

# TOWN OF SHARON ORDINANCES

December 2018

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**Note: At a Special Town Meeting held on March 23, 2018, it was voted to increase all fines to \$250.**

## **BAZAARS AND RAFFLES**

*Repealed: Voted by Town Meeting September 21, 2018, Published: October 4, 2018. Effective: October 20, 2018.*

## **BINGO**

*Repealed: Voted by Town Meeting September 21, 2018, Published: October 4, 2018. Effective: October 20, 2018.*

## **BAZAARS, RAFFLES, BINGO**

### **Section 1. Authorization.**

The Town of Sharon hereby adopts the provisions of Connecticut General Statutes, Section 7-169 to 7-186, inclusive, as amended by Public Act. No 17-231, effective January 1, 2018. Terms as defined in the Connecticut General Statutes, as amended by the Public Act, are hereby incorporated by reference.

### **Section 2. Bingo Games, Bazaars and Raffles.**

The Town of Sharon hereby confirms its prior authorization of bingo games, bazaars and raffles within the municipality, subject to the provisions of the Connecticut General Statutes, as amended by Public Act No. 17-231.

### **Section 3. Application Forms, Permit Fees.**

The Town of Sharon hereby authorizes the use of the application forms modeled upon those forms previously used by the Commissioner of Consumer Protection and adopts the maximum permit fees authorized by the Connecticut General Statutes, as amended by Public Act. No. 17-231, and as may subsequently be amended by future legislation.

### **Section 4. Administration.**

The First Selectman, as the Chief Executive Officer of the Town of Sharon, is hereby authorized to administer the provisions of the Connecticut General Statutes applicable to bingo games, bazaars and raffles previously administered by the Commissioner of Consumer Protection and now delegated to the municipality pursuant to Public Act No. 17-231, effective January 1, 2018.

*History: Voted: September 21, 2018. Published: October 4, 2018. Effective: October 20, 2018.*

## **HORSEBACK RIDING ON GREEN**

Except for participants in a parade or a special event approved by the Sharon Board of Selectmen, any person who rides a horse on the Sharon Green or the sidewalks thereon, shall be fined not more than twenty-five (\$25) dollars. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: October 29, 1986. Published: November 3, 1986. Effective: November 18, 1986. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **HAWKERS AND PEDDLERS**

*History: Voted: January 19, 1979. Published: February 1, 1979. Effective: February 16, 1979. Revised: December 17, 2010. Published: January 6, 2011. Effective: January 21, 2011. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012. Repealed. Voted to Repeal: March 23, 2018. Published: April 5, 2018. Effective: April 20, 2018.*

## **CONGREGATING ON GREEN**

That more than two persons congregating on the Sharon Green and on the roadways or sidewalks thereon, between the hours of 10:00 pm and 6:00 am shall be fined twenty-five (\$25) dollars. Any fine levied shall be

subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: October 29, 1986. Published: November 3, 1986. Effective: November 18, 1986. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **USE OF TOWN OF SHARON PROPERTY**

No person, firm or corporation shall place, construct or erect any device or structure on property or any right-of-way belonging to the Town of Sharon unless plans for the same have been submitted to and approved by both the Sharon Board of Selectmen and the Sharon Planning and Zoning Commission. Legal notice of any pending application must be provided by the applicant to all adjoining property owners within 500 feet in any given direction of the proposed placing, constructing, or erecting. Such notice shall be given by certified mail, return receipt requested. All green cards in connection with such notice must be submitted before the application may be considered. Anyone who violates any provision of this ordinance shall be fined \$250 for each occurrence and \$250 a day for each occurrence and \$250 a day for continuing violation.

*History: Voted: October 9, 1987. Published: October 19, 1987. Effective: November 2, 1987. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012. Voted Amended: March 23, 2018. Published: April 5, 2018. Effective: April 20, 2018.*

## **MOTOR BOATS**

The title of this Ordinance shall be changed to Motor Craft

*Amended: March 23, 2018. Published: April 5, 2018. Effective: April 20, 2018.*

## **MOTOR CRAFT**

### **Section 1**

Any person operating a motor craft having a motor or engine more than 7.5 horse power on Mudge Pond, also known as Silver Lake, in the Town of Sharon shall be fined not more than \$250.

### **Section 2**

Any person who operates a motor craft in excess of six (6) miles per hour on Mudge Pond shall be fined not more than \$250.

### **Section 3**

Any person operating a motor craft within 200 feet of the Town of Sharon Beach, or its docks and floats or within 200 feet of the Silver Lake Conference Center, or its docks and floats, during the camp's open season, shall be fined not more than \$250 unless the motor is stopped and oars are used to propel the boat.

### **Section 4**

Any person operating a motor craft on Mudge Pond between the hours of one-half hour after sunset and one-half hour before sunrise shall be fined not more than \$250.

The Board of Selectmen or its designee shall have the authority to enforce this Ordinance.

*History: Approved by the Boating Safety Commission, Feb. 19, 1962. Voted: January 10, 1962. Effective: February 19, 1962. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012. Voted Amended: March 23, 2018. Published: April 5, 2018. Effective: April 20, 2018.*

## ALL TERRAIN VEHICLE (ATV)

### Section 1

As defined in this ordinance:

- (a) *All terrain vehicle* means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the Commissioner of Motor Vehicles of the State of Connecticut to be unsuitable for operation on the public highways and which is not eligible for registration under Chapter 246 of the Connecticut General Statutes. *All terrain vehicle* shall also expressly include "dirt bikes" whether registered or not.
- (b) *Operate* means to control the course of or otherwise use an all terrain vehicle.
- (c) *Dirt Bike* means any motorcycle that is designed for all terrain use.

### Section 2

No person shall operate an all-terrain vehicle on any property of the town of Sharon at any time.

### Section 3

The Chief of Police of the Town of Sharon, or his agent, is authorized to enforce this ordinance. Any person who violates this ordinance shall be fined \$25 for each offense. In addition thereto, the operator or owner, or both, of an all-terrain vehicle or dirt bike, shall be responsible and held accountable to the Town for any trees, shrubs, lawns, crops, fences, or other property which have been damaged as a result of travel of said all-terrain vehicle or dirt bike over Town land, or where consequential damage has resulted from such travel. Proof of the registration number of the all-terrain vehicle or dirt bike shall be prima facie evidence in any prosecution or action for damages of the owner or the operator. Any fine levied or damage assessed shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: May 18, 1990. Published: May 22, 1990. Effective: June 6, 1990. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## PARKING REGULATIONS AND FINES

Parking in the Town of Sharon is hereby regulated as follows:

### A

#### *Authority and Enforcement*

The Board of Selectmen of the Town of Sharon shall have the authority to limit, restrict or prohibit the parking of vehicles on municipal and state highways or portions thereof and in municipal parking lots. The Board of Selectmen may post signs or otherwise designate parking, no-parking, and restricted parking areas. The Chief of Police and/or his designee, which may include a Connecticut State Trooper, shall have the authority to enforce all parking ordinances of the Town, including, but not limited to, the authority to issue parking tickets for violations and to impound vehicles, as allowed under the Connecticut State Statutes.

### B

#### *Prohibited Parking*

##### **Section 1**

The following shall constitute violations of this ordinance:

- (a) Parking on or within 25 feet of a crosswalk.
- (b) Parking over 12 inches from the curb.
- (c) Parking on the wrong side of the street.
- (d) Double parking.
- (e) Parking within 25 feet of an intersection.
- (f) Parking within 25 feet of a stop sign.
- (g) Parking in a posted "No Parking" area.

- (h) Parking overtime or beyond hours in a posted area.
- (i) Parking which obstructs a driveway.
- (j) Parking on a sidewalk.
- (k) No vehicle shall be permitted to remain stationary within the limits of any public highway in such a manner as to constitute a traffic hazard or to obstruct the free movement of traffic thereon, provided a vehicle which has become disabled to such an extent that it is impossible or impractical to remove it may be permitted to remain for a reasonable time for the purpose of making repairs thereto or of obtaining sufficient assistance to remove it. Nothing in this section shall be construed to apply to emergency vehicles, to maintenance vehicles displaying flashing lights or to prohibit a vehicle from stopping or being held stationary by any officer in an emergency.
- (l) Any other infraction under Section 14-307 of the Connecticut General Statutes.

**Section 2**

- (a) Parking in a designated handicapped parking space by a vehicle not displaying handicapped identification as set forth in Section 14-253a(a) or (b) of the Connecticut General Statutes.
- (b) Parking within 10 feet of any fire hydrant.
- (c) Parking in a designated fire lane.

**Section 3**

Prohibited parking shall not apply to emergency vehicles of the Town of Sharon.

**Section 4**

There shall be no overnight parking on any Town street or road from November 1st through April 15th. Overnight parking shall constitute parking between the hours of 11:00 PM to 5:00 AM.

In addition to the penalties under Section C, the Selectmen shall have the authority to order all vehicles parked in violation of this section to be towed, at the owners expense, when necessary, in the judgment of the Selectmen, to provide for snow removal.

**C**

*Penalties*

In addition to any other penalties or procedures allowed under the Connecticut State Statutes, the following shall be fines for parking violations:

For a violation of B, Section 1: \$10  
 For a violation of B, Section 2: \$25  
 All fines shall double if not paid within 7 days.

The Board of Selectmen may, by resolution, and in the interests of public safety, modify the fines established by this ordinance.

Payment shall be made in the office of the Town Clerk, or may be mailed to said office.

**D**

*Hearing Procedure for Parking Violations*

**Section 1**

The First Selectman shall appoint one or more parking violation hearing officers other than policemen or persons who issue parking tickets, to conduct the hearings authorized by this section.

**Section 2**

The Town of Sharon may, at any time within two years from the expiration of the final period for the uncontested payment of fines under this ordinance, send notice to the motor vehicle operator, if known, or the registered owner of the motor vehicle by first class mail at his address according to the registration records of the Department of Motor Vehicles. Said notice shall inform the operator or owner: (1) of the allegations

against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a parking violations hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall enter against him; and (4) that such judgment may issue without further notice. Whenever a violation of this ordinance occurs, proof of the registration number of the motor vehicle involved shall be prima facie evidence in all proceedings provided for in this ordinance, that the owner of such vehicle was the operator thereof; provided, the liability of a lessee under Section 14-107 of the Connecticut General Statutes shall apply.

### **Section 3**

If the person who is sent notice pursuant to Section 2 wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees submitted to in person or by mail to the Town Clerk. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in Section D.2 shall be deemed to have admitted liability, and the Town Clerk shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for and shall follow the procedures set forth in Section 6.

### **Section 4**

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

### **Section 5**

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days nor more than twelve months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court for the geographical area in which Sharon is located, together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record and court costs of eight dollars, against such person in favor of the Town. Notwithstanding any other provision of the General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution of such judgment may issue without further notice to such person.

### **Section 6**

A person against whom an assessment has been entered pursuant to this ordinance is entitled to judicial review by way of appeal. An appeal may be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to Section 52-259 of the Connecticut General Statutes, in the



Superior Court for the geographical area in which Sharon is located, which shall entitle such persons to a hearing in accordance with the rules of the judges of the Superior Court.

History: Voted: May 18, 1990. Revised January 28, 1994. Published: February 2, 1994. Effective: February 17, 1994.

## **SPECIAL EVENTS**

### **Section 1**

The regulation of Special Events and the supervision of such events are hereby declared necessary for the protection of the health, property, safety and welfare of the residents of the Town of Sharon.

### **Section 2**

#### *Definition of terms*

Special Events shall mean any public gathering of more than three thousand (3,000) persons assembled at one time for one (1) particular event. It shall not include the normal functions of existing Sharon enterprises.

### **Section 3**

#### *Licenses required*

- (a) No special event shall be held without a valid license.
- (b) Application for such licenses shall be made to the First Selectman no later than thirty (30) days before the starting date of the event, upon forms to be supplied by the First Selectman.
- (c) Public notice of each application disclosing pertinent facts concerning the event shall be made by the First Selectman within seven (7) days after application is received (cost of this notice to be borne by the applicant).
- (d) The First Selectman shall not grant or deny the license until at least ten (10) days after such public notice, but not more than fourteen (14) days after such public notice.

### **Section 4**

*Application.* The application for such a license shall contain the following information under oath:

- (a) Names of applicants; if a partnership, names of all partners; if a corporation, club or association, names of all officers.
- (b) Residence of applicants.
- (c) Age of applicants; if a corporation, club or association, date organized and under laws of what State.
- (d) Type of business or activity.
- (e) Whether applicants, or if a corporation, club or association, officers have ever been convicted of a crime.
- (f) Description of the type of event to be held.
- (g) Location where event will be held.
- (h) Anticipated maximum number of persons who will be assembled at one time for the event. No persons in excess of this number shall be permitted within the confines of the location of the event.
- (i) Plot plan or sketch of facilities and write up demonstrating plans to meet local, state and other applicable standards for:
  - 1) Parking
  - 2) Food services
  - 3) Drinking water
  - 4) Toilets
  - 5) Lodging
  - 6) Fire prevention
  - 7) Fire protection
  - 8) Refuse disposal
  - 9) Law enforcement
  - 10) Public liability insurance, as may be required by the event must be submitted.

- (j) The facilities for the event shall be subject to review by: the Board of Selectmen, Fire Marshall, Building Inspector, and Director of Health of the Town of Sharon within forty-eight (48) hours of the time that the licensed event will begin.
- (k) Dates and hours of said event must be specified and no licenses shall be valid for more than three (3) consecutive days.

## **Section 5**

### *Investigation of Applicants*

The Board of Selectmen shall investigate the character and record of the applicants and the location wherein it is proposed to hold the Special Event described in the application and shall not approve said application or issue a license unless it finds that the applicants are over twenty- one (21) years of age and are persons of good moral character and that the business or activity in such location is a bona fide and lawful one. The Board of Selectmen in granting or refusing the license shall consider each of the sections of this ordinance as well as all other valid concerns of the residents of the Town of Sharon brought before it during the ten (10) to fourteen (14) days following the public notice concerning the application. In any case of the denial or refusal to grant or renew a license, the Board of Selectmen shall notify the applicant of its proposed action and the reasons thereof and set a day and place for a hearing thereon, giving the applicant reasonable notice in advance thereof by Certified Mail and an opportunity to be represented by counsel at such hearing.

## **Section 6**

### *License Fees*

A license shall be issued by the Board of Selectmen in the name of each applicant. The license fee shall be one hundred dollars (\$100) for each Special Event applied for.

## **Section 7**

### *Prohibitions and Restrictions*

A license may not be transferred by the licensee to any other person, corporation, partnership, club or association. Each licensee shall maintain proper sanitary facilities and each licensee shall pay for police officers as shall be deemed required by the First Selectman.

## **Section 8**

### *Board of Selectmen's Powers*

The Board of Selectmen shall have the power to revoke any license issued hereunder for cause, after due notice. Cause shall be deemed to include, but shall not be limited to, false information in the application for a license knowingly given, failure to show good intent to comply with the conditions under which the license has been granted, any violation of this ordinance or conviction of a crime involving moral turpitude subsequent to the issuance of the license.

## **Section 9**

### *Penalty*

Any person, corporation, partnership, club or association violating any of the provisions of this ordinance shall be fined not more than one hundred dollars (\$100) for each offence. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

## **Section 10**

### *Separability of Provisions*

Each separate provision of this ordinance shall be deemed independent of all other provisions herein, and if any provision of this ordinance shall be declared invalid, all other provisions thereof shall remain valid and enforceable.

History: *Voted: July 30, 1970. Effective: August 30, 1970. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **JUSTICE OF THE PEACE ORDINANCE**

Be it hereby ordained by the Town of Sharon, Connecticut, that it shall provide for the selection of not more than thirty (30) Justices of the Peace, as set forth in the Connecticut General Statutes, Section 9-183a.

History: *Voted: March 10, 1989. Revised: May 10, 1996. Published: May 14, 1996. Effective: May 29, 1996.*

## **CIVIL PREPAREDNESS**

An organization for civil preparedness for the Town of Sharon is established and the local Emergency Planning Committee shall be designated The Civil Preparedness Agency for the town. The Civil Preparedness Coordinator of the local Emergency Planning Committee shall be appointed by the Chief Executive Officer of the town pursuant to Section 28-87 of the Connecticut General Statutes. Said local Emergency Planning Committee and its Civil Preparedness Coordinator shall have all the powers and duties set forth in Chapter 517 of the General Statutes for local organizations for civil preparedness.

History: *Voted: March 14, 1975. Voted to Amend: March 23, 2018. Published: April 5, 2018. Effective: April 20, 2018.*

## **STREET NUMBERING SYSTEM**

*BE IT HEREBY ENACTED AND ORDAINED:* that to promote the emergency statewide communication system the Town of Sharon adopts the numbering system as set forth on maps know as Street Numbering Maps on file in the office of the Assessor of the Town of Sharon, and

All owners or occupants of buildings will post the assigned numbers, not less than three (3) inches in height and so as to be visible from the adjacent street or highway.

Any owner or occupant who shall fail to post said numbers as aforesaid when advised of such violation by the appropriate Town Official shall be fined not more than Twenty-five (\$25.00) dollars. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

History: *Voted: May 1, 1987. Published: May 8, 1987. Effective: May 23, 1987. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **TOWN RECREATION FIELDS**

### **Section 1**

The presence of dog droppings on the Town recreation fields is found to be a health and safety hazard.

### **Section 2**

The dog owner shall be responsible for the immediate removal of any droppings left by his or her dog on a Town recreation field.

### **Section 3**

Violation of this ordinance shall result in a fine of \$25 against the dog owner.

### **Section 4**

The Recreation Commission shall have authority to enforce this ordinance and to assess fines against the dog owners.

## Section 5

Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: December 9, 1994. Published: December 15, 1994. Effective: December 30, 1994. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## METAL DETECTING / EXCAVATION ON TOWN PROPERTY

No person, except as provided herein, shall use a metal detector and/or excavate on land owned by the Town of Sharon without a valid permit issued by the First Selectman. Any artifacts found in the course of any excavation shall be and remain the property of the Town of Sharon.

The First Selectman may, in his discretion and with his primary consideration being the welfare of the Town of Sharon and the preservation of its history and beauty, grant a permit to an individual or group for bona fide historical or archeological purposes, or for reasons of health and safety. The permit application shall provide background information on the individual or group, the purpose, the specific portion of Town land affected, and the time period requested. The First Selectman may require a bond in an amount sufficient, in the judgment of the First Selectman and Town Counsel, to provide security that any work done will be done within the terms of the permit granted and that any land will be properly restored. The permit may be specific as to place, time and persons.

This ordinance shall not apply to a person acting in the course of his/her employment for a public utility company which has previously complied with the *Call Before You Dig* program.

Any person violating this ordinance shall be subject to a penalty of \$100 per day. This penalty is in addition to any other remedies which are available to the Town of Sharon. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: May 11, 2001. Published: May 17, 2001. Effective: June 1, 2001. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## HELICOPTERS

Except as otherwise specified in this ordinance, helipads shall be prohibited in the Town of Sharon, and the landing or takeoff of helicopters in said town is hereby forbidden.

A helipad in connection with a hospital facility may be allowed solely for the purpose of providing service in a medical emergency.

