

PART I - CHARTER AND RELATED LAWS

Subpart A - CHARTER

Footnotes:

--- (1) ---

Editor's note— *Printed herein is the Charter of the Town, as set out in that certain pamphlet entitled "Town of South Windsor, Charter Book of Ordinances, Revised October 1, 1978." Amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets. The style of representation of names is as it appeared in the 1978 Charter Book.*

CHAPTER 1. - INCORPORATION AND GENERAL POWERS

Section 101. - Incorporation.

All the inhabitants dwelling within the territorial limits of the Town of South Windsor, as heretofore constituted, shall continue to be a body politic and corporate under the name of the "Town of South Windsor," 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 laws of the State of Connecticut.

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 vested or inchoate in said Town as of the effective date of this charter are continued in said Town, and said Town shall continue to be liable for all debts and obligations of every kind for which said Town shall be liable on said date, whether accrued or not. Nothing herein shall be construed to affect the right of said 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 provision that the same may be enforced by any commission, board, department or officer therein named, which is abolished by the provisions of this charter, such contracts, bonds or undertakings shall be in no manner impaired but shall continue in full force and effect, and the powers conferred and the duties imposed with reference to the same upon any such commission, board, department or officer shall, except as otherwise provided in this charter, thereafter be exercised and discharged by the manager of said Town.

Section 103. - General grant of powers.

In addition to all powers granted to towns under the constitution and general statutes, the Town shall have all powers specifically granted by this charter and all powers fairly implied in or incident to the powers expressly granted, 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 or any federal agency, the State of Connecticut or any political subdivision thereof for services and the use of facilities, the exercise of which is not expressly forbidden by the constitution and general statutes of the State of Connecticut. The enumeration of particular powers in this and any other chapter of this charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

Section 104. - Specific powers.

Any specific powers granted to towns under the provisions of Chapter 99 [C.G.S. § 7-187 et seq.] of the 1958 revision of the general statutes as the same may be amended from time to time are incorporated herein by reference and shall be in addition to all other powers granted to the Town.

CHAPTER 2. - OFFICERS AND ELECTIONS

Section 201. - County, state and federal officers.

Nomination and election of county, state and federal officers, state and federal senators and representatives, registrars of voters, the judge of probate and justices of the peace shall be conducted in the manner prescribed by the constitution and laws of this state applicable to the Town of South Windsor, and the registrars of voters shall prepare lists of electors qualified to vote therefor.

Section 202. - Municipal elections.

A meeting of the electors of the Town for the election of Town officers shall be held on the Tuesday after the first Monday of November 1969 and biennially thereafter. All Town officers heretofore or hereafter elected shall hold office until their successors have been chosen and qualified.

Section 203. - Town officers.

The elective officers of the Town shall consist of nine members of the Town Council, nine members of the Board of Education, seven members of the Town Planning and Zoning Commission, three members of the Board of Selectmen, five Constables, the Town Treasurer and the Town Clerk. Notwithstanding the above, the Council may provide by ordinance for the appointment of Constables in lieu of their election in accordance with general statutes.

Section 204. - Terms of office and minority representation.

At each biennial Town election, nine members of the Town Council, three members of the Board of Selectmen, five Constables and a Town Treasurer shall be elected, each to serve for two years. No political party shall nominate and no elector shall vote for more than six members of the Town Council, three Constables and two members of the Board of Selectmen.

At the 1975 Town election, five members of the Board of Education shall be elected, each to serve for two years. No political party shall nominate and no elector shall vote for more than three members. At the 1977 Town election and biennially thereafter, nine members of the Board of Education shall be elected, each to serve for two years. No political party shall nominate and no elector shall vote for more than five members. At the 1975 Town election and quadrennially thereafter, three members of the Town Planning and Zoning Commission shall be elected, each to serve for four years. At the 1977 Town election and quadrennially thereafter, four members of the Town Planning and Zoning Commission shall be elected, each to serve for four years. No political party shall nominate and no elector shall vote for more than three members of the Town Planning and Zoning Commission at any election when four members are to be elected or for more than two when three are to be elected. Notwithstanding the provisions of Section 203, the Town Council may, subsequent to the 1973 election, appoint one (1) member from each political party to the Town Planning and Zoning Commission to serve until the first Monday after the 1977 Town election. At no time will there be more than a bare majority of any one political party on the Planning and Zoning Commission.

At the 1969 Town election and quadrennially thereafter, the Town Clerk shall be elected to serve for four years.

The terms of all officers, except the Town Clerk, shall commence on the first Monday after the election. The term of the Town Clerk shall commence on the first Monday of January following his election.

(Ref. of 11-6-79; Ref. of 11-4-80)

Section 205. - Town Treasurer, duties of.

The Town Treasurer shall be the agent of the Town deposit fund. It shall be the duty of the Treasurer to receive and safely keep all moneys belonging to the Town by depositing the same in a bank or banks to be selected by him with the approval of the Council. He may invest from time to time, with the approval of the Council as the general statutes may provide, moneys of the Town not needed for immediate expenditure. He shall likewise invest any trust funds of the Town for which other provision has not been made by the terms of the gift creating such fund, in securities legal for the investment of trust funds in Connecticut. He shall keep such accounts as shall be prescribed by law or ordinance. No money shall be drawn from any Town account except by check countersigned by the Treasurer, and he shall not affix his signature to any such check unless the expenditure represented thereby has been legally incurred.

Section 206. - Nomination and election procedure.

Except as otherwise specifically provided in this charter, candidates for elective office shall be nominated and all regular and special Town elections conducted as provided by the general statutes of the state for the nomination and election of Town and school officers respectively. Whenever under the provisions of this charter any proposition is to be submitted to electors, such election shall be conducted as provided in the general statutes, except that the Town Council may, by resolution adopted prior to the date on which notice of such election is required to be published, direct that all votes at such election be cast at a single polling place designated in such resolution.

Section 207. - Eligibility.

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

Section 208. - Vacancies.

Vacancies in elective offices, including the Board of Education, from whatever cause arising, shall be filled by the council. In filling any vacancy, the Town Council shall select a person of the same political party as that of the former incumbent, unless the incumbent was a nonregistered voter, in which case his successor shall be a nonregistered voter. For the purposes of this section, a nonregistered voter shall mean any elector of the Town of South Windsor who has not been registered with any political party for a period of six (6) months next preceding the date of his appointment. All appointments to fill vacancies in any elective Town office shall be for the unexpired portion of the term of the elective office so filled.

