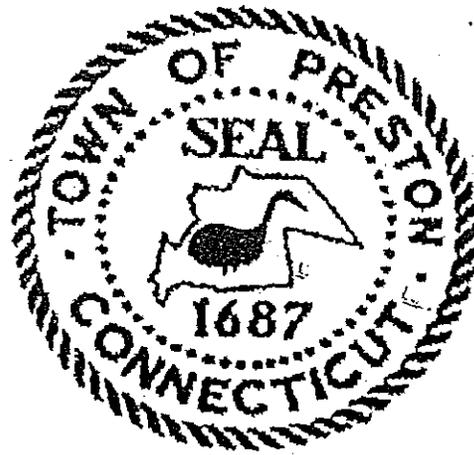


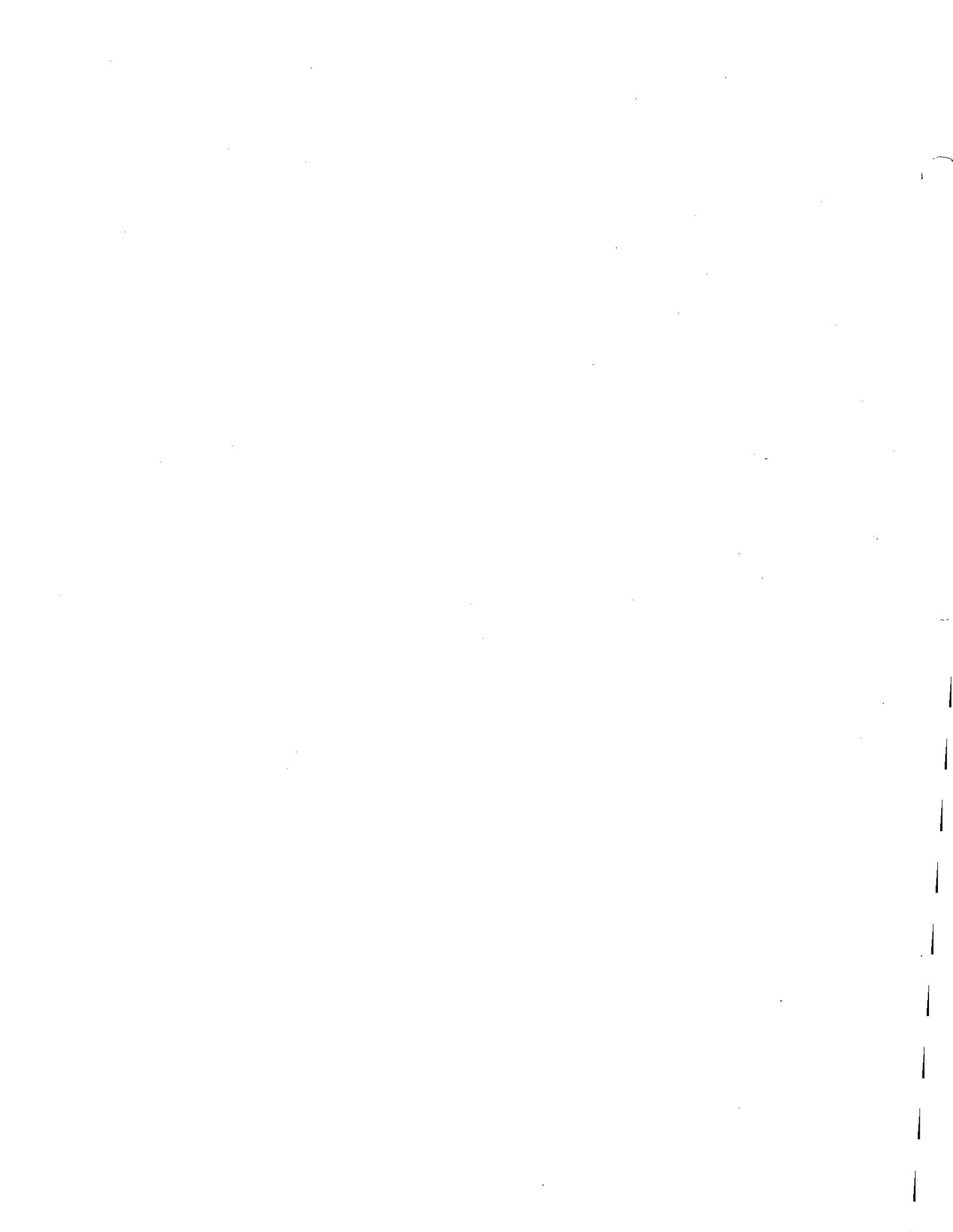
TOWN OF PRESTON

ORDINANCES AND SPECIAL ACTS



GRANTS OF OANACO AND CONNECTICUT GENERAL COURT

AS OF January 14, 2015

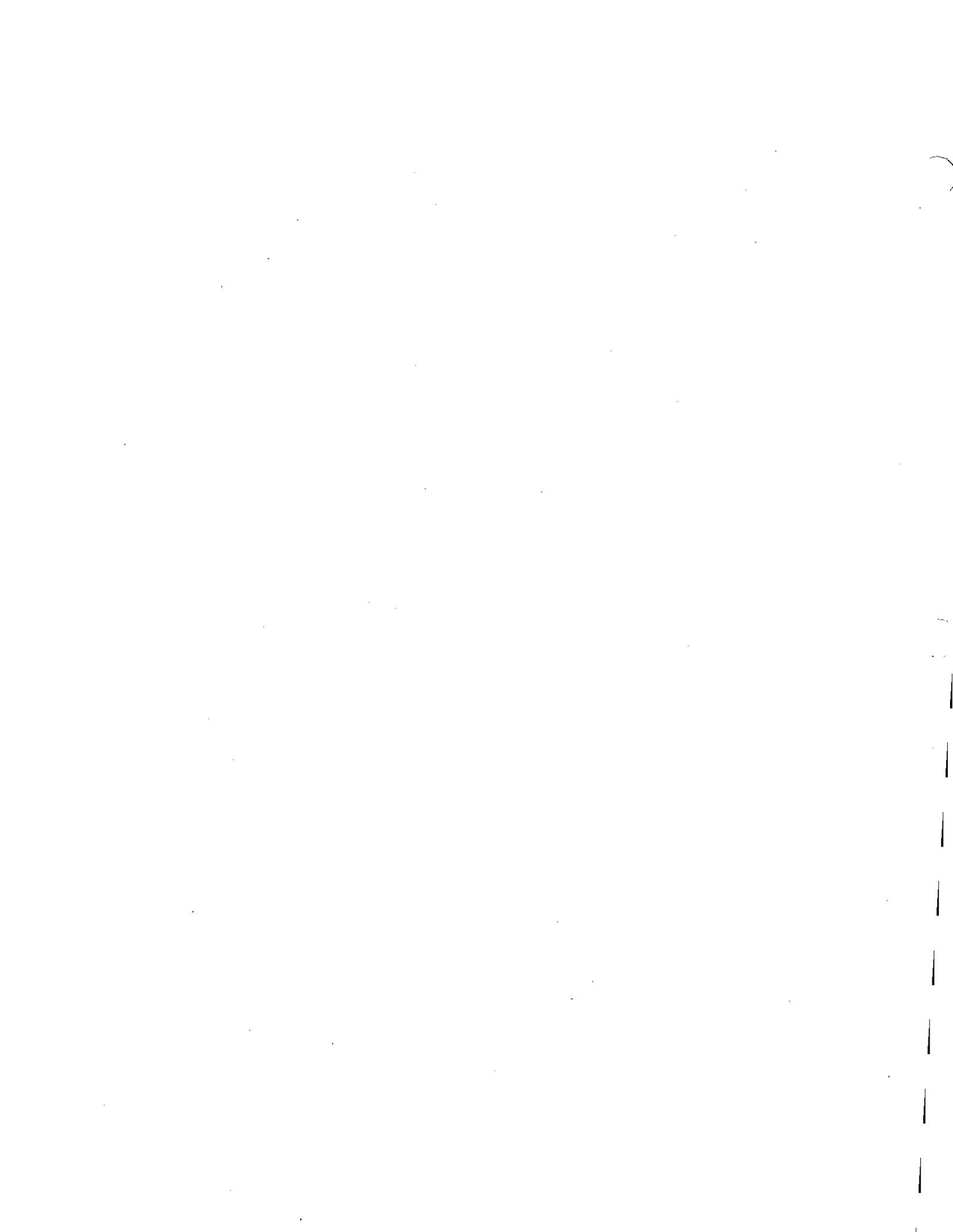


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ORDINANCES & SPECIAL ACTS

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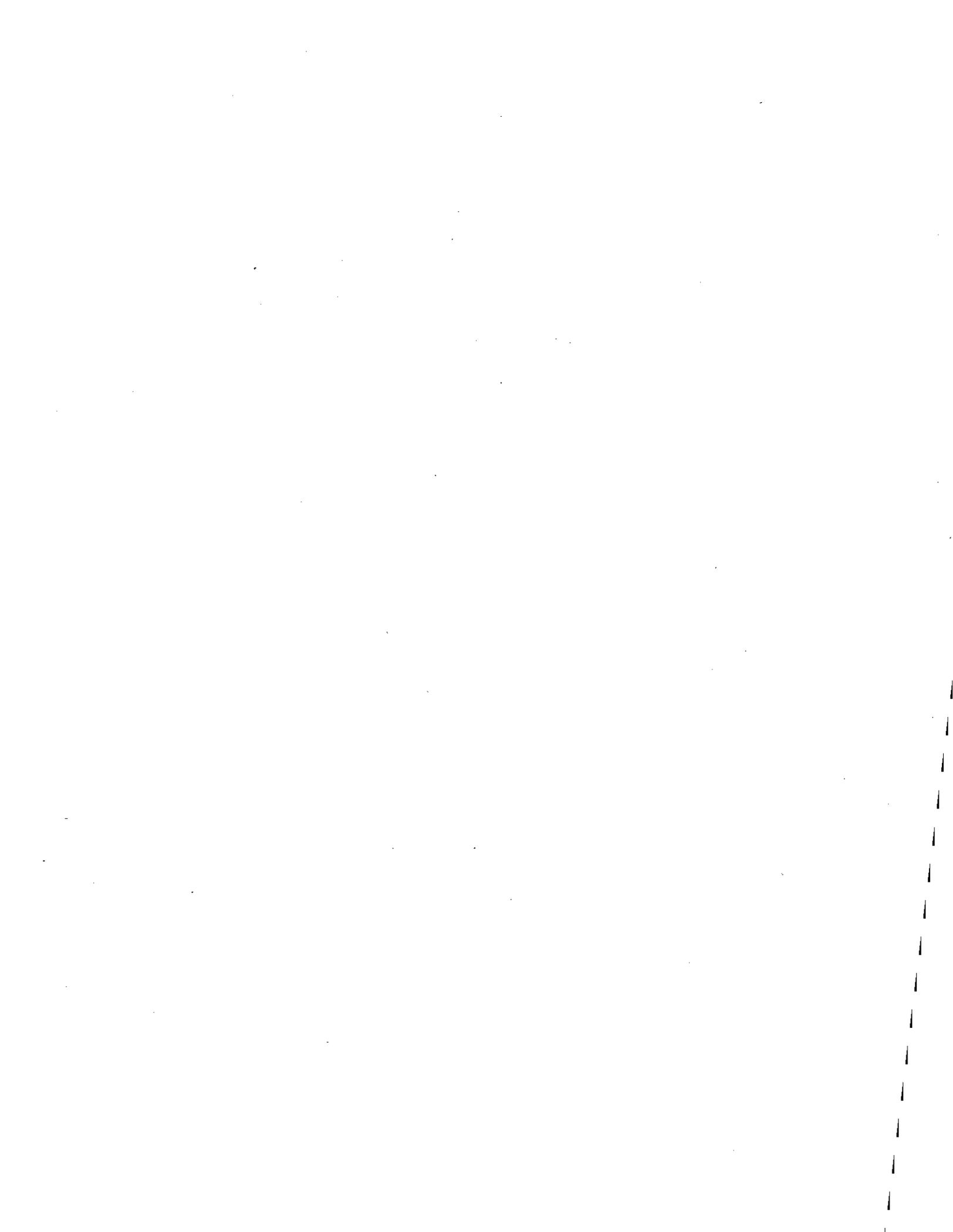
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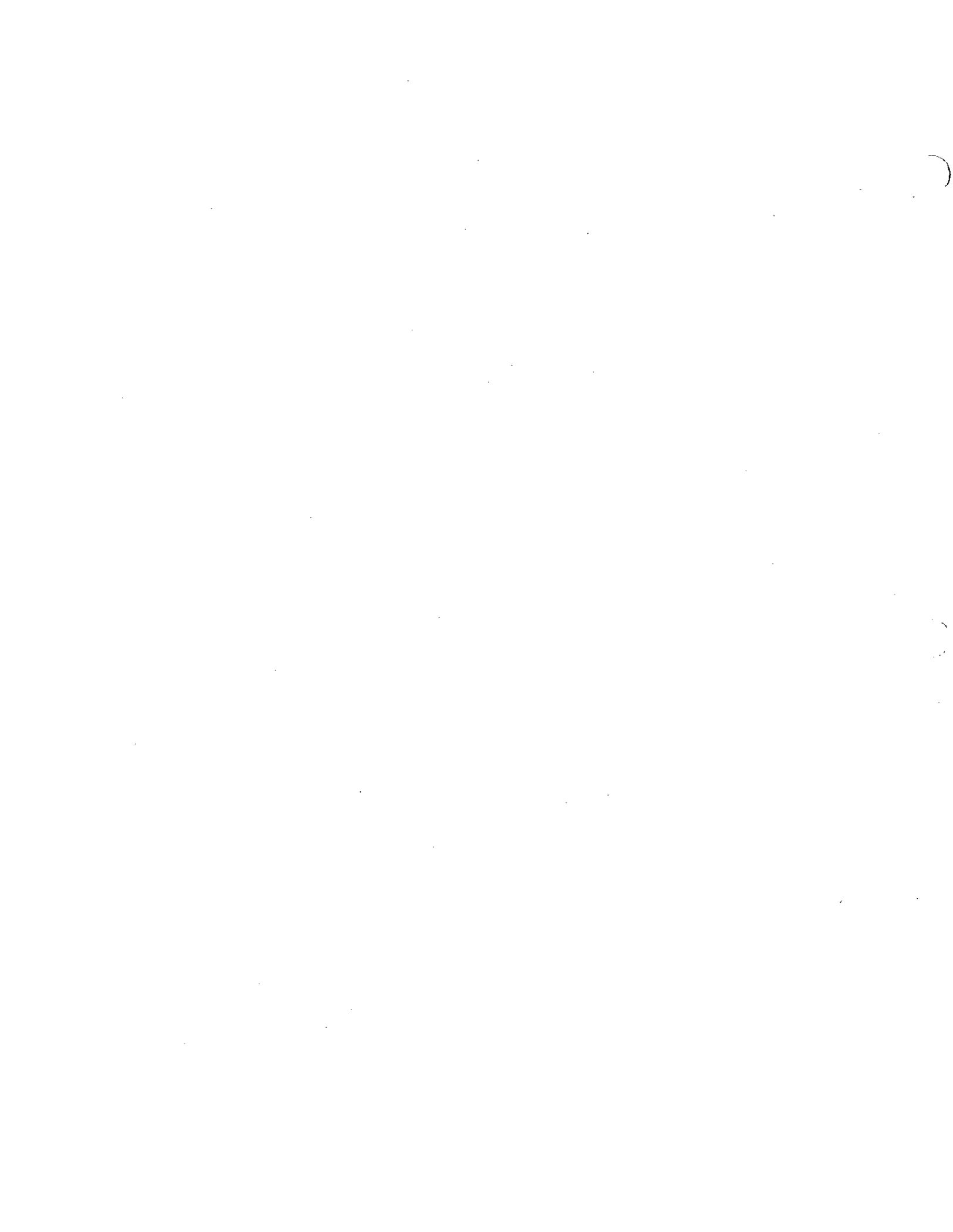
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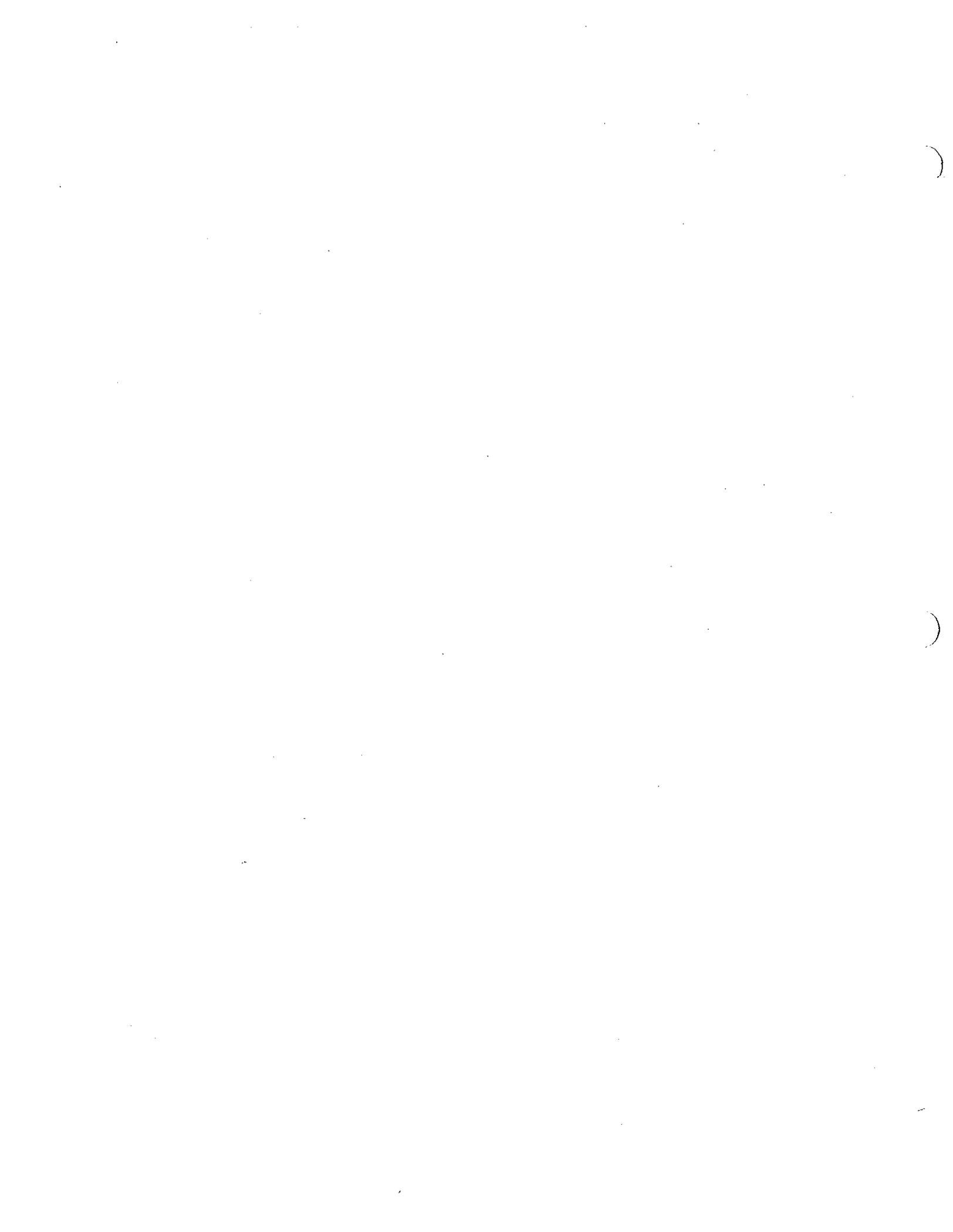
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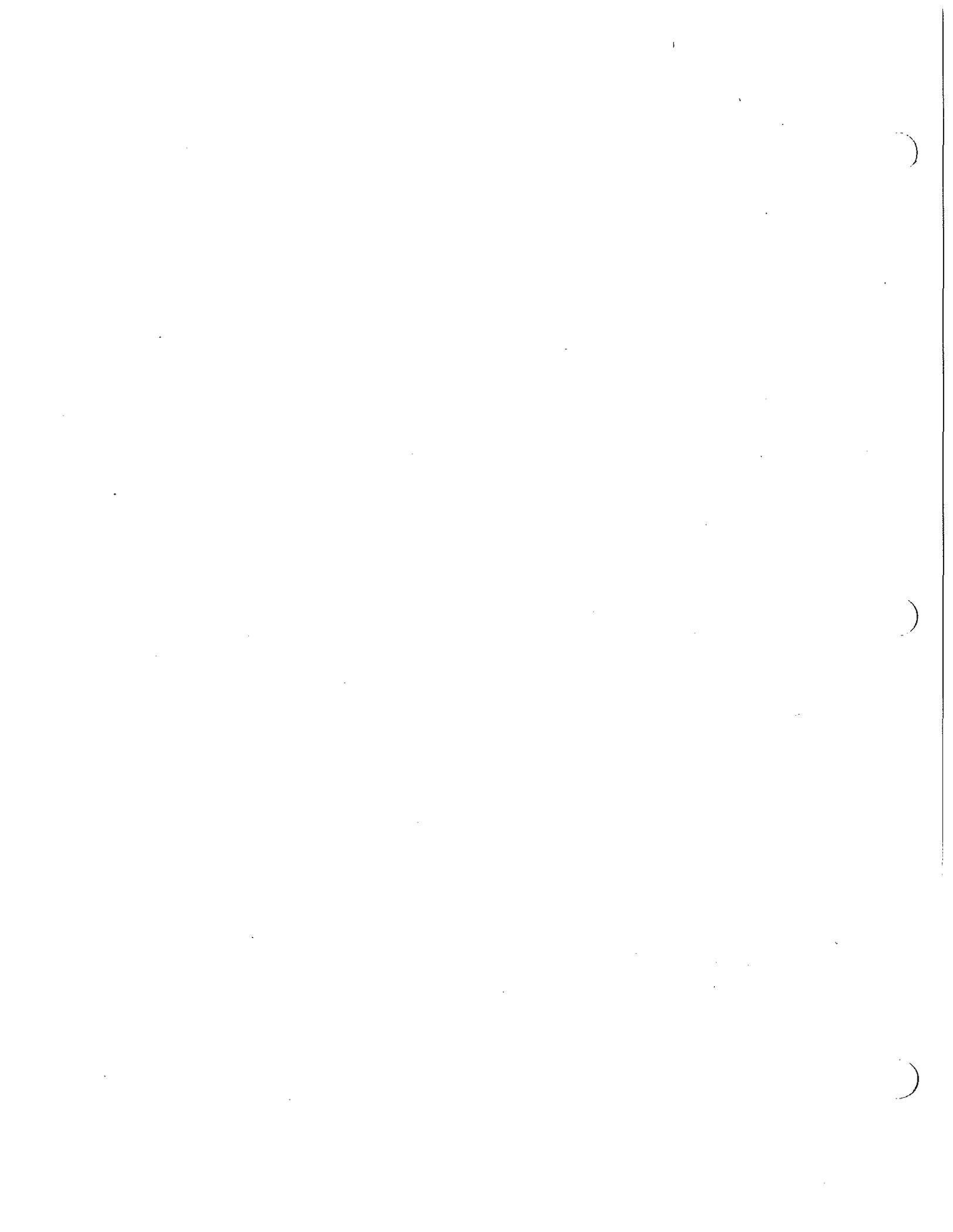
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Public Consumption

Possession or consumption in public prohibited.

No person shall consume any alcoholic beverage or have in his or her possession or control an open container containing any alcoholic beverage while he or she is within the bounds of any town-owned or controlled properties to include any park, green, beach, recreation area or school. This prohibition shall include any quasi-public property, which for purposes of this ordinance shall mean any area that is customarily open to and used by the public.

Authorized exceptions.

The consumption of alcoholic beverages and/or possession of an open container of alcoholic beverage with the intent to consume within the bounds of any town-owned or controlled property is permitted pursuant to a written permit issued by the director of public safety with approval of the Board of Selectmen. The application for a permit shall state the name and addresses of responsible officials of the requesting group sponsoring the function. The specific area to be used for the function and the dates and beginning and ending times of the function must be specified. The applicant must provide estimated attendance and state whether or not the event is open to the public. Any group or individual granted a permit to consume or sell alcoholic beverages shall provide proof of required insurances and execute an indemnification agreement indemnifying and holding the Town of Preston harmless.

Penalties for offenses.

Any person who shall violate any of the provisions of this ordinance or who shall aid or abet in the violation of any provision shall be fined not less than twenty-five dollars (\$25.00) nor more than ninety-nine dollars (\$99.00) for each offense.

)

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SECRETARY OF THE STATE
30 TRINITY STREET
HARTFORD, CT 06106
860-566-5827

Date: November 1, 1995
To: Name of Town, Town Clerk
Re: 1996 Supplements to Compilation of Ordinances and Special Acts

Each town, city and borough is required by Section 7-148a of the Connecticut General Statutes, copy enclosed, to print and file with the Secretary of the State biennially, on or before March first of each even-numbered year, a cumulative supplement to its original compilation of ordinances and special acts.

This supplement is intended to cover all amendments to its ordinances, all new ordinances and all special acts enacted since the last biennial supplement.

We would appreciate your having this supplement printed and deposited in our office on or before March 1, 1996. If there have been no changes since the 1994 biennial supplement, or if your town consistently files new ordinances and special acts with this office, please notify us in writing so that your town will not be considered delinquent.

We take this opportunity to remind you that you are also required by Section 7-148a to deposit a copy of your supplement in the State Library, 231 Capitol Avenue, Hartford 06106, in each bar library in the Judicial District in which your municipality is located, and in the courthouse library of the court nearest to your municipality.

Very truly yours,

Peter J. Bartucca, Manager
Records & legislative Services

PJB/rf
Enclosure

ORDINANCE SENT
TO STATE TO
UPDATE - 6/9/95 - Effective
12/22/95 - Effective

Sec. 7-148a. Compilations of ordinances and special acts; supplements. Each town, city and borough in this state shall print and publish all amendments to its ordinances, all new ordinances and all special acts adopted after June 1, 1962, on or before March first of each even-numbered year as a cumulative supplement to the compilation of its ordinances and special acts. Such compilation and all supplements thereto shall be available for sale to the public at the office of the clerk or other similar office in such municipality at a reasonable cost to be determined by such municipality and a copy of each such compilation and supplement shall be deposited by the clerk of the municipality in the office of the secretary of the state, in the state library, in each bar library in the judicial district in which such municipality is located and in the courthouse library of the court nearest to such municipality. If any town, city or borough fails to comply with the provisions of this section, the secretary of the state shall provide for the original compilation and publication of such ordinances and special acts or of any supplement thereto and such town, city or borough shall be liable for the cost of such compilation and publication.