Helicopter landings and takeoffs may be allowed in the event of a medical emergency or those emergencies declared by the Federal, State, or Town Government affecting the Town of Sharon.

Helicopter landings and takeoffs may be permitted upon prior written permission of the First Selectman.

A fine of \$99 shall be imposed for each violation of this ordinance. Each incident, or each day of continued use shall constitute a single violation. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: February 7, 2003. Published: February 20, 2003. Effective: March 8, 2003. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **VETERANS**

### **Section 1**

Any veteran who is entitled to an exemption from property tax in accordance with subdivision (19) of section 12-81 of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property in the amount of ten thousand dollars, provided such veteran's qualifying income does not exceed the applicable maximum amount as provided under section 12-811 of the Connecticut General Statutes.

### **Section 2**

Any veteran's surviving spouse entitled to an exemption from property tax in accordance with subdivision (22) of section 12-81 of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property in the amount of ten thousand dollars, provided such surviving spouse's qualifying income does not exceed the applicable maximum amount applicable to an unmarried person as provided under section 12-811 of the Connecticut General Statutes.

*History: Voted: February 7, 2003. Published: February 20, 2003. Effective: March 8, 2003.*

## **SERVICE OF MUNICIPAL EMPLOYEES ON TOWN BOARDS AND COMMISSIONS**

*Be it hereby enacted and ordained that, pursuant to Section 7-421 of the Connecticut General Statutes, as amended, the Town of Sharon, through this ordinance, authorizes any municipal employees to serve on (A) any body exercising zoning powers pursuant to Chapter 124 or any special act; (B) any body exercising land use powers pursuant to Chapter 125a or any special act; (C) any body exercising planning powers pursuant to Chapter 126 or any special act; or (D) any body regulating inland wetlands and watercourses pursuant to Chapter 440 or any special act.*

*History: Voted: June 29, 2005. Published: July 1, 2005. Effective: July 16, 2005.*

## **ASSESSOR**

### **Purpose**

By this ordinance, the Town of Sharon will establish the appointment of a single Assessor, the abolition of the Board of Assessors, and the deletion of all provisions of the current Town ordinances relating to the Board of Assessors.

Pursuant to Section 9-198 of the Connecticut General Statutes, as amended, be it hereby enacted and ordained:

### **Section 1**

Effective July 31, 2006, the Board of Assessors of the Town of Sharon is hereby abolished.

### **Section 2**

Effective August 1, 2006, there shall be one salaried Assessor in the Town of Sharon who shall have all the powers, duties, and rights conferred upon Assessors by the Connecticut General Statutes and shall be employed by and serve at the discretion of the Board of Selectmen.

The Assessor shall be certified or recommended as a candidate for certification as a certified Connecticut Municipal Assessor, as provided in Connecticut General Statutes Section 12-40a(b), as amended, and shall have such other qualifications as the Board of Selectmen may determine.

The salary of the Assessor shall be fixed by a majority vote of the Board of Finance of the Town in the same manner as all other requests for appropriations and shall be included in the Town Budget and acted upon at Town Meetings in the same manner as all other appropriations recommended by the Board of Finance. Until such time as a salary is established in the afore stated manner, the Board of Selectmen shall have the authority to fix the amount of the Assessor's salary. If the Town, acting by Town Meeting, fails to fix such salary, the Board of Selectmen shall fix the amount until a salary is established by Town Meeting.

The Assessor, in conjunction with the First Selectman, is hereby authorized to appoint such clerical and other assistants as may be required in the performance of his or her duties within the limits of the appropriation provided therefore.

The ordinances of the Town of Sharon are hereby amended to delete all references to "Board of Assessors" and "members or member of the Board of Assessors".

The above ordinance shall be effective 15 days after publication.

*History: Voted: June 30, 2006. Published: July 6, 2006. Effective: July 22, 2006.*

## **PUBLICATION**

*Be it hereby enacted and ordained, pursuant to Section 7-157(b) of the Connecticut General Statutes:*

A summary of any proposed ordinance or ordinances may be published in lieu of such proposed ordinance or ordinances.

In the event a summary is published, the Clerk of the Town of Sharon shall provide a copy of such proposed ordinance or ordinances to any person requesting a copy at no charge to such person.

Any summary so published shall bear a disclaimer as follows:

"This document is prepared for the benefit of the public, solely for purposes of information, summarization and explanation. This document does not represent the intent of the legislative body of the Town of Sharon for any purpose."

The provisions of this ordinance shall not apply to any proposed ordinance or ordinance which makes or requires an appropriation.

*History: Voted: February 19, 2010. Published: March 4, 2010. Effective: March 20, 2010.*

## **BOARD OF ASSESSMENT APPEALS**

Amended to provide as follows:

**Section 1**

The town meeting may appoint up to six (6) additional members to the Board of Assessment Appeals for any assessment year or for any revaluation year. The term of such additional members shall be for the length of the assessment year, or for the revaluation year and appeal period for which they were appointed. Each additional member shall be an elector of the Town of Sharon. Each additional member shall have all powers and duties of a member of the Board of Assessment Appeals.

**Section 2**

The Board of Selectmen may appoint an alternate for each member of the Board of Assessment Appeals. Each alternate member shall be an elector of the Town of Sharon. When seated, an alternate member shall have all the powers and duties of a member of the Board of Assessment Appeals.

*History: Voted: June 25, 2010. Published: July 29, 2010. Effective: August 14, 2010. Amended: March 23, 2018. Published: April 5, 2018. Effective: April 20, 2018.*





## SEWER ORDINANCE (Septic Systems)

An ordinance defining and regulating the design, construction, installation, and operation of private sewage disposal systems in the Town of Sharon, authorizing the issuance of permits, and providing for penalties for violations.

The Director of Health of the Town of Sharon, in order to protect the health and safety of its people and the general public, is authorized and directed to establish minimum standards of design, construction, installation and operation of individual sewage disposal systems. These regulations shall insure that the wastes discharged to various individual sewage disposal systems:

1. Do not contaminate any drinking water supply.
2. Are not accessible to rodents, insects or other carriers of disease, which may come in contact with food or drinking water.
3. Do not pollute the waters of any lake, pond, bathing beach or stream.
4. Do not give rise to a nuisance due to odor or appearance.
5. Are not otherwise a health hazard.
6. Will not violate any state law or regulation concerning water pollution or sewage disposal.

It shall be unlawful for any person, institution, corporation, or other entity to construct, reconstruct, extend, or alter a private sewage disposal system serving any dwelling, apartment, boarding house, hotel, or commercial building in the Town of Sharon unless such person or other entity:

1. Holds in good standing a proper license to perform such work, as issued under the appropriate licensing authority as established by the General Statutes of the State of Connecticut, and so certifies to the Director of Health.
2. Holds in each instance a valid permit issued by the Director of Health, in the name of such person, for the construction, reconstruction, extension or alteration proposed.

Applications for permits shall be made in writing by the Contractor or the owner to the Director of Health on forms provided for this purpose, shall be signed by the applicant, and shall include among other things the following:

1. Names and addresses of owner and applicant.
2. Address or location of property on which work is to be done.
3. A complete plan of the proposed system, which is to meet the requirements of the Public Health Code of the State of Connecticut - Sections 19-13-B20a to 19-13-B20r as amended at the time of application.
4. (a) Plans for all subsurface disposal systems with design flows of 2000 galls per day or over shall be designed by a professional engineer registered as such in the State of Connecticut, and plans shall be submitted to the State Department of Health at least 20 days prior to approval by the local Director of Health.  
(b) In such instances, a map will be required drawn to scale showing at least the following:
  - Lot lines and ownership of adjoining properties, land contours.
  - Building outlines, including purpose of buildings and number of bedrooms.
  - Existing drains and water courses.
  - Well sites and water lines.
  - Percolation tests.
  - Sewage system including tank size and construction, field lay-out and specifications of other materials and construction.
5. Such other information as may be required by regulations established by the Director of Health.

The Director of Health may and shall refuse to grant a permit for the construction, reconstruction, extension, or alteration of a sewage disposal system where in his judgement these conditions cannot be met or where a public sewage disposal system is reasonably available. No sewage disposal system shall be constructed, reconstructed, extended, or otherwise altered within 75 feet of an existing well unless the sewer is constructed of cast iron with leaded or equivalent joints. No sewer, however constructed, shall pass within 25 feet of an existing well.

Any person whose application for a permit under this ordinance has been denied may request and shall be granted a hearing on the matter before the Director of Health within 30 days after receipt of the request.

The Director of Health is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with the requirements of this ordinance and the regulations promulgated thereunder.

Any person who violates any provision of this ordinance, or any provision or regulation adopted by the Director of Health pursuant to authority granted by this ordinance, shall upon conviction, be punished by a fine not exceeding twenty-five dollars, and each day's failure to comply shall constitute a separate violation. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

If any provision of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and to this end the provisions of this ordinance are declared to be severable.

*History: Voted: October 6, 1969. Revised: April 30, 1970. Effective: May 15, 1970. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **SEWER AND WATER COMMISSION**

### **Section 1**

The Town of Sharon hereby creates a Sewer and Water Commission for the Town of Sharon for the purpose of operating the water franchise to be acquired by the Town of Sharon from the Sharon Water Company and with the power to do any act or thing necessary or desirable and in connection therewith.

### **Section 2**

Said Commission shall consist of five (5) Commissioners and two (2) Alternates who shall be electors of the Town of Sharon. They shall be appointed by the Board of Selectmen and serve without compensation. The Commissioners first appointed shall serve for terms of one, two, three, four and five years respectively. The Alternates first appointed shall serve for terms of one and three years respectively. Their successors shall be appointed for terms of five years each. Terms shall expire on June 30 in each year. Whenever a vacancy occurs, the Selectmen shall appoint a successor to hold office for the unexpired portion of the term. A Commissioner or Alternate shall continue in office until a successor is appointed. The Chairman shall designate the Alternate who will sit in place of a regular member when a regular member is absent or unable to vote.

### **Section 3**

Said Sewer and Water Commission is hereby designated the Sewer Authority for the Town of Sharon with all the powers, purposes and objectives set forth in Chapter 103 of the 1958 Revision of the General Statutes and amendments thereto.

### **Section 4**

The Commission shall elect a Chairman from among its own members at the first meeting and annually thereafter at the first meeting held after the first day of July in each year. The Commission shall appoint a Clerk who need not be a member of the Commission, an attorney and such other employees as it may deem necessary and shall prescribe and define their duties. The Clerk shall keep a complete record of the proceedings of the Commission and, when ordered by the Commission, shall file the same with the Town Clerk. All such records shall be open for public inspection at reasonable hours. Meetings of the Commission may be called by the Chairman or any two members upon twenty-four hours' notice thereof.

### **Section 5**

The Commission shall maintain separate proper accounting and financial records for the operation of the water services and for the operation of the sewerage system and shall make annual reports thereof to the Selectmen. The Commission shall prepare annually a budget of estimated revenues and expenditures for the ensuing fiscal year.

## Section 6

A Commissioner or Alternate may be removed for inefficiency or neglect of duty or misconduct in office by the Board of Selectmen after a hearing conforming to the recognized standards of due process of law; a Commissioner or Alternate shall be removed only after opportunity to be heard in person or by counsel before the Board of Selectmen at least ten days prior to which he shall have been given a copy of the charges against him. In the event of the removal of any Commissioner or Alternate, a record of the proceedings together with the charges and findings thereon, shall be filed in the Office of the Clerk of the Town of Sharon.

*History: Voted: June 30, 1972. Revised: March 10, 1989. Published: March 15, 1989. Effective: March 30, 1989.*

## TOWN OF SHARON RECYCLING

### Purpose

There is hereby established a program for the mandatory separation of recyclables from garbage or rubbish within the Town of Sharon, CT to comply with CGS 22a-220a and its subsequent regulations mandating recycling, thereby providing for the health and welfare of the citizens of the Town of Sharon, CT.

### Definitions

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

*Board:* The Board of Selectmen of Sharon, CT, or a majority thereof.

*Cardboard:* Corrugated boxes and similar material and craft paper materials which are unwaxed and have a minimum of contamination by food or other material.

*Collector:* Any person who holds himself/herself out for hire to collect recyclables and solid waste from residential, commercial, industrial, or other sources.

*Dry Cell Battery:* Any device used in generating electric current through a chemical reaction including, but not limited to, nickel-cadmium batteries, carbon batteries, and alkaline batteries.

*Glass Food Container:* A glass bottle or jar of any size or shape used to package food or beverage product suitable for human or animal consumption with a minimum of contamination by food or other materials.

*H.D.P.E. Container:* Any high-density polyethylene bottle or container of any size or shape used to store food, household laundry detergent, or other non-hazardous or toxic materials.

*IPC:* Intermediate processing center which receives, processes, and markets recyclables.

*Leaves:* The foliage of trees.

*Mandated Recyclables:* Those recyclables which have been designated by the Board or by the Department of Energy and Environmental Protection (DEEP) to be recycled within the municipality.

Those items currently designated as mandated including but not limited to the following:

- (1) Cardboard
- (2) Glass Food Containers
- (3) Leaves
- (4) Metal Food Containers
- (5) Newspapers
- (6) Paper
- (7) Scrap Metal
- (8) Storage Batteries
- (9) Waste Oil
- (10) Scrap Tires
- (11) Magazines

- (12) Plastic Food Containers
- (13) Box Board

*Metal Food Container:* An aluminum, bi-metal, tin plated steel, or other metallic can, plate, or tray of any size used to package food for human or animal consumption which has a minimum of contamination by food or other materials.

*Municipality:* The Town of Sharon, CT.

*Municipal Recycling Agent:* The person designated by the Board to administer the notice and enforcement provisions of this Ordinance.

*Newspaper:* Used or discarded newsprint (newspaper advertisements, supplements, comics, and newsprint-type enclosures) which has a minimum of contamination by food or other material.

*Paper:* Any used or discarded high grade paper, including, but not limited to, paper used for file folders, tab cards, writing, typing, printing, computer printing, and photo-copying, which is suitable for recycling and which has a minimum of contamination.

*Person:* Any individual, corporation, partnership, association, or other entity or organization, either public or private, of any kind.

*Recycle:* To separate or divert an item or items from the Solid Waste stream for the purposes of processing it, causing it to be processed, or storing it for later processing into a material product, including the production of compost, in order to provide for disposition of the item or items in a manner, other than incineration or landfilling, which will best protect the environment.

*Recycling Container:* Any container designated by the Board for use as a residential recycling container for the storage and collection of recyclables.

*Recycling Center:* The municipality's recycling drop-off facility, area, or areas as designated by the Board.

*Residential Property:* Real estate containing one or more dwelling units, but shall not include hospitals, motels, hotels, or nursing homes.

*Scrap Metal:* Used or discarded items which consist predominantly of ferrous metals, aluminum, brass, lead, chromium, iron, nickel, or alloys thereof including, but not limited to, white goods and metal food containers.

*Scrap Tires:* Discarded rubber or synthetic rubber tires used by or manufactured for vehicles including, but not limited to, automobiles, trucks, buses, tractors, and trailers.

*Storage Battery:* Lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors, and like applications.

*User Fees:* (Note you may want to define various fees)

*Waste Oil:* Crankcase oil that has been utilized in internal combustion engines.

## **Separation and Collection**

*Separation:* On or after January 1, 1991,

- 1) Each person who generates solid waste from residential property within the municipality shall separate from other solid waste those items designated as mandatory recyclables and
- 2) Every other person who generates solid waste shall make provision for the separation from other solid waste of those items designated as mandatory recyclables. See Section 22a-24 (1) b, subsection 2 (c) (d) ).

*Multi-Family Collection:* It shall be the responsibility of the person having custody and control of multi-family residential dwelling units to educate the tenants to the need and techniques of recycling, and designate an area for the collection of such recyclables.

*Other Residential Collection:* All residents who are not served by a collector shall arrange to dispose of their recyclables at the Salisbury/Sharon Transfer Station.

*Other Residential Recyclables:* All other mandatory recyclables generated from residential properties shall be delivered to the Salisbury/Sharon Transfer Station.

*Recyclables from Outside the Municipality:* The dumping or disposal of recyclables at any location as designated by the Board from a source outside of the municipality shall be prohibited, unless previously approved by the Board.

**Authority and Powers**

The municipality is authorized to, by CGS -22a-220a and shall, through its Board of Selectmen, designate where the following items generated from residential properties shall be taken for processing or sale:

- (1) Cardboard
- (2) Glass food and beverage containers
- (3) Leaves
- (4) Metal food and beverage containers
- (5) Newspapers
- (6) Storage batteries
- (7) Waste oil
- (8) Plastic food and beverage conatiners.

The processing or sale of such items at any other area shall be prohibited.

Inserts are from the statutes cited. The town attorney may want to summarize and eliminate any redundancy.

*Insert #1:*

- a. The legislative body of a municipality may designate the area where solid waste generated within its boundaries by residential, business, commercial or other area is prohibited, except that a municipality may approve, in writing, disposal at another area either within or outside the boundaries of such municipality, prior to disposal a musnipality may refuse to approve disposal at another area is such disposal would adversely affect its solid waste disposal program. The legislative body of a municipality may also designate where the following items generatited within its boundaries from residential properties shall be taken for processing or sale:
  - (1) Cardboard
  - (2) Glass and beverage containers
  - (3) Leaves
  - (4) Metal food and beverage containers
  - (5) Newspapers
  - (6) Storage batteries
  - (7) Waste Oil and
  - (8) Plastic food and beverage containers

The processing or sale of such items at any other area shaell be prohibited except that a municipality may approve, in wirting, processing or sale elsewhere, either within or outside the boundaries of such municipality, prior to processing or sale. A municipality may refuse to approve processing or sales elsewhere if such processing or sale would adversely affect its recycling program. For purposes of sections 22a-208e, 22a-208f, 22a-220, this section, sections 22a-241b, 22a-241b, 22a-241e, and subsection (c) of section ssa-241g, residential property means real estate containing one or more dwelling units but shall not include hospitals motels or hotels.

- b. The Board of Selectment shall give not less than a sixty (6) days' notice of its intent to designate a disposal area where these items from the residential properties shall be taken for processing or sale to all licensed collectors hauling solid waste or such items of the municipality. At the conclusion of such period, the Board shall cause notice of such designation to appear in a newspaper of general circulation in the municipality and shall conduct a public hearing thereon.
- c. Except as provided in subsection (a) of this section, recyclable material, including but not limited to, glass, metal, paper, corrugated paper or plastic may be removed or segregated at the source of generation or prior to disposal at the designated area and pre-segregated recyclable material may be transported directly to facilities which accept and process recyclable material.
- d. (1) Any collector hauling solid waste generated by residential, business, commercial or other establishments, including, but not limited to, recyclables generated within the borders of a municipality, shall register annually in such municipality and disclose:
  - a. The names and address of the collector and the owner of such collection company;
  - b. The name of any other municipality in which such collector hauls such solid waste; including recyclables;
  - c. Whether the hauling done by such collector is residential, commercial or other;
  - d. The types of waste hauled;
  - e. The anticipated location of any disposal facilities or end users receiving recyclable solid waste; and
  - f. Any additional information that such municipality requires to ensure the health and safety of its residents.

