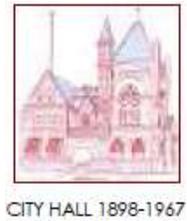




Inland Wetland Watercourse Agency, City of West Haven
By-Laws



ARTICLE I

Purpose and Authorization

The objectives and purposes of the West Haven Inland Wetlands and Watercourses Agency are those set forth in The Connecticut General Statutes sections 22a-36 through 22a-45 as amended, and those powers and duties delegated to the West Haven Inland Wetlands and Watercourses Agency by the aforementioned statutes and by ordinance of the City of West Haven

ARTICLE II

Name

The Agency shall be known as “The West Haven Inland Wetlands Watercourse Agency.”

ARTICLE III

Office

The office of the Inland Wetlands Watercourse Agency shall be the Planning and Development Office of the City of West Haven at the Town Hall 355 Main St, CT where all Agency records shall be kept. Copies of all official documents, records, or maps will be filed in the Planning and Development Office or recorded in the Office of the Town Clerk.

ARTICLE IV

Membership and Limits of Authority

Section 1. The Commission shall consist of six (6) Regular members plus two (2) alternates.

One Chairperson, one Vice Chairperson, four regular Commissioner's, two Alternates.

Section 2. The commissioners shall have full authority to perform duties and functions of the agency based on regulations established by the Agency, City of West Haven and Connecticut General Statutes.

Section 3. New Commission members including alternates are legally seated after being sworn in by the Town Clerk or agent acting for the Town Clerk. Terms of all Members is five years(5)

Section 4. All vacancies, which occur involving a regular member of the Agency, shall be filled from the two (2) alternates for the remaining portion of the term by a majority vote of all the regular members of the Agency. Any city resident may fill vacancies, which occur involving an alternate member of the Agency, for the remaining portion of the term. Alternate applicants may be presented to the agency at any time.

Section 5. The Agency is the unit of authority. Apart from the normal function as part of the unit, Agency members have no individual authority. Additionally, as a member of the Agency, the member is bound by the City of West Haven Code of Ethics and is expected to conduct themselves in such a manner as to reflect favorably on the Agency and the City of West Haven. The Agency member does not represent any one segment of the community, but is rather a part of the body which represents and acts for the community as a whole.

Section 6 Commissioners of the Inland Wetlands Watercourse Agency are expected to attend all regularly scheduled meetings and hearings and are asked to call the Planning and Development office if they are unable to attend a meeting.

Section 7. A Commissioner failing to attend a minimum of 50% of the scheduled agency meetings may be replaced by the Agency Chairman upon a majority vote after a motion is made from the membership. The Chairman has discretion to excuse Commissioners who have missed meetings for reasonable reasons such as work schedules or medical issues.

ARTICLE V
Officers and Their Duties

Section 1. The officers of the Agency shall be regular members and shall consist of a Chairperson and a Vice-Chairperson

Section 2. The Chairperson shall preside at all meetings and hearings of the Agency and shall have the duties normally conferred by parliamentary usage on such officer. The Chairperson shall prepare the agenda of regular and special meetings. The Chairperson shall have the authority to appoint temporary alternates, sit at hearings and meetings, appoint committees, call special meetings, coordinate Agency business with the Planning and Development Office Staff, and generally perform other duties as may be prescribed in these by – laws or required by the City of West Haven.

Section 3. The Chairperson shall be a Agency Commission member and have the privilege of discussing all matters before the Agency and voting thereon.

Section 4. The Vice Chairperson shall act for the Chairperson in his/her absence and have all the authority to perform the duties prescribed for that office. The Vice Chairperson shall be a Agency Commission member.

Section 5. The Chairperson or the Chairperson's representative shall attend any hearing where an appeal is made on a ruling or order of the commission. They shall when requested offer information based on the Inland Wetland Watercourse Agency's findings.

