The Charter is the organic law of the Town of Wilton that provides the rules for administration of the Town's operations. Any official matters not specifically addressed in the Charter related to the administration of the Town's business and not covered by local ordinance are governed by the General Statutes of the State of Connecticut and any Special Acts that might be applicable.


The Charter sets forth the structure of the Town of Wilton's governing bodies. These bodies include the Town Meeting, which constitutes the primary legislative body, and leadership by a Board of Selectmen, including a salaried First Selectman.

The Charter is broken down into "Articles" that outline how the Town is governed and the responsibilities and roles played by its elected leaders and citizens. The "Articles" provide the rules for the Town Meeting, the First Selectman and Board of Selectman, Ordinances, Finance, Appointed Officials, Elected Officials, Elections and other miscellaneous subjects related to Town governance. Ordinances provide additional laws that govern the Town as well as the creation of local boards that are made up of Town residents who serve as volunteers.

The Charter and Ordinances together make up the Town Code. Detailed information on these documents can be found on the Town of Wilton website.

ARTICLE I

§ C-1. The Charter.

A. This Charter is the organic law of the Town of Wilton providing for the administration of its local affairs.

B. Matters of administration of local affairs not provided for by this Charter or by lawful ordinance shall be governed by the General Statutes and any Special Acts of the State of Connecticut applicable to the Town.

C. Definitions and explanations.
Definitions and explanations.

Unless the context otherwise clearly requires, the following terms used in this Charter shall have the following meanings:

**ADJOURNED TOWN MEETING**
A continuation of a meeting of the Town Meeting following the adjournment of such meeting at which machine voting may take place.

**ANNUAL TOWN MEETING**
A meeting of the Town Meeting held annually during the first seven days in May to adopt the budget and consider other business matters.

**BOARD**
Any board, council, authority, or commission of the Town of unlimited duration established by statute, ordinance or this Charter.

**COMMITTEE**
Any ad hoc (i.e., for a specific purpose and limited duration) or advisory group, task force, council or committee, etc., formed by the Board of Selectmen pursuant to § C-13C.

**GENERAL STATUTES**
The General Statutes of Connecticut as amended.

**MACHINE VOTING**
Standard procedure: Voting by machine, when specified, shall begin immediately following a meeting of the Town Meeting and shall continue for as long as is necessary, in the judgment of the Registrars of Voters, to accommodate all those seeking to cast votes at such time. Voting shall recommence on the following Saturday at such time and place as shall have been determined by the Board of Selectmen and shall end not less than eight hours later. Those persons who are qualified to vote and who are in line to vote at the time the polls are to be closed will be allowed to vote.

**MEETING (of any body)**
Includes any adjourned or reconvened session thereof.

**OFFICIAL**
Any elected or appointed officer of the Town of Wilton, or any member of a Board or Committee.

**OTHER LAW**

**SPECIAL TOWN MEETING**
A meeting of the Town Meeting called at the discretion of the Selectmen or pursuant to § C-9.

TOWN
The Town of Wilton.

TOWN MEETING
The Town Meeting as described in § C-4.

ARTICLE II

The Town
The Town shall continue, after the effective date of this Charter, as a body politic and corporate with perpetual succession within its territorial limits as they may be lawfully defined.

§ C-3. Powers and privileges.
A. The Town shall have all powers and privileges conferred upon it by this Charter, and all powers proper, incidental or convenient to their exercise, including full power to implement this Charter and to carry out the purposes and policies thereof by ordinance and administrative action.
B. Except to the extent otherwise lawfully provided in this Charter, the Town shall have all powers and privileges heretofore or hereafter conferred upon the Town by the Constitution of the State of Connecticut, or by the General Statutes or applicable Special Acts.
C. The Town shall have all powers incidental to the management of its property, government and affairs, including but not limited to the capacity and power to enter into contracts with the United States or any federal agency, and the State of Connecticut or any political instrumentality thereof, for any purposes not prohibited by law.

ARTICLE III

The Town Meeting

§ C-4. The Town Meeting
The Town Meeting shall consist of the electors of the Town and all others entitled to vote at a meeting of the Town Meeting pursuant to the General Statutes, acting as the legislative body of the Town.

§ C-5. General Powers
A. All powers of the Town shall be vested in and exercised by the Town Meeting except:

(1) Powers otherwise allocated by this Charter;

(2) Powers otherwise allocated by the General Statutes and applicable Special Acts and not vested in the Town Meeting by this Charter; and
(3) Powers delegated by ordinance so long as the same shall remain in effect.

B. The Town Meeting shall have the power pursuant to § C-9 to adopt, amend and repeal ordinances. An ordinance may be amended or repealed only by the adoption of another ordinance.

C. Without limiting the generality of Subsections A and B of this section, the Town Meeting shall have the power by resolution to:

(1) Contribute financial support to organizations engaged in public health, recreation, education, safety or welfare activities within the Town, provided that organizations receiving financial support from the Town shall, unless otherwise authorized by the Town Meeting:

(a) Annually make public an audit of the books and accounts of the organization by an independent public accountant;

(b) Annually make public the proposed budgets for the ensuing fiscal year of the organization;

(c) Admit to their Boards of Directors as ex officio members without power to vote the First Selectman or one or more persons appointed by the First Selectman who shall be electors of the Town; and

(d) Enter into an agreement with the Town to insure the proper oversight of the Town’s contribution.

(2) Take such other actions only as are appropriate to a Town Meeting.

§ C-6. Legislative Body

A. The legislative body of the Town shall be the Town Meeting with respect to the following matters:

(1) The adoption of an annual budget.

(2) The authorization of bonds and all other forms of financing, the terms of which are in excess of one year.

(3) Any appropriation supplemental to those provided in the annual budget other than those which may be authorized by the Board of Finance pursuant to § C-32 or by the Board of Selectmen pursuant to § C-16.

(4) Authorization of any sale of real estate involving a sales price in excess of 1% of the total annual budget for the current fiscal year.
(5) Real estate leases and/or lease options to which the Town is a party:

(a) Which involve a term (including any renewal options) in excess of 10 years;

(b) Where the fair market value of the leased property is in excess of 2% of the total annual budget for the then current fiscal year; or

(c) Where the total lease payments called for under the entire term of the lease (including any renewal options) exceed 2% of the annual budget for the then current fiscal year.

(6) Authorization of condemnation of real property.

(7) The creation, alteration or dissolution of any Board.

(8) Proposals for municipal improvements disapproved by the Planning and Zoning Commission pursuant to the provisions of § 8-24 of the General Statutes.

(9) Items for which the Board of Selectmen shall have resolved to bring for consideration to a Special Town Meeting.

(10) Items which have been proposed to be brought to the Town Meeting by petition pursuant to § C-9.

B. In all other matters, the Board of Selectmen shall be deemed the legislative body of the Town.

§ C-7. Call and notice.

A. All meetings of the Town Meeting shall be called by the Board of Selectmen. The Board of Selectmen shall fix the date of every meeting of the Town Meeting in conformity with this Charter and other law. The business of a meeting of the Town Meeting shall be limited to the matters contained in the notice thereof.

B. A meeting of the Town Meeting shall be called by giving notice thereof in accordance with the provisions of this subsection. Notice of any meeting of the Town Meeting shall be given not less than 10 nor more than 20 days in advance of the date set for such meeting by publication in a newspaper having general circulation in the Town. The notice shall designate:

(1) In general terms the purpose or purposes of the meeting;
(2) The date, time and place of the meeting;

(3) Whether there will be machine voting following the adjournment of the meeting; and

(4) The date, time and place of any Adjourned Town Meeting.

C. In the case of a Special Town Meeting called upon receipt of a petition, the Board of Selectmen shall include in the notice all matters specified in the petition as matters on which action is desired. The Board of Selectmen may, in its discretion, add other matters to such notice.

D. A Special Town Meeting or any reconvened session thereof may be continued not more than 30 days to a time certain by majority vote of those voting. Whenever a meeting shall have been so continued, notice of such continuation shall be given in the manner provided above, except that only seven days' notice shall be required.

E. For a Reconvened Annual Town Meeting, the Board of Selectmen shall set a place, time, and date within 25 days of the adjournment of the previous Adjourned Town Meeting. At least five days in advance of such Reconvened Meeting, a notice shall be published in the local newspaper together with the reconsidered budget, in summary form, and the reconsidered rate of taxation.

§ C-8. Annual Town Meeting.

The Annual Town Meeting shall be held during the first seven days in May on a day and at a time specified annually no later than February 1 by the Board of Selectmen, or if, in the opinion of the Board of Selectmen, extraordinary circumstances make the meeting on such a date impracticable, as soon thereafter as, in the judgment of the Board of Selectmen, such circumstances permit. At the conclusion of the meeting, the vote on the annual budget shall be held in accordance with procedures set forth in Article VII.

§ C-9. Special Town Meeting: options and duties of Board of Selectmen; power of initiative; the petition process.

A. The Board of Selectmen shall call a Special Town Meeting whenever:

(1) It is requested to do so by petition signed by at least 2% of the electors of the Town and filed with the Town Clerk pursuant to Subsection C below;

(2) The Board of Selectmen deems it necessary or desirable; or

(3) A meeting of the Town Meeting is required pursuant to Article VI or Article VII of this Charter.

B. The electors of the Town shall have the power of initiative to call a Special Town Meeting pursuant to Subsection C below:
(1) To consider any item or proposal permitted under § C-6A(3) through (7);

(2) To consider a proposed ordinance, an amendment to an existing ordinance or a proposal to repeal an existing ordinance;

(3) To overrule any legislative action of the Board of Selectmen; or

(4) To propose any other legislative action.

C. The power of initiative is to be implemented in the following manner:

(1) A petition to call a Special Town Meeting may be filed by any elector of the Town with the Town Clerk, and except as otherwise provided herein, such petition shall conform to the requirements of §§ 7-9 and 7-9a of the General Statutes.

(2) The petition shall contain the full text of the proposal to be considered by the Town Meeting and shall be signed in ink by at least 2% of the electors of the Town.

(3) The Town Clerk shall determine whether the petition contains the required number of valid signatures as prescribed by this Charter within 10 days of receipt of such petition and shall so certify to the Board of Selectmen.

(4) Special Town Meeting to consider proposal.

(a) If the Board of Selectmen fails to or does not have the power to adopt the proposal brought forth by petition without any substantive change within 35 days after a petition making such a proposal shall have been certified to the Board of Selectmen, the Board of Selectmen shall, within the time limits prescribed in Subsection E below, call a Special Town Meeting to consider the petition proposal and any modification of the proposal the Board of Selectmen deems advisable. Such proposal and proposed modification, if any, shall be included in the call of the Special Town Meeting. An Adjourned Town Meeting shall be scheduled to take place after each Special Town Meeting called to consider a petition proposal.

(b) Should an ordinance or an amendment to an ordinance be amended at the Special Town Meeting, the scheduled Adjourned Town Meeting shall be canceled. The Board of Selectmen shall within 21 days of such Special Town Meeting call another Special Town Meeting to consider the ordinance as amended. An Adjourned Town Meeting shall take place following this second Special Town Meeting.
(c) An Adjourned Town Meeting to take place after a Special Town Meeting is not mandatory unless such Special Town Meeting is called by petition pursuant to Subsection A(1) of this section.

(5) A petition proposal initiated by electors shall be approved by a majority of those electors voting thereon, provided that the number voting on said petition proposal shall equal at least 15% of the total electors of the Town. Notwithstanding the foregoing, petition proposals which are supplemental appropriations shall be acted upon pursuant to § C-32.

(6) No ordinance or legislative action which shall have been adopted or repealed at a Special Town Meeting called by petition may be repealed, amended or reenacted by the Board of Selectmen unless such action is necessary so that such ordinance or legislative action conforms to the General Statutes or other law.

D. Subject to such time limitations as may appear elsewhere in this Charter, the Board of Selectmen shall determine the time, date and place of any Special Town Meeting and any Adjourned Town Meeting.

E. Time limitations.

(1) Unless a petition request proposes an ordinance, requests a supplemental appropriation or involves a matter which by this Charter or other law requires referral to another Board, the Board of Selectmen, within 35 days after certification by the Town Clerk of a valid petition, shall fix the date and place of such meeting and issue and publish a legal notice calling the Special Town Meeting as provided in § C-7B.

(2) If the proposed action is required by this Charter or by other law to be referred to another Board, such time limit to hold a Special Town Meeting may be extended as reasonably necessary to allow for such referral, provided that not more than 120 days elapse between the request for a Special Town Meeting under this § C-9 and the date of such meeting.

F. If a Special Town Meeting is requested by petition to authorize a supplemental appropriation, such request shall be referred to the Board of Finance by the Board of Selectmen at its next meeting following verification by the Town Clerk that a valid petition has been filed. All further action on such request, whether by petition or motion, shall be taken in accordance with § C-32 concerning supplemental appropriations.

G. If a Special Town Meeting is requested by petition to adopt an ordinance, all further action on such proposal shall be taken in accordance with Article VI concerning ordinances.

§ C-10. Organization of the Town Meeting.
Unless otherwise provided by ordinance or other law, the members present at each meeting of
the Town Meeting shall elect a Moderator, who shall be the presiding officer and a member of
the Town Meeting. The Moderator shall appoint at each meeting a Parliamentarian to serve the
Town Meeting.

§ C-11. Conduct of meetings of the Town Meeting.

A. Those members present at the opening of the Annual Town Meeting shall constitute a quorum
thereof. The quorum required for the opening of any other meeting of the Town Meeting shall be
50 members, the attendance to be determined by the presiding officer. Whether or not a quorum
is present, a Special Town Meeting or any reconvened session thereof may be continued not
more than 30 days to a time certain by majority vote of those voting. Whenever a meeting shall
have been so continued, notice of such continuation shall be given in the manner provided in
§ C-7B, except that only seven days' notice shall be required.

B. In the case of a Special Town Meeting called by petition, the matters specified in the petition
shall be the first order of business unless the members present shall vote to change the sequence
of business.

C. The affirmative vote of a majority of those members present and voting in respect to the
matter at a meeting of the Town Meeting duly opened shall be the act of the Town Meeting
unless a greater vote is required in respect to such matter by this Charter or by other law.

D. The Town Meeting may by resolution adopt or amend the procedures for the orderly and
efficient conduct of any meeting of the Town Meeting. In the event that the Town Meeting shall
fail to adopt or amend such procedures, such meeting shall be conducted in conformity with
Robert's Rules of Order, except to the extent otherwise provided by this Charter or by other law.

ARTICLE IV
Board of Selectmen

§ C-12. Board of Selectmen.

There shall be a Board of Selectmen consisting of the First Selectman and four Selectmen,
elected as provided in Article IX.


A. The Board of Selectmen shall have the powers, duties and responsibilities conferred upon it by
this Charter and, except to the extent otherwise provided in this Charter, all powers, duties and
responsibilities conferred upon Boards of Selectmen by the General Statutes, applicable Special
Acts and ordinances of the Town. The Board of Selectmen shall have all powers, including, without
limitation, administrative, appointive and legislative powers, necessary or incidental to the discharge
of its duties and responsibilities except to the extent otherwise provided in this Charter.

B. The Board of Selectmen shall have the power to adopt, amend and repeal ordinances except for
the legislative powers reserved for the Town Meeting pursuant to §§ C-6 and C-9. As set forth in §
C-9C(6), the Board of Selectmen shall not have the power to adopt, amend or repeal an ordinance
which shall have been adopted or repealed at a Special Town Meeting called by petition unless such
action is required to conform such ordinance to the General Statutes or other law.
C. Without limiting the generality of Subsections A and B of this section, the Board of Selectmen shall have the power by ordinance or resolution to adopt an administrative code and to create, modify or dissolve ad hoc (i.e. for a specific purpose and limited duration) or advisory offices or Committees, and to set their powers, duties, numbers and terms and to provide for qualifications of office and compensation, if any, of members of any such office or Committee. However, if the office or Committee is to have anything other than advisory powers, it must be created, modified or dissolved by ordinance, and must comply with any applicable statutes.

§ C-14. Conduct of meetings.

A. A regular meeting of the Board of Selectmen shall be held on the first and third Monday of each month at the Town Hall or at such other day or place as may from time to time be set by the Board of Selectmen by notice published in a newspaper having general circulation in the Town not less than five nor more than 15 days in advance of the meeting.

B. A special meeting of the Board of Selectmen may be called at any time by the First Selectman or by any two Selectmen. The person or persons calling a special meeting shall give reasonable advance notice of such meeting to the other Selectmen and the Town Clerk. Notice to the Selectmen may be waived, however, by written waiver signed by all members of the Board of Selectmen and filed with the Town Clerk at or prior to the time the meeting convenes. The provisions of § 1-21 of the General Statutes shall apply.

Editor's Note: See now § 1-225, formerly § 1-21, of the General Statutes.

C. A majority of the members of the Board of Selectmen shall constitute a quorum for the transaction of business.

D. The affirmative vote of a majority of the votes cast in respect of a matter at a meeting at which a quorum is present at the time of the vote shall be the act of the Board of Selectmen unless a greater vote is required in respect of such matter by this Charter or other law.

E. The Board of Selectmen may make such other rules for the conduct of its affairs as it deems advisable, which are in accordance with the provisions of this Charter and the provisions of the General Statutes, and such rules shall be made available to the public, including rules on disqualification in matters of conflicting personal interests.

§ C-15. Duties and responsibilities.

A. The Board of Selectmen shall be responsible for:

(1) Carrying out the acts, policies and ordinances of the Town except where responsibility is otherwise designated by this Charter, ordinance or Town Meeting resolution.

(2) Supervising and overseeing the affairs of the Town; maintaining the records and books of account of the Town, except those of the Board of Education; coordinating and
keeping itself informed of the activities of the other officers and Boards of the Town; and counseling the First Selectman with regard to the administration of the affairs of the Town.

(3) Conducting a continuous review of the current and projected fiscal, administrative, governmental, physical and other needs of the Town and, on the basis of such review, assuming leadership in the development of appropriate programs to meet such needs.

(4) Insuring proper oversight of the funds contributed by the Town to organizations to which the Town provides financial support in compliance with § C-5C(1).

(5) Fixing the charges, if any, to be made for services rendered by the Town, other than those rendered by the Board of Education or the Water Pollution Control Authority.

(6) Contracting for services and the use of facilities with the United States government or any agency thereof, or the State of Connecticut or any agency thereof; or, by agreement, joining with any political subdivision of the State of Connecticut or any other government or private entity to provide services and facilities in accordance with the applicable provisions of the General Statutes.

(7) Applying for and accepting federal and state grants on behalf of the Town, subject to the approval of the Board of Finance.

B. The Board of Selectmen shall be considered the appointing authority of the Town and shall appoint members to non-elected Boards and Committees, and shall appoint non-elected officers of the Town. The Board of Selectmen shall also be empowered to fill vacancies of both elected and appointed offices, Boards and Committees, except when a vacancy occurs on the Board of Education, the Board of Finance or the Planning and Zoning Commission. However, if the Board of Finance, Board of Education or Planning and Zoning Commission fails to fill a vacancy on their respective boards within 30 days of the vacancy arising, the Board of Selectmen shall fill such vacancy pursuant to the General Statutes. Whether created by resolution, ordinance, statute or this Charter, the Board or Committee shall select its own officers unless the resolution, ordinance, statute or this Charter creating it states otherwise.

C. In the discharge of the duties and responsibilities placed upon it, the Board of Selectmen may request and shall be entitled to receive such information from any officer, Board or Committee, or may require such joint meetings with any officer, Board or Committee as the Board of Selectmen may find necessary at any time.

D. Members of the Board of Selectmen shall not instruct or direct employees of the Town who are subject to the direction and supervision of the First Selectman without the First Selectman's prior authorization.

§ C-16. Miscellaneous powers.
A. At the first meeting of a newly elected Board of Selectmen held after a regular election of the Town, the Board of Selectmen shall choose a Selectman to serve as Second Selectman. The Second Selectman shall have all the powers, duties and responsibilities of the First Selectman in the event of a vacancy in the office of First Selectman, until such vacancy is filled as prescribed by this Charter § C-47F or other law. In the event that the First Selectman is unable to perform such duties as are required and in the absence of such delegation, the powers of the First Selectman shall be deemed to have been delegated to the Second Selectman.

B. Except to the extent otherwise provided by this Charter or other law, the Board of Selectmen may administer in whole or in part:

(1) The purchase of supplies, materials, equipment and other commodities required by any officer, Board or Committee, except the Board of Education.

(2) The maintenance or custodial work for any public building, park, playground, road or other facility under the care of any officer, Board or Committee, except any thereof under the care of the Board of Education.

(3) Contracting on behalf of the Town for any services required by any officer, Board or Committee, except the Board of Education.

(4) The disposition of any Town property, real or personal, no longer required for Town use, having a fair market value at the time of disposition not in excess of 1% of the total annual budget for the then current fiscal year provided the Board of Selectmen has provided owners of land within 500 feet reasonable notice and an opportunity to be heard prior to the disposition of any such real property.

(5) The acceptance of gifts of real property, personal property or any interest therein in the name of the Town for any public purpose, and the maintenance of such property for such purpose. If the Board of Selectmen determines that a gift does have a significant financial burden, it shall consult with the Board of Finance before accepting such gift.

(6) Action on behalf of the Board of Education in matters provided for in this section, including the maintenance of the records and books of accounts, upon the request of the Board of Education.

(7) The acceptance of roads on behalf of the Town as public highways conforming with the provisions of any applicable ordinance or resolution.

(8) The approval of the hiring, compensating and discharging of any department head of the Town or any Official.

C. The Board of Selectmen may, without the vote of the Town Meeting or approval of the Board of Finance, expend in any fiscal year, for any purpose or purposes, an amount in excess of the amount appropriated in the annual budget of the Town for such fiscal year,
up to a total in the aggregate equal to 1/4 of 1% of the total annual budget of the Town. The Board of Selectmen shall notify the Board of Finance and the Treasurer, in writing, of each such excess expenditure within 14 days of making the same.

§ C-17. Delegation.

A. The Board of Selectmen may, except to the extent otherwise provided by ordinance or other law, create such offices and Committees, and employ such staff with such powers, duties and responsibilities as it may deem desirable to assist it in carrying out the duties and responsibilities of the Board of Selectmen.

B. To assist in the discharge of its duties and responsibilities, the Board of Selectmen may, except to the extent otherwise provided by other law, delegate in whole or in part any of its powers and duties to the First Selectman or any other Selectman or Selectmen.

ARTICLE V

The First Selectman

§ C-18. The First Selectman.

A. There shall be a First Selectman of the Town, elected as provided in Article IX.

B. The First Selectman shall be the chief executive officer and chief administrative officer of the Town.

C. To assist in the discharge of the duties and responsibilities of the First Selectman, the First Selectman, subject to the approval of the Board of Selectmen, may delegate any of the administrative powers and duties of the First Selectman to any Selectman or Selectmen or to any person responsible to the First Selectman.


A. The First Selectman shall have the powers, duties and responsibilities conferred upon the office of First Selectman by this Charter and, except to the extent otherwise provided by this Charter, all powers, duties and responsibilities conferred upon that office by other law and all powers necessary or incidental to the discharge of the duties and responsibilities of that office.

B. The First Selectman shall, when present, preside over all meetings of the Board of Selectmen, shall be a full voting and participating member of the Board of Selectmen and shall have the power to vote to break a tie vote of the Board of Selectmen.

C. Except as provided by ordinance or other law, the First Selectman shall be an ex officio member of all Boards and Committees of the Town, and of all organizations to which the Town provides financial support unless otherwise provided by the Town Meeting, but
without the power to vote. The First Selectman may appoint, in writing, one or more electors of the Town to be the First Selectman's representative on any such Board, Committee and organization. The First Selectman shall be given reasonable advance notice of all meetings of all such Boards, Committees and organizations.

D. Except as otherwise provided by ordinance or other law, the First Selectman or a person designated by the First Selectman may hire, fix the compensation of and discharge any employee of the Town, unless such employee is a department head of the Town or an Official. Such department heads and Officials shall be hired, compensated and discharged with the approval of the Board of Selectmen. These powers shall not extend to employees of the Board of Education or to Officials who are members of such Board.

§ C-20. General duties and responsibilities.

A. The First Selectman shall be responsible for coordinating the activities and future planning of the offices, Boards and Committees of the Town.

B. The First Selectman shall see that all laws, ordinances, resolutions and policies governing the Town are faithfully executed.

C. The First Selectman shall have prepared financial and other reports for such periods as may be required by the Board of Selectmen.

D. The First Selectman shall conduct a continuous review, under the general policy direction of the Board of Selectmen, of the financial needs and budget requirements of the Town. The First Selectman may request and shall be entitled to receive at any time a statement of the current and projected financial position and needs of any office or Board of the Town.

E. On or prior to a date determined by the First Selectman, each officer, Board and Committee of the Town (except the Board of Education), and each agency to which the Town gives financial support, shall provide to the First Selectmen a statement of the estimated expenditures and desired appropriation for the ensuing fiscal year for each department or agency and shall prepare and submit a proposed budget to the Board of Selectmen.

F. The First Selectman shall exercise such other powers and perform such other duties as may be required of the First Selectman by ordinance or resolution of the Board of Selectmen or of the Town Meeting not inconsistent with this Charter.

ARTICLE VI
Ordinances

§ C-21. Creation, amendment and repeal.
Ordinances may be created, amended, repealed or overruled in accordance with the procedures of this article, Article III and Article IV. An ordinance may be amended or repealed only by another ordinance.

§ C-22. Public hearings on ordinances.

A. No ordinance shall be voted upon by the Board of Selectmen or the Town Meeting until a public hearing shall have been held thereon.

B. Notice of the date, time and place of the public hearing on any proposed ordinance, together with the full text of the proposed ordinance or a summary thereof, shall be published by the Board of Selectmen in a newspaper having general circulation in the Town not less than 10 nor more than 20 days in advance of the date set for such hearing.

C. The Board of Selectmen shall set a date for a public hearing on a proposed ordinance within 60 days after one of the following events:

   (1) The Board of Selectmen proposes the adoption of an ordinance; or

   (2) The Board of Selectmen receives a valid petition pursuant to § C-9 requesting a Special Town Meeting to adopt an ordinance.

§ C-23. Action by the Board of Selectmen.

A. The Board of Selectmen must act upon any proposed ordinance within 35 days following the public hearing held thereon. If the Board of Selectmen fails to act within such 35 days or if the Board of Selectmen makes substantial changes to the proposed ordinance following such public hearing, the Board of Selectmen shall call another public hearing on the proposed revised ordinance subject to the notice requirements of § C-22B before calling a meeting of the Town Meeting to consider the revised ordinance or before the Board of Selectmen may adopt the revised ordinance.

B. If the Board of Selectmen shall reject or fail to act on or make substantive change to an ordinance proposed by petition pursuant to § C-9, the Board of Selectmen shall call a Special Town Meeting to consider action on such proposed ordinance in accordance with § C-9C(4).

§ C-24. Required publications.

A. Upon affirmative action of the Board of Selectmen on a proposed ordinance, the Board of Selectmen shall publish a legal notice of such action and a summary of the ordinance in a newspaper having a general circulation in the Town within 20 days of such affirmative action.

B. Not less than 10 nor more than 20 days in advance of the date set for any meeting of the Town Meeting called pursuant to § C-9 at which a proposed ordinance is set to be voted
upon, the full text of such proposed ordinance or a summary of such proposed ordinance shall be published by the Board of Selectmen in a newspaper having general circulation in the Town. The Board of Selectmen shall prepare, in writing, a summary report of the issues raised by the proposed ordinance. The report shall include the opinion of Town Counsel on any substantial legal issues raised by the proposed ordinance and may, but need not, include the recommendations of the Board of Selectmen. Such reports shall be available to the public in the office of the Town Clerk not less than 10 days in advance of the date set for the meeting of the Town Meeting at which the proposed ordinance is set to be voted upon and shall be presented orally to the Town Meeting.

§ C-25. Amendments to proposed ordinances by the Town Meeting.

If an ordinance shall have been amended on the floor before passage by the Town Meeting, it shall not go into effect unless and until approved as provided in this section. The session of the meeting at which such amendment was passed shall be reconvened on a day certain not less than 10 days nor more than 25 days in the future. Not less than five days prior to the date set for such reconvened session, the amendment to the ordinance or the ordinance as amended or a summary thereof shall be published in a newspaper having general circulation in the Town.

§ C-26. Adoption of standard codes in ordinances.

An ordinance may include any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such an adopting ordinance shall be as prescribed for ordinances generally.

§ C-27. Effective date of ordinances.

Unless otherwise provided for in the ordinance, any ordinance passed by the Town Meeting or the Board of Selectmen shall go into effect 21 days from affirmative action by the Town Meeting or the Board of Selectmen, as the case may be.

ARTICLE VII
Appropriations, Budgets and Finance

§ C-28. Board of Finance: members, election, officers.

There shall be a Board of Finance consisting of six members elected as provided in Article IX. The members of the Board of Finance shall choose one of its members to be its chairman and another to be its clerk, and may create other offices, and choose other of its members to fill them, at such time or times as it may deem necessary and appropriate.

§ C-29. Board of Finance: powers, etc., internal rules and regulations, access to Town’s financial records.

Except to the extent limited by this Charter, the Board of Finance shall have all powers, duties, authorities and responsibilities conferred upon Boards of Finance by the General Statutes and
other law. To the extent not inconsistent with this Charter and other law, the Board of Finance may adopt such rules and regulations governing its own procedures, and may set the places, dates and times for its meetings and its public hearings as, in its judgment, serve the best interests of the Town. The Board of Finance shall have access at all reasonable times to the books of account and relevant records of the Town in the custody of the Board of Selectmen, the Board of Education, any other agency, or any organization receiving grants or subsidies from the Town provided such access is in the agreement between the organization and the Town.

§ C-30. The procedures for setting the annual Town budget and the rate of taxation through and including the Annual Town Meeting.

A. The Board of Education's budget request.

On or prior to the 60th day preceding the date of the Annual Town Meeting, the Board of Education shall submit to the Board of Finance, in written format as prescribed by the Board of Finance, the amount the Board of Education has determined is needed during the ensuing fiscal year for the operation of the public schools and the maintenance of the school buildings and other assets of the Town entrusted to the care of such Board, together with supporting documentation therefor. At the same time, the Board of Education shall also submit estimates of the cost of anticipated capital expenditures for the ensuing fiscal year, and for the four following fiscal years in such form as may be prescribed by the Board of Finance. The Board of Education shall provide copies of its submissions to the First Selectman at the same time it submits the same to the Board of Finance.

B. The Board of Selectmen's budget request.

On or prior to the 60th day preceding the date of the Annual Town Meeting, the Board of Selectmen shall submit to the Board of Finance, in written format prescribed by the Board of Finance, the amounts the Board of Selectmen has determined is needed during the ensuing fiscal year for each of the various departments and organizations of the Town other than the public schools, together with supporting documentation therefor. At the same time, the Board of Selectmen shall also provide estimates of the cost of all anticipated capital expenditures for the ensuing fiscal year, as well as for the four following fiscal years, in such form as may be prescribed by the Board of Finance.

C. The public hearings.

On or before February 15 of each year, the Board of Finance shall schedule dates, times and places for separate public hearings on the Board of Education's and Board of Selectmen's budget requests. These hearings (hereafter, the "public hearings"), shall take place no later than the 35th day preceding the date of the Annual Town Meeting.

D. Notice of the public hearings.

At least 10 days in advance of the public hearings, the Board of Finance shall publish in a newspaper having general circulation in the Town a notice of such public hearings which shall
include a summary of the budget requests of the Board of Education and Board of Selectmen; the Board of Finance's estimates for debt service, tax relief, non-tax revenues, contingencies, the Grand List, fund balance reserves, the rate of taxation, and any other relevant matters.

E. The Responsibilities of the Board of Finance following the public hearings.

(1) Following the public hearings the Board of Finance shall consider the views expressed at the public hearings, the views expressed in other communications by voters, the financial resources available to the Town, and the extent to which, in the Board of Finance's collective judgment, the Board of Education and Board of Selectmen can find savings within their respective budget requests. The Board of Finance shall also reconsider, to the extent necessary, debt service requirements, the appropriate amount of the general fund balance, and anticipated non-tax revenues, inter alia. The Board of Finance may reduce or increase any line item in the Board of Selectmen's budget request or the Board of Education's total budget request, and at least 21 days prior to the date of the Annual Town Meeting shall recommend to the Annual Town Meeting a budget for the ensuing fiscal year of the Town (the "recommended budget") and the rate of taxation (the "recommended rate of taxation") necessary to support the same.

(2) Notwithstanding the provisions of the preceding subsection, if the Board of Finance votes to change one or more of the line items in the Board of Selectmen's budget request, the Board of Selectmen shall have the power, with four affirmative votes to override the Board of Finance's action, provided that the Board of Selectmen shall reduce or increase other line items so that the total of their budget request shall equal the total amount of such line items as originally proposed but thereafter amended by the Board of Finance's action. The Board of Selectmen shall not have the power to reduce the employer's pension or other post-employment benefits contributions below the actuarially calculated annual required contributions. The Board of Selectmen's action in such respect shall not be subject to further amendment by subsequent action of the Board of Finance prior to the Annual Meeting. The Board of Selectmen's modified budget request shall then be submitted to the Board of Finance prior to its final determination of the recommended budget and recommended rate of taxation.

(3) The Board of Finance shall cause the recommended budget, in summary form, and the recommended rate of taxation to be published in a newspaper having general circulation within the Town at least 10 but no more than 20 days before the date of the Annual Town Meeting.

F. The Annual Town Meeting.

(1) The Town Meeting, at the Annual Town Meeting, shall consider the recommendations of the Board of Finance, and may, by amendment made and seconded, and approved by those in attendance, reduce (but not increase) the Board of Education's total recommended budget; individual line items in the
Board of Selectmen's recommended budget; and the debt service recommended appropriation. The Town Meeting may not authorize any appropriation for any purpose which was not requested by either the Board of Education or the Board of Selectmen nor recommended by the Board of Finance. The Town Meeting may not reduce any proposed appropriation (the "proposed appropriation") below that amount equal to the legal obligation of the Town nor reduce the employer's pension or other post-employment benefits contributions below the actuarially calculated annual required contributions.

(2) Voting on the budget shall be by machine voting. Each voter may vote (a) to approve the budget, (b) to reject the budget because it is too high, or (c) to reject the budget because it is too low.

(3) The budget shall become the appropriation of the Town for the ensuing fiscal year unless at least 15% of the electors of the Town vote and a majority of those voting vote to reject the budget either because it is too high or because it is too low. If the budget is approved after amendment, the Board of Finance shall set the recommended rate of taxation for the ensuing fiscal year, reduced to reflect such amendment.

§ C-31. Procedure should the budget be rejected.

A. Reconsidered budget.

The Board of Finance shall consult with the Board of Selectmen and the Board of Education and then recommend a reconsidered budget and reconsidered rate of taxation to a Reconvened Annual Town Meeting. [The Board of Finance may reduce or increase any proposed appropriation when formulating such reconsidered budget, subject, however, to the rights of the Board of Selectmen to override any reduction or increase of a proposed line item appropriation by at least four votes and while making adjustments to its overall proposed appropriation as provided in § C-30E(2) above.] For this meeting, the Board of Selectmen shall set a place, time, and date within 25 days of the previous vote. At least five days in advance of this meeting, a notice shall be published in the local newspaper together with the reconsidered budget and reconsidered rate of taxation.

B. Reconvened Annual Town Meeting.

(1) The Town Meeting at the Reconvened Annual Town Meeting may approve the reconsidered budget or reduce (but not increase) one or more of the proposed appropriations, but may not reject the reconsidered budget. No appropriation may be reduced below the legal obligation of the Town. The employer's pension or other post-employment benefits contributions may not be reduced below the actuarially calculated annual required contributions. If there are no amendments, the reconsidered budget shall be final.
(2) If the Reconvened Annual Town Meeting amends the reconsidered budget, machine voting shall take place, at which time voters will have two choices:

(a) Approve the reconsidered budget as submitted by the Board of Finance; or

(b) Approve the reconsidered budget as amended at the Reconvened Annual Town Meeting.

(3) The reconsidered budget, prior to any amendment, will be the budget of the Town for the ensuing fiscal year unless at least 15% of the electors of the Town vote and a majority of those voting vote in favor of the budget as amended at the Reconvened Annual Town Meeting, in which case such amended budget will be the budget of the Town for such year. The Board of Finance shall then set the recommended rate of taxation, reduced to reflect the amendment to the reconsidered budget.

§ C-32. Procedures for supplemental appropriations from the general fund.

A. Requests for supplemental appropriations.

(1) If any department or organization of the Town, other than the Board of Education, shall need more funds than have been appropriated to it, it shall request the additional funds from the Board of Selectmen. If the Board of Selectmen agrees that more funds are needed the Board of Selectmen may request a supplemental general fund appropriation from the Board of Finance to meet such needs. Similarly, if the Board of Education determines that it needs more funds than have been appropriated to it, the Board of Education may request that the Board of Finance authorize such a supplemental appropriation.

(2) If a request for a supplemental appropriation is made by electors of the Town by petition pursuant to § C-9, the Board of Selectmen shall forward the same to the Board of Finance as provided in § C-9F.

B. Action of Board of Finance upon request for supplemental appropriation.

(1) The Board of Finance shall act upon any request for a supplemental appropriation (the "supplemental appropriation") within 30 days after receipt of the same. For these purposes the Board of Finance shall be deemed to have received such a request at its first meeting after the date a written request for the supplemental appropriation is delivered to its chairman or clerk.

(2) The Board of Finance may authorize the supplemental appropriation provided that the amount of the supplemental appropriation shall not exceed 1% of the total annual budget for the Town for the then-current fiscal year, and the total amount of any and all supplemental appropriations authorized by such Board in respect of such budget shall not exceed 2% of such budget.
C. **Referral to the Town Meeting of a request for a supplemental appropriation approved by the Board of Finance.**

The Board of Selectmen shall call a Special Town Meeting by legal notice as specified in § C-7B of the time, date and place of the Special Town Meeting and the adjourned vote, and forward to the Town Meeting for its consideration any request for a supplemental appropriation that the Board of Finance endorses but which it cannot grant due to the amount requested and the amount of any previous requests it may have granted. Such Special Town Meeting shall take place within 30 days of the date the Board of Finance endorses such supplemental appropriation.

D. **Referral to the Town Meeting of a request for a supplemental appropriation not approved by the Board of Finance.**

The Board of Selectmen shall call a Special Town Meeting by legal notice as specified in § C-7B of the time, date and place of the Special Town Meeting and the adjourned vote, and forward to the Town Meeting any request for a supplemental appropriation that the Board of Finance does not approve in its entirety within 30 days of its receipt of the same (other than a request made by the Board of Selectmen which it subsequently decides to withdraw). Such Town Meeting shall take place within 30 days of the date the Board of Finance fails to approve such supplemental appropriation, in full or in part, or by failing to take action. The Board of Selectmen may, in its discretion, call a public hearing and may, in such case, extend such time limitation for as long as 90 days between the receipt of the original request by the Board of Finance and the subsequent Special Town Meeting. Not less than seven nor more than 15 days in advance of the date set for such a public hearing, the Board of Selectmen shall publish in a newspaper having general circulation in the Town a notice of the date, time and place of the public hearing and a summary of the request or proposal. At the public hearing the Board making the request or proposal shall report on its reasons for making the same, and the Board of Finance shall report on the reasons for its action or failure to act.

E. **Actions of Town Meeting at a Special Town Meeting called to consider request for a supplemental appropriation.**

1. The Town Meeting shall have no power to amend the amount of any supplemental appropriation, but may impose, by amendment, any modifications to the request as are not inconsistent with the call to the meeting or incompatible with the purpose of the request. After reasonable discussion and after any such amendments have been proposed and either adopted or rejected, the Special Town Meeting shall adjourn for machine voting.

2. As to any supplemental appropriation endorsed by the Board of Finance, a simple majority of those members of the Town Meeting voting shall be required to authorize such supplemental appropriation. As to any supplemental appropriation not endorsed by the Board of Finance, a simple majority of those members of the Town Meeting voting must cast votes approving the supplemental appropriation,
and at least 15% of the electors of the Town must vote in order for such supplemental appropriation to be authorized.

§ C-33. Bonding Procedures.

A. The Board of Selectmen, and only the Board of Selectmen, shall have the power to propose the issuance of bonds to the Town Meeting.

B. The Board of Selectmen shall refer any proposal for the issuance of bonds to the Board of Finance for its review not less than 15 days in advance of the meeting of the Town Meeting at which such proposal is to be considered. Should the Board of Finance object to any aspect of said proposal, it shall report its reasons therefor to the Town Meeting. The Town Meeting may not amend any such proposal for the issuance of bonds.

C. Immediately following the adjournment of the meeting of the Town Meeting at which the Board of Selectmen's proposal for the issuance of bonds is to be considered, the voters shall have the opportunity to vote for or against such proposal by machine voting. The resolution shall be adopted if approved by a majority of those voting and shall otherwise be rejected.

D. Whenever the Town Meeting has authorized the issuance of bonds by the Town, the Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and Treasurer, have the seal of the Town affixed and be certified by a bank or trust company designated by the First Selectman and Treasurer, which bank or trust company may be designated as the paying agent. Any such notes shall be general obligations of the Town for which the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon.

E. Whenever a project financed by the issuance of bonds has been completed, the First Selectman shall certify to the Board of Finance that the work for which the bonds were authorized and issued has been completed and that the Town's financial obligations as to the project have been met.

F. Should a project financed by the issuance of bonds have been completed and all obligations met, any surplus bond proceeds shall be transferred by the Treasurer to the general fund to pay debt service on outstanding bonds, unless the Board of Selectmen requests the Board of Finance to redesignate all or part of such surplus to a project or projects for which there is authorized but unissued debt and the Board of Finance acts favorably upon such request. The amount of any such redesignation may not exceed the amount of such authorized but unissued debt.

§ C-34. General Fund appropriations.

A. Every appropriation from the General Fund of the Town, except for an appropriation for a capital expenditure, shall lapse at the close of the fiscal year in respect of which it has
first been appropriated, except to the extent it has been expended or encumbered. An appropriation from the General Fund for a capital expenditure shall continue in force until the Board of Finance determines that the purpose for which it was made has been accomplished or abandoned. These provisions shall not apply to any municipal reserve fund established pursuant to Chapter 108 of the General Statutes, as amended.

B. Notwithstanding any other provision of this Charter to the contrary, the Board of Finance shall have the power to apportion the payment of any capital expenditure over any period of no more than five years in accordance with Connecticut General Statutes § 7-346 or corresponding successor legislation.

ARTICLE VIII
Appointed Officials

§ C-35. Required appointed officers.

There shall be the following appointed officers of the Town: Town Clerk, Treasurer, Tax Collector, Assessor, Town Counsel, Health Director, Animal Control Officer, Tree Warden, Hearing Officers and Emergency Services Director (who shall also serve as Civil Preparedness Director), and such other appointed officers as may be required by this Charter or by other law.

§ C-36. Required appointed boards and committees.

There shall be such appointed boards and committees as may be required or created by this Charter or by other law.

§ C-37. Term limits.

No member of an appointed board or committee shall serve for more than 10 consecutive years on such board or committee.

§ C-38. Appointments.

A. All appointed officers and all members of appointed boards and committees shall be appointed by the Board of Selectmen, subject to the provisions of § C-52B.

B. Whether created by resolution, ordinance, statute or this Charter, the board or committee shall select its own officers unless the resolution, ordinance, statute or this Charter creating it states otherwise.

§ C-39. Qualifications; minority representation.

A. Uncompensated appointed officers and voting members of all appointed boards and committees shall be electors of the Town.
B. The provisions of § 9-167a of the General Statutes as to minority representation shall apply to all appointments to appointed boards and committees, including appointments to fill vacancies.

§ C-40. Compensation; expenses; levies.

A. The amount of compensation, if any, to be paid to appointed officers and members of appointed boards shall be set as provided in this Charter, by other law or by the Board of Selectmen and shall be included in the Board of Selectmen's Budget Request.

B. The reasonable and necessary expenses of any Official actually incurred in the conduct of the duties of his or her office shall be paid by the Town upon the requisition by such Official, in writing, and approval of the First Selectman or a person designated by the First Selectman.

C. All fees, fines and levies of every kind paid to or received by any Official, Board or Committee shall promptly be remitted to and deposited by the Treasurer in accordance with this Charter or by other law or by the Board of Selectmen and accounted for in accordance with generally accepted accounting principles.

§ C-41. Terms of office.

A. The term of office of each official listed in § C-35 shall be two years and until a successor shall have taken office, unless the Board of Selectmen shall set a shorter term to the extent permitted by law. The terms of office of other appointed officials shall be the same unless otherwise provided in this Charter or by other law creating the same.

B. Terms of office shall commence on the first day of December next following appointment in the case of officials listed in § C-35 and on the same date in the case of all other appointed Officials unless otherwise provided by this Charter or by other law creating the same.

§ C-42. Vacancies.

A. Vacancies in appointed offices and boards shall be filled for the unexpired portions of the terms in the same manner as appointments are made.

B. If, at any time after the appointment of any appointed officials but before the person shall have taken office or membership, that person shall have become unable to take the same by reason of death, disqualification or resignation, a vacancy in such office or membership shall thereupon be deemed to exist for purposes of this section.

§ C-43. Removal and resignations.

The provisions of § C-62 shall apply as to removal and resignations of appointed Officials.
§ C-44. Required appointed officers; special provisions.

A. The Town Counsel shall be the chief legal officer of the Town. The Town Counsel shall pass upon the legality of Town actions and proposed Town actions and approve notices of meetings of the Town Meeting. The Town Counsel shall give legal counsel and advice to Officials and represent the Town in actions or contested matters before any court or governmental agency. The Town Counsel shall be a member in good standing of the bar of the State of Connecticut. While in office, the Town Counsel shall hold no other elected or appointed office or position of the Town.

B. Except as otherwise provided in this Charter, the officers provided for in § C-35 shall have the powers, duties and responsibilities and shall perform the functions prescribed by law.

ARTICLE VIII
Elected Officials and Elections

§ C-45. Required elected officers.

A. There shall be the following elected officers of the Town: a First Selectman, who shall be a member of the Board of Selectmen; two Registrars of Voters, five Constables, and such other elected officers as may be required by this Charter or by other law enacted after the effective date of this Charter.

B. The provisions of § 9-183 et seq. of the General Statutes shall apply for Justices of the Peace.

§ C-46. Required elected boards.

A. There shall be the following elected Boards of the Town: Board of Selectmen; Board of Finance; Planning and Zoning Commission; Zoning Board of Appeals; Board of Assessment Appeals; and Board of Education, and such other elected Boards as may be required by this Charter or other law enacted after the effective date of this Charter.

B. Whether created by resolution, ordinance, statute or this Charter, the Board or Committee shall select its own officers unless the Charter, resolution, ordinance, or statute creating it states otherwise.

§ C-47. Elections.

A. There shall be a biennial election of the Town, known as the "regular Town election," on the first Tuesday after the first Monday in November of each odd-numbered calendar year. Special Town elections may be held from time to time as provided by law.
B. All officers listed in § C-45A, except Registrars of Voters and the First Selectman, shall be elected at each regular Town election unless otherwise provided in this Charter or by other law.

C. Effective with the state election of November 2012, the Registrars of Voters shall be elected quadrennially for a four-year term.

D. Members of all Boards listed in § C-46A shall be elected at each regular Town election in the manner further provided in this article unless otherwise provided in this Charter or by other law.

E. The election of the First Selectman shall be separated from that of the remaining members of the Board of Selectmen. That is, votes for the unsuccessful candidate for First Selectman shall not be counted as votes for that candidate for membership on the Board of Selectmen. Further, no person shall be a candidate for both First Selectman and for membership on the Board of Selectmen.

F. A special election shall be held to fill a vacancy that may occur in the office of the First Selectman. The provisions of § C-51C for filling such vacancy shall apply.

§ C-48. Qualifications, term limits, minority representation.

A. No person who is not an elector of the Town may be an elected officer or member of an elected Board of the Town.

B. Except for the First Selectman, no individual may be elected to more than two successive full terms as a member of any Board. Notwithstanding the foregoing, those individuals who are members of the Board of Selectmen on the effective date of this Charter may be elected to as many as two successive full terms as a member of such Board after the effective date of this Charter.

C. No member of an elected Board may hold any other elected municipal office or be appointed a municipal officer except as provided in this Charter or by other law. No Registrar of Voters shall concurrently hold the office of Town Clerk.

D. The provisions of § 9-167a of the General Statutes as to minority representation shall apply to all elected Boards and to the filling of vacancies. Thus, in the case of all elections to all elected Boards including the Board of Selectmen and the Board of Education, a party may nominate and an elector may vote for the full number of members to be elected for a single term, provided that the number of members from a single party to be declared elected does not exceed the number that may take office. In the case of the Board of Selectmen, the maximum number that may be of a single party shall be three.

E. In all cases for purposes of minority representation, if an unexpired portion of a term is to be filled at the same time as a full term, the unexpired term shall be deemed to be filled before the full term.
§ C-49. Compensation, expenses, levies.

A. The salary of the First Selectman shall be determined by the Board of Selectmen, with discussion taking place in executive session without the presence of the First Selectman, and a vote taken in open session without the First Selectman's vote. Such amount shall be included in the Board's annual request for appropriations. The amount of compensation, if any, to be paid to the Selectmen other than the First Selectman shall be proposed by the Board of Selectmen, approved by the Board of Finance and included in the Board of Selectmen's annual request for appropriations. The amount of compensation, if any, to be paid to other elected officers or members of elected boards shall be set as provided for in this Charter or by other law, and in absence thereof, by the Board of Selectmen and shall be included in the annual request for appropriations of said Board. Compensation for an individual temporarily filling a vacancy in the office of First Selectman shall be determined by the Board of Selectmen at the time the vacancy is filled.

B. The reasonable and necessary expenses of an elected Official actually incurred in the conduct of the duties of the office shall be paid by the Town upon the requisition by such Official, in writing, and the approval of the First Selectman or a person designated by the First Selectman.

C. The rate of compensation of any elected Official except that of the First Selectman shall not be changed during that Official's term of office or membership.

D. All fees, fines and levies of every kind paid to or received by any elected Official or Board shall promptly be remitted to and deposited by the Treasurer in accordance with this Charter or by other law or by resolution of the Board of Selectmen and accounted for in accordance with generally accepted accounting principles.

E. No elected Official of the Town of Wilton shall receive any salary from the Town of Wilton except such salary as may be payable by reason of such elected office.

§ C-50. Terms of office.

A. The term of office of the First Selectman and the Registrars of Voters shall be four years, and for each of the other elected officers listed in § C-45A shall be two years and until a successor shall have taken office. The terms of office of other elected Officials shall be as provided for in this Charter or ordinances and resolutions creating the office or Board.

B. Terms of office shall commence on the first day of December next following election in the case of officers listed in § C-45 and of all members of Boards listed in § C-46, except Justices of the Peace and Registrars of Voters, and on the same date in the case of all other appointed officers and members of Boards unless otherwise provided in this Charter or by other law creating the same.

§ C-51. Vacancies.
A. Vacancies on the Board of Assessment Appeals and the Zoning Board of Appeals and in elected offices (other than that of the First Selectman) shall be filled for the unexpired portions of the terms by appointments of the Board of Selectmen, except that, where terms extend beyond the November 30 succeeding the next regular Town election, the vacancy term shall extend only until November 30 following the next regular Town election, at which election successors shall be elected for the remaining unexpired portions of the terms. The official ballot shall specify the vacancies to be filled.