*Insert #2*

On or before July 31, 2011, any such collector shall report to the municipality

- a) The types of solid waste, including recyclables, as listed in subsection (c) of section 22a-208g generated within the borders of a municipality and collected by such collector,
- b) The name, location and contact information for the first destination where such solid waste, including recyclables, was delivered by the collector during the previous fiscal year, and
- c) The types and actual or estimated amounts of such solid waste, including recyclables, directly delivered to an out-of-state destination or to an end user or manufacturer in the state. Such reports shall be submitted to the municipality annually, on or before July thirty-first, and shall provide the information specified in this subdivision for the prior fiscal year. Such reports shall be on a form prescribed by the Commissioner of Energy and Environmental Protection and shall include any other additional information the commissioner deems necessary.

The Board is hereby authorized to enact, from time to time, by resolution, such regulations as it shall deem in the public interest regarding separation, collection, recovery, removal, and storage of recyclables and enforcement of this Ordinance.

The First Selectman shall, and is granted the authority to, designate a person to be contacted by the DEEP with inquiries regarding the recycling program.

The First Selectman shall, and is granted the authority to, designate a Municipal Recycling Agent to receive complaints and notices of violations of the separation requirements set forth in CGS 22(a) – 220 (a) and this ordinance.

The Board of Selectmen is hereby authorized to add or delete, from time to time, items on the list of mandatory recyclables so long as such action is not in conflict with the Connecticut General Statutes, Department of Environmental Protection (DEEP) regulations.

The Board of Selectmen is hereby authorized to adopt a fee schedule and a method(s) for ensuring payment of the fees for depositing any and all recyclables at any municipal, or municipally designated, disposal facility for recyclables. (Note, this needs to be consistent with the Transfer Station Procedures.)

The Board of Selectmen, through resolution, shall adopt rules and regulation, from time to time, governing any practice in related practices contained in this ordinance provided that such rules and regulations are not inconsistent with the Connecticut General Statutes (CGS), Department of Energy and Environmental Protection regulations, or any provision of this Ordinance. (Note, this needs to be consistent with the Transfer Station Procedures.)

The Board of Selectmen is hereby authorized to employ or make contracts with persons, for the separation, collection, transportation, processing, and/or marketing of recyclables, as provided for in CGS – 22a – 220a, Section 2(d) of the CGS, to carry out the provisions of this Ordinance.(Note: This was the original act and as above this should be consistent with procedures.)

### **Licensing**

In accordance with the provisions of Subsection 22a-220 a (d) of the CGS, any person collecting recyclables generated by residential, business, commercial, or other establishments in the municipality shall annually register each collection vehicle separately with the municipality on forms prescribed, upon or before the first day of July.

Upon registration and payment of an annual permit fee, as established by the Board of Selectment, each such collector shall be permitted to collect or continue the collection of solid waste within the municipality.

The municipality in which such collector hauls such waste shall be clearly marked with the business name and address of the collector. Registrations shall not be transferrable from vehicle to vehicle.

Sec22a-141. Solid waste contract requirement for provision regarding collection of designated recyclable items.

- (a) For the purposes of this section, “customer” means a business and “collector” means any person offering solid waste or designated recyclable item collection services.
- (b) Each contract between a collector and a customer for the collection of solid waste shall make provision for the collection of designated recyclable items, either by providing for the collection of designated recyclable items by the same collector who is party to the solid waste contract or by including an identification by the customer of the collector with whom such contract exists. The provision of this section shall not be construed to require a customer to contract exclusively with one collector for the collection of both designated recyclable items and other solid waste. Each collector shall provide each customer with clear written or pictorial instructions on how to separate designated recyclable items in accordance with the provisions of Section 22a-241b.

Each such collector shall disclose the name of any other municipality in which such collector hauls such solid waste. The door of any private vehicle used to haul solid waste shall be clearly marked with the business name and address of the collector. Registrations shall not be transferable from vehicle to vehicle.

### **Compliance**

On or after January 1, 1991, any collector who has reason to believe that a person from whom he collects solid waste has discarded recyclable items with such solid waste in violation of the provisions of this Ordinance or of Section 22a-241b of the CGS, as amended, shall promptly notify the municipal recycling agent of the alleged violation. Upon the request of the municipal recycling agent, a collector shall provide warning notices, by the placement of tags provided by the municipality, to any person suspected by the collector or the municipality of violating the separation requirements of state law or this Ordinance. Each collector shall also be required to assist the municipality in the identification of any person responsible for creating loads containing significant quantities of items subject to the separation requirements of state law or this Ordinance which are delivered to a resources recovery facility or solid waste facility by the collector and detected by the owner or operator of such a facility pursuant to Subsection (b), (f), (g) and (i) of Section 22a-220 (a) of the CGS.

### **Enforcement**

Any collector found to have violated the separation and collection requirements of this ordinance shall be subject to a fine in the amount of twenty-five dollars (\$25) for each offense. In addition, the municipality

reserves the right to suspend or revoke the license of any such collector. Any collector whose license is either suspended or revoked as provided for herein shall be entitled to a hearing in accordance with the provisions of the Code of Ordinances.

Any person who violates the provisions of this Ordinance shall be subject to the following penalties:

- (a) Upon a first or second offense, the violator shall receive a written warning.
- (b) Upon a third offense occurring within a period of one (1) year from the date of the original offense, the violator shall be subject to a fine in the amount of twenty-five dollars (\$25) for each such offense. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.
- (c) Upon any subsequent offense occurring within the period of one (1) year from the date of the original offense, the violator shall be subject to a fine of twenty-five dollars (\$25) and, in addition, shall be refused recycling collection.

In accordance with the authority provided in Section 22 a-241, any commercial establishment that is found to have violated the provisions of Subsection (c) of Section 22a-241b of the CGS shall be subject to a fine in the amount of five hundred dollars (\$500) for each such violation.

Section 22 a-245i. Commercial Establishment. Penalty, notwithstanding any other section of the General Statutes to the contrary, a municipality may impose a penalty not to exceed five hundred dollars (\$500) for each violation by a commercial establishment of the requirements of subsection (c) of Section 22a-241b.

Any person who violates any other provision of this Ordinance shall be subject to a fine of twenty-five dollars (\$25) for each such offense. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152 c of the Connecticut General Statutes.

## **MISCELLANEOUS**

Should any provision of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of other intent that the provisions of this ordinance as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and notwithstanding and that the balance of this Ordinance shall remain valid notwithstanding such declaration.

Except as otherwise specifically provided for, the provisions of this Ordinance shall take effect on January 19, 1991.

*History: Voted: January 18, 1991. Published: January 23, 1991. Effective: February 7, 1991. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012. Voted Amended: March 23, 2018. Published: April 5, 2018. Effective April 20, 2018.*

## **SALISBURY-SHARON RESOURCE RECOVERY AUTHORITY (SSRA)**

WHEREAS, each of the Towns of Salisbury and Sharon have independently entered into agreements with the Connecticut Resources Recovery Authority ("CRRA"), pursuant to which CRRA has agreed to dispose of each Town's solid waste, for the period through November 15, 2012, in a manner that permits the conversion of residential and commercial solid waste into commercially valuable resources including steam and electricity, in an environmentally sound manner; and

WHEREAS, the Towns of Salisbury and Sharon have arranged for the last 30 years to utilize jointly a solid waste transfer station located in Salisbury in order to provide a location for their residents to deposit their solid waste prior to its transportation to CRRA for disposal; and

WHEREAS, the Towns of Salisbury and Sharon have entered into discussions regarding a regional solution to residential and commercial solid waste management and disposal including, without limitation, the purchase of certain real property located in Salisbury and known and designated as the RT 44 Transfer



Station, upon which the Towns of Salisbury and Sharon propose to construct, own and operate a new solid waste transfer station (the "New Transfer Station"); and

WHEREAS, Chapter 103B, Sections 7-273aa to 7-273oo of the Connecticut General Statutes provide for the creation and authorization of Regional Resources Recovery Authorities by the enactment by municipalities of concurrent ordinances; and

WHEREAS, it is in the best interest of the Towns of Salisbury and Sharon to cooperate with each other to create a Regional Resources Recovery Authority to provide a regional solution to the problems of residential and commercial solid waste management and disposal; and

WHEREAS, it is in the best interest of the Towns of Salisbury and Sharon that said Regional Resources Recovery Authority have the powers contained in Section 7-273bb of the Connecticut General Statutes.

Now, therefore, be it ordained by the Town of Sharon, that:

### **Section 1**

The provisions of Chapter 103B, Sections 7-273aa to 7-273oo are hereby adopted.

### **Section 2**

A public body politic and corporate of the State, to be known as the Salisbury-Sharon Resource Recovery Authority (hereinafter referred to as "SSRRA"), constituting a political subdivision of the State of Connecticut established and created for the performance of an essential public and governmental function is hereby created for the purposes, charged with the duties and granted the powers provided in Chapter 103b, Sections 7-273aa to 7-273oo of the Connecticut General Statutes and Chapters 446d and 446e of the Connecticut General Statutes, as amended, which Authority is hereby designated as the Regional Resources Recovery Authority for the Town of Sharon. SSRRA shall be the Regional Resources Recovery Authority for the Town of Salisbury and for the Town of Sharon as it shall by ordinance concurrent herewith adopt the provisions of Chapter 103b of the Connecticut General Statutes, as amended, create SSRRA and designate SSRRA as its Regional Resources Recovery Authority. The address of SSRRA's principal office is the Town Hall of Salisbury and Sharon, CT.

### **Section 3**

SSRRA is established and created for the purpose of providing solid waste management and disposal services within the region of SSRRA, which shall be the region within the jurisdiction of the Towns of Salisbury and Sharon, and which purpose includes providing for the disposal and resource recovery of residential and commercial solid waste, the financing, construction and operation of one or more solid waste facilities for such purpose, and the delivery of solid waste thereto.

The membership of SSRRA shall be the Towns of Salisbury and Sharon (each referred to as a "Municipal Member" and collectively as the "Municipal Members") with each of the Municipal Members to be represented by three (3) Voting Representatives. Each of the Municipal Members' Voting Representatives shall be appointed in the manner established by the concurrent ordinance adopted by each of such Municipal Members. Voting Representatives shall serve for terms of three (3) years, provided however, that the terms of such Voting Representatives shall expire in such a manner that the term of one of the three Voting Representatives from each Municipal Member shall expire in each successive year, provided further that the terms of the initial Voting Representatives for each Municipal Member shall be such that one Voting Representative from each Municipal Member shall be appointed to a one-year initial term (a "One-Year Initial Term") and one Voting Representative from each Municipal Member shall be appointed to a

two-year initial term (a “Two-Year Initial Term”), and provided further, that Voting Representatives shall continue to serve until their successors are appointed and have qualified.

Each of the Municipal Members may appoint one alternate Voting Representative of SSRRA who shall act in the event of the disability or absence for any other reason of a Voting Representative of the Municipal Member. Each such alternate Voting Representative shall serve for a term of one year. Said alternate Voting Representative shall have a voice at SSRRA meetings and vote at SSRRA meetings if a regular Voting Representative from said Municipal Member is absent from the meeting.

#### **Section 4**

The Town of Sharon’s Voting Representatives and alternate Voting Representative to SSRRA shall be appointed by the First Selectman with approval of the Board of Selectmen by an affirmative vote of not less than a majority of all the members of said Board of Selectmen. Any vacancy with respect to a Town of Sharon Voting Representative shall be filled in like manner for the unexpired portion of the term. The Board of Selectmen may remove said Voting Representative or alternate Voting Representative with or without cause. No person shall be eligible for appointment as a Voting Representative or alternate Voting Representative to SSRRA from the Town of Sharon unless at the time of his or her appointment he or she is an elector of the Town of Sharon. Any such person who ceases to be an elector of the Town of Sharon shall thereupon cease to hold said office as a Voting Representative to SSRRA. The initial Voting Representatives of the Town of Salisbury shall be James Dresser for the One-Year Initial Term, Robert Riva for the Two-Year Initial Term and Curtis Rand, each of whose address is Town Hall, 27 Main St., Salisbury, CT 06068, and the initial Voting Representatives of the Town of Sharon shall be Thomas H. Bartram for the One-Year Initial Term, John B. Mathews for the Two-Year Initial Term and Malcolm M. Brown, each of whose address is Sharon Town Hall, 63 Main St, Sharon, CT 06069.

#### **Section 5**

SSRRA shall operate with six (6) voting units which shall be assigned to each Municipal Member as follows: the Town of Salisbury Voting Representatives shall have three (3) votes in the aggregate, with each Voting Representative having one (1) vote, and the Town of Sharon Voting Representatives shall have three (3) votes in the aggregate, with each such Voting Representative having one (1) vote. All actions by SSRRA shall require the affirmative vote of at least a majority of the total votes present and voting at a duly called meeting of SSRRA at which a quorum is present. Voting Representatives of SSRRA holding a majority of the votes shall constitute a quorum.

#### **Section 6**

Voting Representatives of SSRRA shall serve without compensation but may be reimbursed for their necessary expenses.

#### **Section 7**

A Municipal Member may withdraw from SSRRA only upon such terms and conditions as SSRRA may require and after compliance with the terms and conditions contained in any contracts between such municipality and SSRRA or the holders of any bonds of SSRRA, provided, however, that in the event of a deadlock with respect to the operations of SSRRA resulting from the inability to obtain a majority of the votes of the Representatives of the Municipal Members on an issue, a Member may withdraw from SSRRA after compliance with the terms and conditions contained in any contracts between such municipality and SSRRA or the holders of any bonds of SSRRA without any other terms or conditions imposed upon such Municipal Member by SSRRA. No such withdrawal shall relieve such Municipal Member of any liability, responsibility or obligation incurred or agreed to be incurred by it as a Municipal Member of SSRRA or as

a user of any of SSRRA's projects, including without limitation the obligations set forth in the last sentence of Section 8 of this ordinance.

### **Section 8**

The Town of Salisbury has purchased the Rt. 44 Property, known as the Luke-Fitting Property, where the proposed New Transfer Station will be situated, for the purchase price of one million, four hundred thousand dollars (\$1,400,000). The Town of Salisbury shall, upon the effectiveness of this Ordinance, contribute and convey the Rt. 44 Property to SSRRA. The Town of Sharon shall, upon the effectiveness of this ordinance, contribute fifty percent (50%) of such purchase price of the Route 44 Property, or seven hundred thousand dollars (\$700,000), to SSRRA, which, in turn, shall refund such amount to the Town of Salisbury. In the event that a Municipal Member shall withdraw from SSRRA, ownership of the Rt. 44 Property, together with all improvements thereon at the time of such withdrawal, shall be conveyed to the Town of Salisbury by SSRRA for one-half of the appraised market value, and SSRRA shall return such amount to the Town of Sharon, provided however, that if SSRRA shall convey the property to the Town of Salisbury subject to any lien for financing by SSRRA of any construction costs, the price to be paid by the Town of Salisbury and the amount returned to the Town of Sharon shall be net of the unpaid amount of such financing.

### **Section 9**

This ordinance shall be deemed to be concurrent with such ordinance as shall be enacted by the Town of Salisbury, provided such ordinance is consistent in all material respects with the provision of this ordinance, other than the provisions of Section 4 of this ordinance, as determined by the legal counsel for Sharon. This ordinance shall be deemed concurrent even though it is not adopted simultaneously with the ordinance of Salisbury.

### **Section 10**

This ordinance shall become effective upon the later of (a) passage or (b) upon the adoption of the concurrent ordinance by Salisbury, provided that if Salisbury shall not have adopted the concurrent ordinance by June 1, 2009, this ordinance shall be null and void.

*History: Voted: January 30, 2009. Revised: April 17, 2009. Published: April 30, 2009. Effective: May 15, 2009.*

## **WELL DRILLING PERMIT**

No well shall be drilled in the Town of Sharon without a permit signed by the Director of Health or his agent. Any proposed well must conform to the Connecticut Public Health Code. The fee for a permit shall be \$25.00. The amount of the fee may be amended by the Board of Selectmen in consultation with the Director of Health from time to time as deemed necessary.

*History: Voted: June 21, 1991. Published: June 27, 1991. Effective: July 12, 1991.*

## **FOOD SERVICE ESTABLISHMENT**

Pursuant to Sections 7-148 and 19a-207 of the Connecticut General Statutes, as amended, it is hereby ordained by the Town of Sharon:

### **Section 1**

#### *Definition*

*Food Service Establishment* shall mean any place where food or beverage is prepared, stored or served, with or without charge, for human consumption on or off the premises, including catering establishments or any eating place whether fixed or mobile. It shall not include a private home, package stores nor the location of food vending machines.

**Section 2:**

*Licenses*

No person, firm or corporation (hereafter "person") shall operate a food service establishment or offer such services within the Town of Sharon without a valid license issued by the Director of Health. Licenses are not transferable. A valid license shall be posted so as to be visible to patrons in every food service establishment. Temporary licenses shall be valid for no more than 14 days, and may be renewed once at the discretion of the Director of Health.

**Section 3**

*Issuance of Licenses*

- (a) Any person desiring to operate a food service establishment shall, at least 30 days prior to the opening or change of ownership of such establishment, submit a completed application for a license on forms provided by the Director of Health. If the application is for a temporary food service establishment, it shall also include the dates of the proposed operation and the name of the person responsible.
- (b) The application shall be accompanied by the appropriate fee, menu, and set of plans of the food service establishment as required by Section 7 of this Ordinance.
- (c) Prior to the issuance of a license, an individual certified by the Commissioner of Health to conduct food service inspections and acceptable to the Director of Health, shall inspect the proposed food service establishment to determine compliance with the provisions of this Ordinance, the Connecticut Public Health Code, and any other applicable statutes, ordinances, or rules and regulations.
- (d) Within ten (10) days of the inspection, the Director of Health shall issue or deny the license.
- (e) Whenever a food facility is operating without a valid license, the Director of Health shall order said facility to close and cease all food service operation immediately.

**Section 4**

*Fees*

*Annual fees shall be as follows:*

(a) Restaurant	\$50
(b) Vendors, Caterers, Food Stores, Wholesale Outlets	\$50
(c) Take-out establishments	\$50
(d) Temporary license (14 days or less)	\$25
(e) Seasonal Food Service	\$25
(f) Public institutions, non-profit organizations, churches.	No Charge

The Department of Health, in consultation with the Board of Selectmen, may set a new fee schedule from time to time as may be required, which revised fee schedule shall be published in a newspaper of general circulation in Sharon.

**Section 5**

*Expiration of Permanent Licenses*

All licenses shall expire one year after the date of issuance, unless otherwise indicated, and may be renewed upon application and payment of the annual fee, provided the food service establishment remains in compliance with this Ordinance.

**Section 6**

*Suspension and Revocation of License*

A notice provided for in this Section, is properly served when it is delivered to the licensee or person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the licensee. A copy of any notice shall be filed in the records of the Director of Health.

(a) Suspension

The Director of Health may suspend without warning any license when:

- i. The establishment is no longer in compliance with this Ordinance;
- ii. The State Food Service Inspection score is less than 80%, or contains any "4 point" demerit;
- iii. An immediate and substantial hazard to public health exists;
- iv. The owner or operator has interfered with the inspection.