(1959, P.A. 430; 1961, P.A. 66; 281; February, 1965, P.A. 249; P.A. 74-183, S. 175, 291; P.A. 76-436, S. 155, 681; P.A. 78-280, S. 1, 127.)

History: 1961 acts set deadline of June 1, 1962, (formerly December 1, 1960) for completion of compilation; provided for depositing copies in various libraries, and required secretary of state to provide for compilation and publication of ordinances, etc., if municipality fails to do so with municipality bearing responsibility for cost; 1965 act deleted obsolete reference to requirement that municipalities compile and publish ordinances and special acts before June 1, 1962, and specified subsequent ordinances and special acts be printed and published on or before March first of each even-numbered year; P.A. 74-183 replaced circuit court with court of common pleas; P.A. 76-436 deleted reference to specific court class, stating that books be placed in nearest courthouse library, effective July 1, 1978; P.A. 78-280 substituted "judicial district" for "county".

See Sec. 51-197b re administrative appeals.

Deposit of compilation of town ordinances in county bar library is directive and failure to do so does not invalidate such ordinances. 29 CS 59.

DEED OF OANACO CONVEYING LANDS TO CAPT. JAMES FITCH, ET AL
as recorded in Town of Preston Land Records, Volume 1, Page 1.

Know all men by these presents that I Oanaco Chief Sachem of Mohegan for divers good reasons me moving hereunto and in spetiall for and in consideration of the full and just sum of fiftie pounds in currant provisions or goods at currant prise to be payed four years after date hereof: viz to be payed twelve pounds ten shillings per annum unto the said Oanaco or his order at New Preston or New London have and do by these presents give grant sell alleniate enforce and pass over unto Capt. James Fitch Capt. Joshua Standish Thomas Parke Senior Jonathan Tracy Thomas Tracy Joseph Morgan and all the rest living upon or interested persons who have lands already layed out in the Town bounds now called New Preston that will pay their part or proportion of the purchase of all the waste lands as yet unlayed out in the bounds of the aforesayd Town the sayd lands with the whole bounds of the aforesayd Town being situate and lying between Stonington and Norwich bounds and south eastwardly on New London bounds and northerly to Norwich corner tree so eastward from thence five miles then a south line I the aforesayd have and doe by these presents fully clearly and absolutely sell grant pass over and confirm the aforesayd tract of waste land woods grass herbidy water sources and springs with all the privileges and appurtenances thereunto belonging unto the aforesayd gentlemen and interested persons as aforesayd they paying their proportion of sayd purchase I the sayd Oanaco do hereby alienate enforce sell and pass over all the sayd unlayed out land undisposed of before the signing hereof which is contayned within the bounds of New Preston unto the above sayd gentlemen and friends above sayd as interested persons in the sayd Town to them there heirs executors administrators and assigns forever to have and to hold to possess and enjoy quietly and peaceable without lett remonstrance molestation or ejection of me my heirs executors administrators and assigns forever and I the sayd Oanaco hereby acknowledge to have received full satisfaction in hand: viz the just sum of fiftie pounds according to the genuine tenere of this present Deed and thereby exonerate and discharge and acquit the aforesayd inhabitants of the Town of New Preston from any further claims or demands upon the account of the aforesayd tract of land and I the sayd Oanaco do hereby declare myself the true and lawful proprietor of the aforesayd land as part of my inheritance before the signing of this present deed and shall at times give more ample deed for the more sure making of the above sayd bargayned premises as witness my hand and seale March the 16: Anno Domini on Thousand Six Hundred and eightie six eightie seven in the second year of the Reign of his majestie James King of England Scotland France Ireland Defender of the fayth and c.

Witness

John Morgan
John Stanton

This deed entered February 7 1688
by me Jonathan Tracy Recorder

Oanaco appeared and acknowledged the
above written deed before me
Samuel Mason Offis
Stonington March the 17 1687

GRANT OF THE GENERAL COURT OF CONNECTICUT

As recorded in Town of Preston Land Records, Volume 1, at page 2. Whereas the General Court of Connecticut have granted unto Mr. Tho Parke Tho Tracy Tho Rose with the rest of those farmers that live on the east of Norwich and on the north of Stonington and New London to make a plantation there and stated the bounds thereof as followeth to begin at Norwich south east corner tree by Thomas Rose his house and from that tree to the line to run east abutting south on the New 9 London bounds three miles and a quarter to Stonington bounds then the line to run north two miles and a halfe abutting on Stonington bounds on the east then turning Stonington corner tree the line to run east abutting south on Stonington bounds five miles to a red oak tree and then the lyne runs west to Norwich North east corner tree and whereas the proprietors inhabitants of the sayd plantation have made application to the governor and company of the colony of Connecticut that they have a patent for confirmation of the aforesayd lands to them so granted as aforesayd and which that stand seized and quietly possessed of now for a more full confirmation of the aforesayd tract of land as it is abutted and bounded unto the present proprietors of the sayd Township. Know ye that the sayd governor and company assembled in general court according to the commission and by virtue of the power granted to them by our ate sovereign Lord King Charles the Second of blessed memory in his letters patents baring date the three and twentyeth of April in the fourteenth years of his majestic reign have given and granted and by these presents do give grant ratify and confirm unto Mr. Tho Parke Tho Tracy John Avery Ephrim Minor Caleb Forbes and the resdt of the proprietors of the twonship aforesayd and their heirs and assigns forever and to each of them in such proportion as they have or shall agree upon according to direction of the committee appointed by the general court for the division of what is not already divided all the aforesayd tract or parcel of land as it is bounded and butted together with all the woods uplands arable lands madown pasture ponds waters rivers fishings huntings fowlings mines minerals quarries and precious stones upon or within the said tract of land with all other profits or commodities thereunto belonging or in anywise appertaining and do also grant unto the aforesayd Tho Parke Tho Tracy Tho Rose Captain Samuel Mason Benjamin Brewster John Plumbe John Stanton Jonathan Tracy Hugh Amos Jonathan Rudd John Parke Thomas Avery Ephrem Minor Caleb Forbes and the rest of the proprietors of the said new plantation their heirs and assigns forever and to the only proper use and behoof of the said Tho Parke Tho Rose Captain Samuel Mason Benjamin Brewster John Plumbe John Stanton Jonathan Tracy Hugh Amos Jonathan Rudd John Parke Tho Avery John Avery Ephrim Minor CaleblForbes and the other proprietors and inhabitants of the said new plantation their heirs and assigns forever according to the tenor of his majestic manor of East Greenwich in the County of Kent in the Kingdom of England in free and common socage and not in capited nor by knight service then yielding and paying therefore to our Sovereign Lord the King his heirs and successors only the fifth part of all the oar of gold and silver which from time to time and at all times hereafter shall be there gotten had or obtained in lieu of all rents services duties and demands whatsoever according to charter in witness

whereof we have caused the seal of the Colony to be hereunto affixed this five tenth day of February one thousand six hundred eighty and six in the third year of the reign of our sovereign Lord James the Second by the Grace of God of England Scotland France and Ireland King defender of the fayth and c.

Robert Treat Gove
Recorder of the General Court of Connecticut

Signed John Allyn Secritye

Entered in the public record Lib. 6, fo:: 171:172
Feb 16 1688 by John Allyn
Secritye

**SPECIAL ACTS PERTAINING TO THE TOWN OF
PRESTON ENACTED BY THE SENATE AND HOUSE OF
REPRESENTATIVES IN GENERAL ASSEMBLY
CONVENED**

East Society annexed to Preston Passes May 1786

Resolved by this Assembly that the said East Society in Norwich be and the same is hereby annexed to the Town of Preston which is bounded as follow viz beginning at the Northeast Corner of the Town of Norwich and the Northwest Corner of the Town of Preston thence westerly in Norwich line to Quinebaug River thence down said river in the middle waters thereof to Shetucket River, thence down said river and the river Thames in the middle waters of said river until it comes to Groton Town Line then eastwardly bounding on the Town of Groton to the Southwest corner of said Preston and bounding on said Preston to the bounds first mentioned, and the lands aforesaid and the inhabitants dwelling thereon shall be and belong to said Town of Preston and have and enjoy all the privileges as the other inhabitants of said Preston and all Town and Freemen's meetings shall ever hereafter be held alternatively one in the South Society and the other in the North Society in said Preston. And said Town of Preston shall receive one James Corning who is an inhabitant in said East Society now in Norwich and any such poor persons as were legal inhabitants in said East Society now on Certificates in any other Towns if sent back to said Norwich, and said East Society shall pay their proportion of all debts now due from said Town of Norwich, and all taxes in proportion to their list and shall have and receive their proportion of all public money debts and stores belonging to said Town of Norwich according to their lists, and the inhabitants of said East Society shall have full power to assemble and vote in Town Meeting in said Town of Norwich respecting the Settlement of, and collecting all debts and taxes either due to or from the said Town of Norwich which shall be collected in the same manner and by Collectors of said Town of Norwich as though this grant had not been made.

**RESOLVE INCORPORATING THE TOWN OF GRISWOLD
PASSED OCTOBER, 1815**

Resolved by this Assembly, that all that part of Preston lying within the following limits, viz: Beginning at the mouth of Broad Brook, so-called, thence a true east course to the division line between the first and second societies in said town, thence in said division line to the town of North Stonington, thence on the line of the town of North Stonington to the line of the town of Voluntown, thence on the line of Voluntown to the line of the town of Plainfield, thence on said line to the town of Canterbury, thence on said Canterbury to Quinebaug River, thence on Quinebaug River to the place of beginning, together with all the inhabitants residing in said limits, be, and the same hereby is, incorporated into a distinct town

by the name of "Griswold", and the inhabitants thereof shall have and enjoy all the powers, privileges, and immunities of other towns in this state, with the right of sending one representative to the general assembly of this state, and said town of Griswold shall pay its proportion of all charges, expenses, and debts already accrued by and now from said Town of Preston, also its proportion of the expense, cost, , and charges of building one, and that the next new bridge over the Shetucket River, as such time and place as is or may be directed by the proper authority, which proportions of the expenses, debts, costs , and charges, shall be ascertained by the list of 1815, perfected in 1816. And the poor now supported by said town of Preston, who belong to that part now incorporated into the town of Griswold, shall be deemed inhabitants of said town of Griswold, and be maintained accordingly.

And the town and freemen's meetings of said town of Griwold shall be holden at the meeting-house in said limits belonging to the ecclesiastical society therein, and the collector of the state tax for the year 1815, already appointed by the Town of Preston, is hereby authorized to collect of the inhabitants of said town of Griswold their proportion of said tax, according to the list on which it was laid, in the same manner as if this resolve had not been passed.

And the first town meeting in said town of Griswold shall be holden at said meeting-house on the last Tuesday of November next, and Andrew Huntington of said town of Griswold shall be the moderator of said town meeting, and said town shall have and enjoy at said first town meetings, and at all other meetings, the powers and privileges of other towns, and the officers chosen at said first town meetings shall hold their offices until the next annual meeting, and said Andrew Hungtinton shall warn said first meeting by setting up a notification thereof on the public sign-post in said Griswold, at least eight days before said last Tuesday of November, and in case of the absence, death, or incapacity of the said Huntington, the duties hereby assigned to said Huntington may and shall be performed by Moses Lester, Esq., of said town of Griswold.

Provided always, that said town of Griswold shall be liable to maintain all such town poor of said town of Preston as are or may be now absent therefrom, who may hereafter be chargeable, provided such poor person or persons, when he, she, or they left said town, resided or dwelt in such part of said town of Preston as is by this resolve hereby incorporated.

RESOLVE ANNEXING A PART OF THE SOCIETY OF
NORTH STONINGTON TO THE FIRST SOCIETY IN
PRESTON
Passed May 1831

RESOLVED, BY THIS ASSEMBLY, That that part of the seventh school district, and the whole of the eight school district, in the ecclesiastical society of North Stonington, comprised and described within the following bounds and limits, to wit: Beginning on the east line of the said town of Preston, at a bound at the head of Mr. Cyrus Punderson's mill pond; thence running southeasterly, so as to strike the south side of Mr. Charles Swaim's dwelling house; thence northerly to the east end of the dwelling house of Thomas Browning, Esquire; thence north to the south line of said Preston, to be set off and the same are hereby set off from the ecclesiastical society of North Stonington, and annexed to the said first society of Preston; and that the territory so annexed be and continue to be a part of said first ecclesiastical society; and that the inhabitants of said territory enjoy the same and equal privileges in all ecclesiastical and school matters and interests with the other inhabitants of said first ecclesiastical society.

SPECIAL ACT ANNEXING PART OF THE TOWN OF
PRESTON TO THE TOWN OF NORWICH

Upon the petition of John W. Stedman, S.T. Holbrook and others, inhabitants of the town of Preston, in New London County, praying to be annexed to the town of Norwich, in said county, as per petition on file, dated April 20, A.D. 1857, more fully appears:

RESOLVED BY THIS ASSEMBLY, That all that part of the town of Preston lying within the following described limits, viz: beginning at a bound on the southerly shore of the Shetucket River, near the corner of lands of Henry Bill and Peleg Edwards, being a rock with an iron bolt in the same, thence south 34 deg. 30 min. east, over what is called Lanman's Chair, to a bolt in a ledge, on the highest westerly summit of Lanman's hill; thence south 13 deg. 10 min. west, to a stone on the southerly line of Cephas Stoddard's land, said course passing within about four inches of the westerly side of a white oak tree marked with an X on its westerly side, and standing upon a bluff on land of Cephas Stoddard; thence south 80 deg. west on the southerly line of said Stoddard's land, to a stone set about five feet west of the west rail on the railroad leading from Norwich to Allyn's Point; thence in a direct line to the southerly corner of the town of Norwich; thence by the line now dividing the towns of Norwich and Preston to a point in the Shetucket River directly opposite the first mentioned bound; thence easterly to the place of

beginning; with all the inhabitants thereof, be and the same hereby is annexed to and incorporated with, and made part of said town of Norwich, and entitled to the same rights, privileges and immunities as the town of Norwich.

RESOLVED, That said territory and inhabitants so annexed, shall pay such proportion of all debts and claims now existing against this town of Preston, as the list of the same of 1856 bears to the whole list of the town of Preston, and that William P. Nash, Esq. of Preston, and Samuel H. Grosvenor, Esq. of Norwich, are hereby authorized, and empowered to liquidate and adjust such debts and claims; and also to determine the proportion of such indebtedness to be paid by said territory and inhabitants, according to the provisions of this resolve; and they are also authorized and empowered to make out a rate bill, bases on said list of 1856, under their hands, containing the proportion which each individual is to pay of such indebtedness, according to the provisions of this resolve; and shall apply to some justice of the peace to issue a warrant for collecting such tax or assessment, directed to the collector of taxes of the town of Preston, commanding and empowering him to collect the same, and such justice shall issue such warrant, and said tax or assessment shall be due and payable on or before the first day of September A.D. 1857, and the same shall be collected and paid into the treasury of the town of Preston on or before the first day of October A.D. 1857.

RESOLVED, That the collectors of taxes of the Town of Preston, are hereby authorized to collect the taxes of said town already laid, in the same manner as though these resolves had not been passed.

Approved May 28, 1857.

SPECIAL ACT VALIDATING THE RECORDS OF A TOWN MEETING IN PRESTON

Whereas, at the annual town meeting held in the Town of Preston, on the first Monday of October, 1859, the town officers were duly elected, and the proceedings of said meeting were truly recorded upon the records of said town, but the person who then held the office of town clerk having deceased, without attesting the same; therefore --

RESOLVED by this Assembly, that said record be established and confirmed as the legal record of the doings of said meeting, the same as if attested by said clerk; and that the acts of the officers elected at said meeting be declared to be legal and valid; provided, the same have been, in other respects, in conformity to law.

Approved- June 20th, 1860

SPECIAL ACT CHANGING THE DIVISION LINE BETWEEN THE TOWNS OF PRESTON AND LEDYARD

Whereas, a change in the division line between the town of Preston and Ledyard is desired by the inhabitants of both of said Towns and is required by reason of a change in the layout of a highway across Poquetanuck Cove; and whereas, it has been decided by a vote of each of said towns that said division line when changed should be as stated in this resolution: therefore,

RESOLVED BY THIS ASSEMBLY: Section 1. That said Poquetanuck Cove, from the division line between said towns at Shingle Point, so called, to the channel of the Thames River, shall be the division line between said towns, and all that part of Ledyard lying northerly of said cove is hereby set to and shall be a part of the town of Preston.

Section 2. All votes passed in town meetings relative to a change in the layout and construction of a highway and bridge across said Poquetanuck Cove shall have the same effect and be of the same binding force that they would have had and been, had the division line between said towns at the time of their passage been where it is established by this resolution.

Section 3. This resolution shall take effect from and after the date of its passage.

Approved-June 11, 1872

AN ACT ANNEXING A PART OF THE TOWN OF PRESTON TO THE CITY AND TOWN OF NORWICH

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

SEC.1. All that portion of the Town of Preston enclosed between the following described lines, to wit: Beginning on the southeasterly side of the Shetucket River, at the present dividing line between the towns of Norwich and Preston, and running southeasterly along said dividing line to the highest point on Lanman's hill; thence southeasterly to a point on the northwesterly side of the highway leading from Preston bridge to Poquetanuck, one hundred feet southwesterly from the range of the southwesterly side of the house owned by James Conlan, measured on the northwesterly side of said highway; thence northeasterly to a point on the southwesterly line of the highway leading from Preston bridge to Hallville, two hundred feet southeasterly from the range of the house owned by the estate of J. Andrew Rossmark, measured on the southwesterly line of said highway; thence northeasterly to a point in range with the northeasterly side of the house on the

southeasterly side of the corning road, owned and occupied by Harriet Davis, and one hundred feet southeasterly from the easterly corner thereof; thence in the same line, extended to its intersection with the range of the dividing line between the lands of Irus W. Harvey and James C. Spicer; thence northerly in said range and along with dividing line between the land of said Spicer and the land called Shetucket Heights to the westerly corner of said Spicer's land; thence northeasterly to a point in range with the northeasterly side of the house on the southeasterly side of Mechanic street, so-called, owned by the estate of Harvey Spalding, and one hundred feet southeasterly from the easterly corner thereof; thence in the same line continued till it intersects the southeasterly side of Mechanic Street; thence northwesterly to the northwesterly bank of the Shetucket river, at a point in range with the southeasterly side of the packing house of Davis and Kinney; thence southwesterly by the northwesterly bank of the Shetucket river to the southerly corner of the Greenville school district; thence southwesterly to the northwesterly corner of the easterly abutment of the Preston bridge; thence southwesterly by the southeasterly bank of the Shetucket river to the place of beginning, is hereby set off from the town of Preston, and is annexed to and made a part of the city and town of Norwich, and shall, with its inhabitants, be discharged from all liabilities and obligations incurred by having been heretofore a portion of said town of Preston, except as hereinafter provided.

SEC. 2. The said annexed territory shall be and remain a voting district in itself and shall be known as the sixth voting district of the town of Norwich, and the moderator at all elector's meetings held in said district after the passage of this act shall make his return to the moderator of the first voting district, and all electors of and persons qualified to vote in the town of Preston, residing in the territory so annexed to the town and city of Norwich, shall be electors of and voters in said town and city of Norwich, and shall be qualified to hold office and to be registered and to vote in like manner as if said annexed territory had hitherto been a part of said town and city. All inhabitants dwelling within the territory so annexed to said city and town of Norwich shall have exercise, and enjoy the same rights, privileges, immunities, and franchises, and be subject to the same duties, liabilities, and obligations as if the territory so annexed had hitherto been a part of said town and city, except as herein otherwise expressly provided.

SEC. 3. All paupers, chargeable and belonging to said town of Preston, who have heretofore been committed to or are inmates of any state institution from that portion of said town hereby annexed to said city and town of Norwich, and all settled inhabitants of Preston residing in said territory so annexed who are or who may become paupers, shall be held and deemed inhabitants of and belonging to and chargeable to said town of Norwich.

SEC. 4. All unpaid taxes due and to become due to the town of Preston or to any school district therein and laid prior to the first day of January, 1901, shall remain due to and collectible by said town of Preston or said district, and all tax liens outstanding shall remain valid in favor of said town or said district in the

same manner and to the same extent as if this act had not been passed. Said tax liens may be continued upon any real estate situated in the territory hereby annexed by recording in the land records of the town of Norwich the certificates provided for in Section 3896 of the general statutes and amendments thereto.

SEC. 5. The territory hereby annexed shall be and remain two school districts as now constituted and be known as The Long Society School District and The Bridge School District respectively.

SEC. 6. There shall be assumed and paid by the town of Norwich the fifty thousand dollars of the bonded indebtedness of the Town of Preston which falls due in the year 1920, as the just proportion of the indebtedness of said town of Preston should be paid by said Town of Norwich.

SEC. 7. This act shall take effect September 1, 1901.

Approved June 17, 1901.

AN ACT ANNEXING A PART OF THE TOWN OF LEDYARD TO THE TOWN OF PRESTON

BE IT ENACTED by the Senate and House of Representatives in General Assembly Convened:

SECTION 1. All that portion of the Town of Ledyard inclosed within and included in the tract of land hereinafter described is set off from the Town of Ledyard and is annexed to and made a part of the Town of Preston, and shall, with its inhabitants, be discharged from all liabilities and obligations incurred by having been heretofore a portion of said Town of Ledyard except as hereinafter provided: Beginning on the dividing line between the Town of Preston and the Town of Ledyard, a short distance easterly from the village of Poquetanuck, and where said line crosses the southwesterly side of the road leading from Poquetanuck village of Ledyard, and running thence south 80 degrees, 10 minutes west; about seventeen hundred feet to the center of a brook, and at the dividing line between land of the State of Connecticut and the estate of Henry J. Gallup; thence northerly, northwesterly and westerly along the center of said brook and pond to the Poquetanuck cove; thence northerly and northwesterly along said cove to the present dividing line between the towns of Preston and Ledyard; thence southeasterly along the present dividing line to the place of beginning.

SECTION 2. All unpaid taxes due and to become due to the Town of Ledyard, laid on the list of October, 1928, and upon all prior lists, shall remain due to and collectible by said town of Ledyard; and all taxes liens outstanding shall remain valid in favor of said town in the same manner and to the same extent as if this act had not been passed. All tax liens in favor of the Town of Ledyard may be

continued upon any real estate situation in the territory hereby annexed by the recording in the land records of the Town of Ledyard of the certificates provided for by the General Statutes.

SECTION 3. All persons residing in the territory hereby annexed to the Town of Preston whose names appear in the last voting lists of said Town of Ledyard shall be added to the list of electors of the Town of Preston and such persons shall be entitled to vote in the annual Town Meeting in the Town of Preston to be held on the first Monday of October, 1929.

Approved June 12, 1929

HOUSE BILL NO. 524
AN ACT CONCERNING BIENNIAL ELECTIONS FOR
THE TOWN OF PRESTON

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

Sec. 1 At the annual town meeting of the Town of Preston in October, 1931, the terms of office of all town officers whose term of office are not effected by the vote of said town at a special meeting held on September 6, 1930, which provided that the selectmen, the tax collector, the agent of the town deposit fund, the grand jurors, the constables, the registrars of voters and the auditors, chosen at the annual town meeting on the first Monday of October, 1930, should hold office for two years and be elected biennially thereafter, and whose terms of office shall expire on the first Monday of October, 1931, namely; the town clerk, town treasurer, two members of the school board, one assessor, and one member of the board of relief, shall be filled by an election for a term of one year or until their successors shall be elected and shall have qualified, except the town clerk, who shall hold office for the term of one year from the first Monday of January next succeeding his election.

Sec. 2 Town Elections in the town of Preston for all town officers required by law or by vote of the town to be elected by ballot shall be held biennially beginning in October, 1932. All town officers shall hold office for a term of two years from the date of their election or until their successors shall be elected and shall have qualified except the members of the board of relief and the board of assessors, one of each of whom shall be elected for a term of six years and one of each whom shall be elected for a term of four years from the date of their election or until their successors shall be elected and shall have qualified and, commencing with the annual town meeting on the first Monday of October, 1934, and biennially thereafter, one member each of the board of relief and board of assessors shall be elected for the term of six years or until his or their successors shall be elected and shall have qualified. There shall also be elected, at said biennial election in 1932 and biennially thereafter, a town clerk who shall hold office for a term of two years from the first Monday of January next succeeding his election.

Sec. 3 At the annual town meeting in 1931, two members of the

town school committee shall be elected for the term of one year or until their successors shall be elected and shall have qualified. Commencing with the biennial town meeting in 1932, one member of the town school committee shall be elected for a term of six years, one for a term of four years and one for a term of two years from the date of their election or until their successors shall be elected and shall have qualified and, commencing with the town meeting on the first Monday of October, 1934, and biennially thereafter, one member of the town school committee shall be elected for a term of six years or until his successor shall be elected and shall have qualified.

Sec. 4 Any town office, the term of office of the incumbent of which shall expire in the year 1933, shall be deemed vacant when such term shall expire, and any such vacancy shall be filled in the manner provided by law.

Approved-April 29, 1931.

**SUBSTITUTE FOR HOUSE BILL NO 1051
AN ACT PROVIDING FOR INCREASE IN
MEMBERSHIP OF THE BOARD OF EDUCATION IN
THE TOWN OF PRESTON**

Sec. 1 Section 3 of number 262 of the special acts 1931, concerning biennial elections in the town of Preston, is repealed and the following is substituted in lieu thereof: The membership of the board of education of the town of Preston shall be increased from three to seven members, the three present members to hold office until the expiration of their terms.

Sec. 2 At the biennial election to be held in the town of Preston, October, 1948, there shall be elected three members of the board of education for a term of six years, one member for a term of four years and one member for a term of two years, and biennially thereafter, there shall be elected successors to those whose terms then expire, who shall hold office for a term of six years from the date of election and until their successors are elected and have qualified.

Sec. 3 Any vacancy occurring on the board may be filled by the remaining members until the next biennial town election, at which time such vacancy shall be filled and the ballots shall distinctly specify the term of office.

Approved July 9, 1947

HOUSE BILL NO. 7840
SPECIAL ACT No. 77-56

AN ACT CONCERNING THE TERM OF OFFICE OF
THE TOWN OF PRESTON BOARD OF EDUCATION

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

Sec. 2-of number 468 of the special acts of 1947 is amended to
read as follows:

At the biennial election to be held in the Town of Preston (Oct.
1948) in 1977, there shall be elected (three) Two members of the board
of education for a term of (six) FOUR years (one member for a term of
four years and one member for a term of two years,) and (,) biennially
thereafter, there shall be elected successors to those whose terms then
expire, who shall hold office for a term of (six) FOUR years from the
date of election and until their successors are elected and have
qualified.

