

TABLE OF CONTENTS

THE CHARTER

Charter C:1

THE CODE

PART I: ADMINISTRATIVE LEGISLATION

1. General Provisions 1:1

Article I Adoption of Code

7. Alternate Members 7:1

Article I Zoning Board of Appeals

Article II Planning and Zoning Commission

12. Authorities, Agencies, Boards, Commissions and Committees..... 12:1

Article I Board of Education

Article II Planning and Zoning Commission

Article III Parking Authority

Article IV Municipal Development and Industrial Commission

Article V Redevelopment Agency

Article VI Regional Council of Elected Officials

Article VII Regional Council of Governments

Article VIII Committee on Needs of the Aging

Article IX Water Pollution Control Authority

Article X Resource Recovery Authority

Article XI Inland Wetland Agency

Article XII Flood and Erosion Control Board

Article XIII Historical Commission

Article XIV Advisory Board to Youth Services Bureau

Article XV Capital Improvement Advisory Committee

Article XVI Aquifer Protection Agency

28. Finances 28:1

Article I Bills Presented to Selectmen

Article II Report of Selectmen Expenses and Income

Article III Auditing of Town Accounts

37. Insurance 37:1

Article I Old Age and Survivor’s Insurance

Article II Insurance for Claims Against Town

Article III Insurance for Volunteer Fire Fighters

43. Justices of the Peace 43:1

66. Personnel Policies 66:1

Article I Sick Leave

DRAFT
WINDSOR LOCKS CODE

75.	Retirement.....	75:1
84.	Salaries and Compensation.....	84:1
	Article I Town Clerk	
88.	Seal	88:1
95.	Town Meetings and Reports	95:1
	Article I Annual Selectmen's Report	
	Article II Town Report	
	Article III Convening Time for Meetings	
	Article IV Annual Budget Meeting	
99.	Town Property	99:1
	Article I Exemption from Zoning Regulations	
107.	Voting and Elections.....	107:1
	Article I Machine Method for Voting	
	Article II Voting Hours for Elections	
	Article III Voting Districts	
	Article IV Date for Holding Municipal Elections	
	Article V Designation of Party Affiliation on Voter Registry	
	Article VI Term of Office for Registrars of Voters	
	Article VII Shifts of Election Officials	
	Article VIII Referendum Questions	

PART II: GENERAL LEGISLATION

120.	Adult Businesses.....	120:1
125.	Airport Zoning	125:1
130.	Alarm Systems	130:1
135.	Alcoholic Beverages	135:1
	Article I Sunday Sales	
140.	Amusement Enterprises	140:1
145.	Animals.....	145:1
	Article I Town Pounds	
	Article II Dog Waste Removal	
150.	Bazaars and Raffles	150:1
155.	Buildings and Building Construction.....	155:1
	Article I Building Lines on Waterways, Brooks and Streams	
	Article II Sewerage Facilities Required	
	Article III Roof Leaders and Downspouts	
	Article IV Flood Damage Prevention	
	Article V Numbering of Buildings	
160.	Child Safety Zones.....	160:1

DRAFT
TABLE OF CONTENTS

171.	Emergency Services.....	171:1
	Article I Reimbursement of Expenses	
176.	Foreign Trade Zone	176:1
187.	Housing Code	187:1
193.	Hunting	193:1
214.	Loitering	214:1
222.	Massage Parlors	222:1
236.	Nuisances	236:1
251.	Parks and Recreation Areas	251:1
257.	Peace and Good Order	257:1
	Article I Policing of Places of Amusement	
	Article II Police Officers at Theaters	
	Article III Police Officers at Public Functions	
263.	Peddling and Soliciting.....	263:1
269.	Property, Lost or Unclaimed.....	269:1
288.	Sewers.....	288:1
	Article I Lateral Sewer Lines	
	Article II Mandatory Connections	
	Article III Costs of New Sewer Construction	
292.	Sewer Use	292:1
299.	Solid Waste.....	299:1
	Article I Refrigerators and Similar Containers	
	Article II Town Dump	
	Article III Solid Waste Originating Outside Town	
	Article IV Collection and Recycling	
	Article V Refuse Collection and Disposal	
307.	Stormwater Management.....	307:1
313.	Streets and Sidewalks	313:1
	Article I Deposits on Sidewalks	
	Article II Street Excavation Permits	
	Article III Street Excavation Bonds	
	Article IV Placing Snow and Ice in Streets	
	Article V Removal of Snow and Ice from Sidewalks	

DRAFT
WINDSOR LOCKS CODE

320.	Taxation	320:1
	Article I	Payment of Taxes in Installments
	Article II	Assessment of Solar Energy Systems
	Article III	Exemption for Legally Blind Persons
	Article IV	Veterans Exemption
	Article V	Pari-Mutuel and Off-Track Betting Facilities
	Article VI	Payment of Certain Taxes in One Installment
	Article VII	Exemption for Ambulance-Type Vehicles
	Article VIII	Exemption for Elderly or Totally Disabled Persons
324.	Tax-Delinquent Parties and Property	324:1
	Article I	Issuance of Permits and Certificates of Occupancy
	Article II	Awarding of Bids and Contracts
335.	Vehicles, Abandoned or Inoperable.....	335:1
340.	Vehicles and Traffic.....	340:1
	Article I	Authority to Revise Parking Regulations
	Article II	Parking Meters
	Article III	U-Turns Prohibited
	Article IV	Penalties for Overtime Parking
	Article V	Payment of Automobile Taxes
	Article VI	Winter Parking
	Article VII	Fire Lanes
	Article VIII	Truck Parking
349.	Water.....	349:1
	Article I	Emergency Water Conservation

APPENDIX

A400.	Special Acts	A400:1
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DERIVATION TABLE

DISPOSITION LIST

INDEX

DRAFT

THE CHARTER

DRAFT

Chapter C

CHARTER

CHAPTER I **Incorporation and General Powers**

- Section 101. Incorporation.**
- Section 102. Rights and obligations.**
- Section 103. General grant of powers.**
- Section 104. Effect of Charter.**

CHAPTER II **Elections**

- Section 201. General.**
- Section 202. Eligibility.**
- Section 203. Minority representation.**
- Section 204. Breaking a tie.**
- Section 205. Vacancies in elective offices.**
- Section 206. Board for Admission of Electors.**
- Section 207. Voting districts.**

CHAPTER III **Elected Officers, Boards and Commissions**

- Section 301. General powers and duties.**
- Section 302. Elected Town officers, boards and commissions.**
- Section 303. Recall of elected officials.**
- Section 304. Elected state officers.**

CHAPTER IV **The Board of Selectmen**

- Section 401. Composition.**
- Section 402. General powers and duties.**
- Section 403. Appointments.**

- Section 404. Organization.**
- Section 405. Procedure.**
- Section 406. Emergency ordinances.**
- Section 407. Removal of appointed officials.**
- Section 408. Compensation.**
- Section 409. Vacancies in Board of Selectmen.**

CHAPTER V **The First Selectman**

- Section 501. General.**
- Section 502. Powers and duties.**

CHAPTER VI **Appointive Personnel**

- Section 601. Appointments.**
- Section 602. Vacancies.**
- Section 603. Director of Health.**
- Section 604. Town Counsel.**
- Section 605. Administrative Assistant.**
- Section 606. Director of Public Works.**
- Section 607. Tree Warden.**
- Section 608. Town Engineer.**
- Section 609. Building Official.**
- Section 610. Director of the Office of Emergency Management.**
- Section 611. Justices of the Peace.**
- Section 612. Welfare Director.**

DRAFT
WINDSOR LOCKS CODE

CHAPTER VII
**Appointed Boards, Commissions and
Similar Bodies**

- Section 701. General powers and procedures; records; compensation.**
- Section 702. Eligibility.**
- Section 703. Vacancies.**
- Section 704. Appointed permanent boards, commissions or similar bodies.**
- Section 705. Conservation Commission.**
- Section 706. Regional and interlocal agencies.**
- Section 707. Dissolution of boards, commissions and similar bodies.**
- Section 708. Creation of permanent boards, commissions and similar bodies.**
- Section 709. Alternates to the Board of Finance.**

CHAPTER VIII
Finance and Taxation

- Section 801. General powers of Board of Finance.**
- Section 802. Fiscal year.**
- Section 803. Budget preparation.**
- Section 804. Annual Budget Meeting.**
- Section 805. Duties of the Board of Finance on other financial matters.**
- Section 806. Additional capital expenditures.**
- Section 807. Emergency appropriations.**
- Section 808. Unauthorized expenditures.**
- Section 809. Unexpended appropriations.**
- Section 810. Annual audit.**

- Section 811. Treasurer.**
- Section 812. Tax Collector.**

CHAPTER IX
Town Employees

- Section 901. Personnel regulations.**

ARTICLE X
Town Meeting

- Section 1001. Legislative powers.**
- Section 1002. Members of the Town Meeting.**
- Section 1003. The Annual Town Meeting.**
- Section 1004. Special Town Meetings.**
- Section 1005. Town Meeting by Petition.**
- Section 1006. The Annual Budget Meeting.**
- Section 1007. Organization and procedure.**
- Section 1008. Actions requiring a Town Meeting.**

CHAPTER XI
Conflict of Interest

- Section 1101. General.**
- Section 1102. Disclosure.**
- Section 1103. Penalties.**

CHAPTER XII
Miscellaneous Provisions

- Section 1201. Transfer of powers.**
- Section 1202. Transfer of records and property.**
- Section 1203. Status of employees.**
- Section 1204. Continuation of appropriations and Town funds.**

Section 1205. Legal proceedings.

Section 1209. Usage.

Section 1206. Existing laws and ordinances.

Section 1210. References to the General Statutes, special acts, and ordinances.

Section 1207. Review and amendment of Charter.

Section 1211. Effective date.

Section 1208. Rules of construction and saving clause.

[HISTORY: Adopted by the Town of Windsor Locks 1-5-1981; amended 12-2-1993; 1-1-2000; 1-1-2003. Subsequent amendments noted where applicable.]

**CHAPTER I
Incorporation and General Powers**

Section 101. Incorporation.

All the inhabitants dwelling within the territorial limits of the Town of Windsor Locks, as heretofore constituted, shall continue to be a body politic and corporate under the name, "The Town of Windsor Locks," hereinafter called "the Town," and as such shall have perpetual succession and may hold and exercise all powers and privileges heretofore exercised by said Town and not inconsistent with the provisions of this Charter, the additional powers and privileges herein conferred and all powers and privileges conferred upon towns under the General Statutes.

Section 102. Rights and obligations.

All property, both real and personal, all rights of action and rights of every description and all securities and liens in said Town as of the date when this Charter shall take effect are continued. The Town shall continue to be liable for its debts and obligations. Nothing herein shall be construed to affect the right of the Town to collect any assessment, charge, debt or lien. If any contract has been entered into by said Town prior to the effective date of this Charter or any bond or undertaking has been given by or in favor of said Town which contains provisions that the same may be enforced by any office or agency therein named, which is abolished, such contracts, bonds or undertakings shall be in no manner impaired but shall continue in full force and effect. The powers conferred and the duties imposed with reference to the same upon any such office or agency shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the Board of Selectmen of said Town.

Section 103. General grant of powers.

In addition to all powers granted to towns under the Constitution and General Statutes, or which may hereafter be conferred, the Town shall have all powers specifically granted by this Charter and all powers fairly implied in or incidental to the powers expressly granted, all powers conferred by Section 7-194 of the General Statutes, and by special acts of the General Assembly not inconsistent with this Charter, and all other powers incident to the management of the property, government and affairs of the Town, including the power to enter into

contracts with the United States Government or any branch thereof, the State of Connecticut or any agency or political subdivision thereof, or any other body politic or corporate not expressly forbidden by the Constitution and General Statutes of the State of Connecticut. The enumeration of the particular powers in this and any other chapter of the Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

Section 104. Effect of Charter.

All general laws of the State of Connecticut applicable to the Town and all ordinances of the Town shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Charter. The provisions of all special acts of the General Assembly relating to the Town of Windsor Locks not inconsistent with the provisions of this Charter are hereby retained.

**CHAPTER II
Elections**

Section 201. General.

Nomination and election of federal and state officers and of such Town officers, boards, commissions and similar bodies as are provided for in this Charter shall be conducted and the Registrars of Voters shall prepare lists of electors qualified to vote theretofore, in the manner prescribed in the Constitution and the General Statutes and Special Acts of the State of Connecticut applicable to the Town. A meeting of the electors of the Town of Windsor Locks for the election of municipal officers shall be held on the first Tuesday of November in 1981 and biennially thereafter.

Section 202. Eligibility.

No person shall be eligible for election to any Town office who is not at the time of that person's election an elector of said Town, and any person ceasing to be an elector of said Town shall thereupon cease to hold elective office in the Town.

Section 203. Minority representation.

Minority representation on any elective or appointive board, commission or similar body of the Town, except the Board of Selectmen and the Board of Education, and except as outlined in this Charter, shall be determined in accordance with the provisions of Section 9-167a of the General Statutes. Minority representation on the Board of Selectmen and the Board of Education shall be determined in accordance with the provisions of Sections 9-188 and 9-204, respectively, of the General Statutes.

Section 204. Breaking a tie.

When any regular or special municipal election, primary election or referendum conducted pursuant to the provisions of this Charter results in a tie, an adjourned election shall be conducted in accordance with the provisions of the General Statutes.

Section 205. Vacancies in elective offices.

Except as otherwise provided in this Charter, vacancies in elected offices shall be filled within 60 days by majority vote of the Board of Selectmen by appointment of a member of the same political party in which was enrolled the person whose discontinuance in office caused such vacancy, until the next succeeding biennial election, at which time a person shall be elected to fill the unexpired term of such office. Vacancies in any board, commission or similar body, except the alternate members of the Zoning Board of Appeals, shall be filled within 60 days by a majority vote of the remaining members of such board, commission or similar body, by the appointment of a member of the same political party in which was enrolled the person whose discontinuance in office caused such vacancy, until the next succeeding biennial election at which time a person shall be elected to fill the unexpired term of such board, commission or similar body. Vacancies in the alternates of the Zoning Board of Appeals shall be filled within 60 days by the members of the Zoning Board of Appeals as herein specified except that the vacancy shall be filled for the unexpired portion of such term. In case of a tie vote in the vote of such board, commission or similar body in carrying out the provisions of this section, such tie vote may be dissolved by vote of the First Selectman.

Section 206. Board for Admission of Electors.

The Town Clerk and the Registrars of Voters shall constitute the Board for Admission of Electors in accordance with the provisions of Section 9-15a of the General Statutes.

Section 207. Voting districts. ¹

There shall continue to be two voting districts, as the same existed on the effective date of this Charter, and the number of such districts shall not be increased or decreased nor their boundaries changed except by Town ordinance.

CHAPTER III
Elected Officers, Boards and Commissions

Section 301. General powers and duties.

- a) Except as otherwise provided in this Charter, all elected Town officers and members of the Board of Education shall have the powers and duties prescribed for such officers in the General Statutes and in this Charter. The elected Town officers and members of elected boards, commissions and similar bodies shall have the responsibility for the selection and management of the personnel chosen to assist them in the completion of

1. Editor's Note: See Ch. 107, Voting and Elections, Art. III.

their duties unless otherwise provided by labor contract and/or applicable personnel rules and regulations not inconsistent with this provision.

- b) Copies of all minutes taken by each board and commission and the recorded vote of each member thereof on all issues shall be filed with the Town Clerk and with the First Selectman within the time specified in the General Statutes. The Town Clerk shall maintain files of such minutes, which shall be public records. All boards, commissions and similar bodies shall include time on their agenda for the public to address issues before the body.
- c) For purposes of this Charter, and unless otherwise provided by statute or other Charter provision, a majority of the membership, including vacancies, of a board, commission or similar body, shall constitute a quorum.

Section 302. Elected Town officers, boards and commissions.

Beginning with the regular biennial Town elections held in November, 2001, and biennially thereafter, the following officers and members of boards, commissions and similar bodies shall be elected for terms of two years and until their successors have been elected and duly qualified, except as otherwise provided herein. All terms shall commence on the day following the regular biennial Town election, except that the term of office of the Board of Selectmen shall commence on the 21st day following its election and the term of office of the Town Clerk shall commence on the first business day in January following his election.

- A. The First Selectman and two other members of the Board of Selectmen, for terms of two years, in accordance with Section 9-188 of the General Statutes.
- B. The Town Clerk, for a term of four years.
- C. Two members of the Board of Finance, who shall hold office for terms of six years; and biennially thereafter, two members, who shall be elected so that the Board of Finance shall consist of six members, not more of four of whom shall be from the same political party, serving terms of six years.
- D. Three members of the Board of Education, not more than two of whom shall be of the same political party, who shall hold office for terms of four years. In November, 1983, there shall be elected two members of the Board of Education, not more than one of whom shall be of the same political party, who shall hold office for terms of four years so that there shall be a Board of Education of five members, not more than three of whom shall be of the same political party, serving terms of four years.
- E. Three members of the Sewer Commission, not more than two of whom shall be of the same political party, who shall hold office for terms of four years. In November, 1983 there shall be elected two members, not more than one of whom shall be of the same political party, who shall hold office for four years so that there shall be a Sewer Commission of five members, not more than three of whom shall be of the same political party serving terms of four years together with the Board of Selectmen as hereinafter provided.

- F. One member of the Board of Assessors shall be elected for a term of six years so that the Board of Assessors shall consist of three members, not more than two of whom shall be of the same political party.
- G. One member of the Board of Assessment Appeals shall be elected for a term of six years so that the Board of Assessment Appeals shall consist of three members, not more than two of whom shall belong to the same political party.
- H. Two members of the Police Commission, who shall hold office for terms of six years; and biennially thereafter, two members shall be elected so that the Police Commission shall consist of six members, not more than four of whom shall be of the same political party, serving terms of six years.
- I. Two members of the Fire Commission, who shall hold office for terms of four years; and biennially thereafter, two members, so that the Fire Commission shall consist of four members, not more than three of whom shall be of the same political party, serving terms of four years.
- J. The Town Treasurer, for a term of two years.
- K. The Tax Collector, for a term of two years.
- L. Two members of the Park Commission, who shall hold office for terms of six years; and biennially thereafter, two members who shall be elected so that the Park Commission shall consist of six members, not more than four of whom shall be of the same political party, serving terms of six years.
- M. Two members of the Zoning Board of Appeals shall be elected in November, 1981; one for five years beginning in November, 1981, and one for five years beginning in November, 1982 and biennially thereafter, members shall be elected so that the Board shall consist of five members serving for five years, not more than three of whom shall be of the same political party.
- N. One alternate member to the Zoning Board of Appeals shall be elected for a term of six years so that the alternates to the Board shall consist of three members serving for six years, not more than two of whom shall be of the same political party.

All incumbent elected officers and members of boards, commissions and similar bodies, on the effective date of this Charter, shall continue to hold the office to which they were elected for the terms for which they were elected and until their successors elected hereunder have been qualified to succeed them. Officers consisting of Chairman, Secretary and such other officers as they deem appropriate of elective boards, commissions and similar bodies shall be chosen biennially at a meeting held within 30 days of the commencement of terms of members elected at the regular biennial Town election.

Section 303. Recall of elected officials.

This section deleted.

Section 304. Elected state officers.

At the state election to be held in November, 1982, and quadrennially thereafter, there shall be elected the following officers:

- A. At the state election to be held in November, 1982, two Registrars of Voters, in accordance with the applicable provisions of the General Statutes, for terms of four years. The term of office of the Registrars of Voters shall commence on the first business day in January following their election.
- B. At the state election to be held in November, 1982, a Judge of Probate for the Probate District of Windsor Locks, in accordance with the applicable provisions of the General Statutes, for a term of four years.

CHAPTER IV

The Board of Selectmen**Section 401. Composition.**

The Board of Selectmen shall consist of the First Selectman and two other Selectmen who shall be elected as provided in Section 302A.

Section 402. General powers and duties.

The Board of Selectmen shall have all the powers and duties hereinafter conferred upon said Selectmen and all those powers and duties, which, on the effective date of this Charter, were conferred by the General Statutes upon Boards of Selectmen, except as otherwise specifically provided in this Charter.

Section 403. Appointments.

The Board of Selectmen shall have the power to appoint such personnel and members of boards, commissions and other similar bodies as are provided in this Charter.

Section 404. Organization.

The newly elected Board of Selectmen shall meet on the 21st day following its election. The meeting shall be called to order by the First Selectman, and the oath of office administered to all members. The newly elected First Selectman shall appoint an acting First Selectman for the Board of Selectmen to act in the temporary absence or disability of the First Selectman.

Section 405. Procedure.

The Board of Selectmen shall meet twice monthly on the first and third Tuesday each month and shall also provide a method for calling special meetings. Only business, notice of which has been included in the call for such special meetings shall be acted upon at any special meeting. Two members of the Board of Selectmen shall constitute a quorum for the transaction of business. The Board of Selectmen shall act by majority vote of those present and voting.

Section 406. Emergency ordinances.

On a declaration by the First Selectman that a state of public emergency exists in the Town affecting the public health, safety or welfare, the Board of Selectmen shall be empowered to adopt regulations or ordinances which shall become effective immediately upon the affirmative vote of the majority of the Board of Selectmen. No public hearing shall be required. This regulation or ordinance shall be automatically repealed when the First Selectman shall declare that the emergency no longer exists but in no event beyond the 31st day from the adoption of the ordinance.

Section 407. Removal of appointed officials.

- A. A member of an appointive board may be removed for cause by the Board of Selectmen.
- B. No such removal for cause shall be effected unless the member:
 - 1) Has received a statement in writing, prepared either by the Board of Selectmen or by the remaining members of the appointive board, of the reasons why he should be removed, and
 - 2) Has, not less than 15 days after a copy of said statement of reasons has been mailed postage paid, certified letter, personal return receipt requested, directed to said member at his last known address and been afforded an opportunity for a hearing before the Board of Selectmen, at which he may appear with counsel.

Section 408. Compensation.

The members of the Board of Selectmen and its employees shall receive such compensation as may be determined by the budget submitted to and adopted at the Annual Town Budget Meeting or a special Town meeting called for that purpose.

Section 409. Vacancies in Board of Selectmen.

If a vacancy shall occur in the office of the First Selectman, the acting First Selectman shall assume the office of First Selectman with all the powers and duties of an elected First Selectman. Such person shall serve until a successor has been appointed and duly qualified as provided in Section 9-222 of the General Statutes. If a vacancy shall office in the office of the Board of Selectmen, other than in the office of the First Selectman, the successor shall be appointed and duly qualified as provided in Section 9-222 of the General Statutes.

**CHAPTER V
The First Selectman****Section 501. General.**

The First Selectman shall be the full-time chief executive officer and chief administrative officer of the Town. The First Selectman shall be a full voting and participating member of the Board of Selectmen and shall preside at meetings of said Board. In the absence of the First Selectman, the Acting First Selectman shall preside. The First Selectman, or in his absence the Acting First Selectman, shall be an ex-officio member of all other Town boards, commissions and similar bodies, and said boards, commissions and similar bodies shall immediately notify the First Selectman, in writing, of all special meetings to be held.

Section 502. Powers and duties.

The First Selectman shall have the powers and duties provided in this Charter and those provided in the Special Acts, General Statutes and ordinances and regulations of the Town of Windsor Locks not inconsistent with this Charter.

- A. He, or his designated representative, shall be the official head of the Town for all ceremonial purposes.
- B. He shall execute or cause to be executed the Town ordinances, regulations, resolutions and policies.
- C. He shall have responsibility for the care, maintenance and operation of all buildings, lands, apparatus and property, which are subject to the control of the Board of Selectmen.
- D. With the approval of the Board of Selectmen, he shall enter into contracts or agreements with government agencies, corporations or others, subject to the limitations of this Charter and in the General Statutes.
- E. With the approval of the Board of Selectmen, he shall supervise the administration of the affairs of the Town, except those matters which, by the General Statutes, by this Charter or by ordinance, are exclusively committed to the Board of Education or other boards, commissions or similar bodies.

**CHAPTER VI
Appointive Personnel****Section 601. Appointments.**

The Board of Selectmen shall, from time to time, appoint a Director of Health (unless already provided by a regional agency), a Town Counsel, a Town Engineer, Emergency Management Director and such other personnel as it may from time to time deem necessary and appropriate in furtherance of the best interests of the Town. The compensation of such persons, if any, shall be determined in the same manner as provided in Section 408 hereof. The terms of all

appointed personnel shall be fixed terms of two years or less to coincide with the term of office of the Board of Selectmen.

Section 602. Vacancies.

Any vacancy in any position appointed by the Board of Selectmen as provided in Section 601 hereof shall be filled by the Board of Selectmen. Persons appointed to fill vacancies in said position shall serve for the unexpired portion of the term vacated.

Section 603. Director of Health.

The Director of Health shall have the powers and duties, not inconsistent with this Charter, conferred or imposed by the General Statutes on such officer.

Section 604. Town Counsel.

- A. The Town Counsel shall be an attorney at law admitted to practice in the State of Connecticut.
- B. He shall appear for and protect the rights of the Town in all actions, suits or procedures brought by or against it or any of its departments, officers, boards, commissions or similar bodies.
- C. He shall be the legal advisor of the Board of Selectmen, and all Town officers, boards, commissions and similar bodies, in all matters affecting the Town and shall upon written request furnish a written opinion on any questions of law involving their respective powers, duties and responsibilities. A copy of all written requests and opinions shall be forwarded to the Board of Selectmen.
- D. Upon request, he shall prepare or approve forms of contracts or other instruments to which the Town is a party or in which it has an interest.
- E. He shall have the power, with the approval of the Board of Selectmen, to appeal from orders, decisions and judgments and, subject to the approval of said Board of Selectmen, to compromise and settle any claims by or against the Town.
- F. If, in special circumstances, or for investigative purposes, the Board of Selectmen deem it advisable, they may, by resolution, provide for the temporary employment of counsel other than or in addition to the Town Counsel.

Section 605. Administrative Assistant.

This section deleted.

Section 606. Director of Public Works.

The Director of Public Works shall be the Superintendent of Highways and shall have such other duties as prescribed by the Board of Selectmen.

Section 607. Tree Warden.

The Tree Warden shall have the powers and duties, not inconsistent with the Charter, conferred or imposed by the General Statutes on such officer and as may be prescribed by the Board of Selectmen.

Section 608. Town Engineer.

The Town Engineer shall be a professional engineer licensed to practice in the State of Connecticut. He shall provide technical advice and assistance to all Town offices, boards, commissions and similar bodies as may be requested in matters pertaining to Town operations. He shall have such other duties as may be prescribed by the Board of Selectmen.

Section 609. Building Official.

The Building Official shall be the Housing Code Enforcement Officer and the Zoning Enforcement Officer and shall have all the powers and duties, not inconsistent with this Charter, conferred or imposed by the General Statutes on such officers and as may be prescribed by the Board of Selectmen or by ordinance.

Section 610. Director of the Office of Emergency Management.

The Director of the Office of Emergency Management shall have such powers and duties, not inconsistent with this Charter, as may be conferred or imposed by the General Statutes on such officer and as may be prescribed by the Board of Selectmen or by ordinance.

Section 611. Justices of the Peace.

There shall be 27 Justices of the Peace nominated in accordance with the General Statutes who shall have the powers and duties conferred or imposed by the General Statutes. The terms of office shall be four years and shall commence on the first Monday of January following their nomination.

Section 612. Welfare Director.

The Welfare Director shall have the powers and duties, not inconsistent with this Charter, as may be conferred or imposed by the General Statutes on such officer and as may be prescribed by the Board of Selectmen or by ordinance.

CHAPTER VII**Appointed Boards, Commissions and Similar Bodies****Section 701. General powers and procedures; records; compensation.**

- A. Except as otherwise provided in this Charter, all appointed boards, commissions and similar bodies shall have the powers and duties prescribed by law.

- B. All boards shall establish procedures for the conduct of their meetings and the execution of their duties.
- C. Copies of all minutes taken by each board and the recorded vote of each member thereof on all issues shall be filed with the Town Clerk and with the First Selectman within the time specified in the General Statutes. The Town Clerk shall maintain files of such minutes, which shall be public record.
- D. Except as otherwise prescribed by state statutes, members of boards, commissions and similar bodies shall serve without compensation, except that necessary expenses incurred in the performance of their duties shall be paid from an appropriation for the purpose.
- E. All boards, commissions and similar bodies shall include time on their agenda for the public to address issues before the body.
- F. For purposes of this Charter, and unless otherwise provided by statute or other Charter provision, a majority of the membership, including vacancies, of a board, commission or similar body, shall constitute a quorum.

Section 702. Eligibility.

Except as otherwise provided herein, all members of boards, commissions and similar bodies shall be electors of the Town and shall have such qualifications as may be prescribed by the Board of Selectmen or by the General Statutes. Except as otherwise provided herein, if any such officer or member shall cease to be an elector of the Town, such person shall thereupon cease to hold such office or membership.

Section 703. Vacancies.

Any vacancy in any appointive board, commission or similar body, from whatever cause arising, shall be filled by the Board of Selectmen. Persons appointed to fill such vacancies shall serve for the unexpired portion of the term vacated.

Section 704. Appointed permanent boards, commissions or similar bodies.

There shall continue to be a Planning and Zoning Commission, an Economic and Industrial Development Commission, a Housing Authority, a Redevelopment Agency, which Agency shall cease to exist no later than the date of the municipal election in November, 2001, a Housing Code Review Board, a Committee on the Needs of the Aging, and there shall be established a Conservation Commission in accordance with Section 705 of this Charter. Except as otherwise specifically provided in this Charter, the composition, members and alternates, terms of office, powers and duties and all other incidents of said existing and future boards, commissions and other similar bodies shall be determined by Special Acts applicable to the Town and ordinances and, where appropriate, resolutions of the Town, as the same may be amended from time to time.

Section 705. Conservation Commission.

The first of January, following the adoption of this Charter, there shall be formed a Conservation Commission consisting of five members and two alternates, not more than three of whom shall be of the same political party. Three members and one alternate shall be appointed for two-year terms starting January 1, 1981, and two members and one alternate shall be appointed for four-year terms starting January 1, 1981. Appointments for terms starting January 1, 1983 and every two years thereafter shall be for four-year terms.

The Conservation Commission shall devote its efforts to ensuring the sound development, conservation, supervision and regulation of natural resources of the Town and shall have such powers and duties as prescribed by the General Statutes.

Section 706. Regional and interlocal agencies.

The Town shall continue to participate in such regional and interlocal agencies and programs as authorized by ordinances adopted pursuant to the applicable provisions of the General Statutes. Nothing in this Charter shall be construed as limiting the authority of the Town to continue such participation or join new regional programs as authorized by the General Statutes.

Section 707. Dissolution of boards, commissions and similar bodies.

No permanent appointive board, commission or similar body shall be abolished except upon the affirmative vote of a Town Meeting. Such dissolution shall not become effective until 30 days after such action.

Section 708. Creation of permanent boards, commissions and similar bodies.

There shall be such additional appointive boards, commissions or similar bodies as the legislative body of the Town may by ordinance or resolution, as appropriate, from time to time determine.

Section 709. Alternates to the Board of Finance.

Two alternate members, not more than one of whom shall be of the same political party, shall be appointed by the Board of Finance to hold office for a period of six years. Such alternate members shall have all the powers and duties vested in a member of the Board of Finance and shall be electors and taxpayers of the Town. If a regular member is absent or disqualified, such member shall designate an alternate to act in his stead. In the event a regular member shall fail or refuse to designate an alternate to so act, the majority of the regular members of the Board of Finance not absent and not disqualified may designate an alternate from the same political party as the regular member to act for such absent or disqualified member.

**CHAPTER VIII
Finance and Taxation****Section 801. General powers of Board of Finance.**

The Board of Finance 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 Finance by the General Statutes, applicable Special Acts and ordinances, and shall perform all the functions of that Board. It shall, to the extent not inconsistent with this Charter, applicable Special Acts, ordinances and resolutions of meetings of the Town Meeting, prescribe the method by which and the place where all records and books of accounts of the Town or any department or subdivision thereof shall be kept. The Board of Finance may also request from time to time copies of such records and books of accounts of any official, board, or commission which shall be necessary to fulfill its statutory duty and responsibility for estimating anticipated revenues from all sources. The Board shall further set the date and times of its meetings.

Section 802. Fiscal year.

The fiscal year of the Town shall begin on the first day of July and shall end on the 30th day of June.

Section 803. Budget preparation.

On or before December 1, the Board of Finance shall provide all offices, boards, commissions and similar bodies supported wholly or in part by Town funds, or for which a special Town appropriation is or may be made, with budget guidelines for the upcoming fiscal year, and said offices, boards, commissions and similar bodies shall furnish the Board of Finance, not later than the first day in February on forms provided by the Board of Finance, an itemized estimate of expenditures for the ensuing fiscal year together with the corresponding approved budget for the current fiscal year.

In addition, where applicable, the budget shall be accompanied by a Capital Improvements Plan for the ensuing fiscal year and five years thereafter, together with proposed methods of financing same. As part of the budget request, the Board of Finance may require an estimate of revenues to be received by any office, board, commission or similar body during the ensuing fiscal year together with estimates of any unexpended balances for the current year.

The Board of Finance may require meetings with the Chairman and/or members of offices, boards, commissions or similar bodies to explain their requests and any Chairman and/or member of any office, board, commission or similar body shall be entitled to be heard by the Board in respect to estimates submitted.

The Board of Finance shall make such revisions in budgets or Capital Improvements Plans submitted as it deems advisable and shall then prepare the overall Town Budget, on forms prescribed by the state, to be recommended to the Annual Budget Meeting.

Section 804. Annual Budget Meeting.

The Annual Budget Meeting, hereinafter called the "Budget Meeting," shall be held on the third Tuesday of May. Not less than two weeks before the date of the Budget Meeting, the Board of Finance shall hold a public hearing. At the public hearing, any elector or taxpayer may be heard regarding the budget recommendations for the ensuing fiscal year. At least five days before such public hearing, the Board of Finance shall publish in a newspaper having a general circulation in the Town a notice of the time and date of such public hearing. Sufficient copies of the proposed budget shall be made available for general distribution before such public hearing. Following the public hearing, the Board of Finance shall meet to act on suggestions and recommendations made at the public hearing and shall thereafter recommend the proposed budget, as amended, if amended, to the Budget Meeting. The notice of the Budget Meeting and the proposed estimated budget for the ensuing fiscal year shall be published at least five days before such meeting in a newspaper having a general circulation in the Town. Sufficient copies of the proposed estimated budget shall be made available for general distribution in the Town Office Building before and at the Budget Meeting. Nothing in this section shall preclude the right to petition for a referendum vote, as is prescribed in Sections 7-7, 7-9 and 7-9a of the Connecticut General Statutes as amended from time to time. If there is a petition for referendum, the Budget Meeting shall be for the purposes of discussing the entire proposed budget and setting the hours of referendum. The Budget Meeting shall be adjourned to a referendum vote to be held 14 days after the Budget Meeting. If no valid petition for referendum is filed, the Budget Meeting shall consider and discuss the budget as submitted by the Board of Finance and may take action as follows:

- A. Appropriations shall not be made exceeding that for the same purpose recommended by the Board of Finance, or for any other purpose not recommended by the Board of Finance.
- B. Any individual appropriation may be reduced to a sum less than that recommended by the Board of Finance by an affirmative vote of a majority present and entitled to vote at such meeting. After due consideration of the proposed budget and action thereon has been completed, the procedure for adopting the Annual Budget shall be by vote of the Annual Budget Meeting, by a majority of qualified voters present and voting. Such vote shall be taken by paper ballot provided by the Clerk of the Meeting. In the event the proposed budget, as may have been amended, is not adopted by the Annual Budget Meeting, the meeting shall establish the hours and adjourn to a referendum vote to be held in 14 days. The referendum shall be submitted to the qualified voters for a "Yes" or "No" vote on the voting machines. The proposed budget for the referendum shall be the entire estimated budget as amended by the Budget Meeting, or, if not amended, as recommended by the Board of Finance. The voting machine labels shall be provided by the Town Clerk. The budget shall, if approved by a majority of those voting, be adopted. Should the vote, by referendum or paper ballot, reject the budget, the Moderator shall reconvene additional referenda at fourteen-day intervals until the budget is adopted. If the 14th day falls on a legal holiday, the referendum shall be held on the following day. Before any additional referenda, the Board of Finance may hold a public hearing and may revise the rejected budget. A summary of any revisions made by the Board of Finance to the rejected budget shall be available before any additional referenda. The summary shall also be posted at the polling places for the referendum. If the budget is not approved before the end of the fiscal year, the Town shall operate on the budget of

the fiscal year then ending until a new budget is approved. In the event the budget is not adopted by June 20, the Board of Selectmen, with the approval of the Board of Finance, may call one or more Special Town Meetings and appropriate funds by way of tax anticipation notes to meet necessary obligations at budget levels then in effect, from the first day of July to the approval of the budget.

Immediately upon approval of the budget, the Board of Finance shall set the tax rate and notify the Tax Collector forthwith. An official copy of the budget as finally approved shall be filed by the Board of Finance with the Town Clerk within five days of approval.

Section 805. Duties of the Board of Finance on other financial matters.

- A. The estimate of expenditures submitted by the Board of Finance to the Budget Meeting shall include a recommendation for a contingency fund, which shall not exceed 2% of the total expenditures for the current fiscal year. No expenditure or transfer may be made from this fund without the approval of the Board of Finance.
- B. Transfers. Upon request by an office, board, commission or similar body, except the Board of Education, the Board of Finance may transfer unexpended balances from one line item to another within the approved budgets. No amount appropriated for any purpose on the budgets submitted shall be used or appropriated for any other purpose unless approved by the Board of Finance. Upon request of any office, board, commission or similar body during the last 60 days of the fiscal year, the Board of Finance may transfer any unencumbered appropriation, balance or portion thereof from one office, board, commission or similar body to another; provided, however, that this provision shall not apply to the Board of Education. No transfer shall be made from any appropriation for debt service and other statutory charges.
- C. Supplementary appropriations. Upon request of any office, board, commission or similar body that additional funds in excess of what had been provided in the budget or, if funds are required for which no provision was made in the budget, the Board of Finance, after inquiry into and review of the request, may approve an amount not exceeding \$10,000 from any cash surplus available or from the contingency fund. The amount requested and approved shall not exceed \$10,000 for any one office, board, commission or similar body in any one year without Town Meeting approval.

Section 806. Additional capital expenditures.

Except when included in the Annual Town Budget, any capital expenditure exceeding \$200,000 approved by the Board of Finance, together with authorization to issue bonds or notes in the same amount, shall be submitted to a referendum for acceptance or rejection after being reviewed at a public hearing. Such a referendum shall be conducted on a date and time fixed by the Board of Selectmen, not less than 10 nor more than 30 days after said public hearing. The Town Clerk shall cause to be published in a newspaper having a circulation in the Town, the date, time and reason for such referendum.

Section 807. Emergency appropriations.

If a declaration of public emergency in accordance with Section 406 is in effect, the Board of Finance or the Town Meeting shall make the appropriation to meet the emergency in the amount not to exceed \$25,000.

Section 808. Unauthorized expenditures.

No expenditure and no commitment to make an expenditure shall be made, caused to be made, or authorized by any officer, agent, or agency of the Town, or by any board or commission of the Town unless an appropriation shall have been made covering such expenditure or commitment in accordance with the provisions of this Charter. Any person willfully violating this provision shall be prosecuted by the Town.

Section 809. Unexpended appropriations.

Any portion of an annual appropriation remaining unexpended or unencumbered at the close of the fiscal year shall lapse; provided, however, appropriations for construction or for other capital improvements, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned; provided further that any such project shall be deemed to have been abandoned if three fiscal years shall elapse without any expenditure from or encumbrances of the appropriation therefor.

Section 810. Annual audit.

The Board of Finance shall annually designate an independent public accountant, or firm of independent public accountants, to audit the books and accounts of the Town as required by General Statutes and may periodically designate such accountant to make special audits of the books and accounts of any office, board, commission or other similar body. Any board, commission, agency or similar body not included in the Town audit, receiving funds from the Town and/or other sources, upon request by the Board of Finance shall cause an audit of its financial condition to be conducted by a certified public accountant, licensed by the State of Connecticut, and shall submit the results of said audit to the Board of Finance prior to, or together with, the submission of its budget requests for the upcoming year.

Section 811. Treasurer.

The Treasurer shall receive all money belonging to the Town, pay it out on the order of the proper authority, keep accurately the records required by law, and have such other powers and duties as are prescribed in the General Statutes. The procedural regulations established by the Treasurer's office shall conform to the regulations as outlined in this Charter.

Section 812. Tax Collector.

The Tax Collector shall collect taxes in accordance with the provisions of the General Statutes, except that such taxes, together with interest, penalties, and lien fees thereon, shall be turned over to the Town Treasurer within four calendar days of collection. Taxes shall be

due and payable in semiannual installments on July first and January first of each year unless otherwise fixed by ordinance. The Tax Collector shall issue monthly reports to the Town Treasurer or periodically on demand.

CHAPTER IX Town Employees

Section 901. Personnel regulations.

The Board of Selectmen shall develop and maintain personnel regulations for nonunion full-time employees and full-time elected officials. Personnel regulations shall include, but not be limited to, a statement of duties and responsibilities of all employees of the Town and include Personnel Regulations which shall provide for hours of work, vacations, sick leaves, removals and such other rules as may be necessary to provide an adequate and systematic procedure for the administration of the personnel policies of the Town. The Board of Selectmen shall appoint a committee of three, consisting of one member each from the Board of Selectmen, Board of Finance and the involved department head, board, commission or similar body, who shall represent the municipal employer in collective bargaining with employee organizations and shall have such authority as is consistent with state statutes. The provisions of this section shall not apply to the Board of Education.

ARTICLE X Town Meeting

Section 1001. Legislative powers.

- A. The legislative power of the Town shall be vested in the Town Meeting with all powers conferred by the General Statutes and by this Charter.
- B. All Town Meetings, including Special Town Meetings and Town Meetings by Petition, as hereinafter provided, shall be warned and conducted in accordance with the provisions of Sections 7-3 through 7-8, inclusive, of the General Statutes; provided, however, that the provisions of this Charter, where inconsistent with the aforesaid General Statutes, shall govern. All Town Meetings of the Town of Windsor Locks shall be held starting at 7:30 p.m.

Section 1002. Members of the Town Meeting.

Members of the Town Meeting shall be electors of the Town and all others entitled to vote at the Town Meetings pursuant to the General Statutes.

Section 1003. The Annual Town Meeting.

The Annual Town Meeting shall be held during the month of February each year to accept the Annual Town Report and to transact any other business properly coming before the Town Meeting.

Section 1004. Special Town Meetings.

Special Town Meetings may be called from time to time by the Board of Selectmen and as required by this Charter.

Section 1005. Town Meeting by Petition.

- A. Upon petition filed with the Town Clerk and signed by 20 persons entitled to vote at Town Meetings, petitioning for the warning and convening of a Special Town Meeting, said petition to be in accordance with the provisions of Section 7-9 of the General Statutes and to contain the matter or text of the proposed ordinance or resolution to be considered at said Special Town Meeting, the Town Clerk shall, within 10 days, determine whether or not the petition contains the required number of valid signatures, and if it does, shall so certify to the Board of Selectmen within said 10 days. Said petition may propose consideration of any matter proper to come before a Town Meeting. The Board of Selectmen, upon advice of counsel, if it deems said advice necessary, shall determine what is proper to come before the Town Meeting. Upon receipt of such certification from the Town Clerk, the Board of Selectmen shall, within 14 days thereafter, cause to be convened a Special Town Meeting, which meeting may be adjourned from time to time as the interest of the Town requires. At said Special Town Meeting, the only matters that may be considered shall be those matters set forth in said petition.
- B. Any ordinance or resolution so proposed in such a petition shall be examined by the Town Counsel prior to submission to the Town Meeting; and prior to or at said Town Meeting, the Town Counsel shall give his opinion, orally or in writing, with respect to the form of the proposal and its conformity to and relationship with existing constitutions, statutes, special acts, ordinances and regulations.

Section 1006. The Annual Budget Meeting.

There shall be an Annual Budget Meeting as is provided in Section 804.

Section 1007. Organization and procedure.

- A. The First Selectman or his representative shall call the meeting to order and the meeting shall choose a moderator. All business shall be conducted as provided by Chapter 90 of the General Statutes.
- B. The Town Clerk shall serve as Clerk of all Town Meetings, but in the absence of the Town Clerk, an acting clerk may be designated by the meeting.
- C. All action at a Town Meeting shall be adopted by a majority vote of the qualified voters present and voting at the meeting, unless otherwise provided by this Charter.

Section 1008. Actions requiring a Town Meeting.

- A. Adoption of the Annual Budget as hereinbefore provided or any resolution making an appropriation of more than \$10,000 not included in the Annual Budget.
- B. Any resolution authorizing the issuance of notes or other borrowing or issuance of bonds in any amount.
- C. Any sale of real estate or any interest therein of the Town except property acquired by tax foreclosure and any purchase of real estate or interest therein.
- D. Real estate leases and/or lease options to which the Town is a party for terms in excess of five years.
- E. The discontinuance or abandonment of Town roads, the establishment of Town roads, and the acceptance as Town roads of existing or proposed roads.
- F. Initial applications for federal or state grants involving the expenditure of Town funds.
- G. The Town Meeting shall have the sole power to enact and repeal ordinances consistent with this Charter and the General Statutes.
- H. In addition to all the matters requiring Town Meeting approval, the Board of Selectmen may bring before a Town Meeting, including a Special Town Meeting, for its consideration any other matter the Board of Selectmen considers of sufficient importance to warrant a Town Meeting.
- I. The Town Meeting shall not act upon any appropriation which has not been recommended by the Board of Finance.

**CHAPTER XI
Conflict of Interest****Section 1101. General.**

If any elected or appointed Town officer, official or employee may obtain financial gain, directly or indirectly, from any contract, any transaction or any decision of any board, commission or similar body of the Town to which the Town is a party, he must make a disclosure in accordance with Section 1102.

Section 1102. Disclosure.

If any elected or appointed Town officer, official or employee anticipates that a conflict of interest as defined under Section 1101 might exist or could develop from any action he may take in the exercise of his duties or from any influence which might derive from his position, he shall disclose the nature and circumstances which would lead to the conflict to the board, commission or similar body of which he is a member or to which he is responsible. The board, commission or similar body involved shall record such disclosure and make it public record with the Town Clerk's office and shall meet to decide whether or not the individual who has made the disclosure will be disqualified from further action on the subject matter of

the disclosure. The individual involved will not participate in the decision of his being disqualified, and if he is the chairman of the involved board, commission or similar body, an acting chairman will be chosen by the remaining members for the purpose of reaching a decision on the disqualification of the individual.

Section 1103. Penalties.

Violation of the provisions of Section 1101 or Section 1102 shall be grounds for the removal of the officer, official or employee. Violation of this section with the knowledge, express or implied, of any person or corporation participating in such contract, transaction or decision shall render the same voidable by a court of competent jurisdiction.

CHAPTER XII
Miscellaneous Provisions

Section 1201. Transfer of powers.

The powers which are conferred and the duties which are imposed upon any office, board, commission or similar body under the General Statutes or any ordinance or regulation, in force at the time this Charter shall take effect, if such office, board, commission or similar body or office to which are granted similar powers and jurisdiction, shall be thereafter exercised and discharged by the commission, board or similar body, or office upon which are imposed corresponding or line functions, powers and duties under the provisions of this Charter. All commissions, boards, similar bodies or offices abolished by this Charter, whether elective or appointive, shall continue in the performance of their duties until provisions shall have been made for the discontinuances of such commissions, boards, similar bodies or offices and the performance of their duties by other commissions, boards, similar bodies or offices created under this Charter and until the Town Clerk shall have notified the members of such commissions, boards, similar bodies or offices as are abolished by this Charter that their successors have qualified.

Section 1202. Transfer of records and property.

All records, property and equipment whatsoever of any commission, board or similar body or office or part thereof, all the powers and duties of which are assigned to any other commission, board, similar body or office by this Charter, shall be transferred and delivered intact forthwith to the commission, board, similar body or office to which such powers and duties are so assigned. If part of the powers and duties of any commission, board, similar body or office are by this Charter assigned to another commission, board, similar body or office, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact forthwith to the commission, board, similar body or office to which such powers and duties are so assigned.

Section 1203. Status of employees.

All employees of the Town of the effective date of this Charter shall retain such positions pending action by the appropriate person or agency charged by this Charter with powers of appointment or removal of said employees. Any provisions in force at the time this Charter shall take effect and not inconsistent with the provisions in this Charter, in relation to personnel, appointments, ranks, grades, tenure of office, promotions, removals, pension and retirement rights, civil rights or any other rights or privileges of employees of the Town or any office, department, or agency thereof, shall continue in effect, unless and until amended or repealed in accordance with the provisions of this Charter.

Section 1204. Continuation of appropriations and Town funds.

All appropriations approved and in force and all funds, including special or reserve funds in the name of the Town, at the time of the adoption of this Charter shall remain in full force and effect unless and until the same shall be amended, transferred or abolished by the Board of Finance under the provisions of this Charter.

Section 1205. Legal proceedings.

No action or proceeding, civil or criminal, pending on the effective date of this Charter, brought by or against the Town or any board, commission, similar body, or office thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained; but all such actions or proceedings may be continued notwithstanding the fact that the functions, powers and duties of any board, commission or similar body or office party thereto may, by or under this Charter, be assigned or transferred to another board, commission, similar body or office to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Section 1206. Existing laws and ordinances.

On and after the effective date of this Charter, all general laws and special acts of the State of Connecticut applying to the Town, all ordinances and bylaws of the Town, and all rules and regulations of commissions, boards and similar bodies of the Town not inconsistent with the provisions of this Charter or repealed thereby shall be and shall continue to remain in full force and effect unless and until repealed or amended.

Section 1207. Review and amendment of Charter.

This Charter may be amended in the manner prescribed by the General Statutes. The Board of Selectmen shall review this Charter from time to time as it deems such review to be in the best interest of the Town, but not less often than once every five years, said review to be published as part of the Annual Town Report. The Board of Selectmen shall appoint a commission not later than five years from effective date of this Charter, to review, amend or revise said Charter in the manner prescribed by the General Statutes.

Section 1208. Rules of construction and saving clause.

- A. This Charter is intended to avail, make use of and exercise the full home rule powers of the Town under the Home Rule Law and any other statute now in effect or hereafter enacted and any other home rule powers thereof under the Constitution of the State of Connecticut, under the common law, or otherwise.
- B. Nothing herein contained 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 with which, by Constitution or General Statutes, this Charter is not permitted to be in conflict or inconsistent. 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 section or part of any section of this Charter 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 said section or part thereof so held invalid may appear, to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of the section to which such ruling shall directly apply.