The Director of Health shall follow up a suspension with a written notice to the licensee of the reasons for suspension of said license citing the conditions, specifying the corrective action to be taken and the time period allowed for correction.

The licensee may, within 2 working days of receipt of written notice of suspension, file a written appeal with the Director of Health. If no appeal is filed, the suspension becomes final. If such an appeal is filed, the Director shall re-examine his findings and may vacate, modify or affirm such suspension. The Director shall notify the Licensee of the decision by certified mail within 72 hours.

A license may be reinstated within 10 days of suspension if a written request from the licensee stating that the conditions cited have been corrected, and an inspection by the Director of Health or his representative, verifies that the establishment is again in compliance.

(b) Revocation

The Director of Health may, after providing opportunity for appeal and hearing, revoke a license for serious or repeated violations of any of the requirements of this Ordinance, or for interference with the Director of Health or his authorized agent in the performance of their duties. Prior to revocation, the Director of Health shall notify the licensee or person in charge, in writing, of the reason for which the license is subject to revocation, and that the license shall be revoked at the end of 14 days following service of such notice. An appeal may be filed with the Director of Health by the licensee within 2 working days of receipt of notice. If a request for appeal is filed, the Director of Health shall thereupon immediately examine the merits of such revocation and may vacate, modify or affirm such revocation.

Not less than thirty (30) days after a license has been revoked, a new application may be submitted according to Section 3 of this Ordinance.

## Section 7

### *Submission of Plans*

- (a) Whenever a food service establishment is planned to be constructed or remodeled or an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or alteration shall be submitted to the Director of Health, or his authorized agent, for review and approval at least 20 days prior to issuing a **food service license** or a building permit, and before construction, remodeling or alteration is begun.
- (b) The plans and specifications shall indicate the proposed layout in a minimum scale of .25" per foot, arrangement, and construction materials of work areas, and type and model of proposed fixed equipment and facilities.
- (c) The Director of Health, or his authorized agent, shall approve the plans and specifications if they meet the requirements of this Ordinance. No food service establishment shall be constructed, remodeled, or altered except in accordance with plans and specifications approved by the Director of Health, or his authorized agent.

- (d) Compliance with this section does not relieve the owner of his obligation to comply with other applicable statutes and ordinances relating to the submission of plans and specifications to other state and local agencies.

### **Section 8**

#### *Pre-Operational Inspection*

Plans and specifications as required by Section 7 of this Ordinance shall be submitted to the Director of Health, or his authorized agent, who shall inspect the food service establishment prior to its beginning operation to determine compliance with the approved plans and specifications of this Ordinance.

### **Section 9**

#### *Examination and Condemnation of Food*

Food may be examined or sampled by the Director of Health, or his authorized agent, as often as necessary for enforcement of this Ordinance. The Director of Health, or his authorized agent, may upon written notice to the owner or person in charge specifying with particularity the reasons therefore, place a hold order on any food or beverage which he believes is unfit for human consumption. The Director of Health, or this authorized agent, shall tag, label, or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served, or moved from the establishment. The Director of Health shall permit storage of the food under conditions specified in the hold order unless storage is not possible without risk to public health, in which case immediate destruction shall be ordered and accomplished. The hold order shall state that a request for hearing may be filed with the Director of Health within two (2) working days, and that if no hearing is requested, the food shall be destroyed. The Director of Health shall hold a hearing, if so requested, and on the basis of evidence produced at the hearing, the hold order may be vacated or the owner or person in charge of the food may be directed, by written order to denature or destroy such food or to bring it into compliance with the provisions of this Ordinance and the Public Health Code of the State of Connecticut.

### **Section 10**

#### *Food Service Establishments Outside The Jurisdiction Of The Town Of Sharon*

Food from food service establishments outside the jurisdiction of the Director of Health of the Town of Sharon may be sold within the Town of Sharon if such food service establishments conform to the provisions of this Ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the Director of Health may accept reports from responsible authorities in other jurisdictions where such food service establishments are located.

### **Section 11**

#### *Penalties Other Than Suspension and Revocation of License*

Any person who shall violate any of the provisions of this Ordinance and/or the Public Health Code of the State of Connecticut shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than twenty-five (\$25) dollars for each violation. Each day the violation continues shall be deemed an additional violation. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

### **Section 12**

#### *Repeal And Date Of Effect*

This Ordinance shall be in full force fifteen (15) days after its publication as provided by law, and, at that time, all ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed. All existing food service establishments shall come into compliance within twelve (12) months of the effective date.

### **Section 13**

#### *Unconstitutionality Clause*

Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

Furthermore if any case where a portion of this Ordinance is found to be not in conflict with a pre-existing regulation, then the provision which establishes the higher standard for the promotion and protection of the health and safety of the general public shall prevail.

In the case of something not specifically mentioned in the Ordinance, then the Public Health Code of the State of Connecticut shall apply.

*History: Voted: September 6, 1991. Published: September 10, 1991. Effective: September 25, 1991. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

the 1990s, the number of people who have been employed in the public sector has increased in all countries. The increase in public sector employment has been particularly rapid in the United Kingdom, where the public sector has grown from 10.5% of the total workforce in 1980 to 17.5% in 1997 (see Figure 1).

There are a number of reasons for the increase in public sector employment. One reason is that the public sector has become a more important part of the economy. In many countries, the public sector has become a major employer, particularly in the service sector. Another reason is that the public sector has become a more attractive place to work. This is due to a number of factors, including the fact that the public sector is often seen as a more stable and secure place to work, and that it often offers better benefits and conditions of employment than the private sector.

There are also a number of reasons for the increase in public sector employment in the United Kingdom. One reason is that the public sector has become a more important part of the economy. In the United Kingdom, the public sector has become a major employer, particularly in the service sector. Another reason is that the public sector has become a more attractive place to work. This is due to a number of factors, including the fact that the public sector is often seen as a more stable and secure place to work, and that it often offers better benefits and conditions of employment than the private sector.

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## INLAND WETLAND AND WATER COURSE COMMISSION

An Ordinance creating an Inland Wetlands and Water Course Commission and authorizing it to promulgate Regulations Protecting the Wetlands and Watercourses of the town of Sharon, was passed at a Special Town Meeting held on February 28th, 1974, where the following was passed:

Be it ordained by the Town Meeting of the Town of Sharon that the following ordinance be adopted pursuant to the provisions of the Inland Wetlands and Watercourses Act, and Section 7-131(a) of the Connecticut General Statutes.

### **Section 1**

#### *Statement of Purpose*

The inland wetlands and watercourses are an indispensable and irreplaceable but fragile natural resource with which the citizens of Sharon have been endowed. The wetlands and watercourses are an interrelated web of nature essential to an adequate supply of surface and underground water; to hydrological stability and control of flooding and erosion; to the recharging and purification of groundwater; and to the existence of many forms of animal, aquatic and plant life. Many inland wetland and watercourses have been destroyed or are in danger of destruction because of unregulated use by reason of the deposition, filling or removal of material, the diversion or obstruction of water flow, the erection of structures and other uses, all of which have despoiled, polluted and eliminated wetlands and watercourses. Such unregulated activity has had, and will continue to have, a significant, adverse impact on the environment and ecology of the Town of Sharon and has and will continue to imperil the quality of the environment thus adversely affecting the ecological, scenic, historic and recreational values and benefits of Sharon for its citizens now and forever more.

The preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of Sharon. It is, therefore, the purpose of this act to protect the citizens of Sharon by making provisions for the protection, preservation, maintenance and use of the inland wetlands and watercourses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state or local authority; preventing damage from erosion, turbidity or siltation; preventing loss of fish and other beneficial aquatic organisms, wildlife and vegetation and the destruction of the natural habitats thereof; deterring and inhibiting the danger of flood and pollution; protecting the quality of wetlands and watercourses for their conservation, economic, aesthetic, recreational and other public and private uses and values; and protecting Sharon's potable fresh water supplies from the dangers of drought, overdraft, pollution, misuse and mismanagement by providing an orderly process to balance the need for the economic growth of Sharon and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of Sharon the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.

### **Section 2**

#### *Responsibilities*

Said Commission shall have all the powers and responsibilities authorized under said Public Acts #155 and #571 as amended.

### **Section 3**

#### *Membership*

The Commission shall be composed of seven (7) regular members and two (2) alternates, appointed by the Board of Selectmen.

The Commission shall include one (1) member who shall also be a member of the Planning and Zoning Commission, one (1) member who shall also be a member of the Zoning Board of Appeals, and one (1) member who shall also be a member of the Conservation Commission. The terms of office of these members shall run concurrently with the terms of office held on their respective Commissions and Board. The four additional members first appointed shall serve for terms of two, three, four, and five years respectively. The Alternates



applicant prior to the issuance of any permit.

*History: Voted: May 13, 1983. Revised: May 11, 2001. Revised: April 21, 2006. Published: April 27, 2006. Effective: May 13, 2006.*

## **SHARON CONSERVATION COMMISSION**

Be it hereby enacted and ordained that there is hereby established a Sharon Conservation Commission for the development, conservation, supervision and regulation of natural resources, including water resources, within the territorial limits of the Town. Such Commission shall have all of the powers and duties set forth in Section 7-131 (a) of the Connecticut General Statutes.

### *Membership: Appointment*

The Sharon Conservation Commission shall consist of seven (7) members who shall be appointed by the Chief Executive Officer of the Town of Sharon. The members first appointed shall serve for terms of one, two, three, and four years, and three (3) to serve for five (5) years, respectively. All successors, shall be appointed for terms of five (5) years each. All terms shall expire on June 30 of each year. Whenever a vacancy occurs, the Chief Executive Officer shall appoint a successor to hold office for the remainder of the term. A Commissioner shall continue in office until his successor is appointed.

The Commission shall elect officers in the month of July in each even-numbered year at a meeting of the Commission duly noticed. Said officers shall consist of a Chairman, Vice- Chairman, Secretary, and any other officers which the Commission may deem necessary or appropriate. A special election, duly noticed, may be held to replace any officer who has resigned or is otherwise unable to serve for the balance of the unexpired term of said officer.

*Voted: February 18, 1972. Revised: June 30, 1972. Revised: March 11, 1988. Published: March 22, 1988. Effective: April 6, 1988.*

## **SHARON ENERGY AND ENVIRONMENT COMMISSION**

### **Section 1**

#### *Purpose*

The Sharon Energy and Environment Commission (hereafter "the Commission") shall seek out programs related to clean energy and energy efficiency available to municipalities and shall educate and assist the town, its residents, businesses and organizations to become more energy efficient, to consider renewable energy when possible, to save money and to protect the environment.

### **Section 2**

#### *Membership*

The Commission shall consist of seven regular members, all of whom shall be appointed by the Board of Selectmen. Initially, the Board of Selectmen shall appoint four members to serve for a term of two years, and three members to serve for a term of one year. Thereafter, appointments (except interim appointments made to complete an unexpired term) shall be for a two year term. Members may be reappointed. A member must be a resident or taxpayer of the town.

### **Section 3**

#### *Officers*

Initially, the Board of Selectmen shall choose the Chair and Secretary of the Commission. Within six months, the Commission shall hold elections for officers. Thereafter, the Commission will hold officer elections annually in January of each year.

### **Section 4**

#### *Bylaws*

The Commission shall have the authority to adopt its own bylaws.

### **Section 5**

#### *Effective Date*

This ordinance shall take effect 15 days after publication.

*History: Voted: September 7, 2012. Published: September 20, 2012. Effective: October 5, 2012.*

## **ECONOMIC DEVELOPMENT COMMISSION**

### *Description*

Pursuant to Section 7-136 of the Connecticut General Statutes, the Town of Sharon establishes an Economic Development Commission. The commission shall consist of five (5) members, who shall be appointed by the Board of Selectmen. Initially, one member shall be appointed to serve a term of one (1) year, two members to serve a terms of two (2) years, a third and fourth member to serve a term of three (3) years each. Thereafter, members appointed to terms shall serve a term of three (3) years. Any member may be removed by the Board of Selectmen for cause, and on request of such member, after public hearing. All members must be electors of the Town of Sharon.

Initially, the Board of Selectmen shall choose the chairman of the commission. The commission shall adopt its own by laws and thereafter will hold elections of commission officers in accordance with its by-laws.

Members shall receive no compensation for their service, as such, but shall be reimbursed for their necessary expenses incurred in the performance of their official duties.

The commission shall conduct any necessary research into the economic conditions and trends in the Town of Sharon, taking care to review any and all existing reports and assessments deemed pertinent and relevant to the work of the commission. The commission shall make recommendations to appropriate officials and agencies regarding action to improve its economic condition and development, and shall seek to coordinate the activities of and cooperate with unofficial bodies organized to promote such economic development and may advertise, and may prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further its official purposes, all within the budget approved by the Board of Finance.

The commission shall annually prepare and transmit to the town meeting a report of its activities and of its recommendations for improving such economic conditions and development.

*History: Voted: January 10, 2014. Published: January 23, 2014. Effective: February 7, 2014.*



## **PLANNING AND ZONING COMMISSION ZONING BOARD OF APPEALS**

### **Section 1**

The Town of Sharon hereby adopts the provisions of Chapter 124 of the General Statutes of Connecticut, Revision of 1958, as amended, and designates the Sharon Planning Commission the Planning and Zoning Commission for the Town of Sharon pursuant to Section 8-4a of the Connecticut General Statutes, Revision of 1958, as amended, such Commission to have all the powers and duties of both a Zoning Commission and a Planning Commission.

### **Section 2**

There is hereby created a Zoning Board of Appeals consisting of five (5) regular members and three (3) alternate members who shall be initially appointed by the Board of Selectmen and thereafter elected by the electors of the Town as follows:

On the adoption of this ordinance the Selectmen shall appoint two (2) members of such Board of Appeals to serve until the next succeeding biennial election of the Town and three (3) members of the Board of Appeals to serve until the second succeeding biennial election of the Town, or until their successor or successors shall have been elected and shall have qualified. Thereafter the members of the Zoning Board of Appeals shall be elected to serve terms of four years at the biennial Town election in the year in which their individual terms expire.

On the adoption of this ordinance the Selectmen shall appoint one (1) alternate member of the Board of Appeals to serve until the next succeeding biennial election of the Town and two (2) alternate members of the Board of Appeals to serve until the second succeeding biennial election of the Town or until their successor or successors shall have been elected and shall have qualified. Thereafter alternate members of the Zoning Board of Appeals shall be elected to serve terms of four (4) years at the biennial election in the year in which their term of office expires.

*History: Voted: June 22, 1968. Revised: November 6, 1971. Effective: November 29, 1971.*

## **PLANNING AND ZONING COMMISSION - ALTERNATE MEMBERS**

**BE IT HEREBY ENACTED AND ORDAINED:** that the Selectmen shall appoint a panel of three (3) alternate members of the Sharon Planning and Zoning Commission, one alternate member to serve until the next succeeding biennial election of the Town and two (2) alternate members to serve until the second succeeding biennial election of the Town or until their successor, or successors, shall have been duly appointed and shall have qualified.

Thereafter such alternate members shall be elected to serve terms of four years at the biennial Town election in the year in which their individual terms of office expire.

*History: Voted: February 18, 1972. Published: February 24, 1972. Effective: March 10, 1972.*

## **PLANNING AND ZONING COMMISSION VACANCIES**

Vacancies for any cause in the office of member or alternate of the Town of Sharon Planning and Zoning Commission, shall be filled by appointment by the Board of Selectmen and such member or alternate so appointed shall serve until his successor is duly elected and qualified at the next regular Town election.

*History: Voted: October 5, 1981.*

**LAND USE APPLICATION FEES**

The following fees are hereby established for the Sharon Planning and Zoning Commission and the Sharon Zoning Board of Appeals as per Sec. 8-1c of the CGS:

<i>Planning and Zoning Commission</i>	
Zoning Permit	\$15
Special Permit	\$200
Petition for a Change of Zone	\$200

Failure to obtain a zoning permit prior to the commencement of work unless an application is received within 10 days of notification by the ZEO will result in a \$50 fine.

<i>Subdivision, including resubdivision</i>	
When all proposed lots have direct access to a State Road or maintained Town Road	\$50 /lot
When any sub-division (or resubdivision) has a proposed street or road	\$300 /lot

The fees set forth above are the Minimum Application Fees required. When the actual cost of processing an application exceeds the Minimum Application Fee due to the need for outside consultant services, the Commission shall charge the applicant a surcharge fee to fund the approximate actual costs of processing the application.

The expenses for such outside consultants may be estimated by the Commission upon receipt of the application, or at any subsequent review or hearing on the application, based upon the projected expenses of reviewing, evaluating and processing the application. This reasonable estimate shall be paid forthwith, and the application shall be deemed incomplete until the surcharge fee(s) has (have) been submitted.

For the purpose of this ordinance an “outside consultant” means a professional who is not an employee of the town, including, but not limited to, engineering, traffic, environmental and planning professionals.

Any portion of the surcharge fee not expended by the Town on the project shall be rebated to the applicant upon completion of the review, evaluation and processing of the application.

The Commission shall bill the applicant for any costs incurred by the Town in excess of any surcharge fee paid by the applicant. This bill shall be paid by the applicant prior to the issuance of any permits.

<i>Zoning Board of Appeals, Application for Variance</i>	\$200
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If any section clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

*History: Voted: May 13, 1983. Revised: May. 11, 2001. Revised: February 22, 2013. Published: May, 17, 2001. Effective: June 1, 2001. Effective: March 22, 2013.*

**AFFORDABLE HOUSING – LAND USE**

The Sharon Planning and Zoning Commission shall have and exercise all powers and duties of both a Planning Commission and a Zoning Commission as provided in Chapters 124 and 126 of the General Statutes, as amended, subject however, to the following exception:

In accordance with Section 8-19(b) of the Connecticut General Statutes, the initial subdivision of land by a landowner shall be exempt from the subdivision regulations adopted by the Planning and Zoning Commission provided that the following requirements are satisfied: a) the subdivision involves the division of land into not more than three (3) lots or parcels of land for purposes of sale or building development; b) at least one (1) lot is to be used for affordable housing as defined in Connecticut General Statutes Section 8-30g(a)(1) and is to be developed by the Town of Sharon or by a non-for-profit organization; c) the subdivision map shall designate the lot to be used for affordable housing and shall contain the following notation with respect to such lot: "Lot restricted to affordable housing use and development by the Town of Sharon or by a not-for-profit organization. Lot is subject to the restrictions established by Connecticut General Statute, Section 8-30g(a)(1) and Section 8-30g(a)(3) or (6). Lot may not be re-subdivided without prior approval of Sharon Planning and Zoning Commission": (d) each lot shall conform to the minimum lot requirements set forth in the zoning regulations for the district in which it is situated; and (e) the affordable housing use of the lot shall conform to the applicable requirements of the zoning regulations. The exemption hereby established shall be in addition to any other exemption authorized under Section 8-26 of the Connecticut General Statutes and shall not be construed as exercise of any right under any other exemption.

*History: Voted: August 17, 2007. Published: August 23, 2007. Effective: September 8, 2007.*

## **BUILDING CODE, VIOLATION OF STATE BUILDING CODE**

The Town of Sharon adopts the State of Connecticut Building Code as amended.

