

**TOWN COUNCIL
Town of Falmouth, Maine
March 27, 2013**

An Ordinance Amending Chapter 2- Administration, Article III, Boards, Committees and Commissions, Division 1, Generally

Be it ordained by the Town Council of the Town of Falmouth, Maine in Town Council assembled, that the Falmouth Code of Ordinance be amended as follows:

Sec. 2-43. - Terms reorganization of December 2008.

- (a) *Board of appeals.* Notwithstanding anything in [section 2-62](#) of this Code to the contrary, the terms of all regular and alternate members of the board of appeals serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, one (1) regular member shall be appointed for a one-year term; two (2) regular members shall be appointed for two-year terms; two (2) regular members shall be appointed for three-year terms; and two (2) alternate members shall be appointed for one-year terms. All appointments thereafter shall be for three-year terms. If as of the expiration of his or her term on December 31, 2008, a member of the board of appeals has served between eighteen (18) and twenty-four (24) months of his or her second term, such time shall not count as a term for the purposes of computing term limits, provided, however, that thereafter he or she is appointed to a one-year term. If any member has served less than eighteen (18) months of his or her current term as of December 31, 2008, the period served shall not be considered a "term" for purposes of computing term limits.
- (b) *Long range planning advisory committee.* Notwithstanding anything in [section 2-70](#) of this Code to the contrary, the terms of all members of the comprehensive plan advisory committee serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, two (2) members shall be appointed for one-year terms; two (2) members shall be appointed for two-year terms; and three (3) members shall be appointed for three-year terms. All appointments thereafter shall be for three-year terms.
- (c) *Conservation commission.* Notwithstanding anything in [section 2-75](#) of this Code to the contrary, the terms of all members of the conservation commission serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, two (2) members shall be appointed for one-year terms; two (2) members shall be appointed for two-year terms; and three (3)

members shall be appointed for three-year terms. All appointments thereafter shall be for three-year terms.

- (d) *Falmouth Harbor/Waterfront Committee.* Notwithstanding anything in [section 9-92](#) of this Code to the contrary, the terms of all members of the town harbor/waterfront committee serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, two (2) members shall be appointed for a one-year term; two (2) members shall be appointed for two-year terms; and three (3) members shall be appointed for three-year terms. All appointments thereafter shall be for three-year terms.
- ~~(e) *Falmouth Trails Advisory Committee.* Notwithstanding anything in [section 2-136](#) of this Code to the contrary, the terms of all members of the Falmouth Trails Advisory Committee serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, two (2) members shall be appointed for one-year terms; two (2) members shall be appointed for two-year terms; and three (3) members shall be appointed for three-year terms. All appointments thereafter shall be for three-year terms. If any member has served less than eighteen (18) months of his or her current term as of December 31, 2008, the period served shall not be considered a "term" for purposes of computing term limits.~~
- (f) *Parks and community programs advisory committee.* Notwithstanding anything in [section 2-85](#) of this Code to the contrary, the terms of all members of the parks and community programs advisory committee serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, two (2) members shall be appointed for a one-year term; two (2) members shall be appointed for two-year terms; and three (3) members shall be appointed for three-year terms. All appointments thereafter shall be for three-year terms.
- (g) *Planning board.* Notwithstanding anything in [section 2-97](#) of this Code to the contrary, the terms of all regular and alternate members of the planning board serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, one (1) regular member shall be appointed for a one-year term; two (2) regular members shall be appointed for two-year terms; two (2) regular members shall be appointed for three-year terms; and two (2) alternate members shall be appointed for one-year terms. All appointments thereafter shall be for three-year terms. If as of the expiration of his or her term on December 31, 2008, a member of the planning board has served between eighteen (18) and twenty-four (24) months of his or her second term, such time shall not count as a term for the purposes of computing term limits,

provided, however, that thereafter he or she is appointed to a one-year term. If any regular member has served less than eighteen (18) months of his or her current term as of December 31, 2008, the period served shall not be considered a "term" for purposes of computing term limits.

- (h) *Shellfish conservation commission.* Notwithstanding anything in [section 9-54](#) of this Code to the contrary, the terms of all members of the shellfish conservation commission serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, one (1) member shall be appointed for a one-year term; two (2) members shall be appointed for two-year terms; and two (2) members shall be appointed for three-year terms. All appointments thereafter shall be for three-year terms.
- (i) *Board of assessment review and sewer appeals.* Notwithstanding anything in [section 2-69](#) of this Code to the contrary, the terms of all members of the board of assessment review serving on the date of enactment of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, one (1) member shall be appointed for a one-year term; two (2) members shall be appointed for two-year terms; and two (2) members shall be appointed for three-year terms. All appointments thereafter shall be for three-year terms. If as of the expiration of his or her term on December 31, 2008, a member of the board of assessment review has served between eighteen (18) and twenty-four (24) months of his or her second term, such time shall not count as a term for the purposes of computing term limits, provided, however, that thereafter he or she is appointed to a one-year term. If any regular member has served less than eighteen (18) months of his or her current term as of December 31, 2008, the period served shall not be considered a "term" for purposes of computing term limits.
- (j) *Human services committee.* Notwithstanding anything in any order or section to the contrary, the terms of all members of the human services committee serving on the date of adoption of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, one (1) member shall be appointed for a one-year term; one (1) member shall be appointed for a two-year term; and one (1) member shall be appointed for a three-year term. All appointments thereafter shall be for three-year terms.
- (k) ~~*Open space implementation subcommittee.* Notwithstanding anything in any order or ordinance to the contrary, the terms of all members of the open space committee serving on the date of adoption of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, three (3) members shall be appointed for one year terms; three (3) members shall be appointed for two year terms; and~~

~~three (3) members shall be appointed for three-year terms. All appointments thereafter shall be for three-year terms.~~

- (l) *Ad hoc committees.* The terms of all members of ad hoc committees appointed by the town council, including but not limited to the community facilities planning committee, the green ribbon commission, and the workforce housing committee, serving on the date of adoption of this section and all positions vacant on that date shall expire on December 31, 2008, provided that members serving on December 31, 2008, shall continue to serve until their successors are appointed and qualified. Beginning January 1, 2009, all members of all of the ad hoc committees noted above shall be appointed for a term of up to one (1) year or less at the discretion of the town council. All appointments thereafter shall be made at the discretion of the town council and shall be for terms of up to one (1) year or less.
- (m) *Expiration of terms.* Upon the expiration of their terms on December 31 of each year, all members serving on the boards, committees, and commissions for the town shall continue to serve until their successors are appointed and qualified.

(Amd. of 12-8-2008; Amd. of 3-23-2009; Amd. of 12-13-2010)