B. Vacancies on the Board of Selectmen (other than in the office of the First Selectman), the Board of Finance, the Board of Education and the Planning and Zoning Commission shall be filled by the remaining members of such Boards, except that the Board of Selectmen shall fill any vacancy on any other such Board if the remaining Board members do not fill such vacancy within 30 days of the day such vacancy occurs. The terms of those appointed to fill vacancies shall extend only through November 30 following the next regular Town election, at which election successors shall be elected for the remaining unexpired portions of the terms.

C. A vacancy in the office of First Selectman shall be filled by the Second Selectman or, if he or she cannot serve, by another Selectman or an elector of the Town chosen by the remaining members of the Board of Selectmen until a replacement for that position is determined by a special election, to be held as soon as is reasonably possible after the vacancy occurs, to fill the unexpired term.

D. If at any time after the election of any person to an elected office or membership on an elected Board, but before that person shall have taken office or membership, such person shall have become unable to take the same by reason of death, disqualification or resignation, a vacancy in such office or membership shall thereupon be deemed to exist for purposes of this section.

§ C-52. Board of Selectmen; special provisions.

A. Beginning with the first regular Town election following the Transition Election, two Selectmen shall be elected at each regular Town election to serve for four-year terms and until their successors shall have taken office.

B. The members of the Board of Selectmen elected to serve on December 1 of any year shall from the date of the immediately preceding regular Town election have all powers of the Board of Selectmen to make appointments and to fill vacancies in offices and memberships on Boards the terms of which extend beyond or commence after the next succeeding November 30.

§ C-53. Board of Finance; special provisions.

A. The term of office of each member of the Board of Finance shall be four years and until a successor shall have taken office. Three members shall be elected at one regular Town
election and three members shall be elected at the next succeeding regular Town election, and so forth alternately.

B. The Board of Finance shall have the powers, duties and responsibilities and shall perform the functions prescribed therefore in Article VII.

§ C-54. Planning and Zoning Commission; special provisions.

A. The Planning and Zoning Commission shall consist of nine members. The term of office of each shall be four years and until a successor shall have taken office. Five members shall be elected at one regular Town election and four members shall be elected at the next succeeding regular Town election, and so forth alternately.

B. The Planning and Zoning Commission shall have the powers, duties and responsibilities and shall perform the functions prescribed therefor by law.

C. No member of the Planning and Zoning Commission shall receive compensation for services as such.

§ C-55. Zoning Board of Appeals; special provisions.

A. The Zoning Board of Appeals shall consist of five regular members and three alternate members. Each regular member and each alternate member of the Zoning Board of Appeals shall serve for a four-year term and until a successor shall have taken office. Two regular members and two alternate members shall be elected at one regular Town election, three regular members and one alternate member shall be elected at the next succeeding regular Town election, and so forth alternately. For the limited purpose of compliance with § 9-167a of the General Statutes as to minority representation, the regular members and the alternate members shall be considered as separate boards.

B. The Zoning Board of Appeals shall have the powers, duties and responsibilities and shall perform the functions prescribed by law.

§ C-56. Board of Assessment Appeals; special provisions.

A. The Board of Assessment Appeals shall consist of three members. The term of office of each shall be four years and until a successor shall have taken office. Two members shall be elected at one regular Town election and one member shall be elected at the next succeeding regular Town election, and so forth alternately. However, the Board of Selectmen may make additional appointments to the Board of Assessment Appeals when necessary to handle the workload, subject to the minority representation provisions of § 9-167a of the General Statutes.

B. The Board of Assessment Appeals shall have the powers, duties and responsibilities and shall perform the functions prescribed by law.
§ C-57. Board of Education; special provisions.

A. The Board of Education shall consist of six members. The term of office of each shall be four years and until a successor shall have taken office. Three members shall be elected at one regular Town election and three members shall be elected at the next succeeding regular Town election, and so forth alternately.

B. The Board of Education shall have the powers, duties and responsibilities and shall perform the functions prescribed by law.

§ C-58. Other elected boards; special provisions.

Elected boards shall have the powers, duties and responsibilities and shall perform the functions prescribed therefor by this Charter or by other law creating the same and shall be subject to such other provisions not inconsistent with this Charter as shall be contained therein.

ARTICLE X
Miscellaneous

§ C-59. Headings.

The text of any article or section shall be controlling. Article and section headings are intended for informational purposes only.

§ C-60. Computation of time.

In computing the period of time of any notice under this Charter, the day on which the notice is given shall be excluded and the day on which the matter noticed is to occur shall be included. The same principle shall govern other computations of time for purposes hereof.

§ C-61. Notices.

Notwithstanding any provision of this Charter to the contrary, notice by publication in a newspaper having general circulation in the Town may be dispensed with in favor of some other means of publication by the Board of Selectmen if permitted by the General Statutes.

§ C-62. Resignations and removals.

A. Any written notice of resignation by any member of the Board of Selectmen, including the First Selectman, or by any other Official which does not indicate a specific calendar date as the effective date of such resignation shall constitute a resignation effective upon receipt of such notice by the board of which such individual is a member or upon receipt of the same by the Board of Selectmen or the Town Clerk.

B. Removals.
(1) An elected or appointed official may be removed from office by the Board of Selectmen upon its finding of good and sufficient cause for such removal and after a public hearing before the Board of Selectmen. The official affected by such removal process shall be given notice thereof and an opportunity to appear and be heard at the public hearing before the Board of Selectmen. Willful malfeasance, willful neglect of duty, inability to serve, conviction of a felony or abandonment of office, inter alia, shall constitute cause for removal. Such removal shall require an affirmative vote of four members of the Board of Selectmen.

(2) The failure of a member of any elected or appointed board to attend three consecutively scheduled meetings of such board without having given the Chairman or another officer of such board prior notice of such absence with reasons therefor shall be deemed to constitute a cause for removal pursuant to this section.

C. Recall.

If and to the extent the General Statutes may be amended to authorize the Town to enact a provision to recall elected municipal officials, the Board of Selectmen shall call, within 120 days of the effective date of such amendment, a Special Town Meeting for the purpose of considering the adoption of an ordinance empowering the Town Meeting to recall elected officials.


All elected and appointed officers and members of the boards of the Town shall swear or affirm the faithful performance of their duties and shall receive a copy of the Code of Ethics, and sign acknowledgement of receipt.

§ C-64. Amendment.

This Charter may be amended in the manner prescribed in Chapter 99 of the General Statutes entitled "Municipal Charters and Special Acts," or corresponding successor legislation.

§ C-65. Rules of construction and saving clause.

A. This Charter is intended to avail, make use of and exercise to the fullest extent home rule powers of the Town under Chapter 99 of the General Statutes and any other statutes now in effect or hereafter enacted and any other home rule powers thereof under the Constitution of the State of Connecticut, the common law or otherwise.

B. Nothing herein shall be construed as intended to conflict with or be inconsistent with any General Statute of the State of Connecticut expressing any substantial public policy of the state. It shall be construed as an assertion of the Town's full power and authority to prescribe its organic law for the administration of its local affairs.
C. If any provision of this Charter or the application of such provision to any person or circumstances shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such provision so held invalid may appear, except to the extent that an entire section may be inseparably connected in meaning and effect with the provision to which such holding shall directly apply.

ARTICLE XI
Effect of Charter Transition

§ C-66. Effective date.

This Charter shall take effect on December 1, 2009, and December 1, 2009, is referred to as the "effective date of this Charter," and as used in this Charter, the words "hereafter," "henceforth," "heretofore," "remain," "continue," "now" and similar words implying a point of time shall be read to speak as of such date.

§ C-67. Transition election for First Selectman and Board of Selectmen.

A. A transition election for the five members of the Board of Selectmen, including the First Selectman, shall take place at the first regular municipal election following the effective date of this Charter. Thereafter, the provisions of §§ C-47D and C-48D shall apply. At the transition election, a First Selectman and two other members of the Board of Selectmen shall be elected for a term of four years, and two additional members of the Board of Selectmen shall be elected for a term of two years. There shall be separate elections for First Selectman, the four-year term for two members of the Board of Selectmen and the two-year term for two members of the Board of Selectmen.

B. For this election only, the following procedures will apply:

(1) No political party may nominate and no elector may vote for more than one candidate for First Selectman, two candidates for a four-year term on the Board of Selectmen, and two candidates for a two-year term on the Board of Selectmen.

(2) Following the election, the Town Clerk shall prepare separate lists of the candidates for First Selectman, for the four-year term on the Board of Selectmen, and for the two-year term on the Board of Selectmen, ranked on each list from top to bottom according to the number of votes each receives. On each list, the seats will be filled in following order:

(a) The seat of the First Selectman;

(b) The first seat of the four-year term;
(c) The first seat of the two-year term;

(d) The second seat of the four-year term; and

(e) The second seat of the two-year term.

(3) If during the process, any political party obtains three seats of the total Board, including the First Selectman, the names of the remaining candidates of the same party shall be stricken from the list, and the next highest ranking candidate shall be seated.

§ C-68. Special Acts and ordinances.

A. The following Special Acts applicable to the Town remain unaffected by this Charter.

(1) Two Resolves of Connecticut 1196, Resolve Incorporating the Town of Wilton, passed May 1802.

(2) Two Resolves of Connecticut 1172, Resolve Establishing the line between the Towns of Norwalk and Wilton, passed May 1802.

(3) Eight Special Laws of Connecticut 85, establishing and confirming the boundary line between the Towns of Weston and Wilton, approved March 9, 1877.


(5) Special Act No. 255, 1947 Session, empowering the Town of Wilton to acquire, construct, maintain and operate water supply systems and to issue bonds for such purposes, approved June 11, 1947.


B. All other Special Acts applicable to the Town:

(1) Are amended by this Charter to the extent inconsistent herewith;

(2) Are amended by this subsection to provide that, except to the extent incorporated in this Charter, they may henceforth be further amended or repealed by ordinance; and
(3) Otherwise remain in full force and effect as ordinances.

C. All ordinances, resolutions, bylaws and regulations of the Town in effect at the effective date of this Charter are amended by this Charter to the extent inconsistent herewith and otherwise continue in full force and effect as ordinances and resolutions.

§ C-69. Existing rights unchanged.

A. Nothing in this Charter shall revive or restore to effect any Special Act, ordinance, resolution, bylaw or regulation repealed or any right or liability extinguished by the Charter of the Town of Wilton which took effect on November 4, 1962.

B. Nothing in this Charter shall affect any right, interest, claim, obligation, liability or defense by or against the Town, of whatever description and whether or not matured, existing as of the effective date of this Charter.
PART II

ADMINISTRATIVE AND

SPECIAL LAWS
CHAPTER 1. GENERAL PROVISIONS

[HISTORY: Adopted Wilton Town Meeting 1-30-1968.]

ARTICLE I. Code Adoption

§ 1-1. Adoption of Code as official reference and text.

A certain document entitled "The Code of the Town of Wilton" and cumulative supplements thereto published by order of the Board of Selectmen and certified by the Town Clerk on October 23, 1964 pursuant to and as required by Section 7-148a of the Connecticut General Statutes (a true copy of which now is, and since before August 1, 1967 has been, on file in the office of the Town Clerk of the Town of Wilton) hereby is adopted as an official reference and text of the Charter, Bylaws, Code of Ethics, Ordinances, Zoning Regulations, Land Subdivision Regulations, Road Construction Standards and Specifications, and Zoning Board of Appeals Regulations of the Town of Wilton to the extent the same are, from time to time, certified by the Town Clerk to be set forth currently in said Code.

§ 1-2. When ordinance effective.

The Town Clerk shall certify to the adoption of this ordinance and cause the same to be published as required by law; and this ordinance shall take effect 15 days after such certification and publication.

CHAPTER 3

CODE OF ETHICS

§ 3-1. Applicability.

This Code of Ethics applies to all Town of Wilton officials and employees as defined in § 3-3A of the Code of Ethics.

§ 3-2. Preamble.

A. The goal of this code is to establish clear standards of ethical conduct for all who serve the Town of Wilton, whether in a paid or volunteer capacity, without discouraging participation in Town government by the talented and committed individuals on whose service the Town relies.

B. Specifically, this code seeks to deter conduct that is incompatible with the proper discharge of duties in the public interest or that would impair independence of judgment or action in the performance of those duties as set forth in this code's standards of conduct (§ 3-3), and to establish procedures for determining whether such conduct has occurred or would occur.

§ 3-3. Definitions: standards of conduct.
A. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

BOARD
Any board, committee, commission, council, authority, agency or other body of Town government, including the Board of Selectmen and the Board of Education.

BUSINESS
Any business organization or operation of which an official or employee, or a relative, is an owner, director, officer, employee, compensated agent, or holder of 5% or more of the outstanding stock of any class.

COUNCIL
The Wilton Council on Ethics.

EMPLOYEE
Any person employed full- or part-time by the Town or by any board, excluding any person who is a member of a union having a collective bargaining agreement with the Town or any of its boards and who is covered by a board's code of conduct or a Town departmental code of conduct that:

[Amended 3-3-2008]

(1) Contains provisions equivalent to, or stricter than, those contained in this chapter; and

(2) Includes provision for the making of citizen complaints and for an adjudicative process for review and resolution of them.

FINANCIAL INTEREST
Any interest representing an actual or potential economic gain or loss, which is neither de minimis nor shared by the general public, that accrues to an official or employee, to a relative, or to a business.

OFFICIAL
Any elected or appointed person serving on any board, whether paid or unpaid and whether full- or part-time.

PERSONAL INTEREST
Any interest representing an actual or potential noneconomic benefit or detriment, which is neither de minimis nor shared by the general public, that accrues to an official or employee, to a relative, or to a business.

RELATIVE
Any person related to an official or employee by blood, adoption, or marriage.

TOWN
The Town of Wilton.

B. Key provisions.

(1) Conflict of interest. No official or employee shall participate in any Town or board matter in which he or she has a financial interest or a personal interest. A finding of violation of this provision shall require that:
(a) The official or employee has a financial interest or a personal interest in a matter; and

(b) The official or employee has the authority, either individually or collectively with others, to deliberate, decide or act for the Town or board, or to influence a decision or action by the Town or Board with respect to the matter.

(2) Disclosure and recusal.

(a) Whenever a matter arises with respect to which an official or employee may have a conflict of interest, the official or employee shall disclose it in writing to his or her board or supervisor and shall abstain from participation in the deliberation, decision-making and action with respect to the matter unless and until he or she procures an advisory opinion under this code that provides otherwise.

(b) Candidates for Town or board elective or appointive office or for Town or board employment are encouraged to familiarize themselves with this code and to disclose during the process of election, appointment or employment anything addressed in this code that might impair their ability to perform in the office or position that they seek or for which they are being considered.

(3) Gifts and other things of value. No official, employee, relative, or business shall solicit or accept anything of value, including without limitation a gift, loan, service, reward, or promise of employment, that could reasonably be expected to influence the action or judgment of the official or employee in any Town or board matter.

(4) Use of Town property. No official or employee shall use, or permit the use of, Town property of any nature, including vehicles, supplies and real property, for the benefit of himself or herself, except when such property is made available to the general public and then on terms and conditions not more favorable than those available to the general public.

(5) Representation of private interests. No official shall appear or act in any material capacity on behalf of private interests before any board on which he or she serves, or represent any such interests in litigation involving an action of that board. Disclosure and recusal will not suffice to cure a violation of this provision. This prohibition shall continue for six months after the termination of the official’s service to the Town or board. Nothing contained herein shall prevent an official from appearing in his or her own behalf on a matter before the Town or a board, provided he or she abstains from deliberating, deciding or acting with respect to the matter.

(6) Use of Town position. No official or employee shall use his or her position, or knowledge acquired through that position which is not available to the general public, for the purpose of obtaining or furthering a financial interest or a personal interest.

§ 3-4. Council on Ethics organization and administration; distribution of code; amendments.
A. **Appointment and composition of Council on Ethics.** The Council shall consist of five electors of the Town who shall serve without compensation. No more than three shall be registered in the same political party. No member shall serve on any board other than the Council or as an employee during his or her term of service on the Council. Members shall be appointed to the Council, and vacancies filled, by the Board of Selectmen.

B. **Terms of service.** Except as otherwise provided in this and the following subsection, members shall serve for terms of three years. Service shall be limited to two successive full three-year terms. After a lapse of one year, a former member shall again be eligible for appointment. Terms shall commence on December 1. Members shall serve until their successors take office. Any term that would otherwise expire during the pendency of a Council proceeding shall automatically be extended to the end of that proceeding.

C. **Initial appointments.** Initial appointments shall be for staggered terms ending as follows: two on November 30, 2010, two on November 30, 2009, and one on November 30, 2008.

D. **Election of officers.** The Council shall elect annually a Chair, a Vice-Chair, and a Secretary.

E. **Frequency of meetings, quorum, and duties of officers.** Meetings shall be held as needed and in any event at least semi-annually. A majority shall constitute a quorum for the conduct of business except as provided elsewhere in this Code. The Chair shall call and preside over meetings; the Vice-Chair shall preside over meetings in the absence of the Chair. The Secretary shall keep minutes of meetings and shall file agendas and minutes with the Town Clerk.

F. **No inquiry on Council's own initiative.** The Council shall have no authority to present matters for inquiry or investigation on its own initiative.

G. **Access to Town records and personnel.** In furtherance of its duties, the Council shall have access to Town records and personnel as permitted by law. The Council may request assistance from any official or employee and retain others to aid it in pursuing any investigation.

H. **Access to legal counsel.** The Council shall have access to Town Counsel and to special legal counsel of the Council's choosing if Town Counsel is disqualified from assisting the Council or recuses, or if the Council deems it inadvisable to proceed with advice from Town Counsel in the circumstances. If special counsel is retained, the Town's Chief Financial Officer or his or her deputy shall negotiate terms of engagement for special counsel.

I. **Maintenance of Council's records.** The Council's records shall be stored in Town Hall. Those records that are designated as confidential by the Council shall be stored accordingly and shall not be available for public review except as required by law.
J. Notification of filings. The Town Clerk shall serve as the Council's agent for receipt of correspondence and filings and shall promptly notify the Council of all correspondence and filings.

K. Delivery of this code to each official and employee. Within 30 days following the adoption of this code, a copy shall be furnished by the Town to each official and employee. Persons subsequently elected, appointed or employed shall receive a copy of this code at the time their service commences. Each recipient shall acknowledge, in a writing deposited with the Town Clerk, receipt of a copy of this code and agreement to abide by its terms.

L. Amendment; adoption of rules. The Council may recommend to the Board of Selectmen amendment of this code and may also adopt rules in furtherance of, and not inconsistent with, its provisions.

§ 3-5. Procedure for advisory opinions.

Editor's Note: A Sample Request for an Advisory Opinion Form is included at the end of this chapter. The procedure for advisory opinions concerning an official's or employee's own position shall be as follows:

A. Making a request.

   (1) An official or employee or a candidate for Town office or employment may request an advisory opinion concerning the requirements of this code as applied to him or her.

   (2) The request shall be made in a writing filed with the Town Clerk in a sealed envelope addressed to the Council. The request shall state the name and address of the person making the request and all facts relevant to the matter in question.

B. Issuance of advisory opinion. The Council may request further information from the person making the request. It shall issue its advisory opinion by majority vote of the full Council and shall do so as soon as practicable. The opinion shall be in writing and delivered to the Town Clerk, who shall mail it to the person making the request. Advisory opinions shall be available to the public except as prohibited by law.

C. Reliance. A person requesting an advisory opinion may rely on that opinion, provided the person has disclosed all relevant facts and acts in good faith consistent with those facts.

§ 3-6. Procedure for complaints.

Editor's Note: A Sample Complaint Form is included at the end of this chapter. The procedure for complaints shall be as follows:

A. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

COMPLAINANT
The filer of a complaint.

**COMPLAINT**
A written request for determination made by an individual or a board regarding an alleged violation of this code by an official or employee.

**DETERMINATION**
A written final decision by the Council with respect to a complaint.

**HEARING**
A public proceeding before the Council following a finding of probable cause where testimony is taken and documents may be received.

**RESPONDENT**
The person against whom a complaint is filed.

**RESPONSE**
The respondent's written answer to the complaint.

B. Procedure.

(1) **Filing of a complaint.**

(a) A complaint may be made by any individual or board. It shall be made in a writing signed under oath before a notary and shall state the name and address of the complainant, the identity of the official or employee and, if applicable, the relative or business involved in the complaint, the conduct that allegedly violates the code, and a summary of the relevant facts.

(b) A complaint must be filed within two years after the matter in question has allegedly occurred.

(c) The complaint shall be filed with the Council in a sealed envelope addressed to the Council and marked "confidential." It shall be delivered to the Town Clerk either by hand or by certified mail, return receipt requested. The complaint shall be deemed to have been filed on the date of its receipt by the Town Clerk and shall be treated by the Town Clerk as a confidential document.

(d) The Town Clerk, upon direction of the Council, within three business days after the filing, shall notify the respondent by certified mail, return receipt requested, of the filing and date of the complaint and enclose copies of the complaint and this code.

(e) Once the complainant has performed the function of raising a possible violation of this code, the Council shall decide, in the circumstances of the individual case, what further role, if any, the complainant should have in the matter.

(2) **Probable cause.**

(a) The Council shall review the complaint to determine whether probable cause exists for further proceedings and may conduct an investigation for this purpose. Any investigation conducted prior to a probable cause finding shall be confidential unless
confidentiality is waived in writing by the respondent. The respondent may submit a preliminary written reply to the Council within 15 days after the filing of the complaint and before a probable cause finding issues.

(b) If the Council decides by majority vote of members eligible to vote that the complaint does not warrant further investigation because of its lack of factual basis, its de minimis nature, or otherwise, it shall issue a finding of no probable cause dismissing the complaint. The finding and the complaint shall remain confidential unless confidentiality is waived in writing by the respondent. A finding of no probable cause shall be final. The Council shall direct the Town Clerk to forward copies of the finding to complainant and respondent by certified mail, return receipt requested, within three business days thereafter.

(c) If, by majority vote of members eligible to vote or by tie vote, the Council finds probable cause, the Council shall direct the Town Clerk to forward copies of the finding to complainant and respondent by certified mail, return receipt requested, within three business days thereafter. Upon a finding of probable cause, the complaint, the finding, and the information gathered during the investigation, if any, shall be made available to the public, and all filings and proceedings that follow shall be public except as required by law; provided, however, that deliberations may be held in executive session to the extent permitted by the Connecticut Freedom of Information Act.

(3) **Response.** Respondent shall have 30 days after his or her notification of a finding of probable cause to file a response with the Town Clerk. The Council may, upon reasonable grounds, extend this deadline for filing.

(4) **Hearing.**

(a) The Council shall hold a hearing on any complaint as to which it has found probable cause unless respondent waives a hearing in writing and the Council decides not to hold one. The hearing shall be held on written notice of no less than 30 days to complainant and respondent sent by the Town Clerk by certified mail, return receipt requested. The Council may, upon reasonable grounds, extend the date of the hearing at the request of the respondent.

(b) If a hearing is held, respondent shall have the opportunity to be represented by legal counsel, to present evidence, and to examine and cross-examine witnesses including the complainant. For purposes of its investigation and at the hearing, the Council is empowered to administer oaths or affirmations and may compel the attendance of witnesses by issuance of subpoenas. It may also require the production of documents, whether in hard copy or electronic format, by issuance of subpoenas for their production. The Council shall give effect to the rules of privilege recognized by the law. The Council may examine any witness who appears before it, including complainant and respondent. The Council may limit the number of witnesses and the scope of testimony to matters it believes relevant, material, not unduly repetitious, and necessary to reach a reasoned
determination. A taped or stenographic record shall be made of all proceedings in the hearing.

(5) **Determination.**

(a) Following the hearing, the Council shall issue a determination as soon as practicable and file it with the Town Clerk, who shall mail copies to complainant and respondent within three business days thereafter. No member may vote on a determination unless he or she has attended the entire hearing, if any, and participated in all deliberations. Deliberations may be held in executive session to the extent permitted by the Connecticut Freedom of Information Act. A determination of violation requires a majority vote of members eligible to vote. In the event of a tie vote, the determination shall be that there is no violation.

(b) A determination of no violation of this code shall be final.

(c) If a violation is found, the Council may, but need not, also recommend in its determination sanctions which may include, but need not be limited to, censure, required recusal, disclosure of conflicts, and removal from appointive office or employment. Any sanctions imposed under this code shall be separate from, and not in limitation of, any other actions that may be taken against respondent in any proceedings outside this Code.

(6) **Submission of determination of violation.** A determination of violation of this code shall be submitted by the Town Clerk within three business days to the Board of Selectmen for such action as it deems appropriate; provided, however, that if the respondent is an official or employee of the Board of Education, the submission by the Town Clerk shall be to the Board of Education for such action as it deems appropriate.

§ 3-7. **Effective date.**

The effective date of this chapter shall be September 15, 2007. This ordinance supersedes the Town Code of Ethics dated March 16, 1983, in its entirety and any amendments to it and regulations issued under it.
Town of Wilton
SAMPLE FORM
Request for an Advisory Opinion

BY HAND DELIVERY OR CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Council on Ethics
c/o Town Clerk, Town of Wilton
238 Danbury Road
Wilton, CT 06897

Dear Council on Ethics:

This is a request for an advisory opinion from the Council with respect to my situation. I am a Town [Official/Employee] serving [on the __________ Board/employed in the __________ Department].

My request relates to [EXAMPLES: a possible conflict of interest/how to handle a disclosure and recusal in light of a conflict of interest/a gift situation / a use of Town property / a representation of private interests / a use of Town position].

All of the relevant facts relating to my request are as follows:

____________________.

Please advise me whether my proposed [action/inaction] as follows: __________ in these circumstances complies with the requirements of the Code.

Sincerely,

____________________
[Signature]
[Printed or typed name]
[Address]

[Phone number]
BY HAND DELIVERY OR CERTIFIED MAIL, 
RETURN RECEIPT REQUESTED

CONFIDENTIAL 
[written both here and on the face of the sealed envelope]

Council on Ethics 
c/o Town Clerk, Town of Wilton 
238 Danbury Road 
Wilton, CT 06897

Dear Council on Ethics:

This is a complaint with respect to the conduct of Mr./Ms. X, a Town [Official/Employee], that I believe may violate the Code of Ethics. 

[THREE SPECIFIC HYPOTHETICAL EXAMPLES OF CONDUCT DESCRIPTIONS:]

Specifically, on Y date, I saw X fill X’s private automobile with gasoline from a Town pump located behind Town Hall. 
OR
Specifically, X has participated in consideration of the Y matter before Z Board on which X sits which relates to [X’s / X’s son’s / X’s business’] interests. 
OR

3 Attachment
Specifically, on Y date, X solicited a gift of __________ from A when the B matter in which A was interested was before Z Board on which X sits. I know this happened because _____________________.] I request that the Council investigate this complaint. Sincerely,

__________________________
[Signature]
[Printed or typed name]
[Address]
[Phone number]

[ isEmpty ] of [address] appeared before me this _____ day of __________, 20 _____, signed this letter in my presence, and swore or affirmed that the contents of this letter is a true and accurate statement to the best of his or her knowledge.

________________________________________
[NOTARY PUBLIC]
Chapter 4

SIGNIFICANT BYLAWS OR RESOLUTIONS OF THE TOWN MEETING

Editor's Note: Former Ch. 4, Bylaws, was retitled, reorganized and renumbered when those articles and sections superseded by the Charter, other ordinances or state law were removed. Such provisions have been included in Part IV of the Appendix.

[HISTORY: Adopted by the Wilton Town Meeting as indicated in article histories. Amendments noted where applicable.]

ARTICLE I. Duties of Town Officers (§ 4-1 — § 4-3)

§ 4-1. Selectmen: control of growth along highways.

[Amended 7-25-1955]

The Selectmen may, at any time, cause to be cut all bushes and branches of trees growing within 10 feet of the middle of the traveled way of any highway in the Town of Wilton when, in their judgment, public convenience and necessity require it. Bushes may be cut by abutting property owners on the highway in front of their premises at any time.

§ 4-2. (Reserved)

Editor's Note: Former § 4-2, Selectmen: printing of bylaws and regulations, added 7-25-1955, was repealed 7-12-1984.

Editor's Note: See Sections 7-391 through 7-397 of the Connecticut General Statutes.

§ 4-3. Town Auditor

It shall be the duty of the Town Auditor to verify the accounts of the Selectmen, the Town Treasurer, the Tax Collector and the Board of Education in the form and manner required by law.

ARTICLE II. (Reserved)

§ 4-4. (Reserved)

Editor's Note: Former Article II, Meetings of Selectmen and Treasurer, adopted 40-20-1903, as amended 7-25-1955, was repealed 7-12-1984.

ARTICLE III. Acceptance of New Roads

§ 4-5. Joint responsibility of Selectmen and Planning and Zoning Commission.

§ 4-6. Public hearing; recording of acceptance.

§ 4-7. Written application and survey required.

Open all 3 sections

Editor's Note: See Section 13a-48 of the Connecticut General Statutes.
§ 4-5. Joint responsibility of Selectmen and Planning and Zoning Commission.

The Board of Selectmen and the Town Planning and Zoning Commission shall have the joint responsibility for accepting private roads as public highways and accepting private property for highway use.

§ 4-6. Public hearing; recording of acceptance.

It shall be the duty of the Planning and Zoning Commission to make its acceptance in the official records of the Commission based upon compliance with the legally constituted requirements of said Commission in each case, and it shall be the duty of the Board of Selectmen to make its acceptance in the record of Town procedure based upon compliance with the bylaws and regulations of the Town of Wilton relating to construction; provided, however, that no private roads shall be accepted as public highways and no private property shall be accepted for highway use until after a public hearing shall have been held by the Board of Selectmen with respect to said acceptance, notice of which hearing shall have been given by publication in a newspaper having a circulation in the Town of Wilton.

§ 4-7. Written application and survey required.

No road shall be accepted by the Town except upon application, in writing, accompanied by a survey showing its location and in accordance with the governing Road Construction Standards and Specifications, effective March 2, 1961. Editor's Note: The Road Construction Standards and Specifications are included in Part II of the Appendix.

ARTICLE IV. Planning and Zoning Commission

§ 4-8. Officers and rules.

§ 4-9. Quorum.

[Adopted 5-1-1962]

§ 4-8. Officers and rules.

The Commission shall elect a Chairman, a Vice Chairman and a Secretary from its members, shall adopt rules for the transaction of business and shall keep a public record of its activities.

§ 4-9. Quorum.

A majority of the members of the Commission shall constitute a quorum. Any public hearing conducted by the Commission shall be held by the Commission or a committee thereof appointed for that purpose constituting a majority of the members of the Commission.

ARTICLE V. Election of Justices of the Peace
§ 4-10. Required number of Justices of the Peace.

[Adopted 8-3-1964; amended in its entirety 6-17-1996]

§ 4-10. Required number of Justices of the Peace.
Editor's Note: See also Ch. 2, Charter, § C8-4C.

WHEREAS, § 9-183 of the Connecticut General Statutes, as amended, provides that the number of Justices of the Peace for each town shall be equal to 1/3 the number of jurors to which such town is by law entitled; and

WHEREAS, by law, the Town of Wilton is entitled to 96 jurors; and

WHEREAS, § 9-183 of the Connecticut General Statutes, as amended, provides that the Town may, by ordinance, provide for the election of a lesser number of Justices of the Peace for such town; and

WHEREAS, Connecticut General Statutes § 9-183(a) provides that the Town may, by ordinance, amend a special act, charter or ordinance to provide for the number of Justices of the Peace to be selected in 1996 and quadrennially thereafter which shall not be less than 15 nor more than one-third (1/3) of the number of jurors to which the Town is, by law, entitled.

NOW, THEREFORE, be it resolved that, until further action by the legislative authority of this Town, the number of Justices of the Peace for this Town be and same is fixed at 15.

ARTICLE VI. Election Districts

§ 4-11. District boundaries described.
§ 4-12. Polling places.
§ 4-13. Implementation.
§ 4-14. When effective.

[Adopted 7-29-1969; amended in its entirety 10-21-2002]

§ 4-11. District boundaries described.

The Town of Wilton shall be divided into three voting districts, as shown on a map on file in the Town Clerk's office, to make the boundaries of such districts conform to the boundaries of the 125th and 143rd Assembly Districts as set forth in the 2001 reapportionment plan as adopted by the Connecticut Legislature, pursuant to Section 9-169 of the Connecticut General Statutes, as amended. In the future, the boundaries of such districts shall adjust to conform to any changes in the Assembly Districts and any subsequent reapportionment plans which are authorized by the Connecticut Legislature.

§ 4-12. Polling places.
The Registrars of Voters shall hereafter take such action as shall provide suitable polling places in each district at such locations as they shall select but, if the Registrars fail to agree as to the location of any polling places, then the polling places for each district shall be designated by the Board of Selectmen.

§ 4-13. Implementation.

The Registrars of Voters shall take all such action as shall be required to implement this resolution pursuant to Section 9-169 of the Connecticut General Statutes, as amended.

§ 4-14. When effective.

This resolution shall take effect upon its passage and shall apply to any election or primary occurring after the passage of this resolution.

CHAPTER 5. SPECIAL FUNDS

ARTICLE I. Emergency Medical Services Fund (§ 5-1 — § 5-4)
ARTICLE II. Selectmen's Benevolent Fund (§ 5-5 — § 5-10)
ARTICLE III. Open Space Fund (§ 5-11 — § 5-17)


§ 5-1. Creation of fund; purpose.

There is hereby created a special fund, to be known as the "Wilton Emergency Medical Services Fund," for the following purposes:

A. To provide support emergency medical services, including but not limited to the hiring of medical personnel and the purchase of medical supplies.

B. To purchase, replace, refurbish or equip ambulances or other emergency medical service vehicles.

C. To pay for any other expenses incurred directly in providing and administering emergency medical services.

§ 5-2. Source of funds.

There shall be paid into such special fund:

A. Such amounts as may be specifically appropriated from time to time.

B. Such amounts as are authorized to be transferred thereto from the general fund cash surplus available at the end of any fiscal year.
C. Any gifts or bequests designated or intended for the purposes aforesaid.

D. Any such payments made to the Town for the use of any such emergency medical services.

§ 5-3. Discontinuance of fund.

Said fund may be discontinued at any time by action of the Board of Selectmen, in which event the balance of said fund shall be transferred to the general fund of the Town.

§ 5-4. (Reserved)

ARTICLE II. Selectmen's Benevolent Fund

§ 5-5. Creation of fund; purpose.

There is hereby created a special fund, to be known as the "Selectmen's Benevolent Fund," consisting in the first instance of the sum of $1,000 already donated to the Town, to be used for the purposes and in the manner hereinafter set forth.

§ 5-6. Source; deposit of funds.

There shall be deposited in such special fund any gifts or bequests designated or intended for the purposes hereinafter set forth which may from time to time be given to, or received by, or on behalf of, the Town of Wilton. All money so accumulated, together with the interest that accrues thereon, shall be deposited in a separate bank account by the Treasurer of the Town.

§ 5-7. Beneficiaries.

Such fund is for the benefit of any employee of the Town of Wilton or volunteer worker, or the dependents of any such employee or volunteer worker, who is injured in the line of duty while engaged in hazardous occupation for, or on behalf of, the Town or its inhabitants in general.

§ 5-8. Withdrawal from fund.

The Board of Selectmen shall have the sole power to draw upon such fund and may pay therefrom, to or for the benefit of the persons designated in § 5-7, such amounts as in their sole and unhampered discretion they may determine.

§ 5-9. Interpretation of ordinance provisions.
It is declared to be the intention of this ordinance that its provisions be liberally construed to carry out its general purpose and intent, and the Board of Selectmen in its sole and unhampered discretion shall have the power to interpret its provisions and determine the persons who shall qualify for the benefits provided thereunder.

§ 5-10. Discontinuance of fund.

Said fund may be discontinued at any time by vote of the legislative body of the Town, in which event the balance of said fund shall be transferred to the general fund of the Town.

ARTICLE III. Open Space Fund

§ 5-11. Creation and purpose.

Pursuant to the authority vested in municipalities under Connecticut General Statutes, § 7-131(a) and § 7-148, there is hereby created a fund to be known as the "Open Space Fund." The purposes of the Open Space Fund shall be to preserve Wilton's rural character and to protect its natural resources by providing financial support for initiatives and activities that primarily seek to preserve parcels of land in a natural, undisturbed state.

§ 5-12. Sources of funds.

Unless otherwise prescribed by law, regulation or the Town Charter, there shall be credited to said fund the following:

A. Appropriations for open space acquisition made by the Town pursuant to § C-16C, C-31 or C-33 of the Town Charter;

B. Federal and state grants;

C. Gifts and donations designated specifically for or restricted to the purposes set forth in § 5-11.

D. Revenues from specific taxes levied or imposed for the acquisition of open space;

E. Interest earned on the investment of fund assets; and
F. The proceeds, net of disposition costs, from the sale of property and property rights previously acquired with resources of the fund.

§ 5-13. Permitted uses of funds.

Resources of the fund shall be used for:

A. The acquisition of real property and/or real property rights including, but not necessarily limited to, options to purchase, development rights, easements and rights-of-way;

B. Payment of acquisition-related costs including, but not necessarily limited to, title searches, appraisals, surveys, legal fees and advertisements; and

C. Contributing to the cost of land acquisitions by not-for-profit organizations when consistent with and in furtherance of the purposes set forth in § 5-11 of this ordinance.

§ 5-14. Procedures for uses of funds.

Proposals for use of the fund, including reasonable estimates of all costs and revenues, shall be submitted to the Board of Selectmen. The Board shall ascertain that sufficient, unobligated resources of the fund are or will be readily available and that the proposal is consistent with the permitted uses. The Board shall then refer the proposal to the Conservation Commission for review and comment. The Conservation Commission shall have 45 days to submit a written report to the Board of Selectmen. After considering the report, if any, of the Conservation Commission and after securing a report from the Planning and Zoning Commission pursuant to § 8-24 of the Connecticut General Statutes, the Board of Selectmen may, on its own authority, authorize the necessary funds to be expended or, if required to by § C-6 of the Charter, refer the matter to the Town Meeting.

§ 5-15. Disposition of property and property rights.

In the event the Board of Selectmen determines that real property or real property rights acquired with resources from the fund are no longer desirable as, suitable, required or appropriate for open space, it shall request a report from the Conservation Commission which shall have 45 days from the date of the referral to submit said report to the Board of Selectmen. The Board of Selectman shall also refer the proposed disposition to the Planning and Zoning Commission pursuant to § 8-24 of the Connecticut General Statutes. After 45 days and consideration of reports received, the Board of Selectmen may proceed to dispose of said property or property rights by sale or otherwise, or if required by § C-6A(4) of the Charter, refer the proposed disposition to the Town Meeting.

§ 5-16. Termination of fund.

In the event the Board of Selectmen elects to terminate the Open Space Fund, it shall refer the matter to the Town Meeting. Pending action by the Town Meeting no new obligations against fund resources shall occur. If the Town Meeting approves the termination of the fund, any liabilities then existing shall be paid from fund assets then available and from assets which
become available to the fund on or before the close of the fiscal year in which such termination occurs. Thereafter, any remaining fund assets and liabilities shall be transferred to the general fund.

§ 5-17. Effective date.

This ordinance shall become effective upon passage.

CHAPTER 6. SPECIAL ACTS

ARTICLE I. Incorporation (§ 6-1 — § 6-3)
ARTICLE II. Norwalk-Wilton Boundary-Line (§ 6-4 — § 6-5)
ARTICLE III. Work-House for Fairfield, Norwalk, Weston and Wilton (§ 6-6 — § 6-7)
ARTICLE IV. Weston-Wilton Boundary-Line (§ 6-8 — § 6-10)
ARTICLE V. Georgetown Fire District (§ 6-11 — § 6-16)
ARTICLE VI. Water-Supply Systems (§ 6-17 — § 6-22)
ARTICLE VII. Retirement System (§ 6-23 — § 6-25)
ARTICLE VIII. Expenses Incurred Within Georgetown Fire District (§ 6-26 — § 6-27)
ARTICLE IX. Reconstruction of Railroad Bridge on Wolfpit Road (§ 6-28)
ARTICLE IXA. Conveyance of Certain Lands (§ 6-28.1 — § 6-28.2)
ARTICLE X. Acceptance of Public Highways (§ 6-29)

[HISTORY: These Special Acts affecting the Town of Wilton adopted by the State of Connecticut General Assembly: Art. I, 5-2-1802; Art. II, 5-1802; Art. III, 5-1807; Art. IV, 3-9-1877; Art. V, 1-1933; Art. VI, 6-11-1947; Art. VII, 6-19-1960; Art. VIII, 5-25-1978; Art. IX, 5-16-1979; Art. IXA, 6-9-1986; Art. X, 5-17-1989.1 Editor's Note: Former Articles V, VII, X and XI have been removed and placed in Part IV of the Appendix for historical reference and the rest of this chapter has been renumbered.

ARTICLE I. Incorporation
§ 6-1. Petition.
§ 6-2. Incorporation, representation, limits, taxes.
§ 6-3. First meeting, officers.

[Adopted 5-2-1802]

2 Resolves of Connecticut 1196, Resolve Incorporating the Town of Wilton.

At a General Assembly of the State of Connecticut holden at Hartford on the second Thursday of May, Anno Dormini 1802.

§ 6-1. Petition.

Upon the Petition of Matthew Marvin and the rest of the Inhabitants of the Society of Wilton in the Town of Norwalk, and the Inhabitants of that part of the Society of Norfield which is within said Town showing that the Town of Norwalk is so large that it is very inconvenient for them to
attend the public meetings or manage its concerns with economy — that their lists and their numbers are sufficient for two respectable Towns and that a division would leave each part in a compact form and praying to be incorporated into a Town with the privileges usually granted as by their Petition on file at large appears. The Town of Norwalk being notified appeared by their agents and the parties were fully heard and the facts in said Petition stated being proved.

§ 6-2. Incorporation, representation, limits, taxes.

RESOLVED by this Assembly that the Inhabitants living within the limits hereafter mentioned be and they hereby are incorporated into a Town and made a body politic by the name of Wilton and they and their successors Inhabitants of said Territory shall ever be and remain a Town corporate with the privileges and immunities appertaining or belonging to other Towns in this state by virtue of their respective Incorporations, except that said Town of Wilton shall be entitled to elect and send one Representative only to the General Assembly until by law it shall be entitled to two. And that the Boundaries and limits of said Town of Wilton be and the same are hereby established in pursuance of the agreement of the parties interested as follows: viz. The Southern boundary of said Town shall be a line to be run from the monuments heretofore erected on the Southwest and Southeast corners of said Society of Wilton in such place and manner from one of those monuments to the other as the Selectmen of said Towns of Norwalk and Wilton shall by their agreement establish and in case of disagreement between said Select-men then in such place and manner as Joseph Selliman, Esq. of New Canaan, Seth Samuel Smith, Esq. of Redding and Samuel B. Sherwood, Esq. of Weston or any two of them shall designate which agreement or designation shall be reported to this Assembly at their sessions in October next. Thence from the said Southeast Corner N. 22° 30' W. Six Miles and 29 Chains to the Northeast Monument dividing the Towns of Redding, Ridgefield and Norwalk, thence W. 22° 30' S. Three Miles and 70 Chains to the Northwest Monument, thence S. 24° 30' E. Two Miles, thence W. 22° S. Twelve Chains, thence bounded on the Town of New Canaan to the first mentioned Monument at the Southwest corner of Wilton Society- And said Town of Wilton shall take and maintain such part of the Town poor and pay such part of the now existing debts of said Town of Norwalk and shall be entitled to receive such part of the credits, claims, monies and other personal Estate belonging to said Town of Norwalk as will be in proportion to the amount of the Grand List of said Town of Wilton and the Grand List of the remaining part of said Town of Norwalk as the same were made up for the year 1801 and the Collectors of all State and Town taxes heretofore granted shall have power to proceed to the collection thereof as tho' this Resolve had not passed.

§ 6-3. First meeting, officers.

And the Town of Wilton shall hold their first Meeting at the Meeting House in the Society of Wilton on the third Monday of June next and at said meeting may proceed to choose for the current year a Town Clerk, Select-men, Listers, Constables and other officers by law established which meeting shall be warned by a warrant signed by Matthew Mead Esq. of said Wilton, a Justice of the Peace for the County of Fairfield and posted on the sign post in said Society at least five days before said Meeting and the said Matthew Mead, Esq. shall be the Moderator of said Meeting and in case of his absence or decease Matthew Marvin, Esq. is hereby empowered to issue said Warrant and to preside as Moderator at said Meeting. And said Town of Wilton is hereby annexed to the County of Fairfield.
A true Copy of Record Examined By Samuel Wyllys, Secretary.

ARTICLE II. Norwalk-Wilton Boundary-Line
§ 6-4. Approval of line by Select-men of Norwalk and Wilton.
§ 6-5. Acceptance of line by State Assembly.

[Adopted 5-1802]

2 Resolves of Connecticut 1172, Resolve Establishing the Line Between the Towns of Norwalk and Wilton.

§ 6-4. Approval of line by Select-men of Norwalk and Wilton.

We, the subscribers, Select-men of the Towns of Norwalk and Wilton, being appointed by the Honorable General Assembly at their session in May last, to agree upon a dividing line between the said towns, beg leave to report, that on the 11th of August, 1802, we met at the house of Daniel Betts in Wilton, and agreed to proceed upon the following principles, to begin at Copts brook so called, on the main road leading from Norwalk to Danbury, and running south 77 1-2 west, and to the southwest corner of the Town of Wilton, to a heap of stones in a bunch of hemlock or spruce trees dividing the Towns of Norwalk, Wilton and New-Canaan, we then proceeded from Copts brook aforesaid, running north 61 1-2, east 112 chains to a heap of stones about four rods southwest from the house of Samuel Gregory; thence running south 77 1-2° east to Stewart's corner, so called, to a heap of stones on the highway 39 chains; thence north 32° east 23 chains to a heap of stones near Thomas Whitlock's barn on the highway dividing the Towns of Norwalk, Weston, and Wilton, and erected bounds at proper distances on all the above lines, all which we humbly submit to the consideration of the Honorable General Assembly.

Thomas Belden, Gold Hoyt, El: Reed, Select-men of the Town of Norwalk, Samuel Comstock, Daniel Gregory, Matthew Marvin, Select-men of the Town of Wilton.

Dated at Wilton, August 27th, 1802

§ 6-5. Acceptance of line by State Assembly.

Resolved by this Assembly, that the above report of the Selectmen of the Towns of Norwalk and Wilton, be, and hereby is accepted, and that the line therein described, shall be, and hereby is established as the dividing line between said Towns of Norwalk and Wilton and that the same be recorded in the Public Records of this state.

ARTICLE III. Work-House for Fairfield, Norwalk, Weston and Wilton
§ 6-6. Establishment of work-house, administration.
§ 6-7. Repeal of by-laws.
Open all 2 sections

[Adopted 5-1807]
§ 6-6. Establishment of work-house, administration.

Be it enacted by the Governor and Council and House of Representatives, in General Court assembled, that the Towns of Fairfield, Norwalk, Weston and Wilton, by their agents appointed for that purpose, be, and they are hereby authorized to establish a work-house for said towns; and to ordain such by-laws as they may judge necessary relative to the persons to be committed to such work-house; to the manner of their being committed and confined therein; and to the well ordering and governing said house, and keeping the persons confined to labor, not contrary to the laws of this State.

§ 6-7. Repeal of by-laws.

Provided, that any by-law made by virtue of this act, may be repealed by the Superior Court, if on a hearing adjudged unreasonable or unjust.

ARTICLE IV. Weston-Wilton Boundary-Line

§ 6-8. Agreement on line by Select-men of Weston and Wilton.


§ 6-10. Effect of resolution.

[Adopted 9-1877]

8 Special Laws of Connecticut 85, Special Acts No. 59, Establishing and Confirming the Boundary-Line between the Towns of Weston and Wilton.

§ 6-8. Agreement on line by Select-men of Weston and Wilton.

Whereas, upon the petition of the Select-men of the Towns of Weston and Wilton, in Fairfield County, it has been made to appear to this general assembly, that, by the act or resolution of the general assembly incorporating the Town of Wilton, passed in 1802, it was provided that the easterly boundary of said Town shall commence at the south-easterly corner of the society of Wilton, and run thence north (22° 30' west) six miles 29 chains to the north-easterly monument dividing the Towns of Reading, Editor's Note: Old spelling of the present Town of Redding. Ridgefield and Norwalk; that said south-easterly and north-easterly corner bounds are well settled and duly marked, and no dispute has ever existed in regard to them; that a line run from said south-east bound in the direction and to the distance mentioned in said acts leads to a point far distant and to the eastward of said north-east monument, and would include in the Town of Wilton a large territory which has always been treated and recognized as embraced within the Towns of Weston and Reading, and would not touch the Town of Ridgefield; that, on the other hand, if a straight line were drawn between said south-easterly and north-easterly corner bounds, it would make the Towns of Reading and Weston respectively to embrace tracts of land over which they have never exercised nor claimed jurisdiction; that there is a permanent rock situated in a stream or mill-pond at the village of Georgetown, so-called, between the supposed lines
before mentioned, which rock is marked with lines crossing each other and with the letters N.F.R., which has been, from a time beyond the memory of men now living, reputed to be the bound where the dividing line between the ancient Towns of Fairfield and Reading intersected the boundary-line of the ancient Town of Norwalk, and since the incorporation of the Towns of Weston and Wilton, to be also the place of intersection of the boundary-lines of the Towns of Reading, Weston, and Wilton, and that a line running from said south-east bound of Wilton to the intersection of said cross-lines on said rock has, from time immemorial, been generally reputed to be and has been generally recognized as the boundary-line between said Towns of Weston and Wilton; that said petitioners have caused said last-mentioned line to be surveyed as a straight line between said south-east bound and said rock, and have agreed on the same as a proper and the true boundary-line between said towns, but that doubts have been suggested whether the same is the lawful boundary, and embarrassments arise, from time to time, growing out of the same: therefore,


Resolved by this Assembly: That the boundary-line between the Towns of Weston and Wilton, in Fairfield County, is hereby declared to be, and is fixed, confirmed, and established as follows, viz.: beginning at the south-easterly corner of the Town of Wilton, at present marked by a heap of stones on a ledge on the westerly side of an old highway, and thence running northerly in a straight line to the point of intersection of said cross-lines upon said rock situated in the stream or mill-pond at the village of Georgetown, so-called, which rock is marked with the letters N.F.R. and the Select-men of said Towns of Weston and Wilton shall cause suitable monuments to be erected and maintained on said line, at the joint expense of said towns, and as required by law.

§ 6-10. Effect of resolution.

This resolution shall not be so construed as to affect any pending suit, nor the title to any lands, nor any boundary-line between adjoining proprietors of lands.

Approved, March 9th, 1877.

ARTICLE V. Georgetown Fire District

§ 6-11. Incorporation of the Georgetown Fire District.
§ 6-12. Authority of the corporation.
§ 6-13. Meetings; compensation of officers.
§ 6-15. First meeting.
§ 6-16. Annual meeting.

[Adopted 1-1933]

An Act incorporating the Georgetown Fire District in the Towns of Wilton, Redding and Weston.

Be it enacted by the Senate and House of Representatives in General Assembly convened:
§ 6-11. Incorporation of the Georgetown Fire District.

All of the electors of this state, inhabitants of the Towns of Wilton, Redding or Weston, dwelling within the following described limits of said towns: Commencing at a point where the Weston-Redding town line meets the westerly side of the Saugatuck River, thence following the westerly side of said river in a northerly direction to the school district boundary-line separating Diamond Hill and Little Boston School districts near Burr's Corner, thence following said line separating said school districts in a westerly direction to the Florida School District line, thence southerly following said Florida School District line to the Ridgefield town line, thence continuing southerly following said Ridgefield town line (being the Ridgefield-Redding town line) to the Wilton town line, thence westerly following the Wilton town line (being the Wilton-Ridgefield town line), to the westerly line of Wilton School District No. 10, thence southerly and easterly following said school district line to the Weston-Wilton town line, thence easterly to a point on the Georgetown-Weston state road where said road crosses Samuelson's brook, so called, at the center line of said brook, thence continuing easterly following said center line of said brook to a tributary brook flowing from the north into said Samuelson's brook, thence northerly following the center line of said tributary brook and continuing northerly in a straight line to the Weston-Redding town line, and thence easterly following said town line to the point of beginning, are constituted a body politic by the name of Georgetown Fire District, and shall be an entity in law capable of suing and being sued in all Courts, and of purchasing, holding and conveying any estate, real and personal, and may have a common seal and alter or change the same.