Any violation of the State Building Code shall be subject to the fines specified in Connecticut General Statutes 29-254(a), as it may be amended from time to time. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: September 18, 1970. Amendment Voted: January 6, 2012.*

## **BUILDING FEES**

The Town of Sharon hereby establishes the following fee schedule for building permit applications:

- (a) Basic permit fees: \$25.
- (b) \$25 shall be charged for the first \$1,000 in value or the basic permit fee shall be paid.
- (c) An additional \$7.00 will be charged for each additional \$1,000 in value of work or part thereof.
- (d) \$200 additional fee charged to owners/contractor when work commences before permit issuance.

At any time, following one year from the enactment of this ordinance, the Board of Selectmen are empowered to revise said fees as may be necessary. Revised fees will take effect 15 days from publication in a newspaper of general circulation in the Town of Sharon.

*History: Voted: February 18, 1972. Published: February 24, 1972. Effective: March 9, 1972. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **FLOODPLAIN**

This ordinance will apply to all areas of special flood hazard within the jurisdiction of the Town of Sharon, Connecticut. The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS) for the Town of Sharon, Connecticut, dated August 16, 1988, with accompanying maps and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of this ordinance.



The applicable section of the building/zoning permit must be completed in conformance with the provisions of this Floodplain Ordinance prior to the commencement of any development activities.

## Section 1

### Definitions

- (a) *Floor* means the top surface of an enclosed area in a building (including basement) i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.
- (b) *Lowest floor* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor.
- (c) *Mean Sea Level* means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
- (d) *Substantial improvement* means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of a structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

## Section 2

### General Standards

- (a) For all new construction or substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are prohibited.
- (b) Residential Construction. New Construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation.
- (c) Non-Residential Construction
  - i. New construction or substantial improvement of any non-residential, commercial, or industrial structure located in Zone A1-30, AE and AH shall have the lowest floor, including basement, elevated to or above the base flood level; or
  - ii. Non-residential structures located in all A-Zones may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall review and/or develop structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Such certification shall be provided to the Building Official.
- (d) The Building Official and the Zoning Administrator shall review all building permits for new construction or substantial improvements to determine whether proposed sites will be reasonably safe

(e) from flooding. If a proposed building site is in a location that has flood hazard, any proposed new construction or substantial improvement must:

- i. Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;
- ii. Use construction materials that are resistant to flood damage;
- iii. Use construction methods and practices that will minimize flood damage; and
- iv. Be designed and / or have located electrical, heating, plumbing, air-conditioning, and other service facilities so as to prevent water from entering or accumulating within the components during conditions of flooding.

### **Section 3**

#### *Manufactured Homes*

All manufactured homes (including "mobile" homes placed on a site for 180 consecutive days or longer) to be placed, or substantially improved, shall be elevated so that the lowest floor is at or above base flood elevation.

It shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.

### **Section 4**

#### *Subdivisions*

The Building Official and Zoning Administrator shall review subdivision proposals and other proposed new development to assure that:

- (a) all such proposals shall be 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;
- (c) adequate drainage is provided so as to reduce exposure to flood hazards;
- (d) in Zone A, base flood elevation data shall be provided for subdivision proposals and other development (including manufactured home parks and subdivision) which are five acres or fifty lots, whichever occurs first.

All subdivision applications which contain areas of special flood hazard shall comply with Section 316. Flood Prone Areas, of the Sharon Subdivision Regulations.

### **Section 5**

#### *Sewer and Water*

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

### **Section 6**

#### *Floodways*

Encroachments, including fill, new construction, substantial improvements and other developments are hereby prohibited unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any (0.00) increase in flood levels during occurrence of the base flood discharge.

## Section 7

### *Duties and Responsibilities of the Building Official*

- (a) Advise permittee that additional Federal or State permits may be required, and if specific Federal or State permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. Possibly including, but not limited to, Water Diversion, Dam Safety, Corps of Engineers 404.
- (b) Notify adjacent communities and the Department of Environmental Protection, Water Resources Unit, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (c) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- (d) Record the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved or floodproofed structures. When flood-proofing is utilized for a particular structure the Building Official shall obtain certification from a registered professional engineer or architect.
- (e) When base flood elevation data or floodway data have not been provided on the Flood Insurance Rate Map for the Town of Sharon, then the Building Official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source in order to administer the provisions of this ordinance.
- (f) In special flood hazard areas where base flood elevations have been determined, but before a floodway is designated, require that no new construction, substantial improvement, or other development (including fill) be permitted which will increase base flood elevations more than one (1) foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
- (g) Should other data be utilized select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one (1) foot at any point.

*History: Voted: November 6, 1974. Revised: July 28, 1987. Revised: May 13, 1988. Revised: August 12, 1988. Revised: May 10, 1996. Published: May 14, 1996. Effective: May 29, 1996.*

## TRAILERS AND TRAILER CAMPS

### Section 1

A trailer is a vehicle used for living or sleeping purposes or as a business or construction office which stands on wheels or on rigid supports. For purposes of this ordinance, a trailer shall not include a recreational vehicle.

*History: Revised: Voted: September 21, 2018. Published: October 4, 2018. Effective: October 20, 2018,*

### Section 2

A trailer camp is a tract of land where three or more trailers are parked or which is used or held out for the purposes of supplying to the public a parking space for three or more trailers.

### Section 3

A trailer may be stored by its owner in the rear of a lot used as his permanent place of abode, provided:

- (a) The trailer is parked at least 100 feet from any dwelling on an abutting lot;
- (b) The owner of the trailer files evidence of ownership of the trailer with the Town Clerk's office;

- (c) The owner acquires a permit signed by the Selectmen showing he has conformed with the provisions of this ordinance, the Selectmen having a simple plot plan of the lot, showing location of trailer, dwelling house and abutting dwellings, if any;
- (d) In the event the owner of a trailer, having complied with the above in securing a permit, wishes to sell or transfer title to same, said permit shall be null and void.

#### **Section 4**

Visiting trailers used for living purposes may be parked in the rear of a lot occupied by a detached single family dwelling or on a vacant lot and at least 100 feet from a dwelling on an abutting lot for a period of four weeks, but not more than twice in one calendar year.

#### **Section 5**

A trailer may be parked as specified in Sections 3 and 4 for occupancy as living quarters or as a temporary business or construction office provided:

- (a) There is a safe and adequate water supply.
- (b) The trailer is provided with an adequate sewage system approved by the health officer of the Town.

Such trailer may be used as an accessory farm building for living quarters.

#### **Section 6**

Trailer camps for human occupancy are prohibited except under the following conditions and in such locations as the Town Board of Selectmen may approve, upon evidence satisfactory to the Selectmen that such locations are appropriate, and consistent with the public health, safety and welfare.

- (a) The owner of each trailer camp shall submit a plan of development and secure approval of the Town Board of Selectmen before construction.
- (b) Trailer shall be parked at least 100 feet apart end- to-end and side-to-side.
- (c) Trailer camps shall have a minimum frontage of 200 feet on a paved town or state highway. No more than one driveway shall give access to the lot from the street and such driveway shall be not less than 250 feet from the nearest intersection on either side of said paved town or state highway.
- (d) All buildings and trailers shall be located at least 100 feet from the street lot line and 50 feet from side and rear lot lines.
- (e) Each trailer location shall be provided with water service from a safe and adequate source, and with a connection to an underground sewage disposal system approved by the health officer of the Town.
- (f) Provision shall be made for the parking of one car per trailer on the premises, such parking area shall be located at least 100 feet behind the street lot line and at least 50 feet away from side and rear lot lines.
- (g) Owner shall plant a screen border around the perimeter of the trailer camp on the side and rear lot lines satisfactory to the Board of Selectmen.

#### **Section 7**

Any person who shall locate or maintain a trailer or trailer camp within the limits of the Town of Sharon in violation of the provisions of this ordinance shall be fined not exceeding one hundred dollars. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: July 15, 1957. Revised: February 20, 1960. Revised: June 24, 1964. Revised: July 22, 1964. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

#### **OPEN SPACE - "490"**

WHEREAS, the Planning and Zoning Commission has amended the Sharon Town Plan of Development to designate the following described parcels of land as deserving of preservation as open space land:

*"That portion of any parcel of land in the Town of Sharon which is located in the Rural Residential District and/or any Planned Conservation District which is or may hereafter be established and as shown on the Sharon Zoning Map and which meets the following requirements is hereby approved for*

*designation and classification as Open Space for tax assessment purposes pursuant to and in accordance with Section 12-107e of the Connecticut General Statutes, as amended:*

*That portion of any parcel of land which is in excess of two (2) acres and which is part of a parcel of land that is equal to or greater than ten (10) acres in size and which:*

- (a) is not developed or committed or restricted from subdivision or reduction in area as a condition, requirement and /or prerequisite of an approved Special Permit or Special Exception pursuant to the Sharon Zoning Regulations; and/or
- (b) is not labelled as, or otherwise determined to be, "improved" by the Sharon Tax Assessor /Board of Assessors or recorded as such on the Sharon Tax Assessor/Board of Assessors records.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED THAT:**

The Planning and Zoning Commission designation of such parcels of land as open space under section 12 - 107e of the Connecticut General Statutes, as amended, is hereby approved.

History: *Voted: June 21, 1991. Published: June 27, 1991. Effective: July 12, 1991.*

## **NUCLEAR FREE ZONE**

WHEREAS the Town of Sharon believes that the unregulated use, storage and/or transportation of radioactive materials within the Town constitute a threat to the health and welfare of the residents of Sharon, therefore

BE IT ORDAINED that the Town of Sharon shall be and is established as a Nuclear Free Zone wherein no nuclear weapons or products associated with nuclear weapons may be positioned or manufactured within Sharon.

AND that there shall not be nuclear energy, experimental or commercial, produced or used within the town except for: 1) medical applications of nuclear material, 2) such energy as is transmitted to the town as electrical energy, and 3) the use of such energy for training of emergency personnel and the calibration of their equipment.

AND that no radioactive wastes nor nuclear components of any kind shall be transported through the Town of Sharon except in clearly marked vehicles and with advance notice to town officials of times and routes of transit.

AND that no radioactive wastes of any kind shall be stored in the Town of Sharon except that radioactive wastes generated for medical purposes within the Town of Sharon may be stored at the generating facility for a period not to exceed one year.

AND that nothing in this ordinance shall be construed to regulate consumer use of radioactive smoke detectors and light emitting watches and clocks.

If any section, sub-section, paragraph, sentence or word of this Ordinance shall be held to be invalid, either on its face or as applied, the invalidity of such provision shall not affect the other sections, sub-sections, paragraphs, sentences or words of this Ordinance and the applications thereof; and to that extent the sections, sub-sections, paragraphs, sentences or words of this Ordinance shall be deemed severable.

AND that any person, firm or corporation who violates the provisions of this ordinance shall be fined not more than \$500 for each such violation. Each and every violation of this ordinance shall constitute a separate

offense. Each day's failure to comply with this ordinance shall constitute a separate offense. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: September 6, 1991. Published: September 10, 1991. Effective: September 25, 1991. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **CITATION PROCEDURES**

Pursuant to Section 7-152c of the Connecticut General Statutes, the Town of Sharon hereby establishes by this ordinance a citation hearing procedure as follows:

- (a) The First Selectman shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this ordinance.
- (b) The Town of Sharon, at any time within twelve months of the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited; (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that such judgment may issue without further notice.
- (c) If the person who is sent notice pursuant to subsection (b) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail, payable to the Town of Sharon and sent to the First Selectman or to the First Selectman's designee. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (b) of this section shall be deemed to have admitted liability, and the designated municipal officer shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs, or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (e) of this ordinance.
- (d) Any person who requests a hearing shall be given written notice of the date, time, and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the Town of Sharon. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the

- applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town of Sharon.
- (e) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.
- (f) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee of a small claims case pursuant to section 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.
- (g) This ordinance shall apply to fines for:
- Violation of Inland Wetlands and Watercourses Commission Regulations
  - Violation of the Historic District Commission Regulations
  - Violation of the Planning and Zoning Commission Regulations
  - Trailers and trailer camps
  - Permits for work on Town highways(Use of Town of Sharon Property)
  - Motor boats on Mudge Pond
  - Violation of the Sewer Ordinance
  - Special Events
  - Violation of the State Building Code
  - Hawkers and Peddlers
  - Horseback riding on Sharon Green
  - Congregating on Sharon Green
  - Posting of house/building numbers
  - All terrain vehicle (ATV)
  - Town Recreation fields

- Metal detecting/excavating on Town Property
- Helicopters
- Recycling
- Food Service Establishment
- Nuclear Free Zone
- Scenic Roads
- Driveways

*History: Voted: June 25, 2010. Published: July 29, 2010. Effective: August 14, 2010. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **OPEN SPACE AND LAND ACQUISITION FUND**

### **Section 1**

#### *Purpose*

Pursuant to the provisions of C.G.S. §7-148 (c)(2)(K) and C.G.S. §7-131r, the Town of Sharon does hereby establish a special fund for the protection, maintenance and preservation of the Town of Sharon's natural resources and rural character. The fund shall be known as the Open Space and Land Acquisition Fund (hereinafter referred to as "the Fund"). The Fund is perpetual, and it shall not lapse at the end of the municipal fiscal year, notwithstanding that from time to time the Fund may be unfunded.

### **Section 2**

#### *Sources of Funding, Investments, and Limitations on Use of Fund*

- (a) There shall be deposited into the Fund such sums as the Town of Sharon may from time to time appropriate for that purpose. There shall also be deposited into the fund
  - i. all payments in lieu of the provision of open space made pursuant to any regulations adopted by the Planning and Zoning Commission under the authority of Connecticut General Statutes §§8-25a and 8-25b; and
  - ii. any other funds acquired by the Town of Sharon, whether by gift, bequest, grant or otherwise, which are intended for the purposes to be served by the Fund, unless otherwise restricted by the terms of the donor.
- (b) The Fund shall be in the custody of the Town Treasurer and all or any part of the moneys in the Fund may, from time to time, be invested in any securities in which public funds may be lawfully invested. All income derived from the investments shall be added to the Fund and become a part thereof. The monies so invested shall at all times be available for withdrawal from such investments for the uses as hereinafter set forth.
- (c) No sums contained in the Fund, including any interest or dividends earned, shall be transferred to any other Town account or Town fund and no appropriations or expenditures shall be made from the Fund except in accordance with the provision of this ordinance and for the purposes stated herein.
- (d) The purpose of the Fund is to assist in the preservation of maintenance, or acquisition of land in the Town of Sharon by the Town of Sharon. The Fund may also be used to maintain properties previously acquired by the Town of Sharon for open space purposes, for passive recreational purposes, or for agricultural purposes (hereinafter collectively referred to as "open space"). The acquisition of such open space may take the form of the acquisition of easements or other rights or



interests restricting the use of land, as well as outright ownership of the land itself. The Fund may also be used in concert with or partnership with funding provided by other governmental agencies or nonprofit organizations, provided the purposes of such other agency or organization are consistent with the purposes of this ordinance. The Fund may be used in concert with other funding, which the Town of Sharon may appropriate from other sources, including the general fund or capital reserve.

The expenses to which the Fund may be used, in addition to the purchase price of such open space, shall include the costs of acquisition of such open space, including but not limited to real estate appraisals, engineering reports, soil scientists' reports, environmental studies and/or planning, document preparation and legal expense.

### **Section 3**

#### *Authority to Expend from the Fund*

- (a) Preliminary Investigation Stage. Upon recommendation of the Town of Sharon Conservation Commission to the Board of Finance, and after approval by a majority vote of the Board of Finance, the Board of Selectmen shall have the authority to expend up to \$5,000.00 from the Fund to pay the costs of a preliminary investigation as to the suitability and advisability of acquiring a particular parcel of land or an interest in that land for open space purposes by the Town.
- (b) Procedure for Approval of Proposed Acquisition. The procedure for approval of an appropriation from the Fund to be used for the acquisition of open space land, beyond the Preliminary Investigation Stage, shall be as follows:
  - i. A proposal for the acquisition of such open space may originate with Town of Sharon Conservation Commission, which shall make its recommendations to the Town of Sharon Board of Selectmen. In the alternative, such a proposal may originate with the Board of Selectmen, which shall make its recommendations to the Sharon Conservation Commission for its recommendations. Either the Conservation Commission or the Board of Selectmen may hold one or more public informational meetings regarding a proposed open space acquisition.
  - ii. Prior to taking action on a proposal for open space acquisition, the Board of Selectmen shall refer the proposed acquisition to the Town of Sharon Planning Commission for a report under the provisions of Connecticut General Statutes §8-24.
  - iii. The Board of Selectmen shall give due consideration to the views of the Conservation Commission and the Planning Commission on any such proposed acquisition, but the approval of neither agency shall be required. Upon approval of such proposal by the Board of Selectman, the Board of Selectmen shall, by resolution, request the Board of Finance to approve the proposed appropriation from the Fund. Such proposal may include a request for additional appropriations from other sources to supplement the funds available from the Fund. Upon approval by the Board of Finance, the Board of Selectmen will call a Town Meeting for the approval or disapproval of the proposed open space acquisition, including whether and how much of the acquisition costs are to be appropriated from the Fund, and the method of paying for or financing the balance of such costs if the Fund is not authorized to or cannot provide for all of such costs.
  - iv. This ordinance shall not be deemed to be the exclusive method by which the Town of Sharon may acquire open space land or other properties, but shall apply to all acquisitions where the Fund is to be used as a source of funding.

**Section 4**

*Stewardship and Acquired Open Space*

The Board of Selectmen shall maintain and administer the open space land, which has been acquired by the Town of Sharon pursuant to this ordinance.

**Section 5**

*Effective Date*

This ordinance shall be effective upon adoption by the Town Meeting and 15 days after publication of such adoption in a newspaper having a general circulation in the Town of Sharon.

*History: Voted: April 1, 2011. Published: April 14, 2011. Effective: April 29, 2011. Amendment: Voted January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*



## **BOARD OF ADMISSION OF ELECTORS**

The Town of Sharon Board of Admissions of Electors, pursuant to Section 9-15a of the Connecticut General Statutes shall consist of the two Registrars of Voters and the Town Clerk.

*History: Voted: October 4, 1965. Revised: May 13, 1977.*

## **MUNICIPAL ELECTIONS**

As authorized by Public Act #675 of the January 1967 session of the General Assembly, it was voted by the voters of the Town of Sharon that the Biennial Municipal elections shall be held on Tuesday after the first Monday on November of the odd numbered years.

*History: Voted: October 2, 1967.*

## **REGISTRARS TERM OF OFFICE TOWN CLERKS TERM OF OFFICE**

BE IT HEREBY ENACTED AND ORDAINED pursuant to Public Act 494, General Assembly 1971, entitled "An Act Concerning the term of Town Clerks" that the Town of Sharon provide that the clerk of said town and the registrars of voters of said town, shall at the next succeeding regular Elections for such office and thereafter, be elected for a term of four years from the first Monday of January succeeding their election in the case of the Town Clerk, and from the first Wednesday, after the first Monday of January, succeeding their election in the case of Registrars of Voters.