ARTICLE VI
Election of Officers

Section 1. An organizational meeting shall be conducted prior to term completion or when required by a resignation. All officers shall be elected to a term consistent with their commission appointment of five years.

Section 2. Nominations shall be made from the floor at the Meeting or at the next regularly scheduled meeting of the Agency In the event that a majority of regular members of the Agency are not present at the meeting and the election of officers specified in Section 1 of Article V is required.

Section 3. The candidate receiving the majority vote of a quorum of those present and voting shall be declared elected and shall serve for five years or until his successor shall take office.

Section 4. Vacancies in offices shall be filled at the next regularly scheduled Agency meeting by regular election procedure as prescribed in these by-laws. A quorum of regular members should be present before an election of officers can take place. In the event that a majority of regular members (Quorum) of the Agency are unable to attend the meeting, a meeting to elect officers shall be called for the next regularly scheduled meeting of the Agency following the Election Meeting. At that time the Chairperson shall designate an alternate to vote for any absent regular member of the Agency and the election of officers shall go forward as long as a quorum is present.

Section 5. Resignations from the Agency shall be in written form and transmitted to the Chairperson, who will then forward it to the Town Clerk.

ARTICLE VII Meetings

Section 1. Regular meetings of the Agency will be held on the 3rd Tuesday of each Month at 6:30 PM. In the event of conflict with holidays or other events, a majority of the membership at any meeting may change the date and/or time of said meeting. The Agency shall file the schedule of regular meetings for the ensuing year with the Town Clerk no later than thirty days (30) prior to the first scheduled meeting of the new year.

Section 2. All regular meetings and hearings shall be concluded or continued after the time of 10:00 pm. By majority vote of the Agency, the hearing or meeting may be extended beyond that time.

Section 3. An agenda of each regular meeting shall be posted at the Planning and Development Office and mailed to each member of the Agency at least twenty-four (24) hours in advance of such meeting. Other business may be considered at a regular meeting by an affirmative vote of two thirds (2/3) of the members present. Notice and agenda for any special meeting shall be filed in the office of the Town Clerk at least twenty –four (24) hours in advance of such special meeting. No other business shall be considered at a special meeting.

Section 4. A majority of the regular members shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of those members present, with the exception noted in Article VI, Section 1.

Section 5. All Agency meetings shall be in accordance with the General Statutes of the State of Connecticut.

Section 6. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at the meetings of this Agency.

ARTICLE VIII Disqualification

Section 1. All members shall conduct themselves according to the City of West Haven Ethics Policies. No member of the Inland Wetland Agency, whether existing under the general statutes or under any special act, shall appear to represent any person, firm, or corporation or other entity in any matter pending before the Inland Wetland Agency.

Section 2. No member of the Inland Wetland Agency shall participate in the hearing or decision of the Agency of which he/she is a member on any matter in which he/she is directly or indirectly interested in a personal or financial sense. If in the event of such disqualification, such fact shall be entered on the records of the Agency and, unless otherwise provided by special act, replacement shall be made from alternate members. Such alternate member shall act as a member of such Agency in the hearing and determination of the particular matter or matters in which the disqualification arose.

ARTICLE IX Order of Business

Section 1. The order of business at regular meetings shall be in accordance with the posted agenda.

Section 2. A motion from the floor must be made and passed in order to dispense with any item on the agenda or to change the order of business.

Section 3. Additional discussions may be conducted on any complaint or concern issued by a resident if deemed to be in the best interest of the Inland Wetland Watercourse Agency, City or residents during the staff reports portion of the normal meeting. Items deemed to require further formal discussion can be referred to the next regularly scheduled meeting.

ARTICLE X

Hearings

Section 1. The Agency shall hold public hearings as required by CGS 22a-36 and 22a-45 and the West Haven Inland Wetland Regulations in which the Agency determines that (a) a proposed activity may have a significant impact on wetlands or watercourses, (b) a petition signed by at least fifteen (15) persons who are residents of the City of West Haven and over eighteen (18) years of age requesting a hearing is filed in the Town Land Use Office no later than ten (10) business days after the receipt of such application, or (c) the Agency finds that a public hearing regarding such application would be in the public interest.