§ 6-12. Authority of the corporation.

Said corporation is authorized to provide for the extinguishment of fires and to lease, accept, take over or purchase land within its limits and to erect or cause to be erected upon such land a building or buildings for the housing of all fire apparatus owned by it or by any fire department located therein, and for the accommodation of members of such fire department, which building or buildings may also be used for district meetings; and said corporation may also accept, take over or purchase any apparatus deemed necessary or advisable by it for use in the extinguishing of fires in said district.

§ 6-13. Meetings; compensation of officers.

Said corporation is authorized to hold meetings at any point within said district for the performance of the purposes of said corporation and to fix the compensation of such officers and other agents of the corporation as may be needed for the performance of the work incidental to the carrying on of the objects herein authorized.


The officers of said district and their powers and duties, except as herein provided, shall bear the same relation to the purposes for which said district is incorporated, as officers of school districts and their powers and duties bear to the School District affairs and except as otherwise provided, the laws relating to school districts (mutatis mutandus) shall apply to said Georgetown Fire District.
§ 6-15. First meeting.

The first meeting of said Georgetown Fire District shall be held on the 12th day of June, 1933, at 7:00 p.m., eastern standard time. Benjamin B. Banks, Arthur A. Smith and David T. Wahlquist, shall be a committee to call said first meeting of said district by posting a notice designating said time and the place of holding the same, on the sign post in each of said towns of Wilton, Redding and Weston five days before the time designated in said notice for the holding of such meeting, and one of said committee shall preside at such meeting until a presiding officer shall be chosen. Such meeting shall proceed to organize and elect officers who shall serve until the next annual meeting of said Fire District and until others shall be elected and shall have qualified in their stead. Any any meeting of the District, a majority of the electors present shall be sufficient to transact business.

§ 6-16. Annual meeting.

The annual meeting of said District shall be held on the second Tuesday of June, in each year, at seven o'clock in the evening, eastern standard time.

ARTICLE VI. Water-Supply Systems

§ 6-17. Acquisition of land; source of supply.

§ 6-18. Board of Water Commissioners; Superintendent.


§ 6-20. Meeting required.

§ 6-21. Powers to acquire and construct systems.

§ 6-22. When effective.

[Adopted 6-11-1947]

Special Act No. 255, 1947 Session. An act empowering the Town of Wilton to acquire, construct, maintain and operate water-supply systems and to issue bonds for such purposes.

§ 6-17. Acquisition of land; source of supply.

The Town of Wilton shall have the power to acquire, construct, maintain and operate a system or systems for the purpose of supplying water within said Town for domestic, business, industrial or other use, and to issue bonds from time to time to finance the costs of acquiring and constructing such system or systems of water supply, including any lands or rights in land or property, real or personal, whether within or without said Town, used in the operation of such system or systems. If said Town shall be unable to obtain for a reasonable price any land or easement in land required by it for its purposes, it may acquire such land or easements by condemnation thereof, in the manner provided by Chapter 34 of the General Statutes for establishing fire or other districts. The source of supply may be developed within the Town of Wilton except that no water shall be diverted from the watersheds tributary to the water supplies of the first taxing district of Norwalk or the second taxing district of Norwalk unless on the basis of agreement with such district.
§ 6-18. Board of Water Commissioners; Superintendent.

The exclusive control, care and management of such system or systems shall be exercised by a Board of Water Commissioners of said Town, to be composed of three electors thereof, who shall be elected at the same time and in the same manner as other Town officers, for terms of six years. The Commissioners first elected shall serve, one until the next biennial Town election, one until the second biennial Town election and one until the third biennial Town election thereafter. Said board may appoint and prescribe the powers and duties of a Superintendent and such other employees as it may deem necessary for such system or systems of water supply, and may make all regulations needful for the care, management, operation and maintenance thereof, and for the distribution and use of water and may establish the manner of payment therefor, the method of collecting water rents and the penalties for nonpayment of the same, and may make all contracts and perform all acts necessary for such purposes.


Any bonds issued pursuant to this act shall be denominated "water bonds" and shall be coupon bonds bearing interest, at a rate not exceeding 4% per annum and may be made registerable either as to principle or as to both interest and principal. Such bonds may be issued either as a single issue or as one or more separate issues of bonds. The bonds of each issue shall mature in annual installments, the first of which shall mature not later than two years and the last not later than 20 years after the date of issue. Such bonds shall be issued in such form and in such denomination and shall mature in such manner and bear such rate or rates of interest and shall contain such provisions as to time and medium of payment and shall be signed, executed, sold and delivered in such manner as the Board of Water Commissioners may determine, subject to the approval of the Board of Finance and to the limitations and restrictions contained in this act and in accordance with any determination made by said Town at any meeting called and held as herein provided. Such bonds shall be sold for not less than par and shall be issued in the name of and on behalf of and upon the credit of said Town and, when so executed, issued and delivered, shall be obligatory upon such Town and upon the inhabitants thereof according to the tenor and purport of the same.

§ 6-20. Meeting required.

Before any system of water supply is acquired or constructed and any bonds issued pursuant to this act, the Town of Wilton shall, at a meeting duly called as herein provided, determine to acquire or construct such system or systems of water supply and determine, within the limitations prescribed by this act, the maximum principal amount of bonds to be issued to finance the acquisition or construction of such system or systems of water supply and the annual rate of interest, not to exceed 4% to be borne by such bonds.

§ 6-21. Powers to acquire and construct systems.

When the Town of Wilton shall, at a meeting duly called as herein provided, determined to acquire or construct any such system or systems of water supply, the Board of Water
Commissioners of said Town shall be authorized to acquire or construct such system or systems of water supply at a cost which shall not exceed the maximum principal amount of the bonds determined to be issued for such purpose and said Board of Water Commissioners shall have the power to do all things and to perform all acts necessary to acquire or construct such system or systems of water supply, including the power to purchase water from any person, corporation or municipal corporation located within or without the Town of Wilton.

§ 6-22. When effective.

This act shall take effect upon its approval at an annual or special Town meeting of the Town of Wilton duly warned and held for such purpose.

Approved, June 11, 1947.

ARTICLE VII. Retirement System

§ 6-23. Establishment of retirement system for salaried employees.

§ 6-24. Funding of retirement system.

§ 6-25. Validity.

[Adopted 6-19-1960]

Special Act No. 232, House Bill No. 2324. An act authorizing the Town of Wilton to establish a retirement system for Town employees.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

§ 6-23. Establishment of retirement system for salaried employees.

There shall be in the Town of Wilton a retirement system for the salaried employees of the Town to supplement benefits payable to the covered employees by the Social Security Act of 1939, as amended or as it may be amended in the future. The retirement system shall be governed by the terms and conditions of the pension plan adopted by a Town meeting of the Town of Wilton on June 19, 1960.

§ 6-24. Funding of retirement system.

The cost for the funding of the retirement system shall be paid from the general funds of the Town.

§ 6-25. Validity.

All acts relating to said pension plan of the Wilton Town Meeting, the Board of Select-men of said Town and the Trustees of said pension plan, from the date of the adoption of said plan on June 19, 1960, to the effective date of this act, are validated.
ARTICLE VIII. Expenses Incurred Within Georgetown Fire District

§ 6-26. Authority to contract with Georgetown Fire District; payment of bills.

§ 6-27. Power to challenge validity of bills.

[Adopted 5-25-1978]

Special Act No. 78-49, Substitute House Bill No. 5610. An Act allowing the Town of Wilton to pay expenses of the Georgetown Fire District attributable to the Wilton section of the district.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

§ 6-26. Authority to contract with Georgetown Fire District; payment of bills.

The Town of Wilton, having acted in compliance with the provisions of Section 2-14 of the General Statutes concerning the enactment of special legislation by the General Assembly, may appropriate funds for and contract with the Georgetown Fire District for fire protection services within the Wilton section of the Georgetown Fire District. If the Town of Wilton enters into such a contract with the Georgetown Fire District for any fiscal year, the Town of Wilton may pay any fire district tax bills rendered by the Georgetown Fire District for such fiscal year on property taxable within the Wilton section of the Georgetown Fire District. Any appropriation for payment of such fire district tax bills, or contract with the Georgetown Fire District, and any payment of such fire district tax bills must be approved by the legislative body of the Town of Wilton.

§ 6-27. Power to challenge validity of bills.

The Town of Wilton shall have the power, to the same extent as any of its taxpayers within the Georgetown Fire District, to challenge the validity of any, some or all of the tax bills rendered by the Georgetown Fire District for property in the Wilton section of said district based on improper assessment procedures, failure to equalize assessments within the district, failure to properly levy the taxes or any other basis on which the assessment and levy of the taxes not conform to the correct procedure for a municipal corporation to assess and levy property taxes

ARTICLE IX. Reconstruction of Railroad Bridge on Wolfpit Road

§ 6-28. Authority to remove and replace bridge.

[Adopted 5-16-1979]

Special Act No. 79-25, Substitute House Bill No. 7317. An Act concerning reconstruction of a railroad bridge in Wilton.

Be it enacted by the Senate and House of Representatives in General Assembly convened:
§ 6-28. Authority to remove and replace bridge.

Notwithstanding any provision of the General Statutes or any special act or regulation which establishes height clearance requirements over railroad tracks, the Town of Wilton may remove the existing bridge located over the railroad underpass on Wolfpit Road in Wilton and replace it with a temporary replacement bridge with a minimum height clearance of 17 feet, three inches until such time as the Danbury rail line is electrified to provide train service.

ARTICLE IXA. Conveyance of Certain Lands

§ 6-28.1. Commissioner of Transportation to convey certain parcels.

§ 6-28.2. Use of conveyed lands.

Open all 2 sections

[Adopted 6-9-1986]

Special Act No. 86-61, Substitute House Bill No. 5973. An Act concerning the conveyance of certain state land to the Town of Wilton.

§ 6-28.1. Commissioner of Transportation to convey certain parcels.

The Commissioner of Transportation shall convey certain parcels of land in the Town of Wilton to the Commissioner of Housing. Such parcels have been designated as excess takings by the Department of Transportation in its design and property acquisition program for the construction of the new U.S. Route 7. The land shall remain under the care and control of the Department of Transportation until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, and the Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

§ 6-28.2. Use of conveyed lands.

The Commissioner of Administrative Services may, with the approval of the Commissioner of Housing and the State Properties Review Board, convey certain parcels of land acquired by the Commissioner of Housing under § 6-28.1 of this Act to a nonprofit corporation or other eligible developer, as defined in Section 8-39 of the General Statutes, as amended by Section 1 of Public Act 85-444, to be designated by the Town of Wilton at a cost equal to the administrative costs of the making of such conveyance. The land shall be used for the development of low- and moderate-income housing in the Town of Wilton. The land shall remain under the care and control of the Department of Housing until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, and the Commissioner of Administrative Services shall have the sole responsibility for all other incidents of such conveyance.

Approved June 9, 1986.
ARTICLE X. Acceptance of Public Highways
§ 6-29. Validation.

[Adopted 5-17-1989]

Special Act No. 89-13, Substitute House Bill No. 5561. An Act validating certain actions of the Board of Selectmen of the Town of Wilton.

Be it enacted by the Senate and House of Representatives in General Assembly Convened:

§ 6-29. Validation.

Notwithstanding the provisions of Sections 2-14 and 13a-48 of the General Statutes, all actions of the Board of Selectmen of the Town of Wilton taken with respect to the acceptance of public highways during the period commencing January 1, 1963, and ending on the effective date of this Act, otherwise valid except for the failure to comply with the provisions of said Section 13a-48, are hereby validated.


PART III, ORDINANCE

CHAPTER 7. ALARM SYSTEMS
 § 7-1. Purpose.
 § 7-2. Definitions.
 § 7-3. Registration by alarm users.
 § 7-4. Registration by central stations.
 § 7-5. Automatic telephone dialing alarm systems.
 § 7-6. Exterior audible timing devices.
 § 7-7. Auxiliary power sources.
 § 7-8. Penalties for false alarms.
 § 7-9. Fines for other violations.
 § 7-10. Confidential information.
 § 7-11. Liability.
 § 7-12. Enforcement.
 § 7-14. Effective date.

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton 10-5-1998. Amendments noted where applicable.]

GENERAL REFERENCES

Building Code — See Ch. 9.
Fire companies — See Ch. 14B.
Police Commission — See Ch. 25.
Chapter 7. ALARM SYSTEMS

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton 10-5-1998. Amendments noted were applicable.]

GENERAL REFERENCES

Building Code – See Ch. 9.
Fire Companies – See Ch. 14B
Police Commission - See Ch. 25.

§ 7-1. Purpose.

The purpose of this ordinance is to promote the responsible use of alarm systems in Wilton and to reduce the number of false alarms. A reduction in false alarms and the related responses by emergency vehicles will improve the general public safety on the highways, reduce wear and tear on equipment, improve the morale of emergency personnel, encourage greater response by volunteers and improve the overall efficiency of the Fire and Police Departments and the Ambulance Corps.

§ 7-2. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

ALARM ADMINISTRATOR
A person or persons designated by the Chief Financial Officer who shall administer, control and enforce the terms and provisions of this ordinance.

ALARM SYSTEM
An assembly of equipment and devices or a single device designed to signal the presence of a hazard or emergency requiring urgent attention and to which the Fire or Police Departments or EMS personnel are expected to respond. Excluded from this definition and the scope of this ordinance are:

A. Alarm systems which do not signal or provide warning outside the premises in which the system is installed; and

B. Alarm systems installed in motor vehicles, trailers or boats.

ALARM USER
Any person, firm, corporation or other entity owning a premises in which an alarm system is installed regardless if it is active or inactive.

AUTOMATIC TELEPHONE DIALING ALARM SYSTEM
An alarm system which automatically sends a prerecorded voice message or coded signal over regular telephone lines.

CENTRAL STATION
A firm, corporation or other entity responsible for receiving alarm signals from remote locations, monitoring those signals and relaying alarm information to the Fire or Police Departments or EMS headquarters.
FALSE ALARM

The activation of an alarm system to which the Fire or Police Department or EMS personnel respond and which is not caused by a criminal act, smoke, fire or other hazard or emergency. Excluded from this definition is any activation resulting from a verified malfunction of telephone equipment, power outage, lightning strike, extreme weather condition or cataclysmic event. An alarm response which is canceled by the central station or by the alarm user prior to the time Fire, Police or EMS personnel are dispatched to the alarmed premises shall not be considered a false alarm.

FISCAL YEAR

The twelve-month period beginning May 1 of any year and ending April 30 of the following year.

§ 7-3. Registration by alarm users.

A. Every alarm user shall register an alarm with the Wilton Tax Office one time. Alarm systems registered with the Wilton Tax Office as of the effective date of this ordinance shall be recognized as being registered in compliance with this ordinance.

B. Any alarm system installed after the effective date of this ordinance shall be registered with the Town of Wilton Tax Office by the alarm user within 45 days following installation.

C. Whenever property is transferred, the new owner must register an existing alarm system within 45 days of the property transfer.

D. Registration shall be accomplished by filling out a form provided by the Wilton Tax Office Alarm Administrator. Such registration shall set forth the name, address and telephone number of the alarm user, the contacts in case of an alarm, the alarm installer, the central station monitoring the alarm system and the alarm servicing company, as well as the type of alarm system, and any additional information that may be requested by the Alarm Administrator.

E. It shall be the responsibility of each alarm user to notify the Town of Wilton Tax Office of changes in the registration information including activation/deactivation of the system.

§ 7-4. Intentionally omitted.

§ 7-5. Automatic telephone dialing alarm systems.

Automatic telephone dialing alarm systems that send messages directly to the communications center of the Fire or Police Departments or EMS headquarters are prohibited in the Town of Wilton.

§ 7-6. Exterior audible timing devices.
Except as otherwise provided by law, no alarm system which produces an exterior audible sound shall be installed unless the operation of its exterior audible sound is automatically deactivated within 15 minutes.

§ 7-7. Auxiliary power sources.

Every alarm system installed after the effective date of this ordinance shall have its own auxiliary power system which shall be maintained in working order.

§ 7-8. Penalties for false alarms.

[Amended 6-17-2002]

A. In the course of a single fiscal year, each registered alarm user shall be allowed two false alarms free of the penalties for false alarms. The penalty for any additional false alarms in same fiscal year shall be $100 for each false alarm. The Alarm Administrator shall send a citation to the alarm user for each such penalty, which penalty shall be paid within 30 days. Two or more false alarms on the same day from the same alarm user shall be considered one false alarm.

B. If a false alarm penalty is imposed upon an alarm user, said user may, within 30 days of receipt of notice, appeal the penalty charge by filing with the Alarm Administrator a written notice of appeal and request for hearing, setting forth the specific reason(s) the penalty should not be imposed. The filing of a request for an appeal hearing shall stay the assessment of the penalty until the hearing officer has rendered a final decision. A hearing shall be held within 20 days of receipt of the appeal and shall be conducted by a hearing officer in accordance with Section 7-152c of the Connecticut General Statutes, as amended. The hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance of the hearing. Hearing officers shall be appointed by and serve at the pleasure of the First Selectman.

§ 7-9. Fines for other violations.

Any person or entity who performs or causes to be performed any of the following acts shall be subject to a fine of $50 for each such act, which fine shall be paid within 30 days of letter notice:

A. Failure to register an alarm system or a central station as required hereunder.

B. Failure of an alarm user to notify the Wilton Tax Office of changes in the registration information, as required hereunder.

C. Use of an exterior audible alarm system except as provided hereunder.

D. Use of an automatic telephone dialing alarm system.

E. Failure to install or maintain an auxiliary power source as required hereunder.
F. Failure to make timely payment of penalties or fines. This charge shall be added to the original penalty or fine.

§ 7-10. Confidential information.

All private and personal information in the possession of the Alarm Administrator, the hearing officers, the Fire or Police Departments or EMS personnel concerning particular alarm users and particular alarm systems shall not be divulged without the written consent of the alarm user or users concerned, except information relating to dispatch statistics and the occurrence of false alarms. This provision shall not be construed to limit access to information as provided by law.

§ 7-11. Liability.

Except as expressly provided herein, the Town of Wilton, its departments, officers, agents and employees shall be under no obligation whatsoever regarding the adequacy, operation or maintenance of any alarm system or of any alarm monitoring facility. No liability whatsoever is assumed for the failure of any such alarm system or monitoring facility or for failure to respond to alarms or for any other act or omission in connection with such alarm systems. Each alarm user shall be deemed to indemnify and hold harmless the Town of Wilton, its departments, officers, agents and employees from liability in connection with said alarm user's alarm system.

§ 7-12. Enforcement.

The provisions of this ordinance are designated for enforcement in accordance with Sections 7-148 and 7-152c of the Connecticut General Statutes, as amended. The Town of Wilton may institute civil proceedings to enforce the provisions herein contained.


The invalidity of any part or parts of this ordinance shall not affect the validity of the remaining parts.

§ 7-14. Effective date.

[Amended 12-21-1998, 1-22-2013]

CHAPTER 8. ALCOHOLIC BEVERAGES

ARTICLE I. Golf Country Club (§ 8-1 — § 8-3)
ARTICLE II. Consumption in Certain Public Places (§ 8-4 — § 8-7)
ARTICLE III. Sale of Alcoholic Liquor (§ 8-8 — § 8-11)
ARTICLE IV. Underage Drinking (§ 8-12 — § 8-16)

[HISTORY: Adopted by the Town of Wilton as indicated in article histories. Amendments noted where applicable.]
The sale of alcoholic liquor under a golf country club permit under the provisions of Chapter 545 of the Connecticut General Statutes, Revision of 1958, as amended, be and by this resolution is hereby allowed in the Town of Wilton on Sundays between the hours of 12:00 noon and 9:00 p.m.

§ 8-2. Authority for resolution.

This resolution is adopted under the provisions of Section 30-91 of the Connecticut General Statutes, Revision of 1958, as amended by Section 12 of Public Act 553 enacted in the Special Session of the Connecticut General Assembly, February 1965.

§ 8-3. Effective date.

This ordinance becomes effective on August 22, 1968.

ARTICLE II. Consumption in Certain Public Places

§ 8-4. Purpose.

The consumption of alcoholic beverages on or near school grounds has created a nuisance for those who would enjoy the various recreational and cultural activities at such locations. The intent of this ordinance is to provide a more wholesome environment for both children and adults, to set a positive example for our young people and to reduce or eliminate other undesirable effects of public alcohol consumption, such as littering, vandalism and unsafe operation of motor vehicles.

§ 8-5. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

ALCOHOLIC LIQUOR
The same meaning as in the Connecticut Liquor Control Act, Section 30-1 et seq., of the Connecticut General Statutes, Revision of 1958, as amended.

§ 8-6. Prohibited acts.

It shall be unlawful for any person to possess with intent to consume any alcoholic beverage upon or within the premises of any property which is owned by or leased from others by the Town and used for public school purposes, including but not limited to parking lots, athletic grounds and facilities, grounds and roads adjacent thereto.
§ 8-7. Violations and penalties.

Any person violating the provisions of this ordinance shall be fined not more than $100 for each offense.

§ 8-8. Permitted hours of sale of alcoholic liquor.

[Amended 1-20-2009; 9-16-2013; 5-02-2017]

A. Sale of Liquor under Restaurant Permits.

The Town shall allow the sale of alcoholic liquor in all restaurants operating under the liquor permits cited in C.G.S. § 30-91(a) as amended from time to time. The hours for such sales shall also be in accordance with C.G.S. § 30-91(a).

B. Sale of Liquor under Package Store Permits.

The Town of Wilton shall allow the sale of alcoholic liquor under Package Store Permits between the hours of 9:00 a.m. and 9:00 p.m. on Monday through Saturday and between the hours of 10:00 am and 5:00 p.m. on Sundays, excepting Thanksgiving, New Year’s Day and Christmas.


All other provisions in the General Statutes prohibiting the sale of alcoholic liquor on specific days or setting the hours of sale of alcoholic liquor shall still apply.

§ 8-10. Definitions.

A. For purposes of this ordinance, the term "alcoholic liquor" shall be deemed to include alcohol, beer, spirits and wine.

B. For purposes of this ordinance, the term "sale of alcoholic liquor" shall be deemed to include the dispensing or consumption of alcoholic liquor or the presence of alcoholic liquor in glasses or other receptacles suitable to permit the consumption of alcoholic liquor.

§ 8-11. Violations and penalties.

Any person violating the provisions of this ordinance shall be fined not more than $100 for each offense.

ARTICLE IV. Underage Drinking

§ 8-12. Definitions.
§ 8-12. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

**ALCOHOLIC LIQUOR**
As defined in Section 30-1(3) of the Connecticut General Statutes, as amended.

**HOST**
To organize a gathering of two or more persons or to allow the premises under one's control to be used with one's knowledge for a gathering of two or more persons for personal, social, or business interaction.

**MINOR**
A person under the age of 21, as defined in Section 30-1(12) of the Connecticut General Statutes, as amended.

§ 8-13. Possession restricted; applicability.

No person under the age of 21 shall be in possession of any container of alcoholic liquor, whether open, unopened or closed, within the Town of Wilton except when accompanied by or in the presence of his or her parent, guardian or spouse who has attained the age of 21 years. The restriction shall apply to both public and private property.

§ 8-14. Hosting events.

No person shall host an event which allows the consumption or dispensing of alcoholic liquor to or by a minor or minors unless said minor or minors is or are accompanied by or in the presence of his or her or their parent, guardian or spouse who has attained the age of 21 years. The prohibition shall apply to any event or gathering within the Town of Wilton, whether conducted on public or private property.


The following shall be exceptions to the provisions of this ordinance:

A. A person who is an employee or permit holder under Connecticut General Statutes § 30-90a and who possesses alcoholic liquor in the course of his or her employment or business;

B. A minor who possesses alcoholic liquor on the order of a practicing physician;
C. The possession or consumption of alcoholic liquor by a minor as a part of a religious service; and

D. The possession of alcoholic liquor as otherwise permitted by law.

§ 8-16. Penalties for offenses.

Any person violating any provision of this act shall be subject to a fine of $99.

CHAPTER 8A. ASSESSMENT APPEALS, BOARD OF
ARTICLE I. Appointment of Additional Members (§ 8A-1 — § 8A-6)
Open all 6 sections

[HISTORY: Adopted by the Town of Wilton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Taxation — See Ch. 26A.

ARTICLE I. Appointment of Additional Members
§ 8A-1. Purpose.
§ 8A-4. Terms of office; reappointment.
§ 8A-6. Effective date.

[Adopted by Town Meeting 1-14-2003]

§ 8A-1. Purpose.

The purpose of this article is to provide a mechanism to increase the number of members of the Board of Assessment Appeals when, in the opinion of the Board of Selectmen, additional members are required to hear appeals from property assessments.


The authority for this article is Connecticut General Statute § 9-199 and Public Act 02-49.


The Town Meeting authorizes the Board of Selectmen to appoint additional members to the Board of Assessment Appeals for any assessment year. In making additional appointments to the Board of Assessment Appeals, the Board of Selectman shall insure that the composition of the
entire Board, once it includes the additional members, will comply with the minority representation provisions of any applicable laws.

§ 8A-4. Terms of office; reappointment.

Additional members of the Board of Assessment Appeals shall be appointed for a term of one year commencing on the day of appointment. Additional members of the Board of Assessment Appeals may be reappointed by action of the Board of Selectmen.


Additional members of the Board of Assessment Appeals shall have the same powers and duties as elected members of the Board of Assessment Appeals.

§ 8A-6. Effective date.

This article shall take effect on January 14, 2003.

ARTICLE I. Aquifer Protection Agency

§ 8B-1. Designation; membership; training.

A. In accordance with the provisions of C.G.S. § 22a-354a et seq., the Planning and Zoning Commission is hereby designated as the Aquifer Protection Agency (hereinafter the "Agency") of the Town of Wilton. (The staff of the Planning and Zoning Department shall serve as the staff of the Agency.)

B. Members of the Planning and Zoning Commission shall serve coexisting terms on the Agency. The membership requirements of the Agency shall be the same as those of the Planning and Zoning Commission, including, but not limited to, the number of members, terms, method of selection and removal of members, and filling of vacancies.

C. At least one member of the Agency or staff of the Agency shall complete the course in technical training formulated by the Commissioner of Environmental Protection of the State of Connecticut, pursuant to C.G.S. § 22a-354v.

8B-2. Regulations to be adopted.

A. Procedures for adoption of local regulations requires a local public hearing and public notice requirements in accordance with C.G.S. § 22a-354p(b) to allow opportunity for the
public to be heard. Also, approval by the DEP Commissioner is required in accordance with C.G.S. § 22a-354p(f) and R.C.S.A. § 22a-354i-3. The DEP approval requires a determination that the regulations are not inconsistent with the state Land Use Regulations, are reasonably related to groundwater, and shall not be deemed inconsistent if they provide a greater level of protection.

B. The Agency shall adopt regulations in accordance with C.G.S. § 22a-354p and R.C.S.A. § 22a-354i-3. Said regulations shall provide for:

(1) The manner in which boundaries of aquifer protection areas shall be established and amended or changed.

(2) Procedures for the regulation of activity within the area.

(3) The form for an application to conduct regulated activities within the area.

(4) Notice and publication requirements.

(5) Criteria and procedures for the review of applications.

(6) Administration and enforcement.

§ 8B-3. Inventory of land use.

A. In order to carry out the purposes of the Aquifer Protection Program, the Agency will conduct an inventory of land use within the area to assess potential contamination sources. Editor's Note: The Town provided the following additional information: This requirement is essentially done. The majority of inventories were completed by DEP in 2000. The purpose of the inventories is to give a general assessment of the areas and to provide a starting point for informing potentially regulated facilities of the program requirements. The Town of Wilton will update it to reflect current conditions.

B. Not later than three months after approval by the Commissioner of the Connecticut Department of Environmental Protection of Level A mapping of aquifers, the Agency will inventory land uses overlying the mapped zone of contribution and recharge areas of such aquifers in accordance with guidelines established by the Commissioner pursuant to C.G.S. § 22a-354f. Such inventory shall be completed not more than one year after authorization of the Agency (C.G.S. § 22a-354e).

ARTICLE II. Aquifer Protection Agency Fees

§ 8B-4. Schedule of fees.

[Adopted 11-19-2007]
Administrative fees for applications filed with the Town of Wilton Aquifer Protection Agency shall be based on the following schedule:

<table>
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<tr>
<th>Facility Size</th>
<th>Registrations:</th>
<th>Permits:</th>
<th>Materials management plan reviews</th>
<th>Stormwater management plan reviews</th>
<th>Public hearing</th>
<th>Facility inspection/monitoring</th>
<th>Regulation petition</th>
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<td></td>
<td>Small (less than 1 acre)</td>
<td>Medium (1 to 5 acres)</td>
<td>Large (greater than 5 acres)</td>
<td>Small (less than 1 acre)</td>
<td>Medium (1 to 5 acres)</td>
<td>Large (greater than 5 acres)</td>
<td>Small (less than 1 acre)</td>
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</table>

CHAPTER 8C. BLIGHTED AND UNSAFE PREMISES

§ 8C-1. Statutory authority; findings.
§ 8C-2. Prohibitions.
§ 8C-3. Definitions.
§ 8C-4. Enforcement powers.
§ 8C-5. Inspection and designation of blighted or unsafe buildings or structures.
§ 8C-6. Notice and enforcement; penalties for offenses.
§ 8C-7. Municipal performance.
§ 8C-8. Severability.
§ 8C-9. When effective.

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton 5–5-2008. Amendments noted where applicable.]

GENERAL REFERENCES

Building Code — See Ch. 9.
Numbering of buildings — See Ch. 9A.
Demolition of buildings — See Ch. 10B.
Solid waste disposal — See Ch. 25C.

§ 8C-1. Statutory authority; findings.

This chapter is enacted pursuant to the authority granted to the Town of Wilton under Connecticut General Statutes § 7-148(c)(7)(H)(xv). The Board of Selectmen finds that blighted or unsafe buildings and other structures may pose a threat to the health, safety and general welfare of their occupants and other members of the public, may reduce property values in the vicinity and unreasonably interfere with the use and enjoyment of said properties. The Board of Selectmen also finds that buildings and structures within the Town of Wilton should not be allowed to become blighted or unsafe or to remain in such a condition.

§ 8C-2. Prohibitions.

No person or other person having lawful possession or control of a building or other structure within the Town of Wilton shall permit the building or structure to become blighted or unsafe, as defined in § 8C-3 below, or to remain in a blighted or unsafe condition.

§ 8C-3. Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

BLIGHTED PREMISES
Any building or structure, or any part of a structure that is a separate unit, any parcel of land, any lot of land, or any building under construction for which a building permit has been issued for more than 24 months without receiving a certificate of occupancy and in which at least one of the following conditions exists:

A. The Blight Prevention Officer determines that existing conditions pose a serious threat to the health and safety of persons in the Town.
B. The premises are not being maintained and contribute to housing decay, as evidenced by the existence of one or more of the following conditions:

1. Missing, broken or boarded up windows or doors;
2. Collapsing or missing walls, roof or floor;
3. Exterior walls or siding which contains holes, breaks, loose or rotting materials;
4. Foundation walls which contain open cracks and breaks;
5. Overhang extensions, including but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts, which possess signs of deterioration and decay;
6. Chimneys and similar appurtenances which are in a state of disrepair;
7. Insect screens which contain tears or ragged edges;
8. Vermin and/or insect infestation or conditions favorable to the breeding of vermin and/or insects;
9. Garbage and trash; to include, but not limited to, household refuse, machines, furniture;
10. Structures overgrown and covered with invasive nonornamental weeds and/or vines, including but not limited to poison ivy, sumac, burning bush, bittersweet, etc.;
11. Abandoned or inoperable vehicles, of any kind, on the premises, unless otherwise garaged;
12. Unrepaired fire or water damage;
13. The cancellation of insurance on proximate properties.

C. Illegal activities are conducted at the premises, as documented in Police Department records.

D. The premises constitute a fire hazard as determined by the Fire Marshal or as documented in the Fire Department records.

E. The premises, upon determination by the Health Department, constitutes a health hazard.

BUILDING or STRUCTURE
An edifice of any kind and any piece of work artificially built or composed of parts joined together in some form which is built or constructed on any real property. The words "building" and "structure" shall be construed as if followed by the words "or part thereof." Accessory buildings or structures, canopy, awnings, marquees, and each and every type of portable equipment shall be considered "buildings" or "structures" within the meaning of this definition.

**BLIGHT PREVENTION OFFICER**
Individual employees of the Town of Wilton, functioning jointly or severally, consisting of the Building Official, Zoning Enforcement Officer and the Director of Health. The Blight Prevention Officer is authorized by the First Selectman and Board of Selectmen to enforce the Blighted and Unsafe Premises Ordinance.

**HEARING OFFICER**
Any individual appointed by the First Selectman and approved by the Board of Selectmen to conduct hearings authorized by the Wilton Code of Ordinances.

**LEGAL OCCUPANCY**
Occupancy in accordance with state building, state fire, local zoning and all other pertinent codes.

**NEIGHBORHOOD**
The area of the Town comprised of all premises or parcels of land, any part of which is within a radius of 1,000 feet of any part of another parcel or lot within the Town.

**OWNER**
Any person, firm, institution, partnership, corporation, foundation, entity or authority who or which holds title to real property or any mortgage or other secured or equitable interest in such property, as appears in the Wilton land records.

**PROXIMATE PROPERTY**
Any premises or parcel of land or part thereof within 1,000 feet of blighted premises.

**VACANT**
A continuous period of 60 days or longer during which a building or structure or part thereof is not legally occupied by human beings.

**VACANT PARCEL**
A parcel of land with no structure(s) thereon.

§ 8C-4. Enforcement powers.
The Blight Prevention Officer is granted the authority necessary, with appropriate notice, to enforce the provisions of this chapter. Such authority shall include, but not be limited to, entering premises known to be, or suspected of being, blighted or unsafe for the purpose of conducting inspections, citing violations, determining enforcement actions, assessing fines, filing liens, designating a building or structure as blighted or unsafe, ordering the demolition of unsafe buildings or structures, and initiating legal actions.

§ 8C-5. Inspection and designation of blighted or unsafe buildings or structures.
The Blight Prevention Officer, or its designees, shall inspect any buildings or structures that appear to be blighted or unsafe based upon visible conditions or as reported by any other persons who have reason to know of such conditions or upon such other evidence as the Blight
Prevention Officer deems relevant. Any building or structure that has been determined by the
Blight Prevention Officer to be blighted or unsafe shall be so designated by the Blight Prevention
Officer.

8C-6. Notice and enforcement; penalties for offenses.

A. Upon designating a building or structure as blighted or unsafe, the Blight Prevention
Officer shall issue to the owner a written notice of blighted or unsafe premises and shall order
the owner to correct the blighted or unsafe condition within 60 days of the date of the notice.
The notice shall be either delivered via in-hand service or sent to the owner by certified mail
and shall include: (i) the facts upon which the designation is based; (ii) the date by which the
blighted or unsafe conditions must be corrected; (iii) the fines, penalties, costs, fees and other
enforcement actions that may be imposed by citation if the conditions are not corrected; and
(iv) the owner’s right to contest the order before one or more citation hearing officers
appointed by the Board of Selectmen (the "Hearing Officer"). In the event that the relevant
building or structure or portion of a building or structure is known by the Blight Prevention
Officer to be occupied by or under the legal control or possession of a person or persons other
than the owner, the Blight Prevention Officer may direct a similar notice and order to any such
person or persons whom the Blight Prevention Officer may reasonably believe to be fully or
partially responsible for creating or maintaining the blighted or unsafe condition. Each person
receiving such a notice and order shall be deemed to be jointly and severally liable for
correcting the blighted or unsafe conditions.

B. Prior to the expiration of the sixty-day repair period specified in the notice of blighted or
unsafe building or structure, the owner or person receiving a notice and order pursuant to
Subsection A may apply to the Blight Prevention Officer for an extension of the repair period.
The Blight Prevention Officer may grant one or more extensions of the repair period, none of
which may be longer than 60 days, if he or she determines that the owner or other person is
diligently working to remedy the blighted or unsafe condition and that under the facts and
circumstances an extension is reasonable.

C. If the blighted or unsafe building or structure is not repaired or resolved to the satisfaction
of the Blight Prevention Officer by the conclusion of the sixty-day repair period and any
extensions thereof granted by the Blight Prevention Officer, the Blight Prevention Officer
shall issue a citation and impose a fine of not more than $100 for each day that the building or
structure remains unrepaired and stating that the owner or other person who received notice
under Subsection A shall have 15 days from the receipt of the citation to make an uncontested
payment of such fines. Each day that the property is in violation of this chapter shall constitute
a separate offense.

D. Upon the expiration of the fifteen-day period for the uncontested payment of fines under
Subsection C, the Blight Prevention Officer shall send written notice to the person cited under
Subsection C. Such notice shall inform the person cited: (1) of the allegations against him or
her and the amount of fines, penalties, costs or fees due; (2) that he or she may contest his or
her liability before the Hearing Officer by delivery, in person or mail, of written notice within
10 days of the date thereof; (3) that if he or she does not demand a hearing, an assessment and
judgment shall be entered against him or her; and (4) that such judgment may issue without further notice. All notices and hearings related to such citations shall be given and held, respectively, in accordance with the citation hearing procedures set forth in state law.

E. Any property owner or other person who receives a citation pursuant to this chapter has the right to request a hearing before the Hearing Officer by delivering, by hand delivery or mail, written notice of such request within 10 days of the date of the notice of blighted or unsafe premises. If the property owner or other responsible person requests a hearing, the Blight Prevention Officer shall send written notice, by certified mail, of the date, time and place for the hearing. Such hearing shall be held 15 to 30 days from the date of the mailing of the notice of such hearing.

F. The Hearing Officer shall conduct the hearing in the form and with the methods of proof as it deems fair and reasonable, in accordance with the hearing procedures for citations specified in state law. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation.

G. The Hearing Officer shall announce his or her decision following the conclusion of the hearing. If he or she determines that the subject property owner or other person having lawful possession or control is not liable, the Hearing Officer shall dismiss the matter and enter the determination, in writing, accordingly. If the Hearing Officer determines that the subject property owner or other person having lawful possession or control is liable, it shall enter the determination, in writing, accordingly, and assess the relevant fines, penalties, costs or fees that are provided for in this chapter.

H. Any fine which is unpaid 30 days after it is imposed shall constitute a lien upon the real estate against which the fine was imposed from the original date of imposition.

§ 8C-7. Municipal performance.

In the event any owner, agent, tenant or person in control of real property shall fail to abate or correct any violation specified in any notice, after the issuance of an enforcement citation for such failure, which citation has become final through the failure of such owner, agent, tenant, or person in control of real property to appeal from the issuance of such citation, or by such appeal being sustained, the Town of Wilton, acting through its Blight Prevention Officer, may cause or take such action as is necessary to correct such violation. The cost to take such action shall be a civil claim by the Town against such owner, agent, tenant, or person responsible for such property and the Town Attorney may commence an action on behalf of the Town of Wilton to recover all costs, expenses and fees, including attorney’s fees, incurred by the Town relating to the violation.

§ 8C-8. Severability.

The provisions of this chapter are declared to be severable. If any section, sentence, clause or phrase of this chapter shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences or phrases of the
chapter, but they shall remain in effect, it being the legislative intent that this chapter shall stand, notwithstanding the validity of any part.

§ 8C-9. When effective.

This chapter shall be effective the 21st day following the date of its publication.

(Published in the Wilton Bulletin May 8, 2008)

CHAPTER 9. BUILDING CODE

§ 9-1. Adoption of State Building Code.

The Basic Building Code of the State of Connecticut as revised by the Board of Selectmen of the Town of Wilton (of which three copies of the 1966 Edition prepared by the Public Works Commissioner of the State of Connecticut and as so revised are, and since August 1, 1967 have been, on file in the office of the Town Clerk of the Town of Wilton) hereby is adopted as The Building Code of the Town of Wilton in the State of Connecticut and each and all of the regulations, provisions, penalties, conditions and terms of said Basic Building Code, as so revised, hereby are referred to, adopted and made a part of this ordinance as if fully set forth herein.

§ 9-2. Repeal of prior ordinance.

The ordinance enacted by a Special Meeting of the Town Meeting of the Town of Wilton held on October 20, 1958 adopting certain documents marked and designated as the "Basic Building Code" — 1957 Edition as the Building Code of the Town of Wilton hereby is repealed.

§ 9-3. Other ordinances.

Nothing in this ordinance or in the Building Code hereby adopted shall be construed to amend, repeal or otherwise affect that certain ordinance relating to health and sanitation enacted by a Special Meeting of the Town Meeting of the Town of Wilton on August 24, 1953, provided, however, that any amendment to said Building Code hereafter effected by the failure of the Town of Wilton to reject such amendment by ordinance, pursuant to Section 19-395 of the Connecticut General Statutes, within 60 days after its adoption and publication by the Public Works Commissioner of the State of Connecticut shall constitute an amendment to or repeal of so much of said ordinance relating to health and sanitation as may be inconsistent with said amendment.
§ 9-4. Saving clause.

Nothing in the ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any resolution, enactment or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected hereby.

§ 9-5. Certification, publication, effective date.

Editor's Note: Former § 9-5 relating to Driveways and Roadways is now located in Chapter 11, as § 11-1, p. 1101. The Town Clerk shall certify to the adoption of this ordinance and cause the same to be published as required by law; and this ordinance shall take effect: 15 days after such certification and publication."

CHAPTER 9A. BUILDINGS, NUMBERING OF

§ 9A-1. Intent and purpose.

A. It is the intent and purpose of this ordinance to establish an effective numbering system for each building and building unit within the Town of Wilton in order to facilitate emergency response, including fire, police and ambulance services.

B. This ordinance provides for the numbering of all new and existing buildings and building units.

C. Numbers shall be visible from the street on which each such building or building unit is located.


As used in this ordinance, the following terms shall have the meanings indicated:

BUILDING or BUILDING UNIT

Any structure intended for human use or occupancy placed or erected upon land within the Town of Wilton. Said terms shall exclude accessory buildings such as vehicle garages
and storage sheds so long as the primary building to which such structures are accessory is numbered in accordance with this ordinance.

DISTANCE
The straight-line distance from the established street lines. If there are no established street lines, measurements shall be taken from the edge of the traveled portion of such roadway.

OWNER
The owner of record on the Wilton Land Records.


A. The administrative staff of the Wilton Planning and Zoning Commission shall assign numbers to each building and/or building unit within the Town of Wilton.

B. The owner of each such building or building unit shall ascertain from the Planning and Zoning staff the numbers assigned to said building or building unit.

C. The owner of each existing building or building unit shall, within six months following the effective date of this ordinance, provide, install and attach numbers to said building or building unit in accordance with the specifications hereinafter provided.

D. The owner of each building or building unit under construction as of the effective date of this ordinance or to be constructed after such date shall submit proof to the Wilton Fire Department's Code Enforcement Division that the assigned numbers have been installed and attached in accordance with the specifications hereinafter provided.

E. In case of new structures that are subject to the provisions of this ordinance, the Wilton Building Inspector shall not issue a certificate of occupancy until the Building Department has received from the Wilton Fire Department's Code Enforcement Division a written notice of compliance with the requirements of this ordinance.

§ 9A-4. Specifications for residential occupancies.

A. Numbers shall be Arabic and not less than three (3) inches in height and shall be in a color contrasting to the area to which they are affixed.

B. The owner shall number the two (2) sides of a mailbox, post, tree or fence located in close proximity to and on the same side of the street as the residence. Numbers shall be visible from the street to traffic moving in each direction and shall be at least three (3) feet and no more than five (5) feet from ground level. For shared driveways, the entrance to each driveway and all intersections thereon shall be clearly marked as to the correct address(es) located therein. In the case of side-by-side multiple mailboxes, numbers shall be placed on the front of each mailbox and on the outer side of the end mailboxes.

C. For all multifamily dwellings, the owner of each apartment complex, condominium or condominium unit or similar multibuilding residential complex shall number each building or building unit in a location and format approved by the Wilton Fire Marshal.
§ 9A-5. Specifications for commercial and other nonresidential occupancies.

A. Numbers shall be Arabic and not less than three inches in height and shall be in a color contrasting to the area to which they are affixed.

B. Numbers shall be located on the top or sides of the main entrance to the building or building unit. In the event that a building has entrances on more than one street, the owner shall number each entrance in a location and format approved by the Wilton Fire Marshal.

C. If the building, building unit or multi-building complex is more than 50 feet from the street, the owner shall also number the driveway entrance in a location and format approved by the Wilton Fire Marshal. Numbers shall be visible from the street to traffic moving in each direction.


A. Any person who violates this ordinance shall be fined in an amount not to exceed $99 per year.

B. Written notice of the violation will be sent by the Wilton Fire Marshal's Office to the owner of the building or building unit and, if not corrected within 30 days following the date of the notice, the fine will be imposed.

C. Enforcement of this ordinance shall be the responsibility of the Wilton Fire Department's Code Enforcement Division.

D. Any individual who wishes to contest or questions a violation notice may appeal to the Wilton Board of Selectmen.
CHAPTER 9B. CITATION PROCEDURES AND FINES
   ARTICLE I. Zoning Regulations (§ 9B-1 — § 9B-6.1)

   [HISTORY: Adopted by the Board of Selectmen of the Town of Wilton as indicated in article histories. Amendments noted where applicable.]

   GENERAL REFERENCES

   Inland Wetlands Commission — See Ch. 18A.
   Zoning — See Ch. 29.
   Regulations of the Zoning Board of Appeal — See Ch. 37.

   ARTICLE I. Zoning Regulations
   § 9B-1. Statutory authority; authorization to issue.
   § 9B-2. Definitions.
   § 9B-3. Issuance of citations.
   § 9B-4. Time period for payment of fine.
   § 9B-5. Appeal procedure.
   § 9B-6. Appointment of Hearing Officer
   § 9B-6.1. Effective date.

   [Adopted 9-2-1997]

   § 9B-1. Statutory authority; authorization to issue.
Pursuant to the authority vested in municipalities under Connecticut General Statutes Section 8-12a, the Zoning Enforcement Officer is authorized to issue citations for violations of the Zoning Regulations of the Town of Wilton to the extent and in the manner provided by this ordinance.

§ 9B-2. Definitions.
As used in this ordinance, the following terms shall have the meanings indicated:

**CITATION**
A written statement of the relevant conditions and facts giving rise to the zoning violation, including a reference to the specific sections of the Zoning Regulations that have been violated.

**PERSON**
Any individual, firm, partnership, association, corporation, company, organization or legal entity of any kind, including municipal corporations, governmental agencies or subdivision thereof.

**TOWN**
The Town of Wilton, Connecticut.

**VIOLATION**
Any activity conducted by an owner or occupant of the property or condition of the property that does not conform to the Zoning Regulations. Such condition shall include the placement of signs on or off the property that do not comply with the Zoning Regulations.

**VIOLATOR**
Any person cited as a party to a violation.

§ 9B-3. Issuance of citations.

A. Any citation issued hereunder shall be served upon the person named in such citation by either in-hand service made by the Zoning Enforcement Officer or any sheriff or constable having authority to serve civil process in the State of Connecticut; or by mailing such citation to the person named therein by certified mail, return receipt requested. If the person named in a citation sent by certified mail refuses to accept such mail, the citation may be sent by regular United States mail. The Zoning Enforcement Officer shall file and retain a duplicate original or certified copy of the citation.

B. Citations may be issued for any violation or violations of the Zoning Regulations of the Town of Wilton.

C. The fine for each citation shall be $150, payable to the Treasurer of the Town of Wilton.

§ 9B-4. Time period for payment of fine.

Any person receiving such a citation shall be allowed a period of 30 days from his or her receipt of the citation to make an uncontested payment of the fine specified in the citation to the Treasurer. If the citation has been sent by regular mail pursuant to the provisions of § 9B-3 of this ordinance, the date of receipt of the citation shall be deemed to be three business days after the date of mailing of the citation.
§ 9B-5. Appeal procedure.

A. All appeals shall be made in accordance with the procedures established in Section 7-152c of the Connecticut General Statutes. The presence of the Zoning Enforcement Officer shall be required at the hearing if requested by the violator. All testimony shall be given under oath or affirmation.

B. Within 15 days of the receipt of a citation, any person who has been issued a citation may make a written request to contest such citation before a hearing officer. Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 nor more than 30 days from the date of the mailing of the notice. At the hearing, the violator shall have the opportunity to present evidence why he or she should not be subject to the issued citation. The Zoning Enforcement Officer may present evidence on behalf of the municipality. If the violator fails to appear, the Hearing Officer may enter an assessment by default against him or her upon a finding of proper notice and liability under the applicable provisions of the Zoning Regulations. The Hearing Officer may accept written information by mail from the violator in lieu of a personal appearance. The Hearing Officer shall conduct the hearing in order and form and with such methods of proof as he or she deems fair and appropriate. The Hearing Officer shall announce his or her decision at the end of the hearing.

C. If the Hearing Officer determines that the violator is not liable, the Hearing Officer shall dismiss the matter and enter that determination in writing accordingly. If the Hearing Officer determines that the violator is liable for the violation, the Hearing Officer shall forthwith enter and assess the fines against such person as provided by this ordinance.

D. If such assessment is not paid within five business days following the date of the hearing, the Hearing Officer shall send by first class mail a notice of the assessment to the violator and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court for Norwalk, together with an entry fee of $8. Further proceedings may then be held pursuant to the applicable provisions of the Connecticut General Statutes.

§ 9B-6. Appointment of Hearing Officer

The First Selectman of the Town of Wilton shall appoint one or more citation Hearing Officers to conduct the hearings provided for by this ordinance. Neither the Zoning Enforcement Officer, the Building Inspector nor any employee of the Town of Wilton may be appointed as a Hearing Officer pursuant to this ordinance.

§ 9B-6.1. Effective date.

This ordinance shall take effect on September 23, 1997.
CHAPTER 10. CONSERVATION COMMISSION

§ 10-1. Establishment; purpose.
§ 10-2. Composition.
§ 10-3. Terms of office.
§ 10-4. Vacancies.
§ 10-5. Compensation.
§ 10-6. Election of officers.
§ 10-7. Annual report.
§ 10-8. Responsibility to Board of Selectmen.
§ 10-10. Cooperation with other town boards.
§ 10-11. Preexisting rights not affected.
§ 10-12. Effective date.


GENERAL REFERENCES

Parks and Recreation Commission — See Ch. 24.

§ 10-1. Establishment; purpose.

A commission of seven members to be known as the "Wilton Conservation Commission" is hereby established pursuant to Section 7-131a of the Connecticut General Statutes, as amended, to organize, maintain and direct conservation activities for the Town of Wilton for the following purposes:

A. To constitute a Conservation Commission within the meaning of Section 7-131a and to have all the rights and powers conferred upon it by such statute.

B. To guide the development and conservation of the natural resources within the Town of Wilton.

C. To propose, manage and maintain or provide for the maintenance of open-space lands and lands devoted to nonintensive use, owned by the Town of Wilton.

D. To manage any privately owned property permanently dedicated to the conservation and nonintensive recreational uses of residents of the Town of Wilton.

E. To be an advisory and consulting body to private individuals and private and public groups on issues involved with the environment, conservation and land use.