*History: Voted: October 4, 1971.*

## **TOWN CLERK'S SALARY**

The Town Clerk of Sharon shall receive a salary in lieu of all fees and other compensation provided for in the Connecticut General Statutes.

*History: Voted: May 11, 1984. Published: May 31, 1984. Effective: June 15, 1984.*

## **ANNUAL TOWN BUDGET MEETING**

BE IT ORDAINED that under Chapter 106, Section 7-344 of the General Statutes of the State of Connecticut, Revision of 1958, as amended, that:

The Town of Sharon, having a population of less than 5,000 as enumerated in the last Federal Census of 1960, hereby waives the publication of requirements as set forth in Section 7-344, as amended, and the Board of Finance shall provide for the printing, or mimeographing, of copies of a report on the Annual Budget in the form prescribed by the Tax Commissioner, in a number equal to 10% of the population of the Town of Sharon according to the 1960 Federal Census; and further, these copies shall be made available for distribution at least five (5) days before the Annual Budget Meeting of the Town of Sharon.

Such Annual Budget Meeting to be held the second Friday of the month of May each year.

*History: Voted: October 2, 1961, Revised: March 14, 1975.*

## CONSTABLES

Repealed.

*History: Voted: June 20, 1977. Published: June 30, 1977. Effective: July 15, 1977. Voted to Repeal: March 23, 2018. Published: April 5, 2018. Effective: April 20, 2018.*

## ALTERNATE MEMBERS TO THE BOARD OF FINANCE

Be it hereby enacted and ordained, pursuant to Connecticut General Statutes Section 7-340a:

### Section 1

There should be two (2) alternate members of the Town of Sharon Board of Finance. Such alternate members shall, when seated, have all the powers and duties set forth in the General Statutes, any special act or municipal charter relating to the Town of Sharon for the Board of Finance and its members. Such alternate members shall be electors and taxpayers of such town.

### Section 2

If a regular member of the Board of Finance is absent or is disqualified, such absent or disqualified member shall designate an alternate to so act. In the event that absent or disqualified 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 subject to the provisions of 9-167a of the Connecticut General Statutes to so act for such absent or disqualified regular member.

### Section 3

Alternate members of the Board of Finance shall initially be appointed by the Board of Finance to serve until the next municipal election, after adoption of this ordinance, one to serve for four years and the other to serve for six years.

### Section 4

In the year 2011, the position of alternate originally appointed for a four (4) year term shall become an elected position and alternate to the Board of Finance shall be on the ballot for the year 2011. In the year 2011, the alternate position originally appointed for a six (6) year term shall become an elected position and shall appear on the ballot in November of 2011. Thereafter, all positions as alternate to the Board of Finance shall be elected.

### Section 5

No more than one alternate shall be from the same political party.

*History: Voted: February 19, 2010. Published: March 4, 2010. Effective: March 20, 2010.*

## BOARD OF EDUCATION - SEVEN MEMBERS

From and after the enactment of this ordinance the number of members of the Sharon Board of Education shall be seven (7) and the terms of the present members of said Board shall expire at the next biennial Town election; and at such election the Town shall elect four (4) members of such Board to hold office for two (2) years and three (3) members to hold office for four (4) years, each from the date of election, and at each Town election

thereafter shall elect members of such Board in the place of members whose terms expire, each for a term of four (4) years from the date of election.

*History: Voted: May 1, 1987. Published: May 8, 1987. Effective: May 23, 1987.*

## **SELECTMEN**

Pursuant to Section 9 – 188 of the Connecticut General Statutes, as amended: At any time as the Town of Sharon shall elect its First Selectman, the votes cast, including any valid write-in votes, for an unsuccessful candidate for First Selectman shall not be counted as votes for him as a member of such Board.

*History: Voted: March 6, 1998. Published: March 12, 1998. Effective: March 28, 1998.*

## **OFFICE OF SELECTMAN**

Pursuant to Section 9-188 of the Connecticut General Statutes, as amended, electors of the Town of Sharon may vote for two candidates for the office of Selectman, as well as for one candidate for the separate office of First Selectman. Minority representation rules of Section 9-167a of the Connecticut General Statutes, as amended, shall still apply to seating on the Board of Selectmen, so that no more than two members of one party may be members of the Board of Selectmen at one time.

*History: Voted: May 11, 2012. Published: May 24, 2012. Effective: June 8, 2012.*

## **ELECTION OF REPRESENTATIVE TO REGIONAL DISTRICT #1**

Be it hereby enacted and ordained, pursuant to Public Act 96-244, Section 4:

### **Section 1**

The Sharon Representative to the Board of Education of the Regional School District #1 shall be elected for a term of two years, by a plurality of the ballots cast in the election for such office by the electors of the Town of Sharon. The first such election shall be in November of 2011, and subsequent elections shall be in November of each odd numbered year thereafter. The term shall commence on the first day of the month following his or her election. The representative shall be an elector of the Town of Sharon.

### **Section 2**

The Sharon Board of Education shall, within 30 days of the election of the Sharon Representative to the Board of Education of the Regional School District #1, appoint one Alternate Representative to said Board, who shall serve in the absence of the Town's Regular Representative. Such Alternative Representative shall have all the rights and privileges of Regular Representative except that he or she shall be entitled to participate in and vote at school board meetings only in the absence of the board member for whom he or she serves as an alternate. The term of the Alternate Representative shall be two years, running concurrently with the term of the Town's Regular Representative.

### **Section 3**

In the event that the Alternate Representative shall die, resign or become otherwise disqualified during his or her term, the Sharon Board of Education shall, within 30 days, appoint a replacement Alternative Representative to complete the remaining portion of the Alternate's term.

### **Section 4**

Should the Sharon Board of Education fail to appoint such Alternate Representative within such 30 days, the Board of Selectmen may appoint the Alternate.

**Section 5**

The Alternate Representative shall at all times during his or her term be an elector of the Town of Sharon.

*History: Voted: February 19, 2010. Published: March 4, 2010. Effective: March 20, 2010.*

the 1990s, the number of people in the world who are illiterate has increased from 1.1 billion to 1.2 billion (UNESCO, 2003).

There are many reasons for the increase in illiteracy. One of the reasons is that the population growth rate is higher than the literacy rate. Another reason is that the quality of education is low. In many countries, the quality of education is so low that it does not help people to become literate.

There are many ways to reduce illiteracy. One way is to improve the quality of education. Another way is to provide more opportunities for people to learn. For example, people can learn through television, radio, and the internet.

It is important to reduce illiteracy because it is a barrier to development. People who are illiterate cannot read or write, so they cannot get a good job or start a business. They are often poor and live in difficult conditions.

There are many people who are illiterate in the world. In some countries, more than 50% of the population is illiterate. This is a big problem because it makes it difficult for these people to improve their lives.

There are many ways to help people who are illiterate. One way is to teach them to read and write. Another way is to help them to get a job or start a business. We can also help them to improve their lives in other ways.

It is important to help people who are illiterate because it is the right thing to do. Everyone should have the chance to learn and improve their lives. We can help them by teaching them to read and write and by helping them to get a job or start a business.

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## HIGHWAY CONSTRUCTION REQUIREMENTS - SUBDIVISION DEVELOPMENT

All highways to be accepted by the Town of Sharon shall be constructed in accordance with the following specifications and shall be considered a minimum standard. The Town reserves the right to add to or elaborate on these requirements, at the discretion of the Selectmen. The Selectmen shall inspect and approve any highways to be accepted by the Town, their approval to be based on compliance with this ordinance, and further, the Selectmen shall issue a signed statement certifying as to the date of inspection and approval a copy of which, shall be filed with the Town Clerk of the Town of Sharon and one copy given to the individual or individuals requesting acceptance of the highway.

### **Section 1** *Right of Way*

A minimum width of fifty lineal feet will be required. All boundaries of the right-of-way and changes of courses shall be marked by monuments of stone or four-inch-square reinforced concrete, two feet long and set flush with proposed grades. All dead end streets shall terminate in a circle not less than 100 feet in diameter to the outside of the right-of-way.

All highways to be presented to the Town for acceptance must connect with existing public highways now in use.

### **Section 2** *Width of Pavements*

The center line of the travelled portion of the pavement shall be in the center of the right-of-way and shall be gravelled to a width of not less than twenty feet, with shoulders at least two feet in width on both sides of travelled portion of such street or highway.

### **Section 3** *Subbase*

Grade of subbase shall be established parallel to the finished grade and twelve (12) inches below it. Where fill is required it shall be compacted and brought to a true grade before the first course of gravel is placed thereon. In constructing the subbase where poor material is encountered, such as muck, etc., such material shall be removed and replaced with sand or gravel fill as directed by the Selectmen.

### **Section 4** *Gravel Courses*

Upon this subbase at least ten (10) inches of well compacted bank run gravel shall be laid. Upon this base course, a finished course of at least two (2) inches of fine gravel shall be applied and compacted to give a total final thickness of twelve (12) inches of road measured after compacting. Water shall be added to aid compaction if directed by the Selectmen.

### **Section 5** *Street Grades*

Street grades shall not exceed ten per cent or be less than one-half of one per cent. The cross slope of the completed highway surface shall be at the rate of 3/8 inch per foot, and shall conform to the arc of a circle.

### **Section 6** *Street Alignment*

At intersections of streets, travelled portion of the pavement shall be turned with a curve having a minimum radius of thirty (30) feet.

When street deflects in a direction by more than ten degrees, the tangents shall be joined by a curve. The radius for the inner right-of-way shall not be less than one hundred (100) feet. The curve of the outer street line shall be concentric with the inner street line. Whenever possible, reverse curves shall be separated with tangents at least fifty (50) feet long.

## **Section 7**

### *Surfacing*

After all streets are true to grade, the surface shall be laid of bituminous concrete at a minimum width of 20 feet. The total compacted depth shall be at least 3 inches, the first course of Class I 3/4" stones at a compacted depth of at least 2 inches; the finish course shall be of Class II 3/8" stones compacted to a depth of at least 1 inch.

The mix must be of a hot patch material and shall be inspected by the Selectmen or their representative and said application of materials must be applied at a favorable time with air temperature.

## **Section 8**

### *Drainage*

A complete drainage system shall be installed to provide for the natural drainage throughout the area of development and for drainage conditions created by the construction of the highway or street.

All culverts installed shall be of a size and quality that will be sufficient to carry the volume of water for which it is intended. All drainage culverts and structures, catch basins, man holes, and walls, etc., shall be a type and quality consistent with standards established by the Town.

Culverts shall be installed with not less than 1/4 inch pitch per foot, with minimum cover of eighteen inches of gravel, and a twelve inch cushion of gravel beneath.

Where longitudinal grade of the highway shall exceed five per cent, a bituminous gutter shall be constructed wherever the highway may be in a cut; to specifications given by the Selectmen. Gutters shall run only for a specified distance without provision for removal of water by a catch basin, lead off, or other approved method to be determined at each location.

*History: Voted: February 20, 1960. Revised, Board of Selectmen, July 6, 1978.*

## **DRIVEWAYS**

WHEREAS, it is desirable to minimize highway safety problems created by excessive and unplanned curb cuts and road cuts, and

WHEREAS, it is desirable to control erosion and sedimentation upon the public and private streets caused by driveways, and

WHEREAS, it is desirable to avoid altering the existing flow of water into the street or right-of-way, and

WHEREAS, it is desirable to establish a permit procedure which applies to all driveways. NOW THEREFORE BE IT RESOLVED:

## **Section 1**

### *Driveways*

- 1.1 *General:* No person, firm or corporation shall construct, provide, move, alter or reconstruct, any driveway or other motor vehicle travel-way connecting private property with the right-of-way of
  - (a) any town street or highway or

- (b) any street shown on a sub-division map either filed in the Office of the Town Clerk or approved by the Sharon Planning and Zoning Commission until a Driveway Construction Permit has been issued by the Board of Selectmen, or their designated agent.

No person, firm or corporation shall make a cut in any town street or highway for utility or other purpose, whether temporary or permanent, without first being issued a Driveway Construction Permit.

### 1.2 *Application and Approval:*

Application for a Driveway Construction Permit shall be made on the application form provided at the Selectmen's Office. A Driveway Construction Permit may be issued subject to the filing of a suitable executed agreement and bond, as provided in 2.2, to guarantee the full cost of completion of the driveway within the highway right-of-way as approved under the Permit. The Board of Selectmen is authorized to charge a Driveway Construction Permit fee in such amount that the Board deems sufficient to defray the Town's cost of plan approval and inspection.

### 1.3 *Existing Driveways:*

This Ordinance shall not be construed to require the modification of any driveway existing on the effective date of this Ordinance. The Board of Selectmen, however, may order in writing the modification or closing of any existing driveway that in the judgment of the Board, after consultation with the owner of the driveway, constitutes or otherwise causes a danger to the safety of traffic and/or pedestrians on any highway, or obstructs drainage within the right-of-way of any highway, provided that the owner shall be given a reasonable period of time, as determined by the Board, to make such modification.

## Section 2

### Standards and Specifications

2.1 *Specifications:* Every new driveway constructed under this Ordinance shall conform to the following specifications:

- (a) It shall be so designed as not to drain water onto the surface of any existing or proposed street or highway.
- (b) It shall have a grade not greater than 5% (+or-) from the edge of the pavement for a distance of 25 feet.
- (c) It shall intersect generally at right angles with the line of the highway, but in no case shall it intersect at an angle of less than 60 degrees from the line of the highway.
- (d) A paved apron will be provided from the highway pavement to the right-of-way edge. The paved apron shall be a min. 2" of bituminous concrete (Class 2) on a min. 8" of compacted coarse processed gravel base. Paving shall not be required on gravel highways.
- (e) The apron will be flared at the highway to permit normal turning by delivery vehicles (SU 30 design) using the driveway.
- (f) If the driveway slopes down to the travel-way in the highway, adequate provision will be made for the flow of water into the normal pattern and not into the traveled portion of the roadway. Culverts, catch basins, culvert ends and retaining walls will be provided if in the opinion of the Board of Selectmen they are needed to ensure operational safety on the street or highway.
- (g) Sight Distances up and down the highway for the emerging driver will be at least 200 feet; however, the Selectmen may reduce the sight line limit if the applicant submits sufficient information to establish that the reduced sight line is safe. The posted speed limit will at all times be a consideration in determination of sight line distance. Sight Distances will be measured at ten feet behind gutter line and at a height of 3 feet 6 inches above the driveway surface to a 6 inch object in the approaching lane of travel.
- (h) If the driveway is to be on a state highway, a written permit from the Department of Transportation is required.

2.2 *Bond:* To guarantee the full cost of completion of the driveway within the highway right-of-way as approved under the permit, the Board of Selectmen shall require a bond, or alternate security such as a letter of credit or certified check, in the minimum amount of \$2,000.00 be posted. The amount of such bond may be reduced for gravel highways.

- 2.3 **Time Limit:** The Driveway Construction Permit shall be valid for a period of two years, or such lesser period as the Board may specify. Any permit which has expired may be renewed only upon reapplication, repayment of the fee and renewal of the bond.
- 2.4 **Revocation:** The Board of Selectmen may revoke or suspend a permit when the Board or its authorized agent determines that the work is not being carried out in accordance with the regulations and the permit.

### **Section 3** **Administration**

*Administration:* The Board of Selectmen shall have responsibility for administration and enforcement of this Ordinance. In carrying out its duties, the Board of Selectmen is authorized to adopt policies, rules and procedures necessary to the enforcement of this Ordinance, including the charging of Permit fees as specified in 1.2. Such policies, rules and procedures shall become effective after the Board of Selectmen has held a public hearing thereon. Notice of the time and place of such hearing shall be published in a newspaper having substantial circulation in the Town at least twice at intervals of not less than two days, the first not more than 15 days nor less than 10 days, and the last not less than two days, before such hearing, and a copy of the proposed policies, rules and procedures shall be filed with the Town Clerk for public inspection at least 10 days before such hearing.

- 3.1 *Remedies and Penalties:* The Board of Selectmen may institute any appropriate action or proceedings to enforce the provisions of this Ordinance or to prevent, restrain, enjoin, correct or abate any violation of this Ordinance, as may be authorized by law. Any person, firm or corporation who shall construct, provide or maintain, or move, alter or reconstruct, any driveway or other motor vehicle travel-way that is subject to this Ordinance, except under a valid Driveway Construction Permit, shall be fined no more than twenty five dollars (\$25.00) for each day that such violation continues.
- 4.0 *Appeals:* Any individual who has been aggrieved by any decision of the Board of Selectmen may within fifteen (15) days from the date of such decision, request a hearing under the Citation Hearing Ordinance. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.
- 5.0 *The Adoption of this Ordinance* will rescind the current ordinance regarding work on Town Highways passed at Town Meeting, February 20, 1960.

*History: Voted: May 18, 1990. Published: May 22, 1990. Effective: June 6, 1990. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*

## **SCENIC ROADS**

### **Preamble**

The scenic and rural roads of the Town of Sharon are irreplaceable resources. The scenic values of some rural roads in Sharon are in danger of destruction because of potential alter-ations to their rights-of-way. Such alterations will have an adverse impact on the quality of Sharon's aesthetic and historical environment, an environment that is of great benefit to residents and visitors alike.

Connecticut General Statutes Section 7-149a found that the preservation and protection of the scenic or historic values of rural roads is essential to the welfare of the people of Connecticut. It is the purpose of this ordinance to balance the need to provide for convenient and safe public transportation routes with the need to preserve these scenic and rural values.

Therefore be it ordained by the Town of Sharon that, pursuant to the authority granted by Connecticut General Statutes Section 7-149a, the Town of Sharon shall provide for the designation of certain Town roads or portions thereof within its borders as Scenic Roads.

## Section 1 Authority

The authority to designate a road or any portion of any road as a Scenic Road is hereby delegated to the Board of Selectmen of the Town of Sharon hereinafter known as the "Selectmen".

## Section 2 Designation Criteria

- (a) No road or portion thereof shall be designated as a Scenic Road if the abutting property contains intensive commercial development or if the road itself has intensive vehicular traffic. Prior to designating a road or portion thereof as a Scenic Road, the Selectmen must first specifically find that at least one of the following criteria is met:
- the road is unpaved;
  - the road is bordered by mature trees or stone walls;
  - the travelled portion of the road is not more than 20 feet in width;
  - the road offers scenic views;
  - the road blends naturally into the surrounding terrain; or
  - the road parallels or crosses over brooks, streams, lakes, or ponds.
- (b) No road or portion thereof may be designated as a Scenic Road by the Selectmen pursuant to this ordinance unless the owners of a majority of lot frontage abutting the road or portion thereof agree to the designation of the road as a Scenic Road by filing a written statement of approval with the Board of Selectmen and the Sharon Town Clerk.
- (c) Prior to any Scenic Road designation, the Selectmen shall consult with the Sharon Conservation Commission and the Sharon Planning and Zoning Commission regarding the road or portion of road proposed for such designation.

## Section 3 Procedure for Designation

The Selectmen on their own initiative, or upon request or application may consider a road or portion thereof for Scenic Road designation.