Section 2. All public hearings prescribed by law shall be held in accordance with the requirements set forth for such hearings in the Inland Wetland Regulations of the City of West Haven and the Connecticut General Statutes.

Section 3. All public hearings prescribed by law shall be advertised in accordance with the requirements set forth for such hearings in the City of West Haven Inland Wetland Regulations and the Connecticut General Statutes.

Section 4. The proceedings of said hearing shall be recorded by a sound recording device or a competent stenographer shall take the evidence where the right to appeal lies in the Connecticut Superior Court. Recorded proceedings shall be considered part of the permanent record of the Agency.

Section 5. The matter before the Agency shall be presented in summary by a member of the Agency designated by the Chairperson, or staff members, and the parties in interest shall have the privilege of the floor.

Section 6. To expedite the proceedings of the hearing and to cause a better understanding of the issue involved, the Agency may have prepared prior to the hearing, a hearing agenda and visual aids for display and presentation during the discussions of the hearing.

ARTICLE XI

Conducting the Public Hearing

Section 1. The Chairperson of the Agency shall preside at the public hearing. In the event of his/her absence, the Vice Chairperson or duly appointed Agency member shall act as the presiding officer.

Section 2. A Agency shall read the legal advertisement and note the dates and newspapers in which the advertisement appeared.

Section 3. A Summary of the question or issue shall be stated by the presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for hearing. In any event, the Agency shall have the privilege of speaking first.

Section 4. The Chairperson shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. Each group shall make its presentation in succession without allowing intermixture of comments pro and con.

Section 5. It shall be made clear at the hearing that all questions and comments must be directed through the chairperson only after being recognized by the presiding officer.

Section 6. All persons recognized shall approach, when possible, the hearing table to facilitate proper recording of comments. Before commenting on the matter before the hearing each person shall give his name and address.

Section 7. The presiding officer shall reserve the right to assure an orderly hearing and shall take the necessary steps to maintain the order and decorum of the hearing at all times.

Section 8. The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations of the regular meeting of the Agency.

ARTICLE XII City Employees

Section 1. Within the limits of the funds available to its use, the Agency may utilize such city staff personnel and/or consultants as it sees fit to aid the Agency in its work. In addition thereto, the Agency is authorized to charge the fees specified in the regulations adopted by the City of West Haven pursuant to the provisions of the Connecticut General Statutes.

Section 2. The Inland Wetlands Agency may appoint a certified agent or agents to act in its behalf with the authority to inspect property, and issue notice of violations or cease and desist orders and carry out other actions or investigations necessary for the enforcement of these regulations.

Section 3. The agency may delegate to its duly authorized agent the authority to approve or extend an activity that is not located in a wetland or watercourse when such agent finds that the conduct of such activity would result in no impact on any wetlands or watercourses provided such agent has completed the comprehensive training program developed by the Commissioner of Environmental Protection pursuant to The Connecticut General Statutes.

Section 4. The Engineering Department serves the technical and information needs of The West Haven Inland Wetland Watercourse Agency. As part of the Public Works Department, the Engineering Department works with design layouts for town requirements and applications by residents and businesses.

The Engineering Department maintains and updates maps and drawings relied on by the ILWL agency.

ARTICLE XIII Committees

Section 1. Special committees may be appointed by the Chairperson for purposes and terms which the Agency approves.

ARTICLE XIV Amendments

Section 1. These by laws may be amended by a two-thirds vote (4 members) of the entire membership of the Agency only after the proposed change has been read and discussed at a previous regular meeting. The by laws may be changed at any meeting by a unanimous vote of the entire membership of the Agency. Yearly review for updating or modifications should be conducted during the January meeting unless a delay is proposed by membership and receives a majority vote.

William Kane

Chairman ILWL

Approved by vote 4/21/2015