Approved June 10, 1977

SENATE BILL NO. 535

AN ACT CONCERNING THE BOARD OF WATER
COMMISSIONERS OF THE CITY OF NORWICH

Sec. 1-The Board of water commissioners of the city of Norwich
may lay mains and pipes and establish hydrants in the towns of Bozrah,
Franklin, Lebanon, Ledyard, Lisbon, Montville and Preston for the
distribution supply and selling of water in said towns; but said water
shall not be supplied to the detriment of the inhabitants of said city, nor
at lower rates than are charged to persons within the city.

Sec. 2- Number 436 of the Special Acts of 1949 is repealed.

Sec. 3 The second sentence of section 89 of an act to revise and amend the
Charter of the city of Norwich, Approved July 5, 1971 is repealed.

Approved July 5, 1951

AN ACT COMBINING THE OFFICES OF TOWN CLERK AND TAX COLLECTOR IN THE TOWN OF PRESTON

Sec. 1- The Offices of Town Clerk and Collector of taxes of the Town of Preston are hereby combined, and the duties imposed by the general statutes upon said officers shall be performed by a single officer of said Town. The Town meeting, with the approval of the board of finance, shall determine the office hours and compensation of said officer.

Sec. 2- Within thirty days after the passage of this act a special election shall be held in the Town of Preston for the election of a town clerk and collector of taxes, who shall hold office from the day of his election until the first Monday of January, 1963; and his successors shall thereafter be elected at the regular election of said town to hold office for two years from the first Monday of the succeeding January. Nomination of candidates for the special election shall be made according to party rules, as provided by section 9-88 of the general statutes.

Sec. 3 The term of office of the town clerk and the collector of taxes of said town in office on the effective date of this act shall terminate upon the election of their successor under this act.

Approved-May 23, 1961

ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A TOWN BOARD OF FINANCE

At an Annual Town Meeting, duly warned and held in Preston Town Hall on October 2, 1933, the legal voters approved the following resolution:

"Be it Resolved: That the legal voters of the Town of Preston at a duly warned meeting held October 2, 1933, authorize the establishment of a Town Board of Finance as provided in the Public Acts of the State of Connecticut, Chapter 28, Section 413-422 of the Session of 1930."

Reference:Town Meeting Book-Volume 6, Pg. 359

ORDINANCE ESTABLISHING DATE OF ENDING OF NEW FISCAL YEAR

At A Town Meeting duly warned and held in Preston Town Hall on October 3, 1955, the legal voters of the Town of Preston approved Item 4 in the warning, "to discuss and act on change of fiscal year to end on JUNE 30." "It was voted to change to JUNE 30, 1956 instead of August 31, in accordance with Section 312 of the General Statutes."

Reference: Town Meeting Book, Volume 7, Pgs. 232-234.

ORDINANCE CONCERNING THE LOCATION OF THE OFFICE OF THE TOWN CLERK AND TREASURER

In an adjourned Annual Town Meeting duly warned and held in Preston Town Hall on October 9, 1936, the legal voters "voted to make a permanent office for the Town Clerk and Treasurer at the Town House, with a fire-proof vault of sufficient capacity to care for the records of the Town."

Reference: Town Meeting Book Volume 7, Pg.23.

ORDINANCE PROVIDING FOR THE EMPLOYMENT OF A PUBLIC HEALTH NURSE

In a Town Meeting duly warned and held in Preston Town Hall on February 28, 1944, the legal voters approved Item 6 of the warning as follows:

"To have a Public Health Nurse beginning July 1, 1944 and the Board of Education and Selectmen be empowered to hire the nurse."

Reference: Town Meeting Book Volume 7, Pg 132

ORDINANCE CONCERNING THE SALE OF LIQUOR ON SUNDAY

At a Special Town Meeting, duly petitioned and warned and held in Preston Town Hall on October 23., 1945, the legal voters of the Town voted approval of a petition "to permit Sunday Sale of Liquor in the Town of Preston."

Reference: Town Meeting Book, Volume 7, pg 150

ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A SINGLE VOTING DISTRICT

At a Special Town Meeting duly warned and held in Preston Town Hall on April 23, 1952, the legal voters approved the following resolution: "That the Town adopt one voting district, with the Town House Designated as the polling place."

Reference: Town Meeting Book, Volume 7, Pg. 207

**AN ORDINANCE ACCEPTING A GIFT OF A PIECE
OF PROPERTY FROM THE PRESTON HISTORICAL
SOCIETY**

BE IT ORDAINED by the electors of the Town of Preston at a duly warned meeting:

The Town of Preston accepts a gift of a piece of property at the intersection of Old Rt. 165 and Rt. 164 known as Doane Park or Doane Green, from the Preston Historical Society.

This Ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book 9, Page 113.

**AN ORDINANCE EMPOWERING THE TAX
COLLECTOR TO COLLECT IN ONE (1) PAYMENT
TAXES LESS THAN FIFTY (\$50.00) DOLLARS.**

SECTION 1. That the Tax Collector of the Town of Preston be and hereby is empowered to demand in single payment any tax due the Town of Preston wherein said amount shall be Fifty (\$50.00) Dollars or less.

SECTION 2. This Ordinance shall become effective Fifteen (15) days after publication in accordance with the General Statutes.

References: Town Meeting Book 9, Pages 114 and 115.

AN ORDINANCE CONCERNING BAZAARS AND RAFFLES

BE IT ORDAINED by the electors of the Town of Preston at a duly warned town meeting, on October 20, 1988 the following Ordinance was adopted.

SECTION 1. Sections 7-170 to 7-186 inclusive of the General Statutes of the State of Connecticut as amended are hereby adopted.

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MUNICIPAL POWERS

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(4) Whenever the executive director revokes a permit issued pursuant to this section, he shall not issue any permit to such permittee for one year after the date of such revocation.

(P.A. 86-419, S. 7, 25; P.A. 88-363, S. 4, 7; P.A. 89-214, S. 2, 3, 26; P.A. 90-11.)

History: P.A. 86-419, S. 7 effective April 1, 1987; P.A. 88-363 amended (1) Subsec. (b) to require renewal of permit annually, (2) Subdiv. (2) of Subsec. (c) to delete one-year limitation on issuance of permits to organizations holding a club or nonprofit club permit and provision that such organization not be authorized to conduct bingo, (3) Subdiv. (2) of Subsec. (c) to delete one-year limitation, and (4) Subdiv. (4) of Subsec. (h) to substitute "ten per cent" for "thirty per cent"; P.A. 89-214 amended (1) Subsec. (a)(3) to permit sealed tickets to contain symbols or numbers, (2) Subsec. (c), in Subdivs. (1) and (2) to require that such permit be renewed annually, to add Subdivs. (3) and (4) re issuance of permit to certain organizations who hold permits to operate bazaars or games of chance, (3) Subsec. (e) to add Subdivs. (3) and (4), permitting sealed tickets to be sold, offered for sale or displayed during conduct of bazaar or operation of games of chance and to allow permittees to use mechanical or electronic ticket dispensing machines, (4) Subsec. (f) to subdivide into three Subdivs., specifying fees for various organizations, deleted Subsec. (g) re authority to revoke permit, relettering remaining Subsec. accordingly and added new Subsec. (h) as follows: (1) Subdiv. (1) authorizing executive director to immediately suspend or revoke any permit and issue cease and desist orders, (2) Subdiv. (2) authorizing executive director to send notice to any person violating any provision of this section and specifying requirements for notice, (3) Subdiv. (3) requiring executive director to hold a hearing upon charges made and authorizing him to order imposition of a civil penalty, and (4) Subdiv. (4) prohibiting executive director from issuing any permit for one year after date of revocation whenever he revokes permit; P.A. 90-11 amended Subdiv. (3) of Subsec. (h) to authorize executive director to suspend or revoke permit.

Sec. 7-170. Bazaars and raffles; definitions. Wherever used in sections 7-171 to 7-186, inclusive, "bazaar" means a place maintained by a sponsoring organization for the disposal of merchandise awards by means of chance; "raffle" means an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes; and "applicant" means the sponsoring organization.

(1955, S. 291d.)

Cited. 33 CS 169.

Sec. 7-171. Adoption of bazaar and raffle law. Any town, city or borough may, by ordinance, adopt the provisions of sections 7-170 to 7-186, inclusive, and the chief executive authority of any town, city or borough shall, upon the petition of at least five per cent of the electors of such municipality as determined by the last-completed registry list, submit the question of adopting the provisions of sections 7-170 to 7-186, inclusive, to a vote of the electors of such municipality at a special meeting called for such purpose within twenty-one days after the receipt of such petition. Such petition shall contain the street addresses of the signers and shall be submitted to the municipal clerk, who shall certify thereon the number of names of electors on such petition, which names are on the last-completed registry list. Each page of such petition shall contain a statement, signed under the penalties of false statement, by the person who circulated the same, that each person whose name appears on such page signed the same in person and that the circulator either knows each such signer or that the signer satisfactorily identified himself to the circulator. The warning for such meeting shall state that the purpose of such meeting is to vote on the adoption of the provisions of said sections. Such vote shall be taken and the results thereof canvassed and declared in the same manner as is provided for the election of officers of such municipality. The vote on such adoption shall be taken by a "YES" and "NO" vote on the voting machine and the designation of the question on the voting machine ballot label shall be "Shall the operation of bazaars and raffles be allowed?" and such ballot label shall be provided for use in accordance with the provisions of section 9-250. If, upon the official determination of the result of such vote, it appears that the majority of all the votes so cast are in approval of such question, the provisions of said sections shall take effect immediately. Any town, city or borough, having once voted on the question of allowing bazaars and raffles as herein provided, shall not vote again on such question within two years from the date of the previous vote thereon. Any subsequent vote thereon shall be taken at the next regular town, city or borough election following the receipt of a petition as herein provided, which petition shall be filed at least sixty days prior to such election, and such question may be so voted upon only at intervals of

not less than two years. Any town, city or borough which, prior to October 1, 1957, has voted more than once on such question, shall, for the purposes of this section, be treated as though it had voted only once thereon.

(1955, S. 292d; 1957, P.A. 378; 1971, P.A. 871, S. 59; P.A. 73-55, S. 1, 2; P.A. 86-170, S. 4, 13; P.A. 87-320, S. 3.)

History: 1971 act substituted "false statement" for "perjury"; P.A. 73-55 added provision that municipalities may adopt provisions of Secs. 7-170 to 7-186 by ordinance; P.A. 86-170 required that ballot label designation be in form of question; P.A. 87-320 repealed clause prohibiting absentee voting for a vote under this section and required petition for subsequent vote to be fixed at least sixty days, instead of twenty-one days, prior to such election.

Sec. 7-172. Qualifications for sponsorship of or participation in bazaar or raffle. Ticket sale. No bazaar or raffle may be promoted, operated or conducted in any municipality after the adoption of the provisions of sections 7-170 to 7-186, inclusive, unless it is sponsored and conducted exclusively by (1) an officially recognized organization or association of veterans of any war in which the United States has been engaged, (2) a church or religious organization, (3) a civic or service club, (4) a fraternal or fraternal benefit society, (5) an educational or charitable organization, (6) an officially recognized volunteer fire company or (7) a political party or town committee thereof. Any such sponsoring organization shall have been organized in good faith and actively functioning as a nonprofit organization within the municipality that is to issue the permit for a period of not less than one year prior to its application for a permit under the provisions of said sections. The promotion and operation of a bazaar or raffle shall be confined solely to the qualified members of the sponsoring organization and no such member may receive remuneration in any form for time or effort devoted to the promotion or operation of the bazaar or raffle. No person under the age of eighteen years may promote, conduct, operate or work at a bazaar or raffle and no person under the age of sixteen years may sell or promote the sale of any raffle tickets, nor shall any sponsoring organization permit any person under the age of eighteen to so promote, conduct or operate any bazaar or raffle or any person under the age of sixteen to sell or promote the sale of such tickets. Any sponsoring organization having received a permit from any municipality may sell or promote the sale of such raffle tickets in that municipality and in any other town, city or borough which has adopted the provisions of sections 7-170 to 7-186, inclusive. All funds derived from any bazaar or raffle shall be used exclusively for the purpose stated in the application of the sponsoring organization as provided in section 7-173.

(1955, S. 293d; 1957, P.A. 284; 1972, P.A. 127, S. 9, 251; P.A. 81-73; P.A. 86-419, S. 3, 25.)

History: 1972 acts changed age of majority to eighteen and allowed political party or town committee to conduct bazaars and raffles; P.A. 81-73 replaced the requirement that a sponsoring organization function within the state for a period of at least three years with a requirement that it function within the municipality that is to issue the permit for at least three years; P.A. 86-419 decreased the period of time a sponsoring organization shall be actively functioning as a nonprofit organization from three years to one year.

Sec. 7-173. Application for permit. Any organization desiring to operate a bazaar or raffle in a municipality which has adopted the provisions of sections 7-170 to 7-186, inclusive, shall make application in duplicate, duly executed and verified, to the chief of police of any municipality having a police department or to the first selectman of any town in which there is no police department, on a form to be prescribed by the executive director of the division of special revenue, in which shall be stated (a) the name and address of the applicant; (b) facts relating to its incorporation or organization; (c) the names, titles and addresses of its officers; (d) the kind of bazaar or raffle intended to be held, operated and conducted by the applicant; (e) the place where such bazaar or raffle is intended to be conducted by the applicant under the permit applied for; (f) the date or dates and the time or times when such bazaar or raffle is intended to be conducted by the applicant under the permit applied for; (g) in the case of a raffle, the number and price of tickets intended to be sold; (h) the items of expense intended to be incurred or paid in connection with the holding, operating and con-

ducting of such bazaar or raffle and the names and addresses of the persons to whom, and the purposes for which, they are to be paid; (i) the items of merchandise offered, the price to be paid by the organization therefor or the retail value of any prize donated, and the names and addresses of the persons from whom purchased or by whom donated; (j) the specific purposes to which the entire net proceeds of such bazaar or raffle are to be devoted and in what manner, and (k) any other information which the executive director reasonably requires for the protection of the public. In each application there shall be designated three active members of the applicant under whom the bazaar or raffle described in the application is to be held, operated and conducted and to the application shall be appended a statement signed, under penalty of false statement, by such members so designated that they are electors of the municipality in which the permit is sought and will be responsible for the holding, operation and conduct of such bazaar or raffle in accordance with the terms of the permit and the provisions of said sections, and that the statements contained in the application are, to the best of their knowledge and belief, true. Such chief of police or first selectman, as the case may be, shall, at least five business days prior to the date of such bazaar or raffle, forward the original copy of such application to said executive director who shall review such application to determine whether the applicant is qualified to hold, operate and conduct a bazaar or raffle under the provisions of sections 7-170 to 7-186, inclusive, or any regulations adopted pursuant thereto, and whether other requirements in said statutes and regulations have been satisfied.

(1955, S. 296d; 1971, P.A. 871, S. 60; P.A. 77-614, S. 486, 610; P.A. 86-419, S. 8, 25; P.A. 89-214, S. 4, 26.)

History: 1971 act substituted "false statement" for "perjury"; P.A. 77-614 substituted commissioner of public safety for commissioner of state police, effective January 1, 1979; P.A. 86-419 substituted executive director of division of special revenue for commissioner of public safety, effective October 1, 1987; P.A. 89-214 required police chief or first selectman to forward original copy of application to executive director who shall review application to determine qualifications of applicant to hold, operate and conduct a bazaar or raffle.

Sec. 7-174. Investigation of applicant. Such chief of police or first selectman, as the case may be, shall, on behalf of the executive director of the division of special revenue, make or cause to be made an investigation of the qualifications of the applicant and the facts stated in the application and, if he determines that the applicant is qualified to hold, operate and conduct a bazaar or raffle under the provisions of sections 7-170 to 7-186, inclusive, that the members of the applicant designated in the application to hold, operate or conduct such bazaar or raffle are electors of such municipality, bona fide active members of the applicant and persons of good moral character and have never been convicted of a felony and that such bazaar or raffle is to be held, operated and conducted in accordance with the provisions of said sections, he shall, with the approval of the executive director, issue a permit to such applicant. Upon issuing such permit, such chief of police or selectman shall forward to the executive director the state's share of the permit fee, if any.

(1955, S. 298d; 1961, P.A. 115, S. 1; P.A. 77-614, S. 486, 610; P.A. 86-419, S. 9, 25; P.A. 89-214, S. 5, 26.)

History: 1961 act added words "if any" to end of last sentence; P.A. 77-614 substituted commissioner of public safety for commissioner of state police, effective January 1, 1979; P.A. 86-419 substituted executive director of division of special revenue for commissioner of public safety, effective October 1, 1987; P.A. 89-214 required police chief or first selectman (1) to conduct investigation of applicant on behalf of executive director of division of special revenue, (2) to issue permit to applicant with the approval of executive director, and (3) to forward state's share of permit fee to executive director rather than application fee, deleting requirement of forwarding duplicate of application.

Sec. 7-175. Kinds of permits. Permits under the provisions of sections 7-170 to 7-186, inclusive, shall be of six kinds. "Class No. 1" permits shall allow the operation of a raffle which shall be consummated within three months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than fifteen thousand dollars. "Class No. 2" permits shall allow the operation of a raffle which shall be consummated within two months of the granting of the permit and the aggregate value of the prize or prizes

offered shall be not more than two thousand dollars. "Class No. 3" permits shall permit the operation of a bazaar for a period of not more than ten consecutive days, excluding legal holidays and Holy Days on which the bazaar is not functioning. Any bazaar held under the authority of any such permit shall be held within six months of the granting of such permit. "Class No. 4" permits shall allow the operation of a raffle which shall be consummated within one month of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than one hundred dollars. "Class No. 5" permits shall allow the operation of a raffle which shall be consummated within six months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than fifty thousand dollars. "Class No. 6" permits shall allow the operation of a raffle which shall be consummated within nine months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than one hundred thousand dollars. No more than one "Class No. 1" permit, one "Class No. 3" permit, one "Class No. 4" permit, one "Class No. 5" permit, one "Class No. 6" permit or three "Class No. 2" permits shall be issued to any qualifying organization within any one calendar year. The aggregate value of prizes offered under any of such permits shall represent the amount paid by the applicant for the prize or prizes or the retail value of the same if donated.

(1955, S. 294d; 1961, P.A. 115, S. 2; 1963, P.A. 110; P.A. 76-81, S. 1; P.A. 79-79; P.A. 81-383, S. 1; P.A. 82-462, S. 1, 3; 82-472, S. 12, 183; P.A. 83-35, S. 1; 83-587, S. 95, 96; P.A. 89-214, S. 6, 26.)

History: 1961 act created "Class No. 4" permit; 1963 act increased aggregate value of prizes under "Class No. 1" permits from five thousand to seventy-five hundred dollars; P.A. 76-81 raised maximum value of prizes offered under Class 1 permits from seventy-five hundred to ten thousand dollars; P.A. 79-79 raised prize limit under Class 1 permits to fifteen thousand dollars, under Class 2 permits from one to two thousand dollars and under Class 4 permits from fifty to one hundred dollars; P.A. 81-383 added "Class No. 5" and "Class No. 6" permits; P.A. 82-462 required all Class No. 6 permits to be obtained on or before June 30, 1983 and expanded the use of the proceeds under such permit in provisions designated as Subdivs. (2) to (5); P.A. 82-472 transferred, within the section, provision limiting issuance of "Class No. 3" permit; P.A. 83-35 deleted reference to Sundays as a day on which a bazaar is not operating under the Class No. 3 permits; P.A. 83-587 provided that public act 83-35 shall take effect July 1, 1983, rather than October 1, 1983; P.A. 89-214 eliminated the proviso under "Class No. 6" permits, restricting time for obtaining permits and use of net proceeds of raffles under such permits in Subdivs. (1) to (5), inclusive.

See Sec. 7-175a re prizes under "Class No. 6" permits.

Sec. 7-175a. Marketability of title to real property as prize under "Class No. 6" permit. Section 7-175a is repealed.

(P.A. 82-462, S. 2, 3; P.A. 89-214, S. 25, 26.)

Sec. 7-176. Permit fees. The fees to be charged for permits shall be as follows: A "Class No. 1" permit, fifty dollars, twenty-five dollars to be retained by the municipality and twenty-five dollars remitted to the state; a "Class No. 2" permit, twenty dollars, ten dollars to be retained by the municipality and ten dollars to be remitted to the state; a "Class No. 3" permit, twenty dollars for each day of the bazaar, ten dollars to be retained by the municipality and ten dollars to be remitted to the state; a "Class No. 4" permit, five dollars, to be retained by the municipality; a "Class No. 5" permit, eighty dollars, forty dollars to be retained by the municipality and forty dollars remitted to the state, and a "Class No. 6" permit, one hundred dollars, fifty dollars to be retained by the municipality and fifty dollars remitted to the state.

(1955, S. 297d; 1961, P.A. 115, S. 3; P.A. 80-297, S. 2, 20; P.A. 81-383, S. 2.)

History: 1961 act added "Class No. 4" permit; P.A. 80-297 increased Class 1 permit fee from thirty-five to fifty dollars, Class 2 fee from ten to twenty dollars and Class 3 fee from fifteen to twenty dollars and raised proportionate amount of fee accruing to state; P.A. 81-383 added fees for "Class No. 5" and "Class No. 6" permits.

Sec. 7-177. Prizes. All prizes given at any bazaar or raffle shall be merchandise, tangible personal property or a ticket, coupon or gift certificate, which shall not be refundable or transferable, entitling the winner to merchandise, tangible personal property, services, transportation on a common carrier by land, water or air and to any tour facilities provided in connection therewith, or to participation in a lottery conducted under chapter 226. Cash

prizes or prizes consisting of alcoholic liquor shall not be given nor shall any prize be redeemed or redeemable for cash, except tickets for a lottery conducted under chapter 226. For the purposes of this section, coins whose trading value exceeds their face value and coins not commonly in circulation shall not be deemed a cash prize.

(1955, S. 295d; 1957, P.A. 328; P.A. 73-239, S. 2, 3; P.A. 81-383, S. 3; P.A. 89-214, S. 7, 26; P.A. 90-15, S. 1, 2.)

History: P.A. 73-239 allowed prizes to consist of lottery tickets; P.A. 81-383 added real property as a permissible prize under a "Class No. 6" permit; P.A. 89-214 deleted reference to prizes of real property in the case of a raffle conducted under a "Class No. 6" permit; P.A. 90-15 allowed prizes to consist of gift certificates entitling winner to merchandise, tangible personal property or services and specified that certain coins would not be deemed a cash prize.

Sec. 7-178. Equipment. Expenses. Information required on raffle ticket. No bazaar or raffle shall be conducted with any equipment except such as is owned absolutely or used without payment of any compensation therefor by the permittee or as is rented from a dealer in such equipment who (1) has a principal place of business in the state, and (2) is registered with the executive director of the division of special revenue in such manner and on such form as he may prescribe, which form shall be accompanied by an annual fee of three hundred dollars payable to the treasurer of the state of Connecticut. No item of expense shall be incurred or paid in connection with the holding, operating or conducting of any bazaar or raffle pursuant to any permit issued under sections 7-170 to 7-186, inclusive, except such as are bona fide items of reasonable amount for goods, wares and merchandise furnished or services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating or conducting thereof, and no commission, salary, compensation, reward or recompense whatever shall be paid or given, directly or indirectly, to any person holding, operating or conducting, or assisting in the holding, operation or conduct of, any such bazaar or raffle. Each raffle ticket shall have printed thereon the time, date and place of the raffle, the three most valuable prizes to be awarded and the total number of prizes to be awarded as specified on the form prescribed in section 7-173.

(1955, S. 299d; P.A. 76-81, S. 2; P.A. 77-492; 77-614, S. 486, 587, 610; P.A. 78-303, S. 85, 136; P.A. 83-35, S. 2; 83-587, S. 95, 96; P.A. 86-419, S. 10, 25; P.A. 89-214, S. 8, 26.)

History: P.A. 76-81 required tickets to be printed with three most valuable prizes and total number of prizes; P.A. 77-492 added exception to prohibition of bazaars and raffles on Sunday; P.A. 77-614 and P.A. 78-303 substituted commissioner of public safety for commissioner of state police and made state police department a division within the department of public safety, effective January 1, 1979; P.A. 83-35 eliminated the prohibition against Sunday bazaars or raffles; P.A. 83-587 provided that public act 83-35 shall take effect July 1, 1983, rather than October 1, 1983; P.A. 86-419 substituted division of special revenue for state police and executive director of said division for commissioner of public safety, effective October 1, 1987; P.A. 89-214 (1) made format changes in section, inserting Subdivs. (1) and (2) and making technical changes as required; (2) required that registration form be accompanied by annual fee of three hundred dollars payable to state treasurer; and (3) required tickets to be printed with time of raffle thereon.

Cited, 196 C. 623, 630.

Sec. 7-179. Advertising restricted. No bazaar or raffle to be conducted under any permit issued under the provisions of sections 7-170 to 7-186, inclusive, shall be advertised as to its location, the time when it is to be or has been held or the prizes awarded or to be awarded, by means of television or sound truck or by means of billboards, provided one sign, not exceeding twelve square feet, may be displayed on the premises where the drawing or allotment of prizes is to be held and also where the prizes are or will be exhibited.

(1955, S. 300d.)

Sec. 7-180. Change in facts on application to be reported. If there is any change in the facts set forth in the application for a permit subsequent to the making of such application, the applicant shall immediately notify the executive director of the division of special revenue of such change, and the executive director may, if he deems such action advisable in the public interest, revoke such permit.

(1955, S. 301d; P.A. 89-214, S. 9, 26.)

History: P.A. 89-214 substituted "executive director of the division of special revenue" for "authority granting such permit", making technical changes as necessary.

Sec. 7-181. Suspension or revocation of registration or permit. Cease and desist order. Notice of violation. Hearing. Penalty. (a) Whenever it appears to the executive director of the division of special revenue after an investigation that any person is violating or is about to violate any provision of sections 7-170 to 7-185, inclusive, or administrative regulations issued pursuant thereto, the executive director may in his discretion, to protect the public welfare, order that any registration or permit issued pursuant to said sections be immediately suspended or revoked and that the person cease and desist from the actions constituting such violation or which would constitute such violation. After such an order is issued, the person named therein may, within fourteen days after receipt of the order, file a written request for a hearing. Such hearing shall be held in accordance with the provisions of chapter 54.