F. To develop and sponsor educational programs promoting sound environmental practices.
§ 10-2. Composition.

The members of the Commission shall be known as "Commissioners," all of whom shall be appointed by the First Selectman.

§ 10-3. Terms of office.

[Amended 4-7-1992]

Commissioners shall be appointed, commencing on the first day of December, for the following terms:

A. Two members of the Commission shall be appointed in 1992 to serve one year;

B. Two members of the Commission shall be appointed in 1992 to serve three years; and

C. Subsequently, each Commissioner shall be appointed for a three-year term.

§ 10-4. Vacancies.

In the event of any vacancy upon the Commission, the First Selectman shall appoint a Commissioner to the vacancy for the unexpired portion of the term.

§ 10-5. Compensation.

Commissioners shall serve without compensation, except that their actual expenses and disbursements, where incurred with the advance approval of the Board of Selectmen and in the performance of their duties, shall be paid from the Town treasury.

§ 10-6. Election of officers.

[Amended 4-7-1992]

The Commission, annually at the first meeting in December, shall elect one of its number to be Chairman and one of its number to be Secretary.

§ 10-7. Annual report.

The Commission shall make written annual reports of its doings to the Board of Selectmen.

§ 10-8. Responsibility to Board of Selectmen.

The Commission shall be responsible and subordinate to the Board of Selectmen in all matters.

A. Subject to § 10-8, the Commission shall have the powers and duties of a Conservation Commission as set forth in Section 7-131a of the Connecticut General Statutes, as amended. To further the purposes for which it is established, there is hereby delegated, conferred and confirmed to and upon the Commission, subject to § 10-8, the power and duty to:

(1) With the approval in advance of the Board of Selectmen, obtain technical assistance to carry out its responsibilities as set forth in this ordinance or the general statutes.

(2) Solicit or receive or hold in trust, in the name of the Town, gifts, devises and bequests of real or personal property, or any interests therein, from private corporations or individuals for any of the conservation and related purposes of the Commission. The Commission shall administer such gifts of real or personal property for the Town and may accept such gifts subject to the terms of the gift after holding a public hearing thereon as provided in § C4-5B(5) of the Wilton Charter Editor's Note: See Ch. 2, Charter, of this Code. and after obtaining the approval of the Board of Selectmen to accept such gift. The Commission may execute any trust agreement or other appropriate documents in connection with any such gift.

(3) Administer and maintain open space and land and facilities of the Town devoted to nonintensive recreational use. For purposes of this ordinance, "open-space use and nonintensive recreational use" is defined as land which is maintained in an undeveloped state for the purpose of conservation of natural or scenic resources or which is devoted to field trails, nature study, hiking, horseback riding and similar nonorganized activities which do not disturb the natural and indigenous character of the land.

(4) Unless otherwise required by law, following the approval of the Town Meeting and the Board of Selectmen, enter into contracts, trust agreements and other appropriate documents in the name of the Town to enable the Town to receive grants, gifts or contributions of land or money for conservation or related purposes from the state or any political subdivisions, agencies and instrumentalities thereof or the federal government or any agency thereof.

(5) Conduct research into the present and future utilization of land areas of the town and to prepare maps, pamphlets and similar documents for the Commission's purposes.

(6) Make recommendations to and assist the Planning and Zoning Commission in maintaining maps and technical information on wetlands and watercourses, as provided by § 18A-2 of the Code of the Town of Wilton Editor's Note: See Ch. 18A, Inland Wetlands Agency. and the Wilton Inland Wetlands Regulations.

(7) With the approval of the Town Meeting, acquire land and easements in the name of the Town for conservation purposes.

B. Said powers and duties shall be exercised and discharged only to the extent permitted by law and consistent with the applicable general statutes and the Charter of the Town of Wilton.
§ 10-10. Cooperation with other town boards.

A. The Conservation Commission shall maintain liaison with other boards, commissions and departments of the Town and shall cooperate with the Parks and Recreation Commission as to operation and maintenance of Town lands within its jurisdiction.

B. In case of a dispute between the Conservation Commission and the Parks and Recreation Commission as to jurisdiction over a proposed activity on a particular parcel of land, the Board of Selectmen shall determine which Commission shall have jurisdiction over the property.

§ 10-11. Preexisting rights not affected.

Nothing in this ordinance shall affect any right, interest, claim, obligation, liability or defense of, by or against the Town, of whatever description and whether or not matured, incurred by the Parks, Recreation and Conservation Commission prior to its termination and existing at the effective date of this ordinance. Editor's Note: The ordinance adopted 11-2-1977 repealed former Ch. 24, Parks, Recreation and Conservation Commission, adopted 10-23-1969, adjourned to 10-25-1969, and provided for the establishment of a Conservation Commission and a Parks and Recreation Commission. Provisions pertaining to said Commissions are included in this chapter and Ch. 24, respectively.

§ 10-12. Effective date.

This ordinance shall take effect on December 1, 1977.

CHAPTER 10A. CONVENTION AND VISITORS COMMISSION AND DISTRICT

§ 10A-1. Establishment.

§ 10A-2. Membership; term of office; officers.


§ 10A-1. Establishment.

The Town of Wilton, acting hereby its Town Meeting, and the City of Norwalk, acting herein by its Common Council, and pursuant to Connecticut General Statutes Section 7-330, hereby vote to form and join a municipal district known as the "Norwalk-Wilton Convention and Visitor's Commission and District", for the purpose of establishing a convention and visitor's commission pursuant to Connecticut General Statutes 7-136a(c), as amended.

§ 10A-2. Membership; term of office; officers.
A. The affairs of the District and Commission shall be managed by two members from Norwalk, nominated by the Mayor and appointed by the Common Council, and two members from Wilton, appointed by the Board of Selectmen. Each town shall be entitled to one additional member for each additional 5,000 population or part thereof over a base population of 5,000.

B. The Board shall, at its first meeting, determine by lot which members shall serve for one, two or three years, provided that the terms of office of not more than 50% of the Board shall expire in any one year. Thereafter the terms of office shall be for three years.

C. Such Board shall choose by ballot from its members a Chairman, a Secretary and a Treasurer. Such Treasurer shall give bond to the Board to the satisfaction of its members, and the cost of such bond is to be borne by the Board.

CHAPTER 10B. DEMOLITION OF BUILDINGS

ARTICLE I. Historic Buildings (§ 10B-1 — § 10B-8)

Open all 9 sections

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Building Code — See Ch. 9.
Historic District Commission — See Ch. 18.
Historical material and information — See Ch. 38.

ARTICLE I. Historic Buildings

§ 10B-1. Purpose.
§ 10B-2. Permit required.
§ 10B-2.1. Definitions.
§ 10B-3. Requirements and procedures.
§ 10B-4. No provisions to be waived; referral of application.
§ 10B-5. Applicability.
§ 10B-6. Time limit for permit.
§ 10B-7. Penalties for offenses.
§ 10B-8. Effective date.

[Adopted 11-3-1997]

§ 10B-1. Purpose.

The purpose of this ordinance is to provide public notice of the intent to demolish a building, structure or part thereof, more than 50 years old, or in other ways significant, and to impose a waiting period not to exceed 90 days in accordance with Connecticut General Statutes Section
29-406(b) so that consideration may be given to the documentation and preservation of historical, architectural or culturally significant buildings in the Town of Wilton.

§ 10B-2. Permit required.

No person, firm, corporation, public agency or other entity ("the applicant") shall demolish a building, structure or part thereof located in the Town of Wilton that is larger than 500 square feet in total size and either was constructed more than 50 years prior to the date of the application for a demolition permit or is less than 50 years old but is included in the "Cultural Resource Survey of Wilton, Connecticut" conducted by Mary Elizabeth McCahon and Wilton Historical Society, Inc. in 1989, as it may be amended from time to time, which is on file in the Wilton History Room of the Wilton Library Association, Inc. and in the Office of the Wilton Town Clerk, without filing an application and obtaining a permit for such demolition from the Building Inspector of the Town of Wilton ("the Building Inspector").

§ 10B-2.1. Definitions.

[Added 1-21-2003]

As used in this chapter, the following terms shall have the meanings indicated:

DEMOLITION
Removal, alteration and/or replacement of exterior walls, including but not limited to any part of proposed work that may impact the architecture and/or facade of the dwelling/structure.

PART THEREOF
Fifty percent or more of a dwelling/structure more than 500 square feet in size including areas on ground level and above. The basement is not to be considered in the calculation

STRUCTURE
Anything that has been constructed/built.

§ 10B-3. Requirements and procedures.

The demolition of any such building, structure or part thereof shall be subject to the following requirements and procedures in addition to the provisions of Connecticut General Statutes Sections 29-401 through 29-415:

A. The applicant shall file an application for a demolition permit with the Building Inspector, which application shall include, in addition to such other information as may be required, the size and the age of the building or structure to be demolished. Verification of both size and age shall be provided by the applicant and shall be obtained from independent records such as the Wilton Tax Assessor's records or the Cultural Resource Survey of Wilton, Connecticut.

B. All applications for partial demolition meeting the conditions of this ordinance shall be submitted to a committee (appointed by the Wilton Historical Commission) for review within 15 days of the application.
C. Upon filing of the demolition permit application, the applicant shall post a "notice of intent to demolish" sign provided by the applicant and approved by the Wilton Building Department in a conspicuous place on the property upon which the building to be demolished is located. Such sign shall include three-inch lettering and not exceed 16 square feet in area and shall remain posted for 15 consecutive days from the date of legal notice publication.

D. The applicant shall pay the cost of the legal notice required under Subsection E hereof.

E. Upon receipt of an application for demolition of a building, structure or part thereof, subject to the terms of this ordinance, the Building Inspector shall publish a legal notice of the demolition permit application in a newspaper having substantial circulation in the Town of Wilton. Such notice shall state that an application for a demolition permit has been filed, the date of the filing of such application, the location of the property, the name of the owner of the property, the size and age of the building to be demolished and that unless a pertinent written objection to the demolition is filed with the Building Inspector within 15 days of the publication of the legal notice, the demolition permit may be issued after the expiration of such 15 days. Such notice shall be published by the Building Inspector not later than 15 days after receipt of an application.

F. The Building Inspector shall, no later than the publication of such legal notice, mail a copy of said legal notice to the Wilton Historic District Commission, the Wilton Historical Society, the Connecticut Historical Commission and to any organization, firm, corporation, society, public agency or individual who has requested such notification by written notice delivered to the Building Inspector. To be entitled to notification under this provision, any such organization, firm, corporation, society, public agency or individual shall register with the Building Inspector and indicate desire to be notified of demolition permit applications for historic or significant buildings or structures. Such notification request shall be renewed annually each January 1 following the initial request. The Building Inspector shall maintain on file a list of names and addresses of all interested parties who have requested such notification.

G. If the Building Inspector has received no pertinent written objection to the application within 15 days following the publication of said legal notice, he may issue the demolition permit. Pertinent written objections shall state the architectural, historic or cultural importance of the subject building.

H. If the Building Inspector receives a pertinent written objection to the issuance of a demolition permit within 15 days following the publication of said legal notice, the Building Inspector shall delay the issuance of a permit for a period of 90 days following the date of the filing of the demolition permit application. In the event that all such written objections are withdrawn before the expiration of the ninety-day period, the Building Inspector may issue the demolition permit.
I. Notwithstanding the foregoing provisions, within 15 days following the publication of the legal notice the Building Inspector may, with the written approval of the Wilton Historic District Commission and the Wilton Historical Society, make a written finding that the building which is proposed to be demolished is not of an age, style, location, condition or character that is of historical, architectural or cultural significance to the Town of Wilton. Upon such finding, the Building Inspector may waive the provisions of this ordinance requiring delay in the issuance of the demolition permit. If the Building Inspector receives no written response from the Wilton Historic District Commission or the Wilton Historical Society within 10 days of mailing the copy of the legal notice, approval shall be presumed. A written notice of waiver shall be sent by first class mail on the day of the waiver determination to all interested parties as listed in Subsection F. In the event of such a waiver by the Building Inspector, a demolition permit may be issued on the eighth day following the waiver determination, provided that no appeal of said determination has been taken to the Wilton Board of Selectmen ("the Board").

J. Any person aggrieved by the action of the Building Inspector in waiving such provisions may appeal to the Board within seven days following the waiver determination. This provision shall not preclude applicants from pursuing any other available means of appeal provided by the Connecticut General Statutes. The Board shall have the power to overrule the waiver and may issue a stay of demolition for a period of 90 days from the date of the filing of the demolition permit application or may uphold the waiver. In considering such appeal the Board shall review the architectural, cultural and historic importance of the building. Any such appeal shall be heard by the Board at its next regularly scheduled meeting.

[Amended 1-21-2003]

§ 10B-4. No provisions to be waived; referral of application.

Notwithstanding the provisions of § 10B-3I above, if a building or structure listed on the National or State Register of Historic Places or located in one of Wilton's historic districts is proposed to be demolished, the Building Inspector may not waive any provisions of this ordinance. The application for demolition shall be referred to the Wilton Historic District Commission and the Connecticut Historical Commission which may, under Connecticut General Statutes Section 7-147j(b), delay demolition for 90 days from issuance of a demolition permit if during such time the Wilton Historic District Commission or the Connecticut Historical Commission is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition.

§ 10B-5. Applicability.

The provisions of this ordinance shall not apply to any demolition ordered by the Building Inspector because of an emergency or threat to public health and/or safety.

§ 10B-6. Time limit for permit.

Any permit issued under this ordinance shall become invalid if the authorized demolition work is not completed within six months after issuance of the permit.
§ 10B-7. Penalties for offenses.

[Amended 1-21-2003]

Pursuant to Connecticut General Statute Section 29-414, failure of any person, firm, corporation, public agency or other entity to comply with the above provisions may result in a fine of not more than $500 or imprisonment of not more than a year, or both.

§ 10B-8. Effective date.

[Amended 1-21-2003]

The effective date of this ordinance shall be January 1, 1998; revision date: January 21, 2003.

CHAPTER 10C. DOGS

ARTICLE I. Leashing of Dogs (§ 10C-1 — § 10C-6)

ARTICLE II. Disposal of Dog Waste (§ 10C-7 — § 10C-13)

[HISTORY: Adopted by the Town of Wilton as indicated in article histories. Amendments noted where applicable.]

ARTICLE I. Leashing of Dogs

§ 10C-1. Definitions.

§ 10C-2. Running at large.

§ 10C-3. Law enforcement excepted.

§ 10C-4. Penalties for offenses.

§ 10C-5. Enforcement.

§ 10C-6. Hearing procedure.

[Adopted by the Board of Selectmen 6-19-2006]

§ 10C-1. Definitions.

When used in this ordinance, the following words, terms, and phrases, and their derivations, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AT LARGE
The dog is off the premises of the owner, and not on a leash, cord, chain, or other harness.

DIRECT CONTROL
The owner is at all times fully and clearly within the unobstructed sight and hearing of the dog, that the dog is obedient to the owner's visual and/or voice commands, and that the owner has with him at all times a visible leash, cord, chain, or other harness.

DOG
Any member of the canine species, male, female, neutered male or spayed female.

OWNER
Any person or persons, firm, association, partnership, LLC or corporation having temporary or permanent custody of, sheltering or having charge of, harboring, exercising control over, or having property rights to a dog, or in the case of a person under the age of 18, the person's parent or legal guardian. A dog shall be deemed to be harbored if it is fed or sheltered for three or more consecutive days.

§ 10C-2. Running at large.

[Amended 1-20-2009; 7-6-2010]

A. It shall be unlawful for dogs to run at large in the Wilton Center Zone, Schenck’s Island, all public sidewalks and roadways, the Town Hall Complex, the Gilbert and Bennett School properties, Allen’s Meadow, all properties owned or operated by the Board of Education, and from March 1 to Thanksgiving Day at all playing fields operated or maintained by the Parks and Recreation Department. This includes Merwin Meadows Park and the walking trails between Merwin Meadows Park and School Road and the walking trail between Merwin Meadows Park and the Old Post Office Square. Within Merwin Meadows Park, dogs on leashes are allowed only on the cinder trail that traverses the park. It shall also be unlawful for dogs to run at large at any public event or gathering of any kind, anywhere in Town.

B. Notwithstanding Subsection A, dogs may run at large in all other public areas, unless otherwise posted. However, said dogs must still remain under the direct control of the owner.

C. Notwithstanding Subsections A and B, dogs are prohibited at:

   (1) The Memorial Stadium Complex;

   (2) The Kristine Lilly Field Complex; and

   (3) Any public tennis court or basketball court.

§ 10C-3. Law enforcement excepted.

The provisions of this ordinance shall not apply to dogs owned or controlled by government law enforcement agencies or organized Fire Department personnel or persons authorized by said agencies or departments to engage in search and rescue activity or training for any such activity.

§ 10C-4. Penalties for offenses.

Violations of this ordinance shall be punishable by fine. The fine shall be in an amount of $50 for each violation. If said fine is not paid within 30 days of issuance or, if a hearing is requested, within 30 days of a decision sustaining the violation, then the amount of the fine shall be doubled.
§ 10C-5. Enforcement.

The provisions of this ordinance are designated for enforcement in accordance with Sections 7-148 and 7-152c of the Connecticut General Statutes as amended. The Town of Wilton may institute civil proceedings to enforce the provisions herein contained.

§ 10C-6. Hearing procedure.

Pursuant to the provisions of Section 7-152c of the Connecticut General Statutes, as amended, the Town of Wilton hereby adopts the provisions authorized by Section 7-152c and establishes a hearing procedure as follows:

A. Hearing officers. The First Selectmen shall appoint one or more Hearing Officers. No person who serves as a police officer, member of the Police Commission, employee of the Police Department or person who issues citations shall serve as a Hearing Officer.

B. Notice of citation. The municipality, acting by the First Selectmen or the First Selectman's designee, shall, at any time within 12 months from the expiration of the final period for uncontested payment of a fine, penalty, cost or fee for any citation issued under this ordinance, send notice to the person cited. Such notice shall contain the following information:

(1) The allegations against the person cited, together with the amount of the fines, penalties, costs, or fees due.

(2) The fact that the person may contest his or her liability before a Hearing Officer by delivery in person or by mail of a written notice within 10 days from the date of the notice.

(3) That if a hearing is not demanded, an assessment and judgment shall be entered against the person cited.

(4) Any such judgment may issue without further notice.

C. If an individual cited wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs and fees admitted to, in person or by mail, to an official designated by the First Selectman. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment.

D. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances.

E. Any person who requests a hearing within the time specified in this ordinance shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not
less than 15 nor more than 30 days from the date of the mailing of the notice, provided the Hearing Officer shall grant, upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation shall be filed and retained by the municipality. The notice shall be deemed to be a business record within the scope of Section 52-180 of the Connecticut General Statutes and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if the accused so requests. A person wishing to contest his or her liability shall appear at the hearing and may present evidence on his or her own behalf. A designated municipal official, other than the Hearing Officer, may present evidence on behalf of the municipality. Any person who fails to appear may be defaulted and have an assessment by default entered against him or her upon a finding of proper notice and liability under applicable statutes or ordinances. The Hearing Officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he or she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his or her decision at the end of the hearing. If the Hearing Officer determines that the person is not liable, he or she shall dismiss the matter and enter the determination in writing. If the Hearing Officer determines that the person is liable for the violation, he or she shall enter and assess the fines, penalties, costs or fees against such person.

F. Notice of assessment. If the assessment is not paid on the date of its entry, the Hearing Officer shall send by first class mail a notice assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice assessment with the Clerk of the Superior Court facility designated by the Chief Court Administrator within the boundaries of the Judicial District in which the municipality is located, together with an entry fee of $8. A certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period assessment against the same person may be accrued and filed as one record of assessment. The Clerk of the Superior Court shall enter judgment in the amount of such record of assessment and court costs of $8 against such person in favor of the municipality. Notwithstanding any other provision of the Connecticut General Statutes, the Hearing Officer’s assessment, when so entered as a judgment, shall have the effect of a civil money judgment, and a levy of execution on such judgment may be made without further notice to such person.

G. Appeal. There shall exist a right of appeal in favor of any person against whom an assessment has been entered pursuant to the provisions of this ordinance. An appeal shall be instituted within 30 days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to Section 52-259 of the Connecticut General Statutes in the Superior Court designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Superior Court.
ARTICLE II. Disposal of Dog Waste

§ 10C-7. Purpose.

The purpose of this ordinance is to educate the public and promote public health and welfare relating to the removal of dog waste from public property or the private property of another, as defined herein.

§ 10C-8. Definitions.

When used in this ordinance, the following words, terms, and phrases, and their derivations shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**DOG**
Any member of the canine species, male, female, neutered male or spayed female.

**OWNER**
Any person or persons, firm, association, partnership, LLC or corporation having temporary or permanent custody of, sheltering or having charge of, harboring, exercising control over, or having property rights to a dog, or in the case of a person under the age of 18, the person's parent or legal guardian. A dog shall be deemed to be harbored if it is fed or sheltered for three or more consecutive days.

**PRIVATE PROPERTY OF ANOTHER**
Property of any person or persons, firm, association, partnership, LLC or corporation, other than property of the owner or of the owner's family.

**PUBLIC PROPERTY**
Town-owned parks, recreation areas, playing fields, school grounds, sidewalks, easements, rights-of-way, and the traveled portion of public streets and roads.


If any dog shall defecate upon any public property, or the private property of another, the owner of said dog shall immediately remove or cause to be removed from the property all feces deposited by said dog. If such feces are not removed, then the owner of said dog shall be deemed in violation of this ordinance.
§ 10C-10. Penalties for offenses.

Violations of this ordinance shall be punishable by fine. The fine shall be in an amount of $50 for each violation. If said fine is not paid within 30 days of issuance or, if a hearing is requested, within 30 days of a decision sustaining the violation, then the amount of the fine shall be doubled.


The provisions of this ordinance do not apply to a guide dog when walked by an unaccompanied blind person.

§ 10C-12. Enforcement.

The provisions of this ordinance are designated for enforcement in accordance with Sections 7-148 and 7-152c of the Connecticut General Statutes as amended. The Town of Wilton may institute civil proceedings to enforce the provisions herein contained.

§ 10C-13. Hearing procedure.

Pursuant to the provisions of Section 7-152c of the Connecticut General Statutes, as amended, the Town of Wilton hereby adopts the provisions authorized by Section 7-152c and establishes a hearing procedure as follows:

A. Hearing Officers. The First Selectmen shall appoint one or more Hearing Officers. No person who serves as a police officer, member of the Police Commission, employee of the Police Department or person who issues citations shall serve as a Hearing Officer.

B. Notice of citation. The municipality, acting by the First Selectmen or the First Selectman's designee, shall, at any time within 12 months from the expiration of the final period for uncontested payment of a fine, penalty, cost or fee for any citation issued under this Ordinance, send notice to the person cited. Such notice shall contain the following information:

(1) The allegations against the person cited, together with the amount of the fines, penalties, costs, or fees due.

(2) The fact that the person may contest his or her liability before a Hearing Officer by delivery in person or by mail of a written notice within 10 days from the date of the notice.

(3) That if a hearing is not demanded, an assessment and judgment shall be entered against the person cited.

(4) Any such judgment may issue without further notice.
C. If an individual cited wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs and fees admitted to, in person or by mail, to an official designated by the First Selectman. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment.

D. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice, shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances.

E. Any person who requests a hearing within the time specified in this ordinance shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 nor more than 30 days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation shall be filed and retained by the municipality. The notice shall be deemed to be a business record within the scope of Section 52-180 of the Connecticut General Statutes and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if the accused so requests. A person wishing to contest his or her liability shall appear at the hearing and may present evidence on his or her own behalf. A designated municipal official, other than the Hearing Officer, may present evidence on behalf of the municipality. Any person who fails to appear may be defaulted and have an assessment by default entered against him or her upon a finding of proper notice and liability under applicable statutes or ordinances. The Hearing Officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he or she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his or her decision at the end of the hearing. If the Hearing Officer determines that the person is not liable, he or she shall dismiss the matter and enter the determination in writing. If the Hearing Officer determines that the person is liable for the violation, he or she shall enter and assess the fines, penalties, costs or fees against such person.

F. Notice of assessment. If the assessment is not paid on the date of its entry, the Hearing Officer shall send by first class mail a notice assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice assessment with the Clerk of the Superior Court facility designated by the Chief Court Administrator within the boundaries of the Judicial District in which the municipality is located, together with an entry fee of $8. A certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period assessment against the same person may be accrued and filed as one record of assessment. The Clerk of the Superior Court shall enter judgment in the amount of such record of assessment and Court costs of $8 against such person in favor of the municipality. Notwithstanding any other provision of the
Connecticut General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment, and a levy of execution on such judgment may be made without further notice to such person.

G. Appeal. There shall exist a right of appeal in favor of any person against whom an assessment has been entered pursuant to the provisions of this ordinance. An appeal shall be instituted within 30 days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to Section 52-259 of the Connecticut General Statutes in the Superior Court designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Superior Court.

CHAPTER 11. DRIVEWAYS, ROADWAYS AND SIDEWALKS

ARTICLE I. Construction of Driveways and Roadways (§ 11-1)

ARTICLE II. Removal of Snow and Ice from Sidewalks (§ 11-2 — § 11-5)

[HISTORY: Adopted by the Town of Wilton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Road openings — See Ch. 25D.
Scenic roads — See Ch. 25E.
Road construction standards and specifications — See App., Part II.

ARTICLE I. Construction of Driveways and Roadways

§ 11-1. Written approval required for construction.

Editor's Note: The provisions of this article were formerly included as § 9-5.

[Adopted 7-25-1955 TM]

§ 11-1. Written approval required for construction.

No person shall construct any drive or roadway or use as a drive or roadway any land intersecting with a public highway until he shall have first obtained approval in writing of the Board of Selectmen, and the Selectmen may refer any such application to the Planning and Zoning Commission for recommendation.

ARTICLE II. Removal of Snow and Ice from Sidewalks

§ 11-2. Liability; duty to remove.

§ 11-3. Responsibility of owner or person in possession or control of land abutting public sidewalk; removal by Town.

§ 11-4. Enforcement

§ 11-5. Hearing procedure; appeals.
§ 11-2. Liability; duty to remove.

A. The provisions of Section 7-163a of the Connecticut General Statutes are hereby adopted as set forth in Subsections B, C and D hereof.

B. Notwithstanding the provisions of Section 13a-149 of the Connecticut General Statutes or any other general statute or special act, the Town shall not be liable to any person for injury to person or property caused by the presence of ice or snow on a public sidewalk unless the Town is the owner or person in possession and control of land abutting such sidewalk, other than land used as a highway or street, provided that the Town shall be liable for its affirmative acts with respect to such sidewalk under its possession and control.

C. The owner or person in possession and control of land abutting a public sidewalk shall have the same duty of care with respect to the presence of ice or snow on such sidewalk toward the portion of the sidewalk abutting his property as the Town had prior to the effective date of this article and shall be liable to persons injured in person or property where a breach of said duty is the proximate cause of said injury.

D. No action to recover damages for injury to person or property caused by the presence of ice or snow on a public sidewalk against a person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two years from the date when the injury is first sustained.

§ 11-3. Responsibility of owner or person in possession or control of land abutting public sidewalk; removal by Town.

Whenever the public sidewalk shall be wholly or partially covered by snow or ice, it shall be the duty of the owner or person in possession and/or control of land abutting a public sidewalk to cause such sidewalk to be made safe and convenient by removing the snow therefrom within the first six hours of daylight immediately following the accumulation of such snow thereon or, in the case of ice, by covering the same with sand or other suitable material within the first six hours of daylight following the accumulation of such ice, and then removing such treatment as often as may be necessary to keep such sidewalk safe and convenient. In case of the failure or neglect of the owner or person in possession and control of land abutting the public sidewalk to comply with this section, the Department of Public Works may, but is not obliged to, cause the same to be done, and the expense thereof shall be collectible from the person so failing or neglecting, in an action of debt brought in the name of the Town under this section. Any person who fails or neglects to comply with this section shall also be liable for a penalty or fine of $99, provided that no such expense, penalty or fine may be collected from any person whose violation of this provision is caused by snow deposited on his sidewalks by Town snow removal activities.

§ 11-4. Enforcement
The provisions of this article are designated for enforcement in accordance with Sections 7-148 and 7-152c of the Connecticut General Statutes, as amended. The Town of Wilton may institute civil proceedings to enforce the provisions herein contained.

§ 11-5. Hearing procedure; appeals.

Pursuant to the provisions of Section 7-152c of the Connecticut General Statutes, as amended, the Town of Wilton hereby adopts the provisions authorized by Section 7-152c and establishes a hearing procedure as follows:

A. Hearing officers. The First Selectman shall appoint one or more sidewalk clearing hearing officers. No person who serves as a police officer, member of the Police Commission, employee of the Police Department or person who issues citations shall serve as a hearing officer.

B. Notice of citation. The municipality, acting by the First Selectman or the First Selectman's designee, shall at any time within 12 months from the expiration of the final period for uncontested payment of a fine, penalty, cost or fee for any citation issued under this article send notice to the person cited. Such notice shall contain the following information:

   (1) The allegations against the person cited, together with the amount of the fines, penalties, costs, or fees due.

   (2) The fact that the person may contest his or her liability before a hearing officer by delivery in person or by mail of a written notice within 10 days from the date of the notice.

   (3) That if a hearing is not demanded, an assessment and judgment shall be entered against the person cited.

   (4) Any such judgment may issue without further notice.

C. If an individual cited wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs and fees admitted to, in person or by mail, to an official designated by the First Selectman. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment.

D. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances.

E. Any person who requests hearing within the time specified in this article shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 nor more than 30 days from the date of the mailing of the notice, provided the hearing
officer shall grant, upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation shall be filed and retained by the municipality. The notice shall be deemed to be a business record within the scope of Section 52-180 of the Connecticut General Statutes and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if the accused so requests. A person wishing to contest his or her liability shall appear at the hearing and may present evidence on his or her own behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. Any person who fails to appear may be defaulted and an assessment by default entered against him or her upon a finding of proper notice and liability under applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he or she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his or her decision at the end of the hearing. If the hearing officer determines that the person is not liable, he or she shall dismiss the matter and enter the determination in writing. If the citation hearing officer determines that the person is liable for the violation, he or she shall enter and assess the fines, penalties, costs or fees against such person.

F. Notice of assessment. If the assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice assessment with the Clerk of the Superior Court facility designated by the Chief Court Administrator within the boundaries of the Judicial District in which the municipality is located, together with an entry fee of $8. A certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period assessment against the same person may be accrued and filed as one record of assessment. The Clerk of the Superior Court shall enter judgment in the amount of such record of assessment and court costs of $8 against such person in favor of the municipality. Notwithstanding any other provision of the Connecticut General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the affect of a civil money judgment, and a levy of execution on such judgment may be made without further notice to such person.

G. Appeal. There shall exist a right of appeal in favor of any person against whom an assessment has been entered pursuant to the provisions of this article. An appeal shall be instituted within 30 days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to Section 52-259 of the Connecticut General Statutes in the Superior Court designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Superior Court.

CHAPTER 12. DUMPING

ARTICLE I. Dumping near Highways (§ 12-1 — § 12-2)

ARTICLE II. Refuse from Adjoining Towns (§ 12-3 — § 12-4)
ARTICLE III. Dumping on Highways (§ 12-5)

[HISTORY: Adopted Wilton Town Meeting Art. I, 10-7-1935; Art. II, 10-5-1931; Art. III, 3-12-1898. Amendments noted where applicable.]

ARTICLE I. Dumping near Highways
§ 12-1. Dumping restrictions; permission; penalty.
§ 12-2. Exceptions to ordinance.

[Adopted 10-7-1935]

§ 12-1. Dumping restrictions; permission; penalty.

It is hereby ordered that hereafter it shall be unlawful in the Town of Wilton to dump, or to transport on any highway for the purpose of dumping, or permit the dumping within 200 feet of a public highway of ashes, rubbish, refuse or junk or of garbage without the special permission of the Selectmen and upon reasonable conditions prescribed by them and that for each violation of this ordinance a penalty not to exceed $25 is hereby imposed.

§ 12-2. Exceptions to ordinance.

This ordinance shall not be deemed to make unlawful the disposition by a property owner of his ashes, domestic garbage, rubbish, refuse or junk upon his own property; and shall not apply to ashes unmixed with other substances, nor to dumping which constitutes or creates a nuisance or source of filth injurious to public health.

ARTICLE II. Refuse from Adjoining Towns
§ 12-3. Bringing of refuse into Town of Wilton prohibited.
§ 12-4. Penalty.

[Adopted 10-5-1931]

§ 12-3. Bringing of refuse into Town of Wilton prohibited.

The bringing into and dumping in the Town of Wilton of any junk, waste material or garbage of any description from any adjoining cities or towns is hereby prohibited and the Selectmen of the Town of Wilton are authorized and directed to enforce this regulation.

§ 12-4. Penalty.

[Adopted 10-2-1933]

A fine of $50 is imposed for any violation of the regulation adopted October 5, 1931, relating to the bringing into and dumping of junk, waste material or garbage in the Town from any adjoining cities or towns.
ARTICLE III. Dumping on Highways

§ 12-5. Dumping restrictions; permission; penalty.

[Adopted 3-12-1898]

§ 12-5. Dumping restrictions; permission; penalty.

All persons are hereby prohibited from placing or depositing in any public highway, any stone, ashes, debris or waste material which shall in any way impede, hinder, obstruct or interfere with the travel on, or the repair of such highways, without written consent and permission of a majority of the Selectmen for the time being, and it shall be the duty of the Grand Jurors and the Selectmen to cause all infringements of the regulation to be dealt with as the Statutes in such cases made and provided prescribe.

CHAPTER 14. FIREARMS

§ 14-1. Use and discharge of firearms.
§ 14-2. Penalties for offenses.
§ 14-3. Copies available with hunting license.
§ 14-4. Effective date.
Open all 4 sections

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton 2-2-1998. Editor's Note: This ordinance also superseded former Ch. 14, Firearms, adopted 6-5-1963. Amendments noted where applicable.]

GENERAL REFERENCES

Parks — See Ch. 23A.

§ 14-1. Use and discharge of firearms.

No person shall discharge any firearms, including, but not by way of limitation, any air rifle, air pistol, cannons, BB guns, pistols, revolvers, rifles or shotguns while in the Town of Wilton. Exceptions to this prohibition are as follows:

A. By duly authorized peace officers acting in the performance of their official duties or by members of the Armed Forces of the United States or of the State of Connecticut or by authorized messengers or bank guards when acting in the performance of their official or authorized duties.

B. When otherwise permitted by law, by an individual for the protection of life, limb or property.

C. By the owner of land, or the tenant or authorized agent of the owner of land for the express and sole purpose of eliminating nondomestic animals which are menacing domestic animals and/or property on the owner's land, provided that prior notification shall be provided to the
Wilton Police Department, except in case of an emergency, in which case the Wilton Police Department shall be notified immediately thereafter.

D. By a person legally authorized to hunt under the provisions of Connecticut General Statutes and the regulations issued hereunder, in such places and in such manner as is set forth under such statutes and regulations; however, nothing herein authorizes hunting on any public beach, park or other land owned or leased by the Town of Wilton. Hunting is specifically prohibited on Town-owned or leased property, except when authorized by the Board of Selectmen upon the recommendation of the Conservation Commission and subject to approval by the Police Chief to ensure that public safety concerns are met, for the control of wildlife that threatens public health or safety or when wildlife threatens the ecological integrity of Wilton's natural resources.

[Amended 9-6-2005]

E. On indoor ranges as otherwise permitted by law or governmental authority.

F. Ceremonial use of muskets and cannons and sports-related starter pistols which do not fire a projectile.

§ 14-2. Penalties for offenses.

Any person found guilty of violating any provision of this chapter will be fined not more than $100.

§ 14-3. Copies available with hunting license.

Copies of this chapter, as revised, are available at the office of the Town Clerk of the Town of Wilton.

§ 14-4. Effective date.

This ordinance shall become effective on February 28, 1998.

CHAPTER 14A. FIRE COMMISSION

ARTICLE I. Establishment of Fire Commission (§ 14A-1 — § 14A-5)

ARTICLE II. Meetings (§ 14A-6)

ARTICLE III. Exclusive Powers of Fire Commission (§ 14A-7 — § 14A-8)

ARTICLE IV. Responsibility of Fire Commission (§ 14A-9 — § 14A-10)

ARTICLE V. Repeat of Prior Legislation (§ 14A-11)

ARTICLE VI. Fire Marshal (§ 14A-12)

ARTICLE VII. Effective Date (§ 14A-13)

[HISTORY: Adopted by the Wilton Town Meeting 10-8-1970. Amendments noted where applicable.]
GENERAL REFERENCES

Authority to appoint — See Charter, §§ C3-6 and C4-6 and Article VII.
Fire prevention — See Ch. 15.

ARTICLE I. Establishment of Fire Commission

§ 14A-1. Membership established.
§ 14A-2. Composition.
§ 14A-4. Term of appointment.
§ 14A-5. Vacancies.

§ 14A-1. Membership established.

A board of three members to be known as the "Wilton Fire Commission" is hereby established for the purpose of organizing and maintaining a fire department in the Town of Wilton.

§ 14A-2. Composition.

[Amended 4-7-1992]

The Fire Commission members shall be known as "Commissioners," all of whom shall be appointed by the Board of Selectmen, no more than two of whom shall be members of the same political party and none of whom shall hold any other office or membership on any other board of the Town while serving as a Commissioner.

§ 14A-4. Term of appointment.

Commissioners shall be sworn to the faithful performance of their duties and shall be appointed for a term of two years commencing on the first day of December, except that of the original three Commissioners appointed by the Board of Selectmen, the term of the first two appointed shall end on December 1, 1971, and the term of the third appointed shall end on December 1, 1972.

§ 14A-5. Vacancies.

In the event of any vacancy upon the Fire Commission, the Board of Selectmen shall appoint a Commissioner to the vacancy for the unexpired portion of the term.

ARTICLE II. Meetings


The Fire Commission shall elect one of its number to be Chairman and one of its number to be Secretary and shall hold regular meetings at least once each month and keep records of the same. Meetings shall be held upon the call of the Chairman, or at the call of a majority of the members of the Fire Commission, or at the call of the Board of Selectmen. A majority of the Commissioners shall constitute a quorum.

**ARTICLE III. Exclusive Powers of Fire Commission**


Open all 2 sections


The Fire Commission shall have exclusive power to:

A. Make all regulations necessary for the government of the Fire Department not contrary to law.

B. Prescribe suitable penalties for the violation of any such regulations, including the suspension or removal from office of any officers or members of the Fire Department.

C. Regulate the duties of the officers and members of the Fire Department in respect to fire matters within the limits of the Town of Wilton.

D. Appoint, promote and remove the officers and members of the Fire Department pursuant to such regulations as it adopts for the purpose and in conformity with this article.


Appointees to the Fire Department shall hold office during good behavior and until removed for cause by the Fire Commission upon written charges and after hearing by the Fire Commission. The Chief of the Fire Department shall not be dismissed unless he has been given notice in writing of the specific grounds for such dismissal and an opportunity to be heard in his own defense, personally or by counsel, at the public hearing before the Fire Commission. Such public hearing shall be held not less than five nor more than 10 days after such notice.

**ARTICLE IV. Responsibility of Fire Commission**


§ 14A-10. Statutory powers and duties.

The Fire Commission shall be responsible and subordinate to the Board of Selectmen in all matters except those set forth in Article III as to which the Fire Commission shall have exclusive jurisdiction.

§ 14A-10. Statutory powers and duties.

The Fire Commission shall have such powers and duties, not inconsistent with this ordinance, as may from time to time be conferred upon the Fire Commission and Fire Department by the General Statutes of the State of Connecticut and in general shall provide protection to inhabitants and property of the Town of Wilton from fire, explosion and similar hazards.

ARTICLE V. Repeat of Prior Legislation

ARTICLE V. Repeat of Prior Legislation


The resolutions of the Town meeting adopted August 3, 1964, concerning the Board of Fire Commissioners and October 1, 1957, concerning regulations are hereby repeated and the Fire Commission hereby established shall be the successor of the said Board of Fire Commissioners.

ARTICLE VI. Fire Marshal


The Fire Marshal, and such deputy Fire Marshals as it may deem necessary, shall be appointed by and be administratively responsible to the Fire Commission.

ARTICLE VII. Effective Date


Following enactment by the Town meeting, this ordinance shall become effective 15 days after publication as specified under Title 7, Section 157 of the General Statutes of Connecticut.

CHAPTER 14B. FIRE COMPANIES
   ARTICLE I. Agreements for Protection Services (§ 14B-1 — § 14B-2)
   Open all 2 sections
ARTICLE I. Agreements for Protection Services

§ 14B-1. Authorization to enter into agreements with volunteer fire companies.

The Board of Selectmen is hereby authorized to enter into agreements with any volunteer fire company pursuant to Section 7-301 of the Connecticut General Statutes, whereby such company will render fire protection services within the Town or a portion thereof.


The Town may appropriate such funds as it determines proper and necessary to carry out any such agreement with a volunteer fire company.

CHAPTER 14C. FIRE LANES

§ 14C-1. Definitions.
§ 14C-2. Authority.
§ 14C-3. Establishment.
§ 14C-4. Maintenance.
§ 14C-5. Parking and standing prohibited.
§ 14C-6. Violations and penalties.
§ 14C-7. Existing buildings and facilities.

[ Adopted 12-19-1977]
§ 14C-1. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

FIRE LANE
A designated, unobstructed passageway sufficient in size to permit free passage and orderly access of fire and other emergency equipment to any building or facility open to the public.

§ 14C-2. Authority.

The authority of the Wilton Fire Marshal to establish fire lanes is set forth in § 29-293 et seq. of the Connecticut General Statutes. For purposes of this ordinance, the term "fire lane" is synonymous with the statutory term "fire zone."

§ 14C-3. Establishment.

Whenever the Wilton Fire Marshal establishes a fire lane pursuant to the Connecticut General Statutes and/or the Connecticut Fire Safety Code, he shall cause to be erected or installed adequate signs, markings or other devices to delineate such fire lanes. Such signs, markings and other devices shall be installed on all premises open to the public at the expense of the owner of the building or facility and shall be erected by the owner within 30 calendar days after receipt of written notice from the Wilton Fire Marshal directing the installation of such signs, markings or other devices. Such signs, markings and other devices shall conform to the Manual on Uniform Traffic Control Devices adopted by the Connecticut Department of Transportation.

§ 14C-4. Maintenance.

Upon the establishment of a fire lane by the Fire Marshal and the installation or erection of marking devices as required by § 14C-3 hereof, it shall thereafter be the responsibility of the owner of the building or facility to maintain said markings or devices delineating the fire lane, to replace them as necessary and to keep the fire lane free of ice and snow and of any other materials which would obstruct the use of said fire lane for its intended purpose.

§ 14C-5. Parking and standing prohibited.

No person shall park or permit to stand any motor vehicle, whether occupied or not, in a fire lane which has been established in accordance with this ordinance.

§ 14C-6. Violations and penalties.

A. Whenever a vehicle is found parked in violation of § 14C-5, a police officer shall serve upon the owner or operator of such vehicle or place upon such vehicle a parking ticket with a fine in the amount of $50. If such ticket is paid within 15 days from the date issued, no further fine shall be incurred. If such ticket is not paid within 15 days, the fine shall be increased to $100. Any individual wishing to contest or question the validity of said ticket shall proceed in
accordance with § 27-10 of the Vehicles and Traffic Ordinance of the Town of Wilton. Editor's Note: See Ch. 27, Vehicles and Traffic.

B. If a police officer determines that a vehicle parked in a fire lane constitutes such a serious hazard to be a menace to traffic, that officer may, in addition to placing a parking ticket on such vehicle, cause such vehicle to be removed pursuant to the provisions of the Connecticut General Statutes. In the event that the officer causes such vehicle to be towed, the owner will be responsible for paying the towing charges in addition to the parking fine.

C. Any person violating the provisions of this ordinance, other than those set forth in § 14C-5 hereof, shall be fined not more than $99 for each violation. Written notice of the violation will be sent by the Wilton Fire Marshal's Office to the owner of the building or facility in accordance with abatement procedures developed by the State Fire Marshal's Office under § 29-306 of the Connecticut General Statutes. If the violation is not corrected or removed within 30 days following the date of the first notice, the fine will be imposed.

§ 14C-7. Existing buildings and facilities.

Any building or facility in existence prior to the effective date of this ordinance shall be given six months from the date of written notification by the Wilton Fire Marshal to comply with any order to delineate a fire lane. In the case of new building and facilities that are subject to the provisions of this ordinance, the Wilton Building Inspector shall not issue a certificate of occupancy until the Building Department has received from the Wilton Fire Marshal's Office a written notice of compliance with the requirements of this ordinance.

CHAPTER 15. FIRE PREVENTION

ARTICLE I. Kindling of Outdoor Fires (§ 15-1 — § 15-12)

ARTICLE II. Outside Accumulation of Waste and Materials (§ 15-13 — § 15-17)

[HISTORY: Adopted Wilton Town Meeting; Art. I, 5-23-1966; Art. II, 8-3-1964.]

ARTICLE I. Kindling of Outdoor Fires

§ 15-1. Restrictions on outdoor fires; permit.
§ 15-3. Cleared area required.
§ 15-5. Oral permits; limitations.
§ 15-6. Time limit of permit.
§ 15-9. Fires on streets or sidewalks; unattended fires.
§ 15-10. Legal responsibility.
§ 15-11. Violation and penalty.
§ 15-12. (Reserved).
§ 15-1. Restrictions on outdoor fires; permit.

No person, firm or corporation within the limits of the Town of Wilton, excepting the Georgetown Fire District, and without a permit issued by the Fire Marshal or any deputy designated by him for such purpose, shall make or cause to be made any outdoor fire except as follows:

A. In a covered container with both the container and the cover constructed of incombustible material for the purpose of burning waste and materials outdoors. Said container shall be covered with a spark arrester. No hole opening in said container shall exceed one inch in length and one inch in width. In the event that said container has a draft door, it shall be covered by a wire mesh screen with openings no larger than 1/4 inch in length and 1/4 inch in width; or

B. In a fireplace or barbecue pit constructed of incombustible material; or

C. In an incombustible grill designed for the cooking of foods.


An application for a fire permit may be made orally and will be promptly granted or denied orally by the Fire Marshal or his designated deputy, and if granted will be logged, and if requested, confirmed in writing. An application may be denied as constituting a danger to public safety when, because of weather, wind, drought, type and condition of material to be burned, proximity of structures or combustible materials, availability of means of fire control or other environmental factors, or other good and sufficient reason, said fire would constitute a hazard.

§ 15-3. Cleared area required.

No outdoor fire, of any type, except the type specified in § 15-1 above, shall be ignited within 15 feet of any structure or accumulation of combustible material; provided, however, that any outdoor fire ignited on other than a house lot shall be in an area from which all combustible material for a distance of 15 feet in all directions shall have been removed.


No fire for which a permit has been granted shall burn between midnight and sunrise unless specifically authorized in a written permit issued in accordance with this ordinance.
§ 15-5. Oral permits; limitations.

All permits granted orally shall terminate at midnight on the day issued.

§ 15-6. Time limit of permit.

No permit shall be valid for more than seven days.


All permits shall be void when the weather is windy or the forest-fire danger, as given over the local radio or television stations, is "high" or "extreme."


Any permit may be revoked at any time, without prior notice, by the Fire Marshal or any deputy designated by him to issue such permits.

§ 15-9. Fires on streets or sidewalks; unattended fires.

No person shall kindle or maintain a fire of any kind on any street, highway or sidewalk in the Town, nor shall any person leave any outdoor fire unattended.

§ 15-10. Legal responsibility.

Any person kindling or maintaining a fire under this ordinance shall in no way be relieved of any legal responsibility if the fire is allowed to escape or cause personal injury to or damage to property of others. Neither the Fire Marshal, any of his deputies or the Town of Wilton shall be liable for damages to the person or property of another resulting from a fire for which permission is given.

§ 15-11. Violation and penalty.

Any person violating any provision of this ordinance shall be fined not more than $25.

§ 15-12. (Reserved).

ARTICLE II. Outside Accumulation of Waste and Materials

§ 15-15. Written notice required.
§ 15-16. Violation; removal at owner's expense; additional penalty.
§ 15-17. Effective date.

[Adopted 8-3-1964]

No person, firm or corporation shall accumulate or allow to be accumulated, any waste or materials on any premises after notice by the Fire Marshal or his deputy, that said accumulation constitutes a fire hazard dangerous to the public safety.


Said notice shall issue only after consideration of the following factors:

A. The type and condition of the accumulated waste or materials.

B. Weather conditions.

C. Possibility of spontaneous combustion.

D. The proximity of any such accumulation to structures or other combustibles.

E. Wind.

F. The availability of means of fire control.

G. Any of the foregoing.

§ 15-15. Written notice required.

Said notice shall be in writing, signed by the issuing authority and shall state and date, time and reason for issuance, and the time in which said condition must be corrected.

§ 15-16. Violation; removal at owner's expense; additional penalty.

If after the issuance of said notice, the person, firm or corporation responsible for said accumulation does not remove said accumulation or otherwise correct said dangerous condition within the time specified in said notice, then the issuing authority may have said accumulation removed at the expense of said person, firm or corporation and said person, firm or corporation shall be fined not more than $100 in addition to the cost of removing said accumulation.

§ 15-17. Effective date.

Following enactment by the Town Meeting, this ordinance shall become effective 15 days after publication as specified under Title 7 — Section 157 of the General Statutes of Connecticut.

CHAPTER 15A. FLOOD AND EROSION CONTROL BOARD

§ 15A-1. Establishment of Board.
§ 15A-1. Establishment of Board.

Pursuant to the provisions of Public Act No. 509, An Act Concerning Flood Control and Shore Erosion, a Flood and Erosion Control Board is hereby established for the Town of Wilton.


The Board of Selectmen of the Town of Wilton, having been heretofore authorized and empowered to appoint a Flood and Erosion Control Board for the Town of Wilton of five electors of the Town, are further authorized and empowered to appoint a new member or to reappoint an old member to said Board, and each new member or old member so appointed or reappointed, as the case may be, shall serve from the first Tuesday of October in the year in which he is appointed or reappointed until the first Tuesday of October, five years from date of such appointment or reappointment.


The Flood and Erosion Control Board of the Town of Wilton shall have all the rights and powers conferred upon it pursuant to the provisions of Public Act No. 509. The members of the said Flood and Erosion Control Board shall elect a Chairman and a Secretary from its members, shall adopt rules for the transaction of business and shall keep a public record of its activities.

§ 15A-4. Vacancies.

In the event of the resignation or death of any members of the Board, any of the Selectmen of the Town of Wilton may serve as a member of said Flood and Erosion Control Board with all the rights and powers of all other members of such Board until such time as the Board of Selectmen may appoint a new member to the Flood and Erosion Control Board to fill out the remainder of the unexpired term of any member of the Board who may have resigned or died during his term in office.


No more than three members of one political party shall be members of said Board.

CHAPTER 15B. FOOD-SERVICE ESTABLISHMENTS

§ 15B-1. Definitions.

§ 15B-2. License required; transferability; posting.

§ 15B-3. Application; inspection for compliance.

§ 15B-4. License fees.
§ 15B-5. Expiration and renewal of license.
§ 15B-6. Suspension of licenses.
§ 15B-7. Revocation of licenses.
§ 15B-8. Service of notice.
§ 15B-9. Reapplication upon suspension or revocation.
§ 15B-10. Submission of plans.
§ 15B-11. Inspection prior to operation.
§ 15B-12. Examination of food; placement of hold order.
§ 15B-14. Violations and penalties.
§ 15B-15. When effective; repealer.

[HISTORY: Adopted Wilton Town Meeting 9-26-1979. Amendments noted where applicable.]

