

**TOWN OF WEATHERSFIELD, VERMONT**  
**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION POLICY**

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**I. AUTHORITY**

The Town of Weathersfield, Vermont, does hereby adopt this Residential Anti-Displacement and Relocation Policy required by the provisions of the *Housing and Community Development Act of 1974*, as amended [42 U.S.C. 5301, *et seq*], and the provisions of 24 C.F.R., Part 42, and as a condition of receiving funding under the Vermont Community Development Program [hereinafter referred to as the **V.C.D.P.**].

**II. DEFINITIONS**

(A) A **low/moderate income dwelling unit** is a unit with a market rent, including utility costs, at or below the applicable Fair Market Rent for existing 'Section 8' housing;

(B) The **size of a unit** is determined by the number of bedrooms contained therein.

**III. PROVISIONS**

**First**, consistent with the goals and objectives of the activities assisted under the V.C.D.P., the Town of Weathersfield will take steps to minimize the displacement of persons from their homes.

**Second**, the Town of Weathersfield will provide relocation assistance to all low/moderate income households displaced by activities assisted with funds under the V.C.D.P..

**Third**, to the extent required under the provisions of 24 C.F.R., Section 42.375, the Town of Weathersfield will replace, on a one-for-one basis, all occupiable and vacant low/moderate income housing units demolished or converted to a use other than low/moderate income housing units as a direct result of activities assisted with funds under the V.C.D.P..

**Fourth**, before obligating or expending V.C.D.P. funds that will result in such demolition or conversion, the Town of Weathersfield will make public and certify, in writing, to the Vermont Agency of Commerce and Community Development the following:

1. A description of the proposed assisted activity;
2. A location on a map and the number of dwelling units, by size, what will be demolished or converted to use other than low/moderate income dwelling units;
3. A time schedule for the commencement and completion of the demolition or conversion;

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4. The location on a map and the number of dwelling units by size that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least ten (10) years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low/moderate income households in the Town of Weathersfield.

**IV. INCONSISTENT POLICIES REPEALED**

This Policy shall amend and replace any provisions of any policy of the Town of Weathersfield in effect at the time of enactment of this Policy governing any activity included in this Policy.

**V. SEVERABILITY**

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Policy, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Policy or any part thereof.

The Select Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

**VI. EFFECT**

No section of this Policy shall be construed to supersede or replace any Federal law or Vermont statute.

This Policy shall be entered in the minutes of the Select Board's meeting.

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The foregoing Policy is hereby adopted by the Selectors of the Town of Weathersfield, Vermont, this first day of September, 2005, and is effective as of this date until amended or repealed.

C. Peter Cole, Chairperson

Henry C. Cobb, Jr., Vice Chairperson

Norman John Arrison, Board Clerk

Patricia W. Daniels