Section 209. - Voting districts.

All officers of the Town who are chosen by election shall be elected at large. The council may, from time to time, by ordinance, divide the Town into voting districts for the establishment of polling places therein.

CHAPTER 3. - THE TOWN COUNCIL

Section 301. - The Council.

There shall be a Town Council, consisting of nine members hereinafter referred to as the "council." The members of the council, other than the Mayor, shall serve without compensation, but they shall be reimbursed for actual expenses incurred in the performance of official duties. The Mayor shall be

reimbursed for actual expenses incurred in the performance of official duties, and in addition, beginning on December 1, 1977, the Mayor shall receive compensation at the rate of seventy-five dollars (\$75.) per month.

No member of the council shall be elected or appointed to any office in or shall accept employment by the Town during the term of office for which he is elected. This section shall not preclude any council member from being elected to any office upon his termination as a member of the council.

Section 302. - Organization.

Each newly elected council shall meet for organization in the Town office building at 8:00 p.m. on the first Monday following each election.

The meeting shall be called to order by the Town Clerk, who shall administer the oath of office to all members, provided that in the absence of the Town Clerk, the meeting may be called to order and the oath administered by any citizen of South Windsor authorized by law to administer oaths. The council shall then proceed to choose one of its members as Mayor and one of its members as Deputy Mayor, each to serve for the ensuing two years or until such time as his successor is duly chosen.

The Mayor shall not be deprived of his vote on any question. He shall preside over all meetings of the council and perform such other duties consistent with his office as may be imposed by the council. He shall be recognized as the official head of the Town for all ceremonial and military purposes. During his absence or disability, his duties shall be performed by the Deputy Mayor or, in the absence of both, by a member chosen by the council.

Section 303. - Clerk.

The Council shall appoint a Clerk of the council, who shall receive compensation as fixed by the council. Such Clerk shall keep a public record of the proceedings of all regular and special meetings of the council, including all roll call votes, which record shall be kept in the Town Clerk's office.

Section 304. - Procedure.

At the organizational meeting, the council shall fix the time and place of its regular meetings and provide by resolution a method for the calling of special meetings, but no business shall be considered at any special meeting notice of which has not been included in the call for such meeting. The council shall determine its own rules of procedure not inconsistent with the provisions of this charter. All meetings of the council shall be open to the public unless the council shall vote to go into executive session in the manner and for any of the purposes authorized by statute. The presence of five members shall constitute a quorum, but no ordinance, resolution or vote, except a vote to adjourn or to fix the time and place of its next meeting, shall be adopted by less than five affirmative votes. The ayes and nays of each and every vote of

the council shall be by roll call vote unless the vote is unanimous, and recorded in the journal. No ordinance, nor a resolution concerning the appropriation or transfer of money, shall be adopted or appointment or removal made except at a meeting of the council open to the public.

The council shall keep for public inspection at the Town hall a journal which shall be the official record of its proceedings. The record so kept shall be authenticated for each meeting by the signature of the Mayor or the Clerk.

(Ref. of 11-6-79)

Section 305. - General powers and duties.

The council shall have the rights, powers, duties and obligations which, on the effective date of this charter, were conferred by law upon boards, officers, committees, commissions and Town meetings of said Town existing immediately prior to such date, except as otherwise specifically provided in this charter. The legislative power of the Town shall be vested exclusively in the council, except those powers related to zoning and planning and except as otherwise provided for in the section of this chapter pertaining to initiative and referendum.

Subject to the approval of the council, the Town may contract for services and the use of facilities of the State of Connecticut and any political subdivision thereof or may, by agreement, join with any such political subdivision to provide services and facilities, in which case departments and offices created by the charter, the functions of which are transferred under the terms of such contract or agreement, may, by ordinance, be abolished.

The council shall have power to make, alter and repeal ordinances or resolutions not inconsistent with this charter and the general statutes of the state for the execution of the powers vested in it by this charter, for the government of the Town and the management of its business and for the preservation of the good order, peace, health and safety of the Town and its inhabitants. For these same purposes, the council shall have the power by ordinance to create or abolish boards, commissions and committees, except those provided by this charter.

The council is authorized, in adopting ordinances, to incorporate any nationally recognized code, rules or regulations that have been printed in book form or any code officially adopted by any administrative agency of the state, or any portion thereof, by reference thereto in such ordinance, provided that, upon adoption of any such ordinance wherein any such code, rules and regulations or portions thereof have been incorporated by reference, there shall be maintained two copies of such code, rules and regulations in the office of the Town Clerk for examination by the public.

The council shall fix the compensation of the Manager and shall fix the compensation of all officers and employees of the Town except employees of the Board of Education. All fees collected by the Town Clerk shall be paid into the Town treasury. The Tax Collector and the Town Clerk shall be compensated for

services on a salary basis only. The charges, if any, to be made for services by the Town, for the execution of powers vested in the Town as provided in Chapter 1 of this charter or for the government of the Town and of its business, shall be fixed by the Council.

(Ref. of 11-6-79)

Section 306. - Ordinances; public hearing and publication.

At least one public hearing, notice of which shall be given at least five days in advance by publication in a daily newspaper having a general circulation in said Town and by posting a notice in a public place, shall be held by the council before any ordinance shall be passed. Every ordinance, after passage, shall be given a code number and be recorded by the Town Clerk in a book to be kept for that purpose, which shall be properly indexed. Within ten days after passage, all ordinances shall be published once in a daily newspaper having a general circulation within the Town. An ordinance need not be published in full but, in lieu thereof, may be identified by title and described by subject matter. Every ordinance, unless it shall specify a later date, shall become effective on the tenth day after such publication following its final passage, provided that an ordinance stated to be a public emergency measure and stating the facts constituting such public emergency shall become effective immediately after such publication and that no public hearing or notice of public hearing shall be required for any public emergency measure.

For the purposes of this charter, "ordinance" shall be limited in its meaning to a statute or regulation, and it shall not include appropriations, appointments, expressions of opinions or convictions, bond issues or resolutions.

Section 307. - Introduction of ordinances.