§ 15B-1. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

**FOOD-SERVICE ESTABLISHMENT**

Any place where food or beverage that is intended for individual service and consumption is routinely provided completely prepared. The term includes any such place, regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food or beverage. The term does not include a private home where food is prepared for individual family consumption, and it does not include the location of food vending machines.

§ 15B-2. License required; transferability; posting.

No person shall operate a food-service establishment who does not have a valid license issued to him/her by the Director of Health. Only a person who complies with the requirements of this ordinance and the Public Health Code of the State of Connecticut shall be entitled to receive or retain such a license. Licenses are not transferable. A valid license shall be posted in every food-service establishment. Licenses for temporary food-service establishments shall be issued for a period of time not to exceed 14 consecutive days.

§ 15B-3. Application; inspection for compliance.

A. Any person desiring to operate a food-service establishment shall make written application for a license on forms provided by the Director of Health. Such application shall include the name and address of each applicant, the location and type of the proposed food-service establishment and the signature of each applicant. If the application is for a temporary food-service establishment, it shall also include the dates of the proposed operation.
B. Prior to approval of an application for license, the Director of Health, or his authorized agent, shall inspect the proposed food-service establishment to determine compliance with the provisions of this ordinance and the Public Health Code of the State of Connecticut.

C. The Director of Health shall issue a license to the applicant if the inspection reveals that the proposed food-service establishment complies with the requirements of this ordinance and the Public Health Code of the State of Connecticut.

§ 15B-4. License fees.

Fees shall be as follows:

A. Establishments with a capacity of from one to 50 people: $25.
B. Establishments with a capacity of above 50 people: $50.
C. Itinerant vendors and take-out establishments with no seating: $25.
D. Caterers: $25.
E. Temporary license, not to exceed 14 days: $10.
F. Public and private schools, nonprofit organizations and churches must obtain a license; however, there will be no fee.

§ 15B-5. Expiration and renewal of license.

All licenses shall expire one year after the date of issuance and may be renewed for another year upon application and payment of an annual fee.

§ 15B-6. Suspension of licenses.

A. The Director of Health may suspend any license to operate a food-service establishment if the license holder does not comply with the requirements of this ordinance or the Public Health Code of the State of Connecticut. If the Director of Health finds unsanitary or other conditions in the operation of a food-service establishment which, in his or her judgment, constitute an immediate and substantial hazard to public health, he may immediately issue a written notice to the license holder citing such conditions, specifying the corrective action to be taken and specifying the time period within which such action shall be taken and, if deemed necessary, may order immediate correction. If correction is not made in the stated time, the license shall be suspended. Suspension is effective upon service of a notice as stated in § 15B-8 of this ordinance. When a license is suspended, food-service operations shall immediately cease.

B. Whenever a license is suspended, the license holder or person in charge may, within 48 hours, file a written appeal with the Director of Health. If no appeal is filed within 48 hours,
the suspension becomes final. If an appeal is filed, the Director of Health shall thereupon immediately examine into the merits of such suspension and may vacate or affirm such suspension.

§ 15B-7. Revocation of licenses.

The Director of Health may, after providing opportunity for an appeal, revoke a license for serious or repeated violations of any of the requirements of this ordinance or of the Public Health Code of the State of Connecticut or for interference with the Director of Health, or his authorized agent, in the performance of his duties. Prior to revocation, the Director of Health shall notify the license holder or person in charge, in writing, of the reasons for which the license is subject to revocation and that the license shall be revoked at the end of 14 days following service of such notice unless an appeal is filed with the Director of Health by the license holder within 48 hours. If no request for appeal is filed within 48 hours, the revocation of the license becomes final. If an appeal is filed, the Director of Health shall thereupon immediately examine the merits of such revocation and may vacate or affirm such revocation.

§ 15B-8. Service of notice.

A notice provided for in this ordinance is properly served when it is delivered to the license holder or person in charge or when it is sent by registered or certified mail, return receipt requested, to the last known address of the license holder. A copy of any notice shall be filed in the records of the Director of Health.

§ 15B-9. Reapplication upon suspension or revocation.

A. Suspension. Whenever a license has been suspended, the holder of the suspended license may make a written request for reinstatement of the suspended license. Within 10 days following receipt of a written request, including a statement signed by the applicant that, in his opinion, the conditions causing the suspension have been corrected, the Director of Health or his authorized agent shall make a reinspection. If the applicant is complying with the requirements of this ordinance and the Public Health Code, the license shall be reinstated.

B. Revocation. After a period of 60 days from the date of revocation, a written application may be made for the reinstatement of a license, as provided in § 15B-3 of this ordinance, and payment of the annual fee.

§ 15B-10. Submission of plans.

Whenever a food-service establishment is constructed or remodeled and whenever an existing structure is converted to use as a food-service establishment, properly prepared plans and specifications for such construction, remodeling or alteration shall be submitted to the Director of Health, or his authorized agent, for review and approval before construction, remodeling or alteration is begun. The plans and specifications shall indicate the proposed layout, arrangement and construction materials or work areas and the type and model of proposed fixed equipment and facilities. The Director of Health, or his authorized agent, shall approve the plans and
specifications if they meet the requirements of this ordinance and the Public Health Code of the State of Connecticut. No food-service establishment shall be constructed, remodeled or altered except in accordance with plans and specifications approved by the Director of Health, or his authorized agent.

§ 15B-11. Inspection prior to operation.

Whenever plans and specifications are required by § 15B-10 of this ordinance to be submitted to the Director of Health or his authorized agent, the Director of Health or his authorized agent, shall inspect the food-service establishment prior to its beginning operation to determine compliance with the approved plans and specifications and with the requirements of this ordinance and the Public Health Code of the State of Connecticut.

§ 15B-12. Examination of food; placement of hold order.

Food may be examined or sampled by the Director of Health as often as necessary for enforcement of this ordinance or the Public Health Code of the State of Connecticut. The Director of Health may, upon written notice to the owner or person in charge specifying with particularity the reasons therefor, place a hold order on any food or beverage which he believes is unfit for human consumption. The Director of Health, or his authorized agent, shall tag, label or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served or moved from the establishment. The Director of Health shall permit storage of the food under conditions specified in the hold order unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished. The hold order shall state that a request for hearing may be filed with the Director of Health within 48 hours and that, if no hearing is requested, the food shall be destroyed. The Director of Health shall hold a hearing if so requested; and on the basis of evidence produced at that hearing, the hold order may be vacated or the owner or person in charge of the food may be directed, by written order, to denature or destroy such food or to bring it into compliance with the provisions of this ordinance or the Public Health Code of the State of Connecticut.


Food from food-service establishments outside the jurisdiction of the Director of Health of the Town of Wilton may be sold within the Town of Wilton if such food-service establishments conform to the provisions of this ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the Director of Health may accept reports from responsible authorities in other jurisdictions where such food-service establishments are located.

§ 15B-14. Violations and penalties.

Any person who shall violate any of the provisions of this ordinance and/or the Public Health Code of the State of Connecticut shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than $100. In addition thereto, such persons may be
enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

§ 15B-15. When effective; repealer.

This ordinance shall be in full force and effect 15 days after its adoption and publication as provided by law; and, at that time, all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.


Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

CHAPTER 16. GOING OUT OF BUSINESS SALES

§ 16-1. License required.
§ 16-2. Application.
§ 16-3. Inventory restrictions.
§ 16-4. Examination by Chief of Police.
§ 16-5. Sale restricted to description in application.
§ 16-6. Time limit of license.
§ 16-7. Extension of license period.
§ 16-8. License fees.
§ 16-9. Licensee: requirements, restrictions.
§ 16-10. Expiration of license period.
§ 16-12. Suspension or revocation of license.
§ 16-14. Penalty.

CHAPTER 16. GOING OUT OF BUSINESS SALES

[HISTORY: Adopted Wilton Town Meeting 5-23-1966.]

§ 16-1. License required.

No person, firm, association or corporation shall conduct or advertise any retail sale of personal property in the Town of Wilton by any means or in any manner so as reasonably to cause the public to believe that such sale will offer damaged or altered property, or that upon disposal of the property on hand the business will be discontinued or removed or that the property offered for sale was acquired in the course of a voluntary or involuntary liquidation, unless a license for such sale shall have been issued by the Chief of Police as hereinafter provided.

§ 16-2. Application.
Application for such license shall be made in writing to the Chief of Police and shall contain the following:

A. The names and addresses of the person or persons to be licensed and the owner or owners of the property, including the names of the officers and directors thereof.

B. A sworn inventory of the property on hand to be sold under the license, including as to each article, a description, the cost price, the manufacturer's name and stock number, the date of purchase and name of the person from whom purchased. If the Chief of Police finds that it is impossible to fulfill all the provisions of this paragraph, he may waive such provisions.

C. The place and date of the proposed sale and the period of time during which the same is to continue.

D. A full and complete statement of the facts regarding the proposed sale, reasons for it, the manner in which the same will be conducted, the means to be employed in advertising the same and the proposed content of any advertisements.

E. Facts establishing that all taxes previously levied on said property by the Town of Wilton have been fully paid.

F. Detailed information concerning the nature of the occupancy of the premises whether by lease or sublease and the effective date of the termination of such occupancy.

§ 16-3. Inventory restrictions.

The inventory shall include no property acquired in contemplation of such sale, and any unusual purchases of or additions to the property of the applicant or his principal within a period of 60 days prior to the date of the application shall be presumed to have been made in contemplation of such sale. Under no circumstances shall the stock of inventory offered for sale exceed by 50% the average inventory carried by the applicant over the preceding five years. If said applicant has been in business for a lesser period of time, then said inventory offered for sale shall not exceed by 50% the average inventory carried for the period of time the applicant has been in business.

§ 16-4. Examination by Chief of Police.

The Chief of Police shall examine the details of the inventory and the items of property sold during any sale under such license. It shall be unlawful for any applicant or licensee to withhold from the Chief of Police any facts or information required by him in the enforcement of this ordinance. The Chief of Police shall have power to enter the establishment during normal business hours to examine the property.

§ 16-5. Sale restricted to description in application.
Under any license issued hereunder the licensee shall conduct only the type of sale described in the application for such license and shall sell only the property described in the inventory attached to said application.

§ 16-6. Time limit of license.

The license for such sale shall be for the period requested by the applicant, but shall not exceed 60 successive days, Sundays and legal holidays excluded, from the date of issuance thereof. If a license shall have been issued for a period of less than 60 days, the same may be extended on application of the licensee for a further period which, with the original license period, shall not exceed said maximum period of 60 days, upon the payment of an additional license fee as hereinafter provided.

§ 16-7. Extension of license period.

The maximum period of 60 days may be extended by the Chief of Police if, prior to the expiration of the license, a sworn application for such extension shall be filed by the licensee setting forth the amount of property listed in the original inventory sold since the issuance of the license, the amount of such property still remaining in the possession of the licensee, and the length of time for which such extension is requested, and such application shall be accompanied by such evidence as shall be satisfactory to the Chief of Police that no property has been added to that listed in the original inventory. If the Chief of Police shall determine that no property has been added to that listed in the original inventory and that a further period of time is necessary to dispose of the unsold property listed in the original inventory, he may grant a further extension of the license period not to exceed 30 days, Sundays and legal holidays excluded, from the expiration of said sixty-day license period.

§ 16-8. License fees.

The fees for such license shall be as follows:

For a license period not exceeding 15 days: $25.

For a license period not exceeding 30 days: $50.

For a license period not exceeding 60 days: $75.

For an extension after the original license period, $3 per day and, in each instance, a further fee of $1 per $1,000 of the cost of the property to be sold under such license as set forth in the inventory attached to the application for such license. In the case of application by the licensee for a further extension of the license period within the maximum sixty-day license period, the applicant shall pay an additional license fee equal to the difference between the fee for the total period of the license and the fee paid for the original license period.
§ 16-9. Licensee: requirements, restrictions.

Each licensee hereunder shall:

A. Make no additions whatsoever, during the period of the license or any extension thereof, to the property offered for sale and listed in the inventory attached to the application for such license.

B. Refrain from employing any untrue, deceptive or misleading advertising, and conduct said sale in strict conformity with any advertising thereof.

C. Keep and make available to inspecting officials at the place of such sale a duplicate copy of the inventory attached to the application for such license,

D. Clearly designate all items of property listed in such inventory and keep all other property in and about the place of sale clearly separate and apart in a manner designated by the Chief of Police from the property listed in such inventory and which is the subject of the licensed sale.

§ 16-10. Expiration of license period.

Upon the expiration of the license period or any authorized extension thereof, if the licensee shall continue in business at the place of sale, all further advertising of such sale shall be discontinued and removed from the premises and from the items of property offered for sale under such license.


No license shall be issued hereunder unless and until all taxes levied by the Town of Wilton on any property included in the inventory attached to the application for such license shall have been fully paid nor to any person, firm, association or corporation who shall have conducted a going-out-of-business or removal-of-business sale at the same location as stated in the application within one year prior to the date of such application.

§ 16-12. Suspension or revocation of license.

The Chief of Police may at any time suspend or revoke any such license if the licensee shall offer or cause or permit to be offered for sale under such license any property other than the property listed in the inventory attached to the application for such license or shall violate any of the provisions of this ordinance.


The provisions of this ordinance shall not apply to authorized public officials and persons acting pursuant to an order or process of a court of competent jurisdiction, nor to duly licensed auctioneers selling at auction, nor in any established newspaper, magazine or other publication publishing any advertisement in good faith and without knowledge that the same is false,
misleading or deceptive or in violation of the provisions of this ordinance, nor to property sold in the regular course of business by persons regularly engaged in the business or purchasing damaged or unclaimed property from railroads and transportation companies and whose advertising clearly indicates the regular and continuous operation of such business, or persons conducting a sale of the type regulated herein on the effective date of this ordinance, unless such sale is continued for a period of more than 30 days from and after such effective date, in which event, such person, at the lapse of the thirty-day period, shall comply with the provisions of this ordinance.

§ 16-14. Penalty.

Any person, firm, association or corporation who shall violate any of the provisions of this ordinance shall be fined not more than $50 or imprisoned not more than 30 days or both.

CHAPTER 17. HEALTH AND SANITATION

ARTICLE I. General

§ 17-1. Application.


§ 17-3. Enforcement.

§ 17-4. Penalties.

ARTICLE II. Sewage Disposal and Water Supply Systems

§ 17-5. General provisions and maintenance.

§ 17-6. Applications and permits.

§ 17-7. Minimum requirements for installation of private sewage-disposal systems for dwellings, apartments, boardinghouses, hotels or restaurants.

§ 17-8. Wells.

CHAPTER 17. HEALTH AND SANITATION

[HISTORY: Adopted by the Wilton Town Meeting 8-24-1953.]

GENERAL REFERENCES

Dumping — See Ch. 12.
Food-service establishments — See Ch. 15B.
Litter — See Ch. 23.
Solid waste disposal — See Ch. 25C.

ARTICLE I. General

§ 17-1. Application.

The provisions of the Sanitary Code shall apply throughout the geographical limits of the Town of Wilton.

The provisions of the Sanitary Code of the State of Connecticut relating to matters not specifically provided for hereunder are incorporated herein by reference and made a part hereof. Particular attention is directed to Regulation 102, Abatement of nuisance; Regulation 104, Garbage and refuse; Regulation 105, Manufacturing and other wastes; Regulation 111, Stagnant water; and Regulation 127, Minimum requirements for drainage and toilet systems, as set forth in the State Sanitary Code. Editor's Note: A copy of the State Sanitary Code is available in the Town Clerk’s office.

§ 17-3. Enforcement.

A. The Town Health Officer and the First Selectman shall each have the power and duty to enforce the provisions of this Code.

B. The First Selectman, with Board of Selectmen approval, shall appoint a Town Sanitary Inspector to assist in the enforcement of the provisions of this Code. As hereinafter used, the term "Town Sanitary Authority" shall have reference to the Town Health Officer or the First Selectman or the Town Sanitary Inspector.

[Amended 4-7-1992]

§ 17-4. Penalties.

Any person who violates any provisions of this Code shall be fined not more than $25 for any single violation. Each day such violation is continued after due notice has been given by the Town Sanitary Authority shall be deemed a separate violation and shall be punishable as such.

ARTICLE II. Sewage Disposal and Water Supply Systems

§ 17-5. General provisions and maintenance.

All human excrement must be disposed of in properly managed sewers, septic-tank systems, cesspools, privy vaults or by other means approved by the Town Sanitary Authority in accordance with the following requirements:

A. No human excrement or material containing human excrement shall be disposed of in such a manner that it is likely to gain access to any waters except under conditions approved by the State Department of Health.

B. Every privy vault, toilet or other sewage-disposal system shall be kept in a sanitary condition at all times and must be so constructed and maintained as to prevent the escape of odors and to exclude animals, poultry and flies. Material removed from any privy vault, toilet or other sewage-disposal system shall be disposed of by burial or by other sanitary methods approved by the Town Sanitary Authority.

C. No material from any privy vault, septic tank or cesspool situated on any watershed the water of which is used for drinking purposes shall be deposited within 50 feet of the high-
water mark of any reservoir or stream on such watershed and such material if deposited by any place on such watershed shall be disposed of by burial or by other methods approved by the State Department of Health, so that no portion of the material can escape or be washed into a water-supply stream or reservoir.

D. No kitchen wastes, laundry water, sink water or toilet wastes shall be allowed to discharge or flow into any gutter, street, roadway or public place, nor shall such material discharge on to any private property so as to create a nuisance or condition detrimental to health.

§ 17-6. Applications and permits.

No sewage-disposal system shall hereafter be constructed or rebuilt for any dwelling, apartment, boardinghouse, hotel, restaurant or other building unless an application for a permit has been filed with and a permit issued by the Town Sanitary Authority.

§ 17-7. Minimum requirements for installation of private sewage-disposal systems for dwellings, apartments, boardinghouses, hotels or restaurants.

Unless otherwise permitted in writing by the Town Sanitary Authority, the following minimum requirements for the installation of any private sewage-disposal system hereafter constructed or rebuilt shall be enforced:

A. House sewers: House sewers shall not be less than four inches in diameter. The grade shall be at least 1/4 inch per foot. Pipe for such house sewers shall be of cast iron, with headed joints, to a point at least eight feet beyond the foundation wall of any cellar or basement. Portions of house sewers within 75 feet of a well shall be of cast iron, with leaded joints, but no portion of such sewer line, however constructed, shall be within 25 feet of a well.

B. Cesspools: Cesspools shall not be constructed for the disposal of sewage unless preceded by septic-tank treatment or unless used for sink drainage or laundry water only.

C. Location of system: No septic tank, cesspool, tile field, seepage bed or privy vault shall without the approval of the Town Sanitary Authority be constructed within 75 feet of a well or spring or within 50 feet of a human habitation other than the building served, nor shall it be constructed within 50 feet of a tributary of a water-supply reservoir or any ground or surface-water drain tributary to such reservoir. No part of the system shall be located within 15 feet of a lot line or within 50 feet of any stream, pond, hake, without approval by the Town Sanitary Authority. No system shall be laid out in areas where high-ground water, surface flooding or ledge rock will interfere with its effective operation.

D. Population served: In all of the following specifications, one family is considered as five persons. Where it is known that a larger number of persons is to be served by a single system, proportional increases in the sizes of the system shall be made. For houses containing more than two bedrooms, the system shall be based on an estimate of two persons per bedroom. Similar considerations apply to a house of more than one family, or to a boardinghouse.
E. Septic tanks: Septic tanks shall be provided for water-carriage sewage disposal. No tank shall be located within 15 feet of a house. They shall be constructed with watertight walls and bottom, with inlets baffled or submerged for a depth of 12 inches and outlets baffled or submerged to a depth of at least 18 inches below the surface of liquid in the tank but not more than 1/2 of the liquid depth. With two compartment tanks there should be adequate connections about at mid-depth, and 2/3 or more of the required capacity should be in the first compartment. Septic tanks shall be made with removable covers or manholes so as to provide access to the tank for purposes of cleaning; such covers shall be flytight. At least two manholes shall be provided for tanks more than 10 feet long and at least one manhole per compartment. No septic tank shall have a liquid capacity of less than 500 gallons below the outlet invert. For a household using a garbage grinder connected to the house sewer, the septic tank capacity shall be increased at least 50%. The minimum liquid depth of septic tanks shall be 36 inches, measured from the bottom to the invert of the outlet.

Minimum liquid capacities for more than one family are as follows:

Two families — 1,000 gallons.

Three families — 1,500 gallons.

Larger sizes proportional.

F. Disposal of septic-tank effluent: Disposal of septic-tank effluent may be by means of tile or other accepted distributing pipe laid in screened gravel or broken stone, or by means of leaching cesspools, at a distance of at least 20 feet from any dwelling or building on the same property. No part of any leaching system shall be within 25 feet of a storm drain, cellar drain, or subsoil drain which discharges into a stream, culvert, or onto the surface of the ground unless such drains are constructed of cast-iron pipe with leaded joints. No part of such leaching system shall be within 15 feet of the top of an embankment where seepage may escape from the embankment. Seepage systems shall not cross water-service lines.

Leaching cesspools may be preferable where the amount of area is limited or where porous soil is at a greater depth than can be secured by tile fields. They are not recommended where ground water may interfere with their operation, or where soil of better seepage quality is found at shallow depth.

G. Classification of soil: In making tests for classification of soil, such tests shall be considered in the light of groundwater variations as specified in subsection C. The classification of soil at the proposed location of a seepage system shall be determined by soil tests made as follows:

For cesspools, a pit about one foot square shall be dug. This should extend to the depth of the proposed cesspool. For tile fields, the pit may be
about one foot square and dug to a depth of the proposed trenches, usually 18 to 30 inches. Before observations are made the pit shall be thoroughly wet down by filling it to a depth of at least 12 inches or more. The pit shall then be refilled with water to a depth of 12 inches or more, and the rate of drop of water measured for a period of 30 to 60 minutes under normal conditions. The minimum uniform rate of drop should be used in calculating seepage areas. When tests are made, consideration should be given to the finished grade of building sites, so that results will correspond to the absorptive value of the soil in which leaching systems will be constructed. In investigating soil conditions for a large area, test pits may have to be dug at a rate of one per acre or even one per lot. Also in investigating soil conditions for a large area, more than one deep test pit is frequently desirable in that this may disclose available good seepage soil below normal depths. Where the observed drop is at a rate faster than one inch in three minutes (coarse sand or gravel), the soil shall be considered as Class A; where the rate is slower than one inch in three minutes and faster than one inch in 10 minutes (fine sand or light sandy loam), the soil shall be considered as Class B; where the rate is slower than one inch in 10 minutes and faster than one inch in 30 minutes (clay with some sand, gravel or silt; not for very tight soils), the soil shall be considered as Class C; where the rate is slower than one inch in 30 minutes, the soil shall be considered as Class D and special consideration is needed to avoid nuisance conditions. In some Class D soils it may be impossible or impracticable to construct a subsurface method for the disposal of sewage.

Leaching Cesspools

**CLASS A SOIL**

<table>
<thead>
<tr>
<th>Number of families</th>
<th>Number of cesspools</th>
<th>Diameter in feet</th>
<th>Depth below inlet in feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>2</td>
<td>1</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

**CLASS B SOIL**

<table>
<thead>
<tr>
<th>Number of cesspools</th>
<th>Diameter in feet</th>
<th>Depth below inlet in feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>2</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>2</td>
<td>8</td>
<td>8</td>
</tr>
</tbody>
</table>
CLASS C SOIL

<table>
<thead>
<tr>
<th>Number of cesspools</th>
<th>Diameter in feet</th>
<th>Depth below inlet in feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>2</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>3</td>
<td>9</td>
<td>8</td>
</tr>
</tbody>
</table>

The distance between cesspools shall be at least three times the diameter of the cesspools, the walls shall be surrounded by about 12 inches of screened gravel or broken stone to prevent the entrance of soil.

Minimum Lineal Feet of Tile Lines with Open Joints in Stone Filled Trenches

<table>
<thead>
<tr>
<th>Number of families</th>
<th>Class A soil 2 feet wide</th>
<th>Class B soil 2 feet wide</th>
<th>Class C soil 2 feet wide</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>100</td>
<td>150</td>
<td>200</td>
</tr>
<tr>
<td>2</td>
<td>200</td>
<td>300</td>
<td>350</td>
</tr>
<tr>
<td>3</td>
<td>300</td>
<td>450</td>
<td>500</td>
</tr>
</tbody>
</table>

These dimensions may be modified to suit local conditions provided equivalent absorptive area is made available. Under normal conditions, however, trench width should not exceed 30 inches.

H. Required sizes and construction of leaching areas: Unglazed drain tile, at least four inches in diameter, laid with open joints (1/4 to 1/2 inch) in shallow trenches of the width indicated and about 18 inches deep may be used. Pipe of vitrified tile or other acceptable material with suitable perforations or adequate spacing may also be used. All trenches should follow contours with the bottoms of the individual trenches level. The upper portions of joint openings should be protected by strips of tar paper or other suitable material. Tile shall be laid near the top of a layer of one inch screened gravel or broken stone placed to a depth of at least 10 inches in the trenches. The minimum depth of stone under tile invert shall be at least 1/2 the width of trench, bottom trench area only shall be used in determining total absorptive area. Tile lines shall be laid on a grade not exceeding two to four inches per 100 feet. A layer of salt hay or tar paper shall be placed over the gravel before backfilling the trenches. Spacing between adjacent sides of trenches for tile lines shall be at least three times the width of the trench. When space between trenches is also excavated and backfilled with one-inch stone or screened gravel, only 1/3 of the total bottom area shall be considered effective. Construction shall be such as to provide for proper distribution of settled sewage to trenches. Better distribution, particularly for large systems with several trenches, is secured in tile fields by using siphon dosing apparatus to apply the septic-tank effluent. Where elevations are not
sufficient to permit use of siphons, diverting boxes with several outlets of the same elevation to individual trenches shall be used.

Length of individual tile laterals shall not exceed 75 feet except that in installations where dosing apparatus is used, a maximum length of 100 feet may be used.

If slope of the main header exceeds one foot per 100 feet, provision shall be made for reducing the velocity of the septic-tank effluent ahead of the seepage system by properly located and constructed distribution box or drop-manhole construction.

Depth of lateral inverts below ground surface should preferably be between 12 inches and 24 inches, but depths up to 36 inches or greater may be used if warranted by conditions of topography or more favorable absorption capacity of soil at that depth.

I. Disposal of sewage in practically impervious, Class D, or wet soil: Where such conditions exist, no sewage-disposal system shall be built, unless special plans are prepared and carried out in accordance with requirements of the Town Sanitary Authority. In impervious soil or rock it may be necessary to install a chemical toilet or privy vault instead of having a water-carriage system.

J. Escape of overflow: No drainage from sewage-disposal system shall be discharged into a street gutter or onto the surface of the ground.

K. Privies: Privies shall be constructed with adequate storage space for excreta, with self-closing seat covers and flytight vault, and with screened vent from the vault to the atmosphere. Privies shall be constructed so as to permit ready cleaning.

L. Other drainage: No ground-water drainage or drainage from roofs, cellars or yards shall discharge into any portion of a sewage-disposal system. Separate facilities shall be provided for such drainage.

M. Sink drainage: Sink drainage or laundry-water systems, where no water-flush toilet fixtures are used, shall be constructed with at least 1/3 (if the garbage grinder is provided, at least 1/2) the capacity specified for usual house-sewerage systems.

N. Final inspection and approval: No part of a septic-tank system shall be covered before it shall have been inspected and approved by the Town Sanitary Authority.

§ 17-8. Wells.

A. No well shall be dug, drilled or otherwise constructed for any dwelling, apartment, boardinghouse, hotel, restaurant or other building, unless an application for a permit has been filed with, and a permit issued by, the Town Sanitary Authority.
B. No well shall be constructed in any manner within 75 feet of any discharge part of sewage-disposal system.

CHAPTER 18. HISTORIC DISTRICT AND HISTORIC PROPERTY COMMISSION

§ 18-1. Establishment of Commission.
§ 18-2. Composition.
§ 18-3. Term of appointment.
§ 18-4. Vacancies.
§ 18-5. Compensation.
§ 18-6. Election of officers.
§ 18-7. Annual report.
§ 18-9. Establishment of historic districts and historic properties.
§ 18-10. Repealer.
§ 18-11. Preexisting rights not affected.
§ 18-12. When effective.

CHAPTER 18. HISTORIC DISTRICT AND HISTORIC PROPERTY COMMISSION

[HISTORY: Adopted by the Town Meeting of the Town of Wilton 10-8-1970; amended in its entirety 2-21-2004. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Authority to appoint — See Charter, §§ C3-6 and C4-6 and Article VII.
Building Code — See Ch. 9.
Zoning — See Ch. 29.

§ 18-1. Establishment of Commission.

[Amended 3-7-2005]

A commission of five members and three alternate members, to be known as the "Wilton Historic District and Historic Property Commission," to supersede the Wilton Historic District Commission, hereby is established pursuant to Sections 7-147a through 7-147k and Sections 7-147p through 7-147y of the Connecticut General Statutes, as amended, to establish and otherwise administer an historic district or districts and historic property or properties for the purpose of promoting the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings, structures, places, surroundings, sites, objects, neighborhoods and their environs associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.

§ 18-2. Composition.
The members of the Commission shall be known as "Commissioners," all of whom shall be appointed by the Board of Selectmen, and none of whom shall hold any salaried office of the Town.

§ 18-3. Term of appointment.

Commissioners shall be sworn to the faithful performance of their duties and shall be appointed for the term of five years commencing on the first day of December. Alternates shall be sworn to the faithful performance of their duties and shall be appointed for a term of three years commencing on the first day of December.

§ 18-4. Vacancies.

In the event of any vacancy upon the Commission, the Board of Selectmen shall promptly appoint a Commissioner to fill the vacancy for the unexpired portion of the term.

§ 18-5. Compensation.

Commissioners shall serve without compensation, except that their actual expenses and disbursements, where incurred with the approval of the Board of Selectmen and in the performance of their duties, shall be paid from the Town treasury.

§ 18-6. Election of officers.

The Commission, annually at the first meeting in December, shall elect one of its number to be Chairman, one of its number to be Vice Chairman and one of its number to be Clerk.

§ 18-7. Annual report.

The Commission shall make written annual reports of its doings to the Board of Selectmen.


[Amended 3-7-2005]

The Commission hereby is empowered to adopt regulations from time to time to implement the provisions of this chapter. The Commission shall have the authority and act in all respects as permitted by Sections 7-147a through 7-147k and Sections 7-147p through 7-147y, inclusive, of the Connecticut General Statutes, as amended, and such other statutes as in the case made and provided.

§ 18-9. Establishment of historic districts and historic properties.

[Amended 3-7-2005]
In order to perpetuate, preserve and protect those significant buildings, structures, places, surroundings, sites, objects, neighborhoods and their environs which are indicative or characteristic of a period or style of architecture, or significant in the history, architecture, archaeology and culture associated with the Town of Wilton, State of Connecticut or of the United States and the real property used in connection therewith; and in order to preserve appropriate settings for such buildings, structures, sites, objects and neighborhoods, or to preserve and protect the distinctive characteristics of buildings, structures, sites, objects, neighborhoods and their environs, there are hereby established within the Town of Wilton the following historic districts and properties:

A. Historic District No. 1. Said property, located at 150 Danbury Road, shall include the following buildings, known as the David Lambert House, Lambert Overseer's Cottage, Kent School House, Wilton Railroad Station, Hurlbutt Street General Store and Post Office, Davenport Barn, Cannon General Store, Corn Crib, and Greek Revival Privy, and the land upon which said buildings are situated, which properties are more particularly described in Volume 47 at Page 118 and Volume 48 at Page 111 of the Wilton Land Records, excepting therefrom the premises conveyed to the State of Connecticut by deed recorded in Volume 88 at Page 412 of the Wilton Land Records.

B. Historic District No. 2. Said district shall include the following buildings and property: the Old Town Hall building together with the property upon which it stands, which premises is more particularly described at Volume 5, Page 149, of the Wilton Land Records; the Wilton Congregational Church buildings together with the property upon which they stand, which premises are more particularly described in Volume 88 at Page 393 and Volume 92 at Page 541 of the Wilton Land Records; the property together with the buildings and improvements thereon more particularly described in Volume 134 at Page 187 and Volume 135 at Page 186 of the Wilton Land Records; property together with the buildings and improvements thereon more particularly described in Volume 77 at Page 211 of the Wilton Land Records; property together with the buildings and improvements thereon more particularly described in Volume 55 at Page 477 of the Wilton Land Records; and property together with the buildings and improvements thereon more particularly described in Volume 49 at Page 399 of the Wilton Land Records.

C. Historic District No. 3. This district purposefully omitted. Previously the location of the Raymond-Fitch House which was relocated in 2001 to 224 Danbury Road and is incorporated into Historic District No. 5.

D. Historic District No. 4. Said property shall include the property together with the buildings and improvements thereon known as the Hurlbutt Street Schoolhouse, more particularly described in Volume 46 at Page 518 and Volume 48 at Page 31 of the Wilton Land Records.

E. Historic District No. 5. Said property shall include the property within the boundaries beginning at the point of intersection of Danbury Road (CT Route 7) and Deerfield Road, marked by Connecticut Highway Department monument, proceed northwesterly along the street line of Danbury Road 37E59'50" for 102.35 feet, 30E29' for 75.33 feet, and 21E39' for 71.93 feet; thence, northeasterly along the property line of Map #57, Lot #28 72E43'40" for
228.78 feet; thence, southeasterly along the property lines of Map #57, Lot #31 and Map #57, Lot #30 12E16'55'' for 317.86 feet to a monument; thence, southwesterly along the street line of Deerfield Road 79E48'20" for 132.04 feet to the point and place of beginning; together with the buildings and improvements thereon, known as the Raymond-Fitch House with well-house, Burt Barn, Betts-Sturges-Blackmar House with well-house, Abbott Barn, and Abbott Blacksmith Shop and more particularly described in Volume 859 at Page 20 of the Wilton Land Records.

F. Historic District No. 6.

[Added 5-21-2007]

(1) Said district shall include the following properties, together with the buildings and improvements thereon, as depicted on the Town of Wilton’s Tax Map 12, 2005: Lot #103, more particularly described in Volume 1624 at Page 133 of the Wilton Land Records; Lot #104, more particularly described in Volume 1475 at Page 236 of the Wilton Land Records; Lot #93, more particularly described in Volume 11 at Page 155 of the Wilton Land Records; Lot #92, more particularly described in Volume 830 at Page 1 of the Wilton Land Records; Lot #87, more particularly described in Volume 1767 at Page 98 of the Wilton Land Records; Lot #97, more particularly described in Volume 1176 at Page 204 of the Wilton Land Records; Lot #88, more particularly described in Volume 1186 at Page 324 of the Wilton Land Records; Lot #89, more particularly described in Volume 1659 at Page 290 of the Wilton Land Records; Lot #96, more particularly described in Volume 1437 at Page 188 of the Wilton Land Records; Lot #90, more particularly described in Volume 666 at Page 110 of the Wilton Land Records; Lot #95, more particularly described in Volume 1512 at Page 47 of the Wilton Land Records; Lot #91, more particularly described in Volume 754 at Page 328 of the Wilton Land Records; Lot #94, more particularly described in Volume 207 at Page 162 of the Wilton Land Records; Lot #101, more particularly described in Volume 753 at Page 333 of the Wilton Land Records; and Lot #102, more particularly described in Volume 945 at Page 252 of the Wilton Land Records.

(2) Map No. 11: Lot #15, more particularly described in Volume 428 at Page 253 of the Wilton Land Records; Lot #16, more particularly described in Volume 1878 at Page 28 of the Wilton Land Records; Lot #17, more particularly described in Volume 1819 at Page 174 of the Wilton Land Records; Lot #18, more particularly described in Volume 946 at Page 66 of the Wilton Land Records; Lot #19, more particularly described in Volume 453 at Page 147 of the Wilton Land Records; Lot #20, more particularly described in Volume 1048 at Page 1 of the Wilton Land Records; Lot #21, more particularly described in Volume 474 at Page 244 of the Wilton Land Records; Lot #22, more particularly described in Volume 673 at Page 159 of the Wilton Land Records; Lot #23, more particularly described in Volume 1760 at Page 30 of the Wilton Land Records; Lot #24, more particularly described in Volume 1553 at Page 146 of the Wilton Land Records; Lot #25, more particularly described in Volume 1803 at Page 200 of the Wilton Land Records; Lot #26, more particularly described in Volume 240 at Page 249 of the Wilton Land Records; Lot #27, more particularly described in Volume 1799 at Page 191 of the Wilton Land Records; Lot #28, more particularly described in Volume 161 at Page 140 of the Wilton Land Records; Lot
#29, more particularly described in Volume 2024 at Page 309 of the Wilton Land Records; Lot #30, more particularly described in Volume 1975 at Page 191 of the Wilton Land Records; Lot #38, more particularly described in Volume 1792 at Page 44 of the Wilton Land Records; and Lot #41, more particularly described in Volume 105 at Page 693 of the Wilton Land Records.

[Added 5-3-2010]

§ 18-10. Repealer.

The resolution of the Town Meeting adopted June 5, 1963, establishing a Historic District Commission is repealed and the Commission hereby established shall be the successor thereto.

§ 18-11. Preexisting rights not affected.

Nothing in this chapter shall affect any right, interest, claim. obligation, liability or defense of, by or against the Town of whatever description and whether or not matured, existing at the effective date of this chapter.

§ 18-12. When effective.

The Town Clerk shall certify the adoption of this chapter and cause the same to be published as required by law: and this chapter shall take effect 15 days after such certification and publication.


If a regular member of the Commission is absent or has a conflict of interest, the Chairman of the Commission shall designate an alternate to act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. Composition, appointment, and compensation of alternates shall be the same as for regular Commission members, which are more specifically described in §§ 18-2 to 18-5 of this chapter.
§ 18A-1. Establishment; purpose.
§ 18A-5. Term.
§ 18A-10. Annual report.

[HISTORY: Adopted Wilton Town Meeting 5-22-1990. Amendments noted where applicable.]

GENERAL REFERENCES

Parks and Recreation commission – See Ch. 24.
Zoning – See Ch. 29.

¹ Editor’s Note: This ordinance also repealed former Chapter 18A, Inland Wetlands Agency, adopted Wilton Town Meeting 6-26-1973, as amended. See § 18A-2.
§ 18A-1. Establishment; purpose.

A commission of seven (7) members to be known as the “Wilton Inland Wetlands Commission” is hereby established to conserve, protect, supervise and regulate the wetlands and watercourses within the Town of Wilton.


The ordinance enacted by a Special Town Meeting held on June 26, 1973, designating the Planning and Zoning Commission as the Inland Wetlands Agency, is hereby repealed.


The Wilton Inland Wetlands Commission shall be the designated inland wetlands agency pursuant to Section 22a-42(c) of the Connecticut General Statutes, as amended.


The members of the Commission shall be known as “Commissioners,” all of whom shall be appointed by the Board of Selectmen.

§ 18A-5. Term.

Commissioners shall be appointed for a term of three (3) years commencing on the first day of December, except that of the original seven (7) Commissioners appointed by the Board of Selectmen, the terms of the first two (2) appointed shall end on November 30, 1991; the terms of the second two (2) appointed shall end on November 30, 1992; and the terms of the last three (3) appointed shall end on November 30, 1993.


In the event of any vacancy upon the Commission, the Board of Selectmen shall appoint a new Commissioner to the vacancy for the unexpired portion of the term.

The Commission shall hold regular meetings at least once each month and keep records of the same.


The Commissioners shall serve without compensation.


The Commission, annually, at the first meeting in December, shall elect one (1) of its number to be Chairman, one (1) of its number to be Vice Chairman and one (1) of its number to be Secretary, except that the first Chairman shall be appointed by the Board of Selectmen and the first officers shall be elected at the first meeting of the Commission.

§ 18A-10. Annual report.

The Commission shall make written annual reports of its activities to the Board of Selectmen.


The Commission shall have the powers and duties of an inland wetlands agency as set forth in Sections 22a-42 and 22a-42a of the Connecticut General Statutes, as amended. Said powers and duties shall be exercised and discharged only to the extent permitted by law and consistent with the applicable General Statutes and the Charter of the Town of Wilton.


Nothing in this ordinance shall affect any right, interest, claim, obligation, liability or defense on behalf of or against the town, of whatever description and whether or not matured, incurred by the Planning and Zoning Commission prior to its termination as the Inland Wetlands Agency and existing at the effective date of this ordinance.

This ordinance shall take effect on September 1, 1990.

CHAPTER 19. PEDDLING AND SOLICITING

§ 19-1. Purpose.
§ 19-2. Definitions.
§ 19-3. Permit required.
§ 19-4. Exceptions.
§ 19-5. Authority to issue written permit; duration; fee; contents.
§ 19-6. Application for permit, procedure, requirements.
§ 19-7. Denial of permit.
§ 19-10. Appeals.
§ 19-11. Insurance.
CHAPTER 19. PEDDLING AND SOLICITING

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton 4-17-2006. Editor's Note: This ordinance also superseded former Ch. 19, Itinerant Vendors, adopted at the 7-25-1995 Town Meeting. Amendments noted where applicable.]

§ 19-1. Purpose.

The purpose of this chapter is to promote greater public safety and welfare in the Town.

§ 19-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

HAWKER or PEDDLER
Any person, whether principal or agent, who goes from town to town or from place to place in the same town selling or bartering, or carrying for sale or barter, or exposing therefor, any goods, wares or merchandise, either on foot or from any vehicle.

SOLICITOR
Any person, whether principal or agent, who goes from town to town or from place to place in the same town for the purpose of taking or attempting to take orders for the sale of goods, wares or merchandise, for future delivery or for services to be performed in the future, either on foot or from any vehicle.

§ 19-3. Permit required.

No person, except as hereinafter stated, shall hawk, peddle, vend, sell, offer for sale or solicit, upon any public streets or upon any state highway, except limited-access highways, or from house to house, within the Town of Wilton or on any land abutting such streets or highways, any goods, wares, periodical subscriptions, or any other merchandise or services without a written permit issued by the Wilton Police Department upon the filing of an application as hereafter provided.

§ 19-4. Exceptions.

A. The permit requirement of § 19-3 shall not apply to sales by farmers and gardeners of the produce of their farms, gardens and greenhouses, including fruit, vegetables and flowers, or to the sale, distribution and delivery of milk, teas, coffees, spices, groceries, meats and bakery goods, to sales on approval, to conditional sales of merchandise, or to the taking of orders for merchandise for future delivery when full payment is not required at the time of solicitation.

B. The permit requirement of § 19-3 shall not apply to individuals or groups who are duly authorized to act for and on behalf of any recognized charitable, civic or religious organization.

§ 19-5. Authority to issue written permit; duration; fee; contents.
The Wilton Police Department is authorized to issue a written permit as required by § 19-3 to any proper person or entity, which permits shall be issued at a rate of $25 per year and shall be valid for one year. Permits issued to business entities shall authorize said entities to be represented by one named person only. If additional personal representatives are sought, additional written permits will be required for each such additional representative and additional fees shall be collected accordingly. Permits issued shall be signed by the Chief of the Wilton Police Department, shall contain a photo as provided for in § 19-6, shall state the expiration date for such permit and shall contain such other information consistent with the purpose of this chapter as the Wilton Police Department may require. Said permit shall be valid only between 9:00 a.m. and dusk and may specify the area or areas within the Town for which permit shall be valid.

§ 19-6. Application for permit, procedure, requirements.

A. Every person or entity seeking a written permit under this chapter shall submit to the Wilton Police Department a written application on such form as may be required by the Wilton Police Department. Said application may require reasonable personal information for identification purposes. Said application shall include two photographs of the applicant or its representative should the applicant be an entity. The Wilton Police Department shall be responsible for taking the photographs. Said application shall also request such other further reasonable information, including information regarding previous felony or misdemeanor convictions involving crimes of moral turpitude, as shall not be prohibited by law. A criminal record check shall be completed by the Wilton Police Department. Said application shall also request a statement as to the goods and services to be covered by the requested permit, and the written permit issued will be limited accordingly. Failure to supply the information requested shall be a sufficient basis for the Wilton Police Department to refuse to issue said permit. In the case of entities, a separate application, permit and fee will be required for each proposed entity representative, and each application shall be signed by both the representative and the entity which he or she represents. A permit may be suspended by the Wilton Police Department, after notice and hearing, if any of the terms and conditions of its issuance are violated or if personal information comes to the attention of the Wilton Police Department, through a police check or otherwise, of such a nature as would have caused the Wilton Police Department to withhold issuance in the first instance. Applications must be acted upon by the Wilton Police Department within a period of 30 days from initial submission thereto.

B. Applications for permits for operations intended to be substantially permanent and/or stationary shall be accompanied by a written consent from the property owner and any businesses located on or immediately adjacent to the proposed location. Such a location will also require either approval or waiver from the Town Planner stating that the proposed operation is either consistent with or not governed by Wilton zoning. In no event shall a substantially permanent or stationary operation be approved if located in a residential zone. For the purposes of this section, substantially permanent or stationary shall be defined as an operation that is fixed and immobile for periods in excess of two consecutive hours of any given day. Any Town ordinances which may restrict hours of operation for retail sales, deliveries, etc., shall apply without the necessity of being noted on the written permits. The Wilton Health Department may also require that the proposed operation be serviced or
adequate provision be made for running water and toilet facilities. The applicant shall also disclose the nature of the operation and all vehicular and business property to the Wilton Tax Assessor for treatment consistent with local taxation.

C. Any permit issued pursuant to this chapter shall be conspicuously displayed on a lanyard supplied by the Wilton Police Department at all times while the permittee is engaged in the activities regulated by this chapter.

D. No permit shall be issued to any person who has not obtained a permit to engage in or transact business as a seller within the state in accordance with Connecticut General Statutes § 12-409.

E. No permit fee shall be required from any resident of Connecticut who has resided within Connecticut for a period of two years next preceding the date of application for such permit, who is:

   (1) A veteran who served in time of war, as defined in Connecticut General Statutes § 27-103;

   (2) A hawker or peddler as defined in Connecticut General Statutes § 21-36; and

   (3) A principal pursuant to Connecticut General Statutes § 21-36.

§ 19-7. Denial of permit.

A. The Wilton Chief of Police may, upon review of the application, refuse to issue a permit to the applicant for any of the following reasons:

   (1) The location and time of the activities described in the application would endanger the safety and welfare of the applicant or its customers;

   (2) An investigation reveals that the applicant falsified information on the application;

   (3) The applicant has been convicted of a felony, misdemeanor or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property;

   (4) The applicant is a person against whom a judgment based upon, or conviction for, fraud, deceit or misrepresentation has been entered within the five years immediately preceding the date of application;

   (5) There is no proof as to the authority of the applicant to serve as an agent to the principal; or
(6) The applicant has been denied a permit under this chapter within the immediate past year, unless the applicant can and does show to the satisfaction of the Wilton Chief of Police that the reasons for such earlier denial no longer exist.

B. The Wilton Chief of Police's disapproval and the reasons for disapproval shall be noted on the application, and the applicant shall be notified that his application is disapproved and that no permit will be issued. Notice shall be mailed to the applicant at the address shown on the application form, or at the applicant's last known address.


Any permit issued under this chapter may be revoked or suspended by the Wilton Chief of Police or his authorized representative, after notice and hearing, for any of the following reasons:

A. Fraud, misrepresentation or false statement contained in the application for a permit;

B. Fraud, misrepresentation or false statement made by the permittee in the course of conducting the activities for which the permit was granted;

C. Conducting activities regulated by this chapter in a manner contrary to the provisions contained in the permit;

D. Conviction for any crime involving moral turpitude; or

E. Conducting activities regulated by this chapter in such a manner as to create a public nuisance, constitute a breach of the peace or endanger the health, safety or general welfare of the public.


Notice of a hearing for revocation of a permit issued under this chapter shall be provided in writing and shall set forth specifically the grounds for the proposed revocation and the time and place of the hearing. Notice shall be mailed, postage prepaid, to the permittee at the address shown on the permit application or at the last known address of the permittee.

§ 19-10. Appeals.

A. Any person aggrieved by the action or decision of the Wilton Chief of Police to deny, suspend or revoke a permit applied for under the provisions of this chapter shall have the right to appeal such action or decision to the Town of Wilton hearing officer within 15 days after the notice of the action or decision has been mailed to the person's address as shown on the permit application form, or to the person's last known address.

B. An appeal shall be taken by filing with the Wilton Chief of Police a written statement setting forth the grounds for the appeal.
C. The Wilton Chief of Police shall transmit the written statement to the Town of Wilton hearing officer within 10 days of its receipt, and the Town of Wilton hearing officer shall set a time and place for a hearing on appeal.

D. A hearing shall be set not later than 20 days from the date of receipt of the appellant's written statement.

E. Notice of the time and place of the hearing shall be given to the appellant in the same manner as provided for in the mailing of the notice of action or decision.

F. The decision of the Town of Wilton hearing officer on the appeal shall be final and binding on all parties concerned.

§ 19-11. Insurance.

As a condition to permit issuance, the Town of Wilton may require proof of insurance, either vehicular, property, casualty, or liability, as may be reasonable and customary for the nature of the proposed operation and in amounts consistent with the intensity and nature of the operation.


Any person who engages in the activities set forth by § 19-3 without a valid written permit shall be fined the sum of $90. An infraction ticket shall be issued as authorized by the State of Connecticut for violation of a municipal ordinance and payment or a plea of not guilty sent to the State of Connecticut Centralized Infractions Bureau.

CHAPTER 23. LITTER

§ 23-1. Responsibility to keep public areas clean.

§ 23-2. Definition.

§ 23-3. Littering prohibited.

§ 23-4. Obstruction by littering prohibited.

§ 23-5. Enforcement.

§ 23-6. Arrest for violation.


CHAPTER 23. LITTER

[HISTORY: Adopted Wilton Town Meeting 9-3-1957.]

§ 23-1. Responsibility to keep public areas clean.

It shall be the duty of all owners, occupants and persons in charge of buildings used for business or other nonresidential purposes to keep the area used by the public next to or near such buildings on any side clean and free of paper, dirt, debris or other foreign matter.
§ 23-2. Definition.

Within the meaning of this ordinance:

**AREA USED BY THE PUBLIC**

Inclueds platforms, paths, sidewalks, parking areas and roadways (and park or other areas, and private roadways) which are privately owned and on which any member of the general public is allowed to enter, by foot or vehicle, whether as invitee or licensee.

§ 23-3. Littering prohibited.

With regard to the places heretofore enumerated, it shall be unlawful for any person to throw, cast, place or discard any paper, dirt, debris or other foreign matter thereon or to sweep or otherwise transfer it or them or any of them therefrom into or onto the gutters, streets, highways or other property of the Town of Wilton or any other person without his permission.

§ 23-4. Obstruction by littering prohibited.

It shall be unlawful for any person to throw, cast, place or discard any paper, dirt, debris or other foreign matter in or on the gutters, streets, highways or other property of the Town of Wilton, whether or not said action shall in any way impede, hinder, obstruct or interfere with travel on or repair thereof.

§ 23-5. Enforcement.

It shall be the duty of the Director of Health or Health Officer to enforce the provisions of § 23-1 hereof, either upon his own initiative or following complaint and investigation in the manner provided under the Sanitary Code of the State and municipality for the abatement of nuisances. Editor's Note: See Ch. 17, Health and Sanitation, p. 1701; a copy of the State Sanitary Code is available in the Town Clerk's office. It shall be the duty of any owner, occupant or person in charge of any building, on written notice from the Director of Health or Health Officer, to remove or forthwith cause to be removed paper, dirt, debris or other foreign matter.

§ 23-6. Arrest for violation.

Any constable shall have the power, subject to the Laws of the State of Connecticut, to arrest any person for a violation of § 23-3 or § 23-4 hereof.