Section 1209. Usage.

When the context so requires, the masculine gender shall include the feminine and the singular shall include the plural and the plural the singular.

Section 1210. References to the General Statutes, special acts, and ordinances.

All references to the General Statutes made herein are to the General Statutes of Connecticut, Revision of 1958; and all references to said General Statutes, to the Special Acts or Special Laws of the State of Connecticut, and to the ordinances, regulations and bylaws of the Town of Windsor Locks are to them as they exist on the effective date of this Charter and as the same may be amended from time to time.

Section 1211. Effective date.

This Charter shall become effective the first Monday of January 1981.

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PART I

**ADMINISTRATIVE
LEGISLATION**

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Chapter 1
GENERAL PROVISIONS

ARTICLE I
Adoption of Code

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

ARTICLE I
Adoption of Code

[An ordinance to adopt the Code of the Town of Windsor Locks is currently before the Town Meeting. Upon adoption, it will be included as Article I of this chapter.]

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Chapter 7

ALTERNATE MEMBERS

ARTICLE I
Zoning Board of Appeals

§ 7-1. **Number; appointment and terms.**

§ 7-2. **Political affiliation.**

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

ARTICLE II
Planning and Zoning Commission

§ 7-3. **Number and appointment.**

ARTICLE I
Zoning Board of Appeals
[Adopted 9-15-1959 (Ch. IX, § 9, of the Town Compilation)]

§ 7-1. **Number; appointment and terms.**

Three alternate members of the Zoning Board of Appeals, as provided in Public Act No. 146 as passed by the 1959 Session of the General Assembly, shall be elected for the following terms beginning October 1, 1961: one for two years; one for four years; one for six years.

§ 7-2. **Political affiliation.**

Not more than two of such alternate members shall belong to the same political party.

ARTICLE II
Planning and Zoning Commission
[Adopted 2-28-1968]

§ 7-3. **Number and appointment.**

The First Selectman of the Town of Windsor Locks is hereby authorized to appoint three alternate members to the Planning and Zoning Commission.

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Chapter 12

AUTHORITIES, AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES

ARTICLE I Board of Education

§ 12-1. Number of members.

ARTICLE II Planning and Zoning Commission

§ 12-2. Designation.

ARTICLE III Parking Authority

§ 12-3. Creation; purpose.

§ 12-4. Membership.

ARTICLE IV Municipal Development and Industrial Commission

§ 12-5. Acceptance of state statute.

§ 12-6. Membership.

§ 12-7. Appointment of members.

§ 12-8. Terms of office.

ARTICLE V Redevelopment Agency

§ 12-9. Creation; membership.

ARTICLE VI Regional Council of Elected Officials

§ 12-10. Membership.

§ 12-11. Town representative.

§ 12-12. Powers and duties.

ARTICLE VII Regional Council of Governments

§ 12-13. Adoption of state statute;
membership.

ARTICLE VIII Committee on Needs of the Aging

§ 12-14. Establishment; appointment of
members.

ARTICLE IX Water Pollution Control Authority

§ 12-15. Designation and purpose.

ARTICLE X Resource Recovery Authority

§ 12-16. Adoption of provisions of
Municipal Resource Recovery
Act.

§ 12-17. Establishment; membership.

§ 12-18. Compensation and expenses.

§ 12-19. Chairman.

§ 12-20. Powers and duties.

§ 12-21. Removal of members.

ARTICLE XI Inland Wetland Agency

§ 12-22. Establishment; authority.

§ 12-23. Powers and duties.

§ 12-24. Membership.

§ 12-25. Terms of office.

ARTICLE XII
Flood and Erosion Control Board

- § 12-26. Creation and membership.
- § 12-27. Powers and duties.

ARTICLE XIII
Historical Commission

- § 12-28. Membership; terms of office.
- § 12-29. Powers and duties.

ARTICLE XIV
Advisory Board to Youth Services
Bureau

- § 12-30. Establishment.

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

ARTICLE I
Board of Education

[Adopted 9-12-1935 (Ch. XV, § 3, of the Town Compilation)]

- § 12-1. Number of members.

In accordance with the provisions of Section 294C of the 1935 Supplement to the General Statutes, the number of the Board of Education of the Town of Windsor Locks, Connecticut, shall be, and said number is hereby changed from an even number of six to an odd number of five, in order to prevent in the future the possibility of a deadlock that will allow any single member of said Board to use such deadlock as a weapon to compel any teacher to take a stand on any issue contrary to that dictated by said teacher's best judgment.

ARTICLE II
Planning and Zoning Commission

[Adopted 5-15-1952 (Ch. IX, § 7, of the Town Compilation)]

- § 12-2. Designation.

The Planning Commission of the Town of Windsor Locks is hereby designated as the Planning and Zoning Commission of the Town of Windsor Locks and, as such, shall have all powers and duties both as a Planning and a Zoning Commission and shall supersede the

present Zoning Commission of the Town of Windsor Locks, as provided for by Section 169b of the 1951 Supplement to the General Statutes.¹

ARTICLE III
Parking Authority
[Adopted 8-27-1953 (Ch. XIV, § 5, of the Town Compilation)]

§ 12-3. Creation; purpose.

A parking authority under Public Act No. 157 of the 1953 Session of the General Assembly² is hereby created for the purpose of creating and establishing off-street parking facilities in the Town of Windsor Locks.

§ 12-4. Membership.

Said parking authority shall consist of five members to be appointed by the First Selectman of Windsor Locks as provided in Section 3 of said Act.

ARTICLE IV
Municipal Development and Industrial Commission
[Adopted 8-2-1961 (Ch. IX, § 5, of the Town Compilation)]

§ 12-5. Acceptance of state statute.

Section 7-13e of the General Statutes of Connecticut, Revision of 1958, providing for the establishment of a municipal development and industrial commission, is hereby accepted.³

§ 12-6. Membership.

There shall be 10 members of such Commission.

§ 12-7. Appointment of members.

The members of such Commission shall be appointed by the First Selectman of Windsor Locks.

1. Editor's Note: Section 169b of the 1951 Supplement was codified at C.G.S. § 8-20, which was repealed by P.A. 679, § 4, enacted in 1959.

2. Editor's Note: See C.G.S. Ch. 100, § 7-202 et seq.

3. Editor's Note: See C.G.S. § 7-137a, Powers and duties of development and industrial commissions created prior to October 1, 1965.

§ 12-8. Terms of office.

The term of the members of such Commission shall be as follows: two members shall serve for one year; two members shall serve for two years; two members shall serve for three years; two members shall serve for four years, and two members shall serve for five years.

ARTICLE V
Redevelopment Agency
[Adopted 8-18-1965]

§ 12-9. Creation; membership.

A redevelopment agency under Chapter 130 of the General Statutes of Connecticut shall be created and its members shall consist of resident electors of the Town of Windsor Locks.

ARTICLE VI
Regional Council of Elected Officials
[Adopted 4-27-1966]

§ 12-10. Membership.

The Town of Windsor Locks does hereby join with such of the towns, cities or boroughs within its planning region, as defined by the Connecticut Development Commission, as may enact a similar ordinance, to create a Regional Council of Elected Officials as said Council is defined by Public Act 511 of the 1965 General Assembly.⁴

§ 12-11. Town representative.

The representative to said Regional Council shall be the First Selectman of the Town of Windsor Locks.

§ 12-12. Powers and duties.

The Regional Council shall have such powers, purposes, responsibilities and duties as stated in Public Act 511 of the 1965 General Assembly.

ARTICLE VII
Regional Council of Governments
[Adopted 5-30-1973]

§ 12-13. Adoption of state statute; membership.

The Town of Windsor Locks does hereby adopt Sections 4-124i through 4-124p of the 1971 Supplement to the Connecticut General Statutes (P.A. 821), providing for the formation of a Regional Council of Governments within a planning region as defined or redefined by the

4. Editor's Note: See C.G.S. § 4-124c.

Director of the Office of State Planning, and does hereby join such Regional Council of Governments when and as such Council is duly established in accordance with said statutes, upon the adoption of said statutes, by not less than 60% of all municipalities within such planning region. The adoption of such sections of the General Statutes is intended to include the provisions of any Special Act of the 1973 General Assembly respecting additional representation for the core city within the Capitol Region on a Regional Council of Governments, and a nonvoting advisory Regional Forum thereunder, consistent with proposed bylaws of such Regional Council of Governments dated January 25, 1973, and endorsed by the existing Regional Council of Governments on May 3, 1973.

ARTICLE VIII
Committee on Needs of the Aging
[Adopted 1-27-1976]

§ 12-14. Establishment; appointment of members.

A committee to study the needs of the aging shall be established, and the members thereof shall be appointed by the Board of Selectmen.

ARTICLE IX
Water Pollution Control Authority
[Adopted 9-16-1980]

§ 12-15. Designation and purpose.

The Sewer Commission of the Town of Windsor Locks is hereby designated the Water Pollution Control Authority of the Town of Windsor Locks, as provided by Section 7-246 of the Connecticut General Statutes, as amended, for all purposes set forth in Chapter 103 of said Connecticut General Statutes.

ARTICLE X
Resource Recovery Authority
[Adopted 2-16-1983]

§ 12-16. Adoption of provisions of Municipal Resource Recovery Act.

The provisions of Section 3 to 17, inclusive, of Public Act No. 81-213 of the Connecticut General Statutes, as amended, relating to municipal resource recovery authorities and the powers of municipalities thereunder are hereby adopted by the Town of Windsor Locks.⁵

§ 12-17. Establishment; membership.

There shall be established a municipal resource recovery authority in the Town of Windsor Locks, to be designated as the "Windsor Locks Municipal Resource Recovery Authority," and

5. Editor's Note: See C.G.S. Ch. 103B, § 7-273aa et seq.

to consist of seven members and two alternates to be appointed by the Board of Selectmen. The Board of Selectmen shall appoint three electors to serve as members of the Authority until March 1, 1984; three electors to serve as members of the Authority until March 1, 1985; and one elector to serve as a member of the Authority to serve until March 1, 1986. Thereafter, when the terms of members of the Authority expire, the Board of Selectmen shall appoint electors to serve as members of the authority for terms of three years and until their successors shall have taken office. The Board of Selectmen shall appoint two electors to serve as alternates of said Authority until March 1, 1986; thereafter, the Board of Selectmen shall appoint electors to serve as alternates to said Authority for terms of three years.

§ 12-18. Compensation and expenses.

The members of the Authority shall serve without compensation, but the necessary expenses of the Authority shall be paid by the Town through the appropriation procedure.

§ 12-19. Chairman.

The members of the Authority shall choose a Chairman from its members by ballot to serve for a term of two years or until his successor is duly elected.

§ 12-20. Powers and duties.

The Authority shall have all the powers as provided under Public Act 81-213 of the Connecticut General Statutes, as amended.⁶

§ 12-21. Removal of members.

A member or alternate to said Authority may be removed in accordance with Section 407 of the Charter of the Town of Windsor Locks.

ARTICLE XI
Inland Wetland Agency
[Adopted 2-3-1988]

§ 12-22. Establishment; authority.

There shall be an Inland Wetlands Agency in Windsor Locks, Connecticut established in accordance with Sections 22a-36 through 22a-45 of the General Statutes of the State of Connecticut, commonly known as the "Inland Wetlands and Watercourses Act."

§ 12-23. Powers and duties.

Said Commission shall have all the powers and responsibilities authorized under said General Statutes.

⁶ Editor's Note: See C.G.S. Ch. 103B, § 7-273aa et seq.

§ 12-24. Membership.

The Commission shall be composed of nine members and two alternates as members appointed in the manner provided for in Section 708 of the Town Charter. Not more than five members of the Commission shall be members of the same political party. The two alternates shall not be from the same political party.

§ 12-25. Terms of office.

- A. The first three persons named shall serve for a period of three years.
- B. The second three persons named shall serve for a period of two years.
- C. The third three persons named shall serve for a period of one year.
- D. Appointment to office after the first year shall be for a term of three years.
- E. Alternates shall be named for a one-year term and reappointed for one-year terms.

ARTICLE XII
Flood and Erosion Control Board
[Adopted 8-23-1995]

§ 12-26. Creation and membership.

Pursuant to Section 25-84 of the Connecticut General Statutes (revised to 1995), there shall be created a Flood and Erosion Control Board for the Town of Windsor Locks, consisting of a membership of three members appointed by the Board of Selectmen.

§ 12-27. Powers and duties.

The Flood and Erosion Control Board created by this article shall have all of the duties and powers assigned to it by the Connecticut General Statutes as they may be amended from time to time.

ARTICLE XIII
Historical Commission
[Adopted 4-15-1999]

§ 12-28. Membership; terms of office.

The Historical Commission of the Town of Windsor Locks shall consist of five members, who shall be appointed by the Board of Selectmen. Three members shall be appointed for four-year terms starting June 1, 1999, and two members shall be appointed for two-year terms starting in 1999. Appointments for terms starting June 1, 2001, and every two years thereafter, shall be for four-year terms.

§ 12-29. Powers and duties.

- A. The Commission shall identify, archive and preserve all municipally owned items related to the Town's history and cultural development, except those items whose preservation has been specifically provided for by local, state, or federal law.
- B. The Commission shall promote awareness and appreciation of the Town's history and the contributions of its citizens through a variety of programs and publications, and by assisting municipal officials in the observance of Town anniversaries, and national, state and local holidays.

ARTICLE XIV

**Advisory Board to Youth Services Bureau
[Adopted 6-10-1999]**

§ 12-30. Establishment.

The Town of Windsor Locks, acting herein by Town Meeting, establishes an Advisory Board to the Youth Services Bureau.

ARTICLE XV

**Capital Improvement Advisory Committee
[Adopted 11-23-2004]**

§ 12-31. Establishment; purpose.

The Town of Windsor Locks, acting herein by a Town Meeting, authorizes the creation and establishment of an advisory board known as the "Capital Improvement Advisory Committee (CIAC)." The CIAC shall be an advisory board only, advising the Board of Finance regarding capital expenditures for the upcoming and subsequent fiscal years. Each year, the CIAC shall gather and coordinate information from the various Town departments and Board of Education and make recommendations for capital improvements to the Board of Finance. Any such recommendations shall be for informational purposes only.

§ 12-32. Membership.

- A. The CIAC shall be comprised of one representative from each of the following, as determined by the respective Town board or commission:
 - (1) Board of Selectmen.
 - (2) Board of Finance.
 - (3) Board of Education.
 - (4) Police Commission.
 - (5) Fire Commission.
 - (6) Park Commission.

- B. In addition, up to three members-at-large may be appointed by the Board of Selectmen to serve two-year terms. In any event, the CIAC shall be composed of no more than nine members.

ARTICLE XVI
Aquifer Protection Agency
[Adopted 2-23-2005]

§ 12-33. Designation and membership.

- A. In accordance with the provisions of C.G.S. § 22a-354a et seq., the Conservation Commission is hereby designated as the Aquifer Protection Agency (hereinafter the "Agency") of the Town of Windsor Locks. The staff of the Building Department shall serve as the staff of the Agency.
- B. Members of the Conservation Commission shall serve coexisting terms on the Agency. The membership requirements of the Agency shall be the same as those of the Conservation 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.

§ 12-34. Regulations to be adopted.

The Agency shall adopt regulations in accordance with C.G.S. § 22a-354p and Regulations of Connecticut State Agencies (R.C.S.A.) § 22a-354i-3. Said regulations shall provide for:

- A. The manner in which boundaries of aquifer protection areas shall be established and amended or changed.
- B. Procedures for the regulation of activity within the area.
- C. The form for an application to conduct regulated activities within the area.
- D. Notice and publication requirements.
- E. Criteria and procedures for the review of applications.
- F. Administration and enforcement.

§ 12-35. Inventory and 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.

- B. Not later than three months after approval by the Commissioner of the Connecticut Department of Environmental Protection of Level B 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.

Chapter 28
FINANCES

ARTICLE I
Bills Presented to Selectmen

§ 28-1. Procedure for approval and payment.

ARTICLE II
Report of Selectmen Expenses and Income

§ 28-2. Reporting deadline.

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

ARTICLE I
Bills Presented to Selectmen
[Adopted 10-13-1898 (Ch. V, § 5, of the Town Compilation)]

§ 28-1. Procedure for approval and payment.

All bills presented to the Selectmen for payment shall be submitted to the full Board of Selectmen for its consideration, and no order shall be drawn upon the Town Treasurer in payment of said bills until they are approved by a majority of said Board of Selectmen.

ARTICLE II
Report of Selectmen Expenses and Income
[Adopted 10-13-1898 (Ch. V, § 7, of the Town Compilation)]

§ 28-2. Reporting deadline.

The Selectmen are hereby instructed to issue a complete and comprehensive report of all their expenditures and a full statement of all debts owed by and all credits due to the Town on September 15 of each year, the accounts to be closed and brought up on September 1 of each year.

ARTICLE III

Auditing of Town Accounts

[Adopted 8-25-1937 (Ch. V, § 1, of the Town Compilation)]

§ 28-3. Discharge of elected auditors.

The elected auditors of the Town of Windsor Locks, Connecticut are hereby discharged.

§ 28-4. Appointment of accountant to audit accounts.

The Board of Finance of the Town of Windsor Locks, Connecticut, is authorized to appoint a public accountant or firm of accountants to audit the accounts of the Town of Windsor Locks, Connecticut, under the provisions of Chapter 362 of the General Statutes as amended by Section 69c of the Cumulative Supplement.

Chapter 37
INSURANCE

ARTICLE I
Old Age and Survivor's Insurance

§ 37-1. Participation in federal system.

ARTICLE II
Insurance for Claims Against Town

§ 37-2. Authority to procure.

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

ARTICLE I
Old Age and Survivor's Insurance
[Adopted 12-19-1951 (Ch. VII, § 3, of the Town Compilation)]

§ 37-1. Participation in federal system.

The Town of Windsor Locks shall apply for membership and to participate in the Old-Age and Survivorship Insurance System under Title II of the Social Security Act as amended in accordance with Sections 176B through 183B of the 1951 Supplement to the General Statutes,¹ as of the first day of January 1952 for all of its members, with the exception of those whose exclusion is mandatory under Section 178B.²

ARTICLE II
Insurance for Claims Against Town
[Adopted 3-5-1959 (Ch. VII, § 1, of the Town Compilation)]

§ 37-2. Authority to procure.

The Board of Selectmen is hereby empowered to procure the necessary insurance to protect the Town of Windsor Locks from claims made against it under Public Act No. 401 of the 1957 Public Acts.³

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1. Editor's Note: See C.G.S. §§ 7-452 through 7-459.
 2. Editor's Note: See C.G.S. § 7-454.
 3. Editor's Note: See C.G.S. § 7-465.

ARTICLE III

Insurance for Volunteer Fire Fighters

[Adopted 4-23-1959 (Ch. VII, § 7, of the Town Compilation)]

§ 37-3. Authority to procure.

The Town of Windsor Locks is hereby authorized to obtain insurance coverage for volunteer firemen, providing for maximum payments of \$2,500 to \$8,000 for loss of life, limb or sight, as set forth in Section 7-319 of the 1958 Revision of the General Statutes of Connecticut.⁴

4. Editor's Note: See C.G.S. § 7-308.

Chapter 43

JUSTICES OF THE PEACE

§ 43-1. Number and selection.

[HISTORY: Adopted by the Town of Windsor Locks 4-11-1996. Amendments noted where applicable.]

§ 43-1. Number and selection.

Notwithstanding any Charter provision to the contrary, the number of Justices of the Peace to be selected in 1996, and quadrennially thereafter, shall be 37, 2/3 of which number shall be selected in equal numbers by the major parties, as defined by C.G.S. § 9-372, Subsection (5), and 1/3 of which number shall be selected from the enrollment lists of the minor parties, as defined by C.G.S. § 9-372, Subsection (6), and unaffiliated voters.

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Chapter 66

PERSONNEL POLICIES

ARTICLE I
Sick Leave

§ 66-2. Exclusion from social security
wages.

§ 66-1. Grant of sick leave.

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

ARTICLE I
Sick Leave
[Adopted 1-24-1980]

§ 66-1. Grant of sick leave.

The Town of Windsor Locks shall grant, on account of sickness or accident disability, to its covered employees who have furnished satisfactory proof of such sickness or accident disability, sick leave with pay.

§ 66-2. Exclusion from social security wages.

Such sick leave shall be excluded from wages for which social security contributions are made in accordance with Section 209(b) of the Social Security Act and permitted by P.A. 79-529.¹

1. Editor's Note: See C.G.S. § 7-460a.

DRAFT

Chapter 75

RETIREMENT

§ 75-1. Participation in state system.

§ 75-3. Participation of First Selectman.

§ 75-2. Participation of Town Clerk and Treasurer.

[HISTORY: Adopted by the Town of Windsor Locks 3-5-1958 (Ch. VII, §§ 5 and 9, of the Town Compilation). Amendments noted where applicable.]

§ 75-1. Participation in state system.

The Town of Windsor Locks accepts Sections 885 to 903, inclusive, of the General Statutes as amended by Sections 403D to 406D, inclusive, of the 1949 Supplement to the General Statutes by P.A. 447 of the January 1957 Session, and by P.A. 10 of the September Special Session of the General Assembly, to participate in the Connecticut Municipal Employees Retirement Fund B for all the regular employees of all departments of the Town of Windsor Locks, excluding elective officials.¹

§ 75-2. Participation of Town Clerk and Treasurer. [Added 9-5-1961]

The Town of Windsor Locks, acting herein by its Board of Selectmen, subject to approval by its electors at a meeting called for such purpose, provides for inclusion of the Town Clerk and Treasurer, an elected official of the Town of Windsor Locks, in Fund B of the Connecticut Municipal Employees' Retirement Fund in accordance with provisions of Sections 7-425 through Section 7-459, inclusive, of the Connecticut General Statutes, 1958 Revision and the 1959 Supplement thereto.

§ 75-3. Participation of First Selectman. [Added 3-27-1968]

The First Selectman, an elected official of the Town of Windsor Locks, shall be included in Fund B of the Connecticut Municipal Employees' Retirement Fund in accordance with the provisions of Sections 7-425 through Section 7-459, inclusive, of the Connecticut General Statutes, 1958 Revision, as revised and amended to 1968 inclusive, effective as of the date of appointment or election of the First Selectman.

1. Editor's Note: See C.G.S. § 7-425 et seq.

DRAFT

Chapter 84

SALARIES AND COMPENSATION

ARTICLE I
Town Clerk

§ 84-1. Salary in lieu of fees.

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

ARTICLE I
Town Clerk
[Adopted 5-21-1974]

§ 84-1. Salary in lieu of fees.

Pursuant to Section 7-34b of the General Statutes, on July 1, 1974, and thereafter, the Town Clerk shall receive a salary in lieu of all fees and other compensation provided for in the General Statutes.

DRAFT

Chapter 88

SEAL

§ 88-1. Description.

[HISTORY: Adopted by the Town of Windsor Locks 10-4-1971. Amendments noted where applicable.]

§ 88-1. Description.

In lieu of the present Town Seal, a new Town Seal, hereinafter described, is hereby adopted: Said seal is circular in shape with the words "Town of Windsor Locks, Connecticut * Seal *" along the outer edge. Within the larger circle, there are three smaller circles on which are shown an airplane, railroad train and canal locks, respectively. A copy of said seal is imprinted hereon.



DRAFT

Chapter 95

TOWN MEETINGS AND REPORTS

ARTICLE I
Annual Selectmen's Report

§ 95-1. Distribution.

ARTICLE II
Town Report

§ 95-2. Omission of names of persons receiving aid.

ARTICLE III
Convening Time for Meetings

§ 95-3. Times established.

ARTICLE IV
Annual Budget Meeting

§ 95-4. Date of meeting.

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

ARTICLE I
Annual Selectmen's Report
[Adopted 10-6-1856 (Ch. XV, § 1, of the Town Compilation)]

§ 95-1. Distribution.

In all subsequent annual meetings of the Town for the choice of Town officers and before proceeding to vote thereon, the report of the Selectmen shall be presented in printed form for distribution among the legal voters.

ARTICLE II
Town Report
[Adopted 8-13-1934 (Ch. XV, § 11, of the Town Compilation)]

§ 95-2. Omission of names of persons receiving aid.

Names of persons receiving aid from the Town should not be printed in the Town Report.

ARTICLE III
Convening Time for Meetings
[Adopted 10-7-1946 (Ch. IV, § 1, of the Town Compilation)]

§ 95-3. Times established.

No Town meeting, except a meeting at which candidates are to be elected to public office, shall be called to order before 8:00 in the evening. The business session of all Town meetings at which candidates are to be elected to public office shall be called to order at 2:00 in the

afternoon and shall immediately adjourn to 8:00 in the evening of any day after the day on which candidates are to be elected to public office.

ARTICLE IV
Annual Budget Meeting
[Adopted 10-1-1973]

§ 95-4. Date of meeting.

The Annual Budget Meeting shall be held annually on the third Tuesday of May.

Chapter 99
TOWN PROPERTY

ARTICLE I
Exemption from Zoning Regulations

§ 99-1. Exemption established.

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

ARTICLE I
Exemption from Zoning Regulations
[Adopted 6-6-1970]

§ 99-1. Exemption established.

Municipal property of the Town shall be exempt from the zoning regulations of the Town.

DRAFT

Chapter 107

VOTING AND ELECTIONS

ARTICLE I
Machine Method for Voting

§ 107-1. Use required.

ARTICLE II
Voting Hours for Elections

§ 107-2. Hours established.

ARTICLE III
Voting Districts

§ 107-3. Descriptions.

§ 107-4. Polling places.

ARTICLE IV
Date for Holding Municipal Elections

§ 107-5. Date established.

ARTICLE V
Designation of Party Affiliation on Voter Registry

§ 107-6. Designation required.

ARTICLE VI
Term of Office for Registrars of Voters

§ 107-7. Terms established.

ARTICLE VII
Shifts of Election Officials

§ 107-8. Number of shifts.

ARTICLE VIII
Referendum Questions

§ 107-9. Explanatory text.

§ 107-10. Availability of explanatory text.

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

GENERAL REFERENCES

Elections — See Charter Ch. II.

ARTICLE I
Machine Method for Voting
[Adopted 5-5-1948 (Ch. IV, § 3, of the Town Compilation)]

§ 107-1. Use required.

The machine method of voting shall be used at any and all elections for officers and upon all questions, propositions or amendments submitted at such elections.

ARTICLE II

Voting Hours for Elections

[Adopted 9-14-1949; amended 5-23-1962 (Ch. IV, § 7, of the Town Compilation)]

§ 107-2. Hours established.

The hours of voting in the Town of Windsor Locks at Town elections shall be from 6:00 a.m. to 8:00 p.m.

ARTICLE III

Voting Districts

[Adopted 6-19-1957 (Ch. IV, § 5, of the Town Compilation)]

§ 107-3. Descriptions.

The Town of Windsor Locks will be divided into two voting districts designated as "District 1" and "District 2."

- A. District 1 is bounded and described as follows: beginning at a point in the westerly street line of Main Street, said point marking the northerly street line of Elm Street; thence easterly at an angle of 90° to said westerly street line of Main Street to the westerly bank of the Connecticut River; thence northerly along the westerly bank of the Connecticut River to the Windsor Locks-Suffield Town Line; thence westerly along the Windsor Locks-Suffield Town Line to the easterly line of Turnpike Road; thence southerly along the easterly line of Turnpike Road to a point in the northerly street line of Elm Street; thence easterly along the northerly street line of Elm Street to a point in the westerly street line of Main Street, marking the point or place of beginning. Said District 1 being all that portion of the Town of Windsor Locks north of Elm Street as extended to the Connecticut River, and east of Turnpike Road.
- B. District 2 comprises two parcels:
- (1) Parcel #1 being bounded and described as follows: beginning at a point in the westerly street line of Main Street, said point marking the southerly street line of Elm Street; thence easterly at right angles the said westerly street line of Main Street to the westerly bank of the Connecticut River; thence southerly along the bank of the Connecticut River to the Windsor Locks-Windsor Town Line; thence westerly along the Windsor Locks-Windsor Town Line to Turnpike Road; thence northerly along the easterly street line of Turnpike Road to a point in the southerly street line of Elm Street; thence easterly along the southerly street line of Elm Street to a point in the westerly street line of Main Street, said point being the point or place of beginning.
 - (2) Parcel #2 being bounded and described as follows: beginning at a point in the westerly street line of Turnpike Road, said point being in the Windsor Locks-Suffield Town Line; thence westerly along the Windsor Locks-Suffield Town Line to the East Granby-Windsor Locks Town Line; thence southerly along the East Granby-Windsor Locks Town Line to the Windsor Locks-Windsor Town Line; thence continuing in the same southerly direction along the Windsor

Locks-Windsor Town Line to a point, said point being the southwest corner of the Town of Windsor Locks; thence in an easterly direction in the Windsor Locks-Windsor Town Line to a point in the westerly street line of Turnpike Road; thence northerly along the westerly street line of Turnpike Road to a point in the Windsor Locks-Suffield Town Line, said point being the point or place of beginning. Said District 2 consisting of two parts; the first part being all that portion of Windsor Locks situated south of Elm Street as extended to the Connecticut River and east of Turnpike Road; and the second part consisting of all that portion of Windsor Locks situated west of Turnpike Road.

§ 107-4. Polling places.

The polling place for District 1 shall be the auditorium in the Union School on Church Street, and the polling place for District 2 shall be the auditorium in the Southwest School on Southwest Avenue.¹

ARTICLE IV

Date for Holding Municipal Elections

[Adopted 11-21-1968]

§ 107-5. Date established.

Municipal elections for the Town of Windsor Locks shall be held biennially on the Tuesday after the first Monday of November of the odd-numbered years, pursuant to Public Act No. 675 of the 1967 Session of the General Assembly.²

ARTICLE V

Designation of Party Affiliation on Voter Registry

[Adopted 1-22-1974]

§ 107-6. Designation required.

The Registrars of Voters shall be required to designate the party affiliation, if any, of each elector on the registry list with the name of such elector.

1. Editor's Note: The polling place for District 2 was changed to the High School, South Elm Street, by the Registrars of Voters in a 3-5-1973 letter to First Selectman.

2. Editor's Note: See C.G.S. § 9-164.

ARTICLE VI
Term of Office for Registrars of Voters
[Adopted 1-22-1974]

§ 107-7. Terms established.

The Registrars of Voters of the Town of Windsor Locks shall, at the next succeeding regular election for such office, and thereafter, be elected for a term of four years.

ARTICLE VII
Shifts of Election Officials
[Adopted 1-24-1980]

§ 107-8. Number of shifts.

Two shifts of election officials for each polling place, with the exception of the Moderator, shall be established.

ARTICLE VIII
Referendum Questions
[Adopted 9-23-1999]

§ 107-9. Explanatory text.

The Town of Windsor Locks, acting herein by Town Meeting, pursuant to C.G.S. § 9-369b, authorizes the preparation of concise explanatory texts of the questions to be voted upon at the referendum to be held in conjunction with the November municipal election.

§ 107-10. Availability of explanatory text.

The Town Clerk is authorized to cause the texts to be printed in the quantities and formats required by the statute and to furnish the same to each absentee ballot applicant pursuant to Subsection (d) of C.G.S. § 9-140.

DRAFT

PART II

**GENERAL
LEGISLATION**

DRAFT

Chapter 120
ADULT BUSINESSES

- | | |
|---|--|
| § 120-1. Findings and purpose. | § 120-6. Inspection. |
| § 120-2. Definitions. | § 120-7. Location. |
| § 120-3. Minors prohibited. | § 120-8. Hours of operation. |
| § 120-4. Lighting and layout. | § 120-9. Penalties and prosecution. |
| § 120-5. Responsibility for compliance;
liability. | |

[HISTORY: Adopted by the Town of Windsor Locks 2-9-1993. Amendments noted where applicable.]

GENERAL REFERENCES

Amusement enterprises — See Ch. 140.
Massage parlors — See Ch. 222.

Peace and good order — See Ch. 257.

§ 120-1. Findings and purpose.

The legislative body of the Town of Windsor Locks, Connecticut finds:

- A. There are a number of adult-oriented establishments located in the Town of Windsor Locks which require special supervision from the Town's public safety agencies in order to protect and preserve the health, safety and welfare of the patrons of such establishments, as well as the health, safety and welfare of the Town's citizens.
- B. Statistics and studies performed by a substantial number of cities and towns in the United States indicate that:
 - (1) Large numbers of persons, primarily male, frequent such adult-oriented establishments, especially those which provide closed booths, cubicles, studios and rooms for the private viewing of so-called "adult" motion pictures and/or videotapes and/or live entertainment.
 - (2) Such closed booths, cubicles, studios and rooms have been used by patrons, clients or customers of such adult-oriented establishments for the purposes of engaging in certain sexual acts.
 - (3) Male and female prostitutes have been known to frequent such establishments in order to provide sex for hire to the patrons, clients or customers of such establishments within such booths, cubicles and rooms.
 - (4) Doors, curtains, blinds and/or other closures installed in or on the entrances and/or exits of such booths, cubicles, studios and rooms which are closed while such booths, cubicles, studios and rooms are in use encourage patrons using such booths, cubicles, studios and rooms to engage in sexual acts therein with

prostitutes and/or with other members of the same sex, thereby promoting and encouraging prostitution and the commission of sexual acts which cause blood, semen and urine to be deposited on the floors and/or walls of such booths, cubicles, studios and rooms, which deposits could prove detrimental to the health and safety of other persons who may come into contact with deposits.

- (5) The reasonable regulation and supervision of such adult-oriented establishments tends to discourage such sexual acts and prostitution, and thereby promotes the health, safety and welfare of the patrons, clients and customers of such establishments.
- C. The continued unregulated operation of adult-oriented establishments, including, without limitation, those specifically cited in Subsection A hereof, is and would be detrimental to the general welfare, health and safety of the citizens of Windsor Locks.
- D. The Constitution and laws of the State of Connecticut grant to the Town powers, especially police power, to enact reasonable legislation and measures to regulate and supervise adult-oriented establishments as hereinafter defined in order to protect the public health, safety and welfare.
- E. It is not the intent of this legislative body, in enacting this chapter, to deny to any person rights to speech protected by the United States and/or State Constitutions, nor is it the intent of this body to impose any additional limitations or restrictions on the contents of any communicative materials, including sexually oriented films, videotapes, books and/or other materials. Further, by enacting this chapter, this body does not intend to deny or view any sexually oriented materials protected by the United States and/or State Constitutions, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of such sexually oriented materials may have to sell, distribute or exhibit such materials.

§ 120-2. Definitions.

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

ADULT AMUSEMENT MACHINE — Includes any amusement machine that is regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined below, for observation by patrons therein.

ADULT BOOKSTORE — An establishment having a substantial or significant portion of its stock and trade in books, films, videocassettes, or magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as defined below, and in conjunction therewith has facilities for presentation of adult entertainment, as defined below, and including adult-oriented films, movies or live entertainment, for observation by patrons therein.

ADULT ENTERTAINMENT — Any exhibition or any adult-oriented motion pictures, live performance, display or dance of any type, which has as a significant or substantial portion of such performance any actual or simulated performance of specified sexual activities or

exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal services offered to customers.

ADULT MINI-MOTION-PICTURE THEATER — An enclosed building with a capacity of fewer than 50 persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined below, for observation by patrons therein.

ADULT MOTION-PICTURE THEATER — An enclosed building with a capacity of 50 or more persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined below, for observation by patrons therein.

ADULT-ORIENTED ESTABLISHMENTS — Includes, without limitation, adult bookstores, adult motion-picture theaters, adult mini-motion-picture theaters and further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. An adult-oriented establishment further includes, without limitation, any adult entertainment studio or any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio, or any other term of like import.

AMUSEMENT MACHINE — Includes any machine which, upon the payment of a charge or upon the insertion of a coin, slug, token, plate or disk, may be operated by the public for use as a game, entertainment or amusement, whether or not registering a score and whether or not electronically operated, and shall include but not be limited to such devices as pinball machines, skillball, mechanical grab machines, electronic baseball, football, hockey or basketball machines, and all air-propelled machines or games, pool tables, shooting games, any and all video games and all other games, operations similar thereto under whatever name they may be indicated, including video monitoring machines. This definition shall not apply to those items generally described as jukeboxes or billiard tables or pool tables in billiard or pool parlors solely designated as such and permitted under the Zoning Ordinance.

BUILDING OFFICIAL — The Director of the Department of Inspections and Permits of the Town of Windsor Locks.

EMPLOYEE — Any and all persons, including independent contractors, who work in or at or render any services directly related to the operation of adult-oriented establishments.

ENTERTAINER — Any person who provides entertainment within an adult-oriented establishment as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or an independent contractor.

INSPECTOR — An employee of the Windsor Locks Public Health Department authorized and designated by the Director of Health, or an employee of the Department of Inspections and Permits, authorized and designated by the Director of said Department, or an employee of the Windsor Locks Fire Department, authorized by the Fire Marshal, to inspect premises regulated under this chapter and to take the required actions authorized by this chapter in case of violations being found on such premises, and to require corrections of unsatisfactory conditions found on said premises.

LEGISLATIVE BODY OR BODY — The Town Meeting of the Town of Windsor Locks, Connecticut.

MINOR — A person under the age of 18 years.

OPERATOR — Any person, partnership or corporation operating, conducting or maintaining an adult-oriented establishment.

SEXUAL ACTIVITIES — As used in this chapter, is not intended to include any medical publications or films or bona fide educational publications or films nor does it include any art or photography publications which devote at least 25% of the lineage of each issue to articles and advertisements dealing with subjects of art or photography; nor does this definition apply to any news periodical which reports or describes current events and which, from time to time, publishes photographs of nude or seminude persons in connection with the dissemination of the news; nor does this definition apply to publications or films which describe and report different cultures and which, from time to time, publish or show photographs or depictions of nude or seminude persons when describing cultures in which nudity or seminudity is indigenous to the population.

SPECIFIED ANATOMICAL AREAS —

- A. Less than completely and opaquely covered:
 - (1) Human genitals, pubic region;
 - (2) Buttocks;
 - (3) Female breast below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely opaquely covered.

SPECIFIED SEXUAL ACTIVITIES —

- A. Human genitals in a state of sexual stimulation or arousal.
- B. Acts of human masturbation, sexual intercourse, or sodomy.
- C. Fondling or erotic touching of human genitals, pubic region, buttock or female breasts.

§ 120-3. Minors prohibited.

No operator or employee of an adult-oriented establishment shall allow or permit any minor to loiter in any part of such establishment, including parking lots immediately adjacent to such establishment used by patrons of such adult-oriented establishment.

§ 120-4. Lighting and layout.

- A. Every adult-oriented establishment doing business in the Town on and after the effective date of this chapter shall be well lighted at all times and be physically arranged in such a manner that the entire interior portion of the booths, cubicles, rooms or stalls, wherein adult entertainment is provided, shall be clearly visible from the common areas of the premises. Visibility into such booths, cubicles, rooms or stalls shall not be blocked or obscured by doors, curtains, partitions, drapes, or any other obstruction whatsoever. It shall be unlawful to install enclosed booths, cubicles, rooms or stalls within adult-oriented establishments for whatever purpose, but especially for the purpose of providing for the secluded viewing of adult-oriented motion pictures, or other types of adult-oriented entertainment.
- B. Upon the effective date of this chapter, the operator of each adult-oriented establishment shall be responsible for and shall provide that any room or other area used for the purposes of viewing adult-oriented motion pictures or other types of live adult entertainment shall be well lighted and readily accessible at all times and shall be continuously open to view in its entirety. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than six footcandles as measured at the floor level. It shall be the duty of the operator and its agents to ensure that the illumination described above is maintained at all times that any patron is present in the premises.

§ 120-5. Responsibility for compliance; liability.

- A. Every act or omission by an employee constituting a violation of the provisions of this chapter shall be deemed the act or omission of the operator if such act or omission occurs either with the authorization, knowledge or approval of the operator, or as a result of the operator's negligent failure to supervise the employee's conduct, and the operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.
- B. An operator shall be responsible for the conduct of all employees while on the licensed premises, and any act or omission of any employee constituting a violation of the provisions of this chapter shall be deemed the act or omission of the operator for purposes of determining whether the operator shall be subject to the penalties imposed by this chapter.

§ 120-6. Inspection.

All adult-oriented establishments shall be open to inspection at all reasonable times by the Windsor Locks Police Department, inspectors employed by the Town, or such other persons as the First Selectman may designate.

§ 120-7. Location.

- A. No adult-oriented establishment shall be permitted on a site that is less than 500 feet from an area zoned residential.
- B. No adult-oriented establishment shall be permitted on a site that is less than 1,000 feet from an existing adult-oriented establishment.
- C. No adult-oriented establishment shall be permitted on a site that is less than 1,000 feet from a public park, playground, or other area reserved for recreational use by the general public.

§ 120-8. Hours of operation.

Upon the effective date of this chapter, the operator of each adult-oriented establishment shall not operate or permit to be operated any adult motion-picture theater or adult mini-motion-picture theater within an adult-oriented establishment at any time except between the hours of 5:00 p.m. and 10:00 p.m.

§ 120-9. Penalties and prosecution.

- A. Any person, partnership or corporation who or which is found to have violated this chapter shall be fined a definite sum not exceeding \$100 for each such violation.
- B. Each violation of this chapter shall be considered a separate offense, and any violation continuing more than an hour of time shall be considered a separate offense for each hour of violation.

Chapter 125

AIRPORT ZONING

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| § 125-1. Definitions. | § 125-8. Overlapping districts. |
| § 125-2. Districts. | § 125-9. Hazard marking and lighting. |
| § 125-3. Boundaries of districts. | § 125-10. Permits. |
| § 125-4. Approach Zone District. | § 125-11. Conflicting regulations. |
| § 125-5. Transition Zone District. | § 125-12. Additional provisions. |
| § 125-6. Turning Zone District. | § 125-13. Certification of plan. |
| § 125-7. Limiting height above ground. | |

[HISTORY: Adopted by the Town of Windsor Locks 3-29-1960 (Ch. IX, § 1, of the Town Compilation). Amendments noted where applicable.]

§ 125-1. Definitions.

As used in this chapter, the following words are defined, in order that the regulations and references may be cleared and major components of the zoning problem understood:

AIRCRAFT — Any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.

AIRPORT — The Bradley Field Airport.

AIRPORT HAZARD — Any structure, tree or use of land which interferes with communication between an airport and aircraft approaching or leaving the same or which obstructs the aerial approaches of an airport or which is otherwise hazardous to its use for landing or taking off of aircraft.

AIRPORT REFERENCED IMAGINARY SURFACES — These imaginary surfaces are established by reference to the airport, as described under the title of, and consist of, the approach surfaces, horizontal surface, conical surface and transitional surfaces.

AIRPORT REFERENCE POINT — A point selected and marked at the approximate center of the airport landing area.

ALTITUDE — Distance of zone floors or aerial contours above mean sea level.

APPROACH AREA — The ground lying under the approach surface.

APPROACH SURFACE — An inclined plane located directly above the approach area. The dimensions of the approach area are measured horizontally. The approach area of Runway 1 has a length of 10,000 feet beginning 200 feet outward from the end of the runway and extending outward; the approach area of Runway 19 has a length of 10,000 feet beginning 200 feet outward from the end of the runway and extending outward; the approach area of Runway 6 has a length of 10,000 feet beginning 200 feet outward from the end of the runway

and extending outward; the approach area of Runway 24 has a length of 10,000 feet beginning 200 feet outward from the end of the runway and extending outward; the approach area of Runway 15 has a length of 10,000 feet beginning 200 feet outward from the end of the runway and extending outward; and the approach area of Runway 33 has a length of 10,000 feet beginning 200 feet outward from the end of the runway and extending outward. In addition, the approach area of all runways which may be used for instrument operation shall extend outward an additional 40,000 feet. The approach area is symmetrically located with respect to the extended runway center line, and for an instrument runway has a total width of 1,000 feet at the end adjacent to the runway. The approach area flares uniformly to a width of 4,000 feet at the end of the ten-thousand-foot section and to a total width of 16,000 feet at the end of the additional forty-thousand-foot section for all the runways not intended for instrument operation; the approach area has a total width at the end adjacent to the runway of 500 feet and the width of the approach end is 2,500 feet. For an instrument runway, the slope of the approach surface along the runway center line extended is 50:1 for the inner ten-thousand-foot section and 40:1 for the outer forty-thousand-foot section. For the other runways, the slope is 40:1 for the inner ten-thousand-foot section and 20:1 for the outer seven-thousand-foot section.

APPROACH ZONE — All the air space delineated horizontally by the boundaries of the Approach Zone District, and in effect complies with and is synonymous to the approach surface described above.

APPROACH ZONE DISTRICT — All that area on the ground lying under the approach zone, and in effect complies with and is synonymous to the approach area described under approach surfaces as the ground lying underneath it.

CONICAL SURFACE — The conical surface extends upward and outward from the periphery of the horizontal surface with a slope of 20:1 measured in a vertical plane passing through the airport reference point. Measuring radially outward, from the periphery of the horizontal surface, the conical surface extends for a horizontal distance of 7,000 feet.

ELEVATION — Distance above mean sea level of points on the earth's surface, trees and existing or proposed structures.

ESTABLISHED AIRPORT ELEVATION — The elevation of the highest point of the usable landing area.

HORIZONTAL SURFACE — A plane, circular in shape, with its height 150 feet above the established airport elevation and having a radius from the airport reference point of 13,000 feet.

LANDING AREA — The area of the airport used for landing, take-off or taxiing of aircraft.

NONCONFORMING USE — Any structure, tree, or use of land or building which does not conform to a regulation prescribed in this chapter or an amendment thereto.

OBSTRUCTIONS — Objects which project above the landing area or any of the airport referenced imaginary surfaces, described or defined under that title and its extensions, shall be considered obstructions to air navigation. Objects exceeding the limiting heights above

ground, described under that title in the chapter, shall be considered obstructions to air navigation unless found not to be objectionable after special aeronautical study.

PERSON — Any individual, firm, copartnership, corporation, company, association, joint-stock association or body politic, and including any trustee, receiver, committee, assignee or other similar representative thereof.

STRUCTURE — Any object or thing constructed, erected, placed or installed above the surface of the ground, including, but without limitation, buildings, fences, derricks, hay stacks, poles, wires, towers, smoke stacks, etc.

TRANSITIONAL SURFACES — Inclined planes with a slope of 7:1 measured upward and outward to a vertical plane at right angles to the center line of the runway. The transitional surfaces, symmetrically located on either side of the runway, extend upward and outward from a line on either side of the runway which is parallel to and level with the runway center line. These parallel lines are at a horizontal distance from the runway center line equal to 1/2 the minimum width of the approach area, or 250 feet or 500 feet, noninstrument or instrument runway, respectively. Transitional surfaces extend from the edges of all approach surfaces upward and outward to the intersection with the horizontal surface or the conical surface. The approach surfaces for an instrument runway projecting through and beyond the limits of the conical surface have a 7:1 transitional surface extending a distance of 5,000 feet measured horizontally from the edge of the approach surfaces and at right angles to the runway center line.

TRANSITION ZONE — All the air space fixed by the transitional surfaces previously described and defined, lying above the floor of the surfaces.

TRANSITION ZONE DISTRICT — All that area on the ground under the transitional surfaces and transition zones.

TREE — Any object of natural growth.

TURNING ZONE — All the air space horizontally within the limits for the Turning Zone District and lying above the floor of the horizontal surface and conical surface that together extend 20,000 feet out from the airport reference point in the form of a circle.

TURNING ZONE DISTRICT — All the area on the ground under the turning zone.

ZONE FLOOR — Coincides with the height limitations applying to the district below it.

ZONES — Three-dimensional, being the air space usable by aircraft.

§ 125-2. Districts.

- A. To carry out the purposes of this chapter, as approved on March 29, 1960, by Town Meeting, three types of airport zoning districts are hereby established for Bradley Field Airport for all that land area within a circle whose radius is 20,000 feet from the airport reference point, the latitude of which is 41° 56' and the longitude is 72° 41' and for all that land area in the instrument runway, designated No. 6-24 Approach Zone District extending 10 statute miles in either direction along the center of said runway from the airport reference point. The names of the districts are:

- (1) Approach Zone Districts.
 - (2) Transition Zone Districts.
 - (3) Turning Zone Districts.
- B. There shall be six Approach Zone Districts, 12 Transition Zone Districts and one Turning Zone District as shown on the Airport Zoning District Map.
- C. Runway No. 6-24 shall be the instrument runway and Runway No. 1-19 and No. 15-33 shall be the noninstrument runways.
- D. The established airport elevation is 173 feet above sea level.
- E. The airport reference point is located 41° 56' latitude and 72° 41' longitude.
- F. The elevation of the horizontal surface is 323 feet.

§ 125-3. Boundaries of districts.

The boundaries of each district are hereby established as shown on a map entitled "Airport Approach Plan for Bradley Field Airport," which is attached hereto and is hereby made part of these airport zoning regulations as though written herein. Copies of said map shall be filed in the land record offices of the Town Clerk of Windsor Locks and in the office of the Connecticut Department of Aeronautics.

§ 125-4. Approach Zone District.

In the Approach Zone Districts, the following height regulations will prevail. The height of any structure or tree within the inner or outer Approach Zone Districts shall not exceed the limitations of slope defined under approach surface, so as to rise above it, or exceed the height of the horizontal surface or conical surface of the turning zone, if the approach surfaces should intersect them.

§ 125-5. Transition Zone District.

The height of any tree or structure within a Transition Zone District shall not rise above the inclined plane of slope 7:1, i.e., one foot vertical rise for each seven feet of horizontal measure, from the approach surfaces, until that plane or surface intersects the horizontal or conical surfaces of the turning zone, or extending beyond its limits are the bounds of 5,000 feet along the instrument runway Approach Zone District, measured horizontally from the edge and at right angles to the runway center line.

§ 125-6. Turning Zone District.

The height of any tree or structure within a Turning Zone District shall not exceed the limiting heights fixed for the horizontal surface or the conical surface, i.e., 150 feet above the established airport elevation or 323 feet above sea level for the horizontal surface, the conical

surface extending from the edge of it, starting at 323 feet and rising one foot vertically in each 20 feet it extends horizontally for 5,000 feet, with it terminating at a vertical height of 573 feet above sea level.

§ 125-7. Limiting height above ground.