All ordinances shall be introduced in written form. All ordinances shall be confined to one subject, which shall be clearly stated in the title. It shall be the duty of the Clerk of the council immediately upon introduction of such written ordinances to prepare at least fifteen copies of each such proposed ordinance, one copy of which shall be retained in the Town Clerk's office for public inspection, and one copy to be posted in a public place in the Town office building. For the convenience of the public, copies shall be placed in each of the Town's public libraries.

Section 308. - Emergency ordinances.

An emergency ordinance shall be only for the immediate preservation of the public peace, health and safety, shall contain an explicit statement of the nature of the emergency and shall be adopted by not less than six affirmative votes of the Council.

Section 309. - Investigation.

The council shall have the power to investigate any and all departments, offices and agencies of the Town and for such purposes shall have the power to issue subpoenas. At the request of the council, any judge of the Superior Court may issue a *capias* for the appearance of witnesses and the production of books and papers.

Section 310. - Relations to administrative service.

The council and its members shall deal with the administrative service solely through the Manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the Manager, either publicly or privately, provided that a properly constituted meeting of the council, which the Manager has been invited to attend, may call before it any employee or officer for the purpose of investigation.

Section 311. - Annual audit.

The council shall appoint an independent certified public accountant or firm of independent certified public accountants to audit the books and accounts of the Town as provided in the general statutes of the State of Connecticut. Such appointment shall be for a two-year term and shall be made in December of the odd-numbered years.

State Law reference— Annual audit, C.G.S. § 7-391 et seq.

Section 312. - Power of initiative.

The electors shall have the power by petition as hereinafter set forth to propose to the council any ordinance or other measure, except an ordinance or resolution appointing or removing officials, specifying the compensation of hours of work of officials and employees, appropriating money, authorizing the levy of taxes or fixing the tax rate. If the council fails to adopt such ordinance or other measure within thirty days after a petition making such a proposal shall have been filed with the council, the electors may adopt or reject the same at an election held within ninety days after such proposed ordinance or measure was originally filed with the council, provided that such petition shall have been signed in ink or indelible pencil by qualified electors of the Town equal in number to at least ten percent of the registered voters at the last municipal election. Said petition shall be accompanied by affidavits signed and sworn to by each circulator of such petition, certifying to the authenticity of the signatures on such petition. The Town Clerk shall determine the sufficiency of the petition and the affidavits. Unless at least twenty percent of the electors entitled to vote on the question shall have voted, such proposed ordinance or measure shall not become effective and the result shall be construed as against adoption. No ordinance or other measure which shall have been adopted in accordance with the provisions of this section shall be repealed or amended by the council except by petition and vote of the electors.

Section 313. - Power of referendum.

The electors shall have the power to approve or reject at a referendum as herein provided any ordinance or other measure passed by the council, except an ordinance or resolution appointing or removing officials, specifying the compensation or hours of work of officials and employees, appropriating money, authorizing the levy of taxes or fixing the tax rate. Ordinances or other measures submitted to the council by initiative petition as provided in Section 312 and passed by the council without change shall be subject to a referendum in the same manner as other ordinances or measures. Within thirty days after the enactment by the Council of any ordinance or other measure which is subject to referendum, a petition signed in ink or indelible pencil by qualified electors of the Town equal in number to at least ten percent of the registered voters at the last municipal election may be filed with the Town Clerk requesting that any such ordinance or other measure be either repealed or submitted to a vote of the electors. Said petition shall be accompanied by affidavits signed and sworn to by each circulator of such petition certifying to the authenticity of the signatures on such petition. The Town Clerk shall determine the sufficiency of the petition and the affidavits. If the Council fails to repeal such ordinance or other measure within thirty days from the filing of such petition, the question of repeal shall be submitted to the electors of the Town within sixty days of the council passage of such ordinance or other measure. Upon the filing of a sufficient petition, the ordinance or measure shall remain without effect until the electors vote on the question as above provided. A majority vote of the electors to repeal the ordinance or measure shall not become effective unless a total of at least twenty percent of the electors entitled to vote on the question shall have voted. If the vote to repeal fails, the ordinance or measure as passed by the council shall become effective immediately.

Section 314. - Obligatory referendum on bond issues, notes and the sale of real estate by the Town.

No resolution authorizing the issuance of bonds or notes or the sale or conveyance of real property having a value of more than \$25,000. shall become effective until the same has been approved at a referendum called by the council for such purpose.

No public hearing shall be required on any such matter to be acted upon by such referendum.

The Council may, by resolutions adopted after a public hearing, provide for the sale or conveyance of real property of the Town having a value not exceeding \$25,000.

Section 315. - Appropriations.

The council, by an affirmative vote of not less than six of its members, may appropriate a sum or sums not to exceed a total of \$25,000. in any one fiscal year, in addition to or supplementary to the annual budget appropriation. Such sum or sums shall not be considered in the nature of an emergency appropriation or appropriations. Any appropriation or appropriations in excess of a total of \$25,000., in addition to or

supplementary to the annual budget appropriation and not in the nature of an emergency appropriation, shall require a public hearing. The council may appropriate unencumbered and unbudgeted funds in the Town treasury in accordance with the above.

For the purpose of meeting an emergency, as defined in Section 308, and to prevent the breakdown of any essential service rendered by a department, board, commission or agency of the Town, the council, by an affirmative vote of not less than six of its members, may appropriate, notwithstanding any other provision of this charter, a sum or sums not to exceed a total of \$50,000. in any one fiscal year in addition to or supplementary to the annual budget appropriation.

CHAPTER 4. - THE MANAGER

Section 401. - Qualifications.

The Manager shall be chosen exclusively on the basis of his executive and administrative qualifications, character, education, training and experience. At the time of his appointment, he need not be a resident of the Town or state, but during his tenure of office he shall reside in the Town.

Section 402. - Appointment and removal.

The Manager shall be appointed, and may be removed, by the council. A resolution to appoint or to remove must be adopted by a two-thirds vote of the entire membership of the council. At least thirty days before the effective date of a proposed removal, the council shall give to the Manager a statement of the reasons for the removal. Within ten days after his receipt of the council's reasons for removal, the Manager may request a public hearing on the reasons for his removal. If the Manager requests a public hearing, he shall not be removed until the public hearing has been held and unless a subsequent resolution of the council for his removal has been passed by a two-thirds vote of the entire membership within thirty days from the date of the public hearing. During the period between the resolution to remove and the effective date of the removal, the council may suspend the manager from his office, but the manager shall receive his regular salary during such period. The action of the council in removing the Manager shall be final. During any suspension of the Manager, the council may appoint an Acting Manager to serve at the pleasure of the council, but for not more than ninety days.