Any person duly brought to trial and found guilty of a violation of this ordinance shall be fined not more than $25.
CHAPTER 23A. PARKS

§ 23A-1. Designation of public access.
§ 23A-2. Special permit for use of parks; application.
§ 23A-4. Posting of signs by authorities.
§ 23A-6. Violations and penalties.

CHAPTER 23A. PARKS

[HISTORY: Adopted Wilton Town Meeting 5-31-1978. Amendments noted where applicable.]

GENERAL REFERENCES

Conservation Commission — See Ch. 10.
Parks and Recreation Commission — See Ch. 24.

§ 23A-1. Designation of public access.

[Amended 3-16-1982]

Public access to all Town parks within the jurisdiction of the Parks and Recreation Commission or the Conservation Commission may be designated by the Board of Selectmen after duly consulting with the respective commission or commissions and notice of such hours and restrictions published in the form of a legal notice in a local newspaper having circulation within the Town of Wilton.

§ 23A-2. Special permit for use of parks; application.

No person shall enter or remain in any park covered by this ordinance except during the hours specified when the park is to be open unless they have obtained express written permission of the Parks and Recreation Commission or the Conservation Commission, whichever has jurisdiction over the park in question, in which case the hours shall be as set forth in a special permit. Persons seeking issuance of a special permit shall file an application with the Parks and Recreation Commission or the Conservation Commission, whichever has jurisdiction over the park in question. The application shall state the name and address of the applicant or the names and addresses of the person, persons, corporation or association seeking the permit and any other information which the Commission shall find reasonably necessary to make a fair determination as to whether or not such a permit should be issued.


No motorized vehicle may be operated within the boundaries of any park covered by this ordinance or parked in any such park except in designated parking areas.
§ 23A-4. Posting of signs by authorities.

The Parks and Recreation Commission and the Conservation Commission shall have the power to post signs in any Town park covered by this ordinance stating the instructions on use of any such park.


The Police Department of the Town of Wilton shall enforce the provisions of this ordinance. Accordingly, the Wilton Police Department shall have the authority to eject from the park any person acting in violation of this ordinance, and said person will be subject to the penalty set forth below.

§ 23A-6. Violations and penalties.

Any person or persons violating any provision of this ordinance shall be subject to a fine not to exceed $50 per person for each violation.

CHAPTER 23B. OFFICERS AND EMPLOYEES

ARTICLE I. Assistant Town Clerks
§ 23B-1. Title.
§ 23B-2. Purpose.
§ 23B-5. When effective.

ARTICLE II. Assistant Registrars of Vital Statistics
§ 23B-6. Title.
§ 23B-7. Purpose.
§ 23B-10. When effective.

CHAPTER 23B. OFFICERS AND EMPLOYEES

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Retirement plan for library employees — See Ch. 25B, Art. I.

ARTICLE I. Assistant Town Clerks

[Adopted 1-15-2003]
§ 23B-1. Title.

The title of this ordinance is "The Town of Wilton Ordinance Governing the Appointment of Assistant Town Clerks."

§ 23B-2. Purpose.

It is recognized that the Town of Wilton should have at least one Assistant Town Clerk, who shall, in the absence or inability of the Town Clerk, have all the powers and perform all the duties of the Town Clerk. This ordinance is enacted to authorize the Board of Selectmen to appoint Assistant Town Clerks to ensure the stable operation of the Town Clerk's Office in the event the Town Clerk is absent or unable to perform the duties and functions of the Town Clerk.


Section 7-19 of the Connecticut General Statutes, as amended by Connecticut Public Act 02-137, grants authority to the Town Clerk to appoint Assistant Town Clerks. Section 7-19 of the Connecticut General Statutes, as amended by Connecticut Public Act 02-137, also permits a town, by ordinance, to provide an alternative method for the appointment of Assistant Town Clerks. This ordinance is intended to give the Board of Selectmen of the Town of Wilton the authority to appoint Assistant Town Clerks.


The Board of Selectmen of the Town of Wilton shall have the authority to appoint one or more Assistant Town Clerks to perform all the duties of the Town Clerk in the event the Town Clerk is absent or unable to perform the duties and functions of the Town Clerk.

§ 23B-5. When effective.

This ordinance shall become effective 30 days after publication in a newspaper having a circulation in the Town of Wilton.

ARTICLE II. Assistant Registrars of Vital Statistics

[Adopted 1-15-2003]

§ 23B-6. Title.

The title of this ordinance is "The Town of Wilton Ordinance Governing the Appointment of Assistant Registrars of Vital Statistics."

§ 23B-7. Purpose.

It is recognized that the Town of Wilton should have at least one Assistant Registrar of Vital Statistics, who shall, in the absence or inability of the Registrar of Vital Statistics, have all the
powers and perform all the duties of the Registrar of Vital Statistics. This ordinance is enacted to authorize the Board of Selectmen to appoint Assistant Registrars of Vital Statistics to ensure the stable operation of the office of the Registrar of Vital Statistics in the event the Registrar of Vital Statistics is absent or unable to perform the duties and functions of the Registrar of Vital Statistics.


Section 7-38 of the Connecticut General Statutes, as amended by P.A. 02-137, grants authority to the Town Clerk to appoint Assistant Registrars of Vital Statistics. Section 7-38 of the Connecticut General Statutes, as amended by P.A. 02-137, also permits a town, by ordinance, to provide an alternative method for the appointment of Assistant Registrars of Vital Statistics. This ordinance is intended to give the Board of Selectmen of the Town of Wilton the authority to appoint Assistant Registrars of Vital Statistics.


The Board of Selectmen of the Town of Wilton shall have the authority to appoint one or more Assistant Registrars of Vital Statistics to perform all the duties of the Registrar of Vital Statistics in the event the Registrar of Vital Statistics is absent or unable to perform the duties and functions of the Registrar of Vital Statistics.

§ 23B-10. When effective.

This ordinance shall become effective 30 days after publication in a newspaper having a circulation in the Town of Wilton.

CHAPTER 24. PARKS AND RECREATIONCOMMISSION

§ 24-1. Establishment; purpose.
§ 24-2. Composition.
§ 24-3. Terms of office.
§ 24-4. Vacancies.
§ 24-5. Compensation.
§ 24-6. Election of officers.
§ 24-7. Annual report.
§ 24-8. Responsibility to Board of Selectmen.
§ 24-10. Cooperation with Board of Education.
§ 24-11. Establishment of special fund.
§ 24-12. Budgets and appropriations.
§ 24-14. Preexisting rights not affected.
§ 24-15. When effective.

CHAPTER 24. PARKS AND RECREATIONCOMMISSION
GENERAL REFERENCES

Conservation Commission — See Ch. 10.

§ 24-1. Establishment; purpose.

A commission of five members to be known as the "Wilton Parks and Recreation Commission" is hereby established pursuant to § 7-148 of the Connecticut General Statutes, as amended, to organize, maintain and direct the Parks and Recreation Department of the Town of Wilton for the following purposes:

A. To operate parks and recreational activities within the Town.

B. To promote, provide and conduct recreational programs that will afford residents of Wilton constructive and wholesome enjoyment.

C. To promote and provide programs of entertainment and cultural interest for residents of Wilton.

D. To propose, manage and maintain or provide for the maintenance of intensive-use lands and parks owned by the Town of Wilton.

E. To manage any privately owned property permanently dedicated to the general park and recreational use of residents of the Town of Wilton.

F. To recommend capital and nonrecurring expenditures from any park and recreation capital and nonrecurring expense fund established by the Town of Wilton.

§ 24-2. Composition.

The members of the Commission shall be known as "Commissioners," all of whom shall be appointed by the First Selectman with the concurrence of the Board of Selectmen.

§ 24-3. Terms of office.

Commissioners shall be appointed for a term of four years commencing on the first day of December, except that of the original five appointed by the First Selectman, the terms of the first three appointed shall end on November 30, 1979, and the terms of the last two appointed shall end on November 30, 1981.

§ 24-4. Vacancies.
In the event of any vacancy upon the Commission, the First Selectman, with the concurrence of the Board of Selectmen, promptly shall appoint a Commissioner to the vacancy for the unexpired portion of the term.

§ 24-5. Compensation.

Commissioners shall serve without compensation, except that their actual expenses and disbursements, where incurred with the advance approval of the Board of Selectmen and in the performance of their duties, shall be paid from the Town treasury.

§ 24-6. Election of officers.

[Amended 4-7-1992]

The Commission, annually at the first meeting in December, shall elect one of its number to be Chairman and one of its number to be Secretary.

§ 24-7. Annual report.

The Commission shall make written annual reports of its doings to the Board of Selectmen.

§ 24-8. Responsibility to Board of Selectmen.

The Commission shall be responsible and subordinate to the Board of Selectmen in all matters.


A. Subject to § 24-8, the Commission shall have the powers and duties to:

(1) Provide, conduct and supervise public playgrounds, playfields, indoor recreation centers and other intensive recreation areas and facilities.

(2) Appoint and employ, at such times as the Commission deems necessary, a qualified person as Superintendent of Parks and Recreation, to be responsible to the Commission.

(3) Solicit or receive or hold in trust, in the name of the Town, gifts, devises and bequests of real or personal property or any interests therein from private corporations or individuals for any of the public park, recreational or related purposes of the Commission, The Commission shall administer such gifts of real or personal property for the Town and may accept such gifts subject to the terms of the gift after holding a public hearing thereon, as provided in § C4-5B(5) of the Wilton Charter, Editor's Note: See Ch. 2, Charter, of this Code. and obtaining the approval of the Board of Selectmen to accept such gift. The Commission may execute any trust agreements or other appropriate documents in connection with any such gift.
(4) Construct, reconstruct, improve, extend, operate and maintain land and facilities of the Town devoted to intensive or recreational use. For purposes of this ordinance, "Land and facilities devoted to intensive or recreational use" shall include Town lands which are improved or developed, intensively used by the public for other than hiking, nature study and other conservation-oriented activities and any lands used for organized recreation.

(5) Fix and revise from time to time and to charge and collect fees, rents and other charges for the use of any land and facilities under its control and to establish and revise from time to time regulations in respect of the use and occupancy of such land and facilities under its control.

(6) Unless otherwise required by law, following the approval of the Town Meeting and the Board of Selectmen, enter into contracts, trust agreements and other appropriate documents in the name of the Town to enable the Town to receive grants, gifts or contributions of land or money for public park, recreational and related purposes from any other municipality, the state or any political subdivisions, agencies and instrumentalities thereof or the federal government or any federal agency.

(7) Review the activities of the Tree Warden appointed by the Board of Selectmen; provided, however, that the Commission shall not interfere with the Tree Warden in the performance of his statutory duties.

B. Said powers and duties shall be exercised and discharged only to the extent permitted by law and consistent with the applicable general statutes and the Charter of the Town of Wilton.

§ 24-10. Cooperation with Board of Education.

A. The Board of Education shall not be subject to the jurisdiction of the Commission but shall cooperate with the Commission to the maximum degree possible so as to ensure that all intensive-use land owned by the Town of Wilton, adjoining or adjacent to any school buildings, shall be subject to the jurisdiction and control of the Commission.

B. Such adjacent and adjoining land shall be maintained by the Commission; provided, however, that all activities sponsored by the Board of Education shall have preemptive use of such land during the academic year and nothing herein shall be construed as an allowance of use within the meaning of Section 10-239 of the General Statutes.

§ 24-11. Establishment of special fund.

Pursuant to Section 7-129a of the Connecticut General Statutes, as amended, there hereby is established a special fund to be known as the "Park and Recreation Capital and Nonrecurring Expense Fund."

A. Depositing of funds. There shall be deposited in said fund:
(1) All moneys received by the Town, from whatever source and by whatever means, as
gifts for park and recreation purposes.

(2) All moneys received by the Town, from whatever source and by whatever means, as
governmental grants and loans for park or recreational purposes.

(3) All moneys received by the Town from the sale or voluntary or involuntary conveyance
of land used for park or recreational purposes.

(4) All moneys appropriated to said fund by the Town.

B. Custody and report of funds.

(1) Said fund shall be in the custody of the Town Treasurer. All or any part of the moneys
in said fund may, from time to time, be invested in any securities in which public funds
may lawfully be invested. All income derived from such investments shall be paid into the
fund and become a part thereof. The moneys so invested shall, at all times, be subject to
withdrawal from such investment for use, as provided in Subsection C.

(2) Annually, the Treasurer shall submit to the Commission and the Town Meeting a
complete and detailed report of the conditions of said fund, which report shall be made a
part of the annual municipal report.

C. Appropriation and use of funds. Upon authorization by the Board of Finance and
appropriation in accordance with the Charter of the Town of Wilton, the moneys in said fund
may be used for capital and nonrecurring expenditures incurred in any of the following:

(1) Acquisition, development, improvement, maintenance and expansion of park and
recreation lands.

(2) Acquisition, erection, installation, maintenance, improvement, repair and replacement
of park or recreation facilities and equipment.

(3) Development, establishment and improvement of park or recreation programs.

(4) Any other capital or nonrecurring expenditures incurred for park or recreation purposes.

§ 24-12. Budgets and appropriations.

No budget proposed or approved, or appropriation made for park or recreational purposes shall
be reduced, ratably or otherwise, in consideration of any moneys in said fund.


The resolution of the Town Meeting adopted October 23, 1969, adjourned to October 25, 1969,
establishing the Wilton Parks, Recreation and Conservation Commission as set forth in §§ 24-1
through 24-19 of the Code of the Town of Wilton is hereby repealed and the Wilton Conservation Commission Editor's Note: See Ch. 10, Conservation Commission. and the Wilton Parks and Recreation Commission hereby established shall be the successors of said Wilton Parks, Recreation and Conservation Commission.

§ 24-14. Preexisting rights not affected.

Nothing in this ordinance shall affect any right, interest, claim, obligation, liability or defense of, by or against the Town, of whatever description and whether or not matured, existing at the effective date of this ordinance.

§ 24-15. When effective.

The Town Clerk shall certify the adoption of this ordinance and cause the same to be published as required by law; and this ordinance shall take effect 15 days after such certification and publication.

CHAPTER 25. POLICE COMMISSION
ARTICLE I. Establishment, Composition, Compensation, Term, Vacancies
§ 25-4. Term of Commissioner's appointment.
§ 25-5. Vacancies.
ARTICLE II. Meetings
ARTICLE III. Commission Powers Relating to Police Department
ARTICLE IV. Responsibility
ARTICLE V. Board of Selectmen, Police Department, Constabulary
§ 25-10. Board of Selectmen may appoint special constables.
§ 25-11. Authority of Police Department.
§ 25-12. Transition from constabulary.
ARTICLE VI. Effective

CHAPTER 25. POLICE COMMISSION

[HISTORY: Adopted Wilton Town Meeting 8-19-1968.]

ARTICLE I. Establishment, Composition, Compensation, Term, Vacancies

A board of three members to be known as the "Wilton Police Commission" hereby is established for the purpose of organizing and maintaining a Police Department in the Town of Wilton.


The Police Commission members shall be known as "Commissioners," all of whom shall be appointed by the Board of Selectmen, no more than two of whom shall be members of the same political party and none of whom shall hold any other office or membership on any other board of the Town while serving as a Commissioner.


Commissioners shall serve without compensation, except that their actual expenses and disbursements, where incurred with the approval of the Board of Selectmen and in the performance of their duties, shall be paid from the Town treasury.

§ 25-4. Term of Commissioner's appointment.

Commissioners shall be sworn to the faithful performance of their duties and shall be appointed for a term of two years commencing on the first day of December except that of the original three commissioners appointed by the Board of Selectmen, the term of the first appointed shall end on December 1, 1969, and the term of the second appointed shall end on December 1, 1970, and the term of the third appointed shall end on December 1, 1971.

§ 25-5. Vacancies.

In the event of any vacancy upon the Police Commission, the Board of Selectmen promptly shall appoint a Commissioner to the vacancy for the unexpired portion of the term.

ARTICLE II. Meetings


The Police Commission shall elect one of its number to be Chairman and one of its number to be Secretary and shall hold regular meetings at least once each month and keep records of the same. Meetings shall be held upon the call of the Chairman, or at the call of the majority of the members of the Commission, or at the call of the Board of Selectmen. A majority of the Commissioners shall constitute a quorum.

ARTICLE III. Commission Powers Relating to Police Department


The Police Commission shall have exclusive power to:
A. Make all regulations necessary for the government of the Police Department not contrary to law;

B. Prescribe suitable penalties for the violation of any such regulations, including the suspension or removal from office of any officers or members of the Police Department;

C. Regulate the duties of the officers and members of the Police Department in respect of criminal matters within the limits of the Town of Wilton; and

D. Appoint, promote and remove the officers and members of the Police Department pursuant to such regulations as it adopts for the purpose and in the conformity with this Article III.


Appointees to the Police Department shall hold office during good behavior and until removed for cause by the Police Commission upon written charges and after hearing. No active head of the Police Department shall be dismissed unless he has been given notice in writing of the specific grounds for such dismissal and an opportunity to be heard in his own defense, personally or by counsel, at a public hearing before the Police Commission. Such public hearing shall be held not less than five nor more than 10 days after such notice. Any person so dismissed may appeal in the manner described by Section 7-278 of the General Statutes, Revision of 1958, as amended at the time this ordinance shall take effect and in any other manner that may, from time to time, be provided by applicable law.

ARTICLE IV. Responsibility


The Police Commission shall be responsible and subordinate to the Board of Selectmen in all matters except those set forth in Article III, as to which the Police Commission shall have exclusive jurisdiction and sole power.

ARTICLE V. Board of Selectmen, Police Department, Constabulary

§ 25-10. Board of Selectmen may appoint special constables.

Nothing contained in this ordinance shall be construed to affect the power of the Board of Selectmen to appoint special constables pursuant to Chapter 95 of the General Statutes, Revision of 1958, as amended, provided, however, that no special constables hereafter so appointed shall either be deemed members of the Police Department or have jurisdiction or control over the Police Department or its members.

§ 25-11. Authority of Police Department.

The members of the Police Department shall have all such authority with respect to the service of criminal process and the enforcement of the criminal laws as is vested by the General Statutes in
police officers and constables and, to the extent permitted by law, may summon and arrest persons violating the laws of this state or the ordinances of the Town of Wilton.

§ 25-12. Transition from constabulary.

All persons holding appointments as special constables of the Town of Wilton at the time this ordinance shall take effect shall be entitled to become members of the Police Department without loss of or prejudice to rank, seniority, pay, pension or any other existing rights, benefits or enrollments held by reason of service as a special constable and upon accepting such membership in the Police Department, the appointments of such persons as special constables shall expire and terminate and the Board of Selectmen is hereby authorized to terminate, at its discretion, any agreement concerning a resident state trooper now existing between the Town of Wilton and the State of Connecticut.

ARTICLE VI. Effective


This ordinance shall become effective on September 11, 1968. Pursuant to Section 7-157, General Statutes of Connecticut — Revision of 1958.

CHAPTER 25A. REGIONAL PLANNING AGENCY

§ 25A-1. Adoption of provisions to join Agency.

§ 25A-2. Enforcement powers.

§ 25A-3. Local representation.


CHAPTER 25A. REGIONAL PLANNING AGENCY

[HISTORY: Adopted Wilton Town Meeting 10-26-1976. Amendments noted where applicable.]

§ 25A-1. Adoption of provisions to join Agency.

Whereas the South Western Regional Planning Agency has affirmed that it operates exclusively in an advisory capacity, that it has not and does not have any desire to supersede local zoning authority and that its land use policies have been in general conformity with local land use policies, and whereas the joint House-Senate Resolution No. 173 of May 1973, provides that the General Assembly reaffirms that nothing in the provisions of the general statutes concerning the Tri-State Regional Planning Commission shall be construed to restrict or diminish the powers of any political subdivision of this state, it is therefore resolved that the Town of Wilton hereby adopts the provisions of Title 8, Chapter 127, entitled "Regional Planning Agencies," Sections 8-31a through 8-37a, inclusive, of the Connecticut General Statutes, and joins the South Western Regional Planning Agency, hereinafter called SWRPA.

§ 25A-2. Enforcement powers.
Nothing in this ordinance shall confer upon SWRPA or upon the Tri-State Regional Planning Commission, police or zoning enforcement or other powers, nor shall it deprive existing governmental agencies of the Town of Wilton of any police or zoning enforcement on other powers. Changes in SWRPA policies as set forth in § 25A-1 or the acquisition of conflicting powers by SWRPA or by the Tri-State Regional Planning Commission shall be cause for withdrawal of membership in SWRPA as provided in Section 8-36a of the Connecticut General Statutes.

§ 25A-3. Local representation.

Pursuant to the provisions of Section 8-31a of the Connecticut General Statutes, the Town of Wilton is entitled to two representatives on SWRPA. The Planning and Zoning Commission shall appoint one representative, who may be a member of the Planning and Zoning Commission. The other representative shall be appointed by the Board of Selectmen. Each representative shall have a two-year term and shall serve without compensation. Two representatives shall be appointed following the adoption of this ordinance and shall serve until December 1, 1977, and thereafter terms of representatives shall be two years commencing on December 1 of each odd-numbered year.


Nothing contained in this ordinance shall deprive any person of a right of appeal to a count of competent jurisdiction pursuant to any statute of the State of Connecticut.

CHAPTER 25A. REGIONAL PLANNING AGENCY

§ 25A-1. Adoption of provisions to join Agency.

§ 25A-2. Enforcement powers.

§ 25A-3. Local representation.


CHAPTER 25A. REGIONAL PLANNING AGENCY

[HISTORY: Adopted Wilton Town Meeting 10-26-1976. Amendments noted where applicable.]

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Nothing contained in this ordinance shall deprive any person of a right of appeal to a count of competent jurisdiction pursuant to any statute of the State of Connecticut.

CHAPTER 25B. RETIREMENT PLAN AND OTHER BENEFITS

ARTICLE I. Library Employees
§ 25B-1. Authorization to participate in plan.
ARTICLE II. Trust Fund for Post-Employment Benefits
§ 25B-3. Title.
§ 25B-4. Purpose.
§ 25B-5. Creation of trust; administration.
§ 25B-6. Trust beneficiaries.
§ 25B-7. Board of Trustees.

CHAPTER 25B. RETIREMENT PLAN AND OTHER BENEFITS

[HISTORY: Adopted by the Town of Wilton as indicated in article histories. Amendments noted where applicable.]
ARTICLE I. Library Employees

[Adopted 7-20-1977 Town Meeting]

§ 25B-1. Authorization to participate in plan.

Employees of the Wilton Library Association, Inc., are hereby authorized to participate in the Retirement Plan of the Town of Wilton, as such Retirement Plan now exists or may be amended. Editor's Note: See Ch. 6, Special Acts, Article VII.


Eligible employees of the Wilton Library Association, Inc., shall not receive any benefits under the Retirement Plan for services rendered prior to the effective date of this ordinance.

ARTICLE II. Trust Fund for Post-Employment Benefits

[Adopted by the Board of Selectmen 4-12-2007]

§ 25B-3. Title.

This ordinance shall be known and may be cited as "The Town of Wilton Ordinance Establishing the Other Post-employment Benefit Trust."

§ 25B-4. Purpose.

The purpose of this ordinance is to establish a trust for nonpension, post-employment health benefits for employees of the Town, and employees of the Board of Education. This ordinance is enacted to create a trust to govern the allocation and investment of funds set aside for such post-employment benefits.

§ 25B-5. Creation of trust; administration.

A trust to administer funds for post-employment health benefits is hereby created (the "trust"). The trust is to be administered by a Board of Trustees.

§ 25B-6. Trust beneficiaries.

Beneficiaries of the trust shall be any Town employees and employees of the Board of Education who:
A. Are currently receiving post-employment pension benefits; or

B. Become eligible for such benefits pursuant to collective bargaining agreements, employment policies or state statute.

§ 25B-7. Board of Trustees.

A. Members of the Board of Trustees. The Board of Trustees shall consist of three ex officio voting trustees and two ex officio non-voting trustees. The three voting trustees shall consist of one member from the Board of Selectmen, one member from the Board of Finance and one member from the Board of Education. The nonvoting trustees shall be: the Chief Financial Officer, or the equivalent, of the Town of Wilton, and the Director of Financial Planning and Operations, or the equivalent, of the Wilton Board of Education.

B. Appointment of trustees. The trustees from the Board of Selectmen, Board of Finance and Board of Education shall each be appointed by majority vote of the respective boards.

C. Terms of trustees. The voting trustees shall serve terms as trustees coterminous with their terms on the respective boards. Trustees shall be appointed by their respective boards upon the creation of the trust for the remainder of each trustee’s term on the respective board. Thereafter, each time the Board of Selectman, Board of Finance or Board of Education has an election, it shall appoint, or reappoint, a board member to be a trustee for that board member’s full term of office.

D. Powers and duties of trustees. The trustees shall administer the trust. Pursuant to Connecticut Statutes, the trustees shall be responsible for holding and investing the assets of the trust. The trustees shall provide for the management and investment of the trust funds. The investment of the trust funds shall be in compliance with the prudent investor rule as set forth in Connecticut General Statutes §§ 45a-541 through 45a-541l.


This ordinance shall become effective on July 1, 2007.

CHAPTER 25C. SOLID WASTE DISPOSAL

ARTICLE I. General Provisions
§ 25C-1. Authority to regulate.
§ 25C-4. Use of Town vehicles.
§ 25C-5. Operating license required; violations and penalties.

ARTICLE II. Recycling
CHAPTER 25C. SOLID WASTE DISPOSAL


ARTICLE I. General Provisions

[Adopted 9-26-1979]

§ 25C-1. Authority to regulate.

As required by Section 19-524n of the Connecticut General Statutes, Editor's Note: See now Section 19a-513 of the Connecticut General Statutes. the Town of Wilton, acting by its Board of Selectmen, shall make provision for the disposal of all solid wastes generated within the Town; and, pursuant to Sections 7-148, 7-194 and 19-524n of the Connecticut General Statutes, the Board of Selectmen may regulate and control the collection, depositing, disposal and removal of all solid waste, garbage, rubbish, trash, tines and similar material within the Town of Wilton and charge reasonable fees to license and to defray the costs in whole or in part for providing such solid waste disposal facilities and services and the cost of regulating such activities.


A. The Board of Selectmen may:

(1) Dispose of solid wastes generated within the boundaries of the Town of Wilton or may contract for the disposal of such solid wastes at a location or locations outside the Town;

(2) Determine which types of waste materials may be disposed of both inside and outside the boundaries of the Town of Wilton;

(3) Operate collection and transfer facilities for solid waste materials which are to be collected and transported out of the Town and adopt regulations for such facilities; and
(4) Adopt regulations to license and issue permits for collection and disposal of solid waste within the Town, including the type of vehicles used for collection of solid waste and sanitary conditions for vehicles.

B. Any such disposal procedures and facilities shall be in accordance with state laws and regulations.


A. The fees to be charged shall be within the discretion of the Board of Selectmen and may be changed by it from time to time, and all fees charged by the Board of Selectmen for licensing and defraying the cost of providing solid waste disposal facilities prior to the passage of this ordinance are approved and validated. Different rates may be charged for the disposal of different types of solid waste materials, including but not limited to garbage, trash, demolition materials, construction debris, brush and tires.

B. The rates charged for each type of material shall not exceed the cost to the Town of disposing of each type of material, and the total charges shall not exceed the cost to the Town of Wilton of providing facilities for and regulating solid waste disposal.

C. The Board of Selectmen may determine which of the costs incurred by the Town of Wilton shall be paid for by the Town without reimbursement by users of the solid waste facilities and services provided by the Town and which costs shall be charged to such users of the facilities and services.

§ 25C-4. Use of Town vehicles.

Town vehicles may be used to haul solid waste to the Town transfer station where public necessity requires it or to haul solid waste generated by Wilton Town government operations.

§ 25C-5. Operating license required; violations and penalties.

A. It shall be unlawful for any person who is not licensed by the Town of Wilton, in accordance with licensing and permit provisions and regulations adopted by the Board of Selectmen, to engage in the business of collecting, transporting or disposing of refuse in the Town of Wilton for compensation.

B. Any person who violates the provisions of this ordinance shall, in addition to other legal remedies of the Town of Wilton, be fined not more than $100, for each offense, and each act of collecting, transporting or disposing of solid waste shall be a separate violation.


The invalidity of any word, clause, section or provision of this ordinance shall not affect the validity of any other part, which can be given effect without such invalid part or parts.
ARTICLE II. Recycling

[Adopted 10-10-1990]


There is established a Town Solid Waste Recycling Program with standards to effect the maximum level of recycling of solid waste and source separation.


For the purposes of this ordinance, the following terms shall have the meanings indicated:

ACCEPTABLE RECYCLING MATERIALS
Those items to be received and processed at the SWEROC Regional Intermediate Processing Center, including glass food and beverage containers, metal food and beverage containers, newspaper and certain HDPE and PET plastic food and beverage containers and other recyclables determined by SWEROC.

CARDBOARD
Corrugated boxes and similar corrugated and kraft paper materials which have a minimum of contamination by food or other material.

COLLECTOR
Any person who holds himself out for hire to collect solid waste from residential, business, commercial and other establishments within the Town.

COMMISSIONER
The Commissioner of Environmental Protection of the State of Connecticut or his authorized agent.

GENERAL STATUTES
The General Statutes of Connecticut, as amended.

GLASS FOOD AND BEVERAGE CONTAINER
A glass bottle or jar of any size or shape used to package food or beverage products suitable for human or animal consumption.

HPDE (HIGH-DENSITY POLYETHYLENE) PLASTIC FOOD AND BEVERAGE CONTAINER
Any high-density polyethylene bottle, jar or container of any size or shape used to package food or beverage products suitable for human or animal consumption or used for household laundry products or motor oil which are marked on the bottom with the number 2 encircled by the recycling symbol.

INTERCOMMUNITY AGREEMENT
The agreement of September 15, 1989, entered into by the Towns and cities in Southwest Connecticut to form SWEROC and establish a regional recycling program.

INTERMEDIATE PROCESSING FACILITY or INTERMEDIATE PROCESSING CENTER
A facility where glass, metals, paper products, batteries, household hazardous waste, fertilizers and other items are removed from the waste stream for recycling or reuse.

LEAVES
The foliage of trees.
METAL FOOD AND BEVERAGE CONTAINER
An aluminum, bimetal, steel, tin-plated steel or other metallic can, plate or tray of any size or shape used to package food or beverage products suitable for human or animal consumption.

NEWSPAPER
Used or discarded newsprint which has a minimum of contamination by food or other material.

OFFICE PAPER
Used or discarded high-grade white paper and manila paper, including but not limited to paper utilized for file folders, tab cards, writing, typing, printing, computer printing and photocopying, which is suitable for recycling and which has a minimum of contamination, excluding office paper generated by households.

PERSON
Any individual, organization, corporation, trust, partnership, foundation, group, association or establishment or combination of them.

PET (POLYETHYLENE TEREPTHALATE) PLASTIC FOOD AND BEVERAGE CONTAINER
Any polyethylene terephthalate bottle, jar or container of any size or shape used to package food or beverage products suitable for human or animal consumption, which is marked on the bottom of the bottle, jar or container with the number 1 encircled by the recycling symbol.

RECYCLABLES or ITEMS REQUIRED TO BE RECYCLED OR STATUTORY RECYCLABLE MATERIALS
Cardboard, glass food and beverage containers, metal food and beverage containers, newspaper, certain HDPE and PET plastic food and beverage containers, office paper, scrap metal, storage batteries and waste oil, as defined herein, and such other items as may be designated by the Commissioner.

RECYCLE
To separate or divert an item or items from the solid waste stream for the purposes of processing it or causing it to be processed into a material product, including the production of compost, in order to provide for disposition of the item or items in a manner, other than incineration or landfilling, which will best protect the environment.

RECYCLING
The processing of solid waste to reclaim material therefrom.

RECYCLING FACILITY or RECYCLING CENTER
Land and appurtenances thereon and structures where recycling is conducted, including but not limited to an Intermediate Processing Center.

RESIDENTIAL PROPERTY
Real estate containing one or more dwelling units, excluding hospitals, institutions, motels and hotels.

RESOURCES RECOVERY FACILITY
A facility utilizing processes to reclaim energy from municipal solid waste and, particularly, the Greater Bridgeport Resources Recovery Facility located in Bridgeport.

SCRAP METAL
Used or discarded items which consist predominately of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel or alloys thereof, including but not limited to white goods and metal containers.

**SOLID WASTE**
Solid, liquid, semisolid or contained gaseous material that is unwanted or discarded, including but not limited to material processed at a recycling facility.

**SOLID WASTE DISPOSAL AREA**
Land and appurtenances thereon and structures, including a landfill or other land disposal site used for the disposal of more than 10 cubic yards of solid waste.

**SOLID WASTE FACILITY**
Any solid waste disposal area, volume reduction plant, transfer station, wood-burning facility or biomedical waste treatment facility.

**STATE**
The State of Connecticut.

**STORAGE BATTERY**
Lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors and like applications.

**SWEROC**
The Southwest Connecticut Regional Recycling Operating Committee created by the intercommunity agreement among the towns and cities in Southwest Connecticut to establish a regional recycling program.

**TOWN**
The Town of Wilton, including authorized officers, boards, commissions and agencies of the Town.

**WASTE OIL**
Crankcase oil that has been utilized in internal combustion engines.


The Board of Selectmen is vested with full powers to develop and operate a recycling program consistent with this ordinance, the intercommunity agreement establishing the Southwest Connecticut Regional Recycling Operating Committee, policies promulgated by SWEROC and the laws and regulations of the state. The Board of Selectmen shall appoint an administrator of the recycling program to supervise the operation and coordination of the recycling program established by the Board of Selectmen.


Under the provisions of the intercommunity agreement, the Town of Wilton has the following obligations:

A. To require residential acceptable recyclable materials generated within its boundaries as determined by SWEROC to be processed pursuant to the provisions of the intercommunity agreement.
B. To have residential statutory recyclable materials that are not processed at the regional intermediate processing center and all commercial and nonresidential statutory recyclable materials generated within its boundaries processed in accordance with applicable regulations of Connecticut State agencies.

C. To collect and/or received and transfer to the regional intermediate processing center or such place as designated by SWEROC all residential acceptable recyclable materials as determined by SWEROC.

D. To pay to SWEROC each month the Town's proportionate share of the cost associated with its participation in the regional recycling program.

E. To meet any other obligations in accordance with the terms of the intercommunity agreement, as it may be amended from time to time.


By adoption of this ordinance, the Town shall:

A. Fulfill its obligation under Section 2.08 of the April 27, 1990, agreement between the State of Connecticut and SWEROC to adopt "A mandatory source-separation ordinance . . . sufficient to implement its recycling program in the context of the regional recycling effort"; and

B. Comply with Section 22a-220 of the Connecticut General Statutes, as amended by Section 2 of Public Act No. 90-220, "To adopt an ordinance . . . setting forth measures to assure the compliance of persons within its boundaries with the requirements of Subsection (c) of Section 22a-241b, as amended by Section 1 of . . . Public Act 90-220 and to assure compliance of Collectors with the requirements of Subsection (a) of Section 4 of . . . Public Act 90-220.


The Board of Selectmen is authorized and directed to promulgate regulations and instructions setting forth detailed procedures to be followed by residents, businesses and institutions, collectors and others, to be binding upon all persons within the Town.


A. Residential.

(1) On and after January 1, 1991, each person who generates solid waste from residential property within the Town shall separate from other solid waste the following recyclable items:

(a) Cardboard.
(b) Glass food and beverage containers.

(c) Leaves.

(d) Metal food and beverage containers.

(e) Newspaper.

(f) Scrap metal.

(g) Storage batteries.

(h) Waste oil.

(i) Certain plastic food and beverage containers as described more fully below.

(2) Each person who generates solid waste from residential property within the Town shall place in an appropriate container the following items required to be recycled:

(a) Glass food and beverage containers.

(b) Metal food and beverage containers.

(c) Newspaper.

(d) PET (polyethylene terephthalate) plastic food and beverage containers which are marked on the bottom with the number 1 encircled by the recycling symbol.

(e) HDPE (high-density polyethylene) plastic food and beverage containers which are marked on the bottom with the number 2 encircled by the recycling symbol.

(f) Such other items as may be designated by the Board of Selectmen.

B. Nonresidential. On and after January 1, 1991, each person who generates solid waste from property other than residential properties shall make provision for the separation from other solid waste of the following items required to be recycled:

(1) Cardboard.

(2) Glass food and beverage containers.

(3) Leaves.

(4) Metal food and beverage containers.

(5) Newspaper.
(6) Office paper.

(7) Scrap metal.

(8) Storage batteries.

(9) Waste oil.

(10) PET (polyethylene terephthalate) plastic food and beverage containers which are marked on the bottom with the number 1 encircled by the recycling symbol.

(11) HDPE (high-density polyethylene) plastic food and beverage containers which are marked on the bottom with the number 2 encircled by the recycling symbol.

(12) Such other items as may be designated by the Board of Selectmen.


A. The items listed in § 25C-13A(2) above shall be collected and/or received at the Town's transfer station or other site designated by the Board of Selectmen and thereafter delivered to the regional intermediate processing center or to such other site designated by SWEROC, such collection and/or receipt and delivery to be in accordance with the provisions of this ordinance, the intercommunity agreement, policies promulgated by SWEROC and approved by the Board of Selectmen and any agreement entered into by SWEROC and approved by the Board of Selectmen for the processing and marketing of items required to be recycled and Section 22a-241b of the Connecticut General Statutes, as amended by Subdivision (c) of Section 1 of Public Act 90-220.

B. Each owner, tenant and operator of property used for business, institutional and other nonresidential purposes, at such person's expense, shall collect and have recycled the items listed in § 25C-13B which are generated from properties other than residential property, in accordance with the provisions of this ordinance, the intercommunity agreement, policies promulgated by SWEROC and approved by the Board of Selectmen and applicable state laws and regulations. Such owner, tenant and operator shall be jointly and severally liable to comply with this provision.

C. To assist the Town in monitoring the separation, collection, recycling and sale of items required to be recycled that are generated from properties other than residential property, the Board of Selectmen may require such nonresidential generators to submit plans for such recycling and periodic reports setting forth specified data relating to the amount and nature of items recycled.

§ 25C-15. Regulation of collectors; penalties.
A. Any collector hauling solid waste generated by residential, business or other establishments within the Town shall register in the Town in accordance with regulations to be adopted pursuant to this ordinance.

B. The two front doors of any vehicle used by a collector to haul solid waste generated with the Town shall be clearly marked with the business name and address of such collector.

C. The Board of Selectmen shall, by mail, give notice of this ordinance and any regulations promulgated hereunder for the collection, hauling, processing and marketing of items required to be recycled to all collectors registered under Subsection A of this section. After receipt of such notice, any collector who has reason to believe that a person from whom it has collected solid waste has discarded items required to be recycled with such solid waste shall promptly notify the Administrator of the recycling program of the alleged violation. Upon request by the Administrator of the recycling program, a collector shall provide a warning notice, by tag or other means, to any person suspected by the Administrator of the recycling program of violating the separation requirements of this ordinance. Each collector shall also notify the Administrator of the recycling program of any person depositing for collection significant quantities of items required to be recycled mixed with solid waste for delivery to a resources recovery facility or solid waste facility by such collector.

D. On and after January 1, 1991, as required by Section 4(b) of Public Act No. 90-220, the owner or operator of each resources recovery facility or solid waste facility who has reason to believe, upon visual inspection, that a load of solid waste which is delivered to the facility contains significant quantities of any items required to be recycled is required to provide prompt notification of such belief to the driver of the vehicles delivering the load and to the Administrator of the recycling program if the load originated within the Town. Under said Section 4(b) of Public Act 90-220, the owner or operator of each resources recovery facility or solid waste facility is also required to conduct unannounced inspections of loads delivered to such facility.

E. Any collector who dumps more than one cubic foot in volume of Solid Waste at one time in an area within the Town not designated for the disposal of such solid waste or who knowingly mixes other solid waste with items required to be recycled shall, for a first violation, be liable for a civil penalty of up to $1,000 and, for each subsequent violation, shall be liable for a civil penalty of up to $5,000. The Town or the Attorney General, at the request of the Commissioner, may bring an action under Section 3(f) of Public Act No. 90-220, which action shall have precedence in the order of trial as provided in Section 52-191 of the Connecticut General Statutes.

§ 25C-16. Charge for recycling services.

The Town, by action of its Board of Selectmen, may levy a charge for the collection and/or receipt and/or processing of solid waste brought to a facility for recycling.

SWEROC is designated as the Town's regional agent to provide the report due on July 1, 1991, and annually thereafter pursuant to Section 2(e) of Public Act No. 90-220.


It shall be a violation of this ordinance for any person not authorized by the Town to collect or pick up or cause to be collected or picked up any recyclables which have been set aside for collection.


A. The Town, acting by the Board of Selectmen, may impose a penalty not to exceed $500 for each violation by a commercial establishment of the requirements of this ordinance.

B. Except as otherwise expressly provided herein, any person who violates the provisions of this ordinance shall, in addition to other legal remedies available to the Town, be cited or fined not more than $100 for each offense, and each violation of this ordinance or of regulations and instructions promulgated pursuant to this ordinance shall be a separate violation. This ordinance and the regulations and instructions promulgated pursuant to this ordinance may be enforced by citations issued by the Administrator of the recycling program. Before issuing any citation, the Administrator of the recycling program shall issue a written warning providing notice of the specific violation in accordance with Section 7-148, Subdivision (c)(10)(A) of the Connecticut General Statutes.

C. The citation hearing procedure provided in Section 7-152c of the Connecticut General Statutes is established as the Town's citation hearing procedure to be followed when citations pursuant to § 25C-19B of this ordinance are issued. The Board of Selectmen is authorized to issue such rules and regulations governing the operation of the citation hearing procedure so long as such rules and regulations are consistent with Section 7-152c of the Connecticut General Statutes.


If any word, clause, section or provision of this ordinance is found to be invalid, such finding shall not affect the validity of any other part hereof, provided that such other part may be given effect without reference to the invalid part or parts.

CHAPTER 25D. ROAD OPENINGS

§ 25D-1. Permit required; requirements for issuance.
§ 25D-4. Notification of commencement of work.
§ 25D-5. Warning signs and police supervision.
§ 25D-6. Performance of work; Director of Public Works to direct work.
§ 25D-7. Construction procedures; maintenance requirements.
CHAPTER 25D. ROAD OPENINGS


GENERAL REFERENCES

Driveways and roadways — see Ch. 11.
Read construction standards and specifications — See App., Part II.

§ 25D-1. Permit required; requirements for issuance.

A. No person, firm or corporation shall open or excavate any public highway or right-of-way of the Town of Wilton without first obtaining a permit from the Department of Public Works.

B. Before any permit is issued, the applicant shall file an application on a form prescribed by the Department of Public Works, post the bond and provide evidence of insurance as required by this ordinance and pay the required fee. The fee charged for the roadway opening permit shall be set by the Board of Selectmen.


A. Each applicant for a permit (other than a public service company or municipal corporation) shall provide cash security or post a performance bond with surety satisfactory to the Town, in an amount as determined by the Board of Selectmen or its authorized agent sufficient to ensure completion of the work and the proper restoration of the street and the maintenance after restoration of any opening. The bond shall be in the name of the applicant as principal, except, however, that where the work is to be done by a contractor other than the applicant, it shall be in the name of the person or entity performing the work.

B. The bond shall be for a period of 12 months from the date of the permit and shall be conditioned upon the performance by the principal of all work for which the permit was issued, in accordance with specifications for such work as set out by the Director of Public Works, the approval and acceptance by the Town of the restoration, and for the performance after restoration of any and all repairs required for the street or highway as a result of negligent or improper methods or materials or any other fault, defect or omission in the performance or restoration or any street opening or excavation.


Each applicant (except a public service company which has posted a bond with the State of Connecticut as provided in Section 16-230 of the Connecticut General Statutes, covering the type of work to be performed under the terms of the permit) shall carry for the duration of the permit, naming the Town of Wilton as an additional insured party, liability insurance coverage for
damage to property and personal injuries and upon the operation of all motor vehicles, including those hired or borrowed, with the minimum coverage limits provided by such insurance policies satisfactory to the Board of Selectmen. Such insurance shall be furnished at no cost to the Town, and the applicant will furnish on a form or forms acceptable to the Town a certificate of insurance fully executed by an insurance company satisfactory to the Town for the insurance policy or policies required above.

§ 25D-4. Notification of commencement of work.

After the permit has been obtained by the applicant, it will be his responsibility to notify the Town's Police Department and Fire Department at least 24 hours prior to commencing with work.

§ 25D-5. Warning signs and police supervision.

During the course of work, adequate warning signs, including warning to turn off two-way radios and/or designated detour routes, lights and police supervision, if necessary, shall be provided by the applicant, at his own expense, subject to approval by the Chief of Police.

§ 25D-6. Performance of work; Director of Public Works to direct work.

The person or firm to whom the permit is issued shall prosecute the work diligently at all times, and the manner of working shall be under the immediate direction of the Director of Public Works. Failure to conform to his direction shall be cause for revocation of the permit.

§ 25D-7. Construction procedures; maintenance requirements.

In the case of highway excavation, the construction procedures established by the Department of Public Works shall be followed. The excavator shall, at all times, keep any adjacent highway areas free of loose material, and measures shall be taken to prevent excessive dusting to minimize the inconvenience to the adjacent landowners and the traveling public. Upon completion of the work covered by the permit, all disturbed surfaces shall be restored to their original condition so far as is reasonably possible, and the person or firm to whom the permit was issued shall be responsible for maintaining the newly surfaced areas for a period of one year after the work is completed.


In case of an emergency, the First Selectman or the Director of Public Works may authorize or ratify the opening of or excavation within a public highway without following the procedures and requirements of this ordinance.


Any person who violates any provision of this ordinance shall be fined not less than $25 nor more than $100.
CHAPTER 25E. SCENIC ROADS

§ 25E-1. Purpose.

§ 25E-2. Authority to designate.


§ 25E-5. Rescission.

§ 25E-6. Alterations and improvements.

§ 25E-7. Enforcement; violations and penalties.


CHAPTER 25E. SCENIC ROADS

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton 7-17-1995. Amendments noted where applicable.]

GENERAL REFERENCES

Driveways and roadways — See Ch. 11.
Road openings — See Ch. 25D.
Road construction standards and specifications — See Ch. 36.

§ 25E-1. Purpose.

The scenic and rural roads of the Town of Wilton are irreplaceable resources. The scenic values of some rural roads in Wilton are in danger because of potential alterations to their rights-of-way. Such alterations may have an adverse impact on the quality of Wilton's aesthetic and historical environment, an environment that is of great benefit to residents and visitors alike. It is then the purpose of this ordinance to balance the need to provide convenient and safe public travelways with the need to preserve scenic and rural values. Therefore, be it ordained by the Town of Wilton that, pursuant to the authority granted by Connecticut General Statutes Section 7-149a, the Town of Wilton shall provide for the designation of certain Town roads or portions thereof within its borders as scenic roads.

§ 25E-2. Authority to designate.

The authority to designate a road or any portion of a road as a scenic road is hereby delegated to the Board of Selectmen of the Town of Wilton, hereinafter known as the "Selectmen."


A. No road or portion thereof shall be designated as a scenic road if the abutting property contains moderate commercial development, if the road itself has intensive vehicular traffic or if it is a state highway.

B. Prior to designating a road or portion thereof as a scenic road, the road must be a Town road and the Selectmen must specifically find that at least one of the following criteria is met:
(1) The road is unpaved.

(2) The road is bordered by mature trees or stone walls.

(3) The traveled portion of the road is not more than 20 feet in width.

(4) The road offers scenic views.

(5) The road blends naturally into the surrounding terrain.

(6) The road parallels or crosses over brooks, streams, lakes or ponds.

C. No road or portion thereof may be designated as a scenic road by the Selectmen pursuant to this ordinance unless the owners of the majority of lot frontage abutting the road or portion thereof agree to the designation of the road as a scenic road by filing a written statement of approval with the Board of Selectmen and the Wilton Town Clerk.

D. If only a portion of a road is proposed for scenic road designation, the minimum length shall be 1/2 mile. The portion of street shall be defined on a map clearly identifying the beginning and end of the portion.

E. Prior to making any scenic road designation, the Selectmen shall consult with the Wilton Conservation Commission, Planning and Zoning Commission, Fire Department, Police Department, Public Works Department and Ambulance Corps regarding the road or portion of road proposed for such designation.

F. Prior to making any scenic road designation, the Selectmen shall first find and state for the record that the road currently exists in a safe and passable condition.


The Selectmen, on their own initiative or upon receipt of an application by residents, may consider a road or portion thereof for scenic road designation.

A. Application. Property owners shall submit an application to the Board of Selectmen and the Town Clerk calling for scenic road designation. In the case where the Selectmen initiate a proposed designation, they shall be responsible for completing the application and submitting it to the Town Clerk. The application form, available at the First Selectman's office, shall contain the following information:

(1) The name of the road proposed to be designated as a scenic road or a description of a portion of a road proposed to be designated, together with a statement of the total length of said road or portion thereof.
(2) A description of those characteristics of the road or portion thereof which qualify it for scenic road status, including, but not limited to, those characteristics set forth in §§ 25E-3A and B of this ordinance.

(3) A written statement of approval signed by the owners or their duly authorized representative of a majority of lot frontage abutting the road or portion thereof, stating that they approve of designating the road or portion of road as a scenic road.

(4) The names and addresses of all owners of lot frontage abutting the road or portion thereof and the length of their frontage along the road.

B. Filing. The application shall be filed with the Town Clerk and the Board of Selectmen by the applicant. The office of the Selectmen shall forward a copy to each the Conservation Commission, Planning and Zoning Commission, Fire Department, Police Department, Public Works Department and Ambulance Corps. Additionally, a copy shall be forwarded by the office of the Selectmen to the Assessor's office, which shall verify the ownership and the total frontage of those signing the application; verify that said total frontage constitutes a majority of frontage abutting the road or portion thereof proposed to be designated a scenic road; and shall submit such verification to the Selectmen within 10 business days from the date the Assessor received the application from the Selectmen. Upon receipt of the complete application by the Board of Selectmen, there shall be no alteration, change or improvement made to the road in question until the final decision on the designation is made, except in response to an emergency.

C. Review. The Conservation and Planning and Zoning Commissions, Fire Department, Police Department, Public Works Department and Ambulance Corps shall review the application and send recommendations to the Selectmen within 35 days of receipt. The Selectmen shall then schedule a public hearing within 30 days after their next regularly scheduled meeting.

D. Hearing. The Selectmen shall hold a public hearing regarding the designation of the road or portion thereof as a scenic road. Notice of the public hearing shall be published in a newspaper having general circulation in Wilton at least twice, at intervals of not less than two days, the first not more than 21 days, nor less than 15 days before the hearing, and the last not less than two days before the hearing. A copy of the hearing notice shall be mailed to the owners of lots fronting the road or portion of the road proposed to be designated as scenic. This notice shall be sent not more than 21 days and not less than 15 days before the hearing. Additionally, a sign stating the purpose, date, time and place of the hearing shall be placed at the entrance to a dead-end road or at either end of a through road or portion of a through road. Said sign shall be erected and maintained by the Conservation Commission. The sign(s) shall be erected not more than 21 days and not less than 15 days before the hearing. The sign(s) shall measure two feet by three feet.

E. Decision.
(1) The Selectmen shall act upon the application within a period of 30 days from the close of the hearing. The Selectmen shall consider the advice of the Town departments and commissions and the evidence presented at the public hearing in reaching their decision.

(2) The grounds for designation or nondesignation shall be stated in the record of the Selectmen and shall include, in as much detail as possible, the special features which make the road so designated or the reasons for denying designation.