(b) Whenever the executive director of the division of special revenue finds as the result of an investigation that any person has violated any provision of sections 7-170 to 7-185, inclusive, or administrative regulations issued pursuant thereto or made any false statement in any application for a permit or in any report required by the provisions of said sections, the executive director may send a notice to such person by certified mail, return receipt requested. Any such notice shall include (1) a reference to the section or regulation alleged to have been violated or the application or report in which an alleged false statement was made, (2) a short and plain statement of the matter asserted or charged, (3) the fact that any registration or permit issued pursuant to sections 7-170 to 7-185, inclusive, may be suspended or revoked for such violation or false statement and the maximum penalty that may be imposed for such violation or false statement, and (4) the time and place for the hearing. Such hearing shall be fixed for a date not earlier than fourteen days after the notice is mailed.

(c) The executive director shall hold a hearing upon the charges made unless such person fails to appear at the hearing. Such hearing shall be held in accordance with the provisions of chapter 54. If such person fails to appear at the hearing or if, after the hearing, the executive director finds that such person committed such a violation or made such a false statement, the executive director may, in his discretion, suspend or revoke such registration or permit and order that a civil penalty of not more than two hundred dollars be imposed upon such person for such violation or false statement. The executive director shall send a copy of any order issued pursuant to this subsection by certified mail, return receipt requested, to any person named in such order.

(d) Whenever the executive director revokes a permit issued pursuant to sections 7-170 to 7-186, inclusive, the issuing authority shall not issue any permit to such permittee for three years after the date of such violation.

(1955, S. 302d; P.A. 89-214, S. 10, 26.)

History: P.A. 89-214 entirely replaced previously existing provisions and inserted Subsecs. (a) to (d), inclusive, in lieu thereof, as follows: (1) Subsec. (a) authorizing executive director to immediately suspend or revoke any registration or permit and issue cease and desist orders; (2) Subsec. (b) authorizing executive director to send notice to any person violating any provision of sections 7-170 to 7-185, inclusive, and specifying requirements for notice; (3) Subsec. (c) requiring executive director to hold a hearing upon charges made and authorizing him to suspend or revoke registration or permit and order imposition of a civil penalty; and (4) Subsec. (d) prohibiting issuing authority from issuing any permit for three years after date of violation whenever executive director revokes permit.

Sec. 7-182. Report re receipts, number and price of tickets sold, expenses, profit and list of prizes with a retail value of fifty dollars or more. Any sponsoring organization which holds, operates or conducts any bazaar or raffle, and its members who were in charge

thereof, shall furnish to the chief of police of the municipality or to the first selectman, as the case may be, a verified statement, in duplicate, showing (1) the amount of the gross receipts derived from each bazaar or raffle, (2) in the case of a raffle, the number and price of tickets sold, (3) each item of expense incurred or paid, and each item of expenditure made or to be made and the name and address of each person to whom each such item has been or is to be paid, (4) the net profit derived from each bazaar or raffle and the uses to which the net profit has been or is to be applied and (5) a list of prizes of a retail value of fifty dollars or more offered or given with the amount paid for each prize purchased or the retail value for each prize donated and the names and addresses of the persons to whom the prizes were given. Such report shall be furnished during the next succeeding month. The chief of police or first selectman, as the case may be, shall forward the original copy of such report to the executive director of the division of special revenue, who shall keep it on file and available for public inspection for a period of one year thereafter. The sponsoring organization shall maintain and keep any books and records that may be necessary to substantiate the particulars of such report, which books and records shall be preserved for at least one year from the date of such report and shall be available for inspection. Such report shall be certified to under penalty of false statement by the three persons designated in the permit application as being responsible for the bazaar or raffle.

(1955, S. 303d; 1961, P.A. 115, S. 4; 1971, P.A. 871, S. 61; P.A. 77-614, S. 486, 610; P.A. 81-276, S. 2; P.A. 86-419, S. 11, 25; P.A. 89-214, S. 11, 26.)

History: 1961 act provided ninety instead of thirty-day period for filing report and excepted "Class No. 4" permits from required certification of report by accountant; 1971 act substituted "false statement" for "perjury"; P.A. 77-614 substituted commissioner of public safety for commissioner of state police, effective January 1, 1979; P.A. 81-276 required quarterly reports at specific times by organizations sponsoring bazaars rather than "within ninety days after the conclusion" of the bazaar or raffle; P.A. 86-419 substituted executive director of division of special revenue for commissioner of public safety, effective October 1, 1987; P.A. 89-214 (1) required reports by sponsoring organizations "during the next succeeding month" rather than quarterly, (2) required police chief or first selectman to forward original copy of report to executive director instead of duplicate, and (3) eliminated requirement that accountant certify report in the case of "Class No. 1", "Class No. 2" and "Class No. 3" permits.

Sec. 7-183. Examination of reports. Each such report shall be examined by the chief of police or the first selectman, as the case may be, and by the executive director of the division of special revenue and shall be compared with the original application. The executive director may refer any violation of sections 7-170 to 7-185, inclusive, or administrative regulations issued pursuant thereto found therein to the office of the state's attorney having jurisdiction over the municipality in which the organization is located and such office shall investigate and take such action as the facts require.

(1955, S. 304d; 1959, P.A. 24; 1961, P.A. 115, S. 5; P.A. 77-614, S. 486, 610; P.A. 78-280, S. 13, 127; P.A. 86-419, S. 12, 25; P.A. 89-214, S. 12, 26.)

History: 1959 act required referral of violation of statutes or regulations to prosecutor in lieu of referral of "discrepancy"; 1961 act made technical change re prosecuting attorney; P.A. 77-614 substituted commissioner of public safety for commissioner of state police, effective January 1, 1979; P.A. 78-280 deleted reference to prosecuting attorney and made violations referable to office of state's attorney; P.A. 86-419 substituted executive director of division of special revenue for commissioner of public safety, effective October 1, 1987; P.A. 89-214 specifically permitted executive director to refer any violation of Secs. 7-170 to 7-185, inclusive, to state's attorney, deleting reference to "7-186".

Sec. 7-184. Rescission of adoption. Any town, city or borough which has adopted the provisions of sections 7-170 to 7-186, inclusive, may, by referendum in the same manner as is provided in section 7-171, vote to rescind its action in adopting the provisions of said sections.

(1955, S. 305d.)

Sec. 7-185. Regulations. The executive director of the division of special revenue, with the advice and consent of the gaming policy board, shall adopt, in accordance with the provisions of chapter 54, such regulations as are necessary effectively to carry out the provisions of sections 7-170 to 7-186, inclusive, in order to prevent fraud and protect the public, which regulations shall have the effect of law.

(1955, S. 306d; P.A. 77-614, S. 486, 610; P.A. 82-472, S. 13, 183; P.A. 86-419, S. 13, 25; P.A. 87-44, S. 2.)

History: P.A. 77-614 substituted commissioner of public safety for commissioner of state police, effective January 1, 1979; P.A. 82-472 substituted reference to Ch. 54 for reference to repealed Secs. 4-41 to 4-50; P.A. 86-419 substituted executive director of division of special revenue for commissioner of public safety, effective October 1, 1987; P.A. 87-44 required executive director to adopt regulations with advice and consent of gaming policy board.

Sec. 7-185a. Exceptions for certain organizations. "Money-wheel" games. "Fifty-fifty" coupon games. (a) Notwithstanding the provisions of sections 7-170 to 7-186, inclusive, and the regulations adopted thereunder, any organized church, volunteer fire company or veterans organization or association conducting a bazaar or raffle, (1) may have the actual drawing of the raffle in a municipality other than the municipality which grants the permit, provided the chief executive officer of the other municipality has in writing approved such drawing; (2) may be permitted to redeem prizes in cash; (3) shall be exempt from the requirement of preserving unsold raffle tickets beyond ninety days after the conclusion of the holding, operating and conducting of such bazaar or raffle and shall be permitted to dispose of unclaimed prizes after such ninety days; and (4) may file a reconciliation of expenditures and receipts signed by an officer in lieu of an accountant.

(b) Notwithstanding the provisions of sections 7-170 to 7-186, inclusive, and the regulations adopted thereunder, any sponsoring organization qualified to conduct a bazaar or raffle under the provisions of section 7-172 and recognized as a nonprofit organization under the provisions of Section 501 (c) (3) of the Federal Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, may have the actual drawing of the raffle in a municipality other than the municipality which grants the permit, provided the chief executive officer of the other municipality has in writing approved such drawing.

(c) Notwithstanding the provisions of section 7-177, any organization or group specified in section 7-172 conducting a bazaar may award cash prizes which shall not exceed twenty-five dollars each in connection with the playing of a "money-wheel" game.

(d) Notwithstanding the provisions of section 7-177, any organization conducting a bazaar may operate "fifty-fifty" coupon games each day of a permitted bazaar event and may award cash prizes of fifty per cent of "fifty-fifty" coupon game sales for each coupon drawing conducted. Not more than three scheduled drawings may be held on any day on which a bazaar is permitted. A "fifty-fifty" coupon game shall be operated from an authorized bazaar booth, subject to the regulation of the executive director of the division of special revenue and shall allow for the sale of "fifty-fifty" coupons at a predetermined uniform price. Each "fifty-fifty" coupon shall be consecutively numbered and shall have a correspondingly numbered stub. Each sponsoring organization shall provide different colored coupons for each drawing and shall award one prize for each drawing held. Each organization conducting such games shall conspicuously post, at each bazaar booth at which such games are conducted, a notice or notices which shall include the dates, times and places of any "fifty-fifty" coupon drawings, as well as the prices and colors of coupons to be sold for each drawing. The executive director shall prescribe the form of such notice which shall contain the following statement: "Holders of coupons must be present to claim a prize." Each such organization shall account for each coupon printed and sold for each drawing and shall announce the amount of sales and the prize to be awarded immediately prior to each drawing. The sponsoring organization shall preserve all sold and unsold coupons or stubs for a period of at least one year from the date of the verified statement required pursuant to section 7-182. At the conclusion of a bazaar, each organization conducting such games, and its members who were in charge thereof, shall furnish to the chief of police of the municipality or to the first

selectman, as the case may be, a verified statement, prescribed by the executive director of the division of special revenue, in duplicate, showing (1) the total number of coupons purchased and sold for each "fifty-fifty" coupon game drawing and (2) the total number and amount of prizes awarded and the names and addresses of the persons to whom the prizes were awarded. Such report shall be furnished during the next succeeding month. The chief of police or first selectman, as the case may be, shall forward the original copy of such report to the executive director, who shall keep it on file and available for public inspection for a period of one year thereafter. Such report shall be certified to under penalty of false statement by the three persons designated in the permit application as being responsible for the bazaar.

(P.A. 73-54; P.A. 86-6; 86-403, S. 129, 132; 86-419, S. 2; P.A. 89-211, S. 7; 89-214, S. 13, 26; 89-282, S. 4, 5.)

History: P.A. 86-6 subdivided the section, adding Subsec. (b), authorizing certain charitable and educational organizations to have actual raffle drawing in a municipality not granting the permit; P.A. 86-403 changed effective date of P.A. 86-6 from October 1, 1986, to July 1, 1986; P.A. 86-419 added Subsec. (c) to permit any volunteer fire company conducting a bazaar to award cash prizes for "money-wheel" games; P.A. 89-211 clarified reference to the Internal Revenue Code of 1986 in Subsec. (b); P.A. 89-214 amended Subsec. (c) to permit any "organization or group specified in section 7-172" conducting a bazaar to award cash prizes for "money-wheel" games, deleting specific reference to any "volunteer fire company"; P.A. 89-282 added a new Subsec. (d), permitting any organization conducting a bazaar to operate "fifty-fifty" coupon games.

Sec. 7-186. Penalty. Any person who violates any provision of sections 7-170 to 7-185, inclusive, or administrative regulations issued pursuant thereto, or who makes any false statement in any application for a permit or in any report required by the provisions of said sections shall be fined not more than one thousand dollars or imprisoned not more than one year or be both fined and imprisoned.

(1955, S. 307d; P.A. 89-214, S. 14, 26.)

History: P.A. 89-214 provided that violation of any provision of administrative regulations would subject violator to penalty.

AN ORDINANCE REQUIRING PERMITS OF SOLICITORS, PEDDLERS AND VENDORS

1. No Individual, association or corporation shall solicit, peddle, vend, sell or offer to solicit, peddle, vend or sell any merchandise, goods, wares, or subscription in any street or from house to house in the Town of Preston without first obtaining a permit to do such from the Town Selectmen.

2. Any individual, association or corporation, who desires a permit as provided in paragraph 1, supra, shall apply for such to the Selectmen of the Town or their agent upon a form furnished by the Selectmen shall issue a permit within twenty (20) days after receiving the application for such.

3. Any individuals, association or corporation who solicits, peddles, vends or sells, or offers to solicit, peddle, vend or sell any of the articles enumerated in paragraph 1, supra, without having been issued a permit shall be fined not more than fifty dollars for each offense. Each individual sale or offer of sale is deemed to be a separate and distinct offense.

Reference: Town Meeting -November 15, 1965

AN ORDINANCE AMENDING AN ORDINANCE REQUIRING PERMITS OF SOLICITORS PEDDLERS AND VENDORS

Sec. 1: Said Ordinance is amended by adding the following sections:

Sec. 2A: The following sums shall hereafter be paid for fees for such licenses by the persons respectively receiving the same per calendar year:

Auctions- \$10.00 per year ;

Peddlers of Goods, wares, and merchandise where using vehicles and/or trailer, -\$200.00 per year for each vehicle and trailer;

Peddlers not using vehicles-\$10.00 per year.

Sec. 2B. This Ordinance shall not apply to:

- a) Local school, political or civic organizations, benevolent societies, service clubs or non-profit organizations which are organized in and have a substantial membership in Town.
- b) Any person or sales exempted by the Statutes of the State of Connecticut.

Sec.2C: In granting said licenses, the First Selectman or his Agent shall consider the proposed location of the peddler's stands so that they may not be so close together as to cause traffic congestion or hazards and locations of stands shall not interfere with the use and enjoyment of the residences of the adjoining land owners.

Reference: Town Meeting Book 11-Page 26 and 27

AN ORDINANCE CONCERNING PUBLIC BIDDING

Be it ordained by the electors of the Town of Preston at a duly warned Town Meeting held June 4, 1962.

(1) All contracts entered into in behalf of the Town of Preston for supplies, materials and services in excess of \$1,000.00 (except contracts for personal services of an individual) shall only be awarded after public notice and bid.

This requirement may be waived in the event of an emergency by agreement of a majority of the members of the Board of Finance.

(2) This Ordinance shall take effect fifteen (15) days after publication.

Reference: Town Meeting Book 8.

AMENDMENT TO AN ORDINANCE CONCERNING PUBLIC BIDDING

Be it ordained by the electors of the Town of Preston at a duly warned Town Meeting held August 22, 1974:

Sec.1 of "An Ordinance Concerning Public Bidding" is hereby amended by substituting \$2,000.00 for for \$1,000.00 so that Section 1 of said ordinance shall read as follows:

(1) All contracts entered into in behalf of the Town of Preston for supplies, materials and services in excess of \$2,000.00 (except contracts for personal services of an individual) shall only be awarded after public notice and bid.

This requirement may be waived in the event of an emergency by agreement of a majority of the members of the Board of Finance.

This Ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Effective Date: September 10, 1974.

AN ORDINANCE TO AMEND THE ORDINANCE CONCERNING PUBLIC BIDDING

Be it ordained by the electors of the Town of Preston and citizens qualified to vote in Town Meetings at a duly warned Town Meeting held May 14, 1987:

(1) Section 1 of "An Ordinance Concerning Public Bidding" is hereby amended by substituting \$3,500.00 for \$2,000 and adding the following clause at the end of the sentence: provided however that no bids for expenditure to be paid from Town Aid Funds shall be necessary as long as the price paid is equal to or less than the price to be paid by the State for the same type of expenditures so that said ordinance shall read as follows:

(1) All contracts entered into in behalf of the Town of Preston for supplies, materials and services in excess of \$3,500.00 (except contracts for personal services of an individual) shall only be awarded after public notice and bid, provided however, that no bids for expenditures to be paid from Town Aid Funds shall be necessary as long as the price paid is equal to or less than the price to be paid by the State for the same type of expenditure.

This requirement may be waived in the event of an emergency by agreement of a majority of the members of the Board of Finance.

Reference-Town Meeting Book 11, Pg. 125

ORDINANCE REGULATING BUILDING OF APPROACHES TO ANY TOWN ROAD OR STREET OF THE TOWN OF PRESTON

1. Before building an approach or reconstruction of an existing approach to any Town Road or street, a permit must be obtained from the First Selectman or his agent.

2.. All necessary drainage pipes, culverts, headwalls and/or catch basins and/or ditches must be installed where deemed necessary by the First Selectman or his agent.

3. The holder of this permit shall be responsible for any damage done to the Town Highway or street in the building or the approach.

The penalty for violation of this ordinance shall be a fine not to exceed \$100.00.

This Ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book 9, Page 4.

AN ORDINANCE REGULATING THE ADDITION OF
ANY NEW STREET OR HIGHWAY TO THE
HIGHWAY SYSTEM OF THE TOWN OF PRESTON

July 1, 1965

SECTION 1. DEFINITIONS:

STREET-Means a newly established project road or any abandoned or legally closed highway or road being open for public use.

BOARD-Means the Board of Selectmen.

SECTION 2. PROCEDURE FOR LAYOUT AND ACCEPTANCE:

1. LAYOUT- Whenever any street is proposed and before any construction clearing or excavating is initiated, the owner or developer shall present to the board, three certified copies of plans and profiles prepared by a licensed Connecticut Engineer or Land Surveyor together with a topography map of the area and a written application for approval of such street. The plans shall conform to the specifications hereinafter stated and subject to Section 13-25 of the 1959 Supplement to the 1958 revision of the General Statutes of Connecticut. Such plans shall include all drainage needs, as prepared by a Certified Licensed Connecticut Engineer, and culverts and catch basins.

The Board at a regular meeting shall discuss the proposed plan with the owner, developer and/or agents and if approved, approved with changes, or disapproved, shall return one copy of the plan with note of its action to the owner within 30 days from the receipt of the application. When approved by the Board, one copy of the plans shall be filed with the Town Clerk.

2. ACCEPTANCE BY BOARD: Upon completion of construction of proposed street and before acceptance by the Board of said street into the Town highway system, the owner or developer shall furnish a certificate from a qualified engineer, certifying that (a) the work has been completed according to the profile submitted and in accordance with all specifications hereinafter stated. (b) The drainage system is adequate for the projected development. Upon receipt of such certificate and the Town Meeting having voted to accept such proposed road, such road may be finally accepted by the Board into the Town Road system.

3. RECORD OF ACCEPTANCE" Final acceptance of all roads by

the Board of Selectman shall be entered into the minutes book of the Town Clerk of the Town of Preston as proof of such acceptance.

SECTION 3. CONSTRUCTION SPECIFICATIONS

1. WIDTH: Any street shall contain a minimum "right of way" of fifty (50) feet unless laid out with prior written approval of a majority of the Board. Such street shall be conveyed by Warranty Deed to the Town of Preston. The road bed of any street shall have a minimum width of twenty-four (24) feet. No dead end street shall be approved by the Board except that a turn about of fifty (50) foot radius be constructed. There shall be no brush, trees or boulders within six (6) feet of the side of the road bed. Such road bed shall be excavated to a depth of twelve inches and be freed of boulders and all ledge shall be cut an additional twelve inches.

2. GRADE AND CONTOUR

(a) Streets shall be adjusted to the contour of the land but no grade shall be less than 0.5% or more than 12%, with exceptions subject to written approval of the Board of Selectmen.

(b) The profile of such new street shall have no abrupt change of grade.

(c) Slopes shall be finished in a neat manner and where streets are cut or filled the side slope shall not be steeper than one foot vertical to two feet horizontal, unless the permanence of the slope shall be otherwise provided by the owner or developer to the satisfaction of the Board.

3. DRAINAGE

(a) All shoulders two feet on each side of the road bed shall be so constructed that control of surface, water and sub-surface water is maintained; all shoulders and water-ways shall be surfaced with bituminous concrete and compacted to two (2) inch thickness. Catch basins and culvert pipes of a minimum diameter of 15" shall be installed at each corner of all intersections and catch basins at a maximum of every three hundred (300) feet on each side of the road except as may be varied by written permission of the Board. All catch basins to be connected to cause a continuous flow of controlled surface and sub-surface water to an ultimate destination of natural flow, brook, pond or river. All culvert pipe shall be reinforced concrete pipe.

4. CURBS- Curbs of curb mix bituminous concrete shall be

constructed at each side of the road to a height of 6". Such curbs to be uniformly constructed using compacting equipment identified as curbing machine.

5. DRAINAGE RIGHTS- All necessary drainage rights and/or easements for maintaining drainage over or under adjoining lands to an ultimate destination of natural flow as Paragraph three (3) "Drainage" shall be procured by the developer at no cost to the Town of Preston.

6. UTILITIES- All utilities shall be in place before final grading and compacting of streets.

7. GRAVEL- Gravel shall be uniformly applied to a compacted depth of twelve (12) inches on all normal areas and in wet land to be a compacted depth of twenty four (24) inches. All gravel shall be process stone or gravel of a uniform size of not more than five (5) inches in diameter for sub surface and not more than than two (2) inches for finished application, top 4 inch course.

8. INITIAL SURFACING AND SEALING

(a) The road bed shall be graded with a crown on the average of one fourth (1/4) inch per square foot.

(b) The final gravel fill, grading and application of tar at one gallon per square yard, with a light sand coverage and brushed in and a second coating of sand to prevent picking up. This shall be done under the supervision of the board at the developer's or owner's expense.

(c) Seal Coat-Not less than sixty (60) days nor more than one hundred and twenty (120) of the initial application of tar there shall be applied to all surface of the road bed a uniform application of bituminous concrete presently identified as formula 152, to a depth of one and one half (1 1/2) inches, this application shall be applied with patented machinery designed specifically for the handling of like materials and this application shall be compacted with a ten (10) ton roller of the proper design for this specific material.

9. GUARD RAILS: Guard rail post and railing shall be installed as directed by the Board.

10. ALL MATERIALS - All materials used in the construction of any street shall be in accordance with State of Connecticut, State Highway Department Standard Specification for Roads, Bridges and incidental Construction, except that portion that covers size of gravel.

11. NAMES OF STREETS- New Streets shall be named subject to the approval of the Board of Selectmen.

12. SURETY BOND- The Board shall require that a surety Bond of cash or collateral shall be deposited with the Town Treasurer in an amount sufficient to cover any incomplete work before a certificate pertaining to the status of such road can be issued by the Board of Selectmen or any officer of the Town of Preston.

13. PREVIOUS STREET REGULATIONS AND/OR ORDINANCES- This Ordinance shall supplant any previous regulations and/or Ordinances and shall become effective 15 days after its publication in a local newspaper having circulation in the Town of Preston.

14. EXCEPTIONS- Any road over 50% completed may be accepted by the Board under the Town Policy in effect before the passage of this Ordinance.

Reference: Town Meeting Book 9, Page 8

1. ORDINANCE TO AMEND AN ORDINANCE REGULATING THE ADDITION OF ANY NEW HIGHWAY OR STREET TO THE HIGHWAY SYSTEM OF TOWN OF PRESTON JULY 1, 1965 AS AMENDED

BE IT ORDAINED by the voters of the Town of Preston.

SECTION 1. Subsection (C)- Seal Coat of Section 8 of said ORDINANCE is amended to read as follows:

(C) Final application-Applications of (1) bituminous concrete identified as State of Connecticut specifications Class 4 binder to a depth of 1 1/2 inches and (2) State of Connecticut specification Class 2 for the final 1 12 inches for a total depth of 3 inches. These applications shall be applied applied with a patented machine designed specifically for the handling of like materials and this application shall be compacted with a ten ton roller of proper design for this specific material.

AN ORDINANCE REGULATING BUILDING OF APPROACHES TO ANY ROAD OR HIGHWAY OF THE TOWN OF PRESTON

Be it ordained by the electors of the Town of Preston and citizens qualified to vote in Town Meetings:

Sec. 1- An Ordinance regulating building of approaches to any town road or street of the Town of Preston adopted June 3, 1966 is hereby repealed.

Sec. 2- Before building an approach to any town road or highway, a permit must be obtained from the First Selectman or his agent. This permit will be valid for one year from the date of issuance by which time all work necessary shall be completed.

In determining whether a permit shall be issued, the First Selectman shall give due consideration of the effect of the proposed approach upon the public safety, and to drainage needs.

Sec. 3- All necessary drainage pipes, culverts, headwalls and/or catch basins and/or ditches must be installed where deemed necessary by the First Selectman or his agent.

The paving from the edge of the traveled roadway to the property line shall consist of bituminous concrete compacted to a depth of at least two (2) inches unless varies with the written permission of the First Selectman.

Sec. 4- The holder of this permit shall be responsible for any damage done to the town highway in the building of the approach.

An applicant shall deposit with the Town Treasurer, security in the form of a bond with sufficient surety or cash, in such amount as may be required by the First Selectman sufficient to cover the completion of the approach, including work required to repair the town highway.

Sec. 5- The penalty for violation of this ordinance shall be a fine not to exceed \$100.00.

Adopted February 9, 1989

AN ORDINANCE CONCERNING ACCEPTANCE OF HIGHWAYS BY THE BOARD OF SELECTMEN

SECTION 1. Pursuant to Public Act 91-181 of the Connecticut General Assembly, the Board of Selectmen is hereby authorized to accept public highways within the Town of Preston at any regular or special meeting of the board. Such acceptance shall be approved by a majority vote of the board.

SECTION 2. No such highway shall be accepted by the Board of Selectmen unless it conforms to all of the requirements for streets and roads as set forth in the Town of Preston Planning and Zoning Regulations and Sub-division Regulations.

Adopted January 9, 1992 at a Special Town Meeting.

AN ORDINANCE CONCERNING ACCEPTANCE OF HIGHWAYS BY THE
BOARD OF SELECTMEN

BE IT ORDAINED by the voters of the Town of Preston:

SECTION 1: Pursuant to PA 91-181, the Board of Selectmen is hereby authorized to accept public highways within the Town of Preston at any regular or special meeting of the board. Such acceptance shall be approved by a majority vote of the board.

SECTION 2. No such highway shall be accepted by the Board of Selectmen unless it conforms to all of the requirements for streets and roads as set forth in the Town of Preston Planning and Zoning Regulations and Sub-division Regulations.