Section 403. - Tenure and compensation.

The term of the Manager shall be indefinite. The compensation of the Manager shall be fixed by the council. His salary may be decreased by a two-thirds vote of the entire membership of the council taken at least one month prior to the beginning of the ensuing fiscal year.

Section 404. - Acting Manager.

During any temporary period when there is a vacancy in the office of Manager, or when a Manager is unable to serve, the council may appoint an Acting Manager, whose powers and duties shall be the same as those of the Manager, and shall fix his compensation. Such Acting Manager shall not be a member of the council.

During any temporary period when there is a vacancy in the office of Manager, or when the Manager is unable to serve, the Town Clerk shall serve as Acting Manager until such time as the Council shall appoint an Acting Manager.

Section 405. - Powers and duties of Manager, general.

The Manager shall be the chief executive and administrative officer of the Town, except the Department of Education. He shall be responsible to the council in the exercise of his powers and in the performance of his duties. He shall see that all laws and ordinances are faithfully executed. He shall meet with the council regularly to make reports to the council and to receive instructions from the council. He may recommend to the council any and such measures as he may deem necessary and expedient. The general powers and duties of the Manager shall not be diminished by ordinance.

Section 406. - Powers and duties of Manager, specific.

The Manager shall assist the council in the preparation of the annual Town budget. He shall assist the Council in the preparation and publication of the annual Town report. He shall be the personnel officer, the director of public works and the purchasing agent for Town administrative officials and departments, except the Department of Education, or he may appoint and supervise a personnel officer, a director of public works and a purchasing agent, provided that he is directed to do so by the council. The Manager may serve as purchasing agent for the Board of Education for such items and services as requested by said board. The Manager may, subject to the approval of the council, perform the duties of any office under his jurisdiction and may, in the absence of the Town Treasurer and subject to the approval of the council, perform the duties of that office.

The Manager shall have supervision and control over all employees under the merit system and shall have the right to transfer employees between departments and prescribe their duties, notwithstanding the provisions of Chapter 9. He may also transfer all Town-owned office equipment between and among departments.

The Manager shall be the legal agent of the Town for the purpose of receiving service of legal process and/or any other legal purpose.

Other specific powers and duties, if consistent with the general powers and duties conferred by this charter and by law upon the Manager, may be conferred upon the Manager by ordinance, and such additional powers and duties may be altered or withdrawn by ordinance.

Section 407. - Appointment of department heads.

The following department heads shall be appointed and may be removed by the Manager: Building Inspector, Town Engineer, Sanitary Officer, Assessor, Director of Health, Director of Civil Preparedness, Director of Public Works, Chief of Police, Purchasing Agent, Director of Social Services, Director of Finance, Director of Recreation and such other department heads as the council shall provide, not inconsistent with the provisions of this charter.

CHAPTER 5. - OFFICERS AND BOARDS DIRECTLY RESPONSIBLE TO COUNCIL

Section 501. - Appointment of officers.

The council shall appoint a Town Attorney and such other officers and assistants as the council shall provide, not inconsistent with the provisions of this charter. The foregoing officers shall serve for a term coinciding with the term of the council or until their successors have been appointed and duly qualified.

Section 502. - Appointment of boards.

- (a) The Council shall appoint the Zoning Board of Appeals, consisting of five members and three alternates, a Jury Committee, consisting of three members, a Board of Tax Review, consisting of three members and two alternates, a Public Building Commission, consisting of seven members, an Economic Development Commission, consisting of ten members, a Library Board of Directors, consisting of six (6) members, and three alternates to the Planning and Zoning Commission.

The terms of office of all persons, who on the effective date hereof, hold offices described in this section shall be extended to November 30 immediately following the termination date heretofore provided, except that the term of office of all members of the Jury Committee in office on the effective date hereof shall expire on October 31, 1971.

During the month of November 1971, and quadrennially thereafter, the newly elected council shall appoint, for terms of four years commencing December 1 of such year, two alternates to the Planning and Zoning Commission, three members and two alternates to the Zoning Board of Appeals, three members to the Library Board of Directors, two members to the Board of Tax Review, five members to the Economic Development Commission and four members to the Public Building Commission.

During the month of November 1973, and quadrennially thereafter, the newly elected council shall appoint, for terms of four years commencing December 1 of such year, one alternate to the Planning and Zoning Commission, two members and one alternate to the Zoning Board of Appeals, three members to the Library Board of Directors, one member to the Board of Tax Review, five members to the Economic Development Commission and three members to the Public Building Commission.

During the month of October 1971, and annually thereafter, the council shall appoint three members of the Jury Committee for a term of one year commencing on October 31 of such year. Any member so appointed shall serve until his successor is appointed and qualified.

- (b) The council may remove any member of a board, commission or committee appointed by it if such member has absented himself from all meetings of his board, commission or committee for a period of three consecutive months.
- (c) The council shall not appoint to any board, commission or committee more than a bare majority of persons who are members of any one political party. This shall not preclude the appointment by the council of any person who is not a member of any political party. A vacancy on a board, commission or committee shall be filled only for the unexpired portion of the term of such office.

The council shall appoint the Inland Wetlands Agency, consisting of nine members and two alternates, for four-year terms. Members in office on the effective date hereof shall continue in the office for the unexpired portions of their terms. Their successors shall be appointed by the council for a term of four years upon the expiration of their terms. Every four years thereafter, the council shall appoint a sufficient number of members and alternate members to succeed the members and alternate members whose terms will then expire.

(Ref. of 11-6-79)

Section 503. - Powers and duties.

All officers, boards, commissions, committees and agencies designated in this chapter as appointed by the council shall have under this charter all the powers and duties vested in such offices prior to the effective date of this charter and not in conflict herewith and all powers and duties thereafter conferred or imposed upon such offices by the general statutes and ordinances of the Town.

CHAPTER 6. - ADMINISTRATIVE DEPARTMENTS AND OFFICERS

Section 601. - Police Department.