(3) Notice of the decision of the Selectmen shall be published in a newspaper having a general circulation in the Town of Wilton and mailed to the owners of lots fronting on the road in question within 15 days of such decision. Such notice shall state that the road or portion thereof was or was not designated as a scenic road by the Selectmen, together with the date of such action.

§ 25E-5. Rescission.

The designation of a road or portion thereof as a scenic road may be rescinded by the Selectmen using the following procedures.

A. Residents shall submit an application for rescission of the scenic road designation to the Selectmen and Town Clerk. In the case where the Selectmen initiate a rescission, the Selectmen shall complete the application and submit it to the Town Clerk. The application shall include the following information.

(1) The name of the road proposed to be rescinded as a scenic road or a description of a portion of a road proposed to be rescinded, together with a statement of the total length of said road or portion thereof.

(2) The reason(s) the rescission is requested.

(3) A written statement of approval signed by the owners or their duly authorized representative of a majority of lot frontage abutting the road or portion thereof stating that they approve of rescinding the road or portion of road as a scenic road.

(4) The names and addresses of all owners of lot frontage abutting the road or portion thereof and the length of their frontage along the road.

B. Filing. The application shall be filed with the Town Clerk and the Board of Selectmen by the applicant. The office of the Selectmen shall forward a copy to each the Conservation and Planning and Zoning Commissions, Fire Department, Police Department, Public Works Department and Ambulance Corps. Additionally, a copy shall be forwarded by the office of the Selectmen to the Assessor's office, which shall verify the ownership and the total frontage of those signing the application; verify that said total frontage constitutes a majority of frontage abutting the road or portion thereof proposed to be rescinded as a scenic road; and shall submit such verification to the Selectmen within 10 business days from the date the Assessor received the application from the Selectmen.
C. Review. The Conservation and Planning and Zoning Commissions, Fire Department, Police Department, Public Works Department and Ambulance Corps shall review the application and send recommendations to the Selectmen within 35 days of receipt. The Selectmen shall then schedule a public hearing within 30 days after their next regularly scheduled meeting.

D. Hearing. The Selectmen shall hold a public hearing regarding the rescission of the road or portion thereof as a scenic road. Notice of the public hearing shall be published in a newspaper having general circulation in Wilton at least twice, at intervals of not less than two days, the first not more than 21 days, nor less than 15 days before the hearing, and the last not less than two days before the hearing. A copy of the hearing notice shall be mailed to the owners of lots fronting the road or portion of the road proposed to be rescinded as scenic. Additionally, a sign stating the purpose, date, time and place of the hearing shall be placed at the entrance to a dead-end road or at either end of a through road or portion of a through road. Said sign shall be erected and maintained by the Conservation Commission. The sign(s) shall be erected not more than 21 days and not less than 15 days before the hearing. The sign(s) shall measure two feet by three feet.

E. Decision.

(1) The Selectmen shall act upon the application within a period of 30 days from the close of the hearing. The Selectmen shall consider the advice of the Town departments and the evidence presented at the public hearing in reaching their decision.

(2) The grounds for rescission or nonrescission shall be stated in the record of the Selectmen and shall include, in as much detail as possible, the reasons for rescinding the designation or for denying rescission.

(3) Notice of the decision of the Selectmen shall be published in a newspaper having a general circulation in the Town of Wilton and mailed to the owners of lots fronting on the road in question within 15 days of such decision. Such notice shall state that the road or portion thereof was or was not rescinded as a scenic road by the Selectmen, together with the date of such action.

§ 25E-6. Alterations and improvements.

A. Preservation objective. Maintenance and the regulation of future alteration and improvements of designated scenic roads or portions thereof shall be carried out so as to preserve to the highest degree possible the aesthetic, historic and/or rural characteristics of the roads or portions thereof which are indicated in the records of the Selectmen as the basis for the designation, keeping in mind public health and safety.

B. Road maintenance.

(1) Such maintenance is as of right and shall be limited to trimming of the tree branches that encroach on the traveled portion of the road below the height needed to allow school
buses and emergency vehicles to pass; trimming or removal of brush and removal of
boulders or other obstacles that encroach on the traveled portion of the road; necessary
trimming for utility lines; trimming of brush to enhance and protect scenic views, stone
wall, mature trees and other characteristics of the scenic road; correction of drainage
problems and retreatment and repair of existing roadway surfaces.

(2) Such maintenance shall not include widening of the traveled portion of the road; paving
of dirt or gravel roads or portions of roads except for safety reasons at intersections with
paved roadways; changes of grade; straightening; removal of stone walls or removal of
mature trees.

C. Natural disasters or emergencies. In the case of a natural disaster or emergency in which a
road or portion thereof becomes impassable or unsafe for public travel and access must be
provided, emergency repairs may be made as needed and as of right, to restore the road or
portion of road to a safe and, as practical, its preemergency condition.

D. Alterations and improvements requiring approval; procedure. When contemplating
alterations to a scenic road for safety considerations, the following procedures shall be
followed:

(1) An application for alteration or improvement of a designated scenic road, whether by
public or private applicant, shall be submitted to the Selectmen, along with a suitable map
showing in detail the proposed alteration or improvement. The Selectmen shall forward
copies to the Conservation Commission, Planning and Zoning Commissions, Fire
Department, Police Department, Public Works Department and Ambulance Corps. The
Commissions shall review the application and send recommendations within 35 days of
their next regular meeting.

(2) At their next regularly scheduled meeting the Selectmen shall review the proposal and
the recommendations from the Conservation and Planning and Zoning Commissions, Fire
Department, Police Department, Public Works Department and Ambulance Corps. If they
deem necessary, the Selectmen may require engineering or other technical reports
documenting the need for the alteration and offering feasible and prudent alternatives.

(3) Once the application is complete, the Selectmen may hold a public hearing if they deem
it is in the public's interest to do so. The final decision shall be made within 60 days from
the close of the hearing. If a hearing is deemed appropriate, then the procedures outlined in
§ 25E-4D shall apply.

E. Standards for alteration.

(1) No alterations or improvements to scenic roads or portions thereof (other than
maintenance, described in § 25E-6B above) shall be made unless the Selectmen determine
that such alterations are necessary to maintain the road in good and sufficient repair and in
safe, passable condition. The Selectmen shall not grant an application to improve or alter a
scenic road or portion thereof to accommodate a proposed subdivision or other
development of land to which the scenic road would provide access unless the Selectmen
determine that such alteration will not have a material adverse effect on the scenic
characteristics of the road which formed the basis for its original designation.
Notwithstanding the foregoing sentence, the Selectmen may grant an application to
improve or alter a scenic road or portion thereof to accommodate a proposed subdivision or
other development of land if they find the development would generate sufficient traffic to
render passage unsafe.

(2) In determining whether to allow proposed improvements or alterations, the Selectmen
shall weigh the specific safety features of the proposed changes against the overall impact
of the proposed change on the scenic road and the public response to the proposed change.
Any decision by the Selectmen to allow alterations or improvements to a scenic road shall
seek to preserve the scenic characteristics without compromising public safety. Alterations
or improvements to a scenic road shall conform to the following requirements:

(a) Speed limits. Scenic values are best realized with lower speeds. The speed limit
established by the Town for each scenic road shall be clearly posted.

(b) Curves. Scenic values are correlated with the existence of curves, which allow a
constant unfolding of new and changing views. Curves shall not be eliminated until they
are found to be a hazard within the concept of the specific road.

(c) Grades. Hills and valleys are associated with scenic values. They shall not be
destroyed by cuts and fills unless essential for road safety.

(d) Widths. A narrow road is correlated with scenic beauty. Designated scenic roads
should not be widened unless the amount of traffic, as determined by a factual study,
demands it. For some rural roads, the amount of traffic that can be handled can be
greatly increased by wide bypasses and turnouts, constructed at intervals where they do
least damage to scenic values; such bypasses and turnouts shall be implemented
whenever possible.

(e) Side slopes. Existing steepness of side slopes is preferable to reduction of gradient by
extensive removal of soil and rock. This is true where the slope is fully stabilized and
where ground cover, shrubs and trees exist.

(f) Vistas. Vistas of distant landscapes shall be preserved by suitable vegetation
management techniques.

(g) Utility lines. Wherever possible, utility lines shall be underground. Where such lines
are overhead, the utility corporations shall cooperate by utilizing suitable vegetation
management techniques which preserve the wildflowers and shrubs.

(h) Vegetation. Vegetation on the side of the road shall be managed in such a way as to
preserve wildflowers, shrubs of aesthetic and wildlife value and trees.
(i) Stone walls. If stone walls or portions thereof must be removed, they shall be rebuilt along the untraveled portion of the scenic road.

(j) Nonscenic activities and structures shall be forbidden, such as sand, gravel and salt piles and other unsightly situations. Where possible, scenic and preservation easements should be acquired from adjacent owners to ensure the continuance of natural relief and historic values in the public interest.

F. Rights of landowners. Nothing in this ordinance shall be deemed to prohibit a person owning or occupying land abutting the road right-of-way or portion thereof designated as a scenic road from:

(1) Maintaining, repairing or improving the land which abuts the right-of-way of the road or portion thereof.

(2) Having access to his property by driveway or subdivision road by encroachment within the right-of-way, provided that such encroachment is constructed so as to safeguard the road's scenic features as recorded by the Board of Selectmen.

(3) Subdividing or developing his property as otherwise permitted by applicable land use statutes and regulations.

(4) A scenic road designation shall not be a basis for a denial of any land use application.

§ 25E-7. Enforcement; violations and penalties.

A. This ordinance shall be enforced by the Board of Selectmen or through their designated enforcement officials.

B. Violations of the ordinance shall be subject to a fine not exceeding $10 per day per violation for each day the violation(s) continue(s) and to such other legal remedies as may be available to the Board of Selectmen.


A fee may be established by the Board of Selectmen to cover the administrative costs of the application.

CHAPTER 25F. REGIONAL COUNCIL OF ELECTED OFFICIALS

§ 25F-1. Establishment; authority to participate.

§ 25F-2. Effective date.

[CHAPTER 25F. REGIONAL COUNCIL OF ELECTED OFFICIALS

[HISTORY: Adopted by the Board of Selectmen 1-18-1994. Amendments noted where applicable.]
§ 25F-1. Establishment; authority to participate.

It is hereby resolved that the Town of Wilton hereby adopts the provisions of Connecticut General Statutes, §§ 4-124(c) through 4-124(h), as amended, and hereby authorizes and directs the First Selectman to meet in council with the chief elective officers of other towns in the Southwestern Regional Planning Area to establish a Regional Council of Elected Officials to facilitate economic development and other matters. In connection with said Regional Council, the First Selectman shall have all the powers and authority and be subject to all of the restrictions and regulations as set forth in said statute.

§ 25F-2. Effective date.

Effective date of the ordinance is February 8, 1994.

CHAPTER 26. SEWER AUTHORITY

§ 26-1. Establishment; composition.

§ 26-2. Appointment of members.


§ 26-4. Terms of office.

§ 26-5. Vacancies.

§ 26-6. Meetings.


§ 26-10. Sewer use charges.

§ 26-11. Industrial cost recovery policy.

§ 26-12. Effective date.

CHAPTER 26. SEWER AUTHORITY


GENERAL REFERENCES

Sewage disposal and water supply systems — See Ch. 17.

§ 26-1. Establishment; composition.

A board of six members to be known as the "Wilton Sewer Authority" is hereby established pursuant to Section 7-246 of the Connecticut General Statutes. The First Selectman of the Town of Wilton will be one of the six members and will serve as Chairman. The members will elect a Vice Chairman from their membership, who shall act as Chairman in the absence of the Chairman (First Selectman).
§ 26-2. Appointment of members.

The members of the Sewer Authority shall be appointed by the Board of Selectmen. Members of the Board of Selectmen may be appointed to the Sewer Authority.


All members shall serve without compensation, except that their actual expenses and disbursements, where incurred with the approval of the First Selectman and in the performance of their duties, shall be paid from the Wilton Sewer Fund.

§ 26-4. Terms of office.

Members shall be sworn to the faithful performance of their duties and shall be appointed by the Board of Selectmen. One member shall be appointed for a term to expire on July 1, 1978; one member shall be appointed for a term to expire on July 1, 1979; one member shall be appointed for a term to expire on July 1, 1980; one member shall be appointed for a term to expire on July 1, 1981; and one member shall be appointed for a term to expire on July 1, 1982. At the expiration of each member's term, a successor shall be appointed by the Board of Selectmen to serve a term of five years; however, this shall not preclude a member from succeeding himself.

§ 26-5. Vacancies.

In the event of any vacancy upon the Authority, the Board of Selectmen shall promptly appoint a member to fill the vacancy for the unexpired portion of the term.

§ 26-6. Meetings.

The Authority shall elect one of its number to act as Secretary and shall hold regular meetings, at least once each month, and keep records of the same. Meetings shall be held upon the call of the Chairman or at the call of the majority of the members of the Authority or at the call of the Board of Selectmen. Four members of the Authority shall constitute a quorum.


The Sewer Authority shall have all of the powers and duties conferred upon sewer authorities in Chapter 103 of the Connecticut General Statutes, as the same may be amended.


The Tax Collector of the Town of Wilton is hereby designated as the collector of sewerage system connection and use charges pursuant to Section 7-258 of the Connecticut General Statutes.

The Sewer Authority shall levy benefit assessment upon the lands and buildings in the Town of Wilton which in its judgment are especially benefited thereby, whether they abut on such sewerage system or not, and upon the owners of such land and buildings according to such rule as the Sewer Authority adopts as provided in Section 7-249 of the Connecticut General Statutes. In assessing benefits and apportioning the amount to be raised thereby among the properties benefited, the Sewer Authority shall give consideration to the area, frontage, grand list valuation, present or permitted use of classification of benefited properties and any other relevant factors, provided that no assessment shall be made against any property in excess of the special benefit to accrue to such property.

§ 26-10. Sewer use charges.

All charges for the use of sewers constructed in Wilton by the Sewer Authority, incurred by it on behalf of the Town of Wilton, shall be paid for and apportioned among the users of the sewerage system in the manner determined by the Sewer Authority, so that each recipient of waste treatment services will pay its proportionate share of the costs of operation and maintenance. Sewer use charges shall include charges made to the Town of Wilton pursuant to any agreement with the City of Norwalk for the use of the Norwalk sewage treatment plant, except for that portion of any annual use charge which is based upon a minimum guaranteed flow of sewage from Wilton in excess of the actual amount of flow.

§ 26-11. Industrial cost recovery policy.

The Sewer Authority may adopt rules implementing an industrial cost recovery policy to enable the Town of Wilton to recover from all industrial users that portion of any state or federal grant of funds for construction of any sewer in Wilton allocable to the treatment of industrial wastes from such users.

§ 26-12. Effective date.

This ordinance was adopted by the Wilton Town Meeting on September 13, 1977, and will become effective on January 1, 1978.
§ 26A-10.2. Relationship of tax relief to total property taxes assessed.
§ 26A-10.3. Effective date.
§ 26A-10.4. Severability.
§ 26A-10.5. Supersession of prior ordinance.
ARTICLE II. Exemption for Solar Energy Systems
ARTICLE III. Exemption on Property For Charitable Purposes
§ 26A-12. Legislative authority.
§ 26A-17. Refunds.
§ 26A-18. When effective.
ARTICLE IV. Tax Abatement for Volunteer Firefighters and Emergency Medical Personnel
§ 26A-20. Purpose.
§ 26A-22. Eligibility, maximum abatement.
§ 26A-23. Procedures and time schedule.
§ 26A-24. Changes to approved plans.
§ 26A-25. Application of abatements to taxes.

CHAPTER 26A. TAXATION

[HISTORY: Adopted as indicated in article histories. Amendments noted where applicable.]

ARTICLE I. Tax Relief for the Elderly and Disabled

[Adopted 1-19-2010 Editor's Note: This ordinance also supersedes former Art. I, Tax Relief for the Elderly and Disabled, adopted 2-17-2004. ]

§ 26A-1. Tax relief granted; purpose.

The Town of Wilton (the Town) hereby enacts tax relief for the elderly and disabled homeowners pursuant to § 12-129n of the Connecticut General Statutes (C.G.S.) for eligible residents of the Town on the terms and conditions provided in this article. The article is enacted for the purpose of assisting elderly and/or disabled homeowners with the costs of property taxation.

Any person who owns real property in the Town who is liable for the payment of taxes thereon pursuant to C.G.S. § 12-48 shall be eligible for a real property tax credit or tax deferral as set forth herein, provided that all of the following conditions are met:

A. Such person has resided in a residence located in the Town for a period of one year prior to his or her application for tax relief and has been a taxpayer of the Town for one year immediately preceding the receipt of tax relief under this article.

B. The real property for which the tax credit or tax deferral is claimed must be the principal residence of such person, and such person shall be in residence therein for at least 183 days during the 12 months immediately prior to the filing of an application hereunder.

C. Said person or his or her spouse residing with said person is:

1. Sixty-five years of age or over by December 31 of the year preceding the year in which such application is made, or said person is 60 years of age or over by December 31 of such preceding year and is the surviving spouse of a taxpayer who qualified for tax relief under this article at the time of his or her death; or

2. Under 65 years of age and, as of December 31 of the year preceding the year in which application is made, is eligible in accordance with applicable federal regulations to receive permanent, total disability benefits under Social Security or has not been engaged in employment covered by Social Security and, accordingly, has not qualified for benefits thereunder but has become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act (45 U.S.C.A. § 231 et seq.) and any government-related teacher's retirement plan, in which eligibility requirements for such permanent, total disability benefits are comparable to such requirements under Social Security.

D. Before any tax credit or tax deferral shall be given, such person must first have applied for tax relief under any other state statute for which he or she is eligible or shall certify at the time of filing an application for tax relief hereunder on a form provided by the Town Assessor that he or she is ineligible for such tax relief.

E. Such person shall have, individually, if unmarried, or jointly, if married (whether or not separate federal income returns were filed by said person and/or his or her spouse), during the calendar year preceding the filing of his claim, total gross income in an amount not to exceed the amounts set forth in § 26A-6 of this article. For purposes of this article, the term "total gross income" shall be defined as adjusted gross income and tax exempt interest, plus any other income as may be reportable for federal income tax purposes, as well as nontaxable income, including the nontaxable component of social security benefits and excluding any current year business operating losses and losses from rental activities and current year deductions for depreciation of assets used in a trade or business, and any net operating loss (NOL) carryover reportable for federal income tax purposes. All monies received are to be considered part of total gross income unless specially excluded. Such amount of gross income
may be reduced by the amount of allowable medical expenses deductible for purposes of federal income tax; i.e., amounts in excess of 7 1/2% of adjusted gross income.

(1) Although the following list is not intended to be all-inclusive, examples of items to be included in total gross income are as follows:

(a) Wages, bonuses, commissions, gratuities, fees, self-employment net income (excluding depreciation).

(b) Gross social security, federal supplemental security income, payment for jury duty (excluding travel allowance).

(c) Dividends, interest, annuity distributions.

(d) Taxable portion of IRA distributions.

(e) Black Lung payments.

(f) Green Thumb payments.

(g) Interest or other income produced by gifts, bequests or inheritances received.

(h) Lottery winnings.

(i) Net income from sale or rent of real or personal property (excluding depreciation).

(j) Taxable pensions, veteran's pensions, railroad retirement pension.

(k) Severance pay, unemployment compensation.

(l) Workers' compensation.

(m) Alimony.

(2) For purposes of this article, the following types of income are specifically excluded from total gross income:

(a) Casualty loss reimbursements by insurance companies.

(b) Gifts, bequests, inheritances.

(c) Grants for disaster relief.

(d) Income derived from volunteer service under the Domestic Volunteer Service Act of 1973, as amended.
(e) Social security income of a spouse who resides in a health-care or nursing home facility in Connecticut and who is receiving payment related to such spouse under Title IX, Medicaid.

(f) Food stamps, fuel assistance, AFDC payments, social security payments specifically for a minor child or other dependent individual.

(3) The failure to produce required documentation without good and reasonable cause shall result in a disqualification for benefits hereunder. No tax relief shall be given if the applicant's income exceeds applicable limits as set forth herein.

F. If such tax credit or tax deferral is claimed for permanent total disability pursuant to § 26A-2C(2) of this article, such applicant shall furnish proof of eligibility for permanent total disability benefits with each annual application for tax relief hereunder.

G. No tax credit shall be given under this article to any person who has delinquent taxes (i.e. real property, personal property or motor vehicle taxes), capital assessments, fees, fines, or user charges owed to the Town. This subsection is not intended to disqualify persons seeking a tax deferral only. For purposes of this subsection, deferred taxes are not considered as delinquent taxes.

H. No property tax credit under this article, together with any property tax relief received by such person under all applicable Connecticut General Statutes, shall exceed, in the aggregate, 100% of the tax which would, except for the Connecticut General Statutes and this article, have been laid against the person applying for property tax credit hereunder.

I. No property tax credit or deferral shall be given under this article if a person is receiving tax relief as a homeowner in any other state or in any other Connecticut municipality.

§ 26A-3. Form of application for tax relief.

Application for tax relief under this article shall:

A. Be made on forms provided by the Town Assessor and be accompanied by documentation of all qualifying income, including a copy of the applicant's most recent federal tax returns for the calendar year preceding the fiscal year for which tax relief is being requested and a signed IRS Form 4506 allowing the Town to verify the federal tax information.

B. State, in addition to the qualifying information set forth in the above sections, whether the applicant has previously applied or is currently applying for this or any other tax relief for the elderly under any state statute.

§ 26A-4. Time of filing of application for tax relief.

The application, including any required affidavit and documentation, shall be filed annually not earlier than February 1 nor later than May 15 to obtain tax relief for the next fiscal year.
§ 26A-5. Limitations on property eligible for tax relief.

A. The tax relief provided under this article shall be limited to the principal residence (if more than one residence is on such property) of the taxpayer, the lot on which the principal residence is located (hereinafter "lot") and the improvements thereon. The lot (i.e., the acreage to which the tax relief applies) shall be defined as one developable building lot and any additional undevelopable property. For example: If the applicant's property, otherwise available for tax relief hereunder, consists of a residence and 10 acres and said property is located in a two-acre zone, only the residence and the two acres on which the residence is located shall be eligible for tax relief. However, if said property consists of a residence on 10 acres of land, a portion of which is undevelopable, then the residence, the lot, and the undevelopable portion shall be eligible for tax relief.

B. The tax relief sought hereunder shall be available for one residence only.


Subject to § 26A-2H above, the amount of tax relief under this article shall be on the following graduated basis:

A. Tax credit. For applicants who elect to apply for tax credit under this article, the amount shall be based upon such applicant's qualifying income as defined in § 26A-2E, in accordance with the following formula for the fiscal year commencing July 1, 2010 and subsequent fiscal years as provided in this article.

\[
\left(\frac{MI - QI}{MI - MCI}\right)^2 \times MC
\]

- MI = Maximum Income
- QI = Qualifying Income
- MCI = Maximum Credit Income
- MC = Maximum Credit
- 2 = Exponent

Applicants with qualifying income of up to $39,500 (MCI) are eligible for the Maximum Credit of $4,000 (MC). Applicants with qualifying income of $39,501 to $75,000 (MI) will be eligible for credit in accordance with the formula.

B. Tax deferral.
(1) For applicants who elect tax deferral benefits, the maximum tax deferral benefit rate available shall be based upon such applicant's qualifying income as defined in § 26A-2E.

(2) Applicants with income up to $75,000 are eligible to defer up to 100% of their tax liability after tax credits from the state and the Town have been applied for the fiscal year commencing July 1, 2010, and subsequent fiscal years as provided in this article.

C. Income limits. The income limits established in § 26A-6A and B above shall apply to tax relief granted for the fiscal year commencing July 1, 2010, and thereafter; provided, however, that in January of 2011 and of each year thereafter, the Assessor shall revise said limits for the subsequent fiscal year by adjusting the MCI on a yearly basis to meet the upper qualifying limit for married couples as set forth in C.G.S. § 12-170aa. The MI will be adjusted on a yearly basis by the same percentage change as the MCI. The revised limits shall be rounded to the nearest $50.

D. Amount of tax credit. The maximum tax credit (MC) established in § 26A-6A above shall apply to tax relief granted for the fiscal year commencing July 1, 2010, only. In January 2011 and of each year thereafter, the Assessor shall revise the tax credit for the subsequent fiscal year by multiplying it by the percentage change in the total tax levy of the then-current fiscal year as compared to the total tax levy of the prior fiscal year. The revised limits shall be rounded to the nearest $50.

E. Application of tax credit and tax deferral. Any person qualifying for both tax credit and tax deferral under this article may utilize both the tax credit and tax deferral for any given fiscal year. If a person utilizes both tax relief methods, the tax bill will be reduced first by property tax credits provided by the State of Connecticut, if any, and the tax credit provided under § 26A-6A. The tax deferral percentage will then be applied to the remainder of the tax bill in accordance with § 26A-6B.


A. All tax deferral benefits shall be reimbursed and paid to the Town of Wilton upon the death of the recipient or the conveyance of the real property, subject to taxation in accordance with 26A-8 of this article. Notwithstanding the foregoing, if upon death of the recipient ownership passes, by will or by operation of law, to a person qualified for deferral at the time of death under the terms of the article, the tax deferral provisions will remain in place. In all other cases upon death of the recipient a grace period of up to 12 months from the date of death shall apply, and program interest will accrue until one year following the date of death or the transfer of title, whichever the first to occur. Thereafter the statutory delinquency rate shall apply.

B. Except as herein provided, all tax deferral benefits shall be subject to simple interest of not more than the rate of 5% per year; however, such interest rate shall be subject to change, no more than once a year, by the Board of Selectmen in consultation with the Board of Finance.
C. The recipient may pay the interest charge on the taxes owed at any time or may defer the interest in addition to the tax itself pursuant to the other conditions of this article.

D. The Tax Collector of the Town shall record on the land records, a lien against the benefited property, in favor of the Town, in the amount of the deferral amount.

§ 26A-8. Death of applicant or conveyance of property.

A. If any person entitled to tax relief pursuant to this article dies prior to July 1 of the fiscal year for which the application has been made, unless his or her spouse is otherwise qualified, no tax relief shall be given for the following fiscal year.

B. If any person entitled to tax relief pursuant to this article sells property with respect to which such tax credit is or has been granted, no additional tax credit shall be allowed for his or her interest in such property for any fiscal year commencing after the date of the sale of such property, and the purchaser of such property shall pay the Town a prorated share of the tax due for the tax year in which the transfer took place as provided by C.G.S. § 12-81a.

§ 26A-9. Proration of tax credit or deferral.

The property tax credit or deferral provided in this article shall, in any case where title to real property is recorded in the name of the qualified taxpayer or his/her spouse and any other person or persons, be prorated to reflect the fractional share of such qualified taxpayer or spouse, or, if such property is a multiple-family dwelling, such credit or deferral shall be prorated to reflect the fractional portion of such current property occupied by the qualified taxpayer or his/her spouse.

§ 26A-10. Applicant as revocable trust.

Notwithstanding the provisions of § 26A-2 and the other provisions herein identifying the qualifying applicant/recipient of tax relief hereunder as a "person," said term and provisions shall incorporate and apply equally to a trust or trustee holding title to property in the Town of Wilton under the following conditions:

A. The settlor of the trust is a person who, but for having transferred ownership of the subject property to said trust, qualifies for tax relief hereunder.

B. The trust is revocable by the settlor under its terms.

C. All trust income is taxed to the settlor pursuant to I.R.C. §§ 671 and 676, as the same may be amended.

D. All references to "person," "applicant," "taxpayer" and "recipient" shall apply to the settlor of the trust, and the trust shall be bound by the terms and conditions herein. (As an instance, upon the death of the settlor, all tax deferral benefits shall be due and owing by the trust as set forth in § 26A-7.)
§ 26A-10.1. Implementation of provisions; qualifying income confidentiality.

The Tax Collector and the Assessor of the Town shall prescribe, with regard to their respective duties under this article, such forms and procedures as may be necessary to implement this article. The Assessor, in addition, shall satisfy himself or herself as to the qualifying income of an applicant for benefits under this article by requesting and reviewing such evidence of qualifying income as he or she may deem pertinent. All applications, federal income tax returns filed therewith and any additional evidence of qualifying income which the Assessor may require shall not be open to public inspection.

§ 26A-10.2. Relationship of tax relief to total property taxes assessed.

Tax relief granted under this article may be capped by the Board of Selectmen in consultation with the Board of Finance for either the tax credit or tax deferral program or both, for any given fiscal year prior to the setting of the mill rate for that fiscal year. Such tax relief granted to eligible persons for any fiscal year shall be adjusted, if necessary, to keep the total amount of Town tax relief within such limit.

§ 26A-10.3. Effective date.

This article shall be effective immediately and shall apply to taxes due in fiscal years commencing 1-19-2010 and thereafter.

§ 26A-10.4. Severability.

The invalidity of any clause, section or provision of this article shall not affect the validity of any other part which can be given effect without such invalid part or parts.

§ 26A-10.5. Supersession of prior ordinance.

This article is intended to and does replace and supersede Tax Relief for the Elderly and Disabled Ordinance, §§ 26A-1 through 26A-10.5. Editor's Note: This provision refers to former Art. I, Tax Relief for the Elderly and Disabled, originally adopted 1-16-2001 and revised and re-adopted 2-17-2004.

ARTICLE II. Exemption for Solar Energy Systems

[Adopted 3-14-1977]


[Amended 9-26-1979]

The Town of Wilton hereby authorizes the real property tax exemptions for solar energy heating and cooling systems and solar energy electricity-generating systems as provided in Section 12-81(56) and (57) of the Connecticut General Statutes, as amended.
ARTICLE III. Exemption on Property For Charitable Purposes

[Adopted 7-20-1977]

§ 26A-12. Legislative authority.

Pursuant to Section 12-81b of the Connecticut General Statutes, as amended, the Town of Wilton hereby grants the property tax exemption authorized by Subsection (7) to (16), inclusive, of Section 12-81 of the Connecticut General Statutes.


An organization or institution which qualifies for such property tax exemption will receive such exemption effective as of the date of recording the deed to the property to which the exemption applies or the effective date of this ordinance, whichever later occurs, provided that such organization or institution complies with the other provisions of this ordinance. There shall be no refunds or exemptions for taxes paid on any assessment list prior to the list of October 1, 1976.


If exemption is claimed under Section 12-81(7), (10), (11) or (16), the new owner shall file with the Assessor a report in the form and within the time period required by such subsection. In all cases, an application for exemption shall state what, if any, taxes were paid by the new owner or reimbursed by the new owner to the previous owner.


Within 30 days after such application, and report when required, has been filed with the Assessor, the Assessor shall determine whether or not the property qualifies for exemption. An adverse ruling may be appealed by the new owner to the Board of Tax Review, and from such Board to the Court of Common Pleas, as provided by the General Statutes.


If the Assessor determines that such property is entitled to an exemption, within 45 days after the filing of such request the Assessor shall notify the Tax Collector who shall prorate the tax for the fiscal year in which the deed was recorded from the commencement of the fiscal year to the date of recording, and the amount so determined shall be the tax owing for such fiscal year. The Assessor shall also show such property as tax exempt on any grand list made between the commencement of the fiscal year in which the deed to such property was recorded and the date of recording. The Assessor shall also forward to the Tax Collector a copy of the application for exemption.

§ 26A-17. Refunds.
If the taxes paid to the Town by the previous owner and by the new owner on the grand list for the fiscal year in which such recording occurred exceed the prorated taxes due for the portion of the fiscal year that the previous owner owned the property, the Tax Collector shall request the Board of Selectmen to refund such excess to the new owner without interest, and the Board of Selectmen shall direct the Town Treasurer to make such refund to the new owner; provided, however, that no such refund shall exceed the amount of taxes paid by the new owner to the Town plus taxes reimbursed by the new owner to the previous owner for the portion of the fiscal year subsequent to the date of recording of the deed. If the taxes paid by the new owner and the previous owner are less than the tax due on the new prorated assessment, the remaining amount owed the Town shall be payable in the same manner as the original tax.

§ 26A-18. When effective.

This ordinance shall take effect 15 days after it has been published in a newspaper having a circulation in the Town of Wilton.

ARTICLE IV. Tax Abatement for Volunteer Firefighters and Emergency Medical Personnel

[Adopted 2-12-2001]


The statutory authority for this article is PA 99-272.

§ 26A-20. Purpose.

To encourage and increase volunteer participation in the fire and emergency medical services, there is hereby established a program to abate the real and/or personal property taxes due for any fiscal year in an amount not to exceed $1,000 for a resident of the Town of Wilton who volunteers his or her services as a firefighter, emergency medical technician, paramedic or ambulance driver in the Town. The amount of the abatement shall correlate to each volunteer's level of participation in the calls, training and other activities of the organization, exclusive of events and activities that are purely or primarily social or recreational in nature.


As used in this article, the following terms shall have the meanings indicated:

ORGANIZATIONS
The Town of Wilton Fire Department, the Wilton Volunteer Ambulance Corps, and the Georgetown Fire District.

PARTICIPATION LEVEL PLAN ("PLAN")
A systematic, internally consistent method used by each organization to numerically quantify the extent of each volunteer's participation in the organization's nonsocial and nonrecreational activities.

PRESIDING OFFICER
The Chief of the Wilton Fire Department, the President of the Wilton Volunteer Ambulance Corps, or the President of the Georgetown Volunteer Fire District.

**VOLUNTEER**
A resident of the Town of Wilton who, without compensation or for de minimis compensation, serves as a firefighter, emergency medical technician, paramedic or ambulance driver for the Town of Wilton Fire Department, the Wilton Volunteer Ambulance Corporation, or the Georgetown Fire District. Volunteer shall not include a person who provides and is compensated for said services in a manner or amount that makes the person an employee of the Town of Wilton, the Wilton Volunteer Ambulance Corps or the Georgetown Fire District under applicable federal or state laws or regulations.

**YEAR OF SERVICE**
A full calendar year of availability to serve as a volunteer. Inability to volunteer because of military service with the United States or because of injury or illness sustained in the course of providing volunteer service shall not constitute interruptions of service.

§ 26A-22. Eligibility, maximum abatement.
To be eligible for the abatement, the volunteer must have at least one year of service as of any December 31. In no event shall participation in more than one organization entitle a volunteer to an abatement of more than $1,000.

§ 26A-23. Procedures and time schedule.

A. Abatements for the fiscal year of enactment.

(1) No later than 30 days after the enactment hereof, each organization shall submit to the Board of Selectmen for review and approval a proposed plan to quantify the extent of each volunteer's service and assign it to one of four levels of participation as follows:

<table>
<thead>
<tr>
<th>Level of Participation</th>
<th>Abatement Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>$1,000</td>
</tr>
<tr>
<td>B</td>
<td>$750</td>
</tr>
<tr>
<td>C</td>
<td>$500</td>
</tr>
<tr>
<td>D</td>
<td>$250</td>
</tr>
<tr>
<td>E</td>
<td>$0</td>
</tr>
</tbody>
</table>

(2) The Board may disapprove of or make any changes in said plans it deems necessary or appropriate to achieve the purposes of this article. If approved by the Board of Selectmen, the plans shall, without further modifications, govern all abatements of fiscal 2001, and of subsequent fiscal years unless changed as hereinafter provided. Each plan shall be
accompanied by a list, signed by the presiding officer, showing each volunteer's name, residence address, and the calculation of the participation level for the calendar year ended December 31, 1999.

B. Abatements for fiscal years subsequent to enactment. No later than January 31 of each year, each organization shall submit to the Tax Collector a list signed by the presiding officer showing each volunteer's name, residence address, and the calculation of the participation level for the immediately preceding calendar year. The Tax Collector shall ascertain if an eligible volunteer is delinquent on taxes or any other financial obligation to the Town. If any delinquency exists, the Tax Collector shall notify the volunteer in writing on or before April 1 that the credit cannot be granted until all such delinquencies are paid or otherwise resolved to the Town's satisfaction on or before May 31. No abatement granted under this article shall be used to satisfy any such obligation to the Town.

§ 26A-24. Changes to approved plans.

Any proposed changes to approved participation level plans, together with adequate documentation and explanations, must be submitted to the Board of Selectmen by December 31. If approved, the changes shall apply prospectively to fiscal years commencing after approval. No changes to an approved plan may be made subsequent to submission of the annual budget to the Board of Finance, as prescribed by § C-31B(1) of the Charter.

§ 26A-25. Application of abatements to taxes.

The Tax Collector shall apply an abatement in the following order of priority: real estate, motor vehicle, personal property and shall be applied 50% to each installment of taxes as applicable. No abatement shall exceed the taxes due for a fiscal year. A credit balance resulting from the application of an abatement shall be treated as an overpayment by the Tax Collector.


When a property has more than one owner, the amount of the abatement applied cannot exceed the volunteer's proportionate share of the taxes due.


Any unused abatement or portion thereof shall expire at the end of the fiscal year for which it is granted.


This article shall be effective December 18, 2000.
ARTICLE I. Sale and Lease

§ 26B-1. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

**TOWN PROPERTY**
All real and personal property owned by the Town of Wilton other than school property
within the jurisdiction of the Board of Education.

§ 26B-2. Power to sell or lease property.

Unless otherwise provided herein, the Board of Selectmen shall have the power to sell or lease
any Town property, subject to the requirements and limitations in this ordinance. This ordinance
shall not apply to property the disposition of which is at the discretion of the Board of Selectmen,
pursuant to § C4-5B(4) of the Wilton Charter. Editor's Note: See Part I, Ch. 2, of this Code.


When the Board of Selectmen votes to sell or lease any real property of the Town of Wilton,
which is zoned under the Zoning Regulations of the Town of Wilton Editor's Note: See Ch. 29,
Zoning, as nonresidential property, the Board of Selectmen shall call a Town Meeting to approve
such sale or lease, pursuant to § C3-3 of the Wilton Charter. Editor's Note: See Part I, Ch. 2, of
this Code.
§ 26B-4. Residential property.

A. When the Board of Selectmen votes to sell or lease real property which is zoned residential under the Wilton Zoning Regulations or personal property, the Board of Selectmen shall publish at least once in a local paper having a general circulation within the Town of Wilton a legal notice of such proposed sale or lease.

B. The legal notice shall describe the property to be leased or sold and, if real property, include a reference to a map number and/or volume and page of recordation in the office of the Town Clerk of Wilton. Such notice may also contain a minimum acceptable sales price, or, if such property is to be leased, the minimum acceptable rental and term of the lease for such property as proposed by the Board of Selectmen. Such notice may also contain any other conditions which the Board of Selectmen proposes to attach to such sale or lease.

§ 26B-5. Objections to sale or lease.

If two members of the Board of Selectmen object to the sale or lease of personal property or residentially zoned real property, the Board of Selectmen shall call a meeting of the Town Meeting to approve, modify or reject such sale. The Board of Selectmen shall also be required to call a meeting of the Town Meeting if it receives a petition signed by at least 50 members of the Town Meeting requesting that a special meeting of the Town Meeting be called with regard to the sale or lease of such real or personal property, provided that such petition is filed within 20 days of the publication of the notice indicating the Selectmen's intention to sell or lease such property.

§ 26B-6. Conditions on sale or lease.

If a Town Meeting is held to authorize the sale or lease of any Town property, the Town Meeting may impose conditions on such sale or lease, in addition to conditions imposed by the Board of Selectmen, or may modify such conditions.


When the Town Meeting approves any sale or lease of Town property or when Town Meeting approval is not required as provided in this ordinance, the Selectmen shall advertise such property for public bids, which notice shall contain a minimum sales or lease price that will be accepted by the Town, the term of the lease in the case of a rental of Town property and any terms imposed on the sale or lease by the Town Meeting and Board of Selectmen. At the date and time specified in the notice, the bids shall be opened and the award made to one of the three highest bidders, provided that such bid is in accordance with the conditions specified in the notice.


After the acceptance of a bid, the Board of Selectmen or its agent shall carry out the terms of the sale or lease within an agreed-to period of time. The Board of Selectmen may require the
successful bidder to enter into a contract of sale prior to the delivery of a deed to the property, and such contract may require the payment of a deposit not to exceed 10% of the total purchase price and contain other provisions and conditions for such sale as determined by the Board of Selectmen. If the prospective purchaser or lessee does not complete the purchase or lease of such property within a specified period of time, his deposit shall be forfeited and the Board of Selectmen may readvertise the property for sale or lease on the same terms and conditions as the original request for bids and then proceed in the same manner to sell or lease the Town property to the new successful bidder, allow the sale or lease to previous bidder or readvertise the property for sale or lease on other terms and conditions in accordance with §§ 26B-4 and 26B-5 of this ordinance.

§ 26B-9. Referral to Planning and Zoning Commission.

When required by Section 8-24 of the Connecticut General Statutes, the proposal to sell or lease Town property shall be referred to the Planning and Zoning Commission for a report.

§ 26B-10. Delegation of power to lease property.

The Board of Selectmen may by resolution delegate to the Parks, Recreation and Conservation Commission Editor's Note: Pursuant to an ordinance passed 11-2-1977, the Wilton Parks, Recreation and Conservation Commission was dissolved and the Wilton Conservation Commission and Wilton Parks and Recreation Commission were established as successors thereof. For provisions pertaining to said Commissions, see Chs. 10 and 24, respectively. the power to lease specific Town properties or Town property in general within the limitations provided in this ordinance.

§ 26B-11. Nonprofit organizations exempt from provisions.

The provisions of §§ 26B-2 through 26B-8 of this ordinance shall not apply to nonprofit organizations occupying or utilizing Town-owned property on the date of passage of this ordinance. The Board of Selectmen is authorized to continue to lease or allow the use of such Town property by any such nonprofit organization, on such terms and conditions as the Board of Selectmen or its authorized agents shall determine; provided, however, that any written lease for the use of such property shall be for a term of not more than three years, provided further that any such written lease may be renewed. Any such exemption for any Town-owned parcel of real property shall cease when the nonprofit organization ceases to use such property, and the parcel of real property shall then be subject to the other terms and provisions of this ordinance.

§ 26B-12. Leasing of houses.

The Board of Selectmen shall have the power to lease houses owned by the Town of Wilton on such terms as the Board of Selectmen shall determine without compliance with §§ 26B-2 through 26B-8 of this ordinance.

The invalidity of any word, clause, section or provision of this ordinance shall not affect the validity of any other part which can be given effect without such invalid part or parts.

CHAPTER 26C. TREES
§ 26C-1. Short title.
§ 26C-2. Intent and purpose.
§ 26C-3. Definitions.
§ 26C-4. Tree Warden; Tree Committee.
§ 26C-5. Enforcement; penalties for offenses.

CHAPTER 26C. TREES

[HISTORY: Adopted by the Board of Selectmen of the Town of Wilton 1-4-2010. Amendments noted where applicable.]

GENERAL REFERENCES

Conservation Commission — See Ch. 10.
Flood and Erosion Control Board — See Ch. 15A.
Historic District — See Ch. 18.
Inland Wetlands Commission — See Ch. 18A.
Parks — See Ch. 23A.
Scenic roads — See Ch. 25E.

§ 26C-1. Short title.

This chapter shall be known and may be cited as the "Wilton Tree Ordinance, Wilton, Connecticut."

§ 26C-2. Intent and purpose.

A. Intent. It is the intent of the Selectmen of the Town of Wilton that the terms of this chapter shall be construed so as to promote:

(1) The protection, preservation, proper maintenance, and use of trees and shrubs on Town property; the minimization of disturbance to woodlands; and the prevention of damage from erosion and destruction of the natural habitat.

(2) Public safety and the protection of citizens from personal injury and property damage, the protection of the Town of Wilton from personal injury and property damage, and the protection of the Town of Wilton from property damage caused or threatened by improper planting, maintenance or removal of trees on or overhanging Town land.

(3) The protection of property values ensuing from the proper maintenance of street trees; natural, uncleared woodlands; and trees of ecological or historical significance.
B. Purpose. The purpose of this chapter is to:

(1) Plan, protect, and manage these arboreal resources for the benefit of the health, safety, and general welfare of the residents of the Town.

(2) Recognize and educate the public on benefits provided by trees, including, but not limited to, buffering noise and unsightly views, improving air quality, offering habitat to birds, preventing erosion, absorbing water, mitigating climate by cooling the air and providing shade, offering aesthetic benefits, increasing property values, and generally improving the quality of life within the Town.

§ 26C-3. Definitions.

For the purposes of this chapter, the following words, terms and phrases shall have the meanings herein set out:

LANDMARK, NOTABLE, AND ASSET TREES
Trees determined by the Tree Warden to be of great age or rarity; associated with an historical event or person; or of tangible value to the community for their scenic enrichment of the area and/or their ability to survive a specific disease. Special consideration will be given to the inspection and preservation of landmark, notable, and asset trees on Town property.

PUBLIC HAZARD
Any tree or shrub or part thereof growing upon private or Town property which is interfering with the use of any Town property, infected with infectious plant disease, or endangering the life, health or safety of persons or property.

SHRUBS
Woody plants, branched from the base, generally less than 15 feet tall when mature.

TREES
A woody plant, usually with one main trunk, reaching a height of at least 15 feet when mature.

WILTON CENTER TREE PLAN
The Wilton Center Tree Plan (March 2008), written by the Ad-hoc Tree Committee, as may be revised or amended from time to time.

§ 26C-4. Tree Warden; Tree Committee.

A. The Tree Warden.

(1) Authority and power. The Tree Warden, appointed by the First Selectman with the approval of the Board of Selectmen as outlined in the Town Charter, § C-35, shall have all powers, duties and authorities ascribed to him/her as set out in the Connecticut Public Shade Trees and Tree Protection Examining Board Statute, particularly Connecticut General Statutes §§ 23-58, through 23-60 and 23-65, as the same may be amended, and this chapter. In part, C.G.S. § 23-59 states the powers and duties of the Tree Warden shall include "the care and control of all trees and shrubs in whole or in part within the limits of any public road or grounds and within the limits of his town..., except those along state
highways..., and except those in the public parks or grounds which are under the jurisdiction of park commissioners...

(2) Compensation. The Tree Warden shall receive for services such compensation as the Selectmen, duly authorized, shall prescribe.

(3) Duties. The Tree Warden shall:

(a) Enforce all provisions of law for the preservation of trees and shrubs subject to the Tree Warden's care and control as set forth in C.G.S. § 23-59.

(b) Support the Tree Committee in overseeing, administering, and providing guidance on the Wilton Center Tree Plan or future tree plans.

(c) Prevent, to the extent possible, damage of trees and shrubs that are subject to the Tree Warden's care or control as set forth in C.G.S. § 23-59 by any person, company, utility, or state or federal agency. This shall include oversight and guidance of contractors' pruning and maintaining all trees subject to the Tree Warden's care or control. Damage may include, but not be limited to, pruning, removing, defacing, cutting, painting, or marking trees; posting unauthorized signs on trees; injuring, mutilating, killing or destroying any trees or shrubs; willfully permitting any toxic chemical to seep, drain or be emptied on or about any tree; prolonged piling soil over roots to a suffocating depth or scraping soil above the roots; and setting fires or burying rubble within the trees' root zones.

(d) Post a notice upon trees subject to the Tree Warden's jurisdiction of their planned removal at least 10 days before removal is to take place, unless the condition of the trees constitutes an immediate public hazard.

(e) Identify and recommend with the Wilton Tree Committee any trees which qualify as "landmark trees," "notable trees," and "asset trees" on Town property and, with the concurrence of the property owner, on private property.

(f) Supervise, to the extent possible, work affecting trees within the Tree Warden's care and control performed by public utility companies or their agents. Such work shall be reviewed prior to being undertaken. If, as a result of such work, trees are irreparably damaged, the Tree Warden shall require the company to pay for replacing the trees with a similar species.

(g) Provide periodic reports to the Tree Committee.

B. Tree Committee.

(1) Composition. The Tree Committee shall be composed of seven members appointed by the Board of Selectmen. The Selectmen shall seek appointees from the Conservation Commission, Planning and Zoning Commission, Wilton Garden Club, Chamber of
Commerce, a civic organization and a member of the landscape profession. The final member may be an interested citizen. Each member of the Tree Committee shall be appointed for a term of three years, and terms shall be staggered so that at least two members are appointed each year. Members shall serve without compensation. To increase effectiveness, applicants for vacancies should meet with the Tree Committee before being considered for appointment to the Committee. Further, the Committee may suggest to the Board of Selectmen the appointment of members with certain skills or experience. The Tree Warden, Director of Environmental Affairs, and Public Works Director, or their designees shall serve as advisors to the Committee.

(2) Duties. The Tree Committee shall advise and consult with the Tree Warden and/or the Department of Public Works on any matter pertaining to this chapter and its enforcement. Such topics may include, but are not limited to, amendments to this chapter; policies concerning selection, planting, maintenance, and removal of trees, shrubs and other plants within the Town; and development of community educational programs.

§ 26C-5. Enforcement; penalties for offenses.

A. Violation of any provisions of this chapter shall result in a fine, civil penalty, and/or damages as provided in C.G.S. § 23-65.

B. No person other than the Tree Warden or his authorized agent, including the Department of Public Works, may perform any of the following acts on Town road rights-of-way without providing documentation and authorization for such work relating to trees and shrubs. Further, nothing in this section shall be construed to exempt any person from the requirements of obtaining a road opening permit or any additional permits as are required by law.

(1) Plant trees or shrubs of any size on Town property or remove or otherwise disturb any tree located on Town property or rights-of-way.

(2) Attach any rope, wire, nail, sign, poster, or any other man-made object to any tree or shrub located on Town property or rights-of-way.

(3) Dig a tunnel or trench, move or store construction vehicles, materials or equipment, or change the grade within a tree's root zone on Town property or rights-of-way.

CHAPTER 27. VEHICLES AND TRAFFIC

§ 27-1. Incorporation of state statutes.
§ 27-3. Parking restrictions; obstruction of traffic prohibited.
§ 27-4. Obstruction of private driveways and roads prohibited.
§ 27-5. Parking of commercial vehicles.
§ 27-6. Violations and penalties.
CHAPTER 27. VEHICLES AND TRAFFIC


[History: Adopted Wilton Town Meeting 8-28-1985. Editor's Note: This resolution also repealed former Ch. 27, Vehicle and Traffic, Art. I, adopted 10-6-1924; Art. II, adopted 6-8-1961. Amendments noted where applicable.]

GENERAL REFERENCES

Operation of motor vehicles in parks — See Ch. 23A.

§ 27-1. Incorporation of state statutes.

The provisions of the Connecticut General Statutes concerning vehicles, traffic, use of highways by vehicles, rules of the road, definitions of terms and penalties for violations of said statutory provisions shall apply to all highways within the Town of Wilton and shall supplement but not supersede the other provisions of this ordinance.


The Police Commission of the Town of Wilton shall have the authority to post speed limit signs, traffic control signs and signs prohibiting or restricting parking on the highways and upon Town owned property in the Town of Wilton to such an extent and in such locations as it determines to be necessary and proper to protect the public safety and Town property, the regulations provided by said posted signs to be enforced by the Wilton Police Department.

§ 27-3. Parking restrictions; obstruction of traffic prohibited.

[Amended 7-16-2001]

The Wilton Police Department shall have the authority to enforce all parking restrictions established pursuant to Title 14 of the Connecticut General Statutes, and any amendments and/or modifications thereto, in accordance with the procedure set forth in this chapter. All Title 14 restrictions shall be construed as restrictions under this chapter. Additionally, the Wilton Police Department shall enforce the following restrictions, pursuant to the procedure set forth in this chapter:

A. No vehicle shall be permitted to remain stationary within the limits of a highway in such a manner as to be a traffic hazard, obstruct the free movement of traffic thereon, obstruct the use of a fire hydrant or obstruct the movement of an emergency vehicle.