In addition to the requirements of objects not extending above the airport referenced imaginary surfaces, they shall also be considered obstructions to air navigation and not permitted within the zoned regions about the airport if they extend 500 feet above the ground, or fall in the following categories:

- A. Objects more than 150 feet above the ground or more than 150 feet above the established airport elevation, whichever gives the higher elevation of the object, within three statute miles of the reference points of the airport, and increasing in height in the proportion of 100 feet for each additional mile of distance from the airport but not to exceed a maximum of 500 feet above ground.
- B. Objects in the instrument Approach Zone Districts whose elevation would increase the final approach minimum flight. This limitation extends for a distance of 10 statute miles along the final approach course outward from the radio facility.

§ 125-8. Overlapping districts.

Where districts overlap, the height permitted shall be that of the district having the most restrictive height regulation.

§ 125-9. Hazard marking and lighting.

Any permit that is approved as an exception or variance by the Connecticut Department of Aeronautics shall be so approved, only on condition that the owner of the structure or tree mentioned in the application shall, at its own expense, install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

§ 125-10. Permits.

No permit for the use of land or buildings or for the construction, extension or alteration of buildings or other structures that fall within any airport zoning district shall be issued by the Building Inspector of the Town of Windsor Locks until the application has been approved as to airport zoning regulations by the Building Inspector of the Town of Windsor Locks under his authority as administrative officer, conferred by said ordinance passed March 29, 1960.

§ 125-11. Conflicting regulations.

- A. The height regulations of this chapter shall be supplementary to and in addition to the height regulations of the present general Zoning Ordinance of the Town of Windsor Locks approved July 31, 1953, as amended.

- B. Where the height regulations of this chapter bear a lower height limit than the height regulations of the general Zoning Ordinance, the height regulations of this chapter shall apply to structures and trees.
- C. In the case of conflict between the requirements of this chapter and any other regulations applicable to the same area of the airport zoning district, the more restrictive regulation shall govern.

§ 125-12. Additional provisions.

The rule set forth in Section 11.1 of the ordinance approved July 31, 1953, as amended, shall apply to this chapter and its several regulations.

§ 125-13. Certification of plan.

Upon passage of this chapter by Town Meeting as evidence of the authenticity of the Airport Approach Plan, the plan and all amendments thereto shall be signed by and attested by the Town Clerk, Clerk of said meeting.

Chapter 130

ALARM SYSTEMS

- § 130-1. Title.
- § 130-2. Purpose.
- § 130-3. Definitions.
- § 130-4. Connection of automatic dialing devices to primary trunklines.
- § 130-5. Use of intermediary services with automatic dialing devices.
- § 130-6. List of automatic dialing device installations.
- § 130-7. Automatic dialing device standards.
- § 130-8. Automatic dialing device operating instructions; service.
- § 130-9. Direct connections to Public Safety Complex.
- § 130-10. Equipment maintenance.
- § 130-11. Testing of equipment.
- § 130-12. Notice of disruption in service.
- § 130-13. Indicator panels.
- § 130-14. Enforcement; penalties for offenses.
- § 130-15. Liability of Town.

[HISTORY: Adopted by the Town of Windsor Locks 12-6-1979. Amendments noted where applicable.]

GENERAL REFERENCES

Buildings and building construction — See Ch. 155.

Emergency services — See Ch. 171.

§ 130-1. Title.

This chapter shall be known and may be cited as an "Ordinance Regulating Burglar, Holdup, and Fire Alarm Systems and Users."

§ 130-2. Purpose.

The purpose of this chapter is to provide minimum standards and regulations applicable to burglar, holdup alarm, and fire alarm systems and alarm users as defined in this chapter.

§ 130-3. Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

ALARM AGENT — Any person employed by an alarm business whose duties include altering, installing, maintaining, moving, repairing, replacing, selling, servicing, responding to, or causing others to respond to an alarm device.

ALARM BUSINESS — Any business operated by a person for a profit which engages in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, servicing, or responding to a burglar, holdup alarm system, or fire alarm system, or which causes any of these activities to take place.

ALARM SYSTEM — An assembly of equipment and devices (or a single device, such as a solid-state unit, which plugs directly into a 110-volt AC line) arranged to signal the presence of a hazard requiring urgent attention and to which police or fire are expected to respond. In this chapter, the term "alarm system" shall include the terms "automatic holdup alarm systems," "burglary alarm systems" and "manual holdup alarm systems" and "fire alarm systems" as those terms are hereinafter defined. Alarm systems which monitor temperature, humidity or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery or a fire or smoke condition at a premises are specifically excluded from the provisions of this chapter.

ALARM USER — Any person on whose premises an alarm system is maintained within the Town of Windsor Locks, except for alarm systems on motor vehicles or proprietary systems. If, however, an alarm system on a motor vehicle is connected with an alarm system at a premises (other than a proprietary system), the person using such a system is an alarm user. Also excluded from this definition and from the coverage of this chapter are persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located of an attempted unauthorized intrusion or holdup attempt. If such a system, however, employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside the premises, such system shall be within the definition of "alarm system" and shall be subject to this chapter.

ANNUNCIATOR — The instrumentation on an alarm console at the receiving terminal of a signal line which, through both visual and audible signals, shows when an alarm device at a particular location has been activated or it may also indicate line trouble.

ANSI — The American National Standards Institute.

ANSWERING SERVICE — A telephone answering service providing among its services the service of receiving, on a continuous basis through trained employees, emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the communication center of the Windsor Locks Police Department.

AUTOMATIC DIALING DEVICE — An alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.

AUTOMATIC HOLDUP ALARM SYSTEM — An alarm system in which the signal transmission is initiated by the action of a robber.

BURGLAR ALARM SYSTEM — An alarm system signaling an entry or attempted entry into the area protected by the system.

CENTRAL STATION — An office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits, and where guards are maintained continuously to investigate signals.

CENTRAL STATION EQUIPMENT — The signal receiving, recording, or retransmitting equipment installed in the central station.

CENTRAL STATION SYSTEM — A system in which the operation of electrical protection circuits and devices is signaled automatically to, recorded in, maintained, and supervised from a central station having trained operators and guards in attendance at all times.

DIRECT CONNECTION — An alarm system which has the capability of transmitting system signals to and receiving them at an agency maintained by the local government; for example, a police communication center.

DIRECT LINE — A telephone line leading directly from a central station to the communication center of the Windsor Locks Police Department that in for use only to report emergency signals on a person-to-person basis.

FALSE ALARM —

- A. The activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or of his employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes, or other violent conditions. "False fire alarms" shall not mean alarms transmitted because of a water main break or similar causes that occur outside of the protected property.
- B. False alarms as defined in this chapter also do not include those alarms that are transmitted with a criminal, malicious, or mischievous intent.

FIRE ALARM SYSTEM — A signal or message from a person or device indicating the existence of a fire or other emergency which requires Fire Department action.

FIRE DEPARTMENT — Those publicly supported companies authorized by the Town of Windsor Locks to provide fire protection services.

FIRE MARSHAL — The certified person designated as Fire Marshal by the Town of Windsor Locks or his designated representative.

HOLDUP ALARM SYSTEM — An alarm system signaling a robbery or attempted robbery.

INTERCONNECT — To connect an alarm system to a voice-grade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.

LOCAL ALARM SYSTEM — A signaling system which, when activated, causes an audible and/or visual signaling device to be activated in or on the premises within which the system is installed.

MANUAL HOLDUP ALARM SYSTEM — An alarm system in which the signal transmission is initiated by the direct action of the person attacked or by an observer of the attack.

MODIFIED CENTRAL STATION — An office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits. Such modified central station is not listed by Underwriters' Laboratories.

PERSON — Any person, firm, partnership, association, corporation, company or organization of any kind.

POLICE CHIEF — The Chief of the Police Department of the Town of Windsor Locks or his designated representative.

POLICE or POLICE DEPARTMENT — The publicly supported Police Department of the Town of Windsor Locks or any authorized agent thereof.

PRIMARY TRUNKLINE — A telephone line leading directly into the communication center of the Windsor Locks Police Department that is for the purpose of handling emergency calls on a person-to-person basis, and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory issued by the telephone company and covering the service area within the Windsor Locks Police Department's jurisdiction.

PROPRIETARY SYSTEM — An alarm system sounding and/or recording alarm and supervisory signals at a control center located within the protected premises, the control center being under the supervision of the proprietor of the protected premises. If a proprietary system includes a signal line connected directly or by means of an automatic dialing device to a police communication center, a central station, modified central station or answering service, it thereby becomes an "alarm system" as defined in this chapter.

REMOTE SIGNALING SYSTEM — An alarm signaling system which, when activated by an alarm device, transmits a signal from an alarm signaling device to a central location, other than the Windsor Locks Police Department, where appropriate action is taken to investigate and respond to the signal.

SIGNAL LINE — The transmission line through which the signal passes from one of the elements of the signal transmission to another.

SPECIAL TRUNKLINE — A telephone line leading into the communication center of the Windsor Locks Police Department and having the primary purpose of handling emergency signals or messages originating either directly or through a central location from automatic dialing devices.

SUBSCRIBER — A person who buys and/or leases or otherwise obtains an alarm signaling system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm device.

TELEPHONE COMPANY — The utility that furnishes the telephone services to the Town of Windsor Locks.

TOWN — The Town of Windsor Locks, Connecticut.

UL — Underwriters' Laboratories.

§ 130-4. Connection of automatic dialing devices to primary trunklines.

- A. No automatic dialing device shall be interconnected to a primary trunkline after the effective date of this chapter.
- B. Within 90 days after the effective date of this chapter, all automatic dialing devices interconnected to a primary trunkline shall be disconnected therefrom. The owner or lessee of such device shall be responsible for having the device disconnected within the ninety-day time period.
- C. Automatic dialing devices designed to transmit signals directly to the Windsor Locks Public Safety Complex may be interconnected to a special trunkline into the Department. Before such a device is interconnected to a special trunkline, the person performing this operation shall first obtain instructions from the Windsor Locks Police Department concerning the procedure to be followed. The Windsor Locks Police Department shall designate the number to be used for this purpose.

§ 130-5. Use of intermediary services with automatic dialing devices.

- A. Persons owning or leasing an automatic dialing device may have the device interconnected to a telephone line transmitting directly to:
 - (1) A central station;
 - (2) A modified central station; or
 - (3) A licensed answering service.
- B. The relaying of messages by the intermediate services to the Windsor Locks Public Safety Complex shall be over a special trunkline, except that central stations may relay messages over a direct line.
- C. Automatic dialing devices may also be interconnected to one or more telephone numbers available to the owner or lessee of the devices, or their designated representatives, at another location.
- D. This section shall apply only to those automatic dialing devices interconnected to the communication center in the Windsor Locks Public Safety Complex.

§ 130-6. List of automatic dialing device installations.

Within 90 days after the effective date of this chapter, every alarm business which has interconnected any automatic dialing device in the Town of Windsor Locks to a special trunkline in the communication center of the Windsor Locks Police Safety Complex, any other municipal office, or a telephone line serviced directly by telephone company operators

shall maintain a current list of such installations for inspection by the Police Chief or Fire Marshal as appropriate during the course of his official duties and include in such list:

- A. The name, home address and telephone number of the device's owner or lessee.
- B. The address of the location where the device is installed and the telephone number at that location.
- C. The name and telephone number of at least one other person who can be reached at any time, day or night, and who is authorized to respond to an emergency signal transmitted by the automatic dialing device, and who can open the premises wherein the device is installed.

§ 130-7. Automatic dialing device standards.

Automatic dialing devices installed on any premises within the Town of Windsor Locks which are interconnected to a special trunkline transmitting signals into the Windsor Locks Public Safety Complex or to a telephone line directly serviced by telephone company operators that will be responded to by members of the Windsor Locks Police Department or Windsor Locks Fire Company, respectively, shall meet the following minimum standards, as determined by the Police Chief or Fire Marshal:

- A. The contents of the recorded message to be transmitted by such device must be intelligible and in a format approved by the Police Chief or Fire Marshal as appropriate for the type of emergency being reported.
- B. Upon a single stimulus of the alarm device, an automatic dialing device may place two separate calls to the Windsor Locks Public Safety Complex via the special trunkline. No such call shall exceed one minute and 15 seconds. There must be at least three minutes between the completion of the first call and the initiation of the second, and the second call must be clearly identified as a second call.
- C. No single message during the call shall exceed 15 seconds in length.
- D. The time gap between delivery of messages must be less than five seconds.
- E. All such devices shall be capable of transmitting an emergency message to two or more separate locations, so that, upon activation, any message may be sent not only on a special trunkline or a telephone line serviced directly by telephone company operators, but also to a location where an authorized person is available to respond to the emergency message, and to open the premises on which the device is installed.
- F. The sensory apparatus and hardware comprising such devices shall be maintained by the owner or lessee in such physical condition that false alarms will be minimized.
- G. This section shall apply only to those automatic dialing devices interconnected to the communication center of the Windsor Locks Public Safety Complex.

§ 130-8. Automatic dialing device operating instructions; service.

- A. Every alarm business selling or leasing to any person an automatic dialing device which is installed on such person's premises in the Town of Windsor Locks after the effective date of this chapter shall furnish that person with instructions that provide adequate information to enable persons using such device to operate it properly and, if the device is to be serviced or maintained by another alarm business, shall furnish such other alarm business with a manual or other information necessary to enable it to service or properly maintain such device.
- B. If the Police Chief or Fire Marshal reasonably finds such information to be incomplete or unclear, or inadequate to explain how the device operates and is constructed, he may require the alarm business to revise the information to meet his approval, and then to distribute the revised information to persons who have had such device installed as well as to persons subsequently having such devices installed.
- C. Every alarm business selling or leasing to any person an automatic dialing device which is installed on such person's premises in the Town of Windsor Locks after the effective date of this chapter shall provide or make available at all times service to repair such device should it malfunction, and shall furnish to the person buying or leasing such device written information concerning how service may be obtained at any time, including a telephone number to call for service.

§ 130-9. Direct connections to Public Safety Complex.

- A. Upon the favorable recommendation of the Police Chief or Fire Marshal and the approval of the Director of Public Safety, alarms from business premises and financial institutions may be terminated in the Windsor Locks Public Safety Complex.
- B. The alarm subscriber approved for a direct connection to the Windsor Locks Public Safety Complex or the alarm business contracting for servicing the subscriber's alarm system shall be responsible for obtaining the leased telephone line between subscriber's premises and the alarm receiving equipment at the Windsor Locks Public Safety Complex and for furnishing the appropriate interface equipment, if required, in order to provide an input signal which is compatible with the receiving equipment used to operate the standard annunciator panel.

§ 130-10. Equipment maintenance.

Each owner or lessee, at his expense, is required to maintain all components of his alarm system in good working order at all times to ensure that the sensory mechanism used in connection with such device be adjusted to suppress false indications of holdups or intrusions or fire or smoke conditions so that the device will not be activated by impulses due to short flashes of light, wind noises, vehicular noise or other forces unrelated to genuine alarms.

§ 130-11. Testing of equipment.

No alarm system designed to transmit emergency messages directly to the Windsor Locks Public Safety Complex shall be tested or demonstrated without first obtaining permission from the Police Chief or Fire Marshal. Permission is not required to test or demonstrate alarm devices not transmitting emergency messages directly to the Windsor Locks Public Safety Complex unless the messages are to be relayed to the Windsor Locks Police Department or Windsor Locks Fire Department.

§ 130-12. Notice of disruption in service.

When an alarm business' service to its subscribers is disrupted for any reason by the alarm business, or the alarm business becomes aware of such disruption, it shall promptly notify its subscribers by telephone that protection is no longer being provided. If, however, the alarm business has written instructions from its subscriber not to make such notification by telephone during certain hours, the alarm business may comply with such instructions.

§ 130-13. Indicator panels.

- A. There shall be only one indicator panel, which shall meet the specifications established by Underwriters' Laboratories, Inc. and the requirements of the Chief of Police, installed in the communications control center. Such panel shall be installed and maintained by the alarm equipment supplier(s) at no cost to the Town of Windsor Locks.
- B. The number of indicators mounted in such panel shall be limited as the Chief of Police may deem practical and within the capacity of the police communications center to monitor adequately.

§ 130-14. Enforcement; penalties for offenses.

- A. Enforcement and administration of this chapter shall be the function of the Chief of Police, except that the Fire Marshal shall have the jurisdiction over fire alarm systems, and shall be accomplished as in provided in either or both of the following two subsections:
 - (1) The Town of Windsor Locks shall act the following at standards for alarm performance:
 - (a) A maximum of four false alarms from any one protected property per year shall be acceptable.
 - (b) After the second false alarm, the subscriber shall be notified in writing. Such notification shall require that the alarm system be inspected by the installing company and the subscriber shall review alarm procedures with all employees. Also, written notification shall be made to the Police Chief or Fire Marshal, as appropriate, indicating that the alarm problem has been corrected.

- (c) Upon receipt of the fifth false alarm, the Town of Windsor Locks shall charge a penalty of \$25 for the fifth false alarm and each false alarm thereafter.
 - (2) If the owner or lessee and/or alarm equipment supplier(s) fails to comply with any requirement of this chapter, the Chief of Police may terminate, in writing, the privilege of having equipment and indicators in the communications center at the Windsor Locks Police Department and may require removal of the same within three days from the receipt of said written notice, exclusive of Saturday, Sunday and holidays, at the expense of such owner or lessee and/or alarm equipment supplier(s). Failure to remove said equipment and indicators as specified above shall result in the Town's doing so at the expense of the person(s) so notified.
- B. Failure of any owner or lessee and/or alarm equipment supplier to comply with the requirements of a written notice of a violation of any provision hereof within three days of receipt of such notice, exclusive of Saturday, Sunday and holidays, shall also constitute an offense punishable by a fine not to exceed \$100. Such notice shall continue in force and effect until full compliance with requirements stated therein, and each and every failure to comply with such notice within 24 hours after the three days allowed for compliance shall constitute a separate offense.

§ 130-15. Liability of Town.

The Town of Windsor Locks shall not be liable for any defects in operation of any signal line system, for any failure or neglect to respond appropriately upon receipt of an alarm from such a source, for any failure or neglect of any person in connection with the installation, operation, disconnection or removal of equipment, the transmission of alarm signals, or the relaying of such signals or messages.

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Chapter 135

ALCOHOLIC BEVERAGES

ARTICLE I
Sunday Sales

§ 135-1. Permitted sale hours.

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

ARTICLE I
Sunday Sales
[Adopted 9-4-1980]

§ 135-1. Permitted sale hours.

Alcoholic beverages may be sold on Sunday in the Town of Windsor Locks, wherever alcoholic beverages are sold for consumption on the premises, between the hours of 12:00 noon and 1:00 a.m. Monday.

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Chapter 140

AMUSEMENT ENTERPRISES

§ 140-1. Definitions.

§ 140-2. License required; exemptions.

§ 140-3. License application; term;
conditions for issuance.

§ 140-4. Inspection; operating conditions.

[HISTORY: Adopted by the Town of Windsor Locks 3-16-2000. Amendments noted where applicable.]

GENERAL REFERENCES

Bazaars and raffles — See Ch. 150.

Emergency services — See Ch. 171.

Nuisances — See Ch. 236.

Peace and good order — See Ch. 257.

§ 140-1. Definitions.

As used in this chapter, the following terms shall be defined as set forth below:

BOOTH CONCESSION — Any temporarily established booth, stall or other place of business for the sale of merchandise to the public as a part of or in connection with a recreational, entertainment or amusement enterprise; and shall include structures from which tokens or prizes are awarded to participants in single or specific events constituting a part of the enterprise.

CARNIVAL — Any recreational, entertainment or amusement enterprise not included within the definition of a "tent show," and involving the erection of any booth concession or power-driven device.

COMMERCIAL RECREATIONAL ENTERTAINMENT OR AMUSEMENT ENTERPRISE — Any event to which the public is admitted for a financial consideration and involving exhibitions, performances or displays of any type, or games, public dancing, rides and similar devices or activities for public participation; and shall include enterprises to which no general admission fee is charged but in which a charge is made for single or specific events constituting a part of the enterprise.

PORTABLE — Not located in a permanent building erected or adopted for the purpose in accordance with the zoning regulations or building code of the Town.

POWER-DRIVEN DEVICE — Any temporary structure or device for use by the public as participants involving electrical, mechanical or other power for its operation, such as merry-go-rounds, Ferris wheels, etc.

TEMPORARY — Involving any use of any premises for a limited time or for which no permanent certificate of occupancy shall have been issued under the zoning regulations or building code of the Town.

TENT SHOW — Any recreational, entertainment or amusement enterprise requiring the erection of any temporary structure for public use composed wholly or partly of canvas or similar material.

§ 140-2. License required; exemptions.

It shall be unlawful for any person to operate any temporary or portable commercial recreational, entertainment, or amusement enterprise within the Town without first having made application for, and received, a license to do so in accordance with the terms of this chapter; provided, however, that this chapter shall not apply to recreational, entertainment, or amusement enterprises operated and staffed by and for the exclusive benefit of, and the proceeds of which are received in their entirety by, clubs, churches, or education, charitable or similar nonprofit institutions or organizations of or in the Town.

§ 140-3. License application; term; conditions for issuance.

Applicants for a license to operate an enterprise under this chapter shall make application to the First Selectman for a license on forms provided. Licenses will be granted for a period not exceeding 15 days of operation, and only when the following requirements have been met:

- A. Applicants for licenses to operate an enterprise under this chapter shall make application to the First Selectman, or the First Selectman's designee, on appropriate forms at least 21 days before the scheduled first day of the operation of the enterprise. The application fee shall be in an amount established by the Board of Selectmen.
- B. Applicants for licenses to operate an enterprise under this chapter shall furnish proof that they have obtained a license from the State Commissioner of Public Safety whenever the same may be required by statute or by administrative regulations.
- C. Applicants for licenses to operate a carnival involving the erection of any power-driven device shall furnish proof of financial responsibility to satisfy claims for damages on account of any physical injuries or property damage which may be suffered by any person by reason of any act or omission on the part of the owner or the owner's agents or employees in accordance with the minimum limits of liability equivalent to limits carried by the Town on its liability exposures. Additionally, any enterprise licensed under the provisions of this chapter that will operate on Town-owned properties shall additionally furnish proof of insurance to the Town in an amount equal to the limits carried by the Town. Applicants for licenses to operate an enterprise under this chapter shall also obtain the approval of the Director of Public Works, Fire Marshal, Director of Health, and Police Chief, on appropriate forms provided by them, before a license to operate shall be granted.
- D. Applicants shall deposit with the Town a cash bond in the sum of \$1,000, conditioned upon saving harmless the Town from all liabilities or causes of action which might arise by virtue of the granting of a license to the applicant and conditioned further that no damage will be done to the streets, sewers, trees, or adjoining property and that no dirt, paper, litter, or other debris will be permitted to remain by such applicant upon the streets or upon any private property. Such cash bonds will be returned to the applicant

upon certification by the Chief of Police that all conditions of this chapter have been complied with.

- E. Applicants for licenses may be required to hire police officers to be on the scene at all times said enterprise is operating. The Chief of Police may require additional police officers on location at such Chief's sole discretion. Applicants shall deposit with the Town a cash bond or other sufficient security in an amount reasonably anticipated to meet the cost/expense of providing said police officers.

§ 140-4. Inspection; operating conditions.

- A. Enterprises licensed under the provisions of this chapter shall be subject to inspection by duly authorized Town officials at any time during the operation of the enterprise, and the following conditions shall be met by the licensee:
- (1) The licensee shall provide adequate facilities for water supply, sewage disposal, disposal of refuse, storage and service of food, and drinking beverages as determined by the Director of Health. Standards of compliance shall be the satisfaction of appropriate state and local laws, ordinances and procedures.
 - (2) If the enterprise is to be operated after sundown, there shall be sufficient illumination by electric lights about the area occupied by the same so that patrons may easily and safely find their way to and from the adjoining streets and highways, such electric service to be provided either by the local public utility or by a portable power plant provided by the licensee. In either event, such electrical installations and maintenance shall be in accordance with generally accepted good practice and shall meet with the approval of the local Fire Marshal and local Building Inspector.
 - (3) Fire protection services as determined by the local Fire Marshal to be necessary shall be provided at the expense of the licensee.
 - (4) Reasonable provision shall be made for communications to fire and police headquarters from the area in which the enterprise is located.
 - (5) No unnecessary or unreasonable noise shall be permitted through the use of loudspeakers, amplifiers, etc., or the operation of machinery or equipment. Unnecessary or unreasonable noise shall be defined as the level of noise that exceeds the levels as determined by the applicable federal or state statutes and/or regulations or applicable local ordinances.
 - (6) In the event that any problem or accident occurs at or with any ride or amusement facility during the course of the event, that ride or facility shall not operate until a reinspection by the appropriate Town officials has been completed and the ride or facility determined to be reasonably safe. It shall be the responsibility of the licensee to immediately contact the appropriate Town officials upon the occurrence of the problem or accident.
- B. Upon complaint of the violation of any of the above conditions, the First Selectman may revoke any license granted under the provisions of this chapter. Also, the Police Chief,

Fire Marshal, or their duly appointed agents have the authority, with a verbal or phone conversation and confirmation of the First Selectman, to close down any enterprise licensed under this chapter, at any given time, if they believe, acting upon complaint or on sight violation of this chapter or any state statute, that a violation of a serious nature or a pending situation exists which may pose a hazard to the public or the Town.

Chapter 145

ANIMALS

ARTICLE I Town Pounds

§ 145-1. Establishment.

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

ARTICLE II Dog Waste Removal

§ 145-2. Removal of feces required.

§ 145-3. Exceptions.

§ 145-4. Penalties for offenses.

ARTICLE I Town Pounds

[Adopted 11-5-1855 (Ch. XV, § 7, of the Town Compilation)]

§ 145-1. Establishment.

The Selectmen are instructed to provide as many pounds as the convenience of the Town demands.

ARTICLE II Dog Waste Removal [Adopted 6-25-2001]

§ 145-2. Removal of feces required.

It shall be unlawful for any person or persons owning, keeping or having care, custody or control of any dog to allow or permit such animal to defecate on any private property owned by another person, or condominium common elements or any Town property whatsoever, including, but not limited to, parks and school grounds, unless such person shall immediately remove all feces so deposited by such animal.

§ 145-3. Exceptions.

The provisions of this article shall not apply to a guide dog assisting a blind, hearing-impaired or mobility-impaired or disabled person.

§ 145-4. Penalties for offenses.

Each violation of this article shall be punishable by a fine of \$25.

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Chapter 150

BAZAARS AND RAFFLES

§ 150-1. Operation permitted.

[HISTORY: Adopted by the Town of Windsor Locks 10-28-1955 (Ch. III, § 1, of the Town Compilation). Amendments noted where applicable.]

§ 150-1. Operation permitted.

The operation of bazaars and raffles in the Town of Windsor Locks is allowed in accordance with the provision of House Bill No. 1555 (P.A. 409) of the regular session of the General Assembly of 1955.¹

1. Editor's Note: See C.G.S. § 7-170 et seq.

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Chapter 155

BUILDINGS AND BUILDING CONSTRUCTION

ARTICLE I

Building Lines on Waterways, Brooks and Streams

- § 155-1. Line established; construction restrictions.
- § 155-2. Penalties for offenses.
- § 155-3. Dams permitted.

ARTICLE II

Sewerage Facilities Required

- § 155-4. Approval required prior to construction.

ARTICLE III

Roof Leaders and Downspouts

- § 155-5. Connection to sewer system prohibited.
- § 155-6. Penalties for offenses.
- § 155-7. Evidence of prohibited connections.

- § 155-8. Notice of violation.

- § 155-9. Exceptions.

ARTICLE IV

Flood Damage Prevention

- § 155-10. New construction and improvements.
- § 155-11. Subdivisions and new developments.
- § 155-12. Water supply and sanitary sewage systems.

ARTICLE V

Numbering of Buildings

- § 155-13. Purpose.
- § 155-14. Notification.
- § 155-15. Size and location of building numbers.
- § 155-16. Penalties for offenses.
- § 155-17. Number styles.

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

GENERAL REFERENCES

Alarm systems — See Ch. 130.
Housing Code — See Ch. 187.

Sewers — See Ch. 288.
Streets and sidewalks — See Ch. 313.

ARTICLE I

Building Lines on Waterways, Brooks and Streams

[Adopted 8-15-1951 (Ch. II, § 3, of the Town Compilation)]

- § 155-1. Line established; construction restrictions.

In order to preserve existing waterways, brooks and streams for natural runoff of surface stormwater, a building line on each side of all waterways, brooks and streams in Windsor Locks is hereby established to be 15 feet from the normal water line of such waterways,

brooks and streams. No building, filling, or permanent obstruction or encroachment shall be placed within said building line unless permission is granted in writing by the Board of Selectmen or a majority of them.

§ 155-2. Penalties for offenses.

Anyone violating this article shall be fined not more than \$25. Each day of such violation shall constitute a separate offense.

§ 155-3. Dams permitted.

Nothing herein contained shall be construed to prevent any owner from building a dam on his own land for the purposes of making a pond, generating electricity and building any buildings necessary for those purposes.

ARTICLE II

Sewerage Facilities Required

[Adopted 8-27-1953 (Ch. II, § 11, of the Town Compilation)]

§ 155-4. Approval required prior to construction.

The construction of dwellings, apartments, boardinghouses or hotels is hereby prohibited until the sewerage facilities thereof have been approved by the Building Inspector. Where the installation of septic tanks is contemplated, a soil seepage test report, by a competent engineer, shall be submitted to the Building Inspector for approval.

ARTICLE III

Roof Leaders and Downspouts

[Adopted 6-26-1956 (Ch. II, § 9, of the Town Compilation)]

§ 155-5. Connection to sewer system prohibited.

The connecting of roof leaders and downspouts in any building or structure in the Town of Windsor Locks, residential, commercial or industrial, to the sanitary sewer system of said Town, which was not so connected at the time this article becomes effective, is hereby prohibited.

§ 155-6. Penalties for offenses.

Any property owner or owners or occupiers of such structures and any person or persons violating or failing to comply with an order of the Sewer Commission, its agents or employees to disconnect any such roof leader or downspout shall be guilty of a misdemeanor and shall be subject to a fine of not more than \$25 for each offense. Each day during which such roof leader or downspout remains connected after the time hereby prohibited shall constitute a separate offense.

§ 155-7. Evidence of prohibited connections.

The fact that downspouts or roof leaders do not empty on the ground or in some other visible manner shall be prima facie evidence that they are connected with said sewer system.

§ 155-8. Notice of violation.

When the Sewer Commission shall decide that a certain structure is in violation of this article, it shall notify the owners or occupiers of such structure to disconnect said drains from said sanitary sewer system, and if such order is not obeyed within five days, said Sewer Commission is hereby authorized to disconnect the lead-in pipe from said structure at the point it enters said sanitary sewer.

§ 155-9. Exceptions.

Foundation drains are eliminated from this article.

ARTICLE IV
Flood Damage Prevention
[Adopted 4-3-1975]

§ 155-10. New construction and improvements.

The Building Official shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must:

- A. Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;
- B. Use construction materials and utility equipment that are resistant to flood damage; and
- C. Use construction methods and practices that will minimize flood damage.

§ 155-11. Subdivisions and new developments.

The Planning and Zoning Commission and Town Engineer shall review subdivision proposals and other proposed new developments to assure that:

- A. All such proposals are consistent with the need to minimize flood damage;
- B. All public utilities and facilities, such as sewer, gas, electrical, and water systems, are located, elevated, and constructed to minimize or eliminate flood damage; and
- C. Adequate drainage is provided so as to reduce exposure to flood hazards.

§ 155-12. Water supply and sanitary sewage systems.

The Planning and Zoning Commission and Town Engineer shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

ARTICLE V
Numbering of Buildings
[Adopted 3-9-1989]

§ 155-13. Purpose.

The purpose of this article is to identify all buildings in the Town of Windsor Locks with numbers which are so sized and located that emergency vehicles from the Police Department, Fire Department, Ambulance Corps, Civil Preparedness and others may readily locate such buildings in time of emergency.

§ 155-14. Notification.

Upon passage of this article by Town Meeting, the designated officer shall inspect all building in the Town of Windsor Locks and notify the owner whether he/she is in violation of this article. It shall become the duty of such owner to affix such assigned number(s) within 30 days after the receipt of such notice.

§ 155-15. Size and location of building numbers.

- A. Building numbers shall be plain block numerals. Script or written numbers will not meet the requirements of this article.
- B. All numerals shall be at least three inches in height.
- C. Numerals shall be of a color contrasting with the color of the background provided by the material to which they are affixed. Owners are encouraged but not required to use numbers made of reflective material and to illuminate building numbers so as to be easily visible at night.
- D. If a building is less than 100 feet from the center line of the street on which it fronts, building numbers shall be located on the front of the building which they identify or on a sign, post, mailbox or other device located between the building and street such that the numbers shall be visible and readable from both left and right approaches.
- E. If a building is set back more than 100 from the center line of the street on which it fronts, or if the numerals cannot be read from such center line because of obstructions, the aforesaid numerals shall be affixed to a post, sign, mailbox or other device which shall be located within 10 feet of the driveway or walkway entrance to the premises and shall otherwise conform to the specifications herein.

- F. In general, when affixed, all building numerals shall be positioned not less than four feet nor more than 12 feet from the surface of the ground directly below them. Exception to this provision of this article may be granted by the Building Official in cases where he determines visibility is adequate.
- G. On a corner lot, the building number shall face the street named in the address. In special circumstances where a house may appear to face on two streets, a special determination will be made by the Building Inspector.

§ 155-16. Penalties for offenses.

In the event the owner fails to affix the number referred to above within 30 days of the passage of this article, the owner shall be subject to a fine of \$1 for each day of neglect or refusal.

§ 155-17. Number styles.

The following are approved and acceptable number styles:



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Chapter 160

CHILD SAFETY ZONES

§ 160-1. Legislative findings; purpose.

§ 160-5. Notice.

§ 160-2. Definitions.

§ 160-6. Enforcement procedures.

§ 160-3. Sex offenders prohibited.

§ 160-7. Penalties for offenses.

§ 160-4. Exceptions.

[HISTORY: Adopted by the Town of Windsor Locks 8-5-2008. Amendments noted where applicable.]

GENERAL REFERENCES

Loitering — See Ch. 214.

Parks and recreation areas — See Ch. 251.

§ 160-1. Legislative findings; purpose.

- A. The Connecticut Legislature has found that persons convicted or found not guilty by means of mental disease or defect of certain criminal offenses against minors and sexually violent offenses present a continuing danger to the health and safety of the public, sufficient to require that such persons register with the Connecticut Commissioner of Public Safety.
- B. As of July 9, 2008, the Connecticut Department of Public Safety's Sex Offender Registry ("Sex Offender Registry") shows that approximately 18 people living in Windsor Locks are registered sex offenders.
- C. The Town Meeting finds from the evidence that the recidivism rate for released sex offenders is alarmingly high, especially for those who commit their crimes on children.
- D. The Town Meeting recognizes that the Town of Windsor Locks has a compelling interest in protecting children from the threat of sexual abuse.
- E. The Town's public parks, schools, libraries, playgrounds, sports and recreation facilities are provided for the use, education, training, entertainment and enjoyment of children and their families, and such venues are intended to be and should be free of the dangers presented to children's health, safety and welfare by persons required to register on the Sex Offender Registry.
- F. The Town Meeting finds that the public health, safety and welfare of the community, particularly children, will be best served by prohibiting persons required to register with the Sex Offender Registry from entering into a public park, school, playground, recreation center, bathing beach, swimming pool or wading pool, sports field or sports facility.

§ 160-2. Definitions.

For the purpose of this chapter, the following terms, phrases, words and derivations shall have the meaning given herein. When not inconsistent with the context, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.

CHILD SAFETY ZONE — A park, school, library, playground, recreation center, bathing beach, swimming pool or wading pool, gymnasium, sports field, or sports facility, which is 1) under the ownership of the Town of Windsor Locks or of any department, agency, or authority of the Town of Windsor Locks, including but not limited to the Board of Education of the Town of Windsor Locks, or 2) leased by the Town of Windsor Locks to another person for the purpose of operating a park, school, playground, recreation center, bathing beach, swimming pool or wading pool, gymnasium, sports field, or sports facility. A Child Safety Zone includes any and all buildings, land, parking area or other improvements located on the same parcel on which each of the aforementioned facilities is located, but does not include any public street, and also does not include any public sidewalk which is located on the outside boundary of a Child Safety Zone. The following are hereby designated as Child Safety Zones within the meaning of this chapter:

Windsor Locks Parks

Park Name	Park Address
Ahern Park	Ahern Avenue
Barbara Park	Barbara Drive
Bel-Aire Park	Bel-Aire Circle
Circle Park	Circle Drive
Denslow Park	Denslow Drive
Green Manor Park	Green Manor Avenue
Juniper Park	Juniper Drive
Noden Reed Park	West Street
Pesci Park	Center Street
Proposed park at Codey Way and Acorn Drive	Codey Way and Acorn Drive
Reed Park	Reed Avenue
Southwest Family Park	Southwest Avenue
Spring Park	Spring Street
Sutton Park	Sutton Drive
Veteran's Memorial Park	Southwest Avenue
Woodland Park	Woodland Street

Windsor Locks Public Schools

School Name	School Address
High School	58 South Elm Street
Middle School	7 Center Street
North Street School	352 North Street
South Elementary School	87 South Street

Additional Recreation Areas in Windsor Locks

Facility	Address
Windsor Locks Town Hall Gymnasium	50 Church Street
Windsor Locks Senior Center	41 Oak Street
Windsor Locks Public Library	28 Main Street

NOT GUILTY BY REASON OF MENTAL DISEASE OR DEFECT — That which is defined in Subdivision (6) of Section 54-250 of the Connecticut General Statutes, as amended.

SEX OFFENDER —

- A. A person who has been convicted or found not guilty by reason of mental disease or defect of 1) a criminal offense against a victim who is a minor, 2) a nonviolent sexual offense, 3) a sexually violent offense, or 4) any felony that the court finds was committed for a sexual purpose, as those terms are defined in Subdivisions (2), (5), (11) and (12) of Section 54-250 of the Connecticut General Statutes, as amended, and who is required to register with the Commissioner of Public Safety pursuant to Section 54-251, 54-252, 54-253 or 54-254 of the Connecticut General Statutes, as amended; or
- B. A person who has been convicted or found not guilty by reason of mental disease or defect in any other state, in a federal or military court or in any foreign jurisdiction of any crime, the essential elements of which are substantially the same as any of the crimes specified in Subdivisions (2), (5) and (11) of Section 54-250 of the Connecticut General Statutes, as amended, and which requires registration as a sexual offender in such other state or in the federal or military system, and who resides in this state on and after October 1, 1998.

§ 160-3. Sex offenders prohibited.

It shall be unlawful for a sex offender to be present in any Child Safety Zone.

§ 160-4. Exceptions.

The provisions of this chapter shall not apply:

- A. To any person whose name has been removed from the Connecticut Department of Public Safety's Sex Offender Registry or from the registry of any other state or in the federal or military system by act of a court or by expiration of the term such person is required to remain on such registry.
- B. To any person entering into a facility in a Child Safety Zone for the sole purpose of voting in any municipal, state or federal election or referendum, provided that the person leaves the facility immediately after voting.
- C. To the extent that the conduct prohibited by this chapter is in conflict with any sentence or order of probation or parole imposed upon a sex offender.

§ 160-5. Notice.

The Chief of Police or his designee shall make reasonable efforts to provide prompt, actual written notice of the enactment of this chapter (which notice shall contain a copy of the chapter) to all persons who are listed on the Sex Offender Registry as of the effective date of this chapter, as well as those persons who are added to the Sex Offender Registry thereafter, which persons' addresses (as shown on the Sex Offender Registry) are within the Town of Windsor Locks. Such notice requirement may be satisfied by the mailing of such notice by registered or certified mail, return receipt requested, to the last known address of such person as listed on the Sex Offender Registry or as otherwise known to the Chief of Police. The failure of any person to receive such actual written notice shall not be a defense to a violation of this chapter.

§ 160-6. Enforcement procedures.

If a police officer reasonably believes that a sex offender is in a Child Safety Zone in violation of this chapter, the officer shall require the suspected sex offender to provide his/her name, address, and telephone number. If it is established that the individual is a sex offender, then the officer shall issue a written warning that he/she is in violation of this chapter and require the person to leave the Child Safety Zone. If the person refuses to leave or is later found to be in the same or any other Child Safety Zone, the penalties set forth in § 160-7 of this chapter shall apply.

§ 160-7. Penalties for offenses.

Any person in violation of this chapter shall be fined in the amount of \$99 for each violation. Fines under this chapter shall not apply when the prohibited conduct results in a conviction for a new criminal offense under any applicable state or federal law or when the prohibited conduct is the basis for the revocation of any condition of parole or probation.

Chapter 171

EMERGENCY SERVICES

ARTICLE I Reimbursement of Expenses

§ 171-1. Purpose.

§ 171-2. Declaration of state of emergency.

§ 171-3. Agencies defined.

§ 171-4. Compensation.

§ 171-5. Bradley International Airport.

§ 171-6. Mutual aid.

§ 171-7. Evacuations.

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

ARTICLE I Reimbursement of Expenses [Adopted 3-28-1995]

§ 171-1. Purpose.

This article establishes guidelines and procedures regarding reimbursement for Town agencies and emergency management forces services during a declared state of emergency over two hours in length and undeclared emergencies at Bradley International Airport lasting more than two hours.

§ 171-2. Declaration of state of emergency.

A state of emergency may be declared by the President, the Governor or First Selectman. Such emergencies shall include, but not be limited to, fires, hurricanes, tornados, floods, snow storms, plane crashes, major motor vehicle accidents or unusually high level carbon monoxide concentrations.

§ 171-3. Agencies defined.

"Emergency management/civil preparedness" is defined as any organized personnel engaged in carrying out emergency management functions in accordance with the provisions of Chapter 517, Section 28-1(e), of the Connecticut General Statutes or any regulation or order thereunder. All the police and fire departments of the state or political subdivisions of the state, or any part of any political subdivision, including all auxiliaries of those departments, shall be part of the emergency management/civil preparedness forces. Ambulance personnel are included as organized personnel recognized in the Town's local emergency plan of operation. Town agencies are defined as organized personnel or individuals paid by the Town to provide certain services.

§ 171-4. Compensation.

- A. It is expected that routine emergency services average two hours in length. Therefore, any emergencies over two hours are deemed to be over and beyond the regular responsibilities of such forces and should therefore be compensated for documented hours of services.
- B. Each department head of services will be responsible for providing to the Emergency Management Director an accurate schedule of personnel hours worked as close as possible to the end of the declared state of emergency or a nondeclared emergency over two hours in length at Bradley International Airport.
- C. Emergency management/civil preparedness forces shall be compensated at a rate applicable to the cost of obtaining similar services from a commercial service rendering such services.
- D. Town agencies shall be reimbursed for labor cost for the emergency. This cost shall be submitted to the Emergency Management Director within one week of the emergency. Each agency head shall submit a written schedule outlining material used, lost or damaged during such emergencies. Purchase orders and invoices should be submitted.
- E. The First Selectman or Emergency Management Director or his designee shall submit to the party or parties responsible, in writing, a schedule of municipal cost incurred as a result of the emergency. These documents shall be submitted within three weeks after the conclusion of the emergency.

§ 171-5. Bradley International Airport.

When one or more of the Town of Windsor Lock's municipal agencies is requested to respond to the Airport or must provide services locally as a result of an occurrence on airport property, even without a declared state of emergency, the same qualifications and procedures for reimbursement outlined above shall apply. Invoices shall be submitted to the party or businesses who generated the need for the services to be provided.

§ 171-6. Mutual aid.

- A. In accordance with the Connecticut General Statutes, any municipality requesting mutual aid shall be responsible for the cost of labor and material expended by Windsor Locks agencies while providing services to the municipality.
- B. It is recognized that the Town of Windsor Locks provides emergency services for incidents which occur on a day-to-day basis and traditionally consume minimal materials and labor and are less than two hours in duration. However, emergencies declared under this article are those of a nontraditional nature which require resources beyond the normal day-to-day responses.

§ 171-7. Evacuations.

- A. In the event of an evacuation for any hazard considered an emergency, the Town shall be reimbursed for any expense incurred. This cost will be billed to the party or parties responsible.
- B. In the event that reimbursement cannot be settled and payment received within 90 days of the submitted invoices, the Town Attorney will initiate collection procedures for expenses plus reasonable fees.

DRAFT

Chapter 176
FOREIGN TRADE ZONE

§ 176-1. Establishment.

[HISTORY: Adopted by the Town of Windsor Locks 9-1-1976, approved at referendum 11-2-1976. Amendments noted where applicable.]

§ 176-1. Establishment.

A foreign trade zone shall be established in the Town of Windsor Locks.

DRAFT

Chapter 187
HOUSING CODE

- § 187-1. Purpose.
- § 187-2. Title; applicability.
- § 187-3. Compliance required.
- § 187-4. Word usage.
- § 187-5. Terms defined.
- § 187-6. Responsibilities of owners and occupants.
- § 187-7. Facility and equipment minimum standards.
- § 187-8. Light and ventilation minimum standards.
- § 187-9. Heating: minimum thermal standards.
- § 187-10. Maintaining dwellings and dwelling units in safe and sanitary condition.
- § 187-11. Minimum space, use and location requirements.
- § 187-12. Rooming houses.
- § 187-13. Inspection of dwellings, dwelling units, rooming units and premises.
- § 187-14. Enforcement.
- § 187-15. Housing Code Appeals Board; hearings and appeals.
- § 187-16. Inspection of rooming houses; suspension of permits.
- § 187-17. Penalties for offenses.
- § 187-18. Validity.
- § 187-19. Designation of unfit dwellings; condemnation.
- § 187-20. Conflicting ordinances.
- § 187-21. Liability of Town officials.

[HISTORY: Adopted by the Town of Windsor Locks 3-6-1968. Amendments noted where applicable.]

GENERAL REFERENCES

Buildings and building construction — See Ch. 155.

Sewer use — See Ch. 292.

§ 187-1. Purpose.

In order to clarify Housing Code requirements for the Town of Windsor Locks, Connecticut, this separate document is created which encompasses all the necessary factors governing habitation in present society. To accomplish this end, all present ordinances pertaining to housing which are now contained in the Revised Zoning Ordinance, dated March 14, 1966, are presented as a compendium to this document and form an integral part of this document.

§ 187-2. Title; applicability.

This chapter shall be entitled "Housing Code of the Town of Windsor Locks, Connecticut" and shall apply to all citizens of Windsor Locks.

§ 187-3. Compliance required.

No person shall occupy, rent, lease, or let to another for occupancy any dwelling unit which does not comply with this chapter, except that the owner(s) of any existing nonconforming dwelling shall have a reasonable time within which to correct the violation. "Reasonable time" is defined as a minimum of 30 days and a maximum of 90 days. The Housing Inspector shall decide as to what is deemed reasonable on an individual basis dependent upon particular circumstances.

§ 187-4. Word usage.

- A. Scope. Unless otherwise expressly stated, the following terms shall, for the purpose of this code, have the meanings indicated in § 187-5.
- B. Interchangeability. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.
- C. Terms defined in Building Code. Where terms are not defined in § 187-5 and are defined in the Building Code, they shall have the meanings ascribed to them as in the Building Code.
- D. Terms not defined. Where terms are not defined under the provisions of this code or under the provisions of the Building Code, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply.

§ 187-5. Terms defined.

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

APPROVED — As applied to a material, device, or method of construction, shall mean approved by the building-housing inspector under the provisions of this code or approved by other authority designated by law to give approval in the matter in question.

BASEMENT — A portion of the building partly underground, but having less than 1/2 its clear height below the average grade of the adjoining ground.

BUILDING CODE — The Basic Building Code, latest edition and accumulative supplements issued by the State of Connecticut Public Works Department; or such earlier edition and supplement thereof officially adopted by the Board of Selectmen.

CELLAR — The portion of the building partly underground, having 1/2 or more than 1/2 of its clear height below the average grade of the adjoining ground.

DWELLING — Any building which is used or intended to be used in whole or in part for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.

DWELLING UNIT — Any room or group of rooms located within a dwelling for use by one or more individuals and forming a single housekeeping unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

EXTERIOR PROPERTY AREAS — The open space on the premises and on adjoining property under the control of owners or operators of such property.

EXTERMINATION — The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by safe and approved methods of poisoning, fumigating, trapping or other approved means of elimination.

FAMILY — A group of persons related by blood, marriage or adoption within and including the degree of first cousins.

FIRE MARSHAL — The legally appointed person responsible for the enforcement of the Fire Safety Code, State of Connecticut.

GARBAGE — The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GROSS FLOOR AREA — The total area of all habitable space in a building or structure.

HABITABLE ROOM — A room or enclosed floor space arranged for living, eating, and sleeping purposes (not including bathrooms, water closet compartments, laundries, pantries, foyers, hallways, and other accessory floor space).

HOTEL — A building arranged or used for sheltering, sleeping, or feeding, for compensation, more than 20 individuals.

HOUSING INSPECTOR — The building official charged with the responsibility of administering this code and the enforcement thereof, who shall be appointed by the First Selectman. **[Amended 6-2-1970]**

INFESTATION — The presence, within or around a dwelling, of insects, rodents, vermin or other pests.

MOTEL — For purpose of this code, a motel shall be defined the same as a hotel (see definition of "hotel" above).

MULTIFAMILY APARTMENT HOUSE — A building containing more than two dwelling units.

ONE-FAMILY DWELLING — A building containing one dwelling unit with one family (refer to the definition of "family" above).

OPENABLE AREA — That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR — Any person who has charge, care or control of a building, including a rooming house, or part thereof, in which dwelling units or rooming are let or offered for occupancy.

OWNER — The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other firm or corporation in control of a building; or their duly authorized agents.

PERSON — An individual, firm, corporation, association or partnership.

PLUMBING or PLUMBING FIXTURES — Water heating facilities, water pipes, gas pipes, garbage and disposal units, waste lavatories, bathtubs, shower baths, installed clothes-washing machines, or other similar equipment, catch basins, drains, vents, or other similarly supplied fixtures, together with all connections to water, gas, sewer or vent lines.

PREMISES — A lot, plot or parcel of land, including the buildings or structures thereon.

RESIDENCE BUILDING — A building in which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided; except when classified as an institution under the Building Code.

ROOMING HOUSE — Any residence, building or any part thereof, containing three or more rooming units, in which space is let by the owner or operator to persons who are not members of the family.

ROOMING UNIT — Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

RUBBISH — Combustible and noncombustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar material.