The council, through ordinance, may establish a Police Department, consisting of the Chief of Police and such other officers and employees of such ranks and grades as the council may determine. The Police Department shall be responsible for the preservation of the public peace, prevention of crime,

apprehension of criminals, regulation of traffic, protection of rights of persons and property and enforcement of the laws of the state and the ordinances of the Town and all rules and regulations made in accordance therewith. All members of the Police Department shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by the general statutes. The Chief of Police shall be the executive officer of the Police Department. He shall assign all members of the Department to their respective posts, shifts, details and duties. He shall be responsible for the care and custody of all property used by the Department and for the efficiency, discipline and good conduct of its members. He shall make rules for the operation of the Department and the conduct of police work, subject to the approval of the Manager. The violation of these rules by any member of the division shall be punishable by appropriate disciplinary action which may include loss of pay, suspension from duty and removal, provided that no member of the department shall be suspended by the chief for more than ten days without the approval of the Manager, and no suspension for more than thirty days or removal shall be made except in accordance with the provisions of Chapter 9 relating to the classified service and removals.

Section 602. - Fire Department.

Fire protection shall continue to be provided by the Volunteer Fire Department heretofore established. The Town, however, by this charter reserves the right, through ordinance, to establish or encourage additional volunteer companies or may provide for such other means of fire protection in lieu of or in addition to volunteer companies. In the event that the Volunteer Fire Department or departments are replaced pursuant to this section, then, and in that event, a Fire Chief, who shall be a department head, shall be appointed by the Manager. Under the provisions of this charter, the Fire Chief shall be the executive head of the Fire Department and as such shall have, under the direction of the Manager, charge and control of the administration and discipline of the Fire Department and of the buildings, property, apparatus and equipment thereof.

A Fire Marshal and Deputy Fire Marshal shall be appointed by the Manager and may be removed by him at will. The council may provide by ordinance for the number, manner of appointment and removal of Deputy Fire Marshals. Such marshals or deputies shall have the powers and duties as provided by the general statutes and ordinances of the Town.

Section 603. - Department of Building Inspection.

There shall be a Department of Building Inspection, consisting of the Building Inspector and such other employees as the council may determine. It shall be the duty of the Building Inspector to enforce the provisions of the Building Code and zoning regulations and to perform such other duties as may be assigned him by the Manager.

Section 604. - Department of Public Works.

There shall be a Department of Public Works, headed by a Director of Public Works. The Department of Public Works shall be responsible for the maintenance of Town-owned structures and lands, except those structures and lands which are under the control of the Board of Education. This department shall also be responsible for the maintenance of Town roadways and streets, sidewalks, parks, drainage facilities and a Town dump. This department may, at the request of the Board of Education, assist in the care and maintenance of school buildings and grounds, to the extent and for the period requested by the Board of Education and approved by the Manager. This department may, at the request of any other officer, board or commission having control or the use of Town-owned structures or grounds, render a service similar to that stated above for the properties of the Board of Education. It is the intent of this provision above stated to promote efficiency by using the special equipment and personnel of the Department of Public Works for such operations as snow and ice removal, removal of fallen and dangerous trees, clearing land of brush and debris, paving, landscaping and providing and maintaining drainage facilities and flood prevention, rather than have and use duplicate equipment and personnel under other officers, boards, commissions or departments.

Section 605. - Purchasing Agent.

The Manager shall assume the duties of purchasing until such time as the council shall otherwise provide by ordinance. The Purchasing Agent shall be responsible for making purchases and procuring services for the Town, except purchases and services for the Board of Education unless requested by the Board of Education under Section 406. He shall design, procure and furnish to other departments, officers, boards and commissions suitable purchase orders and other forms to accomplish his work expeditiously and efficiently.

Section 606. - Director of Social Services.

There shall be a Director of Social Services, who, until the council shall otherwise provide by ordinance, shall be the Manager. The Director of Social Services shall be responsible for the administration of the social service activities of the Town and the care of the poor, defective and dependent persons, under applicable laws, ordinances and rules and regulations made in accordance therewith.

Section 607. - Health Director.

The Health Director shall be responsible for the preservation and promotion of the public health. The Health Director shall interpret and enforce the health and sanitary laws of the state and Town and the rules and regulations made in accordance therewith. The Health Director shall be appointed by the Manager subject to the provisions of the general statutes relating to the appointment of Directors of Public Health.

Section 608. - Department of Finance.

There shall be a Department of Finance, consisting of a Director of Finance and such other employees as the council may determine by ordinance. The Manager shall serve as the Director of Finance until such time as the council shall determine otherwise by ordinance. Said department shall be responsible for all records pertaining to all revenue paid to the Town from any source whatsoever. Said department shall also be responsible for the proper keeping of any other records that the Manager may deem necessary to effect a more efficient operation of the Town's business and for better public service. Said department shall maintain the records for the Assessor's office under the direction of the Assessor.

Said department shall organize, supervise and maintain a suitable municipal accounting and inventorial system, so that it can, upon request, furnish expeditiously to any officer, department, board, commission or the council pertinent data as to the status of accounts and as to personal and real property held. The Department of Finance shall notify any officer, department head or head of a board or commission when any request for purchase is in excess of funds available by budgetary appropriation.

A Collector of Revenue shall be appointed by the Manager and may be removed by him at will.

The Assessor and Collector of Revenue, respectively, shall have all the powers and duties conferred on Assessors and Boards of Assessors and on Tax Collectors by the general statutes and such other duties as may be assigned them by ordinance.

The foregoing does not include any of the duties of the Town Treasurer as provided in Section 205 of this charter and the general statutes of the State of Connecticut, neither does it include any of the duties of the Town Clerk and Registrar of Vital Statistics as provided for in the general statutes of the State of Connecticut.

Section 609. - Town Attorney.

The Town Attorney shall be the legal advisor of the council, Manager and all departments, officers, boards, commissions and agencies of the Town; shall represent the Town in all litigation in which the Town or any department, officer, board, commission or agency thereof is a party; and shall prepare, on written request of the Manager, the council or any member thereof, ordinances and resolutions for consideration by that body. The council may provide such clerical and other assistance to the Town Attorney as may be required. Upon request, he shall prepare or approve all forms of contracts and other instruments to which the Town is a party or in which it has an interest.