B. No vehicle shall be permitted to park, stand, stop or remain stationary upon the traveled portion of any highway or within the lines constituting the right-of-way of any highway within the Town of Wilton or upon any property owned by the Town, contrary to:
(1) The direction of signs posted on said highway or property by the Police Commission; or

(2) Any restrictions on parking, standing, stopping or remaining stationary set forth in Title 14 of the Connecticut General Statutes, and any amendments and/or modifications thereto.

C. A vehicle which has become disabled to such an extent that it is impossible or impractical for the occupants to move it may be permitted to so remain for a reasonable time, under the circumstances then existing, but in no event more than 24 hours, for the purpose of making repairs thereto or obtaining sufficient assistance to remove it. In the case of a vehicle constituting a hazard or obstruction under § 27-3A above, such reasonable time shall be no longer than the minimum time required to obtain assistance to remove the vehicle.

§ 27-4. Obstruction of private driveways and roads prohibited.

No vehicle shall be parked or otherwise caused or permitted to remain stationary upon a highway in front of or so as to obstruct or interfere with the ingress into or egress from any private driveway, except with the permission of the owner of such driveway. No vehicle shall be parked or otherwise caused or permitted to remain stationary upon a highway in front of or so as to obstruct or interfere with the ingress into or egress from any private road serving two or more buildings.

§ 27-5. Parking of commercial vehicles.

No person shall park or cause or permit to be parked or otherwise remain stationary any commercial vehicle of more than one-and-one-fourth-ton rated capacity upon any highway in the Town of Wilton in excess of two hours.

§ 27-6. Violations and penalties.

[Amended 7-16-2001]

A. The Police Department shall, from time to time, prepare recommendations concerning a schedule of fines for violations of §§ 27-3, 27-4 and 27-5 of this ordinance. After reviewing these recommendations, the Board of Selectmen shall establish a schedule of fines for each violation of §§ 27-3, 27-4 and 27-5 of this ordinance. In the case of § 27-5, each four-hour period in excess of the original two-hour period may constitute a separate violation. The schedule of fines contemplated in this section shall be made available to the public and may be amended from time to time as necessary after reconsideration by the Police Commission and review and approval by the Board of Selectmen.

B. Unpaid fines.

(1) If after 90 days, and after 10 days' notice by registered mail to the owner of the vehicle, any fine imposed pursuant to Subsection A hereof remains unpaid, the Police Department may notify the Connecticut Department of Motor Vehicles of said outstanding unpaid fine.
(2) If any vehicle has three or more outstanding tickets with unpaid fines, the Police Department is hereby authorized to remove and tow away, by a designated towing station as defined and described in §27-9 hereof, any such vehicle. Said vehicle shall be released back to the owner upon payment of all outstanding fines and any impoundment and/or storage fees.


The Police Commission shall have the authority to print parking tickets to be issued for violations of §§27-3, 27-4 and 27-5 of this ordinance which may provide for specific fines for the various offenses covered by such sections of this ordinance. Said parking tickets may provide that the specific fine for a violation may be paid in person or by mail at a location specified on the parking ticket for a specified period of time after issuance of the ticket. Fines not paid within 15 days shall be doubled. Any fines so collected shall go into the general fund of the Town of Wilton. The final period for the uncontested payment of fines and penalties for any violation of the ordinance shall be 60 days from the date on which the parking ticket was issued.


When a vehicle is or otherwise left stationary in violation of §27-3, 27-4 or 27-5 of this ordinance, its registered ownership shall be considered prima facie proof that such person was in control of the vehicle at the time of such parking or other such violation.


A. The Police Department is hereby authorized to remove and tow away or have removed and towed away by a designated towing station, at the owner's expense, any vehicle parked or left stationary in violation of §27-3A. Any vehicle may also be removed or towed away, at the owner's expense, when it is parked or left stationary in violation of §27-3B, 27-4 or 27-5 of this ordinance within the limits of any highway or upon Town owned property at a location posted with a sign prohibiting or restricting such parking or designated by a sign as a tow-away zone.

B. The Police Commission is authorized to designate approved, privately owned garages within the Town as official towing stations to which vehicles may be removed for storage by the Wilton Police Department in the manner set forth in this section. Any garage owned by the Town or by any public agency may also be so designated as an official towing station by the Police Commission.

C. Designated towing stations shall file with the Police Commission their schedule of fees for towing, removing and storing vehicles, as filed with the State Motor Vehicle Department, from time to time.

D. No privately owned garage shall be designated as an official towing station unless the owner, lessee or operator has furnished a statement of financial responsibility to the Police Commission and the Town of Wilton in the amount of at least $30,000 to protect the
Commission and the Town against liability for any claim for damages arising out of the storing, removing or towing of any impounded vehicles and to ensure faithful performance in the discharge of its duties as an official towing station and as bailee of impounded vehicles.


A. The First Selectman shall appoint one or more parking violation hearing officers, who shall be residents of the Town of Wilton other than policemen, members of the Police Commission or persons who issue parking tickets or work in the Police Department, to conduct hearings when requested by persons who want to question or contest a parking ticket issued to them.

B. At any time within two years from the expiration of the final period for the uncontested payment of fines and penalties as set forth in § 27-7, the Town may send notice to the motor vehicle operator, if known, or the registered owner of the motor vehicle, at his address listed with the registration records of the Department of Motor Vehicles, which notice shall inform the operator or owner of the allegations against him and the amount of the fines or penalties due; that he may contest his liability before a parking violations hearing officer, by delivering in person or by mail, written notice within 10 days of the date thereof; that if he does not demand such a hearing, an assessment and judgment shall enter against him; and that such judgment may issue without further notice.

C. Any person who does not demand a hearing within 10 days of the written notice is deemed to have admitted liability, and an official designated by the First Selectman shall certify to the hearing officer that there was no request for a hearing within the ten-day period. The hearing officer shall then enter and assess the fines and penalties provided for in this ordinance and shall follow the procedures set forth in Section 7-152b(f) of the Connecticut General Statutes for the collection of parking fines and charges in civil proceedings.


If a hearing is requested within the time limits stated in § 27-10, a parking violation hearing officer shall conduct a hearing in accordance with the procedure set forth in Section 7-152b(e) of the Connecticut General Statutes. At the end of the hearings, if the hearing officer determines that the person is not liable, he shall dismiss the matter and enter his determination, in writing, accordingly. If the hearing officer determines the person is liable for the violation, he shall enter and assess the fines and penalties against such person, as provided in this ordinance, and if such assessment is not paid, the Town shall collect the fines and penalties as provided in Section 7152b(f) of the Connecticut General Statutes.

CHAPTER 28. WATER

ARTICLE I. Water Commission

§ 28-1. Establishment of Commission.

§ 28-2. Appointment of members.


§ 28-4. Terms of office.

§ 28-5. Vacancies.
§ 28-6. Meetings.
ARTICLE II. Connection and Use
§ 28-10. Extension of water mains.
§ 28-11. Reimbursement to town.
§ 28-12. Cost of extension to be determined.
§ 28-15. Determination of proportionate share in industrial or commercial zone.
§ 28-16. Waiver of reimbursement.
§ 28-17. Refund of excess reimbursement.
§ 28-18. Town water mains.
§ 28-19. Appeal.

CHAPTER 28. WATER


ARTICLE I. Water Commission

§ 28-1. Establishment of Commission.

A board of six members to be known as the "Wilton Water Commission" or "Commission" is hereby established. The First Selectman of the Town of Wilton will be one of six members and will serve as Chairman. The members will elect a Vice Chairman from their membership, who shall act as Chairman in the absence of the Chairman (First Selectman).

§ 28-2. Appointment of members.

The members of the Commission shall be appointed by the Board of Selectmen. Members of the Board of Selectmen may be appointed to the Commission.


All members shall serve without compensation, except that their actual expenses and disbursements, where incurred with the approval of the First Selectman and in the performance of their duties, shall be paid by the Commission.

§ 28-4. Terms of office.

Members shall be sworn to the faithful performance of their duties and shall be appointed by the Board of Selectmen. One member shall be appointed for a term to expire on July 1, 1987: one member shall be appointed for a term to expire on July 1, 1988; one member shall be appointed
for a term to expire on July 1, 1989: one member shall be appointed for a term to expire on July 1, 1990: and one member shall be appointed for a term to expire on July 1, 1991. At the expiration of each member's term, a successor shall be appointed by the Hoard of Selectmen to serve a term of five years; however, this shall not preclude a member from succeeding himself.

§ 28-5. Vacancies.

In the event of any vacancy upon the Commission, the Board of Selectmen shall promptly appoint a member to fill the vacancy for the unexpired portion of the term.

§ 28-6. Meetings.

The Commission shall elect one of its number to act as Secretary and shall hold regular meetings, at least once each month, and keep records of the same. Meetings shall be held upon the call of the Chairman or at the call of the majority of the members of the Commission or at the call of the Board of Selectmen. Four members of the Commission shall constitute a quorum.


The Commission shall have all of the powers and duties conferred upon the town in the Connecticut General Statutes and Public Acts, as the same may be amended, to study, manage and protect the water resources serving the Town of Wilton, to establish and maintain public water supply system(s), to provide for the furnishing of water by contract or otherwise, to extend or provide for the extension of water mains, to develop any individual water system plan that may be required pursuant to Connecticut General Statutes Section 25-32d and to act as the representative of the Town of Wilton on any water utility coordinating committee created pursuant to Public Act 85-535 for the public water supply management area in which the town is included and to take all actions necessary or incidental thereto, including, without limitation, voting, making recommendations and comments and obtaining and collecting data.

ARTICLE II. Connection and Use


The Tax Collector of the Town of Wilton is hereby designated as the collector of any assessments, reimbursements, water system connection and use charges pursuant hereto.


All charges for the use of water directly or indirectly supplied in Wilton by the Commission, incurred by it on behalf of the Town of Wilton, shall be paid for and apportioned among the users of the water system in the manner determined by the Commission, so that each recipient of water services will pay its proportionate share of the costs of operation and maintenance.

§ 28-10. Extension of water mains.
Before the Commission shall seek an appropriation for the extension of any water main as permitted by Section 7-137c of the General Statutes, it shall hold a public hearing with regard to such proposed extension. At which time any resident of the Town of Wilton may be heard with regard thereto. Notice of such hearing, which notice shall identify the approximate area of the proposed extension, shall be published in a newspaper having a circulation in the Town of Wilton not later than seven (7) days prior to the hearing. At such hearing the Commission shall have available such cost estimates as it may then have with regard to the proposed cost of said extension. Within 60 days after the conclusion of the public hearing, the Commission shall determine whether it intends to proceed with said extension, and if it intends to proceed with said extension, it shall seek an appropriation of such funds in such manner as is provided by Article VI of the Charter of the Town of Wilton.

§ 28-11. Reimbursement to town.

Whenever the Town Meeting shall, pursuant to the Charter of the Town, appropriate funds for the extension of water mains as permitted by Section 7-137c, the owner of each property abutting such main shall reimburse the town for his proportionate share of the cost of said extension according to the following formula.

§ 28-12. Cost of extension to be determined.

A. The total cost of any extension shall be calculated and determined by the Commission within 120 days after the extension has been completed. The total cost shall include the cost of water mains, including materials, installation, pumping stations, service connections, curb, sidewalk and highway repairs, and the cost of the installation of gate valves and shut offs, land acquisition, financing costs and incidental expenses.

B. The Commission shall determine the proposed share of each property owner proportioned in such a way that the municipality shall be ultimately free from any costs of the extension and expenses incidental thereto, except where any portion of the water main or service is to be used for a municipal purpose, in which instance the municipality shall contribute a fair proportion of the expense representing such proportional municipal share.


In a residence zone, the proportionate share of each property owner abutting the main shall be determined by dividing the total cost of the extension, as calculated by the Commission, by the number of residential lots reasonably capable of being served by the water main and/or abutting the water main, provided that said residential lots are included in the area approved by the Commission for the water main extension. The sum thus derived shall be the proportionate share.

A. Such proportionate share shall be the proposed assessment for each property owner. The Commission shall direct such proper town officials as it determines to prepare a list of the proposed assessments, which shall contain the name and address of the owners thereof as on file with the Assessor of the Town of Wilton as of the date that the list is prepared. The list shall be filed with the Town Clerk.
B. The Commission shall establish a date for a public hearing, which shall not be later than 60 days following the determination of the proposed assessment, and shall cause a notice of public hearing to be published in the newspaper having a circulation in the Town of Wilton at least once and not less than seven days prior to the hearing date. A notice of the proposed assessment shall be mailed to each landowner of record abutting the water main, and such notice shall indicate the date, place and time of the public hearing and advise that any person desiring may appear and be heard. The notice shall be mailed to the address on file with the Assessor as of the date of mailing and shall be mailed by United States Mail, postage prepaid, not later than 14 days prior to the hearing. At said hearing the Commission shall cause to be placed on the record the basis of the cost calculation that it has made and the method selected in determining the fair share of each property owner.

C. Within 30 days after the hearing, the Commission shall make such assessments as it finds to equal the fair proportionate share of each property owner in accordance with Section 7-137c and shall cause a notice of said assessment containing the names and addresses of the property owners and the amount of said assessment and identifying the property in a newspaper having a substantial circulation in the Town of Wilton.

D. Said assessment shall be due and payable within 60 days of the date of the action by the Commission, provided that the Commission may permit the assessment to be paid in installments for a period not to exceed 10 years, provided that the property owner shall pay interest on the principal balance at the rate to be established by the Commission, which interest shall be not less than the interest rate being paid by the Town of Wilton on any obligation incurred to finance the project. Notice of said assessment shall be recorded in the land records of the Town of Wilton.


In the case of any land zoned residential or classified pursuant to Sections 12-107a to 12-107e of the General Statutes, inclusive, as farm land, forest land or open space land on the last completed Grand List of the Town, which exceeds by more than 100% the size of the smallest lot permitted in the lowest density residential zone allowed under the zoning regulations, assessment of such excess land shall be deferred until such time as such excess land shall be built upon or a building permit issued therefor or until approval of a subdivision plan of such excess property by the Planning and Zoning Commission, whichever event occurs first, at which time the assessment shall be made. In the event that such assessment is deferred, the Commission shall cause a caveat regarding said deferred assessment to be placed on the Land Records in a form satisfactory to the Commission and to the Town Counsel.

§ 28-15. Determination of proportionate share in industrial or commercial zone.

In any industrial or commercial zone, the proportionate share of each property owner abutting the main shall be determined in each case on a case-by-case basis on a front-foot or other equitable basis, provided that if residential or agricultural property or property zoned for residential or agricultural use abuts lines of construction of water mains to be used for industrial or commercial purposes, or partly for commercial purposes, or partly for commercial or
industrial purposes, and such property is not being used for such purposes, the proportionate share of the owners of such property shall be computed on a front-foot or other equitable basis for a standard or minimum size main.

§ 28-16. Waiver of reimbursement.

In any case where need for a particular extension is in response to a community pollution problem, as defined by Section 25-54b of the Connecticut General Statutes, and a grant is received from the Commissioner of Environmental Protection, the town may waive such reimbursement to the extent of any grant actually received.

§ 28-17. Refund of excess reimbursement.

If a water main is extended and if funds are reimbursed to the Town of Wilton by property owners along the extension, all said reimbursement payments shall become the property of the town, provided that if, when all of the assessments have been paid and all of the reimbursements have been received, the total amount received exceeds the entire cost of the project, including the provision of hydrants and improvements and all incidentals, to the Town of Wilton, any excess funds shall be proportionately reimbursed to the property owners affected. Each water main extension project shall be financed separately, and moneys to be refunded, if any, shall be made only with respect to the lots contained in the area of each project.

§ 28-18. Town water mains.

[Amended 5-21-2001]

All water mains shall be installed in existing streets or rights-of-way whenever possible, and all mains shall have a tap brought to the edge of the right-of-way of the town road abutting the land of all adjoining property owners so as to avoid disruption of the surface of the highway when and if a particular property owner determines to make use of the water service.

§ 28-19. Appeal.

Within 60 days of an assessment made pursuant to this ordinance and Section 7-137c of the Connecticut General Statutes, the owner of any property assessed may appeal to the Superior Court pursuant to the provisions of Section 7-137c as the same may be amended from time to time.
APPENDIX

PART I

CHAPTER 35. LAND SUBDIVISION REGULATIONS

[The Town of Wilton Land Subdivision Regulations, adopted by the Wilton Town Planning and Zoning Commission 6-26-1972, effective 7-25-1972, as amended, are on file in the town offices and can be examined there during regular office hours.]

PART II

CHAPTER 36. ROAD CONSTRUCTION STANDARDS AND SPECIFICATIONS

§ 1. Staking and layout for street construction.
§ 2. Subgrade construction.
§ 3. Gravel base.
§ 5. Asphalt curbs and gutters.
§ 6. Concrete curbs.
§ 7. Street shoulders.
§ 8. Drainage structures.
§ 9. Storm sewers and drains.
§ 10. Town Standard Detail Drawings.

CHAPTER 36. ROAD CONSTRUCTION STANDARDS AND SPECIFICATIONS

Editor's Note: Also see Ch. 9, Building § 9-5, p. 903, supra; App. Part I, Land Subdivision Regulations § 12I, p 3523, supra.


§ 1. Staking and layout for street construction.

All streets shall be laid out and staked by a licensed engineer or surveyor and shall be certified by him as to correctness of line and grade, of completed drainage and subgrade of road. After the gravel road base has been completed, shoulders graded, monument set and guard rails, if required, installed, then an "As Built" plan and profile showing all improvements shall be submitted and only after this "As Built" plan has been approved by the Town Engineer and Planning Commission Editor's Note: Planning and Zoning Commission, see Ch. 4, Bylaws, Art. VIII, p. 409, supra. shall the final surfacing of the road by applied subject to the conditions hereinafter specified. Line and grade stakes shall be spaced not more than 50 feet apart and shall be set and maintained in good order during construction and until the "As Built" map has been submitted and accepted.
§ 2. Subgrade construction.

After all underground piping and drainage and other underground structures and facilities have been installed, the subgrade of a street shall be shaped to proper grade and cross section at the required depth below finished grade. Fill under streets shall be of material acceptable to the Town Engineer and be free from loam, tree cuttings, stumps or frozen dirt and shall be thoroughly compacted. Soft areas shall be excavated, drained and filled with gravel or selected fill.

§ 3. Gravel base.

After the subgrade has been shaped and checked for proper elevation and cross section by the contractor's engineer and inspected by the Town Engineer, a gravel base, 12 inches deep after compaction, shall be constructed of selected bank-run gravel, which shall be well graded from maximum four inch coarse to sand consisting of sound, durable aggregate, free from thin shale, clay, loam or vegetable matter. The gravel shall be placed and graded to proper grade and cross section and, when thoroughly compacted, shall be the thickness called for in the Town Standard Details. Editor's Note: See § 10, p. 3606, infra. Rolling shall be done with a roller weighing not less than 10 tons. The Town Engineer shall be given 48 hours' notice before any gravel is placed.


All new roads shall be black-topped with asphaltic concrete. Prior to the application of this final surfacing the gravel base shall have been in place one year and the subgrade shall have had an opportunity to demonstrate its adequacy to the satisfaction of the Town Engineer. Any areas that show excessive settlement shall have the gravel base removed and the subgrade soft spots excavated and backfilled with gravel. Also if additional drainage is required to alleviate wet conditions which caused the settlement, such drainage shall be installed. Streets with asphaltic concrete surfaces shall be paved with dense graded hot bituminous concrete of mix proportions and in accordance with construction procedures as specified in Connecticut State Highway Form 808, Section 4.03, "hot Asphaltic Concrete," and Section 4.06 "Dense Graded Bituminous Concrete Pavement." Asphaltic concrete surface shall be at least two inches thick after rolling with a 10 ton roller and shall be true in section and profile with maximum depression of 1/4 inch when tested with a 10 foot long straight edge. The Board of Selectmen may permit oiled and sanded surfacing of roads, under certain conditions, such as repairs or extensions to existing oiled surfaced roads or when it is deemed in the best interests of the Town of Wilton. The oiled surfacing specifications shall be determined by the Board of Selectmen. The Town Engineer shall have 48 hours' notice before paving operation begins. The street shall not be open to traffic for 48 hours after paving.

§ 5. Asphalt curbs and gutters.

Where called for on plans, asphalt curbs and gutters shall be constructed of dense-mix asphaltic concrete of fine aggregate for curbs, in accordance with standard sections as shown on Town Standard Drawings. Editor's Note: See § 10, p. 3606, infra. Curbs and gutters shall be laid true to section and line and on true grades.
§ 6. Concrete curbs.

Where called for on plans, concrete curbs shall be constructed of 3,000 pounds per square inch concrete of section shown on Town Standard Details. Editor's Note: See § 10, p. 3606, infra. Slump shall not exceed four inches and concrete shall be thoroughly vibrated. Exposed faces shall be rubbed. Forms for concrete curbs shall be set true to line and grade and properly and thoroughly braced. In hot drying weather, concrete shall be kept covered and moist for seven days. Through expansion joints shall be provided, on 10 foot centers, of 1/4 inch premoulded bitumastic expansion-joint material. The contractor shall notify the Town Engineer 48 hours in advance of placing concrete and no concrete shall be placed until the forms have been inspected and approved and unless the Town Engineer or his representative is present. The Town Engineer has the right to request test cylinders to be made and the concrete tested to insure compliance with concrete specifications. No concrete shall be placed in freezing weather unless proper precautions are taken and then only with the approval of the Town Engineer.

§ 7. Street shoulders.

Street shoulders shall be constructed according to Town Standard Details Editor's Note: See § 10, p. 3606, infra. and, except where gravel is called for, disturbed areas shall be covered with a minimum of four inches of topsoil, and a stand of grass to the full width of the right-of-way, and as far beyond as the disturbed areas extend. No stumps shall be buried in shoulders, except that if existing trees have to be cut down, their stumps may be left in place when cut off and removed to a level 12 inches below finished grade. Healthy trees that do not obstruct the drainage or create a traffic hazard are not to be removed.

§ 8. Drainage structures.

Manholes, catch basins and headwalls shall be built in accordance with Town standards and placed according to location and elevations on approved plans. Where structures of special design, such as retaining walls, bridges or box culverts are required, they shall be designed by a licensed engineer and shall be submitted to the Town Engineer for approval. No structure shall be backfilled until inspected and approved by the Town Engineer.

§ 9. Storm sewers and drains.

A. Sewers and drains shall be laid true to line and grade and shall be certified by a licensed engineer or surveyor that they are in accordance with approved plans and drawings.

B. Pipe in streets shall be reinforced concrete pipe, State Highway Standard weight, unless heavier weight is required under major streets. Pipe shall be laid on firm ground free of frost and shall be firmly bedded. No rock over 12 inches in diameter shall be backfilled over pipe. Fill over pipe shall be thoroughly compacted to avoid future settlement.

C. Subgrade drains, where required, shall be installed in accordance with Town standards and shall be properly located and graded to accomplish their function.
D. No pipes shall be backfilled until inspected by the Town Engineer or his representative.

§ 10. Town Standard Detail Drawings.

[Amended 10-16-1973]

Town Standard Detail Drawings dated October 1, 1973, are a part of this ordinance. Prints may be obtained in the Department of Public Works.

PART III

CHAPTER 37. REGULATIONS OF THE ZONING BOARD OF APPEALS

ARTICLE I. Officers
§ 1. Selection of officers.
§ 2. Succession of officers.
§ 3. Duties of the Chairman.
§ 4. Duties of the Vice-Chairman.
§ 5. Duties of the Secretary.

ARTICLE II. Members
§ 6. Responsibilities of the members.
§ 7. Voting prohibitions.
§ 8. Quorum.

ARTICLE III. Inspection of Premises
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ARTICLE IV. Meetings
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ARTICLE V. Hearings
§ 16. Hearings to be held within two months of notice.
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ARTICLE X. Minutes
§ 36. Draft of transcript.
§ 37. Final draft.
ARTICLE XI. Records
§ 38. Procedure for keeping records.
ARTICLE XII. Fees
§ 39. Appeals, application and hearing fees.
§ 40. Appellant or applicant to pay for publication notice.

CHAPTER 37. REGULATIONS OF THE ZONING BOARD OF APPEALS

PREAMBLE The Regulations of the Zoning Board of Appeals of the Town of Wilton, Connecticut, are hereinbelow set forth. These regulations may be amended or revoked by the concurring vote of four members of the Board, including one or more members from the Panel of Alternates, at any regular meeting, provided, however, that due and timely notice, as provided in § 10 of these regulations, of intention to amend or revoke shall have been mailed to the regular members of the Board. For good cause shown, one or more provisions of these regulations may be waived without notice by the concurring vote of at least four members, including one or more members from the Panel of Alternates, sitting on the matter before the Board in connection with which such waiver is voted. Whenever these regulations in whole or in part do or may conflict with the General Statutes of the State of Connecticut, as the same may from time to time be amended, such statutes shall govern. These regulations and all amendments thereto and all revocations thereof shall be filed with the records of the Board and shall be available to inspection by the public.

[HISTORY: Adopted Wilton Town Zoning Board of Appeals 3-20-1963.]

ARTICLE I. Officers

§ 1. Selection of officers.
The officers of the Zoning Board of Appeals of the Town of Wilton shall be a Chairman, a Vice-Chairman, and a Secretary, each of whom shall be members of the Board and each of whom shall be elected by a majority vote of the Board at the first executive session to be attended by at least four regular members of the Board following the first regular monthly meeting of the Board in the calendar year. Each officer shall serve for the calendar year or until his successor is elected.

§ 2. Succession of officers.

In the case of the death, resignation, disqualification, illness or absence of all of the officers of the Board, the senior member in point of service shall serve as Acting Chairman and the next senior member as Acting Secretary. In the case of the death, resignation, disqualification, illness or absence of both the Chairman and the Vice-Chairman, or of the Secretary, such senior member in point of service shall serve as Acting Chairman, or as Acting Secretary, as the case may be.

§ 3. Duties of the Chairman.

The duties of the Chairman of the Board shall be as follows:

A. He shall be the presiding officer at meetings of the Board. He shall make all rulings, and shall be responsible for orderly conduct and proceedings at such meetings, and shall determine the order of business before the Board.

B. He shall represent the Board in its relations with citizens of the Town, and governmental and other agencies and representatives thereof and the public at large, except that he may delegate all or any part of this duty to any member of the Board by filing a written delegation of such duty with the records of the Board and by notifying such member by sending him a copy of such delegation.

§ 4. Duties of the Vice-Chairman.

The duties of the Vice-Chairman of the Board shall be to serve as Chairman of the Board during the disqualification, illness or absence of the Chairman and, in the case of the death or resignation of the Chairman, shall serve as Chairman until the election of a new Chairman.

§ 5. Duties of the Secretary.

The duties of the Secretary of the Board, subject to the direction of the Board and its Chairman, shall be as follows:

A. He shall supervise the general clerical work of the Board.

B. He shall keep the records of the Board, maintain a schedule of fees and conduct correspondence on behalf of the Board.
C. He shall sign all requisitions for appropriations of money and material.

D. He shall prepare and mail such notices of regular and special meetings of the Board as are required by these regulations, and he shall prepare and cause to be mailed minutes of meetings of the Board to the members thereof.

E. He shall publish such notices and decisions of the Board as are required by the General Statutes of the State of Connecticut to be published and shall notify such people as are entitled to notice of matters before the Board.

F. Unless otherwise delegated by the Chairman, he shall confer with the Planning and Zoning Commission in cases where the Board feels such conferences are necessary.

G. He shall keep the record of service of members from the Panel of Alternates so as to insure the rotation required by the General Statutes of the State of Connecticut.

H. He may, prior to meetings of the Board, make initial inspections of the premises in matters coming before the Board. In cases where the Secretary has made such an initial inspection, he shall report his findings to the Board and may recommend to the Board whether, in his opinion, the Board should inspect the premises.

I. The Secretary, at the request of the Chairman, may poll the members present at any hearing and record their vote, either by telephone or in writing, provided that such telephone or written poll is included in the minutes of the Board pertaining to such hearing and ratified at a subsequent meeting.

ARTICLE II. Members

§ 6. Responsibilities of the members.

A member of the Board unable to attend a meeting of the Board shall notify the Secretary of such fact as soon as possible, and may designate an alternate member from the Panel of Alternates to serve in his stead. If he fails to make such designation or if he disqualifies himself, the Secretary shall communicate this fact to the Chairman, who shall designate an alternate from the Panel of Alternates to serve in the place and stead of such absent or disqualified member.

§ 7. Voting prohibitions.

No member of the Board shall sit on a hearing or vote upon a matter before the Board in which he shall be personally interested, financially or otherwise.

§ 8. Quorum.

Except as required by the General Statutes of the State of Connecticut and by these regulations, a quorum of the Board shall consist of three members, including one or more members from the Panel of Alternates' members, sitting on any matter before the Board.
ARTICLE III. Inspection of Premises

§ 9. Requirements for inspection.

Inspection of premises involved in matters before the Board shall be made by the Board in cases where it determines such an inspection is necessary to enable it to reach a decision. Such inspection shall be made by at least four members of the Board, including one or more members from the Panel of Alternates' members, sitting on the matter. The Secretary shall make whatever arrangements are necessary through the applicant to permit such inspection.

ARTICLE IV. Meetings

§ 10. Regular meetings.

Regular meetings of the Board shall be held at the call of the Chairman. Such meetings shall be held at the time and location specified in the notice, usually but not necessarily the first Monday in each calendar month, usually but not necessarily at 8:15 p.m. and usually but not necessarily at the Town Hall in Wilton. Such notice shall be in writing, addressed to each regular member of the Board and shall be postmarked at least 72 hours prior to the date of the meeting where a Sunday or holiday intervenes between the date of the mailing of the notice and the meeting, and at least 48 hours where a Sunday or holiday does not intervene between the date of the mailing of the notice and the meeting. Such notice shall state the agenda of the meeting.

§ 11. Special meetings.

Special meetings of the Board may be called by the Chairman or by a quorum of the regular members of the Board on at least 48 hours' written or oral notice to each regular member of the Board of the time and location for such special meeting. Written notice of such special meeting shall include the agenda for the meeting.

§ 12. Waiving of notice requirement.

Notice of regular or special meetings of the Board may be waived by a quorum of the members of the Board, including one or more members from the Panel of Alternates' members, sitting on the matter. Waiver of such notice shall appear in the minutes of the meeting.

§ 13. Cancellation of meetings.

Whenever there are no matters or other business before the Board, the Chairman shall authorize the Secretary to dispense with the mailing of the notice of such regular meeting and such regular meeting shall be deemed to have been cancelled.

§ 14. Meetings open to the public.

All meetings of the Board shall be open to the public. Executive sessions of the Board shall be closed, except when voted to be open by the concurring vote of a quorum of the members of the
Board, including one or more members from the Panel of Alternates' members, sitting in such session.

§ 15. Order of business.

The order of business at executive sessions and regular meetings, except as changed by the Chairman, shall be substantially as follows:

A. Roll call.

B. Report of Committees.

C. Unfinished business.

D. New business.

E. Approval of minutes of prior meetings and hearings.

ARTICLE V. Hearings

§ 16. Hearings to be held within two months of notice.

Hearings on matters before the Board shall be had as reasonably soon after the filing of the notice of appeal or application for variance or application for gas station, automobile dealers' or auto repairers' location approval as publication of such notice and prior business before the Board may permit, but in no event shall such hearing be delayed by the Board, without the consent of the applicant, beyond two full calendar months from the date of filing the notice.

§ 17. Continuance of hearing.

Continuation of a hearing in session may be had in the discretion of the Chairman, who shall announce the adjourned date at the hearing. No additional notice of such adjourned hearing shall be given.

§ 18. Postponement of hearing.

Postponement of hearing prior to the mailing of notice to interested parties and prior to publication may be had upon request of the applicant. In a case where notice to interested parties has been mailed but publication has not been had, such hearing may be postponed upon the applicant's filing proof of notification to the interested parties of such postponed hearing with the Secretary at least 24 hours prior to the scheduled hearing. However, postponement of a hearing after the mailing of notice to interested parties and publication will be treated as a new application, including costs, except, however, that such new application in the case of an appeal must be made within 30 days of the decision appealed from unless, for good cause shown, the Board grants the applicant an extension not to exceed an additional 30 days, as provided in § 26.
hereof, and the application for such extension shall have been made within such initial 30 day period.

§ 19. Withdrawal of appeal or application.

An appeal or application may be withdrawn at any time without prejudice to a new filing prior to final decision of the Board, except that in the case of an appeal, the withdrawal of such appeal shall not operate to extend the time of the applicant to refile such appeal. In case of the withdrawal of an appeal or an application the Board in its discretion may refund the applicant his filing fee.

§ 20. Conduct of hearings.

Appeals or applications usually but not necessarily are to be heard in the order in which they are placed on file, and as shown in the call of the meeting.

   A. The Secretary shall give a statement of the case, followed by a reading of written communications dealing with the matter.

   B. The appellant or applicant or their representative shall present the argument in support of the case.

   C. The Board shall have the opportunity to question the appellant or applicant, or their representative.

   D. All those in support of the case shall be heard.

   E. The Board shall have the opportunity to question those in support of the case.

   F. Those in opposition to the case shall be heard.

   G. The Board shall have the opportunity to question those in opposition to the case.

   H. The Board shall have the opportunity to question anyone who was heard.

   I. To maintain orderly procedure, each side shall proceed without interruption by the other.


The order of business at public hearings before the Board, except as changed by the Chairman, shall be substantially as follows:

   A. Roll call.

   B. Hearing of cases.
C. Adjournment of public hearing.

D. Executive session.

ARTICLE VI. Decision

§ 22. Decisions within 60 days.

Decisions of the Board shall be made within 60 days of the hearing and, if such hearing shall have been continued or postponed, within 60 days of the conclusion of such adjourned or postponed hearing.

§ 23. Written decisions and reasons required.

Each decision of the Board shall be in writing and shall be signed and dated at the end thereof by the Chairman, Vice-Chairman, Acting-Chairman, Secretary or Acting-Secretary, as the case may be, sitting on the matter. Each decision as well as each dissent thereto shall state the reasons therefor.

§ 24. Disclosure and filing of decisions.

Each decision of the Board shall be filed in the office of the Town Clerk as well as with the records of the Board. No decision or any part thereof shall be disclosed to anyone except to the Board of Selectmen until such decision shall have been approved by the Board and shall have been filed as hereinabove provided, except that the Secretary may in routine cases and with the approval of the Board notify the appellant or applicant that his appeal or application has been granted or denied.

§ 25. Time for appeal.

The time for appeal from a decision of the Board shall commence to run from the effective date stated in the publication of the notice of the filing of the decision of the Board in the office of the Town Clerk, said effective date to be subsequent to such date of publication.

ARTICLE VII. Filing of Appeals


An appeal to the Board may be made by any person aggrieved or by any officer, department, board or bureau of any municipality aggrieved, as set forth in the General Statutes of the State of Connecticut. Such appeal must be made within 60 days of the date of the aggrievement appealed from. Such 60 day limitation, however, for good cause shown, may, in the discretion of the Board, be extended for a period not to exceed an additional 30 days provided, however, such extension shall have been applied for within the initial 60 day period.

§ 27. Required forms and documents.
An appeal must be filed with the Board in duplicate and on the form furnished by the Board, one copy of which shall be signed by the applicant and by the owner of the premises, if other than the applicant. Documents required to accompany the forms furnished by the Board shall accompany such notice.

§ 28. Filing of other material for hearing.

Other material intended to be introduced by the applicant at the hearing should be filed in duplicate within two weeks of the date of the hearing and shall be numbered consecutively in the order in which the applicant expects to present such material at the hearing before the Board. There shall also be filed within such two week period a survey in duplicate of the property described in the application, prepared and certified by a licensed surveyor or engineer. The requirement of the filing of a survey in duplicate may, however, be dispensed with by the Secretary in cases where such survey is clearly unnecessary for the Board's decision.


Notice of appeal shall be given as provided by the General Statutes of the State of Connecticut.

ARTICLE VIII. Applications for Variances and Approval for Gas Station Location and Auto Dealers' and Repairers' Licenses.

§ 30. Applications accepted at all times.

Applications for variances and for location approval of gas stations, auto dealers and repairers may be made at any time.

§ 31. Manner of filing applications.

Such applications must be filed with the Board in duplicate and on the form furnished by the Board, one copy of which shall be signed by the applicant and by the owner of the premises, if other than the applicant. Documents required to accompany the forms furnished by the Board as well as other material intended to be introduced by the applicant at the hearing must be filed in duplicate with the application and shall be numbered consecutively in the order in which the applicant expects to present such material at the hearing before the Board. There shall also be filed with the application a survey in duplicate, approved by the Secretary, of the property described in the application, prepared and certified by a licensed surveyor or engineer. The requirement of the filing of a survey in duplicate may, however, be dispensed with by the Secretary in cases where such survey is clearly unnecessary for the Board's decision.

§ 32. Filing of other material for hearing.

In the event that the matter before the Board involves both an appeal or, in the alternative, an application for a variance, the provisions in respect to the filing of other material intended to be introduced at the hearing shall be as set forth in § 28 of these regulations.
§ 33. Notice of application.

Notice of such application shall be given as provided by the General Statutes of the State of Connecticut.

ARTICLE IX. Expiration of Variance and Gas Station, Auto Dealers' and Repairers' Location Approval

§ 34. Alteration and construction variances; location approvals.

In cases where the variance granted involves alteration or construction and in cases approving the location of gas stations, etc., such variance or such approval, as the case may be, shall expire if a building application is not filed within six months of the effective date stated in the publication of the notice of the filing of the decision granting such variance or approval of such location and, if such building application is timely filed, if such construction is not completed or substantially completed within 18 months of the effective date of the building permit.

§ 35. Use variance.

In cases involving use variance, such variance shall expire if such use is not commenced within six months of the effective date stated in the publication of the notice of the filing of the decision of the granting of the variance. Such use variance shall expire one year after such use shall have ceased.

ARTICLE X. Minutes

§ 36. Draft of transcript.

The Secretary shall mail to each member of the Board, including one or more members from the Panel of Alternates' members, sitting on any matter before the Board a draft of the transcript of the minutes of such meeting or of such hearing. Such draft shall be deemed correct and final unless, within seven days of the date of the mailing of such draft such member or member from the Panel of Alternates shall notify the Secretary of the corrections desired.

§ 37. Final draft.

The Secretary shall thereafter mail to each such member and member from the Panel of Alternates sitting on such matter a final draft of the minutes as corrected. Such final draft shall be voted upon at a subsequent executive meeting.

ARTICLE XI. Records

§ 38. Procedure for keeping records.

All records, supporting documents and minutes of matters before the Board shall be kept with the records of the Board. All notices of appeals and applications shall be numbered in sequence,
such numbering referring to the year in which filed, month in which heard and number of case filed that year. For example, the numerals 63-3-22 shall mean the 22nd application filed in 1963 and heard in the month of March.

ARTICLE XII. Fees

§ 39. Appeals, application and hearing fees.

The Board shall establish a schedule of fees for the processing of appeals and applications and hearings thereon. Such schedule of fees may be revised or amended or added thereto at any regular meeting of the Board provided, however, that due and timely notice of the intention to consider such schedule of fees is made upon the regular members of the Board as provided in § 10 Editor's Note: § 10, p. 3709, supra. of these regulations.

§ 40. Appellant or applicant to pay for publication notice.

The cost of publication of notices required to be published by these regulations and by the General Statutes of the State of Connecticut will be billed by the publisher directly to the appellant or applicant and shall be paid directly by him to the publisher.

PART IV

CHAPTER 38. HISTORICAL MATERIAL AND INFORMATION

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§ 1. Elected officers.
§ 2. Appointed officers.
§ 3. Finance Board.
§ 4. Salary increases restricted.

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§ 5. Biennial election of officers.
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§ 27. Sharing of debts and expenses.
§ 28. Payment to Redding.
ARTICLE XIV. Route 7 Hearing
§ 29. Time of public hearing.

CHAPTER 38. HISTORICAL MATERIAL AND INFORMATION

[The following Bylaws of the Town Meeting and Special Acts of the Connecticut General Assembly have either been repealed by the Charter or other ordinances, or superseded by state law or the Wilton Charter. They have been removed from other parts of the Code and placed here for historical reference. The effect of these enactments is subject to the interpretation of the Town Counsel.]

ARTICLE I. Town Officers

Editor's Note: Formerly Article I of former Ch. 4, Bylaws.

[Adopted Wilton Town Meeting 3-12-1898]

§ 1. Elected officers.

[Amended 7-25-1955] Editor's Note: See Article VII and Article VIII of Ch. 2, Charter.

There shall be elected biennially three Selectmen, two Registrars of Voters, three Grand Jurors, seven Constables, a Treasurer, a Town Clerk, a Collector of Taxes, one or more Assessors for a term of four years, one or more members of the Board of Tax Review for a term of four years, three members of the Board of Education for a term of four years, one or more members of the Planning and Zoning Commission for a term of five years and one or more members of the Zoning Board of Appeals for a term of five years.
§ 2. Appointed officers.

[Amended 7-25-1955] Editor's Note: See Article VII of Ch. 2, Charter.

The Selectmen shall appoint annually a Pound Keeper, a Tree Warden and all other officers required by law as soon after the annual election on the first Tuesday of November in each year as it can properly be done. Such officers shall serve until their successors are appointed.

§ 3. Finance Board.

[Amended 7-25-1955] Editor's Note: See § C8-12 of Ch. 2, Charter.

The Selectmen shall appoint annually two members of the Finance Board as required by law, and no appropriation exceeding $1,000 shall be made by any Town Meeting unless passed upon by said Board.

§ 4. Salary increases restricted.

[Added 8-21-1957] Editor's Note: See § C8-6 of Ch. 2, Charter.

There shall be no increase in salary of any elected official during his term of office.

ARTICLE II. Town Meetings

Editor's Note: Formerly Article III of former Ch. 4, Bylaws. See Article III of Ch. 2, Charter.

[Adopted Wilton Town Meeting 3-12-1898]

§ 5. Biennial election of officers.

[Amended 10-21-1957]

The Town Meeting for the election of officers shall be held biennially on the first Tuesday of November, and the polls shall be open from 6:00 a.m. until 8:00 p.m. for the depositing of ballots.

§ 6. Meetings requiring use of ballots.

[Amended 7-25-1955]

At all Town and Electors' Meetings to be held thereafter, at which any officer or officers are to be chosen, or the question or questions at issue are to be determined by ballots, the polls shall be opened at 6:00 a.m. and closed at 8:00 p.m.

§ 7. Warning of Town Meeting.
The Selectmen shall post a copy of the warning of each Town Meeting on the public signposts located in the lobby of the Town Hall, at the intersection of Ridgefield Road and Lover's Lane and in Wilton Center at least five days before the time of holding such meeting.

ARTICLE III. Annual Town Reports

Editor's Note: Formerly Article IV of former Ch. 4, Bylaws.

[Adopted Wilton Town Meeting 3-12-1898]

§ 8. Printing of Town reports by Selectmen.

[Amended 7-25-1955] Editor's Note: Superseded by Section 7-406, Connecticut General Statutes.

The Selectmen shall cause an annual report of the receipts, expenses and other such matters relating to Town proceedings as in their judgment may be proper to be prepared, audited and printed for each fiscal year.

ARTICLE IV. Board of Education

Editor's Note: Formerly Article VI of former Ch. 4, Bylaws.

[Adopted Wilton Town Meeting 4-25-1955]

§ 9. Annual report.

Editor's Note: See Section 7-406, Connecticut General Statutes. It shall be the duty of the Board of Education to furnish a brief summary of its doings during any fiscal year in time for printing with and as a part of the annual Town Report.

ARTICLE V. Planning and Zoning Commission

Editor's Note: Formerly Article VIII of former Ch. 4, Bylaws.

[Adopted Wilton Town Meeting 5-1-1962]

§ 10. Authority.

Editor's Note: See § C8-13 of Ch. 2, Charter. Pursuant to the authority of Section 8-4a of the Connecticut General Statutes, the Zoning Commission and the Planning Commission shall be consolidated into one Commission to be known as the "Wilton Planning and Zoning Commission."

Editor's Note: See § C8-13 of Ch. 2, Charter. Said Wilton Planning and Zoning Commission shall have all the powers and duties of both a Planning Commission and a Zoning Commission as provided in the General Statutes and shall supersede the existing Planning Commission and the existing Zoning Commission.

§ 12. Members.

Editor's Note: See § C8-13 of Ch. 2, Charter. Said Commission shall be comprised of nine elected members, not counting nonvoting members, who shall be electors of the Town of Wilton holding no salaried municipal office and whose term of office, method of election and method of filling vacancies shall be fixed by ordinance.

§ 13. First Selectman a nonvoting member.

Editor's Note: See Sections 8-19 and 7-12a, Connecticut General Statutes. The First Selectman shall also be a member of said Commission, but without voting privileges.


Until the nine members of said Commission are elected as provided by ordinance, the membership of the Wilton Planning and Zoning Commission shall be filled by appointments to be made by the Board of Selectmen, which appointments, insofar as possible, shall be made from the membership of the existing Commissions.

§ 15. Effective date.

The consolidation of the Zoning Commission and the Planning Commission into the one Commission shall be effective as of June 1, 1962.

§ 16. Saving clause.

All regulations promulgated by either the existing Planning Commission or the existing Zoning Commission prior to June 1, 1962, shall continue in full force and effect, except to the extent that they are inconsistent with the consolidated Commission, until modified, repealed or superseded in accordance with law.

ARTICLE VI. Planning and Zoning Commission Elections

Editor's Note: Formerly part of Article IX of former Ch. 4, Bylaws.

[Adopted Wilton Town Meeting 5-1-1962]

§ 17. Terms of office; method of election.
Editor's Note: See § C8-13 of Ch. 2, Charter. The terms of office and the method of election of the members of the Wilton Planning and Zoning Commission shall be as follows:

A. Commencing in November 1963, four members shall be elected biennially at the regular municipal election to serve for four years and until their successors are elected and have qualified.

B. Commencing in November 1965, four members shall be elected biennially at the regular municipal election to serve for four years and until their successors are elected and have qualified.

C. In November 1965, one member shall be elected for a term to commence December 1, 1966, for a term of four years or until his successor is elected and has qualified.

§ 18. Vacancies.

Editor's Note: See § C8-8 of Ch. 2, Charter. Except in the case of the initial appointments as heretofore provided by ordinance, vacancies shall be filled by the Board of Selectmen and the appointee shall serve until the next regular municipal election, at which time the vacancy shall be filled by election.

ARTICLE VII. Recreation Commission

Editor's Note: Formerly Article XI of former Ch. 4, Bylaws.

[Adopted Wilton Town Meeting 5-1-1956; Repealed 10-23-1969; Adjourned to 10-25-1969. See Ch. 24]

ARTICLE VIII. Conservation Commission

Editor's Note: Formerly Article XII of former Ch. 4, Bylaws.


ARTICLE IX. Board of Fire Commissioners

Editor's Note: Formerly Article XIV of former Ch. 4, Bylaws.

[Adopted Wilton Town Meeting 8-3-1964; Repealed 10-8-1970. See Ch. 14A]

ARTICLE X. Additional Sessions of the Board for Admission of Electors

Editor's Note: Formerly Article XV of former Ch. 4, Bylaws.

[Adopted Wilton Town Meeting 8-3-1964]
§ 19. Repeal of prior ordinance.

The ordinance of March 22, 1960, providing for additional sessions of the Board for Admission of Electors to examine the qualifications of electors Editor's Note: Requirements for sessions to examine the qualifications of electors are regulated by General Statutes. See also § C3-1 of Ch. 2, Charter. and to admit to the elector's oath those found qualified is hereby repealed.

ARTICLE XI. School District for Wilton, Redding and Weston

Editor's Note: Formerly Article V of Ch. 6, Special Acts.

[Adopted 4-25-1911]

§ 20. Establishment of school district.

Resolved by this Assembly: That the territory heretofore included within the limits of School District Number Ten of the Town of Wilton, formed from parts of the Towns of Wilton, Redding and Weston, and all the inhabitants within said territory, be and they are hereby made and continued a body politic and corporate under the name of District No. 10 of the Town of Wilton, with all the powers given to school districts by Chapters 135 and 137 of the General Statutes and amendments thereof.


All moneys expended by the Town of Wilton for the maintenance of a public school in said district shall be paid by said towns on the basis of the school enumeration of children in said district, to be determined as follows: the whole number of children enumerated in the district shall be taken as the common denominator, and the number of children so enumerated residing in each town in said district shall be taken as the numerator, to determine the fractional part of such tax or sum of money expended which each of said towns shall be required to pay.

§ 22. Supervision; local powers; state benefits.

Said school district shall be subject to the same supervision by the State Board of Education as said board now exercises over other public schools. The School Committee of the Town of Wilton shall exercise the powers and perform the duties in said district provided for school visitors in Chapter 134 of the General Statutes and amendments thereof, and the said district shall receive the same benefits from the State School Fund, through the Town of Wilton, that other school districts receive.

§ 23. Exemptions.

Said district shall be exempt from the provisions of Chapter 146 of the Public Acts of 1909, and from the provisions of any other statute, so far as such provisions are inconsistent herewith. Approved April 25, 1911.
ARTICLE XII. Removal of Part of Weston from School District

Editor's Note: Formerly Article VII of Ch. 6, Special Acts.

[Adopted 4-10-1933]

21 Special Acts and Resolutions of Connecticut 844, No. 149, An act providing for the removal of a portion of the Town of Weston from "District No. 10 of the Town of Wilton."

Be it enacted by the Senate and House of Representatives in General Assembly convened:


Number 173 of the Special Acts of 1911 is amended by removing from District No. 10 of the Town of Wilton, incorporated by said act, that portion of the Town of Weston included in said district; and the Town of Weston is relieved from any obligation for any portion of the expense of maintenance of the public school in said district.

§ 25. Effective date.

This act shall take effect July 1, 1933. Approved April 10, 1933.

ARTICLE XIII. Dissolving of School District

Editor's Note: Formerly Article X of Ch.6, Special Acts.

[Adopted 5-28-1963]

Special Act No. 85, Substitute for House Bill No. 3093. An act concerning dissolving School District No. 10 of the Town of Wilton.


District No. 10 of the Town of Wilton, created by Number 173 of the Special Acts of 1911, as amended by Number 149 of the Special Acts of 1939, is dissolved effective June 30, 1964, at midnight.

§ 27. Sharing of debts and expenses.

Upon dissolution of said District No. 10, the Towns of Wilton and Redding shall continue to be obligated to pay their respective statutory shares of all debts and expenses incurred or accrued in the maintenance and operations of a school in said District No. 10 prior to dissolution.
§ 28. Payment to Redding.

After dissolution of said District No. 10, all real and personal property owned by District No. 10 at the time of said dissolution shall become the property of the Town of Wilton upon payment by said Town of Wilton to the Town of Redding of the sum of $77,000 for its interest in said assets. Approved May 28, 1963.

ARTICLE XIV. Route 7 Hearing

Editor's Note: Formerly Article XI of Ch. 6, Special Acts.

[Adopted 7-2-1963]

Special Act No. 380, House Bill No. 3831. An act providing for a hearing by the Highway Commissioner on the location of Route 7 in Wilton.

§ 29. Time of public hearing.

Not later than one year after the effective date of this act, the Highway Commissioner shall hold a public hearing in the Town of Wilton on the proposed location of Route 7 in said town. Approved July 2, 1963.

DISPOSITION LIST

CHAPTER DL. DISPOSITION LIST

§ DL-1. Disposition of legislation.

CHAPTER DL. DISPOSITION LIST

The following is a chronological listing of legislation of the Town of Wilton adopted since January 1, 2005, indicating its inclusion in the Code or the reason for its exclusion. [Enabling legislation which is not general and permanent in nature is considered to be non-Code material (NCM).] Consult municipal records for disposition of prior legislation.

§ DL-1. Disposition of legislation.

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§ C-17 Delegation.

§ C-11 Conduct of meetings of the Town Meeting.