SEWER SYSTEM — An approved sanitary sewer in compliance with the Sanitary Ordinance of the Town of Windsor Locks.¹

SUPPLIED — Installed, furnished or provided by the owner or operator.

TWO-FAMILY DWELLING — A building containing two dwelling units with two families (refer to the definition of "family" above).

VENTILATION — The process of supplying and removing air by natural or mechanical means to or from any space.

VENTILATION, MECHANICAL — Ventilation by power-driven devices.

VENTILATION, NATURAL — Ventilation by opening to outer air through windows, skylights, doors, louvres, or stacks without wind-driven devices.

WORKMANLIKE — Whenever the words "workmanlike, state of maintenance and repair" are used in this code, they shall mean that such maintenance and repair shall be made in a reasonably skillful and safe manner.

1. Editor's Note: See Chs. 288, Sewers, and 292, Sewer Use.

YARD — An open, unoccupied space on the same lot with a building extending along the entire length of a street, or rear, or interior lot line.

§ 187-6. Responsibilities of owners and occupants.

- A. No owner or other person shall occupy or let to another person any vacant dwelling or dwelling unit unless it and the premises are clean, sanitary, fit for human occupancy, and comply with all applicable legal requirements of the State of Connecticut and the Town of Windsor Locks.
- B. Every owner of a dwelling containing two or more dwelling units shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof and shall supply facilities or containers for the sanitary and safe storage and/or disposal of rubbish and garbage. Garbage containers used for storage pending collection shall be rodentproof, insectproof, and watertight.
- C. Every occupant of a dwelling or dwelling unit shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit, and premises thereof that he occupies and controls and shall dispose of or store pending collection all his rubbish and garbage in a clean, sanitary, and safe manner. Garbage containers used for storage pending collection shall be rodentproof, insectproof, and watertight.

§ 187-7. Facility and equipment minimum standards.

No person shall occupy as owner, occupant, or let to another for occupancy any dwelling or dwelling unit for the purpose of living, sleeping, cooking, or eating therein, which does not comply with the following requirements:

- A. Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked and which shall be equipped with the following:
 - (1) A kitchen sink in good working condition and properly connected to an approved water supply providing at all times an adequate amount of heated and unheated running water under pressure and properly connected to a sewer system or approved septic tank.
 - (2) Cabinets and/or shelves for the storage of kitchen utensils and dry goods and food that does not under ordinary maximum summer conditions require refrigeration for safekeeping.
 - (3) A stove for cooking food and a refrigerator for the safe storage of food at temperatures between 30° F. and 50° F., which are properly installed with all necessary connections for safe, sanitary and efficient operation, provided that such stove and refrigerator need not be installed when a dwelling unit is not occupied and when the occupant is expected to provide same upon occupancy, and that sufficient space for the safe and efficient installation and operation of said stove and refrigerator is provided.
- B. Every dwelling unit shall have adequate bathroom facilities consisting of a water closet, lavatory basin, and tub or shower, all properly connected to a water system that at all

times provides an adequate amount of running water under pressure, heated and unheated as applicable, and all properly connected to a sewer system or approved septic tank. These facilities may be combined in one room or in more than one room so long as privacy is afforded to the person within the room.

- C. Every dwelling unit shall have one or more approved means of egress leading to safe and open space at ground level as required by the State of Connecticut and by the Town of Windsor Locks.

§ 187-8. Light and ventilation minimum standards.

No person shall occupy as owner, occupant, or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- A. Every habitable room shall have at least one window or skylight facing directly outdoors, and the minimum total window area shall be 10% of the floor area. At least 1/2 of the minimum window area shall be capable of being easily opened to allow adequate ventilation of the room unless other approved means of adequate ventilation are provided. Ventilating portions of windows and exterior doors or doors opening directly from a dwelling unit to outside space shall have insect screens and screen doors installed during the warm months of the year.
- B. Every bathroom and water closet shall comply with the light and ventilation requirements for habitable rooms contained in Subsection A, except that no window or skylight shall be required in adequately ventilated bathrooms and water closet compartments equipped with an approved ventilation system.
- C. Every habitable room shall have an electric service and outlets and/or fixtures capable of providing at least three watts per square foot of floor area with at least one wall-type electric convenience outlet for each room other than the kitchen, which must have at least two outlets.
- D. Every water closet compartment, bathroom, laundry room, furnace room and public hall shall contain at least one supplied ceiling or wall-type electric light fixture.
- E. Every public hall and stairway in every multiple dwelling shall be adequately lighted at all times so as to provide at least six footcandles of light at the tread or floor level. Every public hall and stairway in structures containing not more than two dwelling units shall be supplied with conveniently located light switches, controlling an adequate lighting system which may be turned on when needed instead of full-time lighting.
- F. Every public hallway which exceeds 15 feet in length shall be equipped with an approved emergency (zoned) lighting system.

§ 187-9. Heating: minimum thermal standards.

No person shall occupy as owner, occupant, or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following

requirements: Every dwelling shall have heating facilities which are properly installed and are maintained in a safe working condition and are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit located therein to a temperature of at least 68° F., at a distance of three feet above floor level when the outside temperature is 0° F. Unvented flame space heaters are prohibited. All oil-fired space heaters are prohibited. Underwriters Laboratory approved portable electric heaters are acceptable, provided they are adequately protected by fusing.

§ 187-10. Maintaining dwellings and dwelling units in safe and sanitary condition.

No person shall occupy as owner, occupant, or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- A. Every foundation, floor, roof, ceiling, exterior and interior wall shall be reasonably weathertight, watertight, and damp-free; shall be kept in sound condition and good repair; and shall provide reasonable privacy for the occupants. Rainwater shall drain from roofs so as not to cause dampness in the walls, ceilings, or floors of any habitable room, bathroom, or water closet compartment.
- B. Every window, exterior door, ventilator, skylight, basement hatchway, or similar devices shall be kept rodentproof and reasonably watertight and weathertight and shall be maintained in sound working condition and good repair.
- C. Every dwelling, other building, or accessory structure shall be rodentproof and maintained so as to prevent rodent harborage.
- D. Every foundation, roof, floor, exterior and interior walls, ceilings, inside and outside stairs, every porch, and every appurtenance thereto shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon and shall be maintained in sound condition and good repair.
- E. All required utilities, facilities, and equipment, including plumbing fixtures, chimneys, flues, piping, heating and lighting systems and equipment, shall be so installed and maintained as to function in a safe, sanitary and effective manner, and they shall not be removed or shut off or discontinued except temporarily for repairs or alterations or upon the approval of the Housing Inspector.
- F. All construction and materials and ways and means of egress and installation and use of equipment shall conform to applicable state and local laws dealing with fire protection.

§ 187-11. Minimum space, use and location requirements.

No person shall occupy or let to be occupied any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- A. Every dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 square feet of floor space for every additional occupant thereof; the floor space to be calculated on the basis of total habitable room area.

- B. Every room occupied for sleeping purposes shall contain at least 60 square feet of floor area for the first adult occupant and at least 40 square feet of floor area for each additional adult occupant thereof. Every room occupied for sleeping purposes shall contain at least 35 square feet of floor area for each child.
- C. At least 1/2 of the floor area of every habitable room shall have a ceiling height of at least seven feet, and the floor area of that part of any room when the ceiling height is less than four feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
- D. No portion of a building, the floor area of which is partially or totally below grade, shall be used as a sleeping room or dwelling unit unless, in addition to the other provisions of this Code, the floor and walls are of waterproof and dampproof construction, and the minimum aggregate glass area of windows as required is located entirely above the grade of the ground adjoining such window area.

§ 187-12. Rooming houses.

No person shall operate a rooming house or shall occupy or let to another for occupancy any rooming unit in any rooming house except in compliance with the provisions of every section of this chapter other than the provisions of §§ 187-6 and 187-7. No owner or other person shall occupy or let to another person any vacant rooming unit unless it is clean, sanitary, and fit for human occupancy, and complies with all applicable requirements of this chapter and of any rules and regulations adopted pursuant thereto.

- A. No person shall operate a rooming house unless approved by the Fire Marshal and unless he holds a valid rooming house permit issued by the Board of Selectmen upon recommendation of the Housing Inspector in the name of the operator and for the specific dwelling or dwelling unit.
 - (1) This permit shall not be transferable and shall be displayed in a conspicuous place within the rooming house at all times.
 - (2) Every person holding such a permit shall give notice in writing to the Housing Inspector within 24 hours after having sold, transferred, given away, or otherwise disposed of ownership of, interest in, or control of any rooming house. Such notice shall include the name and address of the person succeeding to the ownership or control of such rooming house.
 - (3) Every rooming house permit shall expire at the end of one year following its date of issuance unless sooner suspended or revoked as hereinafter provided.
 - (4) Prior to the issuance of original permit and renewal thereof, the Housing Inspector shall inspect said rooming house to assure compliance with this code.
- B. At least one flush water closet, lavatory basin, and bathtub or shower, properly connected to a water and sewer system or an approved septic tank and in good working condition, shall be supplied for each six persons within a rooming house, including members of the operator's family wherever they share the use of the facilities provided that:

- (1) In a rooming house where rooms are let only to males, flush urinals may be substituted for not more than 1/2 the required number of water closets.
 - (2) All such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities.
 - (3) Every lavatory and bathtub or shower shall be supplied with hot water at all times.
 - (4) No such facilities shall be located in a basement.
 - (5) Cooking in a rooming unit shall be prohibited. Communal cooking and dining facilities in a rooming house shall be prohibited.
 - (6) Rooming unit doors shall have operating locks to ensure privacy.
- C. The operator of every rooming house shall change supplied bed linen and towels therein at least once each week and prior to letting any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.
- D. Every room occupied for sleeping purposes by one person shall contain at least 100 square feet of floor area, and every room occupied for sleeping purposes by more than one person shall contain at least 70 square feet of floor space for each occupant thereof.
- E. Every rooming unit shall have one or more safe, unobstructed means of egress leading to safe and open space at ground level as required by the State of Connecticut and the Town of Windsor Locks.
- F. Every provision of this chapter which applies to rooming houses shall also apply to hotels and motels except to the extent that any such provision may be found in conflict with the laws of the State of Connecticut or the Town of Windsor Locks.

§ 187-13. Inspection of dwellings, dwelling units, rooming units and premises.

- A. The Housing Inspector or his duly assigned representative and/or representatives are hereby authorized to make periodic inspections between the hours of 8:00 a.m. and 5:00 p.m., or at such time as mutually agreed upon with the owner or occupant, to determine the condition of dwellings, dwelling units, rooming units, and premises within the Town of Windsor Locks for the purpose of determining compliance with the provisions of this chapter.
- B. The owner or occupant or the person in charge thereof of each dwelling, dwelling unit, rooming unit, or premises within the Town of Windsor Locks shall give the Housing Inspector or his duly assigned representative(s) free access for the purpose of such inspection, examination, and survey. Refusal to permit entry and free access during the inspection shall constitute a misdemeanor and, upon conviction of same, the fine shall not exceed \$25 for each such offense.

§ 187-14. Enforcement.

- A. Whenever the Housing Inspector determines that a violation or violations to this chapter exist, he shall give notice of the alleged violation or violations to the person or persons responsible therefor, requiring that the violation or violations be corrected. This notice shall be in writing; describe the alleged violation or violations and state the address; and allow a reasonable time, not to exceed 90 days, for the correction of the alleged violation or violations. After the passage of the period of time allowed for the correction of any alleged violation, the Housing Inspector shall reinspect the property to determine whether there has been compliance with the notice of violation. The consent of the owner, operator, or person in charge thereof shall be requested before the reinspection is made, and no such reinspection shall be undertaken without such consent.
- B. In the event that such consent is refused, the Housing Inspector, upon procurement of a duly issued search warrant, is hereby authorized to enter, inspect, examine, and survey the property for the purpose of determining whether there has been compliance with the notice of violation.

§ 187-15. Housing Code Appeals Board; hearings and appeals.

- A. There is hereby created a Housing Code Appeals Board to consist of five regular members and two alternates. Said members and alternates are to be appointed by the Board of Selectmen. Those first appointed shall be designated to serve for one, two, three, four and five years respectively, and thereafter members shall be appointed annually to serve for five years. Each member shall serve until his successor is appointed and has qualified, and any vacancy shall be filled in like manner for the unexpired term. Three members of said Board shall be chosen from the following persons:
- (1) A Fire Chief or Fire Marshal from the Town's Fire Department.
 - (2) A licensed architect or a licensed civil engineer.
 - (3) A building, plumbing or electrical contractor.
 - (4) A licensed physician or a registered nurse.
 - (5) A professional social worker.
 - (6) A Planning and Zoning Commissioner.
 - (7) A Zoning Appeals Board Commissioner.
- B. Any person aggrieved by notice of the Housing Inspector issued in connection with any inspection, examination, or survey pursuant to this chapter may request in writing a hearing on the matter before the Housing Code Appeals Board. This written request shall be submitted within 20 days after the notice of the Housing Inspector is served upon such person. Within 10 days of the receipt of such written request, the Housing Code Appeals Board shall set a time and place for such hearing and shall notify the petitioner in writing thereof, by registered or certified mail, return receipt requested.

- C. A majority vote of the Housing Code Appeals Board, after a full hearing is had, shall sustain, modify, or withdraw the notice.
- D. Any person aggrieved by an order of the Housing Inspector relative to the enforcement of this Code as upheld by the Housing Code Appeals Board may, within 15 days of denial, appeal to the Court of Common Pleas, County of Hartford.

§ 187-16. Inspection of rooming houses; suspension of permits.

- A. The Housing Inspector is hereby authorized to enter, inspect, examine, and survey all rooming houses between the hours of 8:00 a.m. and 5:00 p.m., for the purpose of determining compliance with the provisions of this chapter or any applicable rule or regulation adopted pursuant thereto. Where violations exist, the Housing Inspector shall give notice in writing to the operator of such rooming house that unless such violations are corrected within 30 days, the operator's permit shall be suspended. At the end of 30 days, the Housing Inspector shall reinspect such rooming house; and if he determines that the violations have not been corrected, he shall issue an order suspending the operator's permit.
- B. Any person whose permit to operate a rooming house has been suspended by order of the Housing Inspector may petition for and be granted a hearing on the matter in accordance with the procedure set forth in § 187-15. This petition shall be submitted within 10 days following the day on which the permit was suspended; otherwise, the permit shall be deemed revoked.

§ 187-17. Penalties for offenses.

Any person who shall willfully refuse or fail to obey an order of the Housing Code Board of Appeals to meet the minimum standards of this chapter or of any rule or regulation adopted pursuant thereto shall, upon conviction, be fined not less than \$10 nor more than \$100. Each day's failure to comply shall constitute a separate violation.

§ 187-18. Validity.

The validity of this Code is established by the State of Connecticut Housing Code.

§ 187-19. Designation of unfit dwellings; condemnation.

- A. Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the Health Officer and shall be vacated within 30 days:
 - (1) One which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health and safety of the occupants or of the public.
 - (2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

- (3) One which because of its general condition or location is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.
- B. No dwelling, dwelling unit, or rooming unit that has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the Housing Inspector after the defect or defects have been eliminated.
- C. Any person who willfully defaces or removes the placard from any condemned dwelling, dwelling unit, or rooming unit shall, upon conviction, be subject to a fine of not less than \$25 nor more than \$50.
- D. Any person aggrieved by any order involving the placarding of a dwelling, dwelling unit, or rooming unit may request and be granted a hearing under the conditions specified in § 187-15.

§ 187-20. Conflicting ordinances.

In any case where a provision of this chapter is found to be in conflict with any existing code, ordinance, or regulation of the Town of Windsor Locks existing on the effective date of this chapter, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

§ 187-21. Liability of Town officials.

The Housing Inspector and his representative and/or representatives shall be free from personal liability while in the performance of official duties.

Chapter 193

HUNTING

§ 193-1. Prohibited locations.

§ 193-2. Penalties for offenses.

[HISTORY: Adopted by the Town of Windsor Locks 10-8-1943 (Ch. X, § 1, of the Town Compilation). Amendments noted where applicable.]

§ 193-1. Prohibited locations.

All property in the Town of Windsor Locks between Main Street and West Street, and Spring Street and Elm Street, bounded by Elm Street, School Street, Main Street and South Center Street, shall be closed for hunting except by the owner on his own land.

§ 193-2. Penalties for offenses.

Any person violating this chapter shall be fined not more than \$50.

DRAFT

Chapter 214

LOITERING

§ 214-1. Definitions.

§ 214-2. Loitering on private property prohibited.

§ 214-3. Parking on private property prohibited.

§ 214-4. Loitering on public property prohibited.

[HISTORY: Adopted by the Town of Windsor Locks 10-17-1967. Amendments noted where applicable.]

GENERAL REFERENCES

Parks and recreation areas — See Ch. 251.

Peace and good order — See Ch. 257.

§ 214-1. Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivatives shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

AUTHORIZED AGENT — Anyone who has either oral or written instructions from his principal to do a certain act or has been given either oral or written authority to do a certain act or acts. For the purpose of this chapter, the police of the Town of Windsor Locks shall be deemed to be authorized agents of the owner of any private or public property within said Town of Windsor Locks, and shall require neither oral nor written instructions or authority as a prerequisite to any valid exercise of their powers under this chapter.

LOITERING — Standing, sitting, walking or idly milling about, or sitting inside a motor vehicle with no lawful business, congregating in groups or singly upon the private property of another, or property owned by the Town of Windsor Locks or other public property with no lawful purpose or business upon such property.

OWNER — The person, persons or corporation who or which holds legal title to the property, and shall include for the purpose of this chapter a lessee of the property or portion of the property.

PRIVATE PROPERTY — Property owned and/or maintained by a person or persons other than the accused and shall include the sidewalks and parking lots upon such property. This term expressly includes drive-in restaurants, shopping plazas, bowling alleys and restaurants. The foregoing examples are given merely as an illustration of the class of property defined as "private property," and not as a limitation upon such term.

PUBLIC PROPERTY and/or PROPERTY OWNED BY THE TOWN OF WINDSOR LOCKS — Shall expressly include public ways, squares, cemeteries, public buildings, and churches.

TOWN — The Town of Windsor Locks.

§ 214-2. Loitering on private property prohibited.

It shall not be lawful for persons to assemble idly, and remain in crowds, or for any person to stand and remain idly upon the sidewalks, parking lots, driveways, or other private property of another unless with the permission or consent of the owner thereof, and all persons, to the number of three or more, so assembling and refusing to disperse when commanded by the owner, his authorized agent or police officers, and any person so standing or remaining idly, may be arrested and forthwith brought before the Circuit Court, or, if it not be in session, such person or persons may be held in custody until the next day upon which it shall be held, or may be released upon sufficient bond and commanded to appear before such court on said day, and every such person shall be punished by a fine not exceeding \$50.

§ 214-3. Parking on private property prohibited.

Any person who shall, without right, park any motor vehicle upon the premises of another after having been forbidden to do so, or requested to remove said vehicle, by the owner or his authorized agent, either directly or by clear and legitimate signs posted thereon, shall be fined not less than \$5 and not more than \$50.

§ 214-4. Loitering on public property prohibited.

Loitering on public ways, squares, near cemeteries, public buildings, churches, and/or other property owned by the Town of Windsor Locks is prohibited, and no person shall assemble idly and remain in crowds nor any person stand and remain idly upon any footway, sidewalk or crosswalk in any street or in any public squares of the Town of Windsor Locks, or before any church or before or within any cemetery within said Town of Windsor Locks. All persons, to the number of three or more, so assembling and refusing to disperse when commanded so to do by a police officer or remaining idly and refusing to disperse when so commanded may be arrested and forthwith brought before the Circuit Court, or if it not be in session, such person or persons may be held in custody until the next day upon which it shall be held, or may be released upon sufficient bond and commanded to appear before said court on said day, and upon conviction each person shall be punished by a fine not exceeding more than \$50 for each offense.

Chapter 222

MASSAGE PARLORS

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| § 222-1. Title. | § 222-12. Revocation or suspension of
massage establishment permit. |
| § 222-2. Policy. | § 222-13. Revocation or suspension of
masseur or masseuse permit. |
| § 222-3. Definitions. | § 222-14. Required facilities. |
| § 222-4. Permit required for massage
establishments. | § 222-15. Operating requirements. |
| § 222-5. Application for massage
establishment permit; fee. | § 222-16. Daily register. |
| § 222-6. Contents of application for
massage establishment permit. | § 222-17. Inspections. |
| § 222-7. Permit required for masseurs
or masseuses; fee. | § 222-18. Transfer of permit. |
| § 222-8. Contents of application for
masseur or masseuse permit. | § 222-19. Applicability of regulations to
existing businesses. |
| § 222-9. Notice of hearing on massage
establishment permit. | § 222-20. Experience in lieu of certificate. |
| § 222-10. Issuance of permit for massage
establishment. | § 222-21. Time limit for filing application
for permit. |
| § 222-11. Issuance of masseur or
masseuse permit. | § 222-22. Exceptions. |
| | § 222-23. Rules and regulations. |
| | § 222-24. Penalties for offenses. |

[HISTORY: Adopted by the Town of Windsor Locks 5-10-1978. Amendments noted where applicable.]

§ 222-1. Title.

This chapter shall be known and may be cited as the "Massage Parlor Ordinance for the Town of Windsor Locks."

§ 222-2. Policy.

It is hereby declared that the business of operating massage establishments as defined herein is a business affecting the public health, safety and general welfare.

§ 222-3. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings respectfully ascribed to them by this section:

EMPLOYEE — Any and all persons, other than the masseurs or masseuses, who render any service to the permittee, who have no physical contact with customers and clients.

MASSAGE — Any method of pressure on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without any such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice.

MASSAGE ESTABLISHMENT — Any establishment having a fixed business where any person, firm, association, or corporation engages in or carries on or permits to be engaged in or carried on any of the activities mentioned in the definition of "massage" above.

MASSEUR and MASSEUSE — Any person who, for any consideration whatsoever, engages in the practice of massage as herein defined.

PERSON — Any individual, copartnership, firm, association, joint-stock company, corporation or combinations of individuals of whatever form or character.

RECOGNIZED SCHOOL — Any school or institution of learning which has for its purpose the teaching of the theory, the method, profession or work of massage, which school requires a resident course of study not less than 70 hours to be given in not more than three calendar months before the student shall be furnished with a diploma or certificate of graduation from such school or institution of learning following the successful completion of such course of study or learning in a school which has been recognized and approved by the State of Connecticut.

§ 222-4. Permit required for massage establishments.

It shall be unlawful for any person to engage in, conduct, or carry on or permit to be engaged in, conducted, or carried on, in or upon any premises in the Town of Windsor Locks, the operation of a massage establishment as herein defined without first having obtained a permit from the First Selectman or his designate after approval by the Director of Public Health.

§ 222-5. Application for massage establishment permit; fee.

Each applicant for a permit to maintain, operate or conduct a massage establishment shall file an application with the First Selectman or his designate and pay a filing fee of \$200, which shall not be refundable.

§ 222-6. Contents of application for massage establishment permit.

- A. The application for a permit to operate a massage establishment shall set forth the exact nature of the massage to be administered, the proposed place of business and facilities therein, and the name and address of each applicant.
- B. In addition to the foregoing, any applicant for a permit shall furnish the following information:

- (1) Written proof that the applicant is at least 18 years of age.
- (2) Two portrait photographs at least two inches by two inches in size and fingerprints.
- (3) Business, occupation or employment of the applicant for the three years immediately preceding the date of the application.
- (4) Massage or similar business license-history of the applicant; whether such person has previously operated in this or another city or state under license, has had such license revoked or suspended, the reason therefor, and the business activity or occupation subsequent to such action of suspension or revocation.
- (5) Any criminal convictions, except minor traffic violations.

§ 222-7. Permit required for masseurs or masseuses; fee.

Any person, including an applicant for a massage establishment permit, who engages in the practice of massages as herein defined shall file an application for a masseur or masseuse permit with the First Selectman or his designate upon a form provided by said First Selectman and shall pay a filing fee of \$50 which shall not be refundable.

§ 222-8. Contents of application for masseur or masseuse permit.

The application for a masseur or masseuse permit shall contain the following:

- A. Name and resident's address.
- B. Social security number.
- C. Applicant's weight, height, color of hair and eyes and fingerprints.
- D. Written evidence that the applicant is at least 18 years of age.
- E. Business occupation or employment of the applicant for three years immediately preceding the date of application.
- F. Whether such person has ever been convicted of any crime except minor traffic violations. If any person mentioned in this subsection has been so convicted, a statement must be made giving the place and court in which the conviction was obtained and the sentence imposed as a result of such conviction.
- G. Name and address of the recognized school attended, the date attended, and a copy of the diploma or certificate of graduation awarded the applicant showing that the applicant has successfully completed not less than seven hours of instruction.
- H. Any masseur or masseuse so employed is required to present a certificate from a physician licensed to practice in the State of Connecticut stating that the applicant has been examined and found to be free of any contagious or communicable disease and showing that the examination was conducted within 30 days prior to the submission of the application.

§ 222-9. Notice of hearing on massage establishment permit.

When the application is filed for a massage establishment permit under this chapter, the First Selectman or his designate shall fix the time and place for a public hearing where the applicant may present evidence upon the question of his application. Not less than 10 days before the date of such hearing, the First Selectman or his designate shall cause to be posted a notice of such hearing in a conspicuous place on the property in which or on which the proposed massage establishment is to be operated. The applicant shall maintain said notices posted for the required number of days.

§ 222-10. Issuance of permit for massage establishment.

A. The First Selectman or his designate may issue a permit within 14 days following a hearing if all requirements for a massage establishment described in this chapter are met and may issue a permit to all persons who apply to perform massage services unless he finds:

- (1) The operation as proposed by the applicant, if permitted, would not have complied with all the applicable laws, including, but not limited to, the building, health, city planning, housing, zoning and fire codes of the Town of Windsor Locks.
- (2) Criminal convictions.
 - (a) That the applicant and any other person who will be directly engaged in the management and operation of a massage establishment has been convicted of:
 - [1] A felony.
 - [2] An offense involving sexual misconduct with children.
 - [3] Obscenity, keeping or residing in a house of ill fame, solicitation of a lewd or unlawful act, prostitution or pandering.
 - (b) The First Selectman or his designate, in his discretion, may issue a permit to any person convicted of any of the crimes in Subsection A(2)[1], [2] and [3] if he finds that such conviction occurred at least three years prior to the date of the application and the application has no subsequent convictions.

B. Each such establishment shall conform to all rules and regulations contained herein and the state sanitary code as well as to such terms and conditions as the State Commissioner of Public Health and/or the local Director of Health finds necessary and proper.

§ 222-11. Issuance of masseur or masseuse permit.

A. The First Selectman or his designate may issue a masseur or masseuse permit within 21 days following application, unless he finds that the applicant for the masseur or masseuse permit has been convicted of:

- (1) A felony.
- (2) An offense involving sexual misconduct with children.

- (3) Obscenity, keeping or residing in a house of ill fame, solicitation of a lewd or unlawful act, prostitution or pandering.
- B. The First Selectman or his designate, in his discretion, may issue a permit to any person convicted of such crimes if he finds that such conviction occurred at least three years prior to the date of application and the applicant has no subsequent convictions.

§ 222-12. Revocation or suspension of massage establishment permit.

- A. Any permit issued for a massage establishment may be revoked or suspended by the First Selectman or his designate, after a public hearing before the First Selectman or his designate, where it is found that the provisions of this chapter are violated or where the permittee or any employee of the permittee, including a masseur or masseuse, has been convicted of any offense found in § 222-11A(1), (2) or (3) and the permittee has actual or constructive knowledge of the violation or conviction, or in any case where the permittee or licensee refuses to permit any duly authorized police officer or health inspector of the Town of Windsor Locks to inspect the premises or the operation therein.
- B. The First Selectman or his designate, before revoking or suspending any permit, shall give the permittee at least 10 days' written notice of the charges against him and the opportunity for a public hearing before the First Selectman or his designate, at which time the permittee may present evidence bearing upon the question. In such cases, the charges shall be specific and in writing.

§ 222-13. Revocation or suspension of masseur or masseuse permit.

- A. A masseur or masseuse permit issued by the First Selectman or his designate shall be revoked or suspended after a public hearing before the First Selectman or his designate where it appears that the masseur or masseuse has been convicted of any offense, enumerated in § 222-11A(1), (2) or (3).
- B. The First Selectman or his designate, before revoking or suspending any masseur or masseuse permit, shall give the masseur or masseuse at least 10 days' written notice of the examination into his conviction record and the opportunity for a public hearing before the First Selectman or his designate, at which hearing the First Selectman or his designate shall determine the relevant facts regarding the occurrence of the conviction.

§ 222-14. Required facilities.

- A. No permit to conduct the massage establishment shall be issued unless an inspection by the Director of Public Health or his authorized representative reveals that the establishment complies with each of the following minimum requirements:
- (1) Construction of rooms used for toilets, tubs, steam baths, and showers shall be waterproofed with approved waterproof materials.
 - (2) Toilet facilities shall be provided in convenient locations. When five or more employees and patrons of different sexes are on the premises at the same time,

separate toilet facilities shall be provided. A single water closet per section shall be provided for each 20 or more employees or patrons of that sex on the premises at any one time. Urinals may be substituted for water closets after one water closet has been provided. Toilets shall be designated as to the sex accommodated therein.

- (3) Lavatories or wash basins provided with both hot and cold running water should be installed in either the toilet room or vestibule. Lavatories or wash basins shall be provided with soap in a dispenser and with sanitary towels.
- B. The Director of Public Health shall certify that the proposed massage establishment complies with all the requirements of this section and shall give or send such certification to the First Selectman or his designate.

§ 222-15. Operating requirements.

- A. Every portion of the massage establishment, including appliances, apparatus and personnel, shall be kept clean and operated in a sanitary condition.
- B. All employees shall be clean and wear clean outer garments whose use is restricted to the massage establishment. Provisions for a separate dressing room for each sex must be available on the premises, with individual lockers for each employee. Doors to such dressing rooms shall open inward and shall be self-closing.
- C. All employees, masseurs and masseuses must be modestly attired. Diaphanous, flimsy, transparent, form-fitting or tight clothing is prohibited. Clothing must cover the employee's, masseur's or masseuse's chest at all times. Hemlines of skirts, dresses or other attire may be no higher than the top of the knee.
- D. Private parts of patrons must be covered by towels, cloth or undergarments when in the presence of any employee, masseur or masseuse. Any contact with a patron's genital area is strictly prohibited.
- E. All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity and shall be laundered after each use thereof and stored in an approved, sanitary manner.
- F. Wet and dry heat rooms, shower compartments, and toilet rooms shall be thoroughly cleaned each day business is in operation. Bathtubs shall be thoroughly cleaned after each use.
- G. Advertising. No massage establishment granted a permit under the provisions of this chapter shall place, publish, or distribute or cause to be placed, published or distributed any advertising material that depicts any portion of the human body that would reasonably suggest to prospective patrons that any services are available other than those services as described in § 222-3 of this chapter, or that employees, masseurs or masseuses are dressed in any manner other than described in Subsection C of this section; nor shall any massage establishment indicate in the text of such advertising that any services are available other than those services described in § 222-3.

- H. Health services enumerated in the definition of "massage" in § 222-3 of this chapter must be carried on in one cubicle, room, booth or area within the massage establishment. No service enumerated in the definition of "massage" in § 222-3 of this chapter may be carried on in any other cubicle, room, booth or area except where such cubicle, room, booth or area has transparent doors or walls so that all activity within a cubicle, room, booth or area is visible from outside the same.
- I. A massage establishment shall not carry on, or engage in conduct or conduct business on Sunday and on any other days shall not carry on, engage in or conduct business before 8:00 a.m. or after 9:00 p.m.
- J. No alcoholic beverage or other intoxicant shall be displayed, served, ingested or sold on the premises of said massage parlor.
- K. A full schedule of service rates shall be posted in a prominent place within the massage parlor in such a manner as to come to the attention of all patrons. No charges other than the specified rates for specified services are to be allowed, with the patron being notified of the full cost prior to the rendering of any service.

§ 222-16. Daily register.

Every person who engages in or conducts a massage establishment shall keep a daily register, approved as to form by the First Selectman or his designate, of all patrons with names, addresses and hours of arrival and, if applicable, the rooms or cubicles assigned. Said daily register shall at all times during business hours be subject to inspection by Health Department officials or by the Police Department and shall be kept on file for one year.

§ 222-17. Inspections.

The Police Department and the Department of Public Health shall from time to time, at least twice a year, make an inspection of each massage establishment in the Town of Windsor Locks for the purposes of determining that the provisions of this chapter are complied with. Such inspections shall be made at a reasonable time and in a reasonable manner. It shall be unlawful for any permittee to fail to allow such inspection officer access to the premises or to hinder such officer in any manner.

§ 222-18. Transfer of permit.

No permit shall be transferable except with the written consent of the First Selectman or his designate and the approval of the Department of Public Health; provided, however, that upon the death or incapacity of the permittee, the massage establishment may continue in business for a reasonable time to allow for an orderly transfer of permit.

§ 222-19. Applicability of regulations to existing businesses.

Holders of any outstanding massage establishment permits heretofore issued under any provision of law are required to comply with all provisions of this chapter.

§ 222-20. Experience in lieu of certificate.

Applicants for a masseur or masseuse permit may substitute one year's continuous experience as a masseur or masseuse in lieu of a requirement of a diploma or certificate of graduation from a recognized school or other institution of learning wherein the method and work of massage is taught. Such masseur or masseuse must obtain an affidavit attesting to such experience from the owner of the establishment where the continuous year of experience occurred. If, after diligent effort, the masseur or masseuse is unable to obtain an affidavit from the owner, such masseur or masseuse may submit an affidavit from a person who has firsthand knowledge of his or her continuous year of experience.

§ 222-21. Time limit for filing application for permit.

All persons who possess any outstanding permit heretofore issued as either the operator of a massage establishment or as a masseur or masseuse must file for a new permit within six months of the effective date of this chapter.

§ 222-22. Exceptions.

This chapter does not apply to schools, hospitals, nursing homes, sanitariums or persons holding an unrevoked certificate to practice the healing arts under the laws of the State of Connecticut, or to persons working under the direction of any such person or in any such establishment.

§ 222-23. Rules and regulations.

The First Selectman or his designate or the Director of Public Health may, after a public hearing, make and enforce reasonable rules and regulations not in conflict with, but to carry out, the intent of this chapter.

§ 222-24. Penalties for offenses.

Every person, except persons who are specifically exempt by this chapter, whether acting as individual, owner, employee of the owner, operator or employee of operator, or acting as a participant or worker in any way, who gives massages or conducts a massage establishment without first obtaining a permit and paying a license fee to the Town of Windsor Locks or who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor. Upon conviction, such person shall be punished by a fine not to exceed \$500 or by imprisonment for a period not to exceed 60 days, or by both such fine and imprisonment.

Chapter 236

NUISANCES

§ 236-1. Purpose.

§ 236-2. Scope of provisions.

§ 236-3. Definitions.

§ 236-4. Public nuisances.

§ 236-5. Minimum standards.

§ 236-6. Responsibility for compliance.

§ 236-7. Complaints; notice of violations.

§ 236-8. Appeals.

§ 236-9. Penalties for offenses;
enforcement.

[HISTORY: Adopted by the Town of Windsor Locks 1-31-2000. Amendments noted where applicable.]

GENERAL REFERENCES

Buildings and building construction — See Ch. 155.

Housing Code — See Ch. 187.

Solid waste — See Ch. 299.

Abandoned or inoperable vehicles — See Ch. 335.

§ 236-1. Purpose.

The purpose of this chapter is to define, prohibit and abate blights and nuisances, to protect, preserve, and promote public health, safety and welfare, and to preserve and protect property values.

§ 236-2. Scope of provisions.

This chapter shall apply uniformly to the maintenance of all residential, nonresidential, and undeveloped premises now in existence or hereafter constructed, maintained, or modified but shall exclude agricultural lands as defined in Section 22-3(b) of the Connecticut General Statutes; land dedicated as public or semi-public open space or preserved in its natural state through conservation easements; or areas designated as inland wetlands and watercourses.

§ 236-3. Definitions.

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

DEBRIS — Material which is incapable of immediately performing the function for which it was designed, including, but not limited to, abandoned, discarded, or unused objects; junk comprised of equipment such as automobiles, boats, and recreation vehicles which are unregistered and missing parts, not complete in appearance and in an obvious state of disrepair; parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers, and garbage which is in the public view.

DECAY — A wasting or wearing away; a gradual decline in strength, soundness or quality; to become decomposed or rotten.

DILAPIDATED — Decayed or rotten beyond repair.

MECHANICAL EQUIPMENT — Any apparatus designed to operate by an internal combustion engine, or designed to be towed by any apparatus propelled by an internal combustion engine.

NATURAL FIELD STATE — Areas where grass, weeds, and brush exist in their natural, unlandscaped state.

NATURALLY WOODED STATE — Areas where trees and brush exist in their natural, unlandscaped state.

PERSON — Any man, woman, corporation, or other legal entity capable of owning real property.

PREMISES — A platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or nondwelling structure, and includes any such building, accessory structure or other structure thereon, or any part thereof. The term "premises," where the context requires, shall be deemed to include any buildings, dwellings, parcels or land or structures contained within the scope of this article.

PUBLIC VIEW — Visible from any public right-of-way or neighboring property.

STRUCTURE — Any building, dwelling, fence, swimming pool, or similarly constructed object.

§ 236-4. Public nuisances.

It is hereby declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in the Town of Windsor Locks to maintain such premises or any public right-of-way abutting said premises in such manner that any of the following conditions exist thereon:

- A. Any structure which is in a state of dilapidation or decay, or is open to the elements, or unable to provide shelter, or serve the purpose for which it was constructed due to damage, dilapidation, or decay.
- B. Premises, occupied by a structure intended for human occupancy, in which grass, weeds, or similar vegetation (excluding flowers, fruits, and vegetables, and areas maintained in their original naturally wooded state or a natural field state) is allowed to reach and remain at a height of 12 inches or greater for a period of 10 days or longer.
- C. Dead, decayed, diseased or damaged trees constituting a hazard or danger to adjacent premises or the occupants thereof or to public property or persons lawfully therein.
- D. One or more unregistered motor vehicles in the public view, pursuant to Section 14-150a of the Connecticut General Statutes.
- E. Residentially zoned property with any combination of 10 or more pieces of mechanical equipment stored on the premises and in the public view.
- F. Residentially or commercially zoned property that has any of the following conditions:

- (1) Premises containing accumulated debris, not including compost piles or piles of grass and/or brush which are not visible from a public right-of-way and do not otherwise constitute a public right-of-way and do not otherwise constitute a public health or safety hazard; or
- (2) Landscaping on any premises, including, but not limited to, trees, shrubs, hedges, grass, and plants which physically hinder or interfere with the lawful use of abutting premises or block or interfere with the use of any public sidewalk and/or private street or right-of-way or any road sign.

§ 236-5. Minimum standards.

- A. The provisions in this chapter shall not be construed to prevent the enforcement of other statutes, codes, ordinances or regulations which prescribe standards other than those provided in this chapter.
- B. In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, regulation or other code of the Town or state, the provision which establishes the higher standard for the promotion and protection of the health and safety and property values of the people shall prevail.
- C. This chapter shall not affect violations of any other ordinances, code or regulation existing prior to the effective date of this code, and any such violations may be governed and continue to be punishable under the provisions of those ordinances, codes, or regulations in effect at the time the violation was committed.

§ 236-6. Responsibility for compliance.

The owner, lessee, or occupant of premises subject to this chapter, including the agents thereof, shall be jointly and severally obligated to comply with the provisions of this chapter. Whenever the person, as herein defined, is a corporation or other legal entity, the officers thereof shall be jointly and severally responsible with that corporation or other legal entity.

§ 236-7. Complaints; notice of violations.

- A. Complaints may be submitted to the First Selectman or his designee by members of the public, but such complaints must be in writing and signed on forms provided by the Town.
- B. Whenever the First Selectman or his designee determines that there has been a violation of any provision of this chapter, except as to § 236-4D, such officer shall give notice of such violation to the person responsible therefor, as hereinafter provided. Such notice shall:
 - (1) Be in writing;
 - (2) Set forth the violations of this chapter;
 - (3) Specify a final date for the correction of any violation;

- (4) Be served upon the owner or the owner's agent, or the occupant as the case may require; provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is posted in a conspicuous place in or about the dwelling affected by this notice; or if such person is served with such notice by any other method authorized or required under the laws of this state;
 - (5) Contain an outline of remedial action which, if taken, will effect permanent compliance with the provisions of this chapter; and
 - (6) State that the penalties and enforcement provisions of this chapter will become effective on the final date set for the correction of any violation.
- C. Whenever the First Selectman or his designee determines that there has been a violation of § 236-4D pertaining to unregistered motor vehicles, such officer shall give notice of such violation to the person responsible therefor, which notice shall be in compliance with Subsection B, except that:
- (1) The notice shall specify that the owner has 30 days to correct the violation by removing the vehicle or registering it; and
 - (2) Notice of the alleged violation shall be published in a newspaper having a substantial circulation in the Town of Windsor Locks.
- D. Any person notified in accordance with this section who fails to correct any violation by the date specified in said notice shall be in violation of this chapter and subject to its penalties and enforcement procedures. Any person in violation of § 236-4D 30 days after notice of alleged violation, in accordance with Subsection C above, shall be subject to the removal and disposition of the unregistered motor vehicle.

§ 236-8. Appeals.

Any person notified in accordance with § 236-7 above may appeal said notice of violation(s) to the Housing Code of Appeals, in writing, within 10 days of the date of said notice. If an appeal is taken as aforesaid, the first day of violation shall be seven days after the decision of the Housing Code of Appeals or on such later date as established by the Housing Code of Appeals.

§ 236-9. Penalties for offenses; enforcement.

A. Penalties.

- (1) Each violation of this chapter shall be considered a separate municipal offense.
- (2) Each day any violation continues shall constitute a separate offense.
- (3) Each separate offense under this chapter shall be punishable by a fine of \$100 payable to the Town of Windsor Locks.

B. Enforcement.

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§ 236-9

§ 236-9

- (1) The First Selectman, his designee, or any police officer in the Town of Windsor Locks is authorized to issue a citation or summons for a violation of this chapter.
- (2) In addition thereto, the First Selectman or his designee is authorized to initiate legal proceedings in the Superior Court for the immediate correction of the violation(s), collection of any penalties, and the recovery of all costs, including costs of remedial action(s) authorized by the court and reasonable attorney's fees incurred by the Town of Windsor Locks to enforce this chapter.
- (3) All fines, court costs, costs of remedial action, and attorney's fees, as ordered by the court, shall constitute a lien on the subject premises, provided the owner of said premises has been notified of the violations as herein provided and was made a party to the enforcement proceedings.

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Chapter 251

PARKS AND RECREATION AREAS

- § 251-1. Applicability.
- § 251-2. Hours of operation.
- § 251-3. Hunting and firearms.
- § 251-4. Fishing.
- § 251-5. Dogs.
- § 251-6. Alcoholic beverages.
- § 251-7. Group use.
- § 251-8. Smoking.
- § 251-9. Refuse and rubbish.
- § 251-10. Damage to property; golfing prohibited.
- § 251-11. Protection of wildlife.
- § 251-12. Notices, signs or posters.
- § 251-13. Trailers and camping and recreational vehicles.
- § 251-14. Camping.
- § 251-15. Sale of articles.
- § 251-16. Open fires.
- § 251-17. Gambling.
- § 251-18. Operation and parking of motor vehicles.
- § 251-19. Compliance with other laws.
- § 251-20. Enforcement; penalties for offenses.

[HISTORY: Adopted by the Town of Windsor Locks 3-25-1999. Amendments noted where applicable.]

GENERAL REFERENCES

Alcoholic beverages — See Ch. 135.
Animals — See Ch. 145.
Child Safety Zones — See Ch. 160.

Hunting — See Ch. 193.
Peddling and soliciting — See Ch. 263.

§ 251-1. Applicability.

The Town's public parks and recreation areas shall be subject to the rules and regulations set forth in this chapter:

§ 251-2. Hours of operation. [Amended 1-31-2001]

The parks and recreation areas shall be open during such hours as may be determined by the Town of Windsor Locks Park Commission (Commission). When so determined, said hours shall be conspicuously posted at each park and recreation area. In the event the Commission does not set the hours of operation and/or fails to post established hours of operation, the park(s) or recreation area(s) hours shall be from dawn to dusk. Unless otherwise posted, lighted playing fields or surfaces shall not be used or illuminated beyond 10:00 p.m. During formal recreation programs sanctioned and conducted by the Town of Windsor Locks Park Department, staff members of said Department shall have control over such programs and those areas of the park and recreation area where the programs take place.

§ 251-3. Hunting and firearms.

No person shall hunt, or carry or discharge any firearm, as defined in the Connecticut General Statutes, on or within any park or recreation area within the Town of Windsor Locks, unless he or she is an authorized law enforcement officer.

§ 251-4. Fishing.

No person shall fish in or upon any of the waters within or adjacent to any park or recreation area except in accordance with such rules and regulations as from time to time may be established by the State of Connecticut Department of Environmental Protection or the Commission.

§ 251-5. Dogs.

No person shall bring or cause to be brought into any park or recreational area any dog(s) unless said dog(s) is leashed and curbed under the control of such person. All animal excrement, from dogs or other animals, must be immediately contained and thereafter removed by the animal's owner or custodian, as the case may be.

§ 251-6. Alcoholic beverages.

The possession or consumption of alcoholic beverages on or within park and recreation areas is prohibited without a permit from the State of Connecticut Department of Consumer Protection, Liquor Control Commission, and written permission from the Commission.

§ 251-7. Group use.

- A. The Commission or the Park Director may issue permits to groups or organizations to use certain designated areas of a park or recreation area for group or organization activities.
- B. As a condition to the issuance of such permits, the Commission or Park Director may require police protection for said activity. Any required police protection shall be at the sole cost of the group or organization securing the permit, and shall be in addition to, not in lieu of, any police protection required by other ordinances of the Town of Windsor Locks.

§ 251-8. Smoking.

Smoking of any type by persons under the age of 18 is prohibited.

§ 251-9. Refuse and rubbish.

No person shall dump, deposit, discard or cause to be discharged in or upon the waters and grounds of any park or recreation area any rubbish, refuse, litter, garbage, or similar waste material except in marked receptacles provided for such purposes.

§ 251-10. Damage to property; golfing prohibited.

No person shall destroy, deface, damage, remove, or in any way diminish the value of any park and recreation area, or any part thereof, including, but in no way limited to, buildings, trees, shrubs, vegetation, facilities, or installations. Furthermore, no golfing of any form is allowed.

§ 251-11. Protection of wildlife.

No person shall destroy, molest, kill, injure, capture, or in any way harm any bird, game, or wildlife on or within any park or recreation area.

§ 251-12. Notices, signs or posters.

No person shall erect, place or post any notice, sign, poster, advertisement, or other form of visual communications in or upon any park or recreation area except as may be required or permitted by any federal, state, or local agency, including the Commission.

§ 251-13. Trailers and camping and recreational vehicles.

No person shall drive or cause to be driven any trailer, camping vehicle, recreational vehicle or similar mobile facility designed to provide camping or living accommodations into or upon any park or recreational area, for the purpose of using such vehicle facility for camping or living arrangements.

§ 251-14. Camping.

No person shall camp or remain upon the grounds of any park or recreation area beyond the hours of operation of the park or recreation area without a written permit from the Commission or Park Director.

§ 251-15. Sale of articles.

No person shall sell or offer for sale any article on park or recreation areas of the Town or advertise or solicit for any purpose therein, unless written permission is granted from the Park Commission and any other appropriate or applicable local or state body.

§ 251-16. Open fires.

No person shall kindle, use or maintain any open fire in or upon any park or recreational facility except within specifically designated areas and within receptacles or fireplaces specifically designated for such purpose. No person using said fireplaces or receptacles shall leave the immediate area of the fireplace or receptacle unattended or unextinguished.

§ 251-17. Gambling.

No person shall play, engage in, conduct, participate in, or cause to be played or conducted, any game of chance or other gambling or gaming activity in or upon any park or recreation area.

§ 251-18. Operation and parking of motor vehicles.

Persons shall operate and/or park their motor vehicles, including automobiles, trucks, motorcycles, motorbikes, ski-mobiles, and minibikes, in or upon any park or recreation area in compliance with such rules and regulations as may be established and posted or displayed by the Commission or the Town of Windsor Locks Police Department.

§ 251-19. Compliance with other laws.

Any person, group or organization using any park or recreation area shall abide by all federal, state and local laws and ordinances in existence or as may be modified or promulgated hereafter.

§ 251-20. Enforcement; penalties for offenses.

The Town of Windsor Locks Police Department shall be charged with the enforcement of the provisions of this chapter. Any person found in violation of this chapter shall be subject to a fine in an amount no greater than \$99, in addition to any other fines or penalties which may apply.

Chapter 257

PEACE AND GOOD ORDER

**ARTICLE I
Policing of Places of Amusement**

- § 257-1. Responsibility for policing.
- § 257-2. Penalties for offenses.

**ARTICLE II
Police Officers at Theaters**

- § 257-3. Responsibility for hiring officers.

- § 257-4. Offenses.
- § 257-5. Penalties for offenses.

**ARTICLE III
Police Officers at Public Functions**

- § 257-6. Officers required; responsibility for expense.
- § 257-7. Penalties for offenses.
- § 257-8. Effective date.

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

GENERAL REFERENCES

Adult businesses — See Ch. 120.
Alcoholic beverages — See Ch. 135.

Amusement enterprises — See Ch. 140.

**ARTICLE I
Policing of Places of Amusement**

[Adopted 3-6-1922; amended 5-23-1962 (Ch. III, § 9, of the Town Compilation)]

- § 257-1. Responsibility for policing.

All public places of amusement shall be properly policed at the owner's or operator's expense, so as to prevent immoral dancing or other disgraceful acts therein.

- § 257-2. Penalties for offenses.

Any person violating this article shall be fined \$5.

**ARTICLE II
Police Officers at Theaters
[Adopted 11-23-1948 (Ch. XII, § 9, of the Town Compilation)]**

- § 257-3. Responsibility for hiring officers.

The owner and/or manager of any theater in Windsor Locks shall be required, at his own expense, to have in attendance at every public performance a regular or supernumerary member of the Windsor Locks Police Force for the purpose of checking exits and fire escapes

and all other items necessary for the prevention of fire or panic and for the purpose of maintaining order and preventing the commission of indecent or immoral acts in such theater.

§ 257-4. Offenses.