- (a) *Application.* Property owners shall submit an application to the Board of Selectmen and the Town Clerk calling for Scenic Road designation. The application form, available at the Selectmen's office, shall contain the following information:
- i. The name of the road to be designated as a Scenic Road, or a description of a portion of a road to be designated, together with a statement of the total length of said road or portion thereof.
  - ii. A description of those characteristics of the road which qualify it for Scenic Road status, including, but not limited to, the criteria the road satisfies as set forth in Section II of this Ordinance.
  - iii. A written statement of approval signed by the owners of a majority of lot frontage abutting the road or portion thereof stating that they approve of designating the road or portion of road as a Scenic Road.
  - iv. The name and address of all owners of lot frontage abutting the road or portion thereof and the length of their frontage along the road.
- (b) *Filing.* The application shall be filed with the Town Clerk and the Board of Selectmen, who shall retain one copy and forward copies to the Board of Assessors, the Conservation Commission and the Planning and Zoning Commission. The Assessors shall verify the ownership and the total frontage of those signing the application; verify that said total frontage constitutes a majority of lot frontage abutting the road or portion thereof to be designated a Scenic Road; and shall submit such verification to the

Selectmen within 10 business days from the date the Assessors received the application from the Selectmen.

Upon receipt of the application by the Board of Selectmen there shall be no alteration, change or improvement made to the road in question until the final decision on the designation is made.

- (c) *Review.* The Conservation Commission and the Planning and Zoning Commission shall review the application at their next regular meetings and send recommendations to the Selectmen no more than 35 days after this review. The Selectmen shall then schedule a public hearing within 30 days after their next regularly scheduled meeting.
- (d) *Hearing.* The Selectmen shall hold a public hearing regarding the designation of the road or portion thereof as a Scenic Road. Notice of the public hearing shall be published in a newspaper having substantial circulation in Sharon at least 5 days, but not more than 10 days, prior to the hearing, and by sending a copy of the hearing notice by registered or certified mail to the owners of lots fronting the road or portion of the road in question.
- (e) *Decision.* The Selectmen shall act upon the designation within a period of 60 days from the close of the hearing. The Selectmen shall consider the advice of the Conservation Commission, the Planning and Zoning Commission and the evidence presented at the public hearing in reaching their decision. Notice of the decision of the Selectmen shall be sent by first class mail to the owners of lots fronting on the road in question within 15 days after such decision is rendered. Such notice shall be a simple statement that the road or portion thereof was or was not designated as a Scenic Road by the Selectmen together with the date and time of such action. The grounds for designation or non-designation shall be stated in the records of the Selectmen and shall include in as much detail as possible the special features which make the road so designated, scenic, or the reasons for denying designation.
- (f) *Signs.* Each designated Scenic Road may be identified by the posting of signs.

#### **Section 4** Rescission

The designation of a road or portion thereof as a Scenic Road may be rescinded by the Selectmen, using the above procedures and provided that the owners of the majority of the lot frontage abutting the road or portion thereof concur with such rescission as set forth in this Ordinance. No designation of a road or portion thereof as a Scenic Road may be rescinded, and no application or request for such rescission may be filed for at least five (5) years after the effective date of the action so designating such road or portion thereof as a Scenic Road.

#### **Section 5** Alterations

- (a) *Preservation Objective.* Routine maintenance and the regulation of future alterations and improvements of designated roads or portions thereof shall be carried out so as to preserve to the highest degree possible, the aesthetic, historic, and/or rural characteristics of the roads or portions thereof which are indicated in the records of the Selectmen as the basis for the designation.
- (b) *Routine Road Maintenance.* Such maintenance shall include trimming of the tree branches that encroach on the travelled portion of the road below the height needed to allow school buses and emergency vehicles to pass; trimming or removal of brush and removal of boulders or other obstacles that encroach on the travelled portion of the road; necessary trimming for utility lines; trimming of brush to enhance and protect scenic views, stone walls, mature trees and other characteristics of the Scenic Road; correction of drainage problems; and graveling, re-treatment and repair of existing roadway surfaces. Such maintenance shall not include widening of the travelled portion of the road; paving of dirt or gravel roads or portions of roads except for safety reasons at intersections with paved roadways; changes of grade; straightening; removal of stone walls or removal of mature trees. On existing dirt or gravel roads,

- (c) such maintenance to the travelled portion of the road shall be done in a manner to minimize root damage to bordering trees.
- (d) *Natural Disasters*. In the case of a natural disaster in which a road or portion thereof becomes impassable or unsafe for public travel and access must be provided, emergency repairs may be made as needed to restore the road or portion of road to its pre-emergency condition.
- (e) *Alterations and Improvements*. Procedure. When contemplating alterations to a Scenic Road for safety or emergency response considerations, the following procedures shall be followed:

An application for alteration or improvement of a designated Scenic Road, whether by public or private applicant, shall be submitted to the Selectmen, along with a suitable map showing in detail the proposed alteration or improvement. The Selectmen shall forward copies to the Conservation Commission and the Planning and Zoning Commission. The Conservation and Planning and Zoning Commissions shall review the application at their next regular meetings and send recommendations to the Selectmen no more than 35 days after such review.

At their next regularly scheduled meeting the Selectmen shall review the proposal and the recommendations from the Conservation and Planning and Zoning Commissions. If they deem necessary, the Selectmen may require engineering or other technical reports documenting the need for the alteration and offering potential alternative solutions.

The Selectmen shall hold a public hearing once the application is complete. The final decision shall be made within 60 days from the close of the hearing.

- (f) *Standards for Alteration*. No alterations or improvements to a Scenic Road or portion thereof (other than routine maintenance) shall be made unless the Selectmen determine that such alterations are necessary to maintain the road in good and sufficient repair and in reasonable safe condition for public travel. The Selectmen shall not grant an application to improve or alter a Scenic Road or portion thereof to accommodate a proposed subdivision or other development of land to which the Scenic Road would provide access unless the Selectmen determine that such alteration will not have a material adverse effect on the scenic characteristics of the road which formed the basis for its designation as a Scenic Road, or unless the Selectmen, on advice from the town attorney, determines that a refusal to permit such alteration or improvement would result in a violation of Article I, Section 11 of the Connecticut Constitution. In determining whether to allow proposed improvements or alterations, the Selectmen shall take into account the specific safety features of the proposed change, the overall impact of the proposed change on the Scenic Road, and the public response to the proposed change. Any decision by the Selectmen to allow alterations or improvements to a Scenic Road shall reflect the least possible damage to the scenic character. If alterations or improvements to a Scenic Road are required, then they shall conform to the following requirements:
  - i. *Speed Limits*. Scenic values are correlated with lower speeds. The speed limit established by the Town for each Scenic Road shall be clearly posted.
  - ii. *Curves*. Scenic values are correlated with the existence of curves, which allow a constant unfolding of new and changing views. Curves shall not be eliminated until they are found to be a definite hazard within the concept of the specific road.
  - iii. *Grades*. Hills and valleys are correlated with scenic values. They shall not be destroyed by cuts and fills unless absolutely essential for road safety.
  - iv. *Widths*. A narrow road is correlated with high scenic beauty. Designated Scenic Roads should never be widened unless the amount of traffic, as determined by a factual study, demands it. For some rural roads, the amount of traffic that can be handled can be greatly increased by wide by-passes and turn-outs, constructed at intervals where they do least damage to scenic values; such by-passes and turn-outs shall be implemented wherever possible.

- v. *Side slopes.* Existing steepness of side slopes is preferable to reduction of gradient by extensive removal of soil and rock. This is especially true where the slope is fully stabilized and where it is rich with existing ground cover, shrubs and trees.
- vi. *Vistas.* Vistas of distant landscapes shall be preserved by suitable vegetation management techniques.
- vii. *Utility lines.* Wherever possible, utility lines shall be put underground. Where such lines are overhead, the utility corporations shall cooperate by suitable vegetation management techniques which preserve the wild flowers and shrubs.
- viii. *Vegetation.* Vegetation on the side of the road shall be managed in such a way as to preserve wild flowers, shrubs of ornamental and wildlife values, and trees. Over-arching isolated trees, and the canopy of a closed forest, can have extremely high scenic value.
- ix. *Stone walls.* If stone walls or portions thereof must be removed, they shall be rebuilt along the untraveled portion of the Scenic Road.
- x. *Non-scenic activities and structures* shall be forbidden, such as billboards, sand, gravel and salt piles, refuse disposal, and other unsightly situations. Where possible, scenic and preservation easements should be acquired from adjacent owners to insure the continuance of natural relief and historic values in the public interest.
- xi. *Paving Criteria.* Paving of the unpaved travelled portion of a Scenic Road shall be permitted only if the owners of a majority of lot frontage along the unpaved portion of the road indicate their approval of the paving by signing a written statement agreeing to the paving and filing it with the Board of Selectmen.
- xii. *Rights of Landowners.* Nothing in this Ordinance shall be deemed to prohibit a person owning or occupying land abutting the road or portion thereof designated as a Scenic Road from:
  - (a) *Maintaining and repairing the land* which abuts the road or portion of road so designated if the maintenance occurs on land not within the right of way of the Scenic Road, or
  - (b) *Having access to his property by driveway or subdivision road by encroachment within the rights-of-way,* provided that such encroachment is constructed so as to safeguard the road's scenic features as recorded by the Board of Selectmen.

## Section 6 Enforcement

This ordinance shall be enforced by the Board of Selectmen or through their designated enforcement officials.

Violations of the ordinance shall be subject to a fine not exceeding \$100.00 per day for each day the violation continues, and such other legal remedies as may be available to the Board of Selectmen. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

*History: Voted: January 27, 1989. Revised: December 1, 1989. Published: December 7, 1989. Effective: December 22, 1989. Amendment Voted: January 6, 2012. Published: January 12, 2012. Effective: January 28, 2012.*





## NORTHWEST CONNECTICUT COUNCIL OF GOVERNMENTS

### Section 1

The Town of Sharon does hereby seek to join with other towns (within its planning region as defined by the Secretary of the Office of Policy and Management) that may enact a similar ordinance to create a Regional Council of Governments as said Council is defined in Sections 4-124i to 4-124p inclusive of the 1983 supplement to the General Statutes of Connecticut, as amended, and adopts the provision of said sections of the General Statutes.

### Section 2

The Town does hereby authorize its Board of Selectmen to appoint any one other Selectman as an alternate to serve as the Town's representative to a Council of Governments in the absence of the First Selectman, all in accordance with Section 4-124k of the 1983 supplement to the General Statutes of Connecticut, as amended.

### Section 3

If and when the Town becomes a member of a Council of Governments that has been certified by the Secretary of the Office of Policy and Management and when that Council of Governments completes the transition period called for in Section 4-124-1c of the 1983 supplement to the General Statutes of Connecticut, as amended, then the Town does hereby rescind the ordinance enacted on February 18, 1972, that created the Town's participation in the Northwestern Connecticut Regional Planning Agency and any amendments thereto.

*History: Voted: May 11, 1984. Published: May 31, 1984. Effective: June 15, 1984.*

## HOUSATONIC RIVER COMMISSION HOUSATONIC RIVER MANAGEMENT PLAN

WHEREAS, the temporary Housatonic River Commission consisting of two representatives appointed by the Selectmen of each of the towns of North Canaan, Salisbury, Canaan, Cornwall, Sharon, Kent, Sherman and New Milford, has submitted its proposed two part Management Plan, dated October 31, 1978 for the protection and preservation of the 41 mile section of the Housatonic River from the Massachusetts state line to the Boardman Bridge in New Milford by:

- 1) Establishing a permanent Housatonic River Commission,
- 2) Designating a Housatonic River Corridor to be protected,
- 3) Recommending local uniform minimum standards for land and water use in the Corridor, and for which the temporary Commission now seeks approval by the electors of each town and:

WHEREAS, Part I of the Management Plan provides for a permanent Housatonic River Commission representing all towns equally, to monitor, support, and coordinate the performance of each town under the Management Plan and requires the approval of electors in each town by town meeting action and:

WHEREAS, Part II of the Management Plan provides for:

- 1) The designation and delineation of a Housatonic River Corridor to be protected in each town and,

- 2) The adoption of uniform minimum standards of land and water use in the Protected Corridor area, both of which are zoning functions and for towns having an established zoning authority, require a public hearing and adoption by the zoning authority in each town.

*Now therefore, be it hereby enacted and ordained:*

1. The Town of Sharon acting by its Board of Selectmen is hereby authorized
  - (a) To secure the participation of the Town of Sharon in the Housatonic River Management Plan, dated October 31, 1978, as proposed by the temporary Housatonic River Commission for the protection of the Housatonic River Valley from the Massachusetts state line south forty one (41) miles to the Boardman Bridge by adopting Part I of the plan which upon approval of like ordinances by five towns creates a permanent Housatonic River Commission.
  - (b) To secure for the Town of Sharon its representation on the permanent Housatonic River Commission as thus established by the appointing of one delegate and one alternate within thirty (30) days of the effective date of this ordinance to serve for staggered terms of three (3) years.
2. The electors of the Town of Sharon hereby approve in principle Part II of the proposed Housatonic River Management Plan which recommends to the zoning authority in each town that it:
  - (a) Establish a Housatonic River Corridor to be comprised of the combined Soil Conservation Service Streambelt area, the National Flood Insurance 100 year Flood Hazard area and a portion of the adjacent watershed area,
  - (b) Adopt the recommended uniform minimum standards for the protection of the river and its related resources within that Corridor, to be administered and enforced locally in each town by local authority.

*History: Voted: January 19, 1979.*



## SHARON HISTORIC DISTRICT

### Section 1

To promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the buildings and places of historic interest by the maintenance of such as landmarks in the history of architecture of the town, state or nation, and through the development of appropriate settings for such buildings, places and districts, there is hereby established a district in the Town of Sharon, to be know as the Sharon Historic District.

### Section 2

The boundaries of the Sharon Historic District shall be as shown on a map " Map of Proposed Sharon Historic District" dated May 1975, attached hereto and incorporated and made a part of this ordinance. (Map #986) (See Sec.6).

### Section 3

An Historic District Commission is hereby established which shall consist of five (5) members and three (3) alternate members, all of whom shall be electors of the Town, holding no salaried town office. The members of said Commission shall be appointed by the Board of Selectmen and the regular members shall be appointed in such manner that one member is appointed for a term expiring on July 1, 1976, one for a term expiring on July 1, 1977, one for a term expiring on July 1, 1978, one for a term expiring on July 1, 1979, and one for a term expiring on July 1, 1980. All subsequent appointments shall be made by the Board of Selectmen for a term of five (5) years, except that an appointment to fill a vacancy shall be for the duration of the unexpired term. The initial alternate members shall be appointed in such manner that one member is appointed for a term expiring on July 1, 1976, one for a term expiring on July 1, 1977, and one for a term expiring on July 1, 1978. All subsequent appointments of alternate members shall be made by the Board of Selectmen for a term of three (3) years, except that an appointment to fill a vacancy shall be for the duration of the unexpired term. At least two regular members and one alternate member of the Commission shall be residents within the Historic District.

Within a period of thirty (30) days after the appointment of the original Commission, the regular members shall meet and elect a Chairman, Vice Chairman, and a Clerk from its own members, and thereafter within a period of thirty (30) days from the first day of July of each year commencing in 1976, the regular members of the Commission shall elect a Chairman, Vice Chairman and a Clerk from its own members. Alternate members shall not participate in any election of officers of the Commission. In all other matters in case of inability to act because of absence, sickness or self-interest on the part of a member of the Commission, the place shall be taken by an alternate member designated by the Chairman. All members shall serve without compensation. The Commission shall adopt rules of procedure not inconsistent with the provisions of the statutes of the state and may, subject to appropriation, employ clerical or technical assistants or consultants and may accept money gifts and expend the same for such purposes.

### Section 4

The Historic District Commission shall have such powers and shall perform such functions and shall be subject to such limitations as shall from time to time be provided by the General Statutes of Connecticut.

### Section 5

The names of the owners of property within the Sharon Historic District to whom notice was given pursuant to subsection (e), Section 7-147b, Chapter 97, Municipalities, General Statutes of Connecticut are as follows:

*Note: for complete list see Town Meeting Book*

### Section 6

The boundaries of the Sharon Historic District are hereby amended by adding thereto that area shown and designated on a certain map entitled "Map of Proposed Calkinstown Extension, June 1985, Scale 1" = 500'" which map is incorporated in and made a part of this ordinance.  
(Map # 1438)

**Section 7**

The boundaries of the Sharon Historic District are hereby amended by adding thereto that area shown and designated on a certain map entitled " Map of Proposed Oblong Valley Extension, April, 1985, Scale 1" = 400'" which map is incorporated in and made a part of this ordinance.

*History: Voted: October 6, 1975. Revised: October 28, 1985. Amended: March 20, 1992. Published: March 27, 1992. Effective: April 12, 1992.*

**HISTORIC DISTRICT COMMISSION**

The application fee for a Certificate of Appropriateness shall be \$100. Each Certificate requires a separate fee.

The Historic District Commission may, in consultation with the Board of Selectmen, appoint, pursuant to Section 7-147h of the Connecticut General Statutes, an Enforcement Officer who is hereby authorized to inspect and examine any building, structure, place or premises, and to require in writing the remedying of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of the Connecticut General Statutes or the rules and regulations of the Sharon Historic District Commission or the authority of any ordinance adopted regarding said Historic District Commission. The Enforcement Officer shall serve at the pleasure of the Commission.

*History: Voted: April 21, 2006. Published: April 27, 2006. Effective: May 13, 2006*

**HISTORIC DISTRICT COMMISSION - APPLICATION FEE**

Be it hereby enacted and ordained by the Town of Sharon:

The Sharon Historic District Commission will have the following fee schedule:

Large Projects	\$75
Small Projects	\$25
Permanent Signs	\$50
Re-application	\$75
Temporary Signs, Political Signs:	No Charge

For purposes of this Ordinance, the following definition shall apply:

- (a) *Large Projects* – those projects for which materials and labor costs exceed \$1,000.
- (b) *Small Projects* – those projects for which materials and labor costs are \$1,000. or less.

Any previous fee schedule is repealed by this Ordinance.

*History: Voted: August 17, 2007. Published: August 23, 2007. Effective: September 8, 2007.*



## Abandoned Premises Ordinance

### 1. Purpose

To define, prohibit and abate abandoned premises, to protect and promote public health, safety and welfare, and to preserve and protect values in a just, equitable and practicable method in the Town of Sharon.

### 2. Definition of Abandoned Premises

Any building, structure or premises which is unoccupied or occupied by unauthorized persons, and where one or more of the following conditions exist:

- A. It has been determined by the Building Official, Fire Marshal, Health Department or Zoning Enforcement Officer, or other appropriate official as designated by the BOS, that a condition exists that poses a serious or immediate threat to the health, safety or general welfare of the occupants or other persons in the Town
- B. The property is being used for illegal purposes or is attracting illegal activity due to its state of disrepair or dilapidation.
- C. There have been persistent occurrences of any of the following: violations of building, fire, zoning, or health codes
- D. The property is not being adequately maintained as evidenced by any of the following factors:
  - 1) Buildings or structures are unsecured
  - 2) Missing, broken or boarded up windows or doors
  - 3) Collapsing or missing walls and or roof
  - 4) Seriously damaged or missing siding
  - 5) Unrepaired water or fire damage
  - 6) Rodent harborage and/or infestation
  - 7) Persistent debris, rubbish, garbage or accumulating refuse on the property
  - 8) Parking lots left in a state of disrepair or abandonment
  - 9) Overgrown brush, shrubs, weeds and or grass in the yard surrounding the dwelling or other buildings – exception: failure to regularly mow one's lawn in and of itself is not considered an abandoned premises condition

### 3. Administrative Process

Upon observance of abandoned premises or upon receipt of a written complaint of abandoned premises to the Authority Having Jurisdiction (AHJ), an investigation will be conducted by the AHJ in collaboration with the appropriate Town Officials, within 30 days.