Adopted 1/9/93- own Meeting Book 12

AN ORDINANCE TO PROHIBIT THE ISSUANCE OF
BUILDING PERMITS FOR ERECTION OF
BUILDINGS OR STRUCTURES ON LOTS ABUTTING
UNACCEPTED HIGHWAYS

1. No building permit shall be issued for the erection of buildings or structures on lots abutting unaccepted highways or streets.

2. This ordinance shall not prevent the issuance of a building permit for the construction of farm or accessory buildings which are not in violation of any lawful zoning or building regulations of the municipality.

3. Any building erected in violation of this ordinance shall be deemed an unlawful structure, and the municipality through the appropriate officer may bring action to enjoin the erection of such structure or cause it to be vacated or removed.

4. Any person, firm or corporation erecting a building or structure in violation of this ordinance may be fined not more than two hundred dollars for each building or structure so erected in addition to the relief herein otherwise granted to the municipality.

June 8, 1989

**AN ORDINANCE ACCEPTING A PANEL TRUCK
FROM PRESTON FIRE COMPANY #2 FOR USE AS
AN EMERGENCY VEHICLE**

Be it Ordained by the electors of the Town of Preston at a duly warned meeting:

Section One: The Town of Preston accepts a gift of a panel truck from Preston Fire Company #2 for use as an emergency vehicle.

Section Two: This Ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book 9, Page 4.

**AN ORDINANCE ACCEPTING A TANK TRUCK
FROM PRESTON FIRE COMPANY #1**

BE IT ORDAINED by the electors of the Town of Preston at a duly warned meeting:

SECTION ONE: The Town of Preston accepts a gift of a tank truck from Preston Fire Company #1.

SECTION TWO: This ordinance shall take effect fifteen (25) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book Volume 9, Pg. 5

AN ORDINANCE ACCEPTING A GIFT OF A TANK TRUCK

BE IT ORDAINED by the electors and those entitled to vote at a Town Meeting in the Town of Preston at a duly warned Town Meeting:

Section 1. The Town of Preston accepts a gift of a tank truck from the Preston Fire Company No. 2 for use by the Town for its general purposes.

Section 2. This Ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Reference Town Meeting Book, Vol. 9, Page 18.

AN ORDINANCE ACCEPTING AN EMERGENCY VEHICLE AND A TANK TRUCK FROM THE PRESTON VOLUNTEER FIRE COMPANY

The following Ordinance was adopted by the voters of the Town of Preston at a Special Town Meeting held in Preston Town Hall on May 16, 1967.

BE IT ORDAINED by the electors of the Town of Preston at a duly warned meeting:

Section One: The Town of Preston accepts a gift of an emergency vehicle from the Preston Volunteer Fire Company.

Section Two: The Town of Preston accepts a gift of a tank truck from the Preston Volunteer Fire Company.

Section Three: This Ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book 9, Page 62

AN ORDINANCE ACCEPTING A RESCUE VEHICLE FROM POQUETANUCK FIRE COMPANY #2

BE IT ORDAINED by the electors of the of PRESTON, the Town of Preston accepts the gift of a rescue vehicle (1969 C30 Chevrolet from the Poquetanuck Fire Company #2.

Effective date: April 21, 1978

Reference: Town Meeting Book 10, Pg. 202.

AN ORDINANCE CONCERNING MOTOR VEHICLES, TRAILERS AND OTHER OBJECTS WHICH IMPEDE, OBSTRUCT OR INTERFERE WITH THE REMOVAL OF SNOW OR ICE FROM TOWN ACCEPTED ROADS

1. No Person shall park or leave stationary on any town accepted road within the Town of Preston, any motor vehicle, trailer or other object so as to impede, obstruct or interfere with the removal of snow or ice from such town accepted roads by the Town, its agents or servants.
2. The Town Selectmen or their agent may remove any motor vehicle, trailer or object which impeded, interferes or obstructs the removal of snow or ice from any town accepted road, and the cost of such removal, including the cost of storage of any motor vehicle, shall be borne by the owner of such motor vehicle, trailer or object.
3. The owner or operator of any motor vehicle, trailer or object which is parked so as to impede, obstruct or interfere with the removal of snow or ice from any town accepted road shall be fined not more than fifty dollars for each such offense.

Reference: Town Meeting Book 9, Pgs. 27 and 28.

AN ORDINANCE AMENDING AN ORDINANCE OF THE TOWN OF PRESTON BUILDING PERMIT FEES

1. BUILDING PERMIT FEES ARE AS FOLLOWS:

A. 1. RESIDENTIAL CONSTRUCTION including:

- | | | | |
|----|---|---|---|
| a. | House and living area |) | |
| b. | Residential Accessory: |) | |
| | 1. Building (garage, shed, etc.) |) | |
| | 2. Barns (poles, conventional) |) | \$6.00 per \$,1000 |
| | 3. Chicken Coops |) | of costs |
| | 4. Greenhouses |) | |
| | 5. Alterations & Additions |) | |
| | 6. Business Mercantile |) | |
| | 7. Assembly & Storage |) | |
| | | | |
| 2. | ALL OTHER CONSTRUCTION | | \$16.00 per \$1,000
of costs |
| | | | |
| 3. | SWIMMING POOLS
(excluding wading pools) | | \$25.00 |
| | | | |
| 4. | DEMOLITION | | \$10.00 permit required |
| | | | |
| 5. | REMOVAL OR MOVING | | \$10.00 a building from
one location to another
on the premises. Portable
building excepted. |
| | | | |
| 6. | MOVING (Dwelling) | | \$100.00 from out of town
or off premises. |
| | | | |
| 7. | MOVING OTHER BUILDINGS | | \$50.00 from out of town
or off premises. |
| | | | |
| 8. | TRADE PERMITS FOR
REPAIRS OR RENOVATIONS | | \$4.00 per \$1,000 of
estimated cost.
\$10.00 Minimum. |
| | | | |
| 9. | PLAN INVOLVING COSTS OF
\$500 OR LESS | | No fee. Permit is
required before work
begins. No permit
required for small repairs
and normal replacement. |

REVISED

AN ORDINANCE CONCERNING THE ADOPTION OF A FEE SCHEDULE FOR THE PROCESSING OF LAND USE APPLICATIONS (Adopted at a Special Town Meeting January 25, 1990)

REVISED

BE IT ENACTED:

1. Pursuant to the provisions of S8-1c of the Connecticut General Statutes, there is hereby established the following schedule of fees for processing various land use applications:

- a. For an application to the Inland Wetlands and Watercourses Commission, \$100. for an application requiring a Public Hearing; \$25. for all other applications.
- b. For an application to the Zoning Board of Appeals, \$50.
- c. For an application seeking site plan approval or the granting of a Special Exception, \$50., plus a sum, to be computed by a retained Town Engineer, equal to three percent (3%) of the estimated cost of the public improvements required by the approving Commission or Board to be paid prior to the endorsement of the record map.
- d. For an application seeking a special permit for a multi-family complex, the minimum fee shall be \$100. for each application and the maximum fee shall be \$35. per dwelling unit, plus a sum, to be computed by a retained Town Engineer, equal to three percent (3%) of the estimated cost of the public improvements and public safety related community improvements required by the approving Commission or Board to be paid prior to the endorsement of the record map.
- e. For an application seeking approval of a subdivision or resubdivision plan, the minimum fee shall be \$50. for each application and the maximum fee shall be \$25. for each lot within the proposed subdivision/resubdivision, plus a sum, to be computed by a retained Town Engineer, equal to three percent (3%) of the estimated cost of the public improvements required by the approving Commission or Board to be paid prior to the endorsement of the record map.
- f. For any other application to the Planning and Zoning Commission, \$50.

2. "Public Improvements", for the purposes of this ordinance, includes but is not limited to the construction of new roads, improvements to existing roads, storm drainage, water, sewer and other utility lines, the setting aside of open space and recreation areas, planting of trees or other landscaping, the installation of retaining walls or other structures and erosion and sediment controls.

3. This ordinance shall take effect upon passage and publication according to law.

Published, Norwich Bulletin 2/3/90

- B. 1. No building permit fees are required for any Town of Preston owned building or trade permits for repairs or renovations on any owned buildings.
- C. 1. On all building permits issued by the Town of Preston on or after February 1, 1990 for all buildings, structures, or other projects of such a nature that the local building official is unable to perform a satisfactory "BOCA" review and inspection of plans, specifications, and construction without expert assistance and the building official deems it necessary to hire an expert consultant, consultants in order to perform such a review, there will be charged, in addition to the regular building permit fee, a surcharge to cover such consultant's fees. The surcharge fees will be equal to the fees charged by any expert consultants retained by the Town to assist in the review and inspections for "BOCA" compliance and shall be due and payable at the time such charges are made to the Town. The surcharge may be in addition to any surcharge for "threshold" building reviews and inspections.

Adopted at a Special Town Meeting- January 25, 1990

AN ORDINANCE ADOPTING THE STATE BUILDING CODE
AS THE BUILDING CODE OF THE TOWN OF PRESTON

BE IT ORDAINED by the electors of the Town of Preston at a duly warned Town Meeting:

SECTION 1. The State Building Code is adopted as the Building Code of the Town of Preston as provided by Sec. 19-395 of the General Statutes.

APPOINTMENT OF THE ASSESSOR

A resolution was made on June 22, 1981, that the Assessor of the Town of Preston shall be appointed by the Board of Selectmen to serve at the pleasure of said Board, and that the person holding such position shall become qualified at the Town's expense, and that the salary shall be determined by the Annual Budget, effective at the expiration of the present Assessor's term or when a vacancy occurs in said office.

Reference: Town Meeting Book-Pages 315-316

AN ORDINANCE APPLYING FOR ADMISSION TO THE SOUTHEASTERN CONN. TOURISM DISTRICT

BE IT ORDAINED by the electors of the Town of Preston at a duly warned Town Meeting:

Section one- The town of Preston hereby applies for admission to the Southeastern Conn. Tourism District for membership under provisions of Sec. 7-330 & 7-332 of the General Statutes to implement Public Act 81-417 for tourism development.

Section Two-The Town of Preston having a population of 4,644 according to the federal census of 1980 shall have two (2) representatives on the district, who shall be appointed by the Board of Selectmen. Initial terms shall be determined by lot by the Board of Municipal District and shall thereafter be for a period of three years.

Section Three-This Ordinance shall become effective fifteen (15) days after its publication.

Reference: Town Meeting Book 11-Page 68.

AN ORDINANCE ESTABLISHING A
CONSERVATION COMMISSION FOR THE TOWN
OF PRESTON

BE IT RESOLVED: That the following Ordinance was adopted:

An ordinance establishing a Conservation Commission for the Town of Preston.

Be it Ordained by the electors of the Town of Preston at a duly warned meeting

Section 1. There is a Conservation Commission for the Town of Preston under the provisions of Section 7-131a of the Connecticut General Statutes 1958 Revision as amended.

Section 2. Said Commission shall consist of seven members:

One to serve until January 1, 1972

One to serve until January 1, 1973

One to serve until January 1, 1974

One to serve until January 1, 1975

One to serve until January 1, 1976

One to serve until January 1, 1977 and until their successors are appointed and qualified.

Said members shall be appointed as provided by said Statutes.

February 1971

AN ORDINANCE AMENDING AN ORDINANCE
CONCERNING THE ADOPTION OF A
CONSERVATION COMMISSION ADOPTED
FEBRUARY 25, 1971 AS AMENDED

BE IT ORDAINED BY THE TOWN OF PRESTON:

Section 1. The ordinance establishing a Conservation Commission for the Town of Preston is hereby amended by adding the following section:

The term of each member of the Conservation Commission shall be for six years beginning on January 1st. Each member shall serve until his

successor is duly appointed and qualified.

Effective Date: February 8, 1972

Reference: Town Meeting Book 9, page 214.

AN ORDINANCE CREATING A PARKS AND RECREATION COMMISSION FOR THE TOWN OF PRESTON

BE IT ORDAINED by the people of the Town of Preston at a duly warned Town Meeting:

Sec. 1. There is hereby created a Parks and Recreation Commission for the Town of Preston, pursuant to the authority contained in Section 7-148, General Statutes of Connecticut, Revision of 1958 as amended.

Sec. 2. The Commission shall have under its jurisdiction all properties of the Town of Preston reserved for parks, playgrounds and recreation facilities as shall be designated by resolution of the legislative body of the town.

Sec. 3. Said Commission shall have the following powers and purposes:

(a) To plan, establish, maintain and conduct parks, playgrounds, swimming pools, gymnasiums, recreation places and public gardens in the Town of Preston on property of the Town under its jurisdiction.

(b) To develop, improve, maintain and expand parks and recreation lands of the Town.

(c) To acquire, erect, install, maintain, improve, repair and replace, park or recreation facilities and equipment.

(d) To develop, establish, improve and coordinate park and recreation programs.

(e) To engage such employees as shall be necessary to carry out said purposes within the budgetary limits of said Commission.

Sec. 4. The Parks and Recreation Commission shall consist of nine (9) members who shall be electors of the Town of Preston and who shall hold no salaried municipal office. Membership on any other Board, Commission or Committee of the Town of Preston shall not preclude membership on the Parks and Recreation Commission.

Sec. 5. (a) The members of the Parks and Recreation Commission

shall be appointed by the Board of Selectman within thirty (30) days after the adoption of this ordinance, as follows: Three (3) members shall be appointed for for a term of five (5) years; three (3) members for a term of four (4) years; one (1) member for a term of three (3) years; one (1) member for a term of two (2) years; and one (1) member for a term of one (1) year.

(b) As each of the terms of the members shall expire, the Board of Selectmen shall appoint a successor for a term of five (5) years to fill each vacant position.

(c) The members shall commence to serve their respective terms immediately upon appointment and shall serve until their successors have qualified.

(d) Any vacancy in the Commission other than by expiration of term may be filled for the unexpired portion of the term by the Board of Selectmen.

(e) The Commission shall annually elect a chairman and secretary from its number. Regular meetings shall be held monthly. Special meetings may be called by the Chairman or upon the written request to the chairman by a majority of the members of said Commission.

Sec. 6. Any member of the Commission who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Commission and the vacancy shall be filled as hereinbefore provided, except that the Commission may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this action.

Sec. 7. The Commission shall annually prepare a budget containing its estimates of expenses to carry out its program and the purpose of this Ordinance, and submit the same to the Board of Selectman for inclusion in the annual budget of the Town of Preston.

Sec. 8. This ordinance shall be come effective fifteen (15) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book 9, Pages 77 and 78.

AN ORDINANCE CREATING A MUNICIPAL PARK
AND RECREATION CAPITAL AND
NONRECURRING EXPENSE FUND FOR THE TOWN
OF PRESTON

BE IT ORDAINED by the people of the Town of Preston at a duly warned Town Meeting:

Sec. 1. Pursuant to the Provisions of Public Act No 438 of the General Assembly of the State of Connecticut, January session, 1967, there is hereby established a special fund which shall be known as the Park and Recreation Capital and Nonrecurring Expense Fund.

Sec. 2. There shall be deposited in said fund (1) all moneys received by the Town of Preston, from whatever source and by whatever means, as gifts for park or recreation purposes; (2) all moneys received by the Town of Preston, from whatever source and by whatever means, as governmental grants or loans for park or recreational purposes, and (4) all moneys appropriated to said fund by the Town of Preston.

Sec. 3. Said fund shall be in the custody of the Treasurer of the Town of Preston. All or any part of the moneys in said fund may, from time to time, be invested in any securities in which public funds may lawfully be invested. All income derived from such investments shall be paid into the fund and become a part thereof. The moneys so invested shall at all times be subject to withdrawal from such investment for use as provided in Section 5 of this Ordinance.

Sec. 4. Annually, the Town Treasurer shall submit to the recreation authority and the legislative body of the Town a complete and detailed report of the condition of said fund, which report shall be made a part of the annual Town Report.

Sec. 5. Upon authorization by the annual budget meeting of the Town or upon authorization by a special Town Meeting of the Town, the moneys in said fund may be used for capital and nonrecurring expenditures incurred in any of the following: (1) Acquisition, development, improvement, maintenance and expansion of park and recreation lands; (2) Acquisition, erection, installation, maintenance, improvement, repair and replacement of park or recreation facilities and equipment; (3) Development, establishment and improvement of park or recreation programs; (4) Any other capital or nonrecurring expenditure incurred for park or recreational purposes.

Sec. 6. No budget proposed or approved or appropriation made for park or recreational purposes in the Town shall be reduced, ratably or otherwise, in consideration of any moneys in said fund.

Sec. 7. This Ordinance shall become effective fifteen (15) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book 9, page 79.

PARKS AND RECREATION COMMISSION - AMENDMENT

AN ORDINANCE AMENDING AN ORDINANCE CREATING A PARKS AND RECREATION COMMISSION FOR THE TOWN OF PRESTON

BE IT ORDAINED by the Voters of the Town of Preston at a duly warned meeting:

Sec. 1. An ordinance creating a Parks and Recreation Commission for the Town of Preston is amended.

(1) by adding at the end of Sec. 3 (a) the words "including the power to make and amend regulations, adopted after 15 days public notice, to carry out said purposes", and

(2) by adding Section 3-A -Anyone who violates any regulation adopted pursuant to this ordinance shall be fined not to exceed One Hundred Dollars (\$100.00).

Effective date: May 15, 1977.

ORDINANCE CONCERNING THE ADOPTION OF
ZONING AND PLANNING IN THE TOWN OF
PRESTON, CREATING A PLANNING AND ZONING
COMMISSION AND PROVIDING FOR ITS
APPOINTMENT AND ELECTION.

Sec 1. The Provisions of Chapter 124 (Zoning) of the General Statutes of the State of Connecticut, Revision of 1958, as amended, are hereby adopted.

Sec 2. A. There shall be a Zoning Commission of the Town of Preston to consist of (5) members who shall be electors of the Town of Preston and shall hold no salaried municipal office.

B. The Following are hereby appointed as the original members of the Zoning Commission of the Town of Preston for the following terms. Valentine Sebastian and Henry J. Jesmouth until the biennial election to be held on the 1st Monday of October, 1966; William Williams Jr., and Clifford E. Allyn until the biennial election to be held on the 1st Monday of October, 1964; and Philetus Watson until the biennial election to be held on the 1st Monday of October, 1962.

Thereafter as the term of each member of the Zoning Commission expires, the successor or successors shall be elected at the biennial election of the Town of Preston to serve for a term of six (6) years.

C. In the even any member of the Zoning Commission shall cease to be a resident of the Town of Preston, his office shall be deemed vacant.

A vacancy from whatever cause arising shall be filled by the Zoning Commission for the unexpired portion of the term by the appointment of an elector of the Town of Preston of the same political party as his predecessor.

Sec. 3 A. There is hereby created a Zoning Board of Appeals consisting of five (5) regular members and three (3) alternate members who shall be electors of the Town of Preston.

B. Ernest A. Abrahamson and James E. Flood are hereby appointed as regular members and Joseph M. Perrone is hereby appointed as an alternate member of the Zoning Board of Appeals until

the biennial election to be held on the first Monday of October 1966. James A. Piela and Robert W. Moran are hereby appointed as regular members and Clifford Oat Jr., is hereby appointed as an alternate member of the Zoning Board of Appeals until the biennial election to be held on the first Monday of October 1964; and Aldo Gasparino is hereby appointed as a regular member and J. Gordon Smiley, Sr., is hereby appointed as a regular member of the Zoning Board of Appeals until the biennial election to be held on the 1st Monday of October 1962; and thereafter as the term of each regular or alternate member of the Zoning Board of Appeals expires, the successor or successors shall be elected at the biennial election of the Town of Preston to serve for a term of six (6) years.

Sec. 4- The Provisions of Chapter 126 (Municipal Planning Commission) of the General Statutes of the State of Connecticut, Revision of 1958 as amended, are hereby adopted.

The Zoning Commission of the Town of Preston is hereby designated as the Planning and Zoning Commission of the Town of Preston, and shall have all the powers and duties of both a Planning Commission and a Zoning Commission as provided by the General Statutes of the State of Connecticut, as amended.

The Planning and Zoning Commission of the Town of Preston shall consist of seven (7) members who shall be the five (5) members of the Zoning Commission previously appointed and in addition thereto Herbert J. Hamill and Charles K. Crary who shall serve for the term until the biennial election to be held on the 1st Monday of October 1962 and thereafter, their successors shall be elected at the biennial election of the Town of Preston to serve for a term of six (6) years.

Sec. 5- This ordinance shall take effect fifteen days after publication in accordance with the General Statutes.

Reference: Town Meeting Book, Volume 8, Page 108.

**AN ORDINANCE AMENDING THE ZONING AND
PLANNING ORDINANCE AS TO ABSENCES FROM
MEETINGS AS CAUSE FOR REMOVAL**

BE IT ORDAINED by the voters of the Town of Preston as a duly warned town meeting:

"Paragraph C of Section 2 of the Ordinance concerning the adoption of Zoning and Planning is amended by adding the following paragraphs at the end of the first paragraph of the present Paragraph C.

Absence of a member from three consecutive meetings of the Commission shall be considered cause for the removal of said member from the Commission.

The member who has been so absent shall be given notice that he may appear before the Commission at a hearing to be held on the matter of his removal from office for said cause. After said hearing said Commission shall take action on said removal."

This amendment shall take effect fifteen (15) days after publication in accordance with the General Statutes.

**AN ORDINANCE AMENDING AN ORDINANCE
CONCERNING THE ADOPTION OF PLANNING AND
ZONING IN THE TOWN OF PRESTON, ADOPTED
DECEMBER 19, 1961 AS AMENDED.**

BE IT ORDAINED by the Town of Preston:

SECTION 1. Pursuant to Sec. 8-1b of the General Statutes of 1958 as amended there shall be three alternate members of the Planning and Zoning Commission to be elected for six year terms.

SECTION 2. The Planning and Zoning Commission shall appoint as such alternates one elector of the Town of Preston to serve until the 1973 biennial election, one elector to serve until the 1975 biennial election, and one elector to serve until the 1977 biennial election.

SECTION 3. At the biennial election to be held in 1973 one alternate shall be elected for a six year term. Thereafter, one elector shall be elected to serve for a term of six years.

SECTION 4. A vacancy from whatever cause arising shall be filled by the Planning and Zoning Commission for the remainder of the term by the appointment of an elector of the Town of Preston.

This Ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book 9, Page 229

ORDINANCE AMENDING "AN ORDINANCE
CONCERNING THE ADOPTION OF ZONING AND
PLANNING IN THE TOWN OF PRESTON.
CREATING A PLANNING AND ZONING
COMMISSION FOR ITS APPOINTMENT AND
ELECTION" ADOPTED DECEMBER 20, 1961 as
AMENDED JUNE 1, 1972.

Sec. 1- The last clause of the third paragraph of Section 4 of "An ordinance Concerning the Adoption of Zoning & Planning in the Town of Preston, creating a Planning and Zoning Commission and Providing for its appointment and Election" adopted December 20, 1961 is amended by repealing the words "and thereafter their successors shall be elected at the biennial election of the Town of Preston to serve for a term of six (6) years."

Sec. 2- The successors to the members of the Planning and Zoning Commission whose terms expire in November 1977, shall be elected for a term of two (2) years.

Thereafter as the terms of the members expire, their successors shall be elected for a term of four (4) years.

Sec. 3- Section 3 of the ordinance adopted June 1, 1972 amending the ordinance concerning the adoption of Planning and Zoning adopted December 20, 1961 is amended by repealing the last sentence of said Section 3.

Sec. 4- The successor of the alternate of the Planning and Zoning Commission whose term expires in 1977 shall be elected for four (4) years.

There after as the terms of alternates of the Planning and Zoning Commission expire their successors shall be elected to serve for four (4) years.

Sec. 5- The Last clause of Subdivision B of Section 3 of said 1961 ordinance is amended by repealing the words "and thereafter as the term of each regular or alternate member of the Zoning Board of Appeals expire, the successor or successors shall be elected at the biennial election of the Town of Preston to serve for a term of six (6) years."

Sec.6. One successor of the regular members of the Zoning Board of Appeals whose terms expire in 1977 shall be elected for a term of four (4) years. The successor of the alternate member whose term expires in 1977 shall be elected for four (4) years.

Thereafter on the expiration of the term of each regular member and alternate member of the Zoning Board of Appeals, the successor or successors shall be elected at the biennial election of the Town of Preston to serve for a term of four (4) years.

Effective -July 28, 1977

AN ORDINANCE CONCERNING REGIONAL PLANNING AGENCIES

BE IT ORDAINED by the electors of the Town of Preston at a duly warned meeting:

To adopt Sections 8-31a to 8-37a, inclusive, of the General Statutes concerning Regional Planning Agencies and to provide representatives to the Southeastern Connecticut Regional Planning Agency; one representative to be appointed by the Preston Planning and Zoning Commission one to be appointed by the Board of Selectmen.

Reference Town Meeting Book 9, Page 11

AN ORDINANCE CONCERNING THE
ESTABLISHMENT OF A MUNICIPAL
DEVELOPMENT AND INDUSTRIAL COMMISSION
AND PROVIDING FOR ITS APPOINTMENT AND
ELECTION

BE IT ORDAINED by the voters of the Town of Preston at a duly warned Town Meeting:

Section 1. The Town of Preston hereby established a Development and Industrial Commission in accordance with Sections 7-136 of the General Statutes (1958 Revision).

Section 2. The Commission shall conduct researches into business and industrial conditions in the Town, shall seek to coordinate the activities of unofficial bodies organized for such purposes, may advertise, may prepare, print, and distribute books, maps, charts and pamphlets which, in its judgment, will further its official purpose, and generally may take such other action as it deems advisable to carry out the general purposes of such Commission.

Section 3 (a) The Commission shall consist of five (5) members who are electors of the Town of Preston.

(b) The five (5) members of the Commission shall be appointed by the Board of Selectmen to serve until 1 January 1969. On a January 1969, the Board of Selectmen shall appoint one (1) member for a term of one (1) year; one (1) member for a term of two (2) years; one (1) member for a term of three (3) years; one (1) member for a term of four (4) years; and one (1) member for a term of five (5) years.

Thereafter as the term of office of any member shall expire, his successor shall be appointed for a term of five (5) years. All vacancies shall be filled by the Board of Selectmen for the unexpired term.

Thereafter as the term of office of any member shall expire, his successor shall be appointed for a term of five (5) years. All vacancies shall be filled by the Board of Selectmen for the unexpired term.

(c) In the event any member shall cease to be a resident of the Town of Preston, his office shall be deemed vacant.

Section 4. This ordinance shall become effective fifteen (15) days after publication in accordance with law.

Reference: Town Meeting Book 9, Pages 98 and 99.