(Ref. of 11-6-79)

Section 610. - Compensation of Town Clerk and Selectmen.

- (a) The general administrative duties of the Selectmen shall be abolished. The Selectmen shall enroll new voters and perform such other duties in connection therewith as are or may be required by the general statutes. The Selectmen shall be paid at a rate as determined, from time to time, by the council.
- (b) The Town Clerk shall be paid entirely on a salary basis at such rate as may be determined, from time to time, by the council, and all fees shall be turned over to the Town Treasurer as provided in Section 305.

Section 611. - Tree Warden and Dog Warden.

The Manager shall appoint a Tree Warden and a Dog Warden and such assistants thereto as he deems advisable and shall, in his discretion, assign them to such duties not inconsistent with this charter or state statute to serve either in such Town department that the Manager deems advisable or, in the alternative, require him/her or them to report directly to the Manager. The Manager shall provide compensation for them in the Town budget and shall appoint them for such terms as he deems advisable not inconsistent with this charter or state statute.

Section 612. - Department of Recreation.

There shall be a Department of Recreation, headed by a Director of Recreation, which shall be responsible for planning, promoting and administering a comprehensive recreation service for the Town.

CHAPTER 7. - FINANCE AND TAXATION

Section 701. - The fiscal year.

The fiscal year of the Town shall begin on July 1 and end on June 30.

State Law reference— Uniform fiscal year, C.G.S. § 7-382.

Section 702. - Duties of the Manager on the budget.

No later than the twenty-second day of March the Manager shall present to the council a budget consisting of total expenditures as estimated for the current fiscal year and the requests of the several departments, officers, boards, commissions, committees and agencies of the Town for the ensuing fiscal year for all items, together with such other information as may be required by the council. The Manager shall present reasons for all recommendations.

Section 703. - The school budget.

Not later than the fifteenth day of March the Board of Education shall submit to the council its estimates of receipts and expenditures for the ensuing fiscal year. Such estimates shall be in the form prescribed by the State Board of Education, plus such amplifications as may be required by the council.

State Law reference— Submission of annual budget estimate, C.G.S. § 10-222.

Section 704. - Duties of the council on the budget.

Upon receipt of the proposed school budget, the council shall have prepared and ready for a public hearing, not later than April 15 each year, the school budget. The time and place of said public hearing shall be advertised in a daily newspaper having a general circulation within the Town not less than five days prior to said hearing. Copies of said budget may indicate by description and dollar amounts, all variations and departures from the school budget. The Council shall cause sufficient copies of its school budget to be made available for general distribution in the office of the Town Clerk not less than five days prior to said public hearing. Said school budget shall be submitted to a public hearing, as defined in Chapter 8, to be held not later than April 30 each year. Said budget shall be considered Part I of the annual Town budget.

Upon receipt of the proposed Manager's budget, the council shall have prepared and ready for a public hearing, not later than April 27 each year, the Manager's budget. The time and place of said hearing shall be advertised in a daily newspaper having a general circulation within the Town not less than five days prior to said hearing. Copies of said budget shall specifically indicate, by description and dollar amounts, all variations and departures from the Manager's budget. The council shall cause sufficient copies of its Manager's budget to be made available for general distribution in the office of the Town Clerk not less than five days prior to said public hearing. Said Manager's budget shall be submitted to the public hearing, as defined in Chapter 8, to be held not later than May 7 each year. Said budget shall be considered Part II of the annual Town budget.

Section 705. - Council action on the budget.

After the Council has considered the recommendations of the public hearing or hearings, the council shall, not later than May 15, adopt its school budget, which shall be known as Part I of the annual Town budget. Not later than May 22, the council shall adopt its Manager's budget, which shall be known as Part II of the annual Town budget.

Section 706. - Fixing of the tax rate.

Not later than May 31 of each year, the council shall fix the rate of taxation for the ensuing fiscal year on the grand list of the previous October 1.

The council shall determine the amount to be raised by taxes by taking into consideration the budget already adopted for the ensuing year for Town and school purposes combined, the anticipated revenues during such year from sources other than local property taxes and the anticipated surplus or deficit of the Town at the beginning of such year. The council shall thereupon fix the rate of taxation at a point which, after taking into account the amount available from such other estimated income and from said surplus, if any, will be sufficient not only to pay the expenses of the Town for such year but also to absorb any deficit of the Town at the beginning of such year. None of the foregoing shall limit the power of the council to provide for such additional taxes as may be authorized by the general statutes.

Section 707. - Effect of adoption of Town budget.

The adoption of the Town budget shall be deemed to constitute the appropriation for each item listed separately on the budget of each department, office, board, commission, committee and agency and be the sum estimated in the budget to be expended by each such body respectively for such item.

Section 708. - Assessment and collection of taxes.

Except as specifically provided in this charter, the assessment of property for taxation and the collection of taxes shall be as provided in the general statutes.

Section 709. - Taxes and tax bills.

(Repealed 11-6-79)

Section 710. - Effect of appropriations.

No money shall be expended or obligation for such expenditure incurred by any department, office, board, commission, committee or agency of the Town, except in accordance with an appropriation by the council. No contract, work order, purchase order or other authorization to spend money by any department, office, board, commission, committee or agency, except the Board of Education, shall be valid until it has been endorsed by the Manager or Purchasing Agent to the effect that there is an unexpended and unencumbered balance of an appropriation applicable thereto sufficient to meet the estimated cost thereof, provided that the Board of Education shall set up its own system of budgetary control. It shall further be the duty of the Manager or Purchasing Agent, after endorsing such authorization, to spend money to encumber immediately the appropriation in question with such estimated cost.

Section 711. - Transfer of appropriations.

The council may transfer the whole or any part of the unencumbered balance of any appropriation, except for Board of Education appropriations, to any other department for which the council may legally appropriate money. Transfer of unencumbered funds from one item of a department budget to another

item of the same budget may be made by a department head with the approval of the Manager.

Section 712. - Lapse of appropriations.

Unencumbered appropriations shall lapse at the end of the fiscal year for which they were made, and any balance shall be credited to the general fund, provided that an appropriation for a capital outlay shall not lapse until the object for which the appropriation was made has been accomplished or no expenditure from or encumbrance of the appropriation has been made for three consecutive fiscal years.

Section 713. - Purchasing.

