

**TOWN COUNCIL**  
**Town of Falmouth, Maine**  
**~~March 27~~ April 22, 2013**

**An Ordinance Amending Chapter 2- Administration, Article III, Boards, Committees and Commissions, Division 11, Land Management and Acquisition Committee**

**The current Division 11 is hereby removed in its entirety and replaced with the following pertaining to the creation of the Land Management and Acquisition Committee:**

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:

**ARTICLE III. - BOARDS, COMMITTEES AND COMMISSIONS**

**DIVISION 11. - ~~FALMOUTH TRAILS ADVISORY COMMITTEE~~ LAND MANAGEMENT AND ACQUISITION COMMITTEE**

**Sec. 2-136. – Creation and Statement of Purpose**

- (a) The ~~T~~own ~~c~~ouncil does hereby establish a land management and acquisition committee (LMAC).
- (b) Land management and acquisition shall include acquisition planning and evaluation, managing the town's designated open space and conservation lands including all accessory uses, trails and facilities. Management and oversight shall be accomplished in ways that provide benefits to the community, including recreation, outdoor education, protection of water quality, providing high quality wildlife habitat, and forestry management in a manner consistent with current town ordinances and best professional land management practices.
- (c) Nothing in Sections 2-136 through 2-139 shall be construed to conflict with or usurp any duties, powers, or functions of the parks and community programs department nor the powers and duties heretofore conferred upon the town tree warden.

**Sec. 2-137. - Appointment, terms, officers.**

- (a) The ~~T~~own ~~c~~ouncil shall appoint a standing committee of ~~seven-five~~ (75) members made up of ~~seven-five~~ (75) citizens of the town to serve without pay for (3) three-year terms. And further, the ~~Land Management Committee~~ LMAC should include citizens with an interest and/or experience in land management, conservation and recreation, such interest and experience could include but not be limited to: members or former members of the Conservation Commission; Falmouth Land Trust; trail and land

~~maintenance volunteers; trail recreational use clubs or organizations; forestry management professionals; biologists; ecologists; and real estate professionals. consist of the following persons or persons with similar roles and interests to include:~~

- ~~(1) a member of the Conservation Commission~~
- ~~(2) a Falmouth Land Trust representative~~
- ~~(3) a member of the Falmouth Conservation Corps~~
- ~~(4) a representative of an organized group with an interest in recreation use on town conservation lands~~
- ~~(5) a representative from the Real Estate profession or similar business interest~~
- ~~(6) Open Space Ombudsman~~
- ~~(7) a citizen with interest and experience in land management~~

-In addition, the Falmouth Land Trust Executive Director shall serve as ex-officio member.

- (b) The ~~P~~arks and ~~the C~~ommunity ~~p~~rograms ~~d~~irector and/or designee(s) will provide staff support to the committee.
- (c) The initial standing committee shall consist of ~~the town ombudsman~~, one (1) member appointed for one (1) year, two (2) members appointed for two (2) years and ~~three-two~~ (32) members appointed for three (3) years. Thereafter members shall be appointed for periods of three (3) years.
- (d) The committee shall annually choose one (1) of its own members to serve as chair.
- (e) The Town Council, at its annual organizational meeting, shall appoint a council liaison to this committee

#### **Sec. 2-138. - Meetings; reports.**

Meetings are to be called by the chair. It is the responsibility of land management committee to report as needed to the Town Council. It is further the duty of the committee to prepare an annual report, periodic work plan and budget requests, as needed, to the Town Council for its review and approval.

#### **Sec. 2-139. - Powers and duties.**

~~The Land Management Committee~~LMAC shall advise on matters related to the management of the town's designated open space and conservation lands and further shall:

- (1) Develop procedures for how conservation land and associated facilities are created, acquired, managed and maintained in accordance with town ordinances.
- (2) Provide advisory assistance to the town council for matters pertaining to the acquisition and management of conservation lands, including but not limited to policy and ordinance development and land use.

- (3) Create management plans for each designated conservation property owned by the town.
- (4) Produce information and guidance for the public regarding trails, land, and public facilities in Falmouth.
- (5) Recommend funding levels for the acquisition of new properties and for the management of existing properties.

**Sec. 2-140-147. - Reserved.**