AN ORDINANCE AMENDING AN ORDINANCE
CONCERNING THE ESTABLISHMENT OF A
MUNICIPAL DEVELOPMENT AND INDUSTRIAL
COMMISSION AND PROVIDING FOR ITS
APPOINTMENT AND ELECTION

Section 1. Section 1 of said Ordinance is amended to read as follows:

"SECTION 1. The Town of Preston hereby establishes an Economic Development Commission in accordance with Section 7-136 of the General Statutes as amended."

Section 2. Section 2 of said ordinance is amended to read as follows:

"SECTION 2. The Commission shall have the powers and duties as stated in said Section 7-136 of the General Statutes as amended."

This Ordinance become effective fifteen (15) days after publication in accordance with law. Effective date: June 14, 1979

Reference: Town Meeting Book 10, Pg. 237-238

**AN ORDINANCE CONCERNING THE
ESTABLISHMENT OF A MUNICIPAL
DEVELOPMENT AND INDUSTRIAL COMMISSION
AND PROVIDING FOR ITS APPOINTMENT AND
ELECTION**

AN ORDINANCE TO AMEND AN ORDINANCE CONCERNING THE ESTABLISHMENT OF A MUNICIPAL DEVELOPMENT AND INDUSTRIAL COMMISSION AND PROVIDING FOR ITS APPOINTMENT AND ELECTION AS ADOPTED AT A SPECIAL TOWN MEETING ON JUNE 6, 1968 AND AS PREVIOUSLY AMENDED AT A SPECIAL TOWN MEETING ON MAY 24, 1979.

The Proposed amendment to Section 3 of the ordinance to read as follows:

SECTION 3. (a) The Commission shall consist of fifteen (15) members who are electors of the Town of Preston.

(b) The fifteen (15) members of the Commission shall be appointed by the Board of Selectmen to serve until January 1, 1993. On January 1, 1993, the Board of Selectmen shall appoint three (3) members for a term of one (1) year; three (3) members for a term of two (2) years; three (3) members for a term of three (3) years; three (3) members for a term of four (4) years; and three (3) members for a term of five (5) years.

Thereafter, as the terms of office of any members shall expire, their successors shall be appointed for a term of five (5) years. All vacancies shall be filled by the Board of Selectmen for the unexpired term.

(c) In the event any member shall cease to be a resident of the Town of Preston, his office shall be deemed vacant.

(d) In the event that fifteen electors who are willing and available to serve as members cannot be located by the Board of Selectmen, then the Board of Selectmen shall appoint as many members as electors who are willing and available to serve, except that the number appointed shall always be an odd number. At any meeting of the Commission, a quorum of at least five (5) members shall be necessary to transact any business.

AN AMENDMENT TO THE ORDINANCE
CONCERNING THE ESTABLISHMENT OF A
MUNICIPAL DEVELOPMENT AND INDUSTRIAL
COMMISSION AND PROVIDING FOR ITS
APPOINTMENT AND ELECTION

An amendment to the Ordinance concerning the Establishment of a Municipal Development and Industrial Commission and Providing for its appointment and Election as adopted at a Special Town Meeting on June 6, 1968, and as previously amended at a Special Town Meeting on May 24, 1979, the proposed amendment to Section 3 of the ordinance to read as follows:

SECTION 3. The Commission shall consist of fifteen (15) members who are electors of the Town of Preston.

(b) The fifteen (15) members of the Commission shall be appointed by the Board of Selectmen to serve until 1 January 1993. On 1 January 1993, the Board of Selectmen shall appoint three (3) members for a term of one (1) year; three (3) members for a term of two (2) years; three (3) members for a term of three (3) years; three (3) members for a term of four (4) years; and three (3) members for a term of five (5) years.

Thereafter as the terms of office of any members shall expire, their successors shall be appointed for a term of five (5) years. All vacancies shall be filled by the Board of Selectmen for the unexpired term.

(c) In the event any member shall cease to be a resident of the Town of Preston, his office shall be deemed vacant.

(d) In the event that fifteen electors who are willing and available to serve as members cannot be located by the Board of Selectmen, then the Board of Selectmen shall appoint as many members as electors who are willing and available to serve, except that the number appointed shall always be an odd number. At any meeting of the Commission, a quorum of at least five (5) members shall be necessary to transact any business.

Adopted at a Town Meeting January 9, 1992.

AN AMENDMENT TO AN ORDINANCE CONCERNING THE ESTABLISHMENT OF A
MUNICIPAL DEVELOPMENT AND INDUSTRIAL COMMISSION

An Ordinance to amend an Ordinance Adopted June 6, 1968 and as previously amended May 24, 1979, amends Section 3 to read as follows:

SECTION 3: (a) The Commission shall consist of fifteen (15) members who are electors of the Town of Preston.

(b) The fifteen (15) members of the Commission shall be appointed by the Board of Selectmen to serve until 1 January 1993. On 1 January 1993, the Board of Selectmen shall appoint three (3) members for a term of one (1) year; three (3) members for a term of two (2) years; three (3) members for a term of three (3) years; three (3) members for a term of four (4) years; and three (3) members for a term of five (5) years.

Thereafter as the terms of office of any members shall expire, their successors shall be appointed for a term of five (5) years. All vacancies shall be filled by the Board of Selectmen for the unexpired term.

(c) In the event any member shall cease to be a resident of the Town of Preston, his office shall be deemed vacant.

(d) In the event that fifteen electors who are willing and available to serve as members cannot be located by the Board of Selectmen, then the Board of Selectmen shall appoint as many members as electors who are willing and available to serve, except that the number appointed shall always be an odd number. At any meeting of the Commission, a quorum of at least five (5) members shall be necessary to transact any business.

Adopted at a Town Meeting 1/9/93 -Town Meeting Book 12

AN ORDINANCE AUTHORIZING PROPERTY TAX EXEMPTION FOR SOLAR ENERGY SYSTEMS

- 1) Pursuant to Section 12-81 (56) of the General Statutes, as amended, an exemption from property tax is authorized for a building or addition to a building, the construction of which is commenced on or after October 1, 1976 and before October 1, 1991, which is equipped with a solar energy heating or cooling system as defined in Section 12-81 (56).
- 2) The extent of the exemption is the amount by which the assessed valuation of such real property equipped with such a system exceeds the assessed valuation of such real property equipped with the conventional portion of the heating or cooling system, exclusive of any portion of such system related to solar energy.
- 3) This exemption shall only apply to the first fifteen assessment years following construction or such building or addition.
- 4) Application for such exemption must be filled in accordance with Section 12-81 (56) within thirty days following the annual assessment date.

Effective Date: June 23, 1977.

AN ORDINANCE ESTABLISHING A COMMITTEE TO STUDY THE NEEDS OF, AND COORDINATE THE PROGRAMS FOR, THE AGING.

BE IT ORDAINED by the electors of the Town of Preston at a duly warned Town Meeting:

1. There is hereby established a committee to study the needs of, and coordinate the programs for, the aging under Section 7-127a of the General Statutes of Connecticut.
2. Said Committee shall consist of five electors of the Town, to be appointed by the Board of Selectmen:
 - (a) One member of the Clergy
 - (b) Two members of the Senior Citizens
 - (c) One member of the Parks and Recreation Commission
 - (d) one elector

3. Said member shall serve for one year terms from November 15th in each year and until their successors are appointed and qualified.

Reference: Town Meeting

Book 10, Pages 128-131

Effective Date: October 15, 1976

AN ORDINANCE ESTABLISHING THE EFFECTIVE DATE FOR EXEMPTION OF PROPERTY ACQUIRED BY CERTAIN INSTITUTIONS

BE IT ORDAINED by the electors of the Town of Preston at a duly warned town meeting:

Section 1. The property tax exemption authorized by Subsections (13), (14), and (15) of Sec. 12-81 shall be effective as of the date of acquisition of the property to which the exemption applies.

Section 2. Upon proof of the facts involved the Selectmen are authorized to pay from their budget the amount of any tax paid by such tax exemption for a period subsequent to said date and the amount paid by the prior owner for a period subsequent to said date which such tax exempt organization reimbursed such owner on the transfer of title, to such tax exempt organization.

Section 3. This ordinance shall apply to any tax now a lien against any property of such tax exemption organization formerly owned by a prior owner not eligible for tax exemption.

This ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Reference: Town Meeting Book 9, Page 164

AN ORDINANCE TO ESTABLISH A COMMITTEE TO
CARRY OUT THE TOWN'S CELEBRATION OF THE
300th ANNIVERSARY OF ITS FOUNDING.

Be it Ordained by the electors of the Town of Preston at a duly
warned Town Meeting.

Sec. 1-The Board of Selectmen are hereby authorized to appoint a
committee to carry out the Town's celebration of the 300th Anniversary
of its founding.

Said Committee shall elect a Chairperson, a Secretary and a Treasurer.

The Committee shall receive amounts requested by it from the Town
Treasurer from the appropriation made by the Town for said
celebration.

The treasurer shall receive said sums and pay such funds out on vote of
the committee for expenses incurred by the committee in carrying out
said celebration.

(In the last paragraph the word treasurer refers to the Committee
treasurer)

Reference: Town Meeting Book 11, Pg. 94

SPECIAL EVENTS

BE IT ORDAINED BY THE TOWN OF PRESTON:

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 Preston.

SECTION 2. Definition of Terms: As used in this ordinance unless the context otherwise indicates;

(a) The term "Special Events" shall mean any public gathering of more than five hundred (500) persons assembled at one time for one (1) particular event. The term "Special Event" shall not be interpreted to include the normal day-to-day operation of existing commercial enterprises. This ordinance shall not apply to events of civic or social organizations located in the Town of Preston existing on the date of adoption of this ordinance.

SECTION 3. License Required:

(a) No special event shall be held without a valid license.

(b) Application for such license shall be made to the First Selectmen not later than thirty (30) days before the starting date of the special event upon forms to be supplied by him for that purpose.

(c) Public notice of each application disclosing pertinent facts concerning the event shall be made by the First Selectmen within seven (7) days after application is received (cost of this notice shall be borne by the applicant.)

(d) The Selectmen 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 public notice.

SECTION 4. Application. The application for such a license shall obtain the following information under oath:

(a) Name of applicants; if a partnership, names of all partners; if a corporation, club or association, names of officers.

(b) Residents 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 adequate plans to meet local, state and other applicable standards for:

- | | |
|-------------------|--------------------|
| 1. Parking | 6. Fire Prevention |
| 2. Food Service | 7. Fire Protection |
| 3. Drinking Water | 8. Refuse Disposal |
| 4. Toilets | 9. Law Enforcement |
| 5. Lodging | 10. Medical Care |

As may be required by the event must be submitted:

(j) The facilities for the event shall be subject to review by:

First Selectmen, Building Inspector, Fire Marshal, Director of Health, and the Zoning Enforcement Officer, of the Town of Preston within forty-eight (48) hours of the time the the licensed event will begin.

(k) Dates and hours of said special events must be specified and no licenses shall be valid for more than three (3) consecutive calendar days.

SECTION 5. Investigation of Applicants. The First Selectmen shall investigate the character and record of the applicants and the location wherein it is proposed to hold a Special Event described in the application and shall not approve said application or issue a license unless he 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 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 resident of the Town of Preston brought before them 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 Selectmen shall notify the applicant in writing by Certified Mail, of their proposed action and set a day and place for a hearing thereon, giving the applicant reasonable notice in advance thereof and an opportunity to be represented by counsel at such hearing, after which hearing the Selectmen may reconsider their previous action.

SECTION 6. Prohibitions and Restrictions.

a) A license may not be transferred by the licensee to any other person, corporation, partnership, club or association.

b) Each licensee shall pay for police officers as shall be deemed required by the Selectman.

c) All state health regulations under State Health Code must be met and documented under regulations of the State Board of Health.

d) All refuse must be cleaned up and disposed of at the expense of the applicant.

e) Entrance and exit through property must be suitable to allow passage of emergency vehicles.

f) No person shall camp on the premises.

g) The Selectmen may require a bond to be posted. The rate of bond to be \$15,000 per 1,000 people in attendance.

SECTION 7. Revocation of License. The 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 8. Penalty. Any person, corporation, partnership, club or association violating any of the provisions of the ordinance shall be fined not more than twenty-five (25) dollars for each offense.

SECTION 9. Separability of Provision. Each separate provision of this ordinance shall be deemed independent of all other provisions herein, and if any provisions thereof shall remain valid and enforceable.

Effective date of this Ordinance - July 25, 1971

AN ORDINANCE REGULATING PRIVATE SEWAGE DISPOSAL FACILITIES PRESTON, CONNECTICUT

SECTION 1: PURPOSE AND AUTHORITY

1.1 Purpose. The Town of Preston is dependent upon private sewage disposal facilities, most commonly septic tank-leaching field systems, for sewage treatment. The soils and topographic features of Preston are complex. There are areas of the Town that are not suitable for a concentration of sewage disposal facilities and areas where the sewage disposal facilities, to operate properly, must meet high standards for both installation and maintenance.

The State Health Code requirements for the installation of private sewage disposal facilities is a minimum health requirement. This ordinance supplements the State Health Code and its purpose is to ensure that a general health problem does not develop as a result of the failure of private sewage disposal facilities. Another major purpose of this ordinance is to protect the Town's water bodies from sewage pollution.

1.2 Authority. This ordinance is adopted under the authority of the Public Health Code, Section 19-80 of the General Statutes of Connecticut.

SECTION 2: DEFINITIONS

2.1 General. This section defines a number of important words and terms used in this ordinance. Any word or term defined in the Preston Zoning Regulations or Subdivision Regulations and used in this ordinance, shall carry the same definition. The singular number shall include the plural and the plural, the singular.

2.2 Health Officer. The Health Director or the Sanitarian for the Town of Preston.

2.3 Premises. A premise shall mean any house, building, structure, tent, trailer, shelter, or vehicle or portion thereof which is occupied as a home, residence, living or sleeping place for one or more human beings.

2.4 Dwelling. A dwelling shall mean any house, building, structure, tent, trailer, shelter, or vehicle or portion thereof which is occupied as a home, residence, living or sleeping place for one or more human beings.

2.5 Person. A person shall mean a person or persons, partnership, firm or corporation owning or being responsible for the operation of premises.

2.6 Sewage. Sewage shall mean any excreta, kitchen waste, laundry waste, sink wastes, water closet or bathroom wastes, discharge or overflows from septic tanks, cesspools or dry wells or other offensive related material which has not been so treated as to render it innocuous and in no way prejudicial to health.

2.7 Sewage Disposal Facilities. Sewage disposal facilities shall mean privately owned and operated devices and structures for the collections, treatment and disposal of sewage or industrial wastes.

2.8 Commission. Commission shall mean the Planning and Zoning Commission of the Town of Preston.

SECTION 3. GENERAL PROVISIONS

3.1 Sewage Disposal Facility Required. It shall be unlawful to maintain any premise without adequate facilities for disposal of sewage. The construction or alteration of all sewage disposal facilities shall be in accordance with this ordinance and the provisions of the State Public Health Code.

3.2 Sewage Disposal Facility Permit Required. No person shall construct a dwelling, apartment, boarding house, hotel, commercial building or commercial camp and commercial camping facility unless the sewage disposal facilities are approved by the Health Officer. No person shall construct or alter any sewage disposal facility, unless the Health Officer has issued a sewage disposal permit, pursuant to Section 7-153 of the Connecticut General Statutes.

A sewage disposal facility permit shall be in effect for one year from the date of issue. When work on the sewage disposal facility is not completed within one year of the date of the permit issue, the permit may be renewed, if there has been no significant change in the sewage generating potential of the premises or a significant change in other conditions that could effect the operation of the sewage disposal facility.

3.3 Expansion of Existing Premises or Dwelling. For any premise which is not connected to a public sewage system no construction or alternation of use, which will significantly increase sewage flow through expanded occupancy potential for a dwelling or adjusted use for non-dwelling structures, shall be permitted without the prior approval of the Health Officer concerning the site's sewage disposal potential.

3.4 Maintenance. All plumbing fixtures and conduits intended to receive and conduct sewage shall be maintained in good repair and sound working condition.

3.5 Emergency Permit. The Health Officer may issue an emergency sewage disposal facility permit which will authorize temporary measures to alleviate a health hazard or nuisance pending a thorough investigation of the site and installation of an approved system as provided for. Such emergency permit will be valid for a thirty-day period and may be renewed at the discretion of the Health Officer for additional thirty-day periods, as circumstances may warrant.

SECTION 4: PROCEDURE FOR EVALUATING FEASIBILITY OF SUBSURFACE SEWAGE DISPOSAL SYSTEM.

4.1 Individual Lots. In evaluating the feasibility for a subsurface sewage disposal system on an individual lot, the Health Officer shall take into consideration the following factors:

4.1.1 Absorptive Characteristics. The soil absorptive characteristics shall be determined by performance of one or more percolation tests in the anticipated area of the sewage disposal facility. The percolation tests shall be performed according to the standard practice required by the State Public Health Code. Such tests shall be performed by the Health Officer or by an engineer approved by the Health Officer. When the Health Officer is directed to run such tests, the owner shall dig all test holes, if necessary supply any materials and equipment for the administration of such tests, and shall compensate the Town in accordance with Section 6.3. When such tests are performed by an engineer, the Health Officer shall be notified in advance of the time the tests are taken. At his discretion the Health Officer will be present when the tests are taken.

4.1.2 Subterranean Characteristics. The subterranean characteristics of the tract shall be documented by deep soil soundings, exploratory cuts, visual observation of the terrain and appropriate reference to any available documented data. Depending upon the extent of the proposed development more detailed information may be required under this section. For instance, a large commercial, industrial or multi-family development would require substantial in-depth investigation that would not be required for a single-family home. All such investigations shall be completed at no cost to the Town and shall be performed only as the need is indicated. At the discretion of the Health Officer, such investigations shall be done in his presence, or the results therefrom made available for his inspection.

4.1.3 Decision. The health Officer shall render judgment on applications for site approval not later than six weeks after the submission thereof, provided that the applicant cooperates in the digging of the percolation test holes and any other required investigations. Except that the Health Officer may delay a decision under the following guidelines:

(a) Minimum seepage rate should be one inch in 30 minutes or faster.

(b) Bottom of seepage trenches or leaching cesspools must be at least 18 inches above maximum groundwater level. If shallow three foot trenches are used, maximum groundwater level must be at least 4.5 feet below surface.

4.2.1 General. An application for subdivision approval must submit a Health Officer's Report to the Planning and Zoning Commission as part of a subdivision application. The applicant shall cooperate with the Health Officer in the preparation of this report. The applicant shall also submit a report from an engineer, who is approved by the Health Officer and the Commission. This report shall describe the plans for sewage disposal facilities in the proposed subdivision, and be in accordance with the provisions of Section 4.2.3

4.2.2 Health Officer's Report. For a proposed subdivision the Health Officer shall be required to submit to the Planning and Zoning Officer a report evaluating the feasibility for subsurface sewage disposal systems. Before the Health Officer can undertake a report, the subdivision applicant must provide two (2) copies of the proposed subdivision which shows the lots and general topography of the area. The Health Officer's Report shall show the results of the following investigations;

4.2.2.1 Absorptive Characteristics

The Absorptive characteristics of the soil, as determined by the performance of one percolation test per lot or per acre in the subdivision, whichever is less. The percolation tests shall be performed according to the standard practice required by the State Public Health Code.

The percolation tests must be performed by the Health Officer or an engineer approved by the Health Officer and the Commission, according to the provision of Subsection 4.1.1

4.2.2.2 Subterranean Characteristics.

The subterranean characteristics of the soil shall be determined by the performance of deep soil pits at the rate of one for each acre in the proposed subdivision, except that the requirements may be reduced where other investigation indicates well-drained soils are present. Deep soil pits shall be dug a minimum of seven feet below the ground surface. The results shall be indicated on a test pit log as shown in Appendix A. The applicant shall arrange for the digging of all necessary deep soil pits and shall compensate the Town for each soil appraisal performed by the Health Officer.

4.2.2.3 Other Considerations.

In preparing the report to the Commission, the Health Officer shall take into consideration other factors that could effect the feasibility of a subsurface sewage disposal system. These factors should include topography, drainage pattern, groundwater level, ledge, rock etc.

4.2.3 Engineer's Report. The subdivision application, for a subdivision that will be served by on-site sewage disposal system, shall include an engineer's report on the feasibility for on-site sewage systems and the plans for the system. The report shall discuss the following points;

4.2.3.1 Analysis of the subsurface soil conditions based upon required subsurface investigation. Include the results of percolation tests and deep soil pits, if performed by the applicant's engineer.

4.2.3.2 Describe the proposed sewage disposal facilities, indicating sizes for various ground conditions, materials to be used and general layout pattern to be used, etc.

4.2.3.3 Indicate special precautions that maybe necessary to provide proper function of the proposed sewage disposal system.

4.2.4 Decision. The Health Officer's Report shall be submitted to the Planning and Zoning Commission not later than six weeks from the date of application, provided that the applicant cooperates in the digging of percolation tests holes, deep soil pits and other required investigations. The Health officer may delay submission of his report under the guidelines specified under Subsection 4.1.3.

4.2.4.1 Disapproval of Subdivision. When a proposed subdivision is served by neither a public sewerage system or a public water supply, the Health Officer may, after appropriate consultation with the

Connecticut State Department of Health, decline to approve the proposed subdivision or resubdivision, if in his judgment, such a concentration of private on-site sewage disposal and private water supply facilities may result in bacteriological or chemical pollution of said water supplies.

4.2.5 Review Final Plan. The Health Officer shall examine the final subdivision plan to determine that the field data on which judgments were based have not been altered in any way which could materially affect the sewage disposal potential of any lot in the subdivision.

4.2.5 Subdivision Information used in Evaluating a Lot. Although a lot is within a subdivision which has been generally approved as suitable for development, said lot will be considered individually in light of the specific soil conditions and proposed use, at the time the owner seeks permission to erect a structure or structures thereon. However, any available data which was developed in the process of evaluating a proposed subdivision may be used in the evaluation of a specific lot, if such data is, in the Health Officer's judgment, valid and applicable.

4.2.7 Exceptions for Existing Structures. In instances involving premises existing on the effective date of this ordinance, where for reasons of limitations of property, or for other valid pre-existing circumstances, it is impossible to require compliance with the standards of this ordinance regarding the size of the sewage disposal facility or minimum separating distance requirements (Section 5.1), the Health Officer may permit lesser standards than allowed in this ordinance, but no standard shall be less than established in the State Public Health Code.

SECTION 5: LOCATION, INSTALLATION AND DESIGN OF SEWAGE DISPOSAL FACILITY

5.1 LOCATION. No part of any sewage disposal facility shall be located within 75 feet of the high water mark of any tributary to a drinking water supply or any other stream, pond, lake or tidal water.

5.2 INSTALLATION. All sewage disposal facilities shall be installed, with reference to design and layout, in accordance with the terms of the permit issued pursuant to this ordinance.

5.2.1 No Sewage disposal facility shall be installed such that the bottom of the absorption or leaching porting of the system is less than eighteen (18) inches above the maximum groundwater table and /or four (4) feet above any underlying impervious substratum.

5.2.2 Leaching systems shall not be located in fill placed over impervious soil. When filling is allowable and necessary to render a tract usable for on-site subsurface sewage disposal, the Health Officer may require that any or all of the following measures be implemented: the stripping and removal of loam, muck, or other similar organic matter from the area immediately beneath the proposed absorption system area; the leveling and effective loosening of the sub-soil in the stripped area, the filling of the requisite area to an appropriate elevation with clean absorptive material; and the provision of suitable perimeter embankments around the filled system area to prevent the lateral escape of sewage through the walls of the embankment created by the filling.

5.3 DESIGN The sewage disposal facility for dwelling shall be designed according to the standards and specifications of the State Public Health Code. For other types of premises sewage disposal facilities shall be designed in accordance with the specifications approved by the Health Officer.

SECTION 6: APPLICATION PROCEDURE, INSPECTION AND FEES

6.1 APPLICATION PROCEDURE. The submission of applications, issuance of permits conferring of approvals and other administrative procedures shall be executed in accordance with the procedures established by the Health Officer.

6.2 Inspections. The Health Officer shall inspect the proposed site prior to issuance of a permit. Upon completion of the sewage disposal facility installation and the subsequent notification of the Health Officer, the Health Officer shall inspect the facility to determine if it has been installed in accordance with this ordinance, permit specifications and the pertinent State Public Health Code Requirements. The Health Officer shall either approve or disapprove the installation in writing and in the latter case, the reasons for disapproval shall be recorded.

6.2.1 All portions of the completed installation are to remain exposed for the Health Officer's inspection and shall not be backfilled until permission is granted by the Health Officer. No part of the sewage disposal facility shall be used until it has been granted final approval for backfilling by the Health Officer.

6.3 FEES The applicant for a sewage disposal facility permit shall pay to the Town fees in accordance with the following schedule:

6.3.1 Percolation Test (if performed by the Health Officer)-fee included

in permit fee.

6.3.2 Permit. Inspections and Approvals - \$20.00 for each installation.

6.3.2 Permit, Inspections and Approvals - \$20.00 for each installation.

6.3.3. Soil Appraisals (if performed by the Health Officer)- \$10.00/pit or boring.

6.3.4 Permit Renewal - \$10.00

6.3.5 If the Health Officer is to perform the percolation test, the fee under 6.3.2 is payable at the time of permit issuance; the fee under 6.3.3 is payable prior to the performance of the service; the fee under 6.3.4 is payable upon the renewal of any permit.

SECTION 7: SUPPLEMENTARY LEGISLATION

7.1 All standards prescribed by the applicable section of the Connecticut State Public Health Code not herein specifically stated shall be applied by the Health Officer in regulating the disposal of sewage and the construction, repair, or revised use of existing sewage disposal facilities.

SECTION 8: ENFORCEMENT

8.1 It shall be the duty of the Health Officer to enforce this ordinance and, when properly identified, he shall be granted access to all properties and premises necessary to the discharge of this duty.

SECTION 9: SEVERABILITY

9.1 This ordinance and the various parts, sections, and clauses thereof and hereby declared to be severable. If any part, sentence, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

SECTION 10: PENALTIES

10.1 Any person who violates any provision of this ordinance shall be fined not more than one hundred dollars. Each day in which any such violation continues shall constitute a separate offense.

SECTION 11: EFFECTIVE DATE

This ordinance shall become effective on April 26, 1973.

