

**Definition of Public Open Space.
Town of Fairfield Ordinances, Chapter 35:
Real Property Management**

§35-12. Designation of use of acquired land.
(Added: 10/25/1999)

D. Change in use. If the use or administration of any town property, including open space, as defined in Subsection B is proposed to be changed, such change shall be conditioned upon the approval of the RTM.

The RTM may request the recommendation of the board or commission administering the property before approving the change.

N.B.: “use or administration” (not “use and administration”), which may be taken severally or together;

- 1] most open spaces have a designated (or range/multiple of) “use.”
- 2] the term “administration” carries no special meaning in law;
 - a) it refers to “management,” “direction,” or functional state.

Legislative History:

Referred to Land Acquisition Commission, 1998

(From the 8/23/1999 RTM exhibit #9):

§ 35-12 Designation of Use of Acquired Land

§1 Legislative Findings

“On June 22, 1998, the RTM passed a resolution expressing its intention of expending up to \$13.5M for the purchase of property for the Town. Members of the RTM have expressed concern about the manner in which Town property is designated for use. The Legislative and Administrative Committee of the RTM held a public meeting on this matter on April 8, 1999 to obtain further information about how Town property is designated and administered. The RTM finds that there is no clear process in state statues, the Town Charter, or the Town Code for designating property as to use upon acquisition, determining management and administrative responsibility for such property, and changing such use designation and management, as necessary, in the future. Therefore, the RTM desires to establish such a process.”

As acknowledged
on the Town’s own website:
“About
the Conservation Commission”

Powers and Duties

Duties include:

- Conducting investigations into the use and possible uses of land.
- Keeping an index of all open spaces, whether publicly or privately owned, to ensure these spaces are being proper used.
- Recommending plans for development and use of open areas.
- With the approval of the RTM, considering acquisitions of land and easements in the name of the town and promulgating rules and regulations for the use of the land and easements.