If it appears that there is a violation of the Abandoned Properties Ordinance, the AHJ will contact the property owner, notifying him/her of the violation by written letter sent by certified mail, return receipt requested, as well as by regular mail.

Within 30 days of receipt, the property owner must contact the AHJ to schedule an inspection and make progress towards compliance with this ordinance. If the property owner fails to do so, a Complaint Data Sheet will be forwarded to the Board of Selectmen with a certified copy mailed at the same time notifying the property owner.



The Board of Selectmen shall schedule a hearing with the property owner within 30 days from the date the Complaint Data Sheet was mailed, to attempt a resolution of the matter prior to enforcement.

Special consideration may be given to property owners who are elderly, disabled, hospitalized, or on active military duty who demonstrate that the violation results from their inability to maintain the property and that no person occupying the property can do so.

### 3. Enforcement

If the BOS is unable to resolve the matter and determines that a violation of this ordinance exists, the property owner may be:

- A. Assessed a fine of \$20/day to be collected by the Town of Sharon; and/or
- B. Required to abate the violation at the property owner's expense; and/or
- C. Subject to the Town's remediation of the violation and assessment of a lien on the subject property for the costs of said remediation subject to statutory requirements of CGS 7-148.

Any fine or penalty levied shall be subject to the Town's Citation Hearing Procedure adopted pursuant to Section 7-152 of the Connecticut General Statutes.

History: Voted: September 21, 2018. Published: October 4, 2018. Effective: October 20, 2018.

## Abandoned Motor Vehicle Ordinance

**1. Definitions:** The following definitions shall apply to this section of the Town Ordinance:

**Motor vehicle:** Shall mean a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, and tractors.

**Abandoned motor vehicle:** Shall mean any motor vehicle within the Town of Sharon which, after a good faith determination, has the appearance that the owner has relinquished control without the intention of reclaiming it, or one which is damaged, vandalized, dismantled, partially dismantled, or unusable as a motor vehicle.

### 2. Abandoned Vehicles Prohibited:

No person shall park, store, leave, or permit the parking, storing, or leaving of any motor vehicle of any kind which is in an abandoned condition whether attended to or not, upon a public highway, public property, or private property within the Town of Sharon. This section shall not apply to:

- A. Any motor vehicle on private property, which is fully enclosed within a building;
- B. Any motor vehicle that is associated with any lawfully licensed dealer or repair facility;
- C. Any motor vehicle, which is associated with a legitimate farm operation;
- D. Any motor vehicle, which is associated with a legitimate contracting operation;
- E. Any motor vehicle, which is legitimately used to maintain the owner's property;
- F. Any motor vehicle that is being restored, provided no more than three such vehicles may exist on the property, the vehicle and all parts must be covered and must also be out of plain view, and no storage of such vehicles or parts shall be permitted in front of any residence; or

G. Any motor vehicle for private sale for a period not to exceed 90 days, provided that if displayed in a front yard, its location must not result in a sight line traffic hazard; the vehicle and area must not be unsightly or become a safety issue and a "For Sale" sign must be affixed to the windshield.

**3. Administrative Process:**

Upon observance of an abandoned motor vehicle in a prohibited location or upon receipt of a complaint of an abandoned vehicle in a prohibited location to the Authority Having Jurisdiction (AHJ), an inspection will be conducted by the AHJ within fourteen (14) days.

If it appears that there is a violation of the Abandoned Motor Vehicle Ordinance, the AHJ will contact the property owner, notifying him/her of the violation by written letter sent by certified mail, return receipt requested, with an additional copy sent by regular mail.

Within 30 days of receipt, the property owner must contact the AHJ and make progress towards compliance with this ordinance. If the property owner fails to do so, a Complaint Data Sheet will be forwarded to the Board of Selectmen with a certified copy mailed at the same time notifying the property owner.

The Board of Selectmen shall schedule a hearing with the property owner within 30 days from the date the Complaint Data Sheet was mailed, to attempt a resolution of the matter prior to enforcement. The resulting ruling will determine if and when the next steps of enforcement shall begin.

**4. Enforcement:** The process of enforcement shall then proceed in accordance with Section 14- 150 of the Connecticut General Statutes. (Copy attached)

*History: Voted: September 21, 2018. Published: October 4, 2018. Effective: October 20, 2018.*

*\*\* Note: Please see Public Act 17-79 for additional information about Abandoned Vehicle.*

**Substitute Senate Bill no. 850**

**Public Act no. 17-79**

**(this section pertains to the adopted ordinance)**

Sec. 17. Section 14-150 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2018*):

- (a) Any person who abandons any motor vehicle within the limits of any highway or upon property other than such person's own without the consent of the owner thereof for a period longer than twenty-four hours shall have committed an infraction and shall be fined not less than eighty-five dollars. The last owner of record of a motor vehicle found abandoned, as shown by the files of the Department of Motor Vehicles, shall be deemed prima facie to have been the owner of such motor vehicle at the time it was abandoned and the person who abandoned the same or caused or procured its abandonment.
- (b) Any inspector of the Department of Motor Vehicles, any officer attached to an organized police department, any enforcement officer of a parking authority authorized under an ordinance adopted pursuant to section 7-204a to enforce parking regulations in the municipality in which it is located or any state police officer upon discovery of any motor vehicle, whether situated within or without any highway of this state, which is a menace to traffic or public health or safety, shall take such motor vehicle into such inspector's or officer's custody and cause the same to be taken to and stored in a suitable place.
- (c) Any inspector of the Department of Motor Vehicles, any officer attached to an organized police department, any enforcement officer of a parking authority authorized under an ordinance adopted pursuant to section 7-204a to enforce parking regulations in the municipality in which it is located or any state police officer, upon discovery of any motor vehicle apparently abandoned or a motor vehicle without proper registration, whether situated within or without any highway of this state, shall affix to such motor vehicle a notification sticker in a manner so as to be readily visible. This notification sticker shall contain the following information: (1) The date and time the notification sticker was affixed to the motor vehicle; (2) a statement that pursuant to this section, if the motor vehicle is not removed within twenty-four hours of the time the sticker was affixed, it shall be taken into custody and stored at the owner's expense; (3) the location and telephone number where additional information may be obtained; and (4) the identity of the affixing officer. If the motor vehicle is not removed within such twenty-four-hour period, the affixing department or parking authority shall take such motor vehicle into its custody and cause the same to be stored in a suitable place, except that such department or parking authority shall make a reasonable attempt to notify the owner of any such motor vehicle which is determined to be stolen prior to taking such vehicle into its custody and shall allow such owner to make arrangements for removal of such vehicle.
- (d) If the motor vehicle has no registration marker plates or invalid registration marker plates, and if such inspector or officer makes a determination in good faith that (1) the motor vehicle is apparently abandoned, (2) the market value of such motor vehicle in its current condition is five hundred dollars or less, and (3) the motor vehicle is so vandalized, damaged, or in disrepair as to be unusable as a motor vehicle, title to such motor vehicle shall, upon taking custody of such motor vehicle, immediately vest in

the municipality in which the motor vehicle was discovered. Within forty-eight hours of the time that such motor vehicle is taken into custody, the affixing department or parking authority shall notify the Commissioner of Motor Vehicles, in writing, of the vehicle identification number and a description of the motor vehicle and thereafter shall immediately sell or transfer such motor vehicle to a recycler licensed in accordance with section 14-67l. Upon sale or other disposition of the motor vehicle, the affixing department or parking authority shall give written notice by certified mail, return receipt requested, to the person who was the owner of such motor vehicle at the time of abandonment, if known, which notice shall state that the motor vehicle has been sold or otherwise disposed of. The proceeds of the sale or disposition, or the fair market value of the motor vehicle in its current condition, whichever is greater, less the towing and sale or disposal expenses and the amount of any fines due, shall be paid to such person or such person's representatives, if claimed by such person or [them] such person's representatives within one year from the date of sale. If such balance is not claimed within such period, it shall escheat to the municipality. If the expenses incurred by the municipality for towing and the sale or disposition of such motor vehicle and any such fines exceed the proceeds of such sale or disposition, such person shall be liable to such municipality for such excess amount.

(e) Within forty-eight hours of the time that a motor vehicle is taken into custody and stored pursuant to subsection (b) or (c) of this section, the affixing department or parking authority shall give written notice by certified mail, return receipt requested, to the owner and any lienholders of such motor vehicle, if [the same] such motor vehicle appears on the records of the Department of Motor Vehicles. [, which] The notice shall state: (1) [that] That the motor vehicle has been taken into custody and stored, (2) the location of storage of the motor vehicle, (3) that, unless title has already vested in the municipality pursuant to subsection (d) of this section, such motor vehicle may be sold after (A) fifteen days if the market value of such motor vehicle does not exceed one thousand five hundred dollars, or [after] (B) forty-five days if the value of such motor vehicle exceeds one thousand five hundred dollars, and (4) that the owner has a right to contest the validity of such taking by application, on a form prescribed by the Commissioner of Motor Vehicles, to the hearing officer named in such notice within ten days from the date of such notice. Such application forms shall be made readily available to the public at all offices of the Department of Motor Vehicles, parking authorities authorized under an ordinance adopted pursuant to section 7-204a to enforce parking regulations and state and local police departments.

(f) (1) The chief executive officer of each town shall appoint a suitable person, who shall not be a member of any state or local police department, to be a hearing officer to hear applications to determine whether or not the towing within such municipality of such motor vehicle was authorized under the provisions of this section. Two or more towns may join in appointing such hearing officer; provided any such hearing shall be held at a location which is as near to the town within which such motor vehicle was towed as is reasonable and practicable. The commissioner shall establish by regulation the qualifications necessary for hearing officers and procedures for the holding of such hearings. If it is determined at such hearing that the vehicle was not a menace to traffic, abandoned or unregistered, as the case may be, the owner of such motor vehicle shall not be liable for any expenses incurred as a result of the taking and storage of such motor vehicle, the lien provisions of this section shall not apply to such owner, and the department which took and stored such motor vehicle shall be liable for such expenses. If the owner, prior to such determination, pays such expenses and the storage charges of such motor vehicle, and it is determined at such hearing that the motor vehicle was not a menace to traffic, abandoned or unregistered, as the case may be, the department or parking authority which took such motor vehicle shall be liable to such owner

for the amount paid by such owner. Any person aggrieved by the decision of such hearing officer may, within fifteen days of the notice of such decision, appeal to the superior court for the judicial district wherein such hearing was held.

(2) The chief executive officer of each municipality shall designate a suitable person who shall be responsible for the collection of data concerning abandoned motor vehicles within such municipality and the preparation and submission of periodic reports to the Commissioner of Motor Vehicles which shall contain such information as the commissioner may require.

(g) The owner or keeper of any garage or other place where such motor vehicle is stored shall have a lien upon [the same] such motor vehicle for such owner's or keeper's towing or storage charges, or both, that result from towing or storage under this section. [Unless title has already vested in the municipality pursuant to]

(1) Except as provided in subsection (d) of this section, if the current market value of such motor vehicle as determined in good faith by such owner or keeper does not exceed one thousand five hundred dollars and such motor vehicle has been stored for a period of not less than fifteen days, such owner or keeper [may] shall, unless an application filed by the owner pursuant to subsection (e) of this section is pending and the owner of such motor vehicle has notified such owner or keeper that such application for hearing has been filed, [sell the same for storage and towing charges owed thereon, provided a notice of intent to sell shall be sent to the commissioner, the owner and any lienholder of record of such motor vehicle, if known, five days before the sale of such vehicle.] send a notice of intent to sell that complies with subsection (h) of this section to the commissioner, the owner of such motor vehicle and any known lienholder of record of such motor vehicle within such period. Upon approval by the commissioner of the notice of intent to sell, the commissioner shall issue such owner or keeper an affidavit of compliance. Such owner or keeper shall sell such motor vehicle not less than five business days after the mailing date of the notice of intent to sell, and apply the proceeds of the sale toward such owner's or keeper's towing and storage charges.

(2) If the current market value of such motor vehicle as determined in good faith by such owner or keeper exceeds one thousand five hundred dollars and if such motor vehicle has been [so] stored for a period of not less than forty-five days, such owner or keeper shall, unless an application filed by the owner pursuant to subsection (e) of this section is pending and the owner of such motor vehicle has notified such owner or keeper that such application for hearing has been filed, [sell the same] send a notice of intent to sell that complies with subsection (h) of this section to the commissioner, the owner of such motor vehicle and any known lienholder of record of such motor vehicle within such period. Upon approval by the commissioner of the notice of intent to sell, the commissioner shall issue such owner or keeper an affidavit of compliance. Such owner or keeper shall sell such motor vehicle at public auction for cash, at such owner's or keeper's place of business [, and apply the avails] not less than five business days after the mailing date of the notice of intent to sell. Such owner or keeper shall apply the proceeds of such sale toward the payment of such owner's or keeper's towing and storage charges and the payment of any debt or obligation incurred by the officer who placed [the same] such motor vehicle in storage. [, provided if the last place of abode of the owner of such motor vehicle is known to or may be ascertained by such garage owner or keeper by the exercise of reasonable diligence, notice of the time and place of sale shall be given to such owner and any lienholder of record by mailing such notice to such owner by certified mail, return receipt

requested, at such last usual place of abode, at least five days before the time of sale.] At any public auction held pursuant to this subsection, such [garage] owner or keeper may set a minimum bid equal to the amount of such owner's or keeper's charges and obligations with respect to the tow and storage of the motor vehicle. If no such bid is made, such owner or keeper may sell or dispose of such vehicle.

(h) The notice of intent to sell described in subsection (g) of this section shall include the make, model and vehicle identification number of such motor vehicle, the date such motor vehicle was left with the owner or keeper of the garage for storage and by whom and the registration number thereof if any number plates are on such motor vehicle, and shall be placed on file by the commissioner and subject to public inspection. The notice of intent to sell shall be accompanied by a statement to the owner and known lienholder of such motor vehicle indicating the date, time and place of the sale of such motor vehicle, and the manner of the sale, as specified in subdivision (1) or (2) of subsection (g) of this section. Such owner or keeper shall give such notice and accompanying statement to such motor vehicle owner and lienholder by certified mail, return receipt requested. Such statement shall indicate that any proceeds in excess of such owner's or keeper's charges and obligations may be claimed by the owner of such motor vehicle within one year from the date of such sale. The fee for filing such notice of intent and accompanying statement shall be ten dollars. Any sale under the provisions of this section shall be void, unless such owner or keeper provides the notice required by this section.

(i) At the time of a sale conducted under subsection (g) of this section, such owner or keeper shall provide the purchaser of such motor vehicle with the affidavit of compliance issued by the commissioner. Except for a thirty-day period immediately following the date such motor vehicle was placed in storage under subdivision (1) of subsection (g) of this section, or a sixty-day period immediately following the date such motor vehicle was placed in storage under subdivision (2) of subsection (g) of this section, the commissioner may limit the number of days that such owner or keeper may charge for storage of the motor vehicle prior to the time such motor vehicle was sold unless such owner or keeper provides evidence to the commissioner that the storage charges accrued as a result of such owner or keeper's reliance upon statements or representations made by the owner or lienholder of the motor vehicle or as a result of such owner's or keeper's good faith effort to negotiate the return of such motor vehicle to such owner or lienholder.

[(h) The garage] (j) The owner or keeper of such garage shall report the sales price, storing, towing and repair charges, if any; buyer's name and address; identification of the vehicle and such other information as may be required in regulations [which shall be adopted by the commissioner in accordance with the provisions of chapter 54] adopted pursuant to this section, to the commissioner within fifteen days after the sale of the motor vehicle. The proceeds of such sale, after deducting the amount due such [garage] owner or keeper and all expenses connected with such sale, including the expenses of the officer who placed such motor vehicle in storage, shall be paid to the owner of such motor vehicle or such owner's legal representatives, if claimed by such owner or [them] such owner's legal representatives at any time within one year from the date of such sale. If such balance is not claimed within said period, it shall escheat to the state.

(i) If the owner of such motor vehicle placed in storage in accordance with the provisions of this section does not claim such motor vehicle within thirty days, the owner of such garage or other place of storage shall, within forty days of the date such motor vehicle was placed in storage with such owner, send a

written notice to the commissioner, stating the make and vehicle identification number of such motor vehicle, the date such motor vehicle was left with such owner for storage and by whom and the registration number thereof if any number plates are on such motor vehicle, which notice shall be placed on file by the commissioner and shall be subject to public inspection. The fee for filing such notice shall be five dollars. Any sale under the provisions of this section shall be void, unless the notice required by this section has been given to the commissioner.]

[(j)] (k) The Commissioner of Motor Vehicles shall adopt regulations, in accordance with the provisions of chapter 54, [(1) specifying] to carry out the purposes of this section. The regulations shall (1) specify the circumstances under which title to any motor vehicle abandoned within the limits of any highway may be transferred to any person, firm or corporation towing such vehicle, [and (2) establishing] (2) establish the procedure whereby such person, firm or corporation may obtain title to such motor vehicle, [. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, specifying] and (3) specify the circumstances under which the owner of a campground may dispose of a motor home or recreational vehicle abandoned on such owner's property and establishing procedures governing such disposal.





## PLACEMENT OF SNOW IN PUBLIC RIGHT OF WAY ORDINANCE

No person shall move, deposit or place, by any method or means, snow or ice from any private property, including, without limitation, sidewalks, driveways, shared driveways and private roads or rights of way, in or onto any public road, roadway or right of way. Any such material temporarily deposited incidental to and during private property snow or ice-clearing operations shall be removed from the public way immediately.

No property owner, responsible custodian of property, contractor or vendor shall permit the movement, dumping, shoveling, piling, depositing or placement of any material, including but not limited to leaves, grass clippings, brush, snow or ice from any private property, including without limitation, driveways, shared driveways and private roads or rights of way, in or onto any public road, roadway or right of way.

Any person who violates the provisions of this ordinance shall be duly warned after a first offense and, for each subsequent offense, may be issued a citation and shall thereupon be liable for a civil penalty in the amount of \$100 per offense.

The First Selectman and Road Foreman are designated as the municipal officers or an agent designated by the First Selectman, shall issue warning and citations.

Any person issued a citation may appeal to the Board of Selectmen. An appeal must be in writing and filed in the First Selectman's Office within ten (10) days of the issuance of the citation. The Board of Selectmen shall hold a hearing within ten (10) days of receipt of the appeal.

*History: Voted: September 21, 2018. Published: October 4, 2018. Effective: October 20, 2018.*