Each day the provisions of this article shall not be complied with on the part of said owner or manager shall constitute a separate offense.

§ 257-5. Penalties for offenses.

Any owner or manager violating this article shall be subject to a fine of not more than \$25.

ARTICLE III

Police Officers at Public Functions

[Adopted 4-28-1949 (Ch. XII, § 7, of the Town Compilation)]

§ 257-6. Officers required; responsibility for expense.

A police officer shall be required to be in attendance at all basketball games, football games, public dances, carnivals, and public celebrations, at the expense of the owner, operator, manager, or promoter of such activities.

§ 257-7. Penalties for offenses.

Any owner, operator, manager, or promoter of such activities who violates this article shall be subject to a fine of not more than \$25.

§ 257-8. Effective date.

This article shall be effective May 21, 1949.

Chapter 263

PEDDLING AND SOLICITING

- | | |
|---------------------------------------|---|
| § 263-1. Definitions. | § 263-9. Presentation of credentials. |
| § 263-2. Credentials required. | § 263-10. Revocation of credentials. |
| § 263-3. Application for credentials. | § 263-11. Conduct of business. |
| § 263-4. Application fee. | § 263-12. Posted premises. |
| § 263-5. Investigation of applicant. | § 263-13. Restrictions on peddler's displays. |
| § 263-6. Issuance of credentials. | § 263-14. Police records. |
| § 263-7. Credentials fee. | § 263-15. Exemptions. |
| § 263-8. Expiration of credentials. | |

[HISTORY: Adopted by the Town of Windsor Locks 3-22-1990. Amendments noted where applicable.]

GENERAL REFERENCES

Bazaars and raffles — See Ch. 150.
Loitering — See Ch. 214.

Parks and recreation areas — See Ch. 251.

§ 263-1. Definitions.

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

CANVASSER or SOLICITOR — Any individual, whether a resident of the Town or not, taking or attempting to take orders from anyone on the premises of a house, apartment, trailer or other place of residence for sale of goods, wares, merchandise, including articles of food, or personal property of any nature whatsoever for future delivery, or for services to be performed in the future, whether or not such individual shall carry or expose for sale a sample of the subject of such sale, or whether he is collecting advance payment on such sales or not.

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, merchandise, including articles of food, either on foot or from any vehicle or animal.

ITINERANT VENDOR — Any person, whether principal or agent, who engages in a temporary or transient business in this state, either in one locality or in traveling from place to place, selling goods, wares, merchandise, temporary or transient business, meaning and including any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours at least nine months in each year.

SALESMAN — Any person who shall sell or expose for sale, or solicit orders for any articles of food or any goods, wares, materials, merchandise or services, or solicit for any

contracts within the Town to or from anyone on the premises of a house, apartment, trailer or other place of residence, and shall include canvassers, solicitors, hawkers, peddlers and itinerant vendors.

§ 263-2. Credentials required. [Amended 6-18-1992]

No peddler, hawker, solicitor, canvasser, itinerant vendor, or salesman, except as provided in § 263-15, shall engage in such business within the Town limits without first obtaining identifying credentials therefor in compliance with this chapter.

§ 263-3. Application for credentials.

Applicants for credentials under this chapter must file with the Chief of Police a sworn application in writing, in duplicate, on a form to be furnished by the Chief of Police, which shall give the following information:

- A. Name and description of the applicant.
- B. Permanent home address and full local address of the applicant.
- C. A detailed description of the nature of the business and the goods to be sold.
- D. If employed, the name and address of the employer.
- E. The length of time for which the applicant wishes to engage in the business.
- F. The place where the property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced.
- G. Where such goods or products are located at the time such application is filed, and the proposed method of delivery.
- H. The make, model or registration number of the motor vehicle, if any, to be used.
- I. Whether, when, where and on what charges he has ever been arrested, together with the disposition of such charges.
- J. Whether, when, where, in what court and by whom he or any present or former employer, principal or contract associate has ever been sued in a civil action alleging fraud or misrepresentation in connection with, or as a result of, the registrant's activities in soliciting for any contract or in selling, exposing or offering for sale or soliciting orders for any articles of food or any goods, wares, materials, merchandise or services.
- K. If a peddler, the exact location where the vehicle, carton, or box will be located; except no peddler shall locate in a residential zone unless the applicant does not intend to remain stationary for the purpose of soliciting business.
- L. When applicable, Connecticut sales tax number, food service license number, or charitable funds solicitation registration number.

§ 263-4. Application fee.

- A. At the time of filing the original application, a fee shall be charged and collected by the Chief of Police as set by him. At the time of filing to renew an application, a fee shall be charged and collected by the Chief of Police as set by him.
- B. The fee shall be waived for charitable, political, religious and government organizations and their representatives, including public service organizations engaged in soliciting for charitable projects.
- C. The Chief of Police may waive, at his discretion, any fee from any organization covered by this chapter.

§ 263-5. Investigation of applicant.

- A. Upon receipt of the application, the Chief of Police shall cause to be undertaken and completed within a period of two weeks such investigation of the applicant's business and moral character, and of the statements made in the application, as well as, in the case of peddlers as described in § 263-3K, the proposed location, which for stationary peddlers shall not be in a residential zone, as he deems necessary for the public good. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse his disapproval on the application and the reasons for the same, and notify the applicant thereof. In the case of a peddler, as described in § 263-3K, if it is determined that the location will result in a traffic hazard, or in the case of a stationary peddler is in a residential zone, then as Chief Traffic Officer, the Chief of Police shall endorse his disapproval on the application, specifying the exact nature of the traffic hazard or that it is in a residential zone, and notify the applicant thereof.
- B. If, for any reason, the Chief of Police should fail to carry out and complete such investigation within a two-week period, the applicant may demand and be issued temporary credentials, which credentials may be revoked or made permanent depending on the results of the investigation.
- C. The Chief of Police or his designee is hereby authorized by this chapter to investigate the applicant by any electronic means necessary, including, but not limited to, local, state and federal criminal and motor vehicle databases. Such electronic investigations shall be conducted within the confines of Police Department, COLLECT and NCIC policy in addition to state and federal laws concerning such use. The Police Department shall amend its policy or, in the absence of one, establish a policy and protocols within 60 days of the acceptance of the amended ordinance. **[Added 6-19-2007]**

§ 263-6. Issuance of credentials.

- A. If, as a result of such investigation, the character, business responsibility, and in the case of a peddler described in § 263-3K, the proposed application, of the applicant are found to be satisfactory, the Chief of Police shall endorse his approval on the application and deliver to the applicant credentials which shall show the name and address of the licensee, the kind of goods to be sold thereunder, the manner of sale, the date of

issuance, and in the case of a peddler described in § 263-3K, the location, and the length of time the credentials shall be operative.

- B. Before the credentials are delivered to the applicant, the applicant shall be photographed. Such photograph shall be two inches by two inches and shall show the face and shoulders of such applicant. Such photograph shall be affixed to the credentials. The applicant shall supply two photographs.

§ 263-7. Credentials fee.

- A. The fee for issuance of credentials shall be set by the Chief of Police.
- B. The fee shall be waived for charitable, political, religious and government organizations and their representatives, including public service organizations engaged in soliciting for charitable projects.
- C. The Chief of Police may waive, at his discretion, any fee from any organization covered by this chapter.

§ 263-8. Expiration of credentials.

- A. Except as provided in § 236-15, no person whose credentials have expired shall engage in any of the activities named in § 236-2 until he shall have again registered with the Chief of Police, obtained new credentials and paid a fee.
- B. Credentials expire one year from date of issue.

§ 263-9. Presentation of credentials.

It shall be the duty of any police officer of the Town to request any person seen engaging in any of the activities prescribed in § 263-2 and who is not known by such officer to have proper credentials. Such officer shall enforce the provisions of this chapter against any person found to be violating the same. Peddlers, hawkers, solicitors, canvassers and salesmen shall exhibit their credentials at the request of any citizen.

§ 263-10. Revocation of credentials.

- A. Credentials issued under this chapter may be revoked by the Chief of Police, after notice and hearing, for any of the following causes:
 - (1) Fraud, misrepresentation or false statement contained in the application for credentials.
 - (2) Fraud, misrepresentation or false statement made in the course of carrying on his business as peddler, hawker, solicitor, canvasser or salesman.
 - (3) Any violation of this chapter.
 - (4) Conviction of any felony or misdemeanor.

- B. Notice of hearing for revocation of credentials shall be given in writing, setting forth specifically the grounds of complaint. Such notice shall be mailed by certified mail to the last known address of the holder at least five days prior to the date set for hearing.

§ 263-11. Conduct of business.

Each person to whom credentials have been issued shall, while engaged in the Town in the activities for which he has credentials:

- A. Conduct himself at all times in a quiet, orderly, and lawful manner.
- B. Enter within any home only upon being expressly invited to do so by the occupant thereof.
- C. Leave any premises immediately upon the request of any occupant of the same.
- D. Deliver as agreed or represented, and within a reasonable time, all food, goods, wares, merchandise and materials and perform in like manner all services for which he has been paid in whole or in part, except as provided in Subsection E.
- E. Refund promptly any payment made to him if he shall find that it is not reasonably possible for him to comply with Subsection D, unless the refund shall be refused by the other party.
- F. Give a written and signed receipt for all payments in excess of \$2 received by him, stating the amount of the payment, a description of the food, goods, wares, merchandise, materials and/or services or contracts in connection with which said payment was made, the total of all charges made or to be made in connection with the same and when and in what amounts any additional payments are to be made.
- G. Give to the other party a copy, signed by the holder of the credentials, of any order, contract or other document which the party has signed. Compliance with this subsection shall constitute compliance with Subsection F to the extent that the requirements of Subsection F are met by the document.
- H. Solicit, sell, hawk, canvass, or peddle only during the hours of 8:00 a.m. to 9:00 p.m., unless permission is granted by the Chief of Police, in writing. Door-to-door solicitations must cease on or before 4:00 p.m.

§ 263-12. Posted premises. [Amended 6-18-1992]

No peddler, hawker, canvasser, solicitor, itinerant vendor, or salesman shall enter onto any premises or otherwise disturb the inhabitants of such premises if a sign stating "No Peddlers," "No Soliciting" or a similar type of sign is conspicuously placed on the premises.

§ 263-13. Restrictions on peddler's displays.

No person licensed as a peddler who shall utilize a vehicle, carton or box for the display of his product shall cause such vehicle, carton or box to be located within 250 feet of any store,

shop or mercantile establishment located in the Town, which store, shop or mercantile establishment shall have as part of its stock, goods, wares, merchandise, provisions or articles of food similar in nature to the products sold by said peddler.

§ 263-14. Police records.

The Chief of Police shall keep records of all credentials issued under the provisions of this chapter in a book or file kept for that purpose. The records shall contain, as to each holder of credentials, all application forms signed by him with a notation on each as to whether credentials were issued or refused as a result of its being filed, the date of issuance or refusal, the reason for refusal, or the fee paid as the case may be, a summary of each complaint concerning the activities of the holder, and the date of any revocation of credentials granted pursuant to any application filed by him, together with the statement of the reasons therefor. The Chief of Police shall keep an account of all receipts for applications and shall turn such fees over to the Town Treasurer.

§ 263-15. Exemptions.

The provisions of this chapter shall not apply to:

- A. Persons selling only to stores, institutions, business, industrial, commercial establishments, and municipal agencies.
- B. Persons canvassing, soliciting or selling exclusively by telephone.
- C. Persons delivering food, groceries, fuel oil, milk, newspapers and other goods or supplies which have been ordered or contracted for.
- D. Persons selling at functions sponsored by a charitable, political, religious, government organizations and their representatives, including public service organizations engaged in soliciting for charitable projects, provided the organization itself makes application through its duly authorized representative for credentials for the organization, as a whole, provided that organization charges that individual a fee for the right to sell or represent that organization in the function even if the individual profits. **[Amended 8-8-1991]**
- E. Persons selling arts and crafts at functions sponsored by a nonprofit corporation, provided that the authorized representative of the nonprofit corporation provides a list of those selling arts and crafts at the event.
- F. Sales by farmers and gardeners of the produce of their farms and gardens (C.G.S. § 21-37).
- G. Individuals making home visits upon invitation of the homeowner.
- H. A veteran who served in time of war (C.G.S. § 21-30).
- I. Persons exempted by the statutes and laws of the state, or persons in possession of valid licenses issued by the state covering the activities which would otherwise be regulated by this chapter.

Chapter 269

PROPERTY, LOST OR UNCLAIMED

§ 269-1. Adoption of state law provisions.

[HISTORY: Adopted by the Town of Windsor Locks 4-14-1977. Amendments noted where applicable.]

§ 269-1. Adoption of state law provisions.

Sections 50-10 to 50-14, inclusive, of the General Statutes of Connecticut, Revision of 1977, providing for the disposition of lost or abandoned personal property, is hereby adopted.

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Chapter 288

SEWERS

ARTICLE I Lateral Sewer Lines

§ 288-1. Construction of laterals to abutting property.

§ 288-2. Assessment for costs of construction.

ARTICLE II Mandatory Connections

§ 288-3. Connection required; penalties for offenses.

§ 288-4. Evidence of failure to make connection.

§ 288-5. Notification of available connection.

ARTICLE III Costs of New Sewer Construction

§ 288-6. Allocation of costs.

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

GENERAL REFERENCES

Buildings and building construction — See Ch. 155.
Housing Code — See Ch. 187.

Sewer use — See Ch. 292.

ARTICLE I Lateral Sewer Lines

[Adopted 9-11-1956 (Ch. XIII, § 3, of the Town Compilation)]

§ 288-1. Construction of laterals to abutting property.

The Board of Sewer Commissioners is authorized and empowered at such time as it is in the process of constructing sanitary sewer lines in any street or streets in the Town of Windsor Locks to also construct one lateral pipe per property owner running from such sanitary sewer to the property line of property abutting such street or streets. More than one lateral shall be constructed at the request of the property owner. The cost per foot of lateral line shall be determined by open competitive bid, and the cost and expense of said lateral sewer line shall be borne by said abutting owners.

§ 288-2. Assessment for costs of construction.

The Board of Sewer Commissioners is hereby authorized and empowered to assess the owner of property abutting the street or streets where new sewer lines are constructed for the cost and expense of the construction of lateral pipe lines only. Where the main line is not in the center of the street, the charge to homeowners on opposite sides of the street shall be as if the

main line was in the physical center of the street. Such assessment shall be enforced as set forth in House Bill No. 535 of the Special Acts of 1913.¹

ARTICLE II

Mandatory Connections

[Adopted 11-21-1961 (Ch. XIII, § 5, of the Town Compilation)]

§ 288-3. Connection required; penalties for offenses.

The Board of Sewer Commissioners is hereby authorized and empowered to compel owners of property abutting any street in the Town of Windsor Locks in which there is a sanitary sewer line to connect with such sewer line. The failure to connect with such sanitary sewer line, under the supervision and direction of the Sewer Commission, by an abutting owner within 18 months after having been notified to do so by the Board of Sewer Commissioners shall constitute a misdemeanor. Each day thereafter that such connection has not been made shall constitute a separate offense, and such abutting owner shall be subject to a fine of not more than \$25 for each offense.

§ 288-4. Evidence of failure to make connection.

Failure to obtain a permit to make such connection shall be prima facie evidence that no connection has been made.

§ 288-5. Notification of available connection.

The Sewer Commission shall notify abutting property owners within 60 days after a sewer line becomes operational.

ARTICLE III

Costs of New Sewer Construction

[Adopted 3-10-1962 (Ch. XIII, § 7, of the Town Compilation)]

§ 288-6. Allocation of costs.

The Town shall bear 50% of the total cost of all new sewers constructed in the unsewered areas of the Town, excluding, however, the cost of lateral lines, but including the cost of plans and specifications; and further, the Town shall bear the cost of the construction of the Add's Brook Interceptor and the cost of constructing sewers abutting tax-free property in the Town; and the remaining cost of constructing said sewers shall be paid for by the Sewer Commission specially assessing benefited property owners.

1. Note: Special Act 303 (1961 General Assembly) supersedes and repeals Act of 1931. See C.G.S. § 7-249, Assessment of benefits.

Chapter 292

SEWER USE

ARTICLE I General Provisions

- § 292-1. Purpose and policy.
- § 292-2. Administration.
- § 292-3. Abbreviations.
- § 292-4. Definitions.

ARTICLE II Water Pollution Control Authority; Inspections

- § 292-5. Membership.
- § 292-6. Officers.
- § 292-7. Powers and duties.
- § 292-8. Power and authority of inspectors.

ARTICLE III Connection to Sanitary Sewer System

- § 292-9. Permit required.
- § 292-10. Entrance fee.
- § 292-11. Plumbing approval required.
- § 292-12. Revocation of permits.
- § 292-13. Costs borne by owner; indemnification of Town.
- § 292-14. Separate sewers required; exceptions; use of existing building sewers.
- § 292-15. Construction requirements.
- § 292-16. Prohibited connections.
- § 292-17. Protection of public from hazards.
- § 292-18. Hold-harmless and insurance requirements.

- § 292-19. Demolition and abandonment of alternate systems.

- § 292-20. Protection from damage.

ARTICLE IV Permits and Inspections

- § 292-21. Classes of permits; permit applications; fees.
- § 292-22. Issuance, transfer and revocation.
- § 292-23. Permit required for repair work.
- § 292-24. Inspection required.
- § 292-25. Cost of additional inspections.

ARTICLE V General Sewer Requirements

- § 292-26. Prohibited discharge standards.
- § 292-27. National categorical pretreatment standards.
- § 292-28. State pretreatment standards.
- § 292-29. Local limits.
- § 292-30. Additional standards and requirements.
- § 292-31. Dilution.

ARTICLE VI Pretreatment of Wastewater

- § 292-32. Pretreatment facilities.
- § 292-33. Additional pretreatment measures.
- § 292-34. Accidental discharge/slug control plans.
- § 292-35. Hauled wastewater.

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ARTICLE VII
Wastewater Discharge Permits

- § 292-36. Wastewater analysis.
- § 292-37. Permit required.
- § 292-38. Permits for existing connections.
- § 292-39. Permits for new connections.
- § 292-40. Permit application contents.
- § 292-41. Application signatories and certification.
- § 292-42. Permit decisions.

ARTICLE VIII
Wastewater Discharge Permit Issuance Process

- § 292-43. Permit duration.
- § 292-44. Permit contents.
- § 292-45. Administrative appeals.
- § 292-46. Permit modification.
- § 292-47. Permit transfer.
- § 292-48. Permit revocation.
- § 292-49. Permit reissuance.

ARTICLE IX
Reporting Requirements

- § 292-50. Baseline monitoring reports.
- § 292-51. Compliance schedule progress reports.
- § 292-52. Reports on compliance with categorical pretreatment standard deadline.
- § 292-53. Periodic compliance reports.
- § 292-54. Reports of changed conditions.
- § 292-55. Reports of potential problems.
- § 292-56. Reports from unpermitted users.
- § 292-57. Notice of violation; repeat sampling and reporting.

- § 292-58. Discharge of hazardous waste prohibited.
- § 292-59. Analytical requirements.
- § 292-60. Sample collection.
- § 292-61. Timing.
- § 292-62. Recordkeeping.

ARTICLE X
Compliance Monitoring

- § 292-63. Right of entry for inspection and sampling.
- § 292-64. Search warrants.

ARTICLE XI
Confidential Information

- § 292-65. Information to be kept confidential.

ARTICLE XII
Administrative Enforcement Remedies

- § 292-66. Notification of violation.
- § 292-67. Consent orders.
- § 292-68. Show-cause hearing.
- § 292-69. Compliance orders.
- § 292-70. Cease-and-desist orders.
- § 292-71. Administrative fines.
- § 292-72. Emergency suspensions.
- § 292-73. Termination of discharge.

ARTICLE XIII
Judicial Enforcement Remedies

- § 292-74. Injunctive relief.
- § 292-75. Civil penalties.
- § 292-76. Criminal prosecution.
- § 292-77. Remedies nonexclusive.

ARTICLE XIV
Supplemental Enforcement Action

- § 292-78. Performance bonds.
- § 292-79. Liability insurance.
- § 292-80. Contractor restrictions.

ARTICLE XV
**Affirmative Defenses to Discharge
Violations**

- § 292-81. Upset.
- § 292-82. Prohibited discharge standards.

§ 292-83. Bypass.

ARTICLE XVI
Fees and Charges

- § 292-84. Pretreatment charges and fees.
- § 292-85. Entrance and user fees.
- § 292-86. User assessment appeal process.
- § 292-87. Liability for charges.
- § 292-88. Lien fees and overdue accounts.
- § 292-89. Sewer collection accounts.

[HISTORY: Adopted by the Town of Windsor Locks 3-19-1996. Amendments noted where applicable.]

GENERAL REFERENCES

Water Pollution Control Authority — See Ch. 12, Art. IX.
Buildings and building construction — See Ch. 155.

Housing Code — See Ch. 187.
Sewers — See Ch. 288.
Stormwater management — See Ch. 307.

ARTICLE I
General Provisions

§ 292-1. Purpose and policy.

- A. This chapter sets forth uniform requirements for users of the publicly owned treatment works for the Town of Windsor Locks and enables the Town of Windsor Locks to comply with all applicable state and federal laws, including the Clean Water Act (33 U.S.C. § 1251 et seq.) and the General Pretreatment Regulations (40 CFR Part 403). The objectives of this chapter are:
 - (1) To prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;
 - (2) To prevent the introduction of pollutants into the publicly owned treatment works that will pass through the publicly owned treatment works, inadequately treated, into receiving waters, or otherwise be incompatible with the publicly owned treatment works;
 - (3) To protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
 - (4) To promote reuse and recycling of industrial wastewater and sludge from the publicly owned treatment works;

- (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the publicly owned treatment works; and
 - (6) To enable the Town of Windsor Locks to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the publicly owned treatment works is subject.
- B. This chapter shall apply to all users of the publicly owned treatment works. The chapter authorizes the issuance of wastewater discharge permits; provides for monitoring compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established.

§ 292-2. Administration.

Except as otherwise provided herein, the Superintendent shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Superintendent may be delegated by the Superintendent to other Town of Windsor Locks personnel.

§ 292-3. Abbreviations.

The following abbreviations, when used in this chapter, shall have the designated meanings:

BOD	Biochemical oxygen demand
CFR	Code of Federal Regulations
COD	Chemical oxygen demands
C.G.S.	Connecticut General Statutes
CWC	Connecticut Water Company
DEP	Connecticut Department of Environmental Protection
EPA	U.S. Environmental Protection Agency
gpd	gallons per day
mg/l	milligrams per liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly owned treatment works
RCRA	Resource Conservation and Recovery Act
SIC	Standard Industrial Classification
TSS	Total suspended solids
U.S.C.	United States Code

§ 292-4. Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated:

ACT or THE ACT — The Federal Water Pollution Control Act, also known as the "Clean Water Act," as amended, 33 U.S.C. § 1251 et seq.

APPROVAL AUTHORITY — The State of Connecticut, Department of Environmental Protection, Water Management Bureau, 79 Elm Street, Hartford, CT 06106-5127.

AUTHORIZED REPRESENTATIVE OF THE USER —

A. If the user is a corporation:

- (1) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (2) The manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

B. If the user is a partnership or sole proprietorship, a general partner or proprietor, respectively.

C. If the user is a federal, state or local government facility, a director or the highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his designee.

D. The individuals described in Subsections A through C above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Town of Windsor Locks.

BIOCHEMICAL OXYGEN DEMAND or BOD — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20° C., usually expressed as a concentration (e.g., mg/l).

CATEGORICAL PRETREATMENT STANDARD or CATEGORICAL STANDARD — Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317), which applies to a specific category of users and which appears in 40 CFR Chapter I, Subchapter N, Parts 405 through 471.

COMMERCIAL — Any user whose business generally involves providing goods, services and the like for sale to the general public. Examples are laundromats, supermarkets, stores, professional offices, etc. The final classification determination is made by the Sewer Commissioners.

CONNECTICUT WATER COMPANY — The Connecticut Water Company, a subsidiary of the Connecticut Water Service, Inc., with general offices at 93 West Main Street, Clinton, Connecticut 06413.

ENVIRONMENTAL PROTECTION AGENCY or EPA — The U.S. Environmental Protection Agency or other duly authorized official of said agency.

EXISTING SOURCE — Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

GRAB SAMPLE — A sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

HOUSE CONNECTION — Includes the term "house sewer" or "building sewer," where appropriate, and shall mean the extension from the building drain to the public sewer or other place of disposal. The house connection shall be the property and responsibility of the building owner.

INDIRECT DISCHARGE or DISCHARGE — The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c) or (d) of the Act.

INDUSTRIAL — Any user whose business is generally manufacturing in nature and/or whose sale of goods, etc. is generally to distributors and sales outlet houses rather than to the public. The final classification determination is made by the Sewer Commissioners.

INDUSTRIAL WASTES — The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

INSTANTANEOUS MAXIMUM ALLOWABLE DISCHARGE LIMIT — The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

INTERFERENCE — A discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and, therefore, is a cause of a violation of the Town of Windsor Locks NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II, commonly referred to as the "Resource Conservation and Recovery Act (RCRA)"; any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

MEDICAL WASTE — Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

NEW SOURCE —

- A. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
- (1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (3) The production of wastewater-generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Subsection A(2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment.
- C. Construction of a new source as defined under this definition has commenced if the owner or operator has:
- (1) Begun, or caused to begin, as part of a continuous on-site construction program:
 - (a) Any placement, assembly, or installation of facilities or equipment; or
 - (b) Significant site preparation work, including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this subsection.

NONCONTACT COOLING WATER — Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

NORMAL SEWAGE — Sewage with pollutant strength of 300 mg/l or less of five-day biochemical oxygen demand (BOD₅) and/or 300 mg/l or less suspended solids (SS) and/or other pollutants of normal strengths as defined by the Water Pollution Control Authority based on state and EPA-approved norms.

NPDES PERMIT — Any permit or equivalent document issued by the Environmental Protection Agency or its agents under the National Pollutant Discharge Elimination Control Act of 1972, as amended, to regulate the discharge of pollutants. These permits regulate discharges to surface waters, i.e., rivers, streams, etc.

OPERATION AND MAINTENANCE COSTS — All costs incidental to the complete operation and maintenance of the treatment works, including replacement.

PASS THROUGH — A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Town of Windsor Locks NPDES permit, including an increase in the magnitude or duration of a violation.

PERSON — Any individual, partnership, copartnership, firm, company, corporation, association, joint-stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents or assigns. This definition includes all federal, state, and local governmental entities.

pH — A measure of the acidity or alkalinity of a solution, expressed in standard units.

POLLUTANT — Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

PRETREATMENT — The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

PRETREATMENT REQUIREMENTS — Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

PRETREATMENT STANDARDS or STANDARDS — Prohibited discharge standards, categorical pretreatment standards, and local limits.

PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES — Absolute prohibitions against the discharge of certain substances; these prohibitions appear in § 292-26 of this chapter.

PUBLIC — Any user whose business is generally nonprofit in nature (for the purpose of distributing said profits). Examples are churches, clubs, Town buildings, libraries, etc. The final classification determination is made by the Sewer Commissioners.

PUBLICLY OWNED TREATMENT WORKS or POTW — A "treatment works," as defined by Section 212 of the Act (33 U.S.C. § 1292), which is owned by the Town of Windsor Locks. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any

conveyances which convey wastewater to a treatment plant and is synonymous with "pollution abatement facility" as defined in C.G.S. § 22a-423.

REPLACEMENT — Those expenditures for obtaining and installing equipment, accessories, or appurtenances during the useful life of the treatment works necessary to maintain the capacity and performance for which such works are designed and constructed. The phrase "operation and maintenance" includes replacement.

RESIDENTIAL — Any user whose waste discharge is composed exclusively of domestic wastes and who does not appear in any of the other classes. The final classification determination is made by the Sewer Commissioners.

SANITARY SEWER — A sewer which carries wastewater and to which stormwater, surface water, and groundwaters are not intentionally admitted.

SEPTIC TANK WASTE — Any sewage from holding tanks such as vessels, chemicals toilets, campers, trailers, and septic tanks.

SEWAGE — Human excrement and gray water (household showers, dish washing operations, etc.) carried from residences, business buildings, institutions and industrial establishments.

SEWER USE CHARGE — The amount of money paid by owners of real property using the sewer system of the Town of Windsor Locks for the cost of operation and maintenance, including replacement of such works.

SEWERAGE SYSTEM — Any device, equipment, appurtenance, facility and method of collecting, transporting, receiving, treating, disposing of or discharging sewage and shall include both public and private sewage facilities within the Town of Windsor Locks. "Sewerage system" shall also have the meaning given to it by Section 7-245 of the General Statutes.

SIGNIFICANT INDUSTRIAL USER —

- A. A user subject to categorical pretreatment standards; or
- B. A user that:
 - (1) Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
 - (2) Contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (3) Is designated as such by the Town of Windsor Locks on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- C. Upon a finding that a user meeting the criteria in Subsection B has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Town of Windsor Locks may at any time, on its own initiative or in response to a petition received from a user, and in accordance with

procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

SLUG LOAD or SLUG — Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in § 292-26 of this chapter.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE — A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

STATE PERMIT — Any permit or equivalent document issued by the State of Connecticut Department of Environmental Protection (DEP) in accordance with Section 25-541 of the Connecticut General Statutes, as amended. These permits regulate new discharges of pollutants into the waters of the state by means of connection to the Town sewer system.

STORMWATER — Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

SUPERINTENDENT — The person designated by the Town of Windsor Locks to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this chapter, or a duly authorized representative.

SURCHARGE — An additional fee charged to a sewer user assessed for excessive concentrations of BOD, SS or other pollutants discharged to the Town sewerage system above that defined as normal sewage in these regulations.

SUSPENDED SOLIDS — The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

TOWN — The Town of Windsor Locks or the Windsor Locks Water Pollution Control Authority/Sewer Commission.

TREATMENT WORKS — Any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment. In addition, "treatment works" means other methods or systems for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste, including stormwater runoff, or industrial waste, including waste in combined stormwater and sanitary sewer systems.

UNIT — A separately saleable, rentable and/or transferable portion or section of a building under construction or renovation.

USER or INDUSTRIAL USER — A source of indirect discharge.

WASTEWATER — Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

ARTICLE II
Water Pollution Control Authority; Inspections

§ 292-5. Membership.

There shall be, or continue to be, a Water Pollution Control Authority, hereinafter referred to as "the Authority" or "the WPCA," consisting of the Board of Selectmen and the Board of Sewer Commissioners, whose members shall be chosen according to the Charter of the Town of Windsor Locks and the Connecticut General Statutes as they may be amended from time to time. The Town Engineer and Superintendent shall be ex officio members of the Authority without voting privileges.

§ 292-6. Officers.

At its first meeting following the installation of the Board of Selectmen chosen at the biennial municipal election, but not more than 30 days thereafter, the Authority, by simple majority vote of the members present and voting, shall choose from its members a President, Vice President and Secretary to serve until new officers are selected. Should a vacancy in any of these offices occur, the members shall fill the position at their next regular or special meeting, by simple majority vote of the members present and voting.

§ 292-7. Powers and duties.

The Water Pollution Control Authority shall possess, and may delegate as it deems necessary or expedient, all the powers necessary to meet the requirements of the various federal, state and municipal laws, codes, ordinances, regulations and directives establishing the responsibilities of the Authority. These powers shall include, but not be limited to, hiring and discharge of employees, entering into contracts and agreements, issuing of bonds and notes, establishing fees and fee schedules, filing and removing of real estate liens, and developing and implementing regulations.

§ 292-8. Power and authority of inspectors.

- A. The Superintendent and other duly authorized employees of the Town of Windsor Locks, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter.
- B. While performing the necessary work in private properties referred to above, the Superintendent or duly authorized employees of the Town of Windsor Locks shall observe all safety rules applicable to the premises established by the user. The user shall be held harmless for injury or death to the Town of Windsor Locks employees and the Town of Windsor Locks shall indemnify the user against loss of damage to its property

by the Town of Windsor Locks employees and against liability claims and demands for personal injury or property damage asserted against the user and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the user to maintain safe conditions.

- C. The Superintendent and other duly authorized employees of the Town of Windsor Locks, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Town of Windsor Locks holds a duly negotiated easement for the purposes of repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property.

ARTICLE III

Connection to Sanitary Sewer System

§ 292-9. Permit required.

A person intending to connect to a sanitary sewer lateral from his property to the public sewer shall first obtain a permit to connect from the Superintendent. The application shall be made on forms provided by the Superintendent and shall be accompanied by a sketch or plan showing the proposed installation in sufficient detail to enable the Superintendent to determine that the proposed installation meets the requirements of this regulation and other applicable specifications. This application shall be signed by the owner of the premises to be served or his authorized agent and by the qualified contractor who has been chosen to perform the work of installing and connecting the building drain to the public sewer. Upon approval of the application and plan, a permit shall be issued to have the work performed by the stated contractor. In the event the premises change ownership before the work is completed, or if another contractor is chosen to perform or finish the work, the original permit becomes void, and a new permit must be obtained by the new parties in interest.

§ 292-10. Entrance fee.

Prior to the connection to the sanitary sewer system or changes in the construction of the building, an entrance fee, the amount of which shall be determined annually by the Authority when establishing the fee schedule for the ensuing fiscal year, shall be paid to the Authority on a per-unit basis as defined in the definition of "unit" in § 292-4 of this chapter.

§ 292-11. Plumbing approval required.

A connection to the public sewer will be made only after the building's plumbing has been approved by the Town Building Official in order to ensure that minimum standards are met for the installation. No trench containing a building drain or connection to the sanitary sewer shall be backfilled until the Superintendent has completed an inspection of and approved the work. The water level in the trench shall be maintained at a level below the sewer connection before the cap is removed and while the cap is removed and while the connection is being

made and until such time as it has been inspected, approved and backfilled. The contractor shall notify the Superintendent 48 hours before starting any work authorized under this permit.

§ 292-12. Revocation of permits.

Permits to connect to the public sewer may be revoked and annulled by the Superintendent for such cause and at such times as the Superintendent may deem sufficient, and the Town of Windsor Locks shall be held harmless as a consequence of said revocation or the cause thereof. All other parties in interest shall be held to have waived the right to claim damages from the Town of Windsor Locks or its agents on account of said revocation.

§ 292-13. Costs borne by owner; indemnification of Town.

All costs and expenses incidental to the installation, connection, and maintenance of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Town of Windsor Locks from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

§ 292-14. Separate sewers required; exceptions; use of existing building sewers.

- A. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no public sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the building sewer that provides service for the building which fronts on the public sewer may be extended to the rear building and the whole considered as one building sewer; but the Town of Windsor Locks does not and will not assume any obligation or responsibility for the damage caused by or resulting from any such aforementioned connection.
- B. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter.

§ 292-15. Construction requirements.

- A. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench and connection of the building sewer to the public sewer shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town of Windsor Locks specifically as set forth in the Manual of Specifications and Construction Methods. In the absence of code or other provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- B. Whenever possible, the building sewer shall be brought to the buildings at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain

shall be lifted by an approved means and discharged to the building sewer. Duplex lift systems shall be provided for commercial and industrial buildings, unless determined otherwise by the WPCA.

- C. No building sewer shall be constructed within 25 feet of a water supply well. If a building sewer is constructed within 25 to 75 feet of a water supply well, it shall be constructed in accordance with all applicable guidelines promulgated by the Commissioner. Public health regulations shall override this section if they are more restrictive.
- D. All building sewers shall be installed by a drain layer who possesses a valid license issued under Chapter 393 of the Connecticut General Statutes, as amended.

§ 292-16. Prohibited connections.

No person(s) shall make connection of roof downspouts, foundation drains, area drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

§ 292-17. Protection of public from hazards.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in this course of work shall be restored in a manner satisfactory to the Town of Windsor Locks.

§ 292-18. Hold-harmless and insurance requirements.

- A. Each drain layer shall save the Town of Windsor Locks, its officers, agents and employees harmless from all loss or claims of loss, damage or injury arising from the operations of said drain layer by reason of his negligence in performing the work for which he has been issued a permit. The drain layer shall furnish the Town with a commercial general liability in which the Town is named as the insured, protecting it against such loss or claims of loss with combined single limits of not less than \$500,000 per occurrence.
- B. The above-referenced save-harmless clause must be written out on the contractor's insurance certificate.
- C. Each drain layer shall file with the Town a satisfactory bond of a surety company authorized to transact such business in the State of Connecticut, and having an agent within the limits of Hartford County, in a form satisfactory to the Authority. The bond shall be in the amount of \$5,000 conditioned substantially upon the applicant faithfully performing all work to be done under the permits issued to him in a workmanlike manner; upon the applicant using proper materials, restoring that portion of any street or public place which he has excavated in accordance with the rules contained in the permit issued him, and maintaining the same for a period of six months; and upon the applicant

reimbursing the Town for any expense for repairs to such street or public place made necessary by reason of the excavation.

- D. No work shall be sublet by a drain layer under any permit issued in any manner to divest said drain layer of full control and responsibility for all parts of said work.

§ 292-19. Demolition and abandonment of alternate systems.

Upon connection to the sanitary sewer, any septic tanks, cesspools, or similar private septic disposal facilities shall be demolished or abandoned and filled with suitable material by the drain layer.

§ 292-20. Protection from damage.

No authorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage collection system or water pollution control facility.

ARTICLE IV
Permits and Inspections

§ 292-21. Classes of permits; permit applications; fees.

- A. There shall be four classes of building sewer permits:
- (1) Residential or mixed;
 - (2) Commercial service;
 - (3) Public; and
 - (4) Industrial.
- B. The owner or his agent shall make application on a special form furnished by the Town and obtained through the Authority. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Authority or its authorized representative.
- C. The inspection fee and any applicable sewer entrance fees shall be paid to the Town at the time the application is filed. Additional inspection charges may be assessed in accordance with § 292-25. Entrance fees shall not include installation and connection costs. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner.

§ 292-22. Issuance, transfer and revocation.

Permits to lay sewers and drains will only be issued to licensed drain layers as described under § 292-15. Permits are not transferable. Permits shall be subject to revocation if any of

the rules or regulations contained herein are violated. If work is not completed within six months, a permit becomes void.

§ 292-23. Permit required for repair work.

A permit must be obtained for repair work to existing sewer services.

§ 292-24. Inspection required.

Requests for inspection of sewer service connections to be installed shall be made at the Superintendent's office 48 hours before the proposed date of installation. All connections must be inspected and approved by the Superintendent or his designated agent before the trench is backfilled. Inspections will be made only during the normal working hours of the Superintendent or his designated agent.

§ 292-25. Cost of additional inspections.

A charge in the amount of the actual cost to the Town will be made for any inspections made outside these normal working hours and/or for any additional inspections required as a result of faulty workmanship or nonconformance to the requirements contained herein. An additional charge based on actual costs will also apply to inspection of leakage tests.

ARTICLE V
General Sewer Requirements

§ 292-26. Prohibited discharge standards.

- A. General prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW, whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.
- B. Specific prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140° F. (60° C.) using the test methods specified in 40 CFR 261.21.
 - (2) Wastewater having a pH less than 5.5 or more than 9.5, or otherwise causing corrosive structural damage to the POTW or equipment.
 - (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference, but in no case solids greater than 0.5 inch in any dimension.

- (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
- (5) Wastewater having a temperature greater than 150° F. (65° C.), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104° F. (40° C.).
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (8) Trucked or hauled pollutants, except at discharge points designated by the Superintendent in accordance with § 292-24 of this chapter.
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the Town of Windsor Locks' NPDES permit.
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations.
- (12) Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Superintendent.
- (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes.
- (14) Medical wastes, except as specifically authorized by the Superintendent in a wastewater discharge permit.
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW.
- (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l.
- (18) Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 5% or any single reading over 10% of the lower explosive limit of the meter.

- C. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that it could be discharged to the POTW.

§ 292-27. National categorical pretreatment standards.

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405 through 471, are hereby incorporated.

- A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Superintendent may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
- B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Superintendent shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).
- C. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by the EPA when developing the categorical pretreatment standard.
- D. A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

§ 292-28. State pretreatment standards.

Any and all state pretreatment standards, as they may be amended from time to time, are hereby incorporated and made a part of this chapter.

§ 292-29. Local limits.

- A. The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following (instantaneous maximum allowable discharge limits):

Limit (mg/l)	Substance
0.05	Arsenic
0.10	Benzene
0.10	Beryllium
300.00	BOD ₅
0.10	Cadmium
1.00	Chromium
0.00	Copper as Cu
0.10	Cyanide as Cn

Limit (mg/l)	Substance
0.10	Lead
0.01	Mercury
1.00	Nickel
100.00	Oil and grease
1.00	Selenium
0.10	Silver
1.00	Total phenols
3.00	Total suspended solids
1.00	Zinc as Zn

- B. The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The Superintendent may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

§ 292-30. Additional standards and requirements.

The Town of Windsor Locks reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW.

§ 292-31. Dilution.

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Superintendent may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

ARTICLE VI
Pretreatment of Wastewater

§ 292-32. Pretreatment facilities.

Users shall provide wastewater treatment as necessary to comply with this chapter and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in § 292-26 of this chapter within the time limitations specified by the EPA, the state, or the Superintendent, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Superintendent for review, and shall be acceptable to the Superintendent before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the

user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Town of Windsor Locks under the provisions of this chapter.

§ 292-33. Additional pretreatment measures.

- A. Whenever deemed necessary, the Superintendent may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and impose such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this chapter.
- B. The Superintendent may require any person discharging into the POTW to install and maintain, on his property and at his expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
- C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be minimum of 1,000 gallons, or as approved by the Superintendent in the case of hardship, and shall be so located as to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at its expense. A monitoring log shall be maintained by the user and submitted to the Authority annually in the month of May. The user shall allow the Superintendent, or a designated alternate, access for inspection of traps.
- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

§ 292-34. Accidental discharge/slugs control plans.

At least once every two years, the Superintendent shall evaluate whether each significant industrial user needs an accidental discharge/slugs control plan. The Superintendent may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Superintendent may, at his discretion, develop such a plan for any user. An accidental discharge/slugs control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including nonroutine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Superintendent of any accidental or slug discharge, as required by this chapter; and
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site

runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

§ 292-35. Hauled wastewater.

- A. Septic tank waste may be introduced into the POTW only at locations designated by the Superintendent, and at such times as are established by the Superintendent. Such waste shall not violate Article III of this chapter or any other requirements established by the Town of Windsor Locks. The Superintendent may require septic tank waste haulers to obtain wastewater discharge permits.
- B. The Superintendent shall require haulers of industrial waste to obtain wastewater discharge permits. The Superintendent may require generators of hauled industrial waste to obtain wastewater discharge permits. The Superintendent also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this chapter.
- C. Industrial waste haulers may discharge loads only at locations designated by the Superintendent. No load may be discharged without prior consent of the Superintendent. The Superintendent may collect samples of each hauled load to ensure compliance with applicable standards. The Superintendent may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- D. Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

ARTICLE VII
Wastewater Discharge Permits

§ 292-36. Wastewater analysis.

- A. When requested by the Superintendent, a user must submit information on the nature and characteristics of its wastewater within 30 days of the request. The Superintendent is authorized to prepare a form for this purpose and may periodically require users to update this information.
- B. Industrial users are hereby required to file with the Superintendent a copy of any report or documentation relating to wastewater discharge required to be filed with the Department of Environmental Protection. The reports and/or documentation are to be filed with the Superintendent on the same date and in the same manner as required by the DEP.

§ 292-37. Permit required.

- A. No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Superintendent, except that a significant industrial user that has filed a timely application pursuant to § 292-38 of this chapter may continue to discharge for the time period specified therein.
- B. The Superintendent may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this chapter.
- C. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and subjects the wastewater discharge permittee to the sanctions set out in Articles XII through XIV of this chapter. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state, and local law.

§ 292-38. Permits for existing connections.

Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this chapter and who wishes to continue such discharges in the future shall, within 90 days after said date, apply to the Superintendent for a wastewater discharge permit in accordance with § 292-40 of this chapter, and shall not cause or allow discharges to the POTW to continue after 90 days of the effective date of this chapter except in accordance with a wastewater discharge permit issued by the Superintendent.

§ 292-39. Permits for new connections.

Any user required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with § 292-40 of this chapter, must be filed at least 45 days prior to the date upon which any discharge will begin or recommence.

§ 292-40. Permit application contents.

- A. All users required to obtain a wastewater discharge permit must submit a permit application. The Superintendent may require all users to submit as part of an application the following information:
 - (1) All information required by § 292-51B of this chapter;
 - (2) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - (3) Number and type of employees, hours of operation, and proposed or actual hours of operation;

- (4) Each product produced by type, amount, process or processes, and rate of production;
 - (5) Type and amount of raw materials processed (average and maximum per day);
 - (6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
 - (7) Time and duration of discharges; and
 - (8) Any other information as may be deemed necessary by the Superintendent to evaluate the wastewater discharge permit application.
- B. Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

§ 292-41. Application signatories and certification.

All wastewater discharge permit applications and user reports must include a notarized statement, signed by an authorized representative of the user, in the following form: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

§ 292-42. Permit decisions.

The Superintendent will evaluate the data furnished by the user and may require additional information. Within 90 days of receipt of a complete wastewater discharge permit application, the Superintendent will determine whether or not to issue a wastewater discharge permit. The Superintendent may deny any application for a wastewater discharge permit.

ARTICLE VIII
Wastewater Discharge Permit Issuance Process

§ 292-43. Permit duration.

A wastewater discharge permit shall be issued for a specified time period, not to exceed five years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five years, at the discretion of the Superintendent. Each wastewater discharge permit will indicate a specific date upon which it will expire.

§ 292-44. Permit contents.

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Superintendent to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Wastewater discharge permits must contain:

- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five years;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the Town of Windsor Locks in accordance with § 292-47 of this chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3) Effluent limits based on applicable pretreatment standards;
- (4) Self-monitoring, sampling, reporting, notification, and recordkeeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on federal, state, and local law; and
- (5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law.

B. Wastewater discharge permits may contain, but need not be limited to, the following conditions:

- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- (3) Requirements for the development and implementation of spill control plans or other special conditions, including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
- (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (5) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
- (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment;

- (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
- (8) Other conditions as deemed appropriate by the Superintendent to ensure compliance with this chapter, and state and federal laws, rules, and regulations.

§ 292-45. Administrative appeals.

The Superintendent shall provide public notice of the issuance of a wastewater discharge permit. Any person, including the user, may petition the Superintendent to reconsider the terms of a wastewater discharge permit within 30 days of notice of its issuance. For just cause, the Superintendent may extend the petition period by not more than 30 days.

- A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- B. In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.
- C. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- D. If the Superintendent fails to act within 30 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.
- E. Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the (insert name of appropriate Court) for (proper jurisdiction) within (insert appropriate State Statute of Limitations).

§ 292-46. Permit modification.

The Superintendent may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
- B. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

- D. Information indicating that the permitted discharge poses a threat to the Town of Windsor Locks' POTW, Windsor Locks personnel, or the receiving waters;
- E. Violation of any terms or conditions of the wastewater discharge permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting.
- G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- H. To correct typographical or other errors in the wastewater discharge permit;
- I. To reflect a transfer of the facility ownership or operation to a new owner or operator. Modification for this purpose may not be allowed unless the permit is transferable as provided in § 292-47.

§ 292-47. Permit transfer.

- A. Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 60 days' advance notice to the Superintendent and the Superintendent approves the wastewater discharge permit transfer. The notice to the Superintendent must include a written certification by the new owner or operator which:
 - (1) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
 - (2) Identifies the specific date on which the transfer is to occur; and
 - (3) Acknowledges full responsibility for complying with the existing wastewater discharge permit.
- B. Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

§ 292-48. Permit revocation.

- A. The Superintendent may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:
 - (1) Failure to notify the Superintendent of significant changes to the wastewater prior to the changed discharge;
 - (2) Failure to provide prior notification to the Superintendent of changed conditions pursuant to § 292-54 of this chapter;
 - (3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - (4) Falsifying self-monitoring reports;

- (5) Tampering with monitoring equipment;
 - (6) Refusing to allow the Superintendent timely access to the facility premises and records;
 - (7) Failure to meet effluent limitations;
 - (8) Failure to pay fines;
 - (9) Failure to pay sewer charges;
 - (10) Failure to meet compliance schedules;
 - (11) Failure to complete a wastewater survey or the wastewater discharge permit application;
 - (12) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
 - (13) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this chapter.
- B. Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

§ 292-49. Permit reissuance.

A user with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with § 292-54 of this chapter, a minimum of 90 days prior to the expiration of the user's existing wastewater discharge permit.

ARTICLE IX
Reporting Requirements

§ 292-50. Baseline monitoring reports.

- A. Within either 180 days after the effective date of a categorical pretreatment standard or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Superintendent a report which contains the information listed in Subsection B below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Superintendent a report which contains the information listed in Subsection B below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

B. Users described above shall submit the information set forth below.

- (1) Identifying information: the name and address of the facility, including the name of the operator and owner.
- (2) Environmental permits: a list of any environmental control permits held by or for the facility.
- (3) Descriptions of operations: a brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
- (4) Flow measurement: information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).
- (5) Measurement of pollutants:
 - (a) The categorical pretreatment standards applicable to each regulated process.
 - (b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Superintendent, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in § 292-59 of this chapter.
 - (c) Sampling must be performed in accordance with procedures set out in with § 292-60 of this chapter.
- (6) Certification: a statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (7) Compliance schedule: if additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in § 292-51 of this chapter.
- (8) Signature and certification: All baseline monitoring reports must be signed and certified in accordance with § 292-41 of this chapter.

§ 292-51. Compliance schedule progress reports.

The following conditions shall apply to the compliance schedule required by § 292-50B(7) of this chapter:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- B. No increment referred to above shall exceed nine months;
- C. The user shall submit a progress report to the Superintendent no later than 14 days following each date in the schedule and the final date of compliance, including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay and, if appropriate, the steps being taken by the user to return to the established schedule; and
- D. In no event shall more than nine months elapse between such progress reports to the Superintendent.

§ 292-52. Reports on compliance with categorical pretreatment standard deadline.

Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Superintendent a report containing the information described in § 292-50(B)(4) through (6) of this chapter. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with § 292-41 of this chapter.

§ 292-53. Periodic compliance reports.

- A. All significant industrial users shall, at a frequency determined by the Superintendent but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with § 292-41 of this chapter.
- B. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its

monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

- C. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Superintendent, using the procedures prescribed in § 292-60 of this chapter, the results of this monitoring shall be included in the report.

§ 292-54. Reports of changed conditions.