All supplies, materials and equipment required by all departments, officers, boards, commissions, committees and agencies of the Town, hereafter referred to in this chapter as buying units, except the Board of Education, shall be purchased by the Purchasing Agent. All purchases shall be made on requisition describing the kind and quantity of goods or services required, provided that it shall be the duty of the Purchasing Agent at the beginning of each fiscal year to request requisitions and of all buying units to prepare and deliver to the Purchasing Agent such requisitions, covering their normal requirements for the year, so that wholesale purchases may be made on behalf of the Town. No requisition shall be honored unless it bears the endorsement provided for in Section 710.

Section 714. - Purchasing procedure.

Purchases other than those made by the Board of Education shall be made under such rules and regulations as may be established by ordinance, provided that if any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity over a period of time, involves the expenditure of \$5,000. or more, the Manager shall invite sealed bids or proposals, giving ten days' public notice thereof by at least one publication in a daily newspaper having a circulation in the Town, and shall let the purchase or contract to the lowest responsible bidder thereon or shall reject all such bids and proposals, except that the Purchasing Agent may, if he believes the lowest responsible bid is not in the best interests of the Town, request the council to direct him, by resolution, to reject such bid. Such resolution shall require an affirmative vote of not less than six members of the Council. All such sealed bids or proposals shall be opened publicly. No transaction essentially a unit shall be divided for the purpose of evading the provisions of this section. Records of all bids, formal and informal, and of the successful bidder shall be kept in the office of the Manager or Purchasing Agent, where they shall be open to public inspection. Sealed bids shall not be required for purchases or expenditures of \$5,000. or more in the event of an emergency or when the council shall determine that such bids might be against the best interest of the Town.

(Ref. of 11-4-80)

Section 715. - Contracts for public works.

Contracts for the construction of streets, sewers, buildings and other public works shall be made under such rules and regulations as may be established by ordinance, provided that if any such contract involves the expenditure of \$5,000. or more, the Manager shall invite sealed bids or proposals, giving not less than ten days' public notice thereof, by at least one publication in a daily newspaper having a circulation in the Town, and shall let the purchase or contract to the lowest responsible bidder thereon or shall reject all such bids or proposals. All such sealed bids or proposals shall be opened publicly. No transaction essentially a unit shall be divided for the purpose of evading the provisions of this section. Records of all bids and of the successful bidder shall be kept in the office of the Manager or Purchasing Agent, where they shall be open to public inspection. Sealed bids shall not be required for such contracts of \$5,000. or more in the event of an emergency or when the council shall determine that such bids might be against the best interests of the Town.

Section 716. - Payment of claims.

No payroll, bill or other claim against the Town, except those of the Board of Education, shall be paid until the same has been audited and endorsed for correctness, legality and payment by the Manager or Purchasing Agent. All payments shall be made by check drawn on a Town bank account signed by the Treasurer and the Manager. All payrolls, bills or other claims against the Board of Education shall be audited as such board may provide, and payments shall be made by check signed by the Town Treasurer and countersigned by the Chairman of the Board of Education or such official as may be designated by the Board of Education for this purpose. If an emergency situation should disable the Chairman of the Board of Education, the Vice-Chairman of the Board of Education may countersign such checks during the period of the emergency, unless an official has been designated for this purpose. If an emergency situation should disable the Treasurer, the Mayor shall sign checks in his stead.

Section 717. - Town fees collected by Town officers and employees.

All fees collected by officers and employees on behalf of the Town shall be paid into the Town treasury.

Section 718. - Official bonds.

The Manager, the Tax Collector, the Treasurer, the Purchasing Agent and such other officers and employees of the Town as the council may determine by ordinance or as shall be provided in the general statutes shall file with the Town Clerk surety bonds in such amount as may be designated in such ordinance or general statute, conditioned upon the faithful performance of their respective duties. The premiums of

such bonds shall be paid by the Town unless otherwise provided in the general statutes. This provision shall not prevent the council, if it deems it to be in the best interests of the Town, from prescribing a form of blanket bond to cover any or all such persons, unless otherwise provided by the general statutes.

Section 719. - Borrowing.

The Town shall have the power to incur indebtedness by issuing its bonds or notes as provided by this charter. The issuance of bonds and notes shall be authorized by resolution. Notwithstanding any other provisions of this charter, resolutions authorizing the issuance of notes in anticipation of taxes to be paid within the fiscal year in which issued shall not be subject to a referendum.

CHAPTER 8. - PUBLIC HEARINGS

Section 801. - Mandatory public hearings.

Public hearings for the consideration of the annual budget, supplementary appropriations, ordinances and such other actions as may be required by a public hearing shall be held at such time and place as the council may determine by resolution. Notice of the time and place of such public hearing shall be advertised in a daily newspaper having a general circulation within the Town at least five days prior to such public hearing.

After such public hearing, a vote by those present and entitled to vote shall be taken on each issue and shall constitute a public expression of the opinion of the electors for the guidance of the council.

State Law reference— Annual budget meetings, C.G.S. § 7-388.

Section 802. - When action by a public hearing is required.

The annual budget and any appropriation in excess of \$25,000. in addition to or supplementary to the annual budget appropriation as provided in Section 315, shall be presented at a public hearing. After a hearing on each issue presented, a vote by those present shall be taken on each issue and shall constitute a public expression of the opinion of the electors for the guidance of the council.

Notwithstanding any provision of this charter to the contrary, each resolution authorizing an expenditure or appropriation from the reserve fund for capital and nonrecurring expenditures shall require a public hearing.

CHAPTER 9. - THE MERIT SYSTEM AND THE CLASSIFIED SERVICE

Section 901. - Merit system established.

All appointments and promotions to positions in the classified service of the Town as described in Section 902 below shall be made solely on the basis of merit and fitness to be ascertained by competitive examinations wherever practicable.

Section 902. - The classified service.

