

Portsmouth Harbor Commission By-Laws

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TOWN CLERK

Article I - Name, Authority and Objectives

Section I - Name

The name of the organization shall be the Portsmouth Harbor Commission

Section II - Duties and Authority

The Harbor Commission shall be the local advisory body authorized by the Town Council to assist the Town in the management of the coastal waters and harbor assets of the town. It operates under the authority of and at the will of the Portsmouth Town Council.

Section III - Objectives

The commission shall provide structure to the operation and regulation of the town's coastal resources by creating and helping to implement the Harbor Management Plan and the Harbormaster Ordinance. This shall be done in compliance with RIDEM and CRMC regulations, and with the guidance of the Town Planning Department. The plan and ordinance shall be reviewed annually and updated at least once every five years.

The Commission shall make annual recommendations on mooring fees and the Harbormaster budget.

The Commission shall monitor Town coastal resources such as docks, bulkheads, ROW's and boat ramps. It shall annually make recommendations to the Town Administrator and Town Council for the maintenance, repair, and improvement of those resources.

The Commission may also provide operational support to the Harbormaster as required.

The Commission may also recommend projects to be funded by grants and with approval of the Council apply for and manage grants covering harbor improvement projects.

The Commission may also work with state regulators to assure Town plans and operations comply with the changing state regulations.

Article II - Membership

Section I - Member Numbers

The commission shall maintain a membership of not more than 12 nor less than 9. Members will be Portsmouth electors selected and approved by the Town Council.

Section II - Member Selection

An attempt will be made to select members from all groups concerned with harbor management issues including: Riparian property owners, Prudence and Hog Island residents, recreational boaters, environmental advocates, mooring holders, commercial and recreational fishermen, commercial waterfront business people, marine industry business people and those with related technical expertise or knowledge such as marine law. Preference in recruitment and selection for membership will be given to applicants with residency, experience or skills not already represented.

Section III - Non Voting Members

Non voting, advisory members may be appointed to the Commission by the Town Council. These shall include but not be limited to: a Town Council Liaison and the Harbormaster.

Section IV - Term

Members will be appointed to staggered renewable 3 year terms.

Section V - Compensation

Harbor Commission members shall serve without pay, but may be compensated for expenses incurred in performance of their duties

Section VI - Removal of Members

Members not attending five or more scheduled meetings within a years time may be requested to resign or be removed by a vote of the sitting membership and approval of the Town Council.

Article III - Governance

Section I - Election of Officers

Officers will be nominated by the membership and elected to the offices of Chairperson, Vice Chairperson, and Secretary by a simple majority.

Section II - Term of Officers

Officers will be elected to two year terms

Section III - Duties of Officers

Chairperson. The chairperson shall be the Chief Officer with the power and the duty to enforce and interpret the by-laws. The Chairperson shall prepare the agenda, preside over and conduct regularly scheduled harbor Commission Meetings in accordance with the RI Open Meetings Act. The Chairperson shall represent the Harbor Commission with the Town Council and municipal authorities in matters related to the Harbor.

Vice Chairperson. The Vice Chairperson will assist the Chairperson in the performance of his duties. The Vice Chairperson will oversee special projects assigned to Commission members and will assume the Chairperson's duties in his absence.

Secretary. The Secretary shall insure minutes are taken, maintain the official files and assist the Chairperson with official Commission correspondence.

Article IV - Meetings

Section I - Regular Meeting.

The Commission shall meet a minimum of ten times a year, usually monthly at dates and times to be selected by the members. The meetings must comply with the Rhode Island Open Meetings Act.

Section II - Quorum.

A majority of the members of the Commission must be present to conduct business, and a majority of those present will rule.

Section III - Sub Committee Meetings.

As deemed necessary, sub groups of less than a quorum may be formed and meet to discuss the projects they are undertaking for the Commission. The products of these meetings will be subject to approval of the Commission as a whole at a regular meeting.

Section IV - Special Meetings.

Special meetings may be called by the Chairperson to address time sensitive or emergency issues.

Article V - Amending the Bylaws

Section I - Amendments.

These bylaws may be amended by distributing the intended amendment at a regular meeting and then a 2/3 majority vote of the membership attending the next regular meeting followed by the subsequent endorsement of that change by the Town Council.