Each user must notify the Superintendent of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least 90 days before the change.

- A. The Superintendent may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under § 292-40 of this chapter.
- B. The Superintendent may issue a wastewater discharge permit under § 292-49 of this chapter or modify an existing wastewater discharge permit under § 292-46 of this chapter in response to changed conditions or anticipated changed conditions.
- C. For purposes of this requirement, significant changes include, but are not limited to, flow increases of 20% or greater and the discharge of any previously unreported pollutants.

§ 292-55. Reports of potential problems.

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Superintendent of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- B. Within five days following such discharge, the user shall, unless waived by the Superintendent, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this chapter.
- C. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in Subsection A above. Employers shall ensure that all employees who may cause such a discharge to occur are advised of the emergency notification procedure.

§ 292-56. Reports from unpermitted users.

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Superintendent as the Superintendent may require.

§ 292-57. Notice of violation; repeat sampling and reporting.

If sampling performed by a user indicates a violation, the user must notify the Superintendent within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent within 30 days after becoming aware of the violation. The user is not required to resample if the Superintendent monitors at the user's facility at least once a month, or if the Superintendent samples between the user's initial sampling and when the user receives the results of this sampling.

§ 292-58. Discharge of hazardous waste prohibited.

Discharges classified as hazardous waste are not permitted to be released to the POTW.

§ 292-59. Analytical requirements.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by the EPA.

§ 292-60. Sample collection.

- A. Except as indicated in Subsection B, below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Superintendent may authorize the use of time proportional sampling or a minimum of four grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.
- B. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

§ 292-61. Timing.

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

§ 292-62. Recordkeeping.

Users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this chapter and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning the user or the Town of Windsor Locks, or where the user has been specifically notified of a longer retention period by the Superintendent.

ARTICLE X

Compliance Monitoring**§ 292-63. Right of entry for inspection and sampling.**

The Superintendent shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this chapter and any wastewater discharge permit or order issued hereunder. Users shall allow the Superintendent ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- A. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Superintendent will be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The Superintendent shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operation.
- C. The Superintendent may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated semiannually to ensure their accuracy.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Superintendent and shall not be replaced. The costs of clearing such access shall be borne by the user.
- E. Unreasonable delays in allowing the Superintendent access to the user's premises shall be a violation of this chapter.

§ 292-64. Search warrants.

If the Superintendent has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the Town of Windsor Locks designed to verify compliance with this chapter or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Superintendent may seek issuance of a search warrant from the Superior Court.

**ARTICLE XI
Confidential Information****§ 292-65. Information to be kept confidential.**

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the Superintendent's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Superintendent, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

**ARTICLE XII
Administrative Enforcement Remedies****§ 292-66. Notification of violation.**

When the Superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Superintendent may serve upon that user a written notice of violation. Within 30 days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Superintendent. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the Superintendent to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

§ 292-67. Consent orders.

The Superintendent may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to §§ 292-69 and 292-70 of this chapter and shall be judicially enforceable.

§ 292-68. Show-cause hearing.

The Superintendent may order a user which has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Superintendent and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least 14 days prior to the hearing. Such notice may be served on any authorized representative of the user. A show-cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

§ 292-69. Compliance orders.

When the Superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Superintendent may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

§ 292-70. Cease-and-desist orders.

When the Superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Superintendent may issue an order to the user directing it to cease and desist all such violations and directing the user to immediately comply with all requirements; and take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance

of a cease-and-desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

§ 292-71. Administrative fines.

- A. When the Superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Superintendent may fine such user in an amount not to exceed \$99 per violation per day, or imprisonment for not more than 30 days, or both. Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
- B. Unpaid charges, fines, and penalties shall, after 30 calendar days, be assessed an additional penalty of 10% of the unpaid balance, and interest shall accrue thereafter at a rate of 1.5% per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.
- C. Users desiring to dispute such fines must file a written request for the Superintendent to reconsider the fine along with full payment of the fine amount within 30 days of being notified of the fine. Where a request has merit, the Superintendent may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Superintendent may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.
- D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

§ 292-72. Emergency suspensions.

- A. The Superintendent may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Superintendent may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.
 - (1) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Superintendent may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Superintendent may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Superintendent that the period of endangerment has passed, unless the termination proceedings in § 292-73 of this chapter are initiated against the user.

- (2) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Superintendent prior to the date of any show-cause or termination hearing under § 292-68 or 292-73 of this chapter.
- B. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

§ 292-73. Termination of discharge.

- A. In addition to the provisions in § 292-48 of this chapter, any user who violates the following conditions is subject to discharge termination:
- (1) Violation of wastewater discharge permit conditions;
 - (2) Failure to accurately report the wastewater constituents and characteristics of its discharge;
 - (3) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
 - (4) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
 - (5) Violation of the pretreatment standards in Article V of this chapter.
- B. Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under § 292-68 of this chapter why the proposed action should not be taken. Exercise of this option by the Superintendent shall not be a bar to, or a prerequisite for, taking any other action against the user.

ARTICLE XIII

Judicial Enforcement Remedies

§ 292-74. Injunctive relief.

When the Superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Superintendent may petition the Superior Court through the Town of Windsor Locks' Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the user. The Superintendent may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

§ 292-75. Civil penalties.

- A. A user who has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the Town of Windsor Locks for a maximum civil penalty of \$99 per violation, per day in accordance with Section 7-148(c)(10)(A) of the Connecticut General Statutes. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- B. The Superintendent may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the Town of Windsor Locks.
- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against the user.

§ 292-76. Criminal prosecution.

- A. A user who willfully or negligently violates any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$99 per violation, per day, or imprisonment for not more than 30 days, or both.
- B. A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of \$99, or be subject to imprisonment for not more than 30 days, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.
- C. A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be punished by a fine of not more than \$99 per violation, per day, or imprisonment for not more than 30 days, or both.
- D. In the event of a second conviction, a user shall be punished by a fine of not more than \$99 per violation, per day, or imprisonment for not more than 30 days, or both.

§ 292-77. Remedies nonexclusive.

The remedies provided for in this chapter are not exclusive. The Superintendent may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the Town of Windsor Locks' enforcement response plan. However, the Superintendent may take other action against any user when the circumstances warrant. Further, the Superintendent is empowered to take more than one enforcement action against any noncompliant user.

ARTICLE XIV

Supplemental Enforcement Action**§ 292-78. Performance bonds.**

The Superintendent may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this chapter, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the Town of Windsor Locks, in a sum not to exceed a value determined by the Superintendent to be necessary to achieve consistent compliance.

§ 292-79. Liability insurance.

The Superintendent may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this chapter, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

§ 292-80. Contractor restrictions.

Users which have not achieved compliance with applicable pretreatment standards and requirements are not eligible to receive a contractual award for the sale of goods or services to the Town of Windsor Locks. Existing contracts for the sale of goods or services to the Town of Windsor Locks held by a user found to be in significant noncompliance with pretreatment standards or requirements may be terminated at the discretion of the Board of Selectmen.

ARTICLE XV

Affirmative Defenses to Discharge Violations**§ 292-81. Upset.**

- A. For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment

facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

- B. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of Subsection C below are met.
- C. A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:
 - (1) An upset occurred and the user can identify the cause(s) of the upset;
 - (2) The facility was at the time being operated In a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures; and
 - (3) The user has submitted the following information to the Superintendent within 24 hours of becoming aware of the upset (If this information is provided orally, a written submission must be provided within five days.):
 - (a) A description of the indirect discharge and cause of noncompliance;
 - (b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
- F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or falls.

§ 292-82. Prohibited discharge standards.

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in § 292-26A of this chapter or the specific prohibitions in § 292-26B(3) through (18) of this chapter if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- A. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- B. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the Town of Windsor Locks was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

§ 292-83. Bypass.

- A. For the purposes of this section:
 - (1) "Bypass" means the intentional diversion of waste streams from any portion of a user's treatment facility.
 - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of Subsections C and D of this section.
- C. Notice.
 - (1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the Superintendent, at least 10 days before the date of the bypass, if possible.
 - (2) A user shall submit oral notice to the Superintendent of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Superintendent may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- D. Exceptions or approval.
 - (1) Bypass is prohibited, and the Superintendent may take an enforcement action against a user for a bypass, unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (c) The user submitted notices as required under Subsection C of this section.
- (2) The Superintendent may approve an anticipated bypass, after considering its adverse effects, if the Superintendent determines that it will meet the three conditions listed in Subsection D(1) of this section.

ARTICLE XVI
Fees and Charges

§ 292-84. Pretreatment charges and fees.

The Town of Windsor Locks may adopt reasonable fees for reimbursement of costs of setting up and operating the Town of Windsor Locks' pretreatment program, which may include:

- A. Fees for wastewater discharge permit applications, including the cost of processing such applications;
- B. Fees for monitoring, inspection, and surveillance procedures, including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users;
- C. Fees for reviewing and responding to accidental discharge procedures and construction;
- D. Fees for filing appeals; and
- E. Other fees as the Town of Windsor Locks may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines, and penalties chargeable by the Town of Windsor Locks.

§ 292-85. Entrance and user fees.

Upon acceptance of the annual budget, the Authority will establish a schedule of entrance and user fees for the ensuing fiscal year. User fees shall be assessed on four classes of users: residential, commercial, public and industrial as defined in Article I of this chapter. Sewer user charges shall be payable in two installments on July 1 and January 1 of each and every year, and shall be due and payable within 30 days, except for bills of \$100 or less, which shall be paid in a single installment on July 1. In case of a property which was not connected during the entire period, the user charge shall be prorated on a monthly basis for the actual number of months within the stated period that the property was connected. A period of less than 15 days shall be disregarded and a period in excess of 15 days shall be deemed a full month. Minimum charges as previously stated shall prevail. The schedule of fees shall be

effective after publication of a legal notice in a newspaper having a general circulation in the Town and filing with the Town Clerk's office.

§ 292-86. User assessment appeal process.

During the thirty-day period following the due date, sewer users may appeal their user fee assessment. The appeal shall be made on a form provided by the Authority and shall include the account number, name and address of the account holder. The appeal shall also include the service address of the account, if different from the address of the account holder. The appeal shall state the specific reason(s) for the appeal, including any documentation requested by the Superintendent. Finally, the appeal shall be signed and dated by at least one of the account holders and shall be receipted with the date and initials of the Superintendent or his designee.

§ 292-87. Liability for charges.

The owner of record as of January 1 and July 1 of each year of the property on which a building is located shall be liable for the payment of sewer user charges.

§ 292-88. Lien fees and overdue accounts.

- A. All overdue sewer user charges shall be administered in accordance with Section 7-258 of the General Statutes, as amended.
- B. In general, any charge for the use of the sewer system not paid within 30 days of the due date shall thereupon be delinquent and shall bear interest from the due date at the rate and in the manner provided by said statutes for delinquent property taxes. Each addition of interest shall be collectible as part of such user charge. Any such unpaid connection or user charge shall constitute a lien upon the real estate against which such charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by said statutes for continuing, recording and releasing property tax liens.

§ 292-89. Sewer collection accounts.

Sewer user charges collected for the purpose of operating and maintaining the treatment works (including treatment costs, replacement costs, salaries, utility costs, administration costs and other associated costs) shall be deposited in a separate account for such purposes. All obligations shall be drawn from this account as authorized by the Authority.

Chapter 299
SOLID WASTE

ARTICLE I
Refrigerators and Similar Containers

- § 299-1. Removal of door when discarding.
- § 299-2. Penalties for offenses.

ARTICLE II
Town Dump

- § 299-3. Authority to enact rules and regulations.
- § 299-4. Regulations.
- § 299-5. Penalties for offenses.

ARTICLE III
Solid Waste Originating Outside Town

- § 299-6. Dumping or deposit prohibited.
- § 299-7. Penalties for offenses.

ARTICLE IV
Collection and Recycling

- § 299-8. Regulations.
- § 299-9. Contract authority for residential collection; responsibility for commercial and industrial collection.
- § 299-10. Definitions.

- § 299-11. Recycling mandate.
- § 299-12. Refuse collection.
- § 299-13. Recyclable collection.
- § 299-14. Material unacceptable for collection.
- § 299-15. Permits for collectors.
- § 299-16. Tipping fees and recycling costs for commercial and industrial properties.
- § 299-17. Prohibited conduct; penalties for offenses.
- § 299-18. Enforcement.

ARTICLE V
Refuse Collection and Disposal

- § 299-19. Purpose.
- § 299-20. Definitions.
- § 299-21. Placement of rubbish and containers or bulk items.
- § 299-22. Refuse containers.
- § 299-23. Refuse disposal.
- § 299-24. Prior or conflicting standards.
- § 299-25. Responsibility for compliance.
- § 299-26. Notice of violations.
- § 299-27. Appeals.
- § 299-28. Penalties for offense; enforcement.

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

GENERAL REFERENCES

ARTICLE I

Refrigerators and Similar Containers**[Adopted 11-2-1954 (Ch. X, § 5, of the Town Compilation)]****§ 299-1. Removal of door when discarding.**

It shall be unlawful for any person, firm or corporation to place or leave outside of any building or dwelling or in any place accessible or dangerous to children any ice box, refrigerator, or like container, having an airtight door, without first removing said door from such ice box, refrigerator or container.

§ 299-2. Penalties for offenses.

Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$100 or imprisoned not more than 30 days, or both. Each day such violation is committed shall constitute a separate offense.

ARTICLE II

Town Dump**[Adopted 8-27-1958 (Ch. VI, § 3, of the Town Compilation)]****§ 299-3. Authority to enact rules and regulations.**

The Board of Selectmen are hereby empowered to enact regulations for the operation and management of the Town Dump, including the fixing of hours in which the Town Dump may be used.

§ 299-4. Regulations. [Added 9-30-1958]

- A. The Town Dump shall be used only during those dumping hours thereafter set forth:
- (1) Monday through Friday: 10:00 a.m. to 12:00 noon; 1:00 p.m. to 6:00 p.m.
 - (2) Saturday: 8:00 a.m. to 1:00 p.m.
 - (3) The dump shall be closed all day Sunday.
- B. Those using the dump shall deposit their garbage, refuse and trash in that part of the dumping grounds which they are directed to use by the attendant.
- C. All owners and operators of manufacturing establishments located in the Town of Windsor Locks, and the Town Garbage and Rubbish Collector, are hereby excluded from the operation of these regulations, except as to Sunday.

§ 299-5. Penalties for offenses.

The violation of this article shall constitute a crime, and each offense shall be punishable by a fine of not more than \$25.

ARTICLE III
Solid Waste Originating Outside Town
[Adopted 8-27-1958]

§ 299-6. Dumping or deposit prohibited.

The dumping or depositing of all garbage, refuse, trash and junk originating as such outside the boundaries of the Town of Windsor Locks is hereby prohibited.

§ 299-7. Penalties for offenses.

Anyone violating this article shall be guilty of a crime and subject to a fine of not more than \$25 for each offense.

ARTICLE IV
Collection and Recycling
[Adopted 2-28-1991; amended 1-17-1995]

§ 299-8. Regulations.

The Board of Selectmen of the Town of Windsor Locks is hereby authorized to enact from time to time such regulations as it shall seem in the public interest regarding the separation, recovery, collection, removal, storage and disposal of solid waste. Such regulations shall become effective 30 days after publication in a daily newspaper having general circulation in the Town of Windsor Locks, and shall be immediately posted in a conspicuous place in the Town Hall.

§ 299-9. Contract authority for residential collection; responsibility for commercial and industrial collection.

The Board of Selectmen of the Town of Windsor Locks is authorized to employ or make contracts with individual persons or corporations for the separation, recovery, collection, transportation, storage or disposal of solid waste from residential property. The separation, recovery, collection, transportation, storage or disposal of solid waste from commercial and industrial property is the responsibility of the respective occupants and not the Town of Windsor Locks.

§ 299-10. Definitions.

For the purpose of this article, the following definitions shall apply:

COMMERCIAL AND INDUSTRIAL PROPERTY — Any property used for trade, business or industrial purposes, including, but not limited to, apartment buildings having more than six dwelling units and business condominiums.

CURB COLLECTION — The emptying of refuse and recycling containers and the collection of their contents and other approved articles for collection and disposal, placed by the occupant of a dwelling unit at a point immediately to the rear of the sidewalk (where one exists) or between the edge of the pavement and the property-line where no sidewalk exists. After contents are emptied, the container shall be replaced to the original location prior to emptying.

HAZARDOUS WASTE —

- A. Any waste material, except by-product material, source material or special nuclear material, as defined in Section 22a-151 of the Connecticut General Statutes, which may pose a present or potential hazard to human health or the environment when improperly disposed of, treated, stored, transported or otherwise managed, including:
 - (1) Hazardous waste identified in accordance with Section 3001 of the Federal Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 et seq.);
 - (2) Hazardous waste identified by regulation by the Department of Environmental Protection; and
 - (3) Polychlorinated biphenyls in concentrations greater than 50 parts per million.
- B. Hazardous waste is any solid, liquid or containerized gas that can catch fire easily, is corrosive to skin tissue or metals, is unstable and can explode or release toxic fumes. Some of these substances include cleaning fluids, crankcase oil, oil-based paints, explosive acids, caustics, poisons, drugs, pool chemicals, antifreeze, and flashlight batteries. Residents are encouraged to utilize proper disposal options when available for these materials. Your cooperation is imperative.

RECYCLABLES — Any discarded solid wastes which are designated by the Town of Windsor Locks to be recyclable as defined herein or such recyclables which are mandated by the Connecticut Statutes or regulations of the State of Connecticut to be separated and collected apart from other solid and liquid wastes. For purposes of this article, the materials listed below are designated as recyclables and with the exception of scrap metal are collected curbside on a weekly basis:

- A. **NEWSPAPER** — Used or discarded newsprint which has a minimum of contamination by food or other materials. Newspapers, advertising supplements, magazines, junk mail, white office paper, phone books, brown paper bags, comics and enclosures are included.
- B. **LEAVES AND YARD WASTES** — Including but not limited to yard wastes and other vegetative matter, excluding brush and branches, which should be put out with the regular trash.
- C. **CARDBOARD** — Corrugated boxes and similar corrugated and kraft paper materials which have a minimum of contamination by food or other material. Cereal, shoe and pizza boxes are excluded as well as waxed or plastic-coated cardboard.

- D. GLASS FOOD CONTAINERS — Glass bottles or jars (clear, green, and brown) of any size or shape used to package food products suitable for human or animal consumption, which are rinsed clean, without tops, covers, corks.
- E. METAL FOOD CONTAINERS — Any aluminum, bimetal, steel, tin-plated steel or other metallic cans, which are rinsed clean.
- F. SCRAP METAL — Stoves, freezers, refrigerators (doors should be removed), dishwashers, air conditioners, washing machines, and other household appliances or fixtures. Used or discarded items which consist predominantly of ferrous metals, aluminum, brass, copper, lead, aluminum, tin, nickel or alloys thereof, including but not limited to white goods, are all collected curbside on a biannual/as-needed schedule.
- G. STORAGE BATTERIES — Lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors and like applications, which will be picked up on a weekly basis.
- H. WASTE OIL — Crankcase oil that has been utilized in internal combustion engines.

RECYCLING CONTAINER — An orange plastic container designated by the Town of Windsor Locks, or any other color acceptable for recycling and easily identifiable by our recycler.

REFUSE —

- A. Any item or items that are part of the solid waste stream that accumulate from the preparation of food, including but not limited to plastic, metal or glass food containers, wastepaper, cans and bottles, wire, glass, other metal objects, and other similar items.
- B. Notwithstanding the foregoing, refuse shall not include any recyclables as hereinafter defined and specified by the Town and the State of Connecticut as recyclable or solid waste which is a hazardous waste as defined by municipal, state or federal laws and regulations.

REFUSE CONTAINER — A metal, nonbrittle plastic, fiber or cardboard container, whose maximum capacity is 30 gallons and whose minimum size is five gallons. Containers shall be equipped with handles or bails. Heavy-duty disposable plastic rubbish bags may also be used.

RESIDENTIAL PROPERTY — All residential dwelling units, including residential condominiums and apartments, but excluding apartment buildings having more than six dwelling units.

SOLID WASTE — Unwanted or discarded materials, including solid, liquid, semi-liquid or contained gaseous material.

SOLID WASTE COLLECTOR — Any person, firm or corporation offering or providing the removal, transportation, collection, storage or disposal of solid waste as a service to others.

§ 299-11. Recycling mandate.

In accordance with P.A. 90-220¹ :

- A. Residential occupants shall separate recyclables from other solid waste in a manner described in § 299-12 of this article.
- B. All other generators of solid waste shall separate recyclables from other solid waste in a manner that will prevent the contamination of recyclables and provide for the collection of recyclables.
- C. No collectors of solid waste shall knowingly mix recyclables with other solid waste.

§ 299-12. Refuse collection.

- A. The separation, recovery, collection, transportation, storage or disposal of refuse from commercial and industrial property is the responsibility of the respective occupants and not the Town of Windsor Locks. The Town shall collect, or cause to be collected through its agents, refuse from residential and condominium property. The refuse to be collected shall be placed at the curb in refuse containers, or tied in bundles that can be handled as a separate unit.
- B. The Town, its agents and employees, the refuse collection contractor, its agents and employees will be held harmless against claims related to refuse collection from a condominium association property.

§ 299-13. Recyclable collection.

- A. The separation, recovery, collection, transportation, storage or disposal of recyclables from commercial and industrial property is the responsibility of the respective occupants and not the Town of Windsor Locks. The Town shall collect, or cause to be collected through its agents, from residential property and condominiums all such recyclables, which shall be separated from other refuse by the resident and placed at the street/curb for collection by the morning of the regular refuse collection day as set forth under a schedule determined by the Director of Public Works. Leaves and yard waste will only be collected April 1 to December 15 each year or as determined by the First Selectman. Recyclables not separated as specified in this § 299-13 will not be collected if combined with other refuse or if not treated or placed for collection as follows:
 - (1) Clean and unsoiled newspapers shall be separated and placed in the recycling container provided to each household by the Town of Windsor Locks.
 - (2) Glass food containers and metal food containers shall be separated from other refuse and combined in the same recycling container provided to each household by the Town of Windsor Locks. All glass containers must be rinsed clean and the lids, corks and tops removed. All metal containers must be rinsed clean and labels removed.

1. Editor's Note: See C.G.S. § 22a-220.

- (3) If the recycling container is not large enough to hold all of the materials to be recycled, any excess shall be placed in standard nonplastic grocery shopping bags and shall not be commingled with nonrecyclable refuse.
 - (4) Cardboard shall be flattened, tied and placed on top of, or under, or next to the recycling container. Cardboard shall be kept to a manageable size, such as three feet by four feet.
 - (5) If a resident loses his recycling box through no negligence of the contractor, the contractor shall replace it at a charge of \$5. The contractor shall replace all recycling boxes without charge if their loss or destruction is due to the negligence of the contractor, his agents or employees. A copy of the revised policy concerning replacement of recycling containers dated July 13, 1994 can be obtained in the Selectman's office or the Tax Collector's office during regular business hours.
 - (6) Storage batteries and tires off their rims shall be collected curbside in the weekly collection or brought by residents to the Public Works garage.
 - (7) Waste oil shall be stored in sealed, leakproof plastic containers and placed next to the recycling container.
 - (8) Scrap metal and white goods shall be collected as deemed necessary by the Board of Selectmen and advertised by the First Selectman.
 - (9) Leaves and yard waste shall be placed in biodegradable paper leaf bags or reusable barrels with yard waste stickers or disposed of at the compost site facility.
- B. The Town shall designate the recyclable collector for all residential and condominium property. The owners of condominiums and apartment complexes of six or fewer families may elect to have another permitted collector be responsible for the collection of the recyclables, in which event the Town will not provide any payment or reimbursement to the property owner.
- C. Prior to the collection of recyclables from residential condominiums, the applicable condominium association must request, in writing, to be included in the recyclable collection; must grant, in writing, to the Town, the recyclable collection contractor, their agents and employees permission to enter the condominium association property; and must agree, in writing, to indemnify and hold harmless the Town, its agent and employees, but not the recyclable collection contractor, its agents and employees, against claims related to recyclable collection from the condominium association property.

§ 299-14. Material unacceptable for collection.

The following solid waste shall be considered not acceptable for collection:

- A. Refuse and recyclables which have not been prepared, bound, and/or placed for collection in accordance with the rules and regulations of the Town of Windsor Locks.
- B. Materials from the major repair of, excavation for, construction or destruction of buildings or structures, such as earth, plaster, mortar, bricks, building blocks, roofing

material, septic tanks, trees or tree stumps branches and bushes over six inches in diameter.

- C. Hazardous waste as hereinbefore defined.
- D. Body wastes, junkyard wastes or solid industrial wastes.
- E. Refuse that has recyclables commingled therein.

§ 299-15. Permits for collectors.

It shall be unlawful for any person, firm or corporation to act as a solid waste collector within the Town of Windsor Locks without first having obtained a permit as hereinafter provided for each vehicle to be used within the Town for the removal, transportation or collection of solid waste.

- A. Applications for permits shall be filed with the Public Works Director or his designee on forms approved by him, which forms shall include at least the following:
 - (1) The name, address and telephone number of the applicant's business and the name and telephone number of a responsible person in charge and the listing of any other municipalities in which such applicant hauls or collects solid waste.
 - (2) A brief description of the applicant's business, providing enough information to enable the First Selectman or his designee to determine whether the applicant is qualified to perform the service of a solid waste collector adequately and safely.
 - (3) Certificates of insurance showing coverage in force in at least the minimum amounts established by the First Selectman by regulation.
 - (4) A description of each vehicle to be licensed, including the make, color, registration number, type and size; said vehicles must have clearly designated thereon the applicant's name and address.
 - (5) A map showing the route and/or routes of each vehicle to be licensed, the number of stops expected on each route and the registration number of the primary vehicle assigned to said route.
- B. Payment. The applicant shall pay to the Town a fee for each permit issued; said permit shall be valid for a period of one year from the date of issuance. Evidence of said permit shall be displayed conspicuously on the licensed vehicle in a manner prescribed by the First Selectman. Permits issued under this section shall not be transferable except in the event of the permanent replacement of the licensed vehicle. The Board of Selectmen shall set the permit fee upon passage of this article and on July 1 of every fiscal year .
- C. Transferable permits. Each solid waste collector holding one or more permits from the Town of Windsor Locks shall be entitled to obtain one transferable permit to be utilized on a spare vehicle in the event of loss, destruction, damage or breakdown of a licensed vehicle. The First Selectman or his designee shall be immediately notified of the intended use of the transferable permit, the reason for its use, the expected duration of its use, the route or routes upon which it will be used, and the description of the vehicle which will

bear the transferable permit. Use of the transferable permit shall be discontinued immediately upon replacement of the licensed vehicle.

- D. Revocation or suspension of permits. In the event of a violation of any of the provisions of this article, or any rules or regulations issued pursuant thereto, the First Selectman shall give written notice to the permittee of the violation, the steps to be taken to correct same, and the period of time within which said corrective action must be taken. In the event the violation is not corrected within the time prescribed, the First Selectman shall have authority to immediately suspend any and all permits held by the offending solid waste collector. In the event the permittee thereafter fails to correct the violations, the First Selectman shall have authority to call and hold a public hearing upon due notice to the permittee and with full opportunity for him to be heard, to determine whether any and all permits should be permanently revoked.

§ 299-16. Tipping fees and recycling costs for commercial and industrial properties.

All tipping fees and recycling costs from commercial and industrial property are the responsibility of the respective occupants and the individual commercial hauler not the Town of Windsor Locks.

§ 299-17. Prohibited conduct; penalties for offenses.

- A. Residential property owners and/or occupants, or persons having custody or control of residential premises:
- (1) Shall not combine recyclable material or hazardous wastes with refuse. Refuse which has recyclable material commingled with it shall not be collected; and recyclable material that has refuse commingled with it shall not be collected.
 - (2) Shall properly segregate the uncollected waste and either store or dispose of it.
 - (3) Shall not allow refuse to accumulate.
 - (4) Shall not permit or cause any solid waste within their custody or control to become a hazard to public travel, health or safety, or become a nuisance of any sort.
 - (5) Shall keep the recycling container clean and stored in such a location as not to constitute a nuisance or otherwise be objectionable.
- B. For all waste generators, failure to recycle is a violation of this article and Public Act 90-220,²
- (1) A resident who fails to source separate recyclables from other waste:
 - (a) First offense: a written warning.
 - (b) Subsequent offenses: a fine not to exceed \$200 for each violation.

2. Editor's Note: See C.G.S. § 22a-220.

- (2) A commercial or industrial establishment that fails to provide for separation of recyclables from other waste:
- (a) First offense: a written warning.
 - (b) Subsequent offenses: a fine not to exceed \$500 for each violation.
- C. Solid waste collectors:
- (1) Shall not knowingly mix recyclable material with other solid wastes.
 - (2) Shall notify the First Selectman or his designee of those persons, partnerships, firms or corporations that have discarded recyclable material commingled with other solid waste.
 - (3) Under Public Act 90-249 and this article, any collector who dumps more than one cubic feet in volume of solid waste in an area not designated for such disposal by the Town or who knowingly mixes other solid waste with items designated for recycling shall, for a first violation, be liable for a civil penalty of \$1,000 for each violation, and \$5,000 for a subsequent violation. The Town or the Attorney General may bring an action under this section.
- D. Resource recovery facilities and solid waste facilities, under Public Act 90-249 and this article.
- (1) The owner or operator of any resources recovery facility or landfill who fails to notify the Town about the delivery of loads of solid waste originating from the Town containing significant quantities of recyclable items, as required by Section 4 of Public Act 90-220, shall be subject to a warning by the Town or the Commissioner of Environmental Protection for a first violation and to a civil penalty of \$500 for each subsequent violation.
 - (2) The owner or operator of any resources recovery authority or landfill who fails to conduct an inspection when requested by the Commissioner of Environmental Protection, as required by Section 4 of Public Act 90-220³ shall, for a first violation, be subject to a civil penalty of \$1,000 for each violation, and \$5,000 for each subsequent violation.
- E. No person, firm partnership or corporation shall separate, recover, collect, transport, store or dispose of solid waste and/or recyclable commodities within the Town of Windsor Locks, except as specifically authorized by the Board of Selectmen of the Town of Windsor Locks or the provisions of this article. Each and every violation of this section shall constitute a separate and distinct offense. **[Amended 9-28-1995]**
- F. Any person, firm, partnership, or corporation found guilty of a violation of any provision of this article or any of the rules and regulations promulgated pursuant hereto shall be guilty of an infraction and shall, in addition to the other penalties hereinabove provided for, be subject to a fine not to exceed \$200 for each infraction. This article and the regulations pursuant thereto may be enforced by the First Selectman or his designee.

3. Editor's Note: See C.G.S. § 22a-241.

§ 299-18. Enforcement.

See also Public Act No. 94-200.⁴ Pursuant to §§ 299-14, 299-17 and this § 299-18 of this article, enforcement of this article and these regulations shall be as follows:

- A. Any person who fails to separate and recycle or cause to have recycled all designated recyclable materials from other solid waste, as defined in this article, shall be notified of his/her violation(s) and given an opportunity to correct said violation(s). Said notification may take the form of a verbal instruction, a written notice, or a tag or sticker placed on the refuse or recyclables or the containers used for same by the responsible person.
- B. The Town, or its agents or contractors, reserves the right to refuse to collect accept for disposal refuse or recyclables that have not been separated and/or recycled in accordance with these regulations.

ARTICLE V
Refuse Collection and Disposal
[Adopted 7-11-2002]

§ 299-19. Purpose.

There are instances in this community when persons place bulk pick-up or refuse at the curblane many days in advance of the scheduled pick-up day. The purpose of this article is to specify when bulk pick-up or refuse may be placed at the curb and the containers to be used, as well as to protect, preserve, and promote public health, safety, and welfare.

§ 299-20. Definitions.

For the purposes of this article, the following terms, phrases, words and their derivations shall have the meanings given herein:

GARBAGE — Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

PUBLIC PLACE — Any and all streets, highways and boulevards or other publicly owned or controlled ways.

REFUSE — All putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, street cleanings, abandoned motor vehicles and shopping carts.

REFUSE CONTAINER — Any container that is constructed of metal or other durable material impervious to rodents and capable of being serviced without mechanical assistance.

RUBBISH — Nonputrescible solid waste consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard and similar materials.

4. Editor's Note: See C.G.S. § 22a-226d.

§ 299-21. Placement of rubbish and containers or bulk items.

- A. No person shall deposit or place rubbish or refuse at any curblin for pickup more than 48 hours before the Town's scheduled refuse/rubbish pickup for the neighborhood. Refuse/Rubbish containers shall be removed from any curblin no later than 24 hours after the refuse/rubbish has been picked up.
- B. No person shall deposit/place items for heavy bulk pickup at any curblin for heavy pickup more than one week (seven days) in advance of a scheduled collection.

§ 299-22. Refuse containers.

- A. Bulk storage containers which are used for the storage of garbage, refuse, rubbish, litter and/or other waste material shall:
 - (1) Be placed on paved surfaces which have proper drainage, and such surfaces are to be maintained free of garbage, refuse, rubbish and litter.
 - (2) Be maintained in a clean and sanitary manner.
 - (3) Be watertight, rodentproof, insectproof and structurally strong and sound, and not allow leakage of their contents.
 - (4) Be equipped with tight-fitting lids which shall be kept closed at all times.
 - (5) Have a capacity sufficient to meet the needs of the occupants of each premises served thereby.
- B. All refuse containers used for the storage of garbage, refuse, rubbish, litter and/or other waste material shall be:
 - (1) Rodentproof, insectproof, watertight, rust-free and structurally strong and sound, and shall not allow leakage of their contents.
 - (2) Provided with tight-fitting covers which shall be kept closed at all times.
 - (3) Maintained in a clean and sanitary condition.
- C. Plastic bags may be used as refuse container liners but shall not be used for unprotected storage of garbage, refuse or rubbish out-of-doors without being placed in a refuse or bulk container as defined by this code. Plastic bags, not placed in a refuse or bulk container as defined by this code, and containing garbage, refuse or rubbish, not including leaves, grass clippings and hedge trimmings, which are outside of any structure more than 24 hours prior to the collection day shall be considered in violation of this section.
- D. All bulk containers and refuse containers shall be located and maintained so as to:
 - (1) Be placed in a location in back of the building line.
 - (2) Be placed in a location which shall be as far away as practicable from any adjacent dwelling unit.

- (3) Take all practicable measures, including, without limitation, cleaning the containers in the surrounding areas and eliminating odors, to minimize the noise and odor affecting the surrounding premises and to prevent interference with the health and safety of the occupants of the premises or of adjacent premises.

§ 299-23. Refuse disposal.

- A. It shall be the responsibility of each occupant residing in a one-, two-, or three-family dwelling to provide bulk or refuse containers for the sanitary and safe storage and disposal of rubbish, garbage and litter.
- B. It shall be the responsibility of each owner of any building, structure or dwelling arranged for four or more families to provide bulk or refuse containers for the sanitary and safe storage of rubbish, garbage and litter and to provide for the removal and legal disposal of such rubbish, garbage and litter.
- C. Every occupant of a premises shall maintain, store and dispose of all rubbish, garbage and litter in a clean, sanitary and safe manner that shall prevent the spread of disease, the infestation of the structure and premises and rodent and rat harborage, and shall dispose of such rubbish, garbage and litter by placing it in the bulk containers of refuse required by this code.
- D. The owner and every occupant of a premises shall be responsible for closing and keeping closed all covers of bulk or refuse containers required by this code.
- E. No owner or occupant of a premises shall store, place or allow to accumulate any refuse, garbage, rubbish, litter or any other material which may serve as food for rats, rodents or other pests or provide harborage in or about any premises.

§ 299-24. Prior or conflicting standards.

- A. The provisions in this article shall not be construed to prevent the enforcement of other statutes, codes, ordinances or regulations which prescribe standards other than those provided in this article.
- B. In any case where a provision of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, regulation or other code of the Town or state, the provision which establishes the higher standard for the promotion and protection of the health and safety, and property values of the people shall prevail.
- C. This article shall not affect violations of any other ordinances, code or regulation existing prior to the effective date of this code, and any such violations may be governed and continue to be punishable under the provisions of those ordinances, codes, or regulations in effect at the time the violation was committed.

§ 299-25. Responsibility for compliance.

The owner, lessee, or occupant of premises subject to this article, including the agents thereof, shall be jointly and severally obligated to comply with the provisions of this article. Whenever the person, as herein defined, is a corporation or other legal entity, the officers thereof shall be jointly and severally responsible with that corporation or other legal entity.

§ 299-26. Notice of violations.

- A. Complaints may be submitted to the First Selectman or his designee by members of the public, but such complaints must be in writing and signed on forms provided by the Town.
- B. Whenever the First Selectman or his designee determines that there has been a violation of any provision of this article, such officer shall give notice of such violation to the person responsible therefor, as hereinafter provided. Such notice shall:
- (1) Be in writing;
 - (2) Set forth the violations of this article;
 - (3) Specify a final date for the correction of any violation;
 - (4) Be served upon the owner or the owner's agent or the occupant as the case may require; provided such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is posted in a conspicuous place in or about the dwelling affected by this notice; or if such person is served with such notice by any other method authorized or required under the laws of the state;
 - (5) Contain an outline of remedial action which, if taken, will effect permanent compliance with the provisions of this article; and
 - (6) State that the penalties and enforcement provisions of this article will become effective on the final date set for the correction of any violation.
- C. Any person notified in accordance with this section who fails to correct any violation by the date specified in said notice shall be in violation of this article and subject to its penalties and enforcement procedures.

§ 299-27. Appeals.

Any person notified in accordance with § 299-27 above may appeal said notice of violation(s) to the Housing Code of Appeals, in writing, within 10 days of the date of said notice.

§ 299-28. Penalties for offense; enforcement.

- A. Penalties for offenses.

DRAFT
SOLID WASTE

§ 299-28

§ 299-28

- (1) Each violation of this article shall be considered a separate municipal offense.
- (2) Each day any violation continues shall constitute a separate offense.
- (3) Each separate offense under this article shall be punishable by a fine of \$25, payable to the Town.

B. Enforcement.

- (1) The First Selectman, his designee, or any police officer in the Town is authorized to issue a citation or summons for a violation of this article.
- (2) In addition thereto, the First Selectman or his designee is authorized to initiate legal proceedings in the Superior Court for the immediate correction of the violation(s), collection of any penalties, and the recovery of all costs, including costs of remedial action(s) authorized by the Court and reasonable attorneys fees incurred by the Town to enforce this article.
- (3) All fines, court costs, costs of remedial action, and attorney's fees as ordered by the Court shall constitute a lien on the subject premises, provided the owner of said premises has been notified of the violations as herein provided and was made a party to the enforcement proceedings.

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Chapter 307

STORMWATER MANAGEMENT

ARTICLE I

Title, Purpose and General Provisions

- § 307-1. Title.
- § 307-2. Purpose and intent.
- § 307-3. Definitions.
- § 307-4. Applicability.
- § 307-5. Responsibility for administration.
- § 307-6. Consistency with federal provisions.
- § 307-7. Responsibility of discharger.

ARTICLE II

Discharge Prohibitions

- § 307-8. Illegal discharges prohibited.
- § 307-9. Illicit connections prohibited.
- § 307-10. Waste disposal prohibitions.
- § 307-11. Compliance with NPDES discharge permit.

ARTICLE III

Regulations and Requirements

- § 307-12. Preventing, controlling, and reducing stormwater pollutants.
- § 307-13. Elimination of illegal discharges required.

§ 307-14. Elimination of illicit connections; permission to reconnect.

§ 307-15. Watercourse protection.

§ 307-16. Remediation.

§ 307-17. Monitoring and analysis.

§ 307-18. Notification of spills.

ARTICLE IV

Inspection and Monitoring

§ 307-19. Authority to inspect.

§ 307-20. Authority to sample, establish sampling devices, and test.

ARTICLE V

Enforcement

§ 307-21. Notice of violation.

§ 307-22. Appeals.

§ 307-23. Abatement by Town.

§ 307-24. Liability for cost of abatement; liens.

§ 307-25. Emergency abatement.

§ 307-26. Penalties for offenses.

§ 307-27. Compensatory action.

§ 307-28. Violations deemed public nuisance.

§ 307-29. Violation of Clean Water Act.

[HISTORY: Adopted by the Town of Windsor Locks 3-29-2006. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 236.
Sewers — See Chs. 228 and 292.

Water — See Ch. 349.

ARTICLE I

Title, Purpose and General Provisions

§ 307-1. Title.

This chapter shall be known as the "Stormwater Quality Management and Discharge Control Ordinance" of the Town of Windsor Locks and may be so cited.

§ 307-2. Purpose and intent.

The purpose and intent of this chapter is to ensure the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act by reducing pollutants in stormwater discharges to the maximum extent practicable and prohibiting nonstormwater discharges to the storm drain system.

§ 307-3. Definitions.

The terms used in this chapter shall have the following meanings:

BEST MANAGEMENT PRACTICES — Activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. Best management practices include, but are not limited to, treatment facilities to remove pollutants from stormwater; operating and maintenance procedures; facility management practices to control runoff; spillage or leaks of nonstormwater, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the Town determines appropriate for the control of pollutants.

CLEAN WATER ACT — The Federal Water Pollution Control Act and any subsequent amendments thereto.

CONSTRUCTION ACTIVITY — Activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

HAZARDOUS MATERIALS — Any material, including any substance, waste, or combination thereof which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

ILLEGAL DISCHARGE — Any direct or indirect nonstormwater discharge to the storm drain system, except as exempted in § 307-8 of this chapter.

ILLICIT CONNECTIONS — Either of the following:

- A. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system, including but not limited to any conveyances which allow nonstormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or
- B. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the Town.

INDUSTRIAL ACTIVITY — Activities subject to NPDES industrial permits as defined in 40 CFR 122.26(b)(14).

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMITS — General, group, and individual stormwater discharge permits which regulate facilities defined in federal NPDES regulations pursuant to the Clean Water Act.

NONSTORMWATER DISCHARGE — Any discharge to the storm drain system that is not composed entirely of stormwater.

POLLUTANT — Anything which causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes, and solvents; oil and other automobile fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

POLLUTION — The human-made or human induced alteration of the quality of waters by waste to a degree which reasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses.

PREMISES — Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

STORM DRAIN SYSTEM — Publicly owned facilities operated by the Town by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and man-made or altered drainage channels, reservoirs, and other drainage structures which are within the Town and are not part of a publicly owned treatment works as defined at 40 CFR 122.2.

STORMWATER — Any surface flow, runoff, and drainage consisting entirely of water from rain storm events.

TOWN — The Town of Windsor Locks.

WATERS OF THE UNITED STATES — Surface watercourses and water bodies as defined at 40 CFR 122.2, including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry stormwater at and during all times and seasons.

§ 307-4. Applicability.

This chapter shall apply to all water entering the storm drain system generated on any developed and undeveloped lands lying within the Town of Windsor Locks, including any amendments or revisions thereto.

§ 307-5. Responsibility for administration.

The Director of Public Works of the Town of Windsor Locks shall administer, implement and enforce the provisions of this chapter. Any powers granted or duties imposed upon the Director of Public Works may be delegated in writing by the Director of Public Works to persons or entities acting in the beneficial interest of or in the employ of the Town of Windsor Locks.

§ 307-6. Consistency with federal provisions.

This chapter shall be construed to assure consistency with the requirements of the Clean Water Act and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations.

§ 307-7. Responsibility of discharger.

The standards set forth herein and promulgated pursuant to this chapter are minimum standards; therefore, this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the United States caused by said person. This chapter shall not create liability on the part of the Town of Windsor Locks, or any agent or employee thereof, for any damages that result from the discharger's reliance on this chapter or any administrative decision lawfully made thereunder.

ARTICLE II
Discharge Prohibitions

§ 307-8. Illegal discharges prohibited.

- A. No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater.

- B. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:
- (1) Discharges from the following activities will not be considered a source of pollutants to the storm drain system and to waters of the United States when properly managed to ensure that no potential pollutants are present, and therefore they shall not be considered illegal discharges unless determined to cause a violation of the provisions of the Clean Water Act or this chapter: potable water line flushing; uncontaminated pumped groundwater and other discharges from potable water sources; landscape irrigation and lawn watering; diverted stream flows; rising groundwater; groundwater infiltration to the storm drain system; uncontaminated foundation and footing drains; uncontaminated water from crawl space pumps; air-conditioning condensation; uncontaminated nonindustrial roof drains; springs; individual residential and occasional noncommercial car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash waters; and flows from fire fighting.
 - (2) The prohibition shall not apply to any nonstormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administrated by the State of Connecticut under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted by the Town of Windsor Locks for any discharge to the storm drain system.
 - (3) With written concurrence of the Board of Selectmen, the Town of Windsor Locks may exempt in writing other nonstormwater discharges which are not a source of pollutants to the storm drain system or waters of the United States.

§ 307-9. Illicit connections prohibited.

- A. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
- B. The prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

§ 307-10. Waste disposal prohibitions.

No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or waters of United States, any refuse, garbage, rubbish, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempt from this prohibition.

§ 307-11. Compliance with NPDES discharge permit.

Any person subject to an individual or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Director of Public Works prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

ARTICLE III

Regulations and Requirements**§ 307-12. Preventing, controlling, and reducing stormwater pollutants.**

- A. Authorization to adopt and impose best management practices.
- (1) The Town of Windsor Locks will adopt requirements identifying best management practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the United States as a separate stormwater management plan. Where best management practices requirements are promulgated by the Town of Windsor Locks or any federal, State of Connecticut, or regional agency for any activity, operation, or facility which would otherwise cause the discharge of pollutants to the storm drain system or waters of the United States, every person undertaking such activity or operation, or owning or operating such facility, shall comply with such requirements.
 - (2) The Director of Public Works will report to the Board of Selectmen annually on the status of implementation of best management practices, the pollutants of concern to be addressed the next year, and any new best management practices to be developed. Best management practices developed under this program will be included in the Town of Windsor Locks' Stormwater Management Plan.
- B. New development and redevelopment. The Town may adopt requirements identifying appropriate best management practices to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants. The Town shall incorporate such requirements in any land use entitlement and construction or building-related permit to be issued relative to such development or redevelopment. The owner and developer shall comply with the terms, provisions, and conditions of such land use entitlements and building permits as required in this chapter.
- C. Responsibility to implement best management practices. Notwithstanding the presence or absence of requirements promulgated pursuant to Subsections A and B, any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering stormwater, the storm drain system, or waters of the United States shall implement best management practices to the extent they are technologically achievable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge

of prohibited materials or other wastes into the municipal storm drain system or watercourses. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner's and operator's expense.

§ 307-13. Elimination of illegal discharges required.

Notwithstanding the requirements of § 307-19 herein, the Director of Public Works may require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge and, if necessary, take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

§ 307-14. Elimination of illicit connections; permission to reconnect.

- A. The Director of Public Works may require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this chapter to eliminate or secure approval for the connection by a specified date, regardless of whether or not the connection or discharges to it had been established or approved prior to the effective date of this chapter.
- B. If, subsequent to eliminating a connection found to be in violation of this chapter, the responsible person can demonstrate that an illegal discharge will no longer occur, said person may request Town approval to reconnect. The reconnection or reinstallation of the connection shall be at the responsible person's expense.

§ 307-15. Watercourse protection.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property reasonably free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy bank vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within his property lines in order to protect against erosion and degradation of the watercourse originating or contributed from his property.

§ 307-16. Remediation.

Whenever the Director of Public Works finds that a discharge of pollutants is taking place or has occurred which results in or has resulted in pollution of stormwater, the storm drain system, or waters of the United States, the Director of Public Works may require, by written notice to the owner of the property and/or the responsible person, that the pollution be remediated and the affected property restored within a specified time pursuant to the provisions of §§ 307-21 through 307-24 below.

§ 307-17. Monitoring and analysis.

The Director of Public Works may require, by written notice of requirement, that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to stormwater pollution, illegal discharges, and/or nonstormwater discharges to the storm drain system or waters of the United States undertake, at said person's expense, such monitoring and analyses and furnish such reports to the Town of Windsor Locks as deemed necessary to determine compliance with this chapter.

§ 307-18. Notification of spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drain system, or waters of the United States from said facility, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of a hazardous material, said person shall immediately notify emergency response officials of the occurrence via emergency dispatch service (911). In the event of a release of nonhazardous materials, said person shall notify the Windsor Locks Public Works Department in person or by phone or facsimile no later than 3:30 p.m. of the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Town of Windsor Locks Department Public Works within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

ARTICLE IV

Inspection and Monitoring**§ 307-19. Authority to inspect.**

Whenever necessary to make an inspection to enforce any provision of this chapter, or whenever the Director of Public Works has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this chapter, the Director may enter such premises at all reasonable times to inspect the same and to inspect and copy records related to stormwater compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the Town is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

§ 307-20. Authority to sample, establish sampling devices, and test.

During any inspection as provided herein, the Director of Public Works may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

ARTICLE V
Enforcement

§ 307-21. Notice of violation.

- A. Whenever the Director of Public Works finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the Director may order compliance by written notice of violation to the responsible person. Such notice may require, without limitation:
- (1) The performance of monitoring, analyses, and reporting;
 - (2) The elimination of illicit connections or discharges;
 - (3) That violating discharges, practices, or operations shall cease and desist;
 - (4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - (5) Payment of a fine to cover administrative and remediation costs; and
 - (6) The implementation of source control or treatment best management practices.
- B. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the Town or a contractor designated by the Director of Public Works and the expense thereof shall be charged to the violator pursuant to § 307-23 below.

§ 307-22. Appeals.

Notwithstanding the provisions of § 307-25 below, any person receiving a notice of violation under § 307-21 above may appeal the determination of the Director of Public Works to the First Selectman. The notice of appeal must be received by the First Selectman within five days from the date of the notice of violation. Hearing on the appeal before the First Selectman or his/her designee shall take place within 15 days from the date of the Town's receipt of the notice of appeal. The decision of the First Selectman or designee shall be final.

§ 307-23. Abatement by Town.

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation or, in the event of an appeal under § 307-22, within 10 days of the decision of the First Selectman upholding the decision of the Director of Public Works, then the Town or a contractor designated by the Director of Public Works shall enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent, or person in possession of any premises to refuse to allow the Town or designated contractor to enter upon the premises for the purposes set forth above.

§ 307-24. Liability for cost of abatement; liens.