- (a) *General.* The classified service shall comprise positions now or hereafter created, except the following: officers elected by the people or appointed to fill vacancies in elective offices, persons appointed by the governor and general assembly, persons appointed by the council, department heads appointed by the Manager, the Collector of Revenue, the Fire Marshal, employees of the Board of Education and employees of the Library Board, persons employed in a professional capacity to conduct a temporary and special inquiry, study or investigation, provided that such inquiry, study or investigation is for a period of not more than one year, and persons employed for a temporary period not exceeding six months, provided that no person may receive more than one such temporary appointment during any calendar year.
- (b) *Job classification.* The Manager shall cause to be prepared a statement of the duties and responsibilities of each position in the classified service, of the minimum qualification for appointment to and of the pay ranges for such positions. These statements shall comprise the classification plan of the Town, which shall become effective upon approval by resolution of the Town Council and which may be amended, upon recommendation of the Manager, by resolution of the Town Council.
- (c) *New or additional positions.* New or additional positions in the classified service may be created or existing positions abolished and changes in the duties and responsibilities of existing positions may be made by resolution of the Town Council upon the recommendation of the Manager.
- (d) *Personnel rules.* The Manager shall also cause to have prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, personnel record procedure and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the Town and the designation of positions for which no examinations need be held. Such rules and any amendments thereto shall become effective upon being filed by the Manager with the Town Clerk. Copies of such rules and any amendments thereto shall be distributed to all members of the classified service.

Section 903. - Political activity.

Full-time employees of the Town of South Windsor shall not be candidates for elective office in the Town

of South Windsor.

Section 904. - Personnel Appeals Board.

There shall be a Personnel Appeals Board of three members, appointed by the council for three years and not more than two of whom shall be members of the same political party. Of those first appointed, one shall be appointed for one year, one for two years and one for three years from the first day of October, 1961. Vacancies shall be filled by the appointment of a person of the same political affiliation as the member whose place he takes, for the unexpired portion of the term. The members of the Personnel Appeals Board shall serve without compensation.

Section 905. - Appeals by employees.

- (a) Any permanent employee holding a position in the classified service who is demoted, suspended or dismissed or is individually aggrieved as a result of alleged discrimination, unfair treatment or unhealthy working conditions or interpretation and application of Town personnel regulations and who has complied with preliminary grievance procedures prescribed by regulations issued by the Manager may, within 15 days after receiving written notice from the Manager of his right to appeal, obtain a review of such action or alleged grievance by promptly presenting a written appeal to the Personnel Appeals Board.
- (b) A copy of such appeal shall, within ten days, be forwarded by said Board to the appointing authority of the employee, and said Board shall thereupon assign a time and place for the hearing and shall give notice thereof to all parties concerned.
- (c) If, after hearing, a majority of said Board determines that the action appealed from was arbitrary or taken without reasonable cause, the board shall have the right to affirm, modify or reverse the action appealed from and shall have the power to direct appropriate remedial action and shall do so after taking into consideration just and equitable relief to the employee and the best interests and effectiveness of the Town service.
- (d) Within ten days of a decision by said Board sustaining an appeal, the appointing authority of the employee shall take such measures as are necessary to comply with the remedial action directed by said Board and shall render a report of such measures to said Board.

Section 906. - Retirement of Town employees.

The Town Council may provide, by ordinance, a system of retirement allowances for the Town's regular full-time paid employees, including employees of the Board of Education at the request of the Board of Education. The Town may operate its own retirement plan, may enter into a contract with any insurance company authorized to do business in this state for the purpose of insuring the whole or any part of its retirement plan, may elect to participate in the Connecticut Municipal Employee's Retirement Fund in the

manner provided in the general statutes or may elect to participate in the old age and survivor insurance system under Title II of the Federal Social Security Act in accordance with the provisions of Part II of Chapter 113 of the 1958 revisions, as amended, or may choose any combination thereof.

State Law reference— Social security, C.G.S. § 7-425 et seq.

CHAPTER 10. - TRANSITIONS, AMENDMENTS AND MISCELLANEOUS PROVISIONS

Section 1001. - Disclosure of interest.

Any elected or appointed Town officer, board or commission member or employee who has or may have a significant financial interest, direct or indirect, in any contract, transaction or decision of any agency, agent, officer, board or commission of the Town shall immediately disclose the nature and extent of that interest in writing to the Town Clerk, who shall record such disclosure upon an official record filed in the office of the Town Clerk. The Town Clerk shall then send a copy of such disclosure to the agency, agent, officer, board or commission of the Town making such contract, transaction or decision.

Any such officer, member of board or commission or employee shall be disqualified from any discussion, action or vote on any such matter coming before an agency, agent, officer, board or commission. Such officer, member of board or commission or employee of the Town shall not in any way condone, promote, encourage, influence or otherwise attempt to affect action or matters which will or may result in a conflict of interest between his Town duties and responsibilities and his private affairs or which are incompatible with the proper discharge of his official duties, and to that end, no elected or appointed Town officer, board or commission member or employee shall grant any special consideration, treatment or advantage to any person or entity beyond that which is available to every other person or entity.

Violation of the provisions of this section shall be grounds for the removal of any such officer, member of board or commission or employee. Any such violation shall render such contract, transaction or decision voidable by the agency, agent, officer, board or commission or employee making such contract, transaction or decision.

The council shall by ordinance establish procedures for disclosure of possible conflicts of interest and determination of the facts and record in any situation where there is possible conflict of interest, and such ordinance shall provide for appropriate action.

Section 1002. - Transfer of records and property.

All records, property and equipment whatsoever of any commission, board, department or office or part thereof, all the powers and duties of which are assigned to any other commission, board, department or office by this charter, shall be transferred and delivered intact to the commission, board, department or office to which such powers and duties are so assigned. If part of the powers and duties of any commission,

board, department or office or part thereof are by this charter assigned to another commission, board, department or office, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact to the commission, board, department or office to which such powers and duties are so assigned.

Section 1003. - Existing laws and ordinances.

All ordinances and bylaws of the Town shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Charter.

(Ref. of 11-6-79)

Section 1004. - Amendments of this Charter.

The amendment of this charter shall be accomplished in accordance with the provisions of Chapter 99 [C.G.S. § 7-187 et seq.] of Title VII of the 1958 revision of the general statutes and amendments thereto.

Section 1005. - Miscellaneous provisions.

- (a) *Saving clause.* In case any portion of this charter shall at any time be found to be unconstitutional or in violation of the general statutes, such finding shall not affect the remainder thereof, but as to such remainder, this charter shall remain in full force and effect until amended or repealed.
- (b) *Effective date.* The effective date of these revisions, if adopted by a referendum, shall be the day immediately following such referendum.