APPENDIX A
TYPICAL TEST PIT LOG

SOIL TYPE	DEPTH	SOIL TYPE	DEPTH
_____	-Ground Surface	_____	Ground Surface
Loose, Black, Damp, Sandy Loam	Elevation 123.5	Dense, Brown Damp, Clayey Loam	Elevation 410.2
_____	-1' 3"	_____	-1' 4"
Dense, Brown, Moist Sandy Clay			
_____	-3' 0"	Medium Brown, Damp	
		Clayey Sand	
		_____	-4' 0"
Dense, Brown, Wet Silt, Trace Clay	-5' 9" Ground Moist Water Table		
		_____	6' 3" Ground Water Table
_____	-7' 0"	Dense, Red Sand, Wet	
Medium Brown, Wet Sand, Trace Clay		_____	-7' 6" Refusal
		Red Sandstone	
_____	-8' 3"		

TEST PIT #1

TEST PIT #2

NOTE: Test Pit Numbers refer to numbered locations shown on subdivision plan.

**AN ORDINANCE AMENDING AN ORDINANCE
REGULATING PRIVATE SEWAGE DISPOSAL
FACILITIES**

Section 1 - Sec. 6.3.2 of said ordinance is amended to read as follows:
Permit Inspections and Approvals - \$40.00 per each installation.

Section 2 - A new section is added to said ordinance as follows:

Section 6.3.6 - On site septic system inspection report, \$10.00.

February 1988

AN ORDINANCE CONCERNING THE DISPOSAL OF REFUSE

BE IT ORDAINED by the electors of the Town of Preston and those entitled to vote at Town Meetings, as follows:

1. The Town dump located on Ross Road in the Town of Preston shall hereafter be the only approved dumping area in the Town. It shall be a violation of this ordinance to dump refuse, garbage, rubbish, ashes, building, food or industrial waste on any other Town property.
2. The Selectmen, or their agent, are hereby empowered to establish within said dump and to provide one or more limited areas for one or more types of refuse where dumping may be done and to designate such areas by appropriate signs. It shall be a violation of this ordinance to dump other than as directed by such signs.
3. The Selectmen are hereby empowered to establish hours when the said dump shall be open for use. It shall be a violation of this ordinance to dump at any other time.
4. All material transported to said dump shall be so loaded and carried that no refuse, garbage, paper or other waste is disposed on or about the public highways in the Town of Preston.
5. No dead animals shall be disposed of in the Town dump.
6. No refuse, garbage, rubbish, ashes, building, food or industrial waste belonging to non-residents of the Town of Preston shall be disposed of in the Town Dump.
7. Any person, firm or corporation violating this ordinance shall be fined not more than \$25.00 for each offense.
8. This ordinance shall take effect fifteen (15) days after publication in accordance with law.

Reference: Town Meeting Book 9, Page 98.

AN ORDINANCE CONCERNING WASTE
RECYCLING AND REGULATING THE USE AND
OPERATION OF THE PRESTON REFUSE DISPOSAL
AREA

Sec. 1. DEFINITIONS:

This section indicates the meaning of the words Town, Refuse Disposal Area, Persons, Refuse, Solid Waste Management Committee and Solid Waste Manager used in this ordinance.

Sec. 11. DISPOSAL

Provided for decals for the vehicles used by residents and refuse collectors and permits therefor with provision for non-residents with refuse from operations in Preston.

Sec. 111. REFUSE PROHIBITED

Hazard wastes or material prejudicial to the operation of the disposal area, motor vehicles, whole or in part, and animal carcasses are prohibited as provided.

Sec. 1V. DISPOSAL AREA

Locations for disposal shall be designated by the Solid Waste Manager.

Sec. V. HOURS OF OPERATION

Days and hours for Disposal Area to be open shall be determined by Solid Waste Management Committee.

Sec. VI. SCAVENGING PROHIBITED

Except in specially identified areas.

Sec. VII. TRESPASSING

Entrance only by permit and during open hours.

EXCEPTIONS:

(1) Town Employees assigned to manage the area during scheduled working hours.

(2) Persons under IIa and IIc with immediate disposal needs with the First Selectman's prior approval.

**AN ORDINANCE CONCERNING WASTE
RECYCLING AND REGULATING THE USE AND
OPERATION OF THE PRESTON REFUSE DISPOSAL
AREA**

BE IT ORDAINED at a duly warned Town Meeting that an Ordinance adopted on the 5th of June, 1980 entitled "An Ordinance to Amend an Ordinance Concerning the Disposal of Refuse" is hereby repealed and the following Ordinance is adopted and substituted in lieu thereof:

SECTION 1. DEFINITIONS:

For purposes of the Ordinance, the following words and phrases shall have the meaning ascribed to them in this Section.

(a) TOWN shall mean the Town of Preston, located in New London County, the State of Connecticut.

(b) REFUSE DISPOSAL AREA shall mean any area of land owned or leased by the Town or any facility owned by the Town which is specifically set aside for the disposal of refuse.

(c) PERSON shall mean any individual, commercial waste collector, institution, public corporation, partnership, association, or any other entity, public or private, however organized.

(d) REFUSE shall mean solid wastes generated within the Town, including but not limited to newspaper, books, magazines, scrap paper, catalogs, cardboard, corrugated, bottles, cans, oil, ashes, tires, tin, steel, iron, scrap metal, aluminum, building materials, waste, rubbish, garbage, street cleansing, brush, grass clippings, and trees. Refuse shall not include wastes that are toxic or hazardous as referenced in Section III.

(e) SOLID WASTE MANAGEMENT COMMITTEE A committee created by this ordinance, and appointed by the Board of Selectmen, to oversee the solid waste management including the application of this Ordinance.

(f) SOLID WASTE MANAGER An employee of the Town under the supervision of the First Selectman, who supervises the operation of the Waste Disposal Area and carries out the policies of the Town.

SECTION II. DISPOSAL:

No person shall dispose of refuse in the Refuse Disposal Area, except those persons who have obtained a permit decal and display said decal on the motor vehicle used in transporting refuse for disposal, as follows:

(a) A resident of the Town or a person having a place of business in the Town, may secure a permit from the Solid Waste Management Committee. Such permit shall be issued upon the satisfactory proof to the Solid Waste Management Committee that the applicant is either a resident of the Town or has a place of business in the Town. The Solid Waste Management Committee shall cause permit decal(s) to be affixed to the applicants motor vhehicle(s) and said permit decal(s) shall not be transferred to any other vehicle. The Solid Waste Management Committee may, from time to time, require the renewal of permits issued under this Subsection under the same procedure and standards of proof as original permits. Residents and business owners who have been issued a permit under this Subsection may only dispose of refuse generated within the Town.

(b) A refuse collector, who is in the business of collecting refuse of persons in the Town may secure a permit from the Solid Waste Management Committee. Such permit shall be issued for a period of one (1) year upon satisfactory proof to the Solid Waste Management Committee that the Collector has adequate equipment and that only refuse of persons of the Town, generated within the Town, will be collected for disposal in the Refuse Disposal Area. Such permit shall include the maximum allowable volume of waste which the commercial collector may dispose of annually.

Such volume shall not exceed the amount demonstrated to be generated by customers residing or having places of business in the Town. Delivery records will be maintained by the Solid Waste Manager to ensure conformance to this limit.

(c) A person who is a non-resident of the Town, whose refuse is a direct result of work, operations, or business undertaken by him on behalf of a resident of the Town or person having a business in the Town, may secure a limited temporary permit from the First Selectman. Such a permit shall be issued upon satisfactory proof, to the First Selectman, that the refuse will be a direct result of work, operations, or business in the Town on behalf of a resident or business in the Town. Such permit will be issued for a specific purpose and length of time (not to exceed one (1) week). The Solid Waste Manager will be notified by the First Selectman of the issuance and nature of each temporary permits.

(d) The Solid Waste Management Committee may revoke any permit in the event it finds, after a hearing and upon reasonable notice to the permittee, that such a permit has violated the provisions of this Ordinance.

SECTION III. REFUSE PROHIBITED:

The disposal of any refuse, by any person, in the Refuse Disposal Area which is toxic or hazardous, within the meaning of Section 22a-115(1) or Section 22a-151 of the Connecticut General Statutes or otherwise hazardous to the public health, welfare, or safety is prohibited. Any refuse which, in the opinion of the Solid Waste Management Committee, would be prejudicial to the proper operation of the Refuse Disposal Area, would substantially shorten the usable life of the Refuse Disposal Area, and which could be disposed of by alternate means (as specified by the Solid Waste Management Committee) shall be prohibited. Large appliances are prohibited unless all doors have been removed. Tires are only permitted under provisions of Section X of this ordinance.

SECTION IV. DISPOSAL AREA:

Any person disposing of refuse in the Refuse Disposal Area shall dispose of such refuse in specific locations designated by, and under the supervision of, the Solid Waste Manager.

SECTION V. HOURS OF OPERATION:

Days and hours during which the Refuse Disposal Area shall be open for the disposal of refuse shall be established by the Solid Waste Management Committee.

SECTION VI. SCAVENGING PROHIBITED:

Scavenging at the Refuse Disposal Area without express written permission by the Solid Waste Management Committee shall be prohibited, except in separate area(s) specifically identified for this purpose.

SECTION VII. TRESPASSING:

No person shall enter or be permitted within the Refuse Disposal Area except with a permit and only during the hours when the area is open to the public. Exceptions are:

- (a) Town employees (during their scheduled working hours)

assigned to manage the Refuse Disposal Area.

(b) Persons qualifying under Section II(a) or II(c) of this Ordinance, which have immediate disposal needs, may be allowed to use the REFUSE Disposal Area, with the prior approval of the First Selectman, during normally closed periods.

SECTION VIII. SEPARATION AND RECYCLING:

This Ordinance mandates that all persons separate and recycle all refuse prior to delivery to the Refuse Disposal Area. The following items are considered recyclables and will be accepted if separated and delivered to specified locations in the Refuse Disposal Area:

(A) PAPER -including newsprint, magazines, lightweight cardboard, all books (preferably with hard covers removed), craft paper (shopping bags), stationery, computer paper, scrap paper, catalogs, and other unsoiled paper goods.

(B) CORRUGATED -corrugated cardboard, such as that used in cartons.

(C) CANS: including aluminum cans, steel cans, aluminum foil and aluminum trays. Cans, foil, and trays may have labels and minor product residue. Does not include aerosol cans, composite cans consisting of paper with metal end caps, flammable or explosive material containers, compressed gas containers, and oil filters.

(D) GLASS including bottles and jars (preferable unbroken) regardless of shape and color. Lids and neck rings need not be removed; labels and minor product residues are acceptable. Does not include windows glass, plate glass, dishes, crockery, any ceramics, and mirrors.

(E) SCRAP METAL- including appliances, wheel rims, pots and pans, water tanks, small powered equipment, and similar all-metallic items. Does not include compressed gas cyclinders.

(F) OIL- lubricating oils and diesel oils only; does not include hydraulic fluids, cutting oils, mineral spirits, paint thinners, gasoline, and vegetable oils.

(G) BRUSH- including grass, leaves, and all brush and branches two (2) inches in diameter or less. Does not include tree stumps (see Section III- Refuse Prohibited).

(H) BULKY WASTE - including all demolition material, lumber and building supplies. Does not include tree stumps, metals, mattresses, box springs, and upholstered furniture.

(I) TIRES including vehicle tires without rims(see Section X-Fees).

All other trash, ashes, food spoils, waxed or spoiled papers, etc. are to be considered unrecyclable garbage and are to be deposited in the area(s) so marked. Collection and transportation of separated recyclable trash by commercial collectors shall be arranged by the commercial collectors.

SECTION IX. INSPECTION:

All waste delivered to the Refuse Disposal Area will be subject to inspection to assure compliance with this Ordinance and State Department of Environmental Protection regulations. Any waste found not to be in accordance with this Ordinance and State DEP regulations will be subject to rejection by landfill personnel.

SECTION X. FEES:

There is no fee for dumping at the Refuse Disposal Area, except that persons will be allowed to dispose of no more than four (4) tires per year per household or business free of charge. All additional tires will be subject to a fee bases on the current cost of disposal. Fees are to be paid, in advance, to the Town Clerk at the Town Hall during normal working house. A written receipt will be issued by the Town Clerk and shall be presented at the Refuse Disposal Area before dumping additional tires. Failure to do so will result in rejection of material or in the penalties as set forth in Section XI of this Ordinance.

SECTION XI. PENALTIES FOR VIOLATIONS OF THIS ORDINANCE:

- | | |
|--------------------------|---|
| <u>(a) 1st. OFFENSE-</u> | Written Warning |
| <u>2nd OFFENSE-</u> | Suspension of the use of the Refuse Disposal Area will be imposed for a period of three (3) months. |
| <u>3rd OFFENSE-</u> | Suspension of the use of the Refuse Disposal Area will be imposed for a period of six (6) months. |

(1) Upon determination that a person has violated the provision(s) of this Ordinance, the Solid Waste Management Committee may vote (and pass by a simple majority) to issue a "Notice of Intent to Suspend Waste Disposal Privileges". Such Notice will be delivered to the violator by certified mail and will include the name(s) of the violator(s), the specific provision(s) of this Ordinance violated, the dates upon which the violation(s) occurred, the penalty which is to be imposed, and the inclusive dates during which the suspension of privileges will be effective.

(2) Any person issued a "Notice of Intent to Suspend Waste Disposal Privileges" may apply for an appeal of such suspension in writing to the Solid Waste Management Committee within five (5) calendar days of the receipt of such notice, for reinstatement of the privileges to use the Refuse Disposal Area. Filing of such an application will stay the suspension until such time as the appeal hearing process described below is accomplished. Failure to apply for an appeal within five (5) calendar days of the receipt of such notice will cause the suspension to take effect on the dates indicated in the Notice.

(3) Within five (5) calendar days of the receipt of an appeal application, the Solid Waste Management Committee shall set a date for a hearing on the appeal, which date shall be within ten (10) calendar days of filing of the appeal application, and shall give prior written notice of the time and place of the hearing to the applicant.

(4) At such hearing, the appeal applicant may present testimony, documents, or other evidence in support of their claim that their privilege to use the Refuse Disposal Area should not be suspended. The person may be represented by an agent of their choosing and may question any individual presenting testimony at the hearing.

(5) If the Solid Waste Management Committee decides, by a two thirds ($\frac{2}{3}$) or greater majority of the entire Committee, based on evidence presented at the hearing, that the appeal applicant's privilege to use the Refuse Disposal Area should be suspended, it should so advise the applicant in writing. Notification of the decision shall be sent by certified mail within ten (10) calendar days following the date of the hearing. The Notification shall include the name(s) of the violator(s), the specific provisions of this Ordinance violated, the date(s), upon which the violation(s) occurred, the penalty which is to be imposed, and the inclusive dates during which the suspension of privileges will be effective.

4th OFFENSE AND EACH SUBSEQUENT OFFENSE THEREAFTER

A suspension of the use of the Refuse Disposal Area will be imposed for a period of two (2) years.

The Town may also require the violator to remove the unauthorized or unseparated waste from the Refuse Disposal Area. If a person refuses to remove the subject waste or removal cannot be accomplished in a timely manner, the Town will remove the waste at the violator's expense, either by employing Town Labor and equipment or with the services of a private contractor.

If the first offense is of a major nature (i.e. significant volume, hazardous/toxic substance, or a deliberate act), the warning can be disregarded and a suspension of all use of the Refuse Disposal Area will be imposed for a period of three (3) months.

SECTION XII NOTICE, APPEAL, AND HEARING PROCESS:

The Solid Waste Management Committee may only suspend the privilege of using the Refuse Disposal Area to a violator of the provision(s) of this Ordinance in the manner described as follows:

SECTION XIII. SPECIAL REGULATIONS AND CONSIDERATIONS:

(a) There shall be a grace period of three (3) months, from the date this Ordinance takes effect, given to all persons for their familiarization with the requirements of this Ordinance.

(b) Commercial collectors are solely responsible for ensuring that the waste they deliver to the Refuse Disposal Area conforms to the provisions of this Ordinance and are subject to the penalties and appeal procedures defined in this Ordinance.

SECTION XIV. INVALIDITY:

If any provision of the Ordinance, or its application to any person, situation, or circumstance, is held to be invalid, such invalidity shall not effect any other provision or application of the same.

This Ordinance shall take effect fifteen (15) days after publication in accordance with the Connecticut General Statutes.

AN ORDINANCE TO AMEND AN ORDINANCE CONCERNING THE DISPOSAL OF REFUSE

BE IT ORDAINED by the voters of the Town of Preston.

SECTION 1. A new section is added to said ordinance as follows:

(a) The Selectmen subject to approval of the Board of Finance may establish fees to be charged for receiving tires (more than four per day per person) at the dump after securing proposals stating charges to the Town for disposing of said tires.

(b) The Selectmen shall provide the method for collecting the fees for receiving the tires.

Effective date: February 14th, 1980

Reference: Town Meeting Book 10, Page 272

AN ORDINANCE AMENDING "AN ORDINANCE
CONCERNING WASTE RECYCLING AND
REGULATING THE USE AND OPERATION OF THE
PRESTON DISPOSAL AREA"

Said Ordinance is amended by adding to Section VIII of said ordinance the following subsection following subsection i:

- j. Plastic bottles and containers.

Town Meeting Book 11, Pg. 186 - 6/14/89

AN AMENDMENT TO THE RECYCLING
ORDINANCE

An amendment to the recycling ordinance adopted at a Special Town Meeting January 25, 1990, under the following Section:

SECTION X: FEES

Beginning fifteen (15) days from date of publication of this Amendment:

There will be a fee of One Dollar (\$1.00) per tire for tires up to sixteen (16) inches and Five Dollars (\$5.00) per tire for tires seventeen (17) inches and larger.

There will be a fee of Two Dollars (\$2.00) per pick-up truck load or one Dollar (\$1.00) per yard for all other containers (2.00 minimum) of demolition/construction material for each load deposited at the landfill.

The Board of Selectmen will designate a person to collect such fees and issue receipts which must be presented to the appropriate attendant before disposal.

Failure to comply with this Ordinance will result in rejection of material or in the penalties set forth in Section XI of this Ordinance.

Date of Publication: 2/3/90

AN ORDINANCE CREATING A SOLID WASTE MANAGEMENT
COMMITTEE FOR THE TOWN OF PRESTON

Be it ordained by the People of the Town of Preston at a duly warned Town Meeting.

Solid Waste Management Committee:

A committee created by this ordinance and appointed by the Board of Selectmen to oversee solid waste management. Using this ordinance as guidelines, the committee is ordered to continually monitor the technological advances of solid waste management, including recycling methods and markets, in an effort to adhere to the intent of this ordinance and fulfill the long range plans of the Town of Preston landfill.

1. The Solid Waste Management Committee shall consist of five (5) regular members and three (3) alternate members who shall be electors of the Town of Preston and who shall hold no salaried municipal office. Membership on any other board, commission or committee of the Town of Preston shall not preclude membership on the Solid Waste Management Committee.

2. The members of the Solid Waste Management committee shall be appointed by the Board of Selectmen, within thirty (30) days after the adoption of this ordinance, as follows:

Two (2) members shall be appointed for a term of three (3) years:

Two (2) members for a period of two (2) years:

One (1) member for a period of one (1) year:

The Alternate members shall be appointed to terms as follows:

One (1) member for a period of three (3) years:

One (1) member for a period of two (2) years:

One (1) member for a period of one (1) year.

3. As such of the terms of the members shall expire the Board of Selectmen shall appoint a successor for a term of three (3) years to fill each vacant position.

4. The members shall commence to serve their respective terms immediately upon appointment and shall serve until their successors have qualified.

5. Any vacancy in the committee, other than by expiration of term, shall be filled, for the unexpired portion of the term, by the Board of Selectmen.

6. The Committee shall annually elect a Chairman, Vice-Chairman, and Secretary from its members. Regular meetings shall be held on a regular basis as established by the Committee and recorded with the Town Clerk. Special meetings may be called by the Chairman or, upon written request to the Chairman, by a majority of the members of said Committee.

7. Any member who is absent from three (3) consecutive regular meetings, and any intervening duly called special meetings, shall be considered to have resigned from the Committee and the vacancy shall be filled as herein before provided. The Committee may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this ordinance.

8. The Committee shall annually prepare a budget containing its estimates of expenses, to carry out its programs and the purpose of this Ordinance, and to submit the same to the Board of Selectman for inclusion in the annual budget of the Town of Preston.

An Ordinance Providing for a Uniform system of numbering of Properties and Principal Buildings.

Adopted February 9, 1989

Sec. 1- First Selectman- Reference herein to the First Selectman shall also include any agent, officer, official, or employee of the Town of Preston, authorized by the First Selectman of Preston to perform any of the duties authorized in this ordinance.

Sec. 2- Assignment- The First Selectman may at his discretion assign to each house, or any part of a house, or to each lot or any part of a lot fronting upon any street within the town limits, a number by which it shall be known, and may alter such numbers and renumber such houses, parts of houses, lots and parts of lots, fronting upon any and all streets within the town limits. It shall be the duty of the said First Selectman, whenever hereafter a new street or highway is accepted, to assign to the land abutting on such street or highway, numbers at such measured intervals or distance as in the opinion of said First Selectman, the public interest shall require.

Sec. 3- Notification- Whenever the First Selectman acting in accordance with the foregoing section, shall have assigned numbers to, or shall have renumbered any property fronting on any street as aforesaid, the said First Selectman shall forthwith send to the owner or owners of each and all buildings fronting upon said street a written statement and notice informing him or them of such numbering, and directing the said owner or owners to affix to said building, if it is within 100 feet of the road line, reflective figures indicating the number thereto assigned not smaller than 3 1/2 inches in height visible from said road. If the building is further back than 100 feet from the road, said number shall be indicated on both sides of the mail box serving said building. If said mail box is on the opposite side of the road, in addition to the number arrows shall be affixed adjacent to said number indicating the location of the building so numbered.

Sec. 4- Penalties- Failure to post any number under the terms of this ordinance shall be a misdemeanor and shall be punished by a fine of up to \$5.00. Each separate day such violation is continued shall constitute a separate offense.

Sec. 5- Effective Date- This ordinance shall take effect fifteen days after publication in a newspaper having a circulation in Preston pursuant to Section 12-157 of the General Statutes.

AN ORDINANCE TO JOIN THE SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

WHEREAS, Southeastern Connecticut has entered a period of complex challenges affecting the region's economy, its tax base, the demand for services, and its infrastructure; and,

WHEREAS, dealing effectively with these challenges will require a high level of intergovernmental cooperation; and,

WHEREAS, the Southeastern Connecticut Council of Governments, a formal organization of municipal chief elected officials within Southeastern Connecticut, has been established to facilitate intergovernmental cooperation and collective public action at the regional level; now, therefore,

BE IT ORDAINED, that the TOWN OF PRESTON hereby adopt Sections 4-124i through 4-124p of the Connecticut General Statutes, providing for the formation of the Southeastern Connecticut Council of Governments, and does hereby join such Council of Governments as such Council has been duly established in accordance with said statutes, and the Secretary of the Office of Policy and Management has certified that the Southeastern Connecticut Council of Governments has been duly established.

When the transition period for the Council of Governments called for in Section 4-1241 (b) of the Connecticut General Statutes, as amended, has been completed, the Town of Preston does hereby rescind the ordinance of 7/1/65 and any amendments thereto that created the Town's participation in the Southeastern Connecticut Regional Planning Agency.

The Town Clerk is directed immediately to prepare and file with the Secretary of the Office of Policy and Management a certified copy of this Ordinance to join the Southeastern Connecticut Council of Governments.

Approved at a Town Meeting held 3/4/93 Town Meeting Book 12

**AN ORDINANCE TO ASSESS PROPERTY IN THE
HAPPYLAND/DRAWBRIDGE AREA OF PRESTON FOR THE
COSTS OF CONSTRUCTING A MUNICIPAL WATER SUPPLY
SYSTEM IN SAID AREA**

Be it ordained by the Electors of the Town of Preston at a duly warned Town Meeting held May 13, 1993,

Section 1 - Declaration of Policy. There is hereby established an assessment policy and schedule of payments ("Policy") to be paid by each owner of property which is served by water mains which the Town has constructed and installed in the Happyland/Drawbridge area of the Town of Preston, Connecticut between July 1, 1992 and June 10, 1993 (the "Project").

Section 2 - Assessment. The Town will borrow funds from the United States Department of Agriculture, Farmers Home Administration ("FmHA"), to finance a portion of the Project costs. The owner of any property which is served by the project shall be assessed, and shall reimburse the Town, for his portion of the share of the principal and interest that the Town must repay the FmHA.

Section 3 - Lien. Said assessment shall be and remain a lien upon the land in favor of the Town, and said lien may be foreclosed in the manner provided by law.

Section 4 - Schedule of Payment. The owner of any property which is served by the Project shall reimburse the Town no more than TWO HUNDRED SIX AND FIFTY-FIVE ONE HUNDREDTHS DOLLARS (\$206.55) on April 1st of each year beginning April 1, 1994 continuing until and through April 1, 2014. Said payments shall be in satisfaction of the lien upon the property and said lien shall be discharged upon payment in full of all amounts due under this ordinance.

Section 5 - Optional and Mandatory Prepayment. The owner of any property which is served by the project may prepay the amounts due under this ordinance and obtain a discharge of the lien provided by this ordinance at any time without penalty. The owner of any property which is served by

Page two

the Project shall prepay the amounts due under this ordinance upon any transfer of the property for monetary consideration. Prepayment would be in an amount determined to be sufficient to pay the principal and interest on the amount due FmHA over the time that said principal and interest payments are due.

Section 6.- Late Charge. If the payment due under this ordinance are not paid when due, the amount due shall bear interest at the same rate as would unpaid taxes and may be collected by the Town in the manner provided by law.

THIS ORDINANCE IS EFFECTIVE FIFTEEN (15) DAYS FROM DATE OF PUBLICATION.

Approved at a Town Meeting May 27, 1993 Town Meeting Book 12

**ADOPTED BY SELECTMEN CONCERNING THE PRESTON
LANDFILL/TRANSFER STATION**

Persons qualified to use the Preston Landfill/Transfer Station are hereby warned that any appliance requiring evacuation of freon, left at the landfill, will be required to pay a fee of fifteen (\$15.00) dollars per appliance, Effective 7-15-93, by order of the Board of Selectmen June 24th, 1993.

ORDINANCE CONCERNING ANNEXATION

BE IT RESOLVED AND ORDAINED: the Town of Preston through the Board of Selectmen, shall oppose annexation of any kind in Preston by a tribe of government entity, including annexation by a tribe, pursuant to 25 CFR 151 of any land located outside the boundaries of a tribes federally recognized reservation.

