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The Town of Washington, Connecticut

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Search

Ordinance To Establish An Open Space And Land Acquisition Fund

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TOWN OF WASHINGTON

ORDINANCE TO ESTABLISH AN OPEN SPACE and LAND ACQUISITION FUND

Section I: Purpose

Pursuant to the provisions of CGS 7-148(c)(2)(K), the Town of Washington does hereby create a special fund for the protection and preservation of Washington's natural resources and rural character. The fund shall be known as the Open Space and Land Acquisition Fund. Such fund shall not lapse at the end of the municipal fiscal year.

Section II: Sources of Funding, Investments, and Limitations on Use of Fund

A. In addition to such sums as may be appropriated by the Town for deposit into said Open

Space and Land Acquisition Fund, The Town is authorized to and shall deposit all monies received by it, from whatever source, as monetary gifts for the acquisition and preservation of open space, including fees, monetary gifts, grants and loans, unless otherwise restricted, into said Open Space and Land Acquisition Fund.

B. In addition, fees to the Town collected in lieu of any requirement to provide Open Space pursuant to CGS 8-25 and 8-25b and as authorized by the Washington Planning Commission pursuant to the Washington Subdivision Regulations, shall also be deposited into said Open Space and Land Acquisition Fund.

C. Said Fund shall be in the custody of the Town Treasurer. All or any part of the monies in said Fund may be invested in any securities in which public funds may be lawfully invested. All income derived from such investment shall be placed into the Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal for use as hereinafter set forth.

D. No sums contained in said Open Space and Land Acquisition Fund, including interest and dividends earned, shall be transferred to any other account within the

Town budget. No expenditures shall be made from said account except in accordance with the provisions of this Ordinance.

Section III: Expenditures from Fund

A. The continuation of the Open Space and Land Acquisition Fund shall be perpetual, notwithstanding that from time to time said Fund may be unfunded.

B. Expenditures shall be made from the Open Space and Land Acquisition Fund only in accordance with the following procedures and requirements:

1. Said expenditures shall be made exclusively for the appraisal, acquisition and preservation costs relating to parcels of land or easements, interests or rights therein, the use of which shall be limited to retention of the parcel in its natural condition or the protection of natural resources for passive recreational or agricultural purposes.

2. Recommendations for the appropriation for acquisition of any parcel and/or easement, right, or interest therein, including the sum to be expended, shall be approved by a vote of the Washington Conservation Commission and forwarded to the Planning Commission Board for a report in accordance with CGS 8-24.

3. Following review by The Planning Commission, and incorporation of any changes approved by vote of the Conservation Commission, any recommendation for appropriation of monies for acquisition shall be forwarded to the Board of Selectmen for approval and thence to the Board of Finance.

4. Following the approval of such recommendation by the Board of Finance for the appropriation of funds, the Board of Selectmen shall present it for vote at a duly-warned and noticed Annual or Special Town Meeting.

5. That upon recommendation of the Chair of the Conservation Commission, the Board of Selectmen shall have authority to spend up to \$6,000.00 per potential acquisition for expenses incurred in investigation as to the suitability of land for acquisition by the Town of Washington. Such expenses shall include payment for the services of real estate appraisers, soil scientists, environmental planners and the like.

This ordinance shall become effective **November 1, 2003**.

Section 5 was approved as an amendment on August 25, 2005 and will take effect fifteen days after publication in accordance with Connecticut General Statutes Section 7-157 (**September 18, 2005**).