- A. Within 30 days after abatement of the nuisance by Town, the Director of Public Works shall notify the property owner of the property of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment with the Town Clerk within 15 days. The Town Clerk shall set the matter for public hearing by the Board of Selectmen. The decision of the Board of Selectmen shall be set forth by resolution and shall be final.
- B. If the amount due is not paid within 10 days of the decision of the Board of Selectmen or the expiration of the time in which to file an appeal under this section, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of assessment. A copy of the resolution shall be turned over to the Town's assessor so the assessor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the Tax Collector shall include the amount of the assessment on the bill for taxes levied against the parcel of land.

§ 307-25. Emergency abatement.

The Director of Public Works is authorized to require immediate abatement of any violation of this chapter that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the Director of Public Works, the Town is authorized to enter onto private property and to take any and all measures required to remediate the violation. Any expense related to such remediation undertaken by the Town shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent the Town from seeking other and further relief authorized under this chapter.

§ 307-26. Penalties for offenses.

It shall be lawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. A violation of or failure to comply with any of the requirements of this chapter shall constitute a misdemeanor and shall be punished as set forth in the Connecticut State Statutes.

§ 307-27. Compensatory action.

In lieu of enforcement proceedings, penalties, and remedies authorized by this chapter, the Director of Public Works may impose upon the violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

§ 307-28. Violations deemed public nuisance.

In addition to the enforcement processes and penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be

summarily abated or restored by the Town at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the Town.

§ 307-29. Violation of Clean Water Act.

Any person who violates any provision of this chapter, or any provision of any requirement issued pursuant to this chapter, may also be in violation of the Clean Water Act and may be subject to the sanctions of those acts, including civil and criminal penalties. Any enforcement action authorized under this chapter shall also include written notice to the violator of such potential liability.

DRAFT

Chapter 313

STREETS AND SIDEWALKS

**ARTICLE I
Deposits on Sidewalks**

§ 313-1. Deposits prohibited; penalties for offenses.

**ARTICLE II
Street Excavation Permits**

§ 313-2. Permit required for excavations.

§ 313-3. Penalties for offenses.

**ARTICLE III
Street Excavation Bonds**

§ 313-4. Bond required; amount and form.

**ARTICLE IV
Placing Snow and Ice in Streets**

§ 313-5. Placement in street prohibited; penalties for offenses.

§ 313-6. Restriction of line of sight prohibited; penalties for offenses.

**ARTICLE V
Removal of Snow and Ice from Sidewalks**

§ 313-7. Removal required; time limit.

§ 313-8. Penalties for offenses.

§ 313-9. Removal by Town; liability for expense.

§ 313-10. Appeals.

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

**ARTICLE I
Deposits on Sidewalks**

[Adopted 10-15-1885; amended 5-23-1962 (Ch. XIV, § 15, of the Town Compilation)]

§ 313-1. Deposits prohibited; penalties for offenses.

Any person who shall dump, place, or deposit any ashes, garbage, filth, dirt or other substance, as a nuisance, upon the sidewalks of this Town shall be fined not less than \$1 nor more than \$5.

**ARTICLE II
Street Excavation Permits**

[Adopted 10-14-1940 (Ch. II, § 7, of the Town Compilation)]

§ 313-2. Permit required for excavations.

No person shall open or excavate any part of any highway or sidewalk in the Town unless he shall first receive a written permit from the First Selectman of the Town to do so, which permit shall be issued under such terms and conditions as the First Selectman shall prescribe.

§ 313-3. Penalties for offenses.

Any person violating this article shall be punished by a fine not exceeding \$100.

ARTICLE III

Street Excavation Bonds

[Adopted 10-11-1957 (Ch. II, § 5, of the Town Compilation)]

§ 313-4. Bond required; amount and form.

A bond in the minimum amount of \$1,500 shall be posted with the Board of Selectmen in form, amount, and surety satisfactory to said Board as condition for obtaining permission to excavate in a Town highway.

ARTICLE IV

Placing Snow and Ice in Streets

[Adopted 4-18-1994, §§ 4 and 5]

§ 313-5. Placement in street prohibited; penalties for offenses.

- A. No person shall throw or put, or cause to be thrown or put, any snow or ice from any private property into any street in the Town.
- B. Any person violating the provisions of Subsection A above shall be fined the sum of \$25.

§ 313-6. Restriction of line of sight prohibited; penalties for offenses.

- A. No person shall pile snow, or cause to have snow piled, so as to restrict a clear line of sight at the end of any driveway or parking lot onto any street or highway in the Town of Windsor Locks.
- B. Any person violating the provisions of Subsection A above shall be fined the sum of \$25.

ARTICLE V

Removal of Snow and Ice from Sidewalks

[Adopted 4-22-2003]

§ 313-7. Removal required; time limit.

The owner, tenant or occupant of any building or land adjoining and fronting upon any concrete, flagged or paved sidewalk shall cause to be removed from such sidewalk any and all snow and sleet within 24 hours after the same shall have fallen in the right season; and whenever any such sidewalk or any part thereof shall be covered with ice, the owner, tenant or occupant of the building or land adjacent thereto shall, within the space of 12 hours thereafter during the daytime, cause such sidewalk to be made safe and convenient by removing the ice therefrom or by covering the same with sand or some other suitable substance.

§ 313-8. Penalties for offenses.

The owner, tenant or occupant of any building or land whose duty it is to clear the sidewalks adjacent thereto, who shall violate any of the provisions of the foregoing section, or refuse or neglect to comply with the same, shall be guilty of an infraction and shall pay a fine of \$25.

§ 313-9. Removal by Town; liability for expense.

The Selectmen, in accordance with the powers conferred upon them by Section 1915 of the General Statutes, may, upon the failure, default or neglect of the owner, tenant or occupant of such adjoining and fronting premises to comply with the provisions of § 313-7 of this article, remove any snow or ice from any such sidewalk and cause a certificate of lien for the expense thereof, and any and all applicable fines, to be recorded in the Town Clerk's Office within 60 days from the date of such removal.

§ 313-10. Appeals.

Any person aggrieved hereby may appeal said infraction and fine to the Housing Code Appeals Board, in writing, within seven days of the date of issuance thereof.

DRAFT

Chapter 320

TAXATION

ARTICLE I

Payment of Taxes in Installments

§ 320-1. Number of installments; dates.

ARTICLE II

Assessment of Solar Energy Systems

§ 320-2. Amount and term of exemption.

ARTICLE III

Exemption for Legally Blind Persons

§ 320-3. Statutory authority.

§ 320-4. Amount.

§ 320-5. Application for exemption.

§ 320-6. Applicability.

ARTICLE IV

Veterans Exemption

§ 320-7. Additional exemptions; amount.

§ 320-8. Application for exemption.

§ 320-9. Applicability.

ARTICLE V

Pari-Mutuel and Off-Track Betting Facilities

§ 320-10. Liability for payment of tax.

§ 320-11. Authority to impose.

§ 320-12. Collection.

§ 320-13. Appeals.

§ 320-14. When effective; applicability.

ARTICLE VI

Payment of Certain Taxes in One Installment

§ 320-15. Authority and amount.

ARTICLE VII

Exemption for Ambulance-Type Vehicles

§ 320-16. Statutory authority.

§ 320-17. Exemption granted.

§ 320-18. Limitations.

§ 320-19. Application for exemption.

§ 320-20. Authorization.

§ 320-21. Filing of application; contents.

§ 320-22. Applicability.

ARTICLE VIII

Exemption for Elderly or Totally Disabled Persons

§ 320-23. Eligibility.

§ 320-24. Application for exemption; allocation of benefit; administration.

§ 320-25. Computation of benefits.

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

GENERAL REFERENCES

Tax-delinquent parties and property — See Ch. 324.

ARTICLE I

Payment of Taxes in Installments

[Adopted 8-2-1961 (Ch. V, § 9, of the Town Compilation)]

§ 320-1. Number of installments; dates.

Beginning July 1, 1962, property taxes shall be due and payable in two semiannual installments, and the dates of such installments shall be July 1 and January 1 of each year, beginning with said date.

ARTICLE II

Assessment of Solar Energy Systems

[Adopted 8-11-1977]

§ 320-2. Amount and term of exemption.

Any building or addition to a building, the construction of which is commenced on or after October 1, 1976, and before October 1, 1991, which is equipped with a solar-energy heating or cooling system shall be exempt from taxation to the extent of the amount by which the assessed valuation of such real property equipped with such solar heating or cooling system exceeds the assessed valuation of such real property equipped with the conventional portion of the heating or cooling system, exclusive of any portion of such system related to solar energy, provided this exemption shall only apply to the first 15 assessment years following construction of such building or addition.

ARTICLE III

Exemption for Legally Blind Persons

[Adopted 1-22-1986]

§ 320-3. Statutory authority.

The exemptions authorized by C.G.S. § 12-81(17), as amended by Public Act No. 85-165, are hereby adopted as follows.

§ 320-4. Amount.

Any person entitled to the exemption from property tax applicable to the assessed value of property up to the amount of \$3,000, as provided under Subdivision (17) of Section 12-81 of the General Statutes, shall be entitled to an additional exemption from such tax in an amount up to \$2,000 of such assessed value, provided the total of such person's adjusted gross income as determined for purposes of the federal income tax plus any other income of such person not included in such adjusted gross income, individually if unmarried, or jointly if married, in the calendar year ending immediately preceding the assessment date with respect to which

such additional exemption is allowed, is not more than \$14,000 if such person is married or not more than \$12,000 if such person is not married.

§ 320-5. Application for exemption.

Any person submitting a claim for the additional exemption as provided under Subsection A of this section shall be required to file an application, on a form prepared for such purpose by the Assessor, not later than the date of the assessment list with respect to which such additional exemption is claimed. Each such application shall include a copy of such person's federal income tax return, or in the event a return is not filed, such evidence related to income as may be required by the Assessor for the tax year of such person ending immediately prior to the approval of a claim for such additional exemption.

§ 320-6. Applicability.

This article shall apply to the Grand List of the Town of Windsor Locks, Connecticut, of October 1, 1986, and subsequent years.

ARTICLE IV
Veterans Exemption
[Adopted 10-4-1990]

§ 320-7. Additional exemptions; amount.

The exemption(s) authorized by C.G.S. § 12-81f, as amended, are hereby adopted as follows:

- A. Any veteran entitled to an exemption from property tax in accordance with Subdivision (19) of Section 12-81 of the General Statutes shall be entitled to an additional exemption from such tax in the amount of \$1,000, provided the total of such veteran's adjusted gross income as determined for purposes of the federal income tax plus any other income of such veteran not included in such adjusted gross income, individually, if unmarried, or jointly, if married, in the calendar year ending immediately preceding the assessment date with respect to which such additional exemption is allowed, is not more than \$16,000 if such veteran is married or not more than \$14,000 if such veteran is not married to meet state income guidelines as listed annually.
- B. Any veteran's surviving spouse entitled to an exemption from property tax in accordance with Subdivision (22) of Section 12-81 of the General Statutes shall be entitled to an additional exemption applicable to the assessed value of property up to the amount of \$1,000, provided the total of such spouse's adjusted gross income as determined for purposes of the federal income tax plus any other income of such spouse not included in such adjusted gross income, in the calendar year ending immediately preceding the assessment date with respect to which such additional exemption is allowed, is not more than \$12,000.

§ 320-8. Application for exemption.

In order to qualify for such exemption as provided in § 320-7 of this article, the veteran or spouse shall be required to make application on forms to be furnished by the Board of Assessors. The application must be filed not later than the assessment date with respect to which the exemption is claimed. Each application shall include a copy of the veteran's or spouse's federal income tax return and such other documentary proof as may be required by the Board of Assessors.

§ 320-9. Applicability.

This article shall apply to the Grand List of the Town of Windsor Locks of October 1, 1990, and subsequent years.

ARTICLE V
Pari-Mutuel and Off-Track Betting Facilities
[Adopted 6-30-1993]

§ 320-10. Liability for payment of tax.

Any person charging admission to a place licensed by the Gaming Policy Board and containing a pari-mutuel system therein or to any off-track betting facility located within the Town of Windsor Locks shall be responsible to pay to the Town of Windsor Locks such tax as is imposed by the Town of Windsor Locks as set forth in § 320-11 of this article.

§ 320-11. Authority to impose.

In accordance with Chapter 226a of the Connecticut General Statutes (Sections 12-579 to 12-582), the Town of Windsor Locks hereby imposes a tax of 10% of the admission charge as defined in Subsection (3) of Section 12-540 of the Connecticut General Statutes, to any place licensed by the Gaming Policy Board and containing a pari-mutuel system therein or to any off-track betting facility located within the Town of Windsor Locks.

§ 320-12. Collection.

The tax, as provided in Subsection A above, shall be imposed, administered and collectable in accordance with Chapter 226a of the Connecticut General Statutes, as amended (Sections 12-579 to 12-582).

§ 320-13. Appeals.

Any taxpayer aggrieved because of any order, decision, determination or disallowance of the Tax Collector of the Town of Windsor Locks under the provisions of Chapter 226a of the Connecticut General Statutes, as amended (Sections 12-579 to 12-582), and this section, may take an appeal therefrom to the Superior Court, Judicial District of Hartford/New Britain at Hartford, in accordance with the provisions of said Chapter 226a of the Connecticut General Statutes, as amended.

§ 320-14. When effective; applicability.

This article shall take effect from its passage and shall apply to all monies already collected by the Teletheatre off-track betting facility of the State of Connecticut as a municipal admission tax in anticipation of the passage of this article.

ARTICLE VI
Payment of Certain Taxes in One Installment
[Adopted 6-1-1995]

§ 320-15. Authority and amount.

The Town of Windsor Locks, acting herein by Town Meeting, authorizes the Tax Collector to collect any property tax (real or personal) of \$100 or less in one installment only, effective July 1, 1995, as permitted by C.G.S. § 12-144, and proposed by the Board of Selectmen.

ARTICLE VII
Exemption for Ambulance-Type Vehicles
[Adopted 4-22-2003]

§ 320-16. Statutory authority.

The exemption(s) authorized by C.G.S. § 12-81c, as amended, is hereby adopted as follows.

§ 320-17. Exemption granted.

There is hereby created, pursuant to C.G.S. § 12-81c, an exemption from personal property taxation, after inspection and approval by the Assessor's office, of any privately owned vehicle equipped with special hand controls or other adaptation for physically disabled drivers or passengers, and vans equipped with wheelchair lifts or hoists, exclusively for the purpose of transporting physically disabled persons or passengers.

§ 320-18. Limitations.

This exemption shall not apply to any vehicle used to transport such persons for payment.

§ 320-19. Application for exemption.

Any person who wishes to claim said exemptions may file a written application with the Assessor's office.

§ 320-20. Authorization.

The Assessor is given the authority to promulgate such regulations and forms as necessary to implement this exemption.

§ 320-21. Filing of application; contents.

In order to qualify for such exemption as provided in § 320-17 of this article, the owner of any ambulance-type motor vehicle shall be required to make application on forms to be furnished by the Board of Assessors. The application must be filed not later than the assessment date with respect to the exemption claimed. Each application shall include a copy of the vehicle's validated registration, together with any other documentation as may be required by the Board of Assessors.

§ 320-22. Applicability.

This article shall apply to the Grand List of the Town of Windsor Locks of October 1, 2003, and subsequent years.

ARTICLE VIII
Exemption for Elderly or Totally Disabled Persons
[Adopted 4-27-2005]

§ 320-23. Eligibility.

- A. The claimant (or spouse if domiciled together) must have been 65 years of age by December 31 of the calendar year preceding the filing requirement date. Totally disabled persons, regardless of age, are eligible.
- B. Elderly or totally disabled taxpayers who qualify for the State of Connecticut tax relief program for elderly or totally disabled homeowners under the provisions of C.G.S. §§ 12-129b through 12-129d, inclusive, as the same may be amended from time to time, shall have applied and be eligible for such relief.
- C. The claimant must have been a resident of the Town of Windsor Locks for a period of one year immediately preceding the application for tax relief and occupy such property as his or her principal residence for at least 270 days of each calendar year. This tax relief shall apply only to the claimant's principal place of residence (house and house lot). This relief does not apply to applicant's additional land, outbuildings, or any new structures or additions built after initial application for this program.

§ 320-24. Application for exemption; allocation of benefit; administration.

- A. Any property owner, believing himself/herself entitled to a tax reduction under this program, must make application to the Town of Windsor Locks between February 1 and May 15 of the calendar year following the October 1 Grand List date for which tax relief is sought. The claimant must reapply for subsequent qualification on a biennial basis. Any applicant that currently has applied and has been approved for the 2004 Grand List for the state property tax relief program shall be granted the exemption, but must reapply for the Town benefit during the next subsequent application for the state benefit.

- B. Application shall be made on forms provided by the Assessor for the Town of Windsor Locks, and shall be accompanied by a copy of the applicant's most recent federal tax return and proof of all other sources of income.
- C. The Assessor for the Town of Windsor Locks is delegated the authority to administer this program and promulgate forms, rules and regulations consistent with this article and applicable state statutes.
- D. If, during the tax year, a qualifying taxpayer dies, leaving a spouse who would also qualify under this article, the surviving spouse shall be entitled to receive the remaining benefits for that year. If, during the tax year, a qualifying unmarried taxpayer dies on or before June 1, no local tax benefit shall be applied. If a qualifying unmarried taxpayer dies on or after June 2, a proration of the benefit shall be applied according to State Office of Policy and Management guidelines.
- E. If any spouse dies during the preceding calendar year, both incomes must be included as in an IRS filing.
- F. If any person who is receiving benefits from this article transfers, assigns, grants or otherwise conveys his/her property on or before June 1, no local tax benefit shall be applied. If any person who is receiving benefits from this article transfers, assigns, grants or otherwise conveys his/her property on or after June 2, a proration of his/her benefit shall be applied according to State Office of Policy and Management guidelines.
- G. Two or more persons (not married) owning real property together may be eligible for tax relief, but each shall share the credit proportional to the property ownership each shares.
- H. If claimant's income exceeds the eligibility level in any given year, the claimant may reapply the following year.
- I. Those homeowners on the "freeze" program do not qualify for this program.
- J. If any special tax is levied by the Town of Windsor Locks on real property, Section 12-129o of the Connecticut General Statutes applies.
- K. The tax relief benefits consistent with the foregoing eligibility requirements will be administered by the Assessor in accordance with the schedule of qualifying income provided by the State Office of Policy and Management annually.

§ 320-25. Computation of benefits.

- A. The Assessor shall determine whether the applying taxpayer is eligible for the tax relief under this article and shall compute the amount of tax relief to which the taxpayer is entitled and advise the Tax Collector in what amount to reduce the tax levied against the taxpayer.
- B. The amount of tax relief granted shall be a percentage of the tax due, which shall correspond to the qualifying income and percent as set by state guidelines. The benefit shall be computed as a percent off of the tax bill due after the state benefit has been applied. The Town's benefit shall be based on a maximum percentage as recommended

by the Board of Finance annually. The amount of qualifying income shall be adjusted annually to reflect the annual inflation adjustment to Social Security income as per Office of Policy and Management guidelines.

- C. In no case shall the combined total tax relief both from the state and the Town of Windsor Locks exceed 75% of the total real property taxes due the applicant as per Section 12-129f of the Connecticut General Statutes.¹

1. Editor's Note: C.G.S. § 12-129f was repealed by 1972 P.A. 253, § 3, effective 5-16-1972.

Chapter 324

TAX-DELINQUENT PARTIES AND PROPERTY

ARTICLE I

Issuance of Permits and Certificates of Occupancy

§ 324-1. Restrictions on issuance.

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

ARTICLE II

Awarding of Bids and Contracts

§ 324-2. Restrictions on awards.

GENERAL REFERENCES

Taxation — See Ch. 320.

ARTICLE I

Issuance of Permits and Certificates of Occupancy [Adopted 4-18-1994]

§ 324-1. Restrictions on issuance.

No employee or official of the Town of Windsor Locks shall issue a certificate of occupancy (CO) or any permit of any kind to any applicant or on any property by or on which any taxes and/or sewer user fees are deemed to be delinquent.

ARTICLE II

Awarding of Bids and Contracts [Adopted 4-18-1994]

§ 324-2. Restrictions on awards.

No employee or official of the Town of Windsor Locks shall award any bid or contract to any business or individual against which any taxes and/or sewer user fees are deemed to be delinquent.

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Chapter 335

VEHICLES, ABANDONED OR INOPERABLE

§ 335-1. Purpose; enforcement.

§ 335-2. Definitions.

§ 335-3. Exemptions.

§ 335-4. Application for repair.

§ 335-5. Penalties for offenses.

§ 335-6. Notice of violation; procedure for removal.

§ 335-7. Appeals.

§ 335-8. Cost of removal.

§ 335-9. Notice to Commissioner of Motor Vehicles.

[HISTORY: Adopted by the Town of Windsor Locks 3-9-1989. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 236.
Solid waste — See Ch. 299.

Vehicles and traffic — See Ch. 340.

§ 335-1. Purpose; enforcement.

The purpose of this chapter is to eliminate junked motor vehicles not under cover from the Town. These junked motor vehicles have a blighting and deteriorating effect upon the enjoyment of properties nearby and the value of such properties and constitute a safety hazard to children in the neighborhood, and are found to be a nuisance. Enforcement of this chapter shall be by the Building Department, working in conjunction with the Police Department.

§ 335-2. Definitions.

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

ANTIQUUE — A rare or special-interest motor vehicle; a motor vehicle 25 years old or older which is being preserved and which is not altered or modified from the original manufacturer's specifications.

CHIEF — The Chief of Police of Windsor Locks or his designee.

CLASSIC MOTOR VEHICLE — A motor vehicle 15 years old to 25 years old which is being preserved.

INOPERABLE — A motor vehicle which is incapable of being legally operated on public roads without major work or modifications. Missing parts or broken or severely damaged components shall be prima facie evidence of inoperability.

JUNKED MOTOR VEHICLE — A motor vehicle located on private property which is inoperable. For the purposes of this definition, "junked motor vehicle" shall also include parts

of motor vehicles or iron, metal, glass, plastic, paper, cordage, or other waste, or discarded or secondhand materials which have been a part of or intended to be a part of any motor vehicle.

MAJOR WORK OR MODIFICATION — Repairs and/or modifications necessary to render a motor vehicle operable which, in the reasonable opinion of the Zoning Enforcement Officer, exceed \$200.

MODIFIED ANTIQUE MOTOR VEHICLE — A motor vehicle 25 years old or older which has been modified for safe road use, including, but not limited to, modifications to the drive train, suspension, braking system and safety or comfort apparatus.

MOTOR VEHICLE — Any vehicle propelled or drawn by any power other than muscular, as defined in C.G.S. § 14-1(53), as amended.

UNDER COVER — Completely enclosed in a garage or other building serving the purpose of a garage.

VEHICLE APPEALS BOARD (VAB) — A three-member board consisting of three public citizens appointed by the Board of Selectmen for a term of two years. Said terms shall be staggered so that not more than two appointments shall expire at any given time. In addition, there shall be two alternate members consisting of public citizens appointed by the Board of Selectmen for a term of two years, said terms to be staggered so that they will expire every other year.

ZONING ENFORCEMENT OFFICER — The Zoning Enforcement Officer of the Windsor Locks Building Department, or his designee.

§ 335-3. Exemptions.

The following shall be exempt from the application of this article:

- A. Motor vehicles under cover.
- B. Motor vehicle junkyards, licensed pursuant to C.G.S. § 14-67i, not in violation of any zoning regulations of the Town of Windsor Locks.
- C. Motor vehicles in the active process of being restored and/or repaired to operable condition, as stated in the application for repair filed with and approved by the Zoning Enforcement Officer in accordance with § 335-4, under the following conditions:
 - (1) Only one such motor vehicle shall be permitted at any time on the property;
 - (2) All automobile parts used for the restoration must be stored in the vehicle or in a structure, as permitted under Town zoning regulations;
 - (3) Restoration and/or repair work is not to be done in the front yard or side yard areas as determined by the Town's zoning regulations;
 - (4) All such motor vehicles shall be covered with an opaque tarpaulin whenever work is not being performed; and

- (5) Upon approval of the application for repair, one additional junked motor vehicle may be maintained on the premises of said property for use as replacement parts for the vehicle being repaired. Such replacement parts junked motor vehicle may be kept on said property for a period not to exceed 60 days; and only one such sixty-day-period is allowed during any one year. Storage of such vehicle will not be done in the front yard or side yard areas, as determined by the Town's zoning regulations, and, if such vehicle is not under cover, it shall be covered with an opaque tarpaulin whenever work is not being performed.

§ 335-4. Application for repair.

- A. Any person or persons wanting to repair a junked motor vehicle must complete an application for repair. Such application is to be made to the office of the Zoning Enforcement Officer. The form of such application shall be determined by the Zoning Enforcement Officer. The application for the repair shall be signed by the owner of the motor vehicle and the owner of the property where the junked motor vehicle is located.
- B. Said repair permit shall be in effect for 60 days, and up to two additional thirty-day extensions may be granted by the Zoning Enforcement Officer upon proof of work being performed or replacement parts being procured. In the case of antique, modified antique, or classic automobiles, said repair permit shall be in effect for one year, and a single one-year extension may be granted by the Zoning Enforcement Officer upon proof of work being performed or replacement parts being procured.

§ 335-5. Penalties for offenses.

Junked motor vehicles not under cover are prohibited within the limits of the Town. Anyone responsible for causing or permitting a junked motor vehicle not under cover to exist shall be subject to a fine of \$25 per day for each day or part thereof that the condition continues on private property for a period longer than 30 days, as stated in the notice of violation, in accordance with § 335-6C. Each additional day or part thereof shall constitute a new and separate offense, punishable hereunder, after expiration of the time provided in the notice of violation. All fines imposed pursuant to this section are deemed to be costs collectable pursuant to § 335-8 of this chapter.

§ 335-6. Notice of violation; procedure for removal.

- A. When it is determined that a motor vehicle is located for a period longer than 24 consecutive hours on a public highway, public property, or on private property without the consent of the owner, the provisions of C.G.S. § 14-150, as amended, shall apply.
- B. Prior to the implementation of Subsection C of this section, and when the Zoning Enforcement Officer determines that a junked motor vehicle is located on private property, the Zoning Enforcement Officer, or the Chief of Police when so directed by the First Selectman, shall serve a written warning by personal service or certified mail, return receipt requested, to the person in possession or control of such property and the owner of such vehicle, if known. The written warning shall advise the recipient of the presence

of a junked motor vehicle on said property and that, if the junked motor vehicle is present on said property after the expiration of 10 consecutive days from the date of issuance of the written warning, the provisions of Subsection C of this section shall be implemented.

- C. When the Zoning Enforcement Officer determines that a junked motor vehicle is located on private property, the Zoning Enforcement Officer, or the Chief of Police when so directed by the First Selectman, shall serve a written notice of violation by personal service or certified mail, return receipt requested, to the person in possession or control of such property, the owner of such property and the owner of such vehicle, if known, to remove said motor vehicle within 30 days after publication of the notice of violation by the Zoning Enforcement Officer in a newspaper of substantial circulation in the Town. The notice of violation served under this subsection shall include an "Appraisal of Condition of the Vehicle Report," which shall list the components of the vehicle which cause it to be in violation of this chapter. The form of the Appraisal of Condition of the Vehicle Report shall be determined by the Zoning Enforcement Officer. If such owner or person remains in violation of this chapter after the expiration of the time period provided in this Subsection C, the Chief of Police shall remove and dispose of said motor vehicle.

§ 335-7. Appeals.

Any person aggrieved by a notice of violation of the Zoning Enforcement Officer shall have the right to file an appeal to the Vehicle Appeals Board within 10 days of the receipt of the notice of violation. A form for filing an appeal shall be included with the notice of violation. The Zoning Enforcement Officer shall schedule a hearing on the appeal before the Vehicle Appeals Board within 10 days of the filing of the appeal, said hearing to be held no later than 30 days after the filing of the appeal. At all such hearings, the party filing the appeal shall have the burden of proving that said motor vehicle(s) described in the notice of violation is/are not in violation of this chapter. This burden shall be satisfied by showing that all findings contained within the Appraisal of Condition of the Vehicle Report are in error. The decision of the Board shall be final and shall be rendered on the same date as the hearing. Enforcement of this chapter shall not occur during the appeal process. When applicable, the Chief of Police shall enforce decisions of the Vehicle Appeals Board 10 days after the rendering of the decision.

§ 335-8. Cost of removal.

The Town shall have the right to collect from any owner of a junked motor vehicle, or from the person in possession or control or owner of the property where a junked motor vehicle is located, who is in violation of this chapter, the costs incurred in removing and/or disposing of the junked vehicle. A bill for the Town's costs of removal and disposal shall be promptly sent by the Town to the appropriate person. Said costs shall be reduced by any sale of the junked motor vehicle. Where the full amount of costs due the Town is not paid by the appropriate person within 30 days after the bill for such costs has been submitted, the Town may file an action in the appropriate court against any such person to recover all costs remaining unpaid.

§ 335-9. Notice to Commissioner of Motor Vehicles.

When any junked motor vehicle is found, the Chief of Police shall give written notice to the Commissioner of Motor Vehicles which shall include the location of the vehicle, the time the vehicle was first discovered and such other data and description of the vehicle which would be helpful to the Commissioner in identifying the vehicle and the owner of said vehicle.

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Chapter 340

VEHICLES AND TRAFFIC

ARTICLE I Authority to Revise Parking Regulations

§ 340-1. Authority of Police Commissioners.

ARTICLE II Parking Meters

§ 340-2. Authority to install.
§ 340-3. Regulations.
§ 340-4. Penalties for offenses.

ARTICLE III U-Turns Prohibited

§ 340-5. Prohibited locations.
§ 340-6. Penalties for offenses.

ARTICLE IV Penalties for Overtime Parking

§ 340-7. Penalties for offenses.

ARTICLE V Payment of Automobile Taxes

§ 340-8. Installment payments.

ARTICLE VI Winter Parking

§ 340-9. Parking during storms prohibited.

§ 340-10. Penalties for offenses; impounding of motor vehicles.

§ 340-11. Temporary parking prohibitions.

ARTICLE VII Fire Lanes

§ 340-12. Applicability.
§ 340-13. Definitions.
§ 340-14. Maintenance.
§ 340-15. Notification.
§ 340-16. Marking.
§ 340-17. Notice of required compliance; penalties for offenses.
§ 340-18. Parking in fire lanes prohibited.
§ 340-19. Parking violation notice.
§ 340-20. Towing of vehicles in violation; removal of obstructions.

ARTICLE VIII Truck Parking

§ 340-21. Definitions.
§ 340-22. Overnight parking prohibited.
§ 340-23. Exceptions.
§ 340-24. Penalties for offenses.

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

GENERAL REFERENCES

Parking Authority — See Ch. 12, Art. III.

Abandoned or inoperable vehicles — See Ch. 335.

ARTICLE I

Authority to Revise Parking Regulations

[Adopted 10-4-1933 (Ch. XIV, § 1, of the Town Compilation)]

§ 340-1. Authority of Police Commissioners.

The Police Commissioners are authorized to amend the parking regulations in any manner which seems to them to be advisable.

ARTICLE II

Parking Meters

[Adopted 8-22-1951 (Ch. XIV, § 7, of the Town Compilation)]

§ 340-2. Authority to install.

Parking meters shall be installed in Windsor Locks, and the Board of Police Commissioners is hereby empowered to sign all necessary contracts for their installation, subject, however, to the approval of the Board of Selectmen.

§ 340-3. Regulations.

The Board of Police Commissioners is hereby empowered to enact regulations governing the installation, operation, maintenance and control of all parking meters in Windsor Locks.

§ 340-4. Penalties for offenses.

Anyone violating such regulations by parking contrary thereto shall be subject to a fine of \$1 for each offense.

ARTICLE III

U-Turns Prohibited

[Adopted 6-25-1953 (Ch. XIV, § 9, of the Town Compilation)]

§ 340-5. Prohibited locations.

U-turns by automobiles and other vehicles on Main Street in Windsor Locks, Connecticut are hereby prohibited.

§ 340-6. Penalties for offenses.

Anyone violating this article shall be fined not more than \$100 or imprisoned not more than 30 days, or both.

ARTICLE IV
Penalties for Overtime Parking
[Adopted 4-14-1954 (Ch. XIV, § 3, of the Town Compilation)]

§ 340-7. Penalties for offenses.

The penalty for overtime parking on the streets of Windsor Locks as designated by the Windsor Locks Police Commission, and in parking areas owned or operated by the Town of Windsor Locks or the Windsor Locks Parking Authority, shall be a fine of not less than \$1 and not more than \$25 for each offense.

ARTICLE V
Payment of Automobile Taxes
[Adopted 12-15-1977]

§ 340-8. Installment payments.

Automobile taxes in excess of \$50 may be paid in two installments.

ARTICLE VI
Winter Parking
[Adopted 4-18-1994, §§ 1, 2 and 3]

§ 340-9. Parking during storms prohibited.

No vehicle shall be allowed to remain standing or parked on any Town-maintained street or highway in the Town of Windsor Locks during any ice, snow, sleet, or hail storm which shall have been in progress one hour until 12 hours after the storm has ended.

§ 340-10. Penalties for offenses; impounding of motor vehicles.

- A. The registered owner of such vehicle shall be fined the sum of \$25, plus towing and storage charges. The owner of such vehicle shall notify the Windsor Locks Police Department that said owner's vehicle cannot, for whatever reason, be removed under its own power, and request its removal, in which case no fine shall be imposed. Said owner shall be liable for the cost of such removal.
- B. Any vehicle left unattended may be impounded and taken by or at the direction of a Windsor Locks police officer to a suitable pound to be determined by the Windsor Locks Police Commission or its duly authorized representative. The operator of such pound shall furnish to the Police Commission or its duly authorized representative satisfactory evidence of insurance coverage and shall sign an agreement with the Town, absolving the Town from any and all liability and claims for damages arising from the towing and storage of any impounded vehicle(s).
- C. The Windsor Locks Police Commission or its duly authorized representative shall cause a record to be kept of all cars so impounded, together with the name of the registered

owner thereof, the location from which taken, the name of the police officer directing its removal, and the location to which taken.

- D. The owner of such vehicle may reclaim such vehicle upon showing proper evidence of ownership and upon paying both the fine referred to in Subsection A and all towing and storage charges.

§ 340-11. Temporary parking prohibitions.

The Windsor Locks Police Commission or its duly authorized representative is authorized to declare a parking ban temporarily prohibiting parking in any area where, in its opinion, or in the opinion of its duly authorized representative, it is necessary to facilitate the removal of snow and other good and sufficient purposes. Such notice of temporary prohibition shall be made by placing signs on affected streets or by radio or newspaper publicity.

ARTICLE VII
Fire Lanes
[Adopted 1-17-1995]

§ 340-12. Applicability.

This article shall apply to all new and existing shopping centers, office buildings, manufacturing buildings, commercial buildings, mercantile buildings, warehouses, storage buildings, hospitals, convalescent homes, rest homes, nursing homes, schools, public buildings, places of assembly, temporary places of assembly and amusement, apartment buildings, hotels, motels, congregate housing, condominiums, and parking facilities.

§ 340-13. Definitions.

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

FIRE LANE — A designated unobstructed passageway at least 25 feet in width with an outside turning radius of 50 feet and constructed in a manner approved by the Fire Chief or the Fire Marshal, as the case may be, to permit free passage of fire apparatus and other emergency equipment from a public highway to all necessary areas around or upon any of the premises enumerated in § 340-12, in all seasons and in all kinds of weather.

TEMPORARY FIRE LANE — A fire lane, as defined above, which is posted for a temporary place of assembly or amusement, by temporary signs, for a period not to exceed 30 days. A temporary fire lane may also be established in those structures as noted in § 340-12 for special events.

TEMPORARY PLACE OF ASSEMBLY OR AMUSEMENT — Any temporary assembly or amusement, such as carnivals, circuses, tent, flea markets, fairs and displays, erected for a period not to exceed 30 days.

§ 340-14. Maintenance.

Fire lanes established under this article shall be kept free of ice and snow and rubbish containers or other obstructions by the owner, owners, tenant, lessee, or their respective agents.

§ 340-15. Notification.

The Fire Marshal and/or Fire Chief shall designate such fire lanes and shall notify in writing the owner, owners or agents of such premises enumerated in § 340-12 of establishment of said fire lanes. Said notice may be personally delivered or sent by certified mail.

§ 340-16. Marking.

The owner, owners, agent, or lessee shall cause to be erected, installed and maintained, at its own expense, permanent, adequate standard parking signs and pavement markings as follows:

- A. Fire lane signs shall bear the words "Fire Lane - No Parking - Vehicles May Be Towed At Owner's Expense." Signs for temporary fire lanes may be of cardboard or plastic.
- B. Pavement markings shall consist of white or yellow permanent paint or other approved pavement marking. The markings shall consist of cross-hatched markings the length of the fire lane and extending from the innermost fire lane border at least eight feet into the fire lane. The cross-hatching shall be at least four inches in width. The words "Fire Lane - No Parking" shall interrupt the cross-hatching. The letters shall be at least 12 inches in length with brush stroke widths of the individual letters being at least three inches in width. The required verbiage shall interrupt the cross-hatching at least every 20 feet.

§ 340-17. Notice of required compliance; penalties for offenses.

The Fire Marshal and/or Fire Chief may notify the owner or owners or agents of such premises enumerated in § 340-12 of specific requirements to comply with this article. Such notice may be personally delivered or sent by certified mail and shall prescribe a reasonable time for compliance. If compliance is not obtained within said time, then such owner, owners or agents shall be subject to a fine of \$50 per violation. Each day following such specified time for compliance shall constitute a violation.

§ 340-18. Parking in fire lanes prohibited.

No person shall park a motor vehicle or other obstruction in any fire lane that has been established in accordance with this article. No person shall stand a motor vehicle within any portion of the fire lane.

§ 340-19. Parking violation notice.

Whenever any vehicle shall be found parked or standing in violation of the regulations as established in § 340-18 above, any police officer or the Fire Marshal may attach to such

vehicle a notice to the owner or the operator thereof that such vehicle has been parked in violation of these regulations. The Windsor Locks Traffic Authority will set all fines and penalties for violation of this article.

§ 340-20. Towing of vehicles in violation; removal of obstructions.

- A. Any vehicle found parked or standing in a fire lane that has been established in accordance with this article may be towed on the direction of a police officer, the Fire Marshal, or Fire Chief to any public or private parking facility, and all expenses of such towing, and any subsequent storage, shall be borne by the registered owner or operator of the vehicle.
- B. Upon failure of the owner, owner's lessee, tenant, or their respective agents to remove other obstructions to a fire lane established in accordance with this article, such obstruction may be removed at the direction of a police officer, the Fire Marshal or Fire Chief. All expenses of such removal and subsequent storage charges shall be borne by the owner, owner's lessee, tenant or their respective agents.

ARTICLE VIII
Truck Parking
[Adopted 2-5-2008]

§ 340-21. Definitions.

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

TRUCK — A motor vehicle having a gross weight of 10,000 pounds or more, and designed, used or maintained primarily for the transportation of property and persons, and includes tractors capable of drawing one or more trailers.

§ 340-22. Overnight parking prohibited.

No truck, as defined above, shall be allowed to park on any public road in the Town of Windsor Locks between the hours of 11:00 p.m. and 6:00 a.m.

§ 340-23. Exceptions.

The provisions of this article shall not apply to trucks owned and operated by the Town of Windsor Locks or any Town of Windsor Locks contractor.

§ 340-24. Penalties for offenses.

Any violation of this article shall subject the violator to a fine of not more than \$99.

Chapter 349

WATER

ARTICLE I
Emergency Water Conservation

§ 349-1. Definitions.

§ 349-2. Declaration of water emergency.

§ 349-3. Water conservation regulations.

§ 349-4. Responsibility for compliance.

§ 349-5. Notice of violations.

§ 349-6. Appeals.

**§ 349-7. Penalties for offenses;
enforcement.**

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

GENERAL REFERENCES

Buildings and building construction — See Ch. 155.

Sewers — See Chs. 288 and 292.

ARTICLE I
Emergency Water Conservation
[Adopted 5-30-2002]

§ 349-1. Definitions.

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

PERSON — Any person, firm, partnership, association, corporation, company or organization of any kind.

TOWN — The Town of Windsor Locks.

TOWN WATER — Water from the Connecticut Water Company or any of its successors or assigns which might provide water to the Town as a public water supply company.

§ 349-2. Declaration of water emergency.

The Board of Selectmen of the Town of Windsor Locks is hereby authorized to declare a state of water emergency in and for the Town at any time upon its determination that continuing drought conditions threaten the water supply of the Town. In the event of such a declaration, the Board of Selectmen may immediately impose such water conservation regulations from amongst those set forth in § 349-3 below as it shall deem necessary to deal with said water emergency. The Board of Selectmen may lift said regulation as and when it determines the

water emergency no longer requires their imposition. Imposition shall become effective 24 hours after publication in a newspaper having a general circulation the Town.

§ 349-3. Water conservation regulations.

- A. No person shall use any hose, sprinkler or other device whatsoever, except a water can receptacle, which utilizes the Town water supply system for the purpose of watering lawns or gardens.
- B. No person shall use any hose, sprinkler or other device whatsoever which utilizes Town water for the purpose of washing any motor vehicle in the Town, unless said person has a system of recirculating water used for such purposes.
- C. No person shall use the Town water for ornamental or display fountains of any kind.
- D. No Town fire hydrants are to be used except by the Fire Department or other persons with permission granted by the Board of Selectmen.
- E. No person shall use any air-conditioning system which utilizes the Town water unless such air-conditioning system has a system of recirculating water.
- F. No person shall use the Town water for spraying or wetting down any roofs of any buildings in the Town.
- G. No person shall use the Town water by flushing or wetting down any streets, sidewalks, driveways, or parking areas in the Town.
- H. The escape of water through defective plumbing is hereby prohibited. "Defective plumbing" shall mean the knowing permission for defective plumbing to remain out of repair.
- I. In the event of a declared state of water emergency, the First Selectman may impose mandatory water conservation measures upon all commercial and industrial consumers.
- J. No person shall use the Town water for the filling of pools.
- K. No person shall use the Town water for watering of Town fields.

§ 349-4. Responsibility for compliance.

The owner, lessee, or occupant of premises subject to this article, including the agents thereof, shall be jointly and severally obligated to comply with the provisions of this article. Whenever the person, as herein defined, is a corporation or other legal entity, the officers thereof shall be jointly and severally responsible with that corporation or other legal entity.

§ 349-5. Notice of violations.

Whenever the First Selectman or his designee determines that there has been a violation of any provision of this article, such officer shall give notice of such violation to the person responsible therefor, as hereinafter provided. Such notice shall:

- A. Be in writing;
- B. Set forth the violations of this article;
- C. Be served upon the owner or the owner's agent, or the occupant as the case may require; provided such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is posted in a conspicuous place in or about the dwelling affected by this notice; or if such person is served with such notice by any other method authorized or required under the laws of the state; and
- D. State the penalties imposed.

§ 349-6. Appeals.

Any person notified in accordance with § 349-5 above may appeal said notice of violation(s) to the Housing Code of Appeals, in writing, within 10 days of the date of said notice.

§ 349-7. Penalties for offenses; enforcement.

- A. Penalties for offenses.
 - (1) Each violation of this article shall be considered a separate municipal offense.
 - (2) Each day any violation continues shall constitute a separate offense.
 - (3) Each separate offense under this article shall be punishable by a fine of \$100 payable to the Town of Windsor Locks.
- B. Enforcement.
 - (1) The First Selectman, his designee, or any police officer in the Town of Windsor Locks is authorized to issue a citation or summons for a violation of this article.
 - (2) In addition thereto, the First Selectman or his designee is authorized to initiate legal proceedings in the Superior Court for the immediate collection of any penalties and the recovery of all costs, including reasonable attorney's fees, incurred by the Town of Windsor Locks to enforce this article.
 - (3) All fines, court costs, and attorney's fees, as ordered by the Court, shall constitute a lien on the subject premises, provided the owner of said premises has been notified of the violations as herein provided and was made a party to the enforcement proceedings.

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APPENDIX

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Chapter A400
SPECIAL ACTS

ARTICLE I
Table of Special Acts

ARTICLE II
Incorporation of Town

§ A400-1. Incorporating the Town of Windsor Locks.

ARTICLE III
Empowering Town to Lay Curbs and Sidewalks

§ A400-2. An Act Empowering the Town of Windsor Locks to Lay Curbs and Sidewalks.

ARTICLE IV
Act Validating Acts and Deeds

§ A400-3. An Act Validating Acts and Deeds, Valid Except for Certain Irregularities and Omissions.

ARTICLE V
Powers of Police Commissioners

§ A400-4. An Act Concerning the Powers of the Police Commissioners in the Town of Windsor Locks.

ARTICLE VI
Discontinuance of Roads

§ A400-5. An Act Discontinuing Certain Highways Crossing the Site of the Airport Located in the Towns of East Granby and Windsor Locks.

ARTICLE VII
Establishment of Police Department

§ A400-6. An Act Establishing a Police Department in the Town of Windsor Locks.

ARTICLE VIII
Filing of Assessment Lists

§ A400-7. An Act Concerning the Filing of Assessment Lists in the Town of Windsor Locks.

ARTICLE IX
Park Department

§ A400-8. An Act Establishing a Park Department in the Town of Windsor Locks.

ARTICLE X
Biennial Elections in the Town of Windsor Locks

§ A400-9. An Act Concerning Biennial Elections in the Town of Windsor Locks.

ARTICLE XI
Establishment of Reserve Funds

§ A400-10. An Act Authorizing the Establishment of Reserve Funds in the Town of Windsor Locks.

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ARTICLE XII
**Establishment of Fire Department and
Board of Fire Commissioners**

§ A400-11. **An Act Concerning the Fire Department and the Board of Fire Commissioners in the Town of Windsor Locks.**

ARTICLE XIII
Appropriations for War Memorial

§ A400-12. **An Act Authorizing the Town of Windsor Locks to Make Appropriations for Expenses in Connection with a War Memorial.**

ARTICLE XIV
Merit System for Police Department

§ A400-13. **An Act Establishing a Merit System for the Police Department of the Town of Windsor Locks.**

ARTICLE XV
Election of Sewer Commission

§ A400-14. **An Act Concerning Election of the Sewer Commission of the Town of Windsor Locks.**

ARTICLE XVI
Sewerage System

§ A400-15. **An Act Concerning the Sewerage System of the Town of Windsor Locks.**

ARTICLE XVII
Boundary Between Windsor and Windsor Locks

§ A400-16. **An Act Concerning a Change in Boundary Between the Towns of Windsor and Windsor Locks.**

ARTICLE XVIII
Public Works Department

§ A400-17. **An Act Establishing a Public Works Department in the Town of Windsor Locks.**

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

ARTICLE I
Table of Special Acts

Special Act No.	Adoption Date	Approved by Town	Subject Matter
369	1947	1-27-1965	Authorizing Towns of Suffield, Windsor Locks, Windsor and East Granby to utilize the sewage disposal plant at Bradley Field
322	6-30-1955	8-18-1955	Authorizing Town to make appropriations for expenses in connection with a war memorial

DRAFT
SPECIAL ACTS

§ A400-1

§ A400-1

Special Act No.	Adoption Date	Approved by Town	Subject Matter
55	5-13-1969		Authorizing Board of Fisheries and Game to sell state-owned fish hatchery in Windsor Locks to the Town
52	5-12-1971		Granting permission to Jennie Ciulewicz to pursue suit against Town
16	4-28-1972		State grant to Town of easement through certain state property
17	4-28-1972		Validation of certain ordinances of Town adopted since January 1, 1968
73-2	3-15-1973		Amendment to state grant to Town of easement through certain state property (P.A. 16, 1972)
77-72	7-5-1977		Relocation of Route 190 from Suffield-Enfield Bridge to Route 75
79-1		1-24-1980	Enabling the Towns of Windsor, Windsor Locks, East Granby and Suffield to abate taxes on property damaged October 3, 1979 by tornado

ARTICLE II
Incorporation of Town
[Approved by the General Assembly 1854]

§ A400-1. Incorporating the Town of Windsor Locks.

Resolved by this Assembly, That all that part of the town of Windsor lying northerly of a line commencing on Connecticut river, at the northeast corner of the sixth school district, in the first society of said Windsor, thence following the north line of said district to the northwest corner thereof, thence westerly to the junction of the Suffield and Poquonnock road, with the road leading to Rainbow, thence westerly to the southeast corner of the center school district of the Turkey Hills society, thence following the south line of said district to Granby town line, with the inhabitants residing therein, be and the same is hereby incorporated into a distinct and separate town, by the name of WINDSOR LOCKS; and the inhabitants aforesaid, and their successors forever, residing within said limits, shall have and enjoy all the privileges and immunities which are enjoyed by other towns in this state, with the right of sending one representative to the general assembly of this state. And said town of Windsor Locks shall pay its proportion of all debts and claims already due, or for which said town of Windsor may hereafter be made liable by force of any claim now existing, and all expenses which have been or may hereafter be incurred in repairing the injuries to highways and bridges in the present town of Windsor, caused by the late freshets, according to the list of 1853 in such proportion as the list of the town of Windsor Locks, as hereby constituted, bears to the list of the town of Windsor, as hereby constituted.

And said new town shall be entitled to its proper proportion of the town deposit fund, and all other property belonging to said present town of Windsor, except Scantic ferry, town records and books, according to the last enumeration of scholars in said town. And the poor of said town of Windsor, who were born within the limits hereby incorporated, and have not gained a settlement elsewhere in this state than in said town of Windsor, or who have gained a settlement in said town of Windsor by residence, or otherwise, within said limits, shall be deemed inhabitants of said town of Windsor Locks, unless, at the passage of this resolve, they shall reside in the town of Windsor, as hereby constituted, and shall be maintained accordingly, whether said poor are now maintained by said town of Windsor or not, and said new town shall also be liable to maintain all such poor persons of the present town of Windsor, as are absent therefrom. Provided such persons, at the time of departure, have a legal settlement in that part of the present town which is hereby incorporated into a new town, and all legal inhabitants of the present town of Windsor, now residing therein, are hereby declared to be inhabitants of the town in which they reside at the passage of this resolve. And if, after the organization of said towns, as established by this act, the selectmen of said towns do not, on or before the first day of December, 1854, agree as to the division of said town deposit fund, and all other property not herein before excepted, belonging to said present town of Windsor, the paupers, and the debts, and claims now outstanding against said present town of Windsor, then the selectmen of either of said towns, as thus organized, may apply to Benjamin Pinney, Esq., of Ellington, or to Ralph R. Phelps, of Manchester, either of whom is hereby authorized and empowered to divide said funds, property, paupers and outstanding claims, and to ascertain and determine the amount of the lists, and number of the inhabitants of said towns respectively, which division, whether made by said selectmen, or by either of the persons above named, shall be final and conclusive.

And in case said division shall be made by either of said last mentioned persons, the selectmen of both said towns shall be first duly notified of the time and place, when and where said division is to be made; and the expense of such service shall be borne by said towns, in the proportion of their respective lists, as they shall be ascertained in manner aforesaid.

The collectors of the state, town and other taxes, in the present town of Windsor, are hereby authorized to collect their respective taxes already laid, and in their respective rate-books contained, and pay the same over for the benefit of said towns of Windsor and Windsor Locks, in proportion to their respective lists, to be ascertained as aforesaid.

Said town of Windsor Locks shall pay all expenses which shall be hereafter incurred under any application for laying out or discontinuing highways within the limits hereby incorporated, and all assessments of damages which are or shall be assessed to owners of lands, across which said roads shall be laid, and the said applications now pending shall be committed to the control of the said town of Windsor Locks, and be managed by the selectmen of said town, without any interference on the part of the said town of Windsor.

The first town meeting of the said town of Windsor Locks shall be held on the first Monday of July, 1854, at nine o'clock in the forenoon, at the hall of the American hotel in said Windsor Locks; and Lucius B. Chapman, and in case of his failure, Charles H. Dexter, shall be moderator of said meeting, and shall warn said meeting, by setting up a notification of the same on the public sign-post, in said town of Windsor Locks, and in such other places as he shall think proper, at least six days before said meeting. And said town of Windsor Locks

shall have all the powers at said first meeting, incident to other towns in this state, and full right to act accordingly; and the officers elected at said first meeting shall hold their offices until others are chosen and sworn in their stead.

ARTICLE III

Empowering Town to Lay Curbs and Sidewalks

[Approved by the General Assembly 6-14-1913 by S.A. 268; approved by Town 6-25-1913; amended by the General Assembly 4-25-1957 by S.A. 112]

§ A400-2. An Act Empowering the Town of Windsor Locks to Lay Curbs and Sidewalks.

Section 1. The selectmen of the town of Windsor Locks are hereby authorized to construct, maintain, alter, and repair curbs and sidewalks in such of its streets and highways as have been or shall be graded, paved, macadamized, or otherwise hardened.

Section 2. The cost of constructing such curbs and sidewalks in the first instance shall be paid by the town. The selectmen shall, after its completion, assess two-thirds of such cost, in such amounts as they shall deem reasonable, upon the owner or owners of land specially benefited and improved by the work and abutting on that side of the street or highway on which the work was done. The cost of maintaining, altering and repairing such curbs and sidewalks shall be paid by the town. The owner or owners of property abutting a street or highway shall not be assessed or charged for such alteration, maintenance or repair.

Section 3. Upon completion of the assessment the selectmen shall forthwith give each land owner written notice of the amount of his assessment, and within ten days after receiving such notice he may appeal to the judge of the court of common pleas for Hartford county, by petition and citation returnable in fifteen days from date and served on one of the selectmen six days before the return day. Said judge may confirm or change such assessment and award costs at his discretion, according to the practice of said court, and issue execution therefor.

Section 4. Every such assessment shall be a lien on the land on account of which it was assessed, from the time of the land owner's receiving the selectmen's notice prescribed in section three, and shall have priority of all mortgages and other liens except tax liens, provided such lien shall not continue longer than three months from the time of such notice, unless a certificate, signed by the first selectman, shall within said period have been filed in the town clerk's office.

Section 5. All such assessments shall become due at the time of delivery of the selectmen's notice aforesaid and shall be paid to the town treasurer. If an assessment shall not have been paid within sixty days, it shall bear interest at six per centum per annum from the time it became due.

Section 6. Said liens may be foreclosed by the town treasurer in the name of the town in the manner provided by law for the foreclosure of tax liens.

Section 7. This act shall take effect at the expiration of one month after its approval, provided it shall within said period have been accepted by the town in a meeting warned and held for that purpose, otherwise it shall be void.

ARTICLE IV
Act Validating Acts and Deeds
[Approved by the General Assembly 1937 by S.A. 460]

§ A400-3. An Act Validating Acts and Deeds, Valid Except for Certain Irregularities and Omissions.

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

Sec. 18. No deed or other instrument purporting to convey an interest in land or tax lien, a certificate to continue which has, prior to the passage of this act, been recorded in the land records of the town of Windsor Locks, shall be deemed to be invalid because the town clerk failed to attest by his signature the time when such instrument or tax lien was received for record, or otherwise failed to attest the recordation of such deed, other instrument or tax lien. Any instrument purporting to be a release of any mortgage, lien or tax lien which has been recorded on the land records of said town prior to the passage of this act and otherwise valid except that the time when such instrument was received for record and the recordation of such instrument has not been attested and signed by the town clerk, is validated. The town clerk of said town is authorized to attest the release of any mortgage or lien recorded on the land records of said town by making a memorandum on the page where such mortgage or lien is recorded in accordance with section 326 of the general statutes, in cases in which proper releases have been recorded prior to the passage of this act. It shall be presumed that all instruments recorded on the land records of said town prior to the passage of this act, of which the recordation has not been attested, were received for record at the time and on the day and year noted thereon. The town clerk of said town shall file a copy of this section on the land records of said town, and make reference to this section in all cases when attestations shall be made on recorded deeds pursuant to the provisions hereof.

ARTICLE V
Powers of Police Commissioners
[Approved by the General Assembly 4-25-1941 by S.A. 118]

§ A400-4. An Act Concerning the Powers of the Police Commissioners in the Town of Windsor Locks.

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

Section 1. No person, club or corporation shall hire any police officer in the town of Windsor Locks, for the purpose of maintaining peace and order in any club, building, dance hall or public place, until he or it shall first obtain from the board of police commissioners of said town, a written permit authorizing such police officer to act for such person, club or corporation in preserving the public peace and order in the place applied for.

Section 2. Any person, club or corporation violating this act shall be fined not more than one hundred dollars.

ARTICLE VI

Discontinuance of Roads**[Approved by the General Assembly 5-7-1941 by S.A. 248]****§ A400-5. An Act Discontinuing Certain Highways Crossing the Site of the Airport Located in the Towns of East Granby and Windsor Locks.**

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

So much of any public highway or other public way as may traverse land acquired by the state in the towns of East Granby and Windsor Locks as a site for an airport or airbase pursuant to the provisions of chapter 1 of the public acts of 1941, is discontinued.

ARTICLE VII

Establishment of Police Department**[Approved by the General Assembly 6-15-1943 by S.A. 373]****§ A400-6. An Act Establishing a Police Department in the Town of Windsor Locks.**

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

Section 1. There is created in and for the town of Windsor Locks a board to be known as the board of police commissioners of the town of Windsor Locks, which is authorized to organize and maintain a police department in said town. Said board shall consist of six electors, not more than three of whom shall be of the same political party, and all of whom shall be resident taxpayers of said town. Said commissioners shall be sworn to the faithful performance of their duties, and shall serve without compensation, but their actual expenses and disbursements incurred in the performance of their duties shall be paid from the town treasury.

Section 2. The present board of police commissioners shall be continued in office until their several terms have expired, and until their successors are elected and have qualified. At the next annual election of said town of Windsor Locks, the town shall elect by ballot in the same manner as other town officers, four members of said commission, two to serve for the term of two years and two to serve for the term of three years, and at each annual election thereafter, the town shall elect by ballot in the same manner as other town officers, two members of said commission to serve for a period of three years and until their successors are elected and have qualified.

Section 3. Said board shall elect one of its members to be chairman and one member to be clerk, and shall hold regular meetings and keep records of the same. Meetings shall be held upon the call of the chairman, or of the majority of the members of the board. A majority of the members of the board shall constitute a quorum. In the event of any vacancy in the membership of the board, the members of the same political party shall have authority to fill such vacancy until the next annual town meeting, at which time a member shall be elected for the unexpired portion of the term of the member with respect to whom such vacancy has occurred.

Section 4. Said board shall have all the powers given by the general statutes to boards of police commissioners, and shall have general management and supervision of the police

department of the town of Windsor Locks and of the property and equipment issued in connection therewith, and shall make all needful rules and regulations for the government thereof not contrary to law and may prescribe suitable penalties for the violation of any of its rules and regulations, including the suspension or removal of any officer or member of said police department. Said board shall have the sole power of appointment, promotion and removal of the officers and members of said police department under such rules and regulations as it may adopt for the purpose, and such appointees shall hold office during good behavior and until removed for cause upon written charges and after hearing, and any person so removed shall have the right to appeal within thirty days to the court of common pleas for Hartford county.

Section 5. After the passage of this act constables in the town of Windsor Locks shall no longer have authority to serve criminal processes.

Section 6. The expenses, salaries and all costs of maintenance and equipment for said police department shall be paid by the town of Windsor Locks in the same manner as other expenses of the town government.

(NOTE: Section 2 above is in conflict with and superseded by Section 9 of Special Act 314 (1947) - See the Special Act in Article X below, entitled "Biennial Elections.")

ARTICLE VIII

Filing of Assessment Lists

[Approved by the General Assembly 6-13-1945 by S.A. 189; approved by Town 9-14-1949]

§ A400-7. An Act Concerning the Filing of Assessment Lists in the Town of Windsor Locks.

Section 1. All persons required to file lists of property subject to taxation with the assessors of the town of Windsor Locks shall file such lists not later than October fifteenth in each year, or, if the fifteenth day shall be Sunday or a legal holiday, then on the next business day following.

Section 2. Such persons shall not include in such lists real estate or motor vehicles.

Section 3. The state tax commissioner shall provide a form to be used by property owners in the town of Windsor Locks for listing property other than that not required to be listed in the town of Windsor Locks under the provisions of the preceding section. The assessors may provide a card or form, subject to the approval of said commissioner, to conform to the foregoing provisions.

Section 4. The addition of ten percent to taxpayers' lists, provided by law for failure to file lists, shall not apply to failure to file lists of property not to be listed as hereinbefore provided.

Section 5. This act shall take effect upon its approval by the state tax commissioner and upon adoption by a majority vote at a regular or special town meeting called for the purpose.

ARTICLE IX
Park Department**[Approved by the General Assembly 7-23-1945 by S.A. 323]****§ A400-8. An Act Establishing a Park Department in the Town of Windsor Locks.**

Section 1. There is created in and for the town of Windsor Locks a board of park commissioners, which is authorized to organize and maintain a park department in said town. Said board shall consist of six electors, not more than three of whom shall be of the same political party, and all of whom shall be resident taxpayers of said town. Said commissioners shall be sworn to the faithful performance of their duties, and shall serve without compensation, but their actual expenses and disbursements incurred in the performance of their duties shall be paid from the town treasury.

Section 2. The present board of park commissioners shall continue in office until the annual town election held in October, 1945, and until their successors are elected and have qualified. At the next annual election of said town the town shall elect by ballot in the same manner as other town officers, six members of said commission, two to serve for the term of one year, two to serve for the term of two years and two to serve for the term of three years, and at each annual election thereafter, the town shall elect by ballot in the same manner as other town officers, two members of said commission to serve for a period of three years, and until their successors are elected and qualified.

Section 3. Said board shall elect one of its members to be chairman and one member to be clerk, and shall hold regular meetings and keep records of the same. Meetings shall be held upon the call of the chairman or of the majority of the members of the board. A majority of the members of the board shall constitute a quorum. In the event of any vacancy in the membership of the board, the members of the same political party shall have authority to fill such vacancy until the next annual town meeting, at which time a member shall be elected for the unexpired portion of the term of the member with respect to whom such vacancy has occurred.

Section 4. Said board shall have all the powers given by the general assembly to boards of park commissioners, shall have general management and supervision of any real estate now owned or hereafter acquired by the town of Windsor Locks for park purposes; and of the property and equipment issued in connection therewith and shall make all needful rules and regulations for the government thereof, not contrary to law, and may prescribe penalties for the violation of any of its rules and regulations, including the suspension or removal of any of its employees. Said board shall have the sole power of appointment, promotion and removal of all employees connected with said park department under such rules and regulations as it may adopt for the purpose and such appointees shall hold office during their good behavior and until removal for cause by the park commissioners.

Section 5. After the election in October, 1945, the present park commissioners shall no longer have any authority over park property in the town of Windsor Locks.

Section 6. The expenses and all costs of maintenance and equipment for said park department shall be paid by the town of Windsor Locks in the same manner as other expenses of the town government.

Section 7. In the event that the town of Windsor Locks shall change the election of its town officers from an annual to a biennial term prior to its annual town meeting on the first Monday of October, 1945, then said town shall elect by ballot, in the same manner as other town officers, six members of said commission, two to serve for the term of two years, two to serve for the term of four years and two to serve for the term of six years, and at each biennial election thereafter the town shall elect, by ballot, in the same manner as other town officers, two members of said commission to serve for the term of six years, and until their successors are elected and qualified.

ARTICLE X

Biennial Elections in the Town of Windsor Locks

[Approved by the General Assembly 7-8-1947 by S.A. 314; amended 5-7-1953 by S.A. 144]

§ A400-9. An Act Concerning Biennial Elections in the Town of Windsor Locks.

Section 1. There shall be held in and for the town of Windsor Locks in the odd-numbered years, beginning in 1947, a town meeting for the election of town officers, which meeting shall be designated as the biennial town meeting for the election of town officers and which shall be warned and conducted in the manner provided by law for town meetings. Special town meetings may be convened when the selectmen deem it necessary and they shall convene a special town meeting on application of twenty inhabitants qualified to vote in town meeting within fifteen days after receiving such application. Any town meeting may be adjourned from time to time as the interests of the town require.

Section 2. On the first Monday of October, 1947, at 3:00 o'clock p.m., there shall be held a town meeting for the purpose of adopting a budget for the next ensuing fiscal year and for such other business, except the election of town officers as hereinafter provided, as may properly come before said meeting. Immediately after the reading of the warning, this meeting shall be adjourned to 8:00 o'clock p.m., of any day prior to the Saturday following the first Monday of October, 1947. On the first Monday of October, 1948, at 8:00 o'clock p.m., there shall be held a town meeting for the purpose of adopting a budget for the next ensuing fiscal year and for such other business, except the election of town officers as hereinafter provided, as may properly come before said meeting. Alternately, on the first Monday of October thereafter, the town meeting shall be convened as herein provided, and the town meeting called at 3:00 o'clock p.m., in odd-numbered years shall be adjourned as herein provided so that all meetings of the town of Windsor Locks called for the adoption of a budget or any other business, except the election of town officers as hereinafter provided, shall be called to be held at 8:00 o'clock p.m.

Section 3. On the first Monday of October, 1947, and biennially thereafter, all elective town officers of the town of Windsor Locks shall be elected by ballot to hold office for the term of two years from the date of their election and until their successors are elected and have qualified, except as hereinafter provided, and the terms of those appointed by the board of selectmen shall, unless otherwise provided by special act, expire on the day of the biennial town meeting next succeeding their appointment, except that the town clerk and the registrars of voters shall be elected and hold office and the town health officer shall be appointed and

hold office in accordance with the provisions of the general statutes in such cases made and provided.

Section 4. On the first Monday of October, 1947, there shall be elected by ballot two members of the board of finance, who shall not be of the same political party, who shall hold office for terms of two years, two members, who shall not be of the same political party, who shall hold office for terms of four years and two members, who shall not be of the same political party, who shall hold office for terms of six years, and biennially thereafter there shall be elected by ballot two members of the board of finance, who shall not be of the same political party, who shall hold office for terms of six years from the date of their election and until their successors are elected and have qualified.

Section 5. On the first Monday of October, 1947, there shall be elected by ballot one member of the board of assessors who shall hold office for a term of two years, one member who shall hold office for a term of four years and one member who shall hold office for a term of six years and biennially thereafter there shall be elected by ballot one member of the board of assessors who shall hold office for a term of six years and until his successor is elected and has qualified. No more than two members of the board of assessors shall be of the same political party.

Section 6. On the first Monday of October, 1947, there shall be elected by ballot one member of the board of tax review who shall hold office for a term of two years, one member who shall hold office for a term of four years and one member who shall hold office for a term of six years, and biennially thereafter there shall be elected by ballot one member of the board of tax review who shall hold office for a term of six years and until his successor is elected and has qualified. No more than two members of the board of tax review shall be of the same political party.

Section 7. On the first Monday of October, 1947, there shall be elected by ballot two members of the board of education, who shall not be of the same political party, who shall hold office for terms of four years from the date of their election and until their successors are elected and have qualified. On the first Monday of October, 1949, there shall be elected by ballot three members of the board of education, not more than two of whom shall be of the same political party who shall hold office for terms of four years from the date of their election and until their successors are elected and have qualified. Alternately at each biennial election thereafter there shall be elected by ballot two members, who shall not be of the same political party, and then three members, not more than two of whom shall be of the same political party, of the board of education to hold office for terms of four years from the date of their election and until their successors are elected and have qualified.

Section 8. On the first Monday of October, 1947, there shall be elected by ballot three members of the zoning commission, not more than two of whom shall be of the same political party, who shall hold office for terms of four years. On the first Monday of October, 1949, there shall be elected by ballot two members of the zoning commission, who shall not be of the same political party, who shall hold office for terms of four years. Alternately at each biennial election thereafter there shall be elected by ballot three members, not more than two of whom shall be of the same political party, and then two members, who shall not be of the same political party, to hold office for terms of four years from the date of their election and until their successors are elected and have qualified.

Section 9. On the first Monday of October, 1947, there shall be elected by ballot two members of the police commission, who shall not be of the same political party, who shall hold office for terms of two years and two members, who shall not be of the same political party, who shall hold office for terms of four years and two members, who shall not be of the same political party, who shall hold office for terms of six years and biennially thereafter there shall be elected by ballot two members of the police commission, who shall not be of the same political party, who shall hold office for terms of six years from the date of their election and until their successors are elected and have qualified.

Section 10. On the first Monday of October, 1947, there shall be elected by ballot two members of the sewer commission, who shall not be of the same political party, who shall hold office for terms of two years and two members, who shall not be of the same political party, who shall hold office for terms of four years and biennially thereafter there shall be elected by ballot two members, who shall not be of the same political party, who shall hold office for terms of four years from the date of their election and until their successors are elected and have qualified.

Section 11. On the first Monday of October, 1947, there shall be elected by ballot two members of the park commission, who shall not be of the same political party, who shall hold office for terms of two years and two members, who shall not be of the same political party, who shall hold office for terms of four years and two members, who shall not be of the same political party, who shall hold office for terms of six years and biennially thereafter there shall be elected by ballot two members of the park commission, who shall not be of the same political party, who shall hold office for terms of six years from the date of their election and until their successors are elected and have qualified.

Section 12. If any vacancy occurs in any office provided for under the terms of this act, such vacancy may be filled by vote of a majority of the board of selectmen by appointment of a member of the same political party in which was enrolled the person whose discontinuance in office caused such vacancy, until the next succeeding biennial election, at which time any unexpired portion of the term of such office, shall be filled by ballot. If any vacancy occurs in any board or commission provided for under the terms of this act, such vacancy may be filled by vote of a majority of the members of such board or commission by the appointment of a member of the same political party in which was enrolled the person whose discontinuance in office caused such vacancy, until the next succeeding biennial election, at which time any unexpired portion of such term shall be filled by ballot. In case of a tie in the vote of such board or commission in carrying out the provisions of this section, such tie may be dissolved by vote of the first selectman of the town of Windsor Locks.

Section 13. The terms of office of all town officers and the members of all town boards and commissions shall expire on the first Monday in October, 1947, except such officers whose terms of office expire two years from the first Monday in January next succeeding their election as provided for under the general statutes, and their successors shall be elected in accordance with the provisions of this act.

ARTICLE XI
Establishment of Reserve Funds
[Approved by the General Assembly 5-25-1951 by S.A. 151]

§ A400-10. An Act Authorizing the Establishment of Reserve Funds in the Town of Windsor Locks.

Section 1. The town of Windsor Locks may, at the annual town meeting, create reserve funds for such capital or nonrecurring expenditures as may be recommended by the board of finance of said town. Appropriations to such reserve funds shall be made only at the annual town meeting, upon recommendation of the board of finance, and the reserve fund to which such appropriation is made shall be plainly designated and included in the budget of estimated expenditures adopted at such annual town meeting.

Section 2. All monies now in the account entitled "Town of Windsor Locks Sinking Fund for Protection for Public Records" shall be transferred to a reserve fund entitled "Reserve Fund for Construction of Town Building." All monies now in the account entitled "Town of Windsor Locks Sinking Fund for New Fire Truck" shall be transferred to a reserve fund entitled "Reserve Fund for Purchase of New Fire Truck." All monies in other special accounts except the "Town Deposit Fund," "James DeF. Phelps Fund," and "Bond and Coupon Account" shall be returned to the general fund.

Section 3. Orders drawn on said reserve funds shall be signed by the treasurer and a majority of the board of selectmen, and no portion of any such reserve fund shall be spent for any purpose other than that for which such reserve fund was created.

Section 4. Upon recommendation of the board of finance, any town meeting legally warned as by statute provided may, by majority vote, transfer all or any portion of the monies in any such reserve fund to the general fund of the town.

Section 5. The treasurer shall have custody of such reserve funds and shall keep separate accounts relating to each such reserve fund and shall furnish an annual report of each such reserve fund, showing the amount of the fund, how invested, the amount of its income, to whom and for what purpose payments have been made from such reserve fund and the balance remaining in such reserve fund. All money accumulated as hereinbefore provided, together with all interest that may accrue thereon, shall be deposited in separate bank accounts by the treasurer.

Section 6. No appropriation shall be made to any such reserve fund which shall cause the total of all such reserve funds to exceed the current tax levy of the town, except for the addition of interest and dividends earned by such funds.

ARTICLE XII

Establishment of Fire Department and Board of Fire Commissioners
[Approved by the General Assembly 7-9-1951 by S.A. 517; amended 4-14-1953 by S.A. 55]

§ A400-11. An Act Concerning the Fire Department and the Board of Fire Commissioners in the Town of Windsor Locks.

Section 1. There shall be a fire department in the town of Windsor Locks which shall have the powers and duties vested in town fire departments by chapter 31 of the general statutes.

Section 2. The management, discipline and control of said fire department are hereby vested in a board of fire commissioners consisting of four elected commissioners. At the town election to be held on the first Monday of October 1953, and at each town election to be held biennially thereafter, there shall be elected four fire commissioners, not more than two of whom shall be of the same political party, who shall hold office for terms of two years from the date of their election and until their successors are elected and have qualified.

Section 3. Said board of fire commissioners shall have the power and duties vested in boards of fire commissioners by chapter 31 of the general statutes.

ARTICLE XIII

Appropriations for War Memorial
[Approved by the General Assembly 6-30-1955 by S.A. 322; approved by Town 8-18-1955]

§ A400-12. An Act Authorizing the Town of Windsor Locks to Make Appropriations for Expenses in Connection with a War Memorial.

Section 1. The town of Windsor Locks may make appropriations to provide for lighting, maintenance, insurance and other incidental expenses in connection with the memorial erected by said town on the Memorial Hall grounds in honor of servicemen and women of World War I and World War II.

Section 2. This act shall take effect upon its approval by a majority of the electors of the town of Windsor Locks present and voting at a special meeting held for the purpose.

ARTICLE XIV

Merit System for Police Department
[Approved by the General Assembly 8-11-1955 by S.A. 332; approved by Town 9-14-1955]

§ A400-13. An Act Establishing a Merit System for the Police Department of the Town of Windsor Locks.

Section 1. There is established a merit system for the police department of the town of Windsor Locks. All regular salaried employees and supernumeraries of said department shall be appointed on the basis of merit as determined by competitive examination. The following classes of employees shall be excluded from the merit system: Unskilled laborers; part-time

employees; persons temporarily employed in a professional or scientific capacity to conduct a special inquiry, investigation, examination, or installation; and temporary or seasonal employees employed for a period not to exceed one hundred twenty days in any one calendar year.

Section 2. The state personnel division shall conduct and supervise examinations, certify lists of eligibles and perform such other appropriate services as may be requested by the board of police commissioners of the town of Windsor Locks in accordance with the provisions of section 304c of the 1953 supplement to the general statutes.

Section 3. Whenever a vacancy occurs in any position within the merit system and no appropriate reemployment list or list of eligibles exists, an open competitive examination, written or oral, or both, and including consideration of the education, experience and previous record of each candidate, shall be conducted as provided in section 2 of this act. The results of the examination shall be certified by the personnel division to the board of police commissioners and shall be a public record in the office of the board. Each appointment shall be made from among the highest three in order of rank. No person shall be appointed to any position in the merit system who has not attained in his examination a passing grade representing, in the opinion of the examining authority, the minimum qualification necessary to fill the position. At least two weeks' notice of each examination shall be given by publication daily for three successive days in a newspaper of general circulation in the town and by posting on the town bulletin board.

Section 4. Vacancies in the higher positions included in the merit system shall be filled as far as practicable by promotion and shall be based upon open competitive examinations, written or oral, or both, and including a consideration of the education, experience and previous record of each candidate. Lines of promotion and rules governing promotional examinations shall be established as hereinafter provided in this act, but no position shall be required to be filled by promotion if the board of police commissioners files with the state personnel division a statement showing that the position cannot be filled satisfactorily by promotion.

Section 5. Appointments shall be on probation for a period to be fixed by rule of the board of police commissioners, such period not to exceed one year. At the expiration of, or at any time during the probationary period, the board may terminate the employment if the employee is deemed unfit or unsatisfactory for service in the police department, but, if employment is not then terminated, the appointment shall be deemed complete. After one-third of an eligible list shall have been drawn, the board of police commissioners may request the personnel division to hold a new examination to establish a new list of eligibles. Any person remaining on the old eligible list may retain his rating on the new eligible list or, at his option, may enter the examination and obtain a new rating which shall supersede his former rating. The board may strike from any eligible list the name of any candidate which has remained thereon for more than one year.

Section 6. There shall be a personnel appeals board of three members, not more than two of whom shall be members of the same political party, appointed by the board of police commissioners for a term of six years. Of the first appointed, one shall be appointed for a term of two years, one for a term of four years, and one for a term of six years, effective upon the effective date of this act. The members of the appeals board shall serve without

compensation and shall not be in any manner affiliated with the police department or the board of police commissioners.

Section 7. No person or employee holding an office or position which is subject to the provisions of this act shall be removed, discharged or reduced in rank or grade except for just cause, which cause shall not be political or religious. No such employee shall be removed, discharged, reduced in rank or grade, or suspended for more than ten days, unless he has been served with a statement of the grounds for such action. Such statement shall set the time and place, not less than five nor more than ten days after the date of such service, at which time he may be heard by the personnel appeals board, publicly, if he so desires, and with the privilege of being represented by counsel. If the employee does not appear at the hearing and does not present or cause to be presented a valid reason for his absence, the action of the removing, reducing or suspending authority shall be final. If he does so appear, the personnel appeals board, after hearing the employee and the removing, reducing or suspending authority and taking other such evidence as it may deem necessary, shall have the authority to affirm, modify or reverse the action appealed from. The action of the personnel appeals board shall be final.

Section 8. Rules relating to the advertising and conduct of examinations, certification of eligibles, length of the probationary period, service rating of the efficiency and behavior of employees, lines of promotion, appeals procedures and records to be kept by the police department, and general rules to carry out the purposes of this act shall be made by the board of police commissioners, and shall be binding on all employees subject to this act, including the board of police commissioners. Such rules and changes therein shall be promulgated only after an open public hearing and shall be a public record in the office of the board.

Section 9. No employee of the police department subject to the merit system shall hold office in any political organization or engage in any political activity other than to vote and privately express his opinion, provided nothing herein shall be taken to limit the right of any employee to participate freely in the caucus of his political party.

Section 10. No person shall solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution from any person subject to this merit system for any political party, political purpose or organization. No applicant for appointment or promotion under this merit system shall, either directly or indirectly, pay or promise to pay any money or other valuable thing to any person, or ask or receive any recommendation or assistance from any officer or employee in said merit system, or from any person, upon the consideration of any political service to be rendered to or for such person, or for the appointment or promotion of such person to any office or employment, or as a reward for such political service, appointment or promotion. Any sum paid in violation of this section may be recovered from any officer making such appointment or from any officer signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of same.

Section 11. Any person guilty of violating any of the provisions of this act or rules hereunder adopted, or of falsifying any record of efficiency or the result of any examination, shall be punishable upon conviction by a fine of not more than five hundred dollars or imprisonment for not more than six months, or both, and, if an employee of the police department, shall

forfeit his office and, in any case, shall be ineligible for appointment to any position in the service of the police department for five years from the date of his conviction.

Section 12. Any person holding a position in the police department as a regular salaried employee when this act takes effect, and who shall have served in such position for a period of at least three months, shall be retained without preliminary or performance tests and shall thereafter be subject to the provisions of this act in all other respects.

Section 13. This act shall become effective upon approval by the electors of the town of Windsor Locks at a town meeting warned for such purpose.

ARTICLE XV

Election of Sewer Commission

[Approved by the General Assembly 5-9-1957 by S.A. 204; approved by Town 7-25-1957]

§ A400-14. An Act Concerning Election of the Sewer Commission of the Town of Windsor Locks.

Section 1. Section 10 of number 314 of the special acts of 1947 is amended to read as follows: On the first Monday of October, 1957, and quadrennially thereafter, there shall be elected three members of the sewer commission who shall be members of a political party but not more than two of whom shall be of the same political party, who shall hold office for terms of four years from the date of their election and until their successors are elected and have qualified. On the first Monday of October, 1959, and quadrennially thereafter, there shall be elected two members of the sewer commission who shall be members of a political party but not more than one of whom shall be of the same political party, who shall hold office for terms of four years from the date of their election and until their successors are elected and have qualified.

Section 2. This act shall take effect upon its approval by a majority of those present and voting at a town meeting of the town of Windsor Locks which shall be called by the board of selectmen not later than August 1, 1957.

(NOTE: Special Act 314 of 1947 was repealed along with Special Act 266 of 1913 by Special Act 373 of 1961 although the above Special Act 204 was retained.)

ARTICLE XVI

Sewerage System

[Approved by the General Assembly 6-22-1961 by S.A. 373; approved by Town 8-12-1961]

§ A400-15. An Act Concerning the Sewerage System of the Town of Windsor Locks.

Section 1. The town of Windsor Locks is authorized to lay out, construct, alter, maintain, repair, replace and renew sewers and a system or systems of sewers and sewerage disposal plant, with appurtenances, in accordance with this act.

Section 2. The board of sewer commissioners of the town shall be constituted and elected pursuant to number 204 of the special acts of 1957 and shall include the selectmen of the

town who shall be ex-officio members of the board. Each member shall be sworn to the faithful discharge of the duties of his office and shall cause a certificate of his oath to be recorded in the office of the town clerk. Any vacancy in the membership, except a vacancy among the selectmen, shall be filled by the other members for the unexpired portion of the term.

Section 3. Immediately after the passage of this act, the board of sewer commissioners shall meet and choose from its members, both regular and ex-officio, a president and a vice-president, who shall hold office until their successors are chosen. Thereafter such officers shall be chosen at the annual meeting of the board, which shall be held on the first Tuesday after the first Monday of October in each year, to hold office for the term of one year and until their successors are chosen and qualified. The town treasurer shall be, ex-officio, the treasurer of said board. Said board may employ a secretary and other necessary agents and servants, and may fill any vacancy in the office of president and vice-president until its next annual meeting.

Section 4. The president or, in case of his absence or disability, the vice-president, shall preside at the board meetings. The secretary shall keep a record of all the board's proceedings and preserve its papers. The treasurer shall keep an accurate account of all moneys received and paid out by him, and shall keep the orders and vouchers upon and for which payments are made. All records, accounts and papers shall be opened to the inspection of the inhabitants and taxpayers of the town. No money shall be paid out by the treasurer except upon a written order signed by the president or vice-president and one other member of the board.

Section 5. The treasurer and the secretary shall receive from the town such compensation as the board shall fix from time to time. The commissioners shall receive no compensation for their services as such. The board may draw orders upon the town treasurer, as prescribed in section 4, to pay its secretary's and treasurer's compensation and its necessary operating expenses.

Section 6. Said board is authorized to lay out, construct, alter, maintain, repair and renew sewers and a system or systems of sewers, including sewerage disposal plant and appurtenances, in streets and highways and in public and private lands in said town; and to agree with the owners of lands or of interest therein upon the price or damages to be paid for appropriate rights or titles in such lands or interests therein for the sewers and work herein authorized, making compensation therefor as hereinafter provided. After the construction of a new sewer or sewers, or system or systems of sewers in the unsewered areas of the town, said board shall assess such portion of the cost thereof as shall not be assumed by the town, in such proportions and amounts as shall be just and reasonable upon the owners of real property specially benefited or improved thereby, whether abutting upon the street or land containing a sewer or not. The cost of alteration, repair, renewal, replacement and maintenance of all sewers or sewer systems and sewerage disposal plant, with appurtenances, shall be paid for by the town and the cost thereof shall not be paid for by special assessment.

Section 7. When taking the necessary easements or rights in private lands, or entering thereon, for the sewers and work herein authorized, the board shall agree with the owner or owners thereof and of interests therein upon the damages or price to be paid for such land, or rights therein, and shall pay to them the price or damages agreed upon. If the board is unable to agree with them upon the same, it shall appraise the damages and shall pay the same to such

owner or owners, but if they refuse such payment or if they cannot be located the board shall deposit the same with the town treasurer to their credit. The board shall fix a time and place for a hearing and give notice thereof to every owner of an interest in the land to be appraised, by one of its officers or, when the owner's post office address is known, by mail, at least six days before the day of such hearing. At such hearing every owner shall be given an opportunity to be heard, to present witnesses and to have counsel. If the whereabouts of any owner is unknown to the board, the judge of the court of common pleas for Hartford county or a judge of the superior court shall direct as to the manner of giving notice of such hearing. Upon the completion of the appraisal the board shall record the same in its records and give notice to each owner of the damages awarded him, by one of its officers or by mail, if his post office address is known, otherwise by the same means as the judge of the court of common pleas or judge of the superior court prescribed in the order of notice of the hearing. A copy of all such appraisals shall be filed in the town clerk's office and recorded in the land records.

Section 8. Any person aggrieved by an appraisal of damages may appeal to the court of common pleas for Hartford county, within fifteen days after the filing of the appraisal in the town clerk's office, which appeal shall be a written application for a reappraisal, with a citation annexed, signed by an authority competent to sign civil process and returnable before said court within thirty days after the filing of said appraisal with the town clerk, and served upon the president or secretary of the board not less than six days before the return day. The presiding judge may himself, or by a committee if the appointment of a committee is requested by all parties, reappraise said damages or confirm the appraisal made by the board. If the judge finds that other persons, not parties, are interested in the determination of the appeal he may cause them to be made parties and shall have such notice given them as he deems proper. If said judge shall increase the appraisal appealed from he shall award costs, including committees' fees, to the appellants, otherwise to the town, and issue execution therefor, according to the rules of the superior court relating to costs in civil actions. Upon the final determination of an appeal said judge shall return his finding and judgment, containing the report of any committee accepted by him, and all other papers in such appeal, to the board, which shall record in its records such finding and judgment and cause the same to be recorded in the land records of said town. Appraisals of damages thus completed shall be binding upon all persons and property affected thereby, and the land, or interests therein, thus appraised shall be the property of the town for the public uses herein authorized.

Section 9. In the alternative, the board shall have the right to condemn land as provided in chapter 835 of the general statutes.

Section 10. After the completion by said board of a new sewer or sewers, or system or systems of sewers, in the unsewered areas of the town, said board shall determine the entire costs of the construction thereof, including land damages, engineering, legal and appraisal expenses, and shall assess such portion of the total cost as shall not be assumed by the town, in such amounts and manner as shall be just and reasonable upon the owners of lands and buildings specially benefited thereby, whether abutting upon the street or land containing a sewer or not. The board shall fix a time and place for a hearing and give notice thereof by two publications, one week apart, in one or more newspapers having a circulation in Windsor Locks, the last publication to be not less than four days before the day of the hearing. At the hearing, said board shall give every owner of land or buildings in the town who shall attend an opportunity to be heard, to present witnesses and to have counsel. Such assessments having

been completed the board shall prepare and record in its records a report of the same, stating the person, the property and the amount assessed, and cause the same to be filed and recorded in the town clerk's office, and, with a notice of the officer to whom and the times when said assessments are payable, to be published twice in one or more newspapers having a circulation in the town.

Section 11. Any person aggrieved by such assessments of benefits may appeal or unite in an appeal therefrom, within thirty days after the first publication of the report, to the court of common pleas for Hartford county, which appeal shall be a written application for a reassessment, with a citation attached thereto, returnable in not less than six nor more than twenty days from its date, and served upon the president or secretary of the board at least six days before the return day. All appeals shall be consolidated and heard and determined as one. The presiding judge may himself, or by a committee if the appointment of a committee is requested by all the parties, reassess the benefits and correct errors in the report of the assessments or confirm the assessments made by the board. If the judge shall find that other persons, not parties, may be affected adversely by the determination of the appeal he may make them parties and cause such notice to be given them as he deems proper. The judge may, in his discretion, tax costs, including committees' fees, against or in favor of any party or parties, and issue execution therefor, according to the rules of the superior court relating to costs in civil actions. Upon the final determination of such appeal the judge shall return his finding and judgment, with the report of the committee, if any, and all other papers to the board, which shall record in its records the finding, judgment and report and cause the same to be filed and recorded in the town clerk's office. Such assessments having been thus completed shall be binding upon all the persons and property affected thereby.

Section 12. Every assessment of benefits shall be a lien upon the land on account of which it was assessed, which lien shall begin and attach to said land from the time of the filing of the sewer commissioners' report with the town clerk, and it shall have priority over all mortgages and other liens on said land except tax liens. Three months after the filing of said report, the board shall file with said town clerk a certificate of lien on all properties on which such assessments have not been paid in full, signed by the secretary of the board, identifying the premises, stating the amount assessed and the nature of the work for which such assessment was made. The cost of recording such sewer lien certificate shall be one dollar and for recording release of lien, one dollar and ten cents, and such costs shall be paid for in the same manner as are real property tax liens.

Section 13. Said liens may be foreclosed by the treasurer of the board in the name of said town in the manner provided by law for the foreclosure of tax liens.

Section 14. All such assessments shall be paid to the treasurer of the board in ten equal annual instalments. The first instalment shall become due two months after the filing of the board's report in the office of the town clerk and shall be payable within one month thereafter. The remaining nine instalments shall become due annually after said due date and shall be payable within one month thereafter. If any instalment is not paid within one month after said due date, such instalment shall bear interest at the rate of one-half of one per cent per month, or any part thereof, from the due date.

Section 15. The cost of alteration, repair, renewal, replacement and maintenance of all sewers or sewer systems and sewerage disposal plant, with appurtenances, shall be paid for by the town and the cost thereof shall not be paid for by special assessment.

Section 16. The board of sewer commissioners shall have control and supervision of all sewers, sewer systems, sewerage disposal plant and appurtenances wherever located in the town, and may discontinue and connect them as they find it necessary to do so.

Section 17. The town may make rules and regulations concerning its sewers to preserve them from encroachments, injury and misuse and to protect the health and safety of the inhabitants and it may fix penalties for violation thereof as provided in chapter 98 of the general statutes for violation of municipal ordinances and regulations.

Section 18. This act shall become effective when ratified by a majority of those voting at a referendum called and advertised by the board of selectmen within three months from the date of passage of this act. All those entitled to vote at a town meeting shall be entitled to vote at such referendum. The moderator of such referendum shall be appointed by the board of selectmen.

Section 19. Number 266 of the special acts of 1913 is repealed.

ARTICLE XVII
Boundary Between Windsor and Windsor Locks
[Approved by the General Assembly 5-14-1965 by S.A. 60]

§ A400-16. An Act Concerning a Change in Boundary Between the Towns of Windsor and Windsor Locks.

Section 1. The boundary line between the towns of Windsor and Windsor Locks from the intersection of the centerline of interstate route 91 at the Windsor-Windsor Locks town line to the intersection of the Windsor, Windsor Locks and East Granby town line shall be as follows: From said intersection of the centerline of interstate route 91, where the Windsor Locks and Windsor town line exists on the effective date of this act near South Center Street overpass, in a southerly direction along the centerline of said interstate route 91 to a point where the centerline of said interstate route 91 intersects the centerline of the Bradley Field Connector, thence in a westerly and northerly direction along the Bradley Field Connector centerline to a point where the Windsor, Windsor Locks and East Granby town lines meet about eighteen thousand feet from the start of the interstate route 91 and Bradley Field Connector centerline, all as shown on a state highway department map of the centerlines of the interstate route 91 and Bradley Field Connector, to which reference is hereby made for a more detailed description, said map to be filed in the office of the town clerk in Windsor Locks. All land on the effective date of this act in the town of Windsor north and westerly of the above-mentioned centerlines shall belong to the town of Windsor Locks, and all land on the effective date of this act in the town of Windsor Locks southerly and easterly of the above-mentioned centerlines shall belong to the town of Windsor.

Sec. 2. All of the inhabitants of either of said towns who, as a result of the provisions of this act have had their property or the property on which they reside annexed to the other town shall have and exercise, and within the territory so annexed shall enjoy, the same rights,

immunities, powers, privileges and franchises, and be subject to the same duties, liabilities and obligations in like manner and to the same extent as if such territory had been originally a part of the town to which annexed. Electors residing in such territory shall become electors of the town to which annexed. The registrars of voters of the town from which they are removed shall remove the names of such electors from the registry list of such town and the registrars of voters of the town to which they are annexed shall add such names to the registry list of such town. All paupers having a legal settlement within any portion so annexed and all inhabitants therein who may hereafter become paupers shall be held and deemed inhabitants of and to belong to and be maintained by the town to which they are so annexed.

Sec. 3. No business commenced in the probate court for the district of Windsor or in the probate court for the district of Windsor Locks prior to the effective date of this act shall be affected by the transfer of territory provided for in section 1 of this act but all such business shall be completed in the probate court in which commenced.

Sec. 4. Taxes levied on any property transferred under the provisions of section 1 of this act prior to the effective date of this act and payable thereafter shall be paid to the town in which levied and all taxes, liens and unpaid taxes from prior assessments shall be the property of the town in which assessed and such town shall have the power to collect such taxes in the same manner as if such territory had not been set off from such town.

Sec. 5. The question of the adoption of this act shall be submitted to the electors of the towns of Windsor and Windsor Locks at the special election to be held on June 15, 1965, under the provisions of number 1 of the public acts of November, 1964, and this act shall take effect upon its adoption by the majority vote of the electors of each of said towns voting on said questions at said election.

ARTICLE XVIII

Public Works Department

[Approved by the General Assembly 5-24-1977 by S.A. 77-27]

§ A400-17. An Act Establishing a Public Works Department in the Town of Windsor Locks.

SECTION 1. There is established a department of public works in and for the town of Windsor Locks. The board of selectmen of the Town of Windsor Locks shall appoint a director of public works who shall be under the supervision and control of said board.

SECTION 2. Said director of public works shall be responsible for the supervision and control of the inspection, maintenance, repairing, altering, constructing and reconstructing of the town office building, town garage, sewage disposal plant, school grounds sewers, highways, drains, parks and all other lands and grounds owned by or under the control of the town of Windsor Locks, together with all equipment and apparatus used in performing said work.

SECTION 3. The expenses, salaries and all costs of maintenance and equipment for said department of public works shall be paid by the town of Windsor Locks in the same manner as other expenses of the town government.

DERIVATION TABLE

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Chapter DT

DERIVATION TABLE

**§ DT-1. Derivation Table of Town
Compilation to 2013 Code.**

In order to assist Code users in the transition to the new Code's organization, the Derivation Table indicates where chapters and articles of the Town Compilation have been included in the 2013 Code, or the reason for exclusion.

§ DT-1. Derivation Table of Town Compilation to 2013 Code.

NCM = Not Code material (legislation is not general or permanent in nature).
NI = Not included in Code but saved from repeal.

Chapter/Title From Compilation	Location in 2013 Code
Ch. I, General Provisions	
§ 1, Incorporating the Town of Windsor Locks	Ch. A400, Art. II
§ 3, Act Invalidating Acts and Deeds (Special Act 460 of 1937 - In Part)	Ch. A400, Art. IV
Ch. II, Building and Construction	
§ 1, Building Code	NI
§ 3, Building Lines on Waterways, Brooks and Streams	Ch. 155, Art. I
§ 5, Excavation in Town Highway, Permit Necessary	Ch. 313, Art. III
§ 7, Excavation in Town Highway, Bond Necessary	Ch. 313, Art. II
§ 9, Roof Leaders and Down Spouts	Ch. 155, Art. III
§ 11, Sewerage Facilities, When Necessary for Approval Before Construction	Ch. 155, Art. II
Ch. III, Businesses and Occupations	
§ 1, Bazaars and Raffles	Ch. 150
§ 3, Itinerant Vendors	Superseded by 3-22-1990; see Ch. 263
§ 5, Sunday Dancing	REP
§ 7, Hiring Police to Maintain Peace and Order – See Chapter XII, § 3	NI
§ 9, Policing of All Public Places of Amusement	Ch. 257, Art. I
Ch. IV, Elections and Town Meetings	

Chapter/Title From Compilation	Location in 2013 Code
§ 1, Convening Time for Town Meetings	Ch. 95, Art. III
§ 3, Machine Method of Voting	Ch. 107, Art. I
§ 5, Voting Districts	Ch. 107, Art. III
§ 7, Voting Hours for Town Elections	Ch. 107, Art. II
§ 9, Biennial Elections (Special Act 314 of 1947)	Ch. A400, Art. X
Ch. V, Finance	
§ 1, Auditing of Town Accounts	Ch. 28, Art. IV
§ 3, Board of Finance	See Charter Ch. VIII
§ 5, Selectmen, Bills to be Presented Thereto	Ch. 28, Art. I
§ 7, Selectmen, Report on Expenses and Income Thereby	Ch. 28, Art. II
§ 9, Taxes, Payment Thereof	Ch. 320, Art. I
§ 11, Fiscal Year, Change Thereof	See Charter § 802
§ 13, Reserve Funds, An Act Authorizing the Establishment of (Special Act 141 of 1951)	Ch. A400, Art. XI
§ 15, Assessment Lists, Filing Thereof (Special Act 189 of 1945)	Ch. A400, Art. VIII
Ch. VI, Health	
§ 1, Fluoridation of Water	NI
§ 3, Town Dump	Ch. 299, Art. II
§ 5, Town Dump in Windsor	NCM
Ch. VII, Insurance and Retirement	
§ 1, Insurance for Claims Against Windsor Locks	Ch. 37, Art. II
§ 3, Old-Age and Survivorship Insurance	Ch. 37, Art. I
§ 5, Regular Town Employees, Retirement for	Ch. 75
§ 7, Volunteer Firemen, Insurance for	Ch. 37, Art. III
§ 9, Town Clerk and Treasurer, Retirement Plan for	Ch. 75
Ch. VIII, Park Department	
§ 1, Establishing Same (Special Act 323 of 1945)	Ch. A400, Art. IX
Ch. IX, Planning and Zoning	
§ 1, Airport Zoning Ordinance of Bradley Field	Ch. 125
§ 3, Capital Region Planning Authority	Superseded by 5-30-1973; see Ch. 12, Art. VII
§ 5, Municipal Development and Industrial Commission	Ch. 12, Art. IV
§ 7, Planning and Zoning Commission	Ch. 12, Art. II
§ 9, Zoning Board of Appeals, Alternate Members Thereof	Ch. 7, Art. I

Chapter/Title From Compilation	Location in 2013 Code
§ 11, Zoning Regulations	NI
Ch. X, Public Safety - General	
§ 1, Hunting	Ch. 193
§ 3, Ice and Snow on Sidewalks, Removal Thereof	Repealed by 4-18-1994; see Ch. 313, Art. IV
§ 5, Ice Boxes, Refrigerators or Like Containers, Discarding Thereof	Ch. 299, Art. I
Ch. XI, Public Safety - Fire	
§ 1, Fire Department and Board of Fire Commissioners, Establishment of (Special Act 517 of 1951 as amended by Special Act 55 of 1953)	Ch. A400, Art. XII
Ch. XII, Public Safety - Police	
§ 1, Police Department, Establishment of (Special Act 373 of 1943)	Ch. A400, Art. VII
§ 3, Police Commissioners, Certain Power of (Special Act 118 of 1941)	Ch. A400, Art. V
§ 5, Merit System for Police Department	Ch. A400, Art. XIV
§ 7, Police Officers at Various Public Functions	Ch. 257, Art. III
§ 9, Theaters, Police in Attendance at Performances Thereof	Ch. 257, Art. II
Ch. XIII, Sewers	
§ 1, Sewer Act of 1961 (Special Act 373 of 1961)	Ch. A400, Art. XVI
§ 3, Lateral Sewer Lines	Ch. 288, Art. I
§ 5, Mandatory Sewer Tie-In	Ch. 288, Art. II
§ 7, New Sewer Construction, Cost Thereof	Ch. 288, Art. III
§ 9, Sewer Commission, Election of (Special Act 204 of 1957)	Ch. A400, Art. XV
§ 11, Sewerage Facilities, When Necessary, for Before Construction - (See "Building and Construction," Chapter II, § 11)	NI
Ch. XIV, Streets and Highways	
§ 1, Parking Regulations, Power of Police Commission Over	Ch. 340, Art. I
§ 3, Overtime Parking	Ch. 340, Art. IV
§ 5, Parking Authority, Establishment of	Ch. 12, Art. III
§ 7, Parking Meters	Ch. 340, Art. II
§ 9, U-Turns, Prohibition Against	Ch. 340, Art. III
§ 11, Curbs and Sidewalks (Special Act 268 of 1913 as amended by Special Act 112 of 1957)	Ch. A400, Art. III

Chapter/Title From Compilation	Location in 2013 Code
§ 13, Discontinuing Certain Highways (Special Act 248 of 1941)	Ch. A400, Art. VI
§ 15, Sidewalks, Nuisances Thereon	Ch. 313, Art. I
Ch. XV, Miscellaneous	
§ 1, Annual Report of Selectmen	Ch. 95, Art. I
§ 3, Board of Education: Number of Members	Ch. 12, Art. I
§ 5, Numbering of Volumes of the Land Records	NI
§ 7, Town Pounds	Ch. 145, Art. I
§ 9, War Memorial, Authorizing Appropriations for Same	Ch. A400, Art. XIII
§ 11, Persons Receiving Town Aid, Names in Town Report	Ch. 95, Art. II

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DISPOSITION LIST

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INDEX

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