Town Meeting November ¹⁵~~23~~, 1993 - Referendum-¹¹⁻²³⁻⁹³~~12/7/1993~~ - Town Meeting Book 12

ORDINANCE CONCERNING LANDFILL FEES

The Board of Selectmen of the Town of Preston are hereby Authorized at any regular or special Selectmen's meeting to set any and all disposal fees for the Preston Landfill. The Selectmen are authorized to set and change such fees at any time that they deem necessary at their discretion. Prior to setting of any fees, the proposed fee schedule will be posted with the agenda for any selectmen's meeting at which it will be acted upon. After setting of any fees, the selectmen will within ten days thereafter, post the new fee schedule in the Town Clerk's office, at the landfill disposal area, and publish a copy of said schedule in a newspaper having general circulation in the town of Preston.

Adopted 3/4/93- Town Meeting Book 12

ORDINANCE TO AMEND AN ORDINANCE CONCERNING LANDFILL FEES

The following changes have been made concerning the Landfill:

Demolition Material - Less than one yard - \$2.00 Minimum;
One yard or more-\$10.00 per Yard

Tires - All standard passenger car and standard pick-up truck tires
will be \$1.00 per tire. All other tires larger than 16 & 1/2 inches
will be \$5.00 per tire. All tires with rims will be \$5.00 per tire.

Adopted February 18, 1994

Cotter, Greenfield, Manfredi & Lenes, P.C.

Attorneys at Law

223 West Town Street

Norwich, Connecticut 06360

**John A. Cotter
Stuart B. Greenfield
Frank A. Manfredi
†Timothy P. Lenes*

Reply To:

*P.O. Box 6002
Yantic, CT 06389*

**Also admitted to the Bar of the District of Columbia
†Also admitted to the Bar of New York and Massachusetts*

Telephone (203) 887-1695

Fax (203) 889-4350

October 27, 1994

Ms. Lucille Thoma
Treasurer, Town of Preston
389 Route 2
Preston, CT 06365-8830

Dear Lucille:

This will follow up your question regarding the ordinance concerning public bidding. The ordinance requires that all contracts in excess of \$3,500.00 be awarded only after public notice and bid, other than for expenditures made from town aid funds. It is my opinion that public notice and bid requires more than calling vendors and getting quotes for the goods or services in question. Public notice and bid require publication of the contract requirements in a newspaper and receipt of closed bids from the interested vendors. The ordinance does not require awarding of the contract to the lowest bidder and the Town has the discretion to award any contract to other than the highest bidder if it determines in its discretion that it would be in the best interests of the Town to do so.

If you have any other questions regarding this matter, please let me know.

Very truly yours,

Frank A. Manfredi
FRANK A. MANFREDI

FAM/cg

Received For Record 11/3/94
At 11:10 P.M. Stattin Whicik
Town Clerk



TOWN OF PRESTON
TOWN OFFICES
389 ROUTE 2
PRESTON, CONNECTICUT 06365-8830

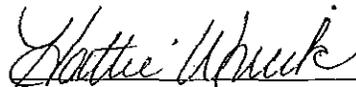
Town of Preston

Notice of Amendment to Ordinance

Pursuant to Connecticut General Statutes 7-157, notice is hereby published that at a Special Town Meeting held on April 25, 1996, the Town of Preston amended an "Ordinance Creating a Parks & Recreation Commission for the Town of Preston" as follows:

Section 4. The Parks & Recreation Commission shall consist of nine (9) members and two (2) alternates who shall be electors of the Town of Preston and who shall hold no salaried municipal office. Membership on any other Board or Committee of the Town of Preston shall not preclude membership of the Parks & Recreation Commission.

Dated @ Preston, Connecticut this 10th Day of May, 1996.


Hattie Wucik
Town Clerk

-LEFT BLANK INTENTIONALLY-

Town of Preston

An Ordinance Establishing Citation Procedures And Fines for Zoning Violations

It is hereby ordained by the electors of the Town of Preston:

1. This Ordinance is hereby enacted pursuant to Section 8- 12a of the Connecticut General Statutes. The Zoning Enforcement Officer is hereby authorized to issue citations for violations of the Zoning Regulations of the Town of Preston to the extent and in the manner provided by this Ordinance. Any such citation may be served either by hand delivery or by certified mail, return receipt requested, to the person named in such citation. If the person named in such citation sent by certified mail refuses to accept such mail, the citation may be sent by regular United States mail. The Zoning Enforcement Officer shall file and retain an original or certified copy of the citation.
2. That a citation may be issued for any violation of the Zoning Regulations of the Town of Preston.
3. That the fine for each such citation shall be one hundred and Fifty Dollars (\$ 150.00), payable to the Treasurer of the Town of Preston.
4. That any person receiving such citation shall be allowed a period of thirty (30) days from his or her receipt of the citation to make an uncontested payment of the fine to the said Treasurer. If the citation has been sent by regular mail pursuant to paragraph 1 of this Ordinance, the day of receipt of the citation shall be deemed to be three (3) business days after the day of mailing of the citation.
5. If a person who has been issued a citation does not make uncontested payment of the fine specified in the citation to the said Treasurer within the time allowed under paragraph 4 of this Ordinance, the Zoning Enforcement Officer shall send a notice to the person cited, informing such person (1) of the allegations against him or her and the amount of the fines; (2) that the person cited may contest liability before a Hearing Officer appointed by the First Selectman of the Town of Preston, as provided in paragraph 9 of this Ordinance, by delivering, in person or by mail, within ten (10) business days of the date of the notice, a written demand for a hearing; (3) that if the person so cited does not demand such a hearing, an assessment and judgment shall be entered against him or her; and (4) that such judgment may issue without further notice.
6. If the person who is sent a notice pursuant to paragraph 5 of this Ordinance wishes to admit liability for any alleged violation, he or she may, without requesting a hearing, pay the full amount of the fine, either in person or by mail, to the Zoning Enforcement Officer. All fines shall be made payable to the Treasurer of the Town of Preston. Such payment shall be inadmissible in any other proceeding, civil or criminal, to establish the conduct of such person or other person making such payment. Any person who does not deliver or mail written demand for a hearing within ten (10) business days of the date of the notice described

in paragraph 5 of this Ordinance shall be deemed to have admitted liability, and the Zoning Enforcement Officer shall thereupon enter and assess the fines provided for by this Ordinance and shall follow the procedures set forth in paragraph 8 of this Ordinance.

7. 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 (15) nor more than thirty (30) days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by an interested party for postponement or continuance. The presence of the Zoning Enforcement Officer shall be required at the hearing if requested by the person who was issued the citation. A person wishing to contest liability shall appear at the hearing and may present evidence on his or her behalf. The Zoning Enforcement Officer may present evidence on behalf of the Town. If the person who was issued the citation fails to appear, the Hearing Officer may enter an assessment by default against him or her upon a finding of proper notice and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he or she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly construed, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his or her decision at the end of the hearing. If the Hearing Officer determines that the person who received the citation is not liable, the Hearing Officer shall dismiss the matter and enter that determination in writing accordingly. If the Hearing Officer determines that the person who received the citation is liable for the violation, the Hearing Officer shall forthwith enter and assess the fines against such person as provided by this Ordinance.
8. If such assessment is not paid by the date of entry, the Hearing Officer shall send by first class mail a notice of assessment to the person found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court for Geographical Area 21, together with an entry fee of eight dollars. Further proceedings may then be held pursuant to the applicable sections of the Connecticut General Statutes.
9. The First Selectman of the Town of Preston shall appoint one or more citation Hearing Officers to conduct the hearings provided for by this Ordinance. Neither the Zoning Enforcement Officer, the Building Inspector, nor any employee of any Zoning Authority of the Town of Preston, nor any present member of any Zoning Authority of the Town of Preston may be appointed as a Hearing Officer pursuant to this Ordinance. For purposes of this paragraph, "Zoning Authority" means any of the Planning and Zoning Commission, the Zoning Board of Appeals, the Inland Wetlands Commission, the Planning Commission or the Zoning Commission. If any former member of any Zoning Authority sits as Hearing Officer in a hearing which concerns the same parties and substantially the same issues as any proceeding before the Zoning Authority at the time the said former member was a member and participated in, that Hearing Officer shall not sit as Hearing Officer in the said hearing.
10. This Ordinance shall take effect upon its enactment by a majority of the electors of the Town of Preston.

Received For Record

At 3:53 P.M.

11/19/99
Hattie Warwick
Town Clerk

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCES

Pursuant to a vote at a Special Town Meeting of the Town of Preston on November 20, 1997, Ordinances concerning citations procedures and fines for Zoning Violations and Inland/Wetland Violations were adopted and summaries of said Ordinances are published herein:

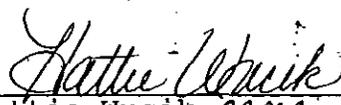
**SUMMARY OF ORDINANCE ESTABLISHING CITATION PROCEDURES
AND FINES FOR INLAND/WETLAND VIOLATIONS**

Pursuant to Connecticut General Statutes (22a-42g) the Inland/Wetland Officer is authorized to issue citations for violations of Inland/Wetland Regulations. Fines for such violations shall be \$1,000.00. Procedures adopted in accordance with Connecticut General Statutes 7-152c include: payment of uncontested citations within thirty (30) days to the Town Treasurer; appointment of a Hearing Officer to hear contested violations; and procedures for the hearing of contested violations as set forth in Connecticut General Statutes 7-152c. The Ordinance also provides that fines may be assessed by the Hearing Officer and if not timely paid, may be entered as judgments by the Clerk of the Superior Court. Appeals procedures and deadlines are also set forth in the Ordinance. Complete copies of the Ordinance are on file and available in the Preston Town Clerk's Office.

**SUMMARY OF ORDINANCE ESTABLISHING CITATION PROCEDURES
AND FINES FOR ZONING VIOLATIONS**

Pursuant to Connecticut General Statutes (8-12a) the Zoning Enforcement Officer is authorized to issue citations for violations of Zoning Regulations. Fines for such violations shall be \$150.00. Procedures adopted in accordance with Connecticut General Statutes 7-152c include: payment of uncontested citations within thirty (30) days to the Town Treasurer; appointment of a Hearing Officer to hear contested violations; and procedures for the hearing of contested violations as set forth in Connecticut General Statutes 7-152c. The Ordinance also provides that fines may be assessed by the Hearing Officer and if not timely paid, may be entered as judgments by the Clerk of the Superior Court. Appeals procedures and deadlines are also set forth in the Ordinance. Complete copies of the Ordinance are on file and available in the Preston Town Clerk's Office.

Effective: Fifteen Days from Date of Publication



Hattie Wucik, CMC
Preston Town Clerk.



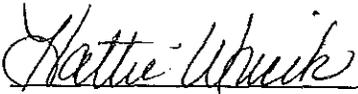
TOWN OF PRESTON
TOWN OFFICES
389 ROUTE 2
PRESTON, CONNECTICUT 06365-8830

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCES

The following ordinances were adopted at a Special Town Meeting held on December 4th, 1997:

- 1) Pursuant to Connecticut General Statute 9-185, Constables in and for the Town of Preston shall be appointed by the First Selectman.
- 2) The Town of Preston will no longer accept any leaves or brush at the Preston Solid Waste Transfer Station.

The above Ordinances become effective fifteen days from date of publication.


Hattie Wucik
Town Clerk

12-11-97

Effective: 12/27/97



TOWN OF PRESTON
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389 ROUTE 2
PRESTON, CONNECTICUT 06365-8830

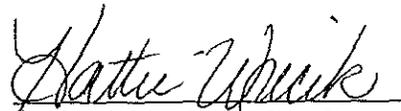
TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

The following Ordinance was adopted at a Town Meeting held on July 16th, 1998:

“Be It Ordained that any ambulance service within the Town of Preston shall be authorized to charge fees for services provided within the Town of Preston, upon authorization by the Board of Selectmen and receipt of any permits required by State Law.”

The above Ordinance, as adopted, is effective fifteen (15) days from date of publication.

Dated @ Preston, Connecticut this 24th Day of July, 1998.


Hattie Wucik, CCMC
Town Clerk

Effective: August 8, 1998
Attest: Hattie Wucik
Town Clerk

AN ORDINANCE TO ESTABLISH A WATER DISTRICT AND WATER COMMISSION FOR THE TOWN OF PRESTON

BE IT ORDAINED that the following ordinance shall be adopted by the Town of Preston:

Section 1. Creation; Organization.

Pursuant to Section 7-148 and Chapter 102 of the Connecticut General Statutes, the Town of Preston hereby establishes a Water District and a Water Commission. The Water District is that area of the Town served by the Water System, as designated by the Board of Selectmen. The Water District may be expanded by the Board of Selectmen to include other areas of the Town. The Water System is the public water system owned by the Town, as designated by the Board of Selectmen. The Water Commission shall consist of five (5) members, appointed by the Board of Selectmen, and shall serve at the pleasure of the Board of Selectmen. (*5 Year Staggered Terms)

Section 2: Purpose.

The Town may acquire, construct and operate the Water System. The Board of Selectmen is authorized, subject to town meeting approval, to acquire one or more water systems or land on which to build a Water System, to construct a new Water System and/or to construct an addition to the existing Water System. The Water Commission shall operate such Water System once acquired or constructed.

Section 3. Operation.

The Water Commission shall oversee the operation, repair, replacement and maintenance of the Water System.

(a) Benefit Assessment. The Water Commission may assess the cost for the acquisition and/ or the construction of a portion of the Water System to those owners of each lot or building which is benefited by that portion of the Water System pursuant to Sections 7-137c and 7-137d of the Connecticut General Statutes.

(b) Rates By Contract. The Water Commission may, upon authorization by the Board of Selectmen, negotiate a contract for rates for the furnishing of water or the use of the Water System with any person or entity.

(c) Rates By Statute. The Water Commission shall annually develop and submit to a town meeting a budget of expenses for operating and maintaining the Water District and a schedule of rates and charges. The Water Commission shall first hold a public hearing at which all the users of the Water System and the owners of property served or to be served and others interested shall have an opportunity to be heard concerning such proposed rate or charge. Notice of such hearing shall be given, at least ten (10) days before the date set for the hearing, in a newspaper having a circulation in the Town. Such notice shall set forth a schedule of rates or charges, and a copy of the schedule of rates or charges established shall be kept on file in the office of the Town Clerk and shall be open to inspection by the public. The rates or charges so established for any class of users or property served shall be extended to cover any additional premises thereafter served which are within the same class, without the

necessity of a hearing thereon. Any change in such rates or charges may be made in the same manner in which they were established, provided, if any change is made substantially pro rata as to all classes of service, no hearing shall be required.

After the public hearing by the Water Commission and after the Water Commission has made its recommendation, the town meeting shall establish just and equitable rates or charges for the use of the Water System based on those rates and charges submitted by the Water Commission, to be paid by the owner of each lot or building which is connected with and uses such Water System, and may change such rates or charges from time to time. Such rates or charges shall be sufficient in each year for the payment of the expense of operation, repair, replacements and maintenance of such Water System and for other required payments.

(d) Water Commission Duties. The Water Commission shall annually recommend to the Board of Selectmen any construction and expansion of the Water System, any expansion of the Water District and any expenditure for the care, maintenance, or reconstruction of the Water System. The Water Commission shall also administer the operations of the Water District, including the construction, reconstruction, establishment, re-planning, restoration, enlargement, improvement, removal, care, repair and maintenance of all water services. The Water Commission may, upon authorization by the Board of Selectmen, negotiate any contract incident to the provision of water services, such as contracts for the Water System repair or expansion, but not including any labor contract or collective bargaining agreement.

(e) Liens. The rates or charges established pursuant to this Ordinance, if not paid when due, shall constitute a lien upon the premises served and a charge against the owners thereof, which lien and charge shall bear interest at the same rate as would unpaid taxes. A lien described in this section shall take precedence over all other liens or encumbrances except taxes and may be foreclosed against the lot or building served in the same manner as a lien for taxes.

The amount of any such rate or charge which remains due and unpaid for thirty days may, with reasonable attorneys' fees, be recovered by the Town in a civil action in the name of the Town against such owners. The Town shall be subject to the same rates or charges under the same conditions as other users of such Water System.

(f) Accounts. A separate account shall be kept by the Town of the funds derived from such Water System and of their disposition, which account shall be audited annually by an independent auditor, and a report of such audit shall be open to public inspection. The Treasurer shall be the custodian of such funds and shall give a bond to the satisfaction of the Board of Selectmen for the faithful discharge of his or her duties. Such funds shall be kept separate from other funds of the Town and shall be used for such Water System and for no other purpose.

246755 v.01

Published: July 26th, 1999
Effective: August 9th, 1999

TOWN OF PRESTON

The following Ordinance was adopted at a Special Town Meeting held on December 4th, 2003:

AN ORDINANCE TO PROMOTE THE SECURITY OF THE CITIZENRY FROM EXPOSURE TO HAZARDOUS MATERIALS FOUND TO EXIST AT THE NORWICH STATE HOSPITAL (HEREINAFTER "SITE")

WHEREAS, The State of Connecticut is the current owner of the property known as the "Site"; and,

WHEREAS, it has been documented in the "August 2001 Updated Phase 1 Environmental Site Assessment for the Norwich State Hospital prepared for the State of Connecticut, Department of Public Works" (hereinafter "August 2001 Updated Phase 1") report that there exists asbestos and lead paint on the "Site"; and,

WHEREAS, the Town of Preston recognizes the existence of such asbestos, lead paint, fuel oil and other hazardous materials as constituting a hazardous condition; and,

WHEREAS, the "Site" is presently abandoned and not being used by the State of Connecticut; and,

WHEREAS, the Town of Preston has determined the "Site" to be dilapidated as to constitute a matter of great concern for the health, public safety and welfare of its Citizenry; and,

WHEREAS, the Town of Preston recognizes the possibility of the State selling and or leasing the "Site" and or any portion thereof; and,

WHEREAS, the current condition of the "Site" is developed, in whole, or in part without first abating the asbestos and lead paint shall likely cause its Citizenry while within the proximity of the "Site" to be exposed to a hazardous condition; now, therefore,

BE IT ORDAINED, pursuant to Connecticut General Statutes 7-148 that the Town of Preston hereby sets forth and adopts this Ordinance as follows:

In the event of a sale, lease, or other transfer of the "Site" or any portion thereof, the Town of Preston shall not, under any circumstance issue, or cause to be issued, a building permit or allow to be constructed, erected, restored, created, or developed, any structure of any kind whatsoever unless and until it has received, to its satisfaction documented proof that all asbestos, lead paint, fuel oil and other hazardous material at the "Site", including but not limited to those set forth in the "August 2001 Updated Phase 1" report has been completely abated, with sufficient bond to satisfy the Town of Preston or that a plan to abate such conditions has been presented and approved by the Board of Selectmen and the Town Building Official.

Effective: December 23rd, 2003 (fifteen days from date of publication).

AMENDMENT TO ORDINANCE

TOWN OF PRESTON
SPECIAL TOWN MEETING
NOVEMBER 30, 1994

A Special Town Meeting was held on Wednesday, November 30, 1994 at 7:30 P. M. at the Preston Plains School on Items 1, 2 & 3 of this call. A Public Hearing was held on Item #4 following the Special Town Meeting.

A motion was made and seconded to elect Parke Spicer as moderator. In Favor: All Opposed: None MOTION CARRIED.

Thomas Maurer, Acting clerk read the call of the meeting as it appeared in the legal notice in the Norwich Bulletin.

A motion was made and seconded to discuss and vote on Item #1A, an Amendment to "An Ordinance Concerning Waste Recycling and Regulating the Use and Operation of the Preston Refuse Disposal Area."

A. "Section VIII. Separation and Recycling: Paragraph (6)" repealed, and amended as follows: "On and after January 1, 1995 brush will no longer be accepted at the Refuse Disposal Area". In Favor: All Opposed: None MOTION CARRIED.

A motion was made and seconded to discuss and vote on Item #1B, "Section VIII. Paragraph H" is amended as follows: "On and after January 1, 1995 bulky waste, including all demolition material, lumber and building supplies, will no longer be accepted at the Refuse Disposal Area, except that each household or business in the Town may dispose of no more than (1) one pick-up truck load of such materials per week". In Favor: All Opposed: None MOTION CARRIED.

A motion was made and seconded to discuss and vote on Item #2A, an Amendment to an "Ordinance Establishing A Conservation Commission for the Town of Preston:

A. To change the name of the Commission to the Conservation/Inland-Wetland Commission". In Favor: All Opposed: None MOTION CARRIED.

A motion was made and seconded to discuss and vote on Item #2B, to amend Section 2 of the ordinance as follows: "Said Commission shall consist of seven members and two alternates. The terms of said alternates shall be six years from date of appointment. In Favor: All Opposed: None MOTION CARRIED.

A motion was made and seconded to discuss and vote on Item #3, an Amendment to an "Ordinance Establishing A Committee to Study the Needs of, and Coordinate the Programs for the Aging" as follows: Section 2 is repealed and amended as follows: "Said Committee shall consist of five electors of the Town, to be appointed by the Board of Selectmen, (a) two members of the Senior Citizens, and (b) three members who are citizens of the Town at large". In Favor: All Opposed: None MOTION CARRIED.

A public hearing convened following the preceeding votes on whether to adopt the "Regional Plan to Improve Quality and Diversity in Education (known as the "Regional Plan")", prepared by the Regional Forum pursuant to Public Act 93-263.

Rosemary Rheaume made opening Comments as a brief overview of the regional Plan.

Al Covino and Rosemary Rheaume both members of Region 3 forum were present to answer questions concerning the Plan as well as Dr. Donald Holden,



TOWN OF PRESTON
TOWN OFFICES
389 ROUTE 2
PRESTON, CONNECTICUT 06365-8830

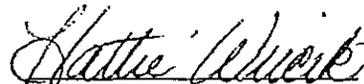
TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCES

The following Ordinances were adopted at a Referendum held on May 16, 1995:

1. The Annual Town Budget, as recommended by the Board of Finance, shall from the date of the ordinance and each year thereafter, shall be put to a referendum vote.
2. Any individual expenditure of \$100,000 or more, whether payable by short term or long term, shall from the date of the ordinance and each year thereafter, be put to a referendum vote.

The above Ordinances, as adopted, are effective fifteen (15) days from date of publication.

Dated @ Preston, Connecticut this 25th Day of May, 1995.


Hattie Wucik
Town Clerk

Effective Date
6/9/95 rw



TOWN OF PRESTON
TOWN OFFICES
389 ROUTE 2
PRESTON, CONNECTICUT 06365-8830

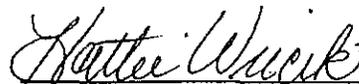
TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCES

Notice: At a Special Town Meeting of the Town of Preston, the following amendments and ordinances were enacted by vote of the Town:

1. "Ordinance Establishing a Committee to Study the Needs of and Coordinate the Programs for the Aging." Section 2 of said Ordinance is repealed and amended as follows: "Said Committee shall consist of five electors of the Town, to be appointed by the Board of Selectmen; (a) two members of the Senior Citizens, and; (b) three members who are citizens of the Town at large."

2. "Ordinance Establishing a Conservation Commission for the Town of Preston." To amend said Ordinance by changing the name to "Conservation/Inland Wetland Commission and to amend Section 2 of said Ordinance as follows: "Said Commission shall consist of seven members and two alternates. The terms of said alternates shall be six years from date of appointment."

Adopted at a Special Town Meeting held November 30, 1994.


Hattie Wucik
Town Clerk

December 6, 1995

Effective Date
12/22/95
HW



TOWN OF PRESTON

TOWN OFFICES

389 ROUTE 2

PRESTON, CONNECTICUT 06365-8830

TOWN OF PRESTON

NOTICE OF ADOPTION OF ORDINANCES

Pursuant to Connecticut General Statutes 7-157, notice is hereby published that the following Ordinances were enacted by the Town of Preston at a Special Town Meeting held on May 30, 1996:

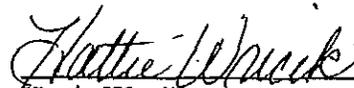
1. An Ordinance concerning Disposal of Commercial Waste which would define "commercial establishments" and require all "commercial establishments" to provide for disposal of waste located or produced on such premises, including the payment of tipping fees; to permit such establishments to haul their own waste to the Preston Transfer Station without incurring tipping fees; and, to require that disposal of bulky waste at the Transfer Station be paid for by any business, resident, commercial establishment, farm or farm operation bringing such bulky waste to the Transfer Station.

2. An Ordinance which would prohibit the consumption of alcoholic beverages or possession or control of an open container of alcoholic beverage while in any town owned or controlled property or quasi-public property; to establish a procedure for obtaining a permit for such consumption or possession of alcoholic beverages; to provide penalties for violation of such ordinance.

A full text of the aforementioned Ordinances are on file for public inspection in the Office of the Town Clerk.

The Ordinances become effective fifteen (15) days from date of publication.

Dated @ Preston, Connecticut this 6th Day of June, 1996.


Hattie Wucik
Town Clerk

Ordinance Concerning
Disposal of Commercial Waste

Be it ordained pursuant to Connecticut General Statutes 7-148(4)(H) that:

1. Commencing July 1, 1996 all commercial establishments located within the Town of Preston shall be responsible for the collection, removal and disposal of any garbage, trash, rubbish, waste material and ashes located or produced on their premises, including payment of any tipping fees.
2. Commercial establishments means any retail, professional, industrial, wholesale business or business of any type located within the Town of Preston, including, but not limited to the following:
 - sand and gravel operations;
 - saw mills and woodcutting operations;
 - recreational campgrounds;
 - commercial recreation facilities;
 - antique shops;
 - convalescent homes;
 - grocery stores, variety stores, eating and drinking establishments;
 - retail and wholesale stores;
 - professional offices of engineers, architects, accountants, attorneys, dentists, doctors, therapists and the like;
 - day care centers;
 - personal services, such as barber shops, beauty salons and dry cleaners;
 - repair services, such as radio, television, appliance and plumbing shops, upholstery shops, shoe repair shops, automotive repair shops, including gas and diesel stations;
 - storage facilities, trucking terminals and warehousing;
 - funeral parlors and mortuary establishments;
 - automotive sales and service;
 - package stores;
 - video sales and rental stores;
 - veterinary hospitals and kennels;
 - manufacturing facilities;
 - research facilities;
 - printing and publishing establishments;
 - lumber, fuel and building material yards;
 - carpentry and construction businesses and contractors;
 - waste and garbage collection and removal contractors.
3. Commercial establishments do not include farms, farming operations or home businesses.
4. Commercial establishments shall be allowed to bring their garbage to the Preston transfer station and not incur tipping fees. Commercial establishments must haul their own garbage to the transfer station and place it into the Town's compacting equipment.
5. Commercial establishments, residents, farms, farming operations, and home businesses will be required to pay for the disposal of bulky waste at the transfer station.



