeting or within 30 days thereof) the following officers from among its membership. The term of each officer shall be limited to one year; however any officer shall be eligible for re-election. Neither an ex-officio nor an alternate member shall serve as Chair.

Chair: The Chair shall preside at all meetings of the Commission and shall have the duties normally conferred on such officers. The Chair shall appoint such Committees as directed by the Commission, including one member of the Commission who shall act as Chair of such Commission. As directed by the Commission, the Chair may affix his/her signature in the name of the Commission to all correspondence of documents from the Commission. The Chair shall approve the agenda for all regular meetings and special meetings of the Commission. The Chair or the Commission's designee shall act as the official spokesperson for the Commission and/or prepare an annual report. In the absence of administrative staff, the Chair or his/her designee shall be responsible for the records of the meeting.

Vice Chair: The Vice- Chair shall act for the Chair in his/her absence and shall adhere to all requirements set forth for the Chair.

Secretary: The Secretary shall act as Chair in the absence of the Chair and Vice-Chair, or may appoint a designee to act as Chair with permission of the Commission. In the absence of the Secretary, the Commission may appoint another member to act as Secretary. The Secretary shall record the minutes of the meetings of the Commission and

shall uphold the requirements of RSA 91-A.

VIII. Members and their duties: Members: Members are expected to attend all regular, special, annual meetings and joint meetings and hearings involving the Commission. If a member cannot be present at any meeting they shall notify the Chair or acting Chair prior to the meeting of his/her inability to attend.

The following general rules of procedure shall govern the conduct of the meeting.

Quorum Required: A majority of the membership of the Commission (3) shall constitute the quorum necessary in order to transact business as any meeting.

Records Required: Minutes of the events of the meeting shall be taken and shall include the names of members in attendance, persons appearing before the Commission, a brief description of the topics discussed, and a record of any actions taken or recommendations from the Commission to boards or respective parties. All records must meet the requirements of RSA 91-A.

Work or Work Sessions: Work or work sessions may be convened as a whole or as a committee of the whole in the same manner as special meetings, provided that no quorum shall be required and that no official action shall be taken.

Special Meetings: Special meetings of the Commission shall take place at the call of the Chair or as the Commission deems necessary. All special meetings shall be open to the public, unless otherwise noticed and conducted in strict accordance with RSA 91-A:3.

Joint Meetings and Hearings may be held pursuant to RSA 676:2.

Non-Public Sessions: May be held in accordance with RSA 91-A.

IX. Amendments:

Amendments: These by-laws and rules of procedure may be amended at any regular meeting session of the Commission by a majority of the Commission, provided that Commission members have been notified of the meeting to amend two weeks in advance of said meeting by mail or email.

Filing with the Town Clerk: These by-laws and any amendments thereto shall be placed on file with the Town Clerk for public inspection. A complete set of by-laws, as amended, shall be attached to the minutes of the Commission meeting in which they were amended and finalized.

Effective Date: These by-laws and any subsequent amendments shall become effective immediately upon passage by the Commission as recorded in the minutes of the meeting at which such action occurs.

Severability: If any section, subsection, sentence, clause, phrase other part of these Rules of Procedure is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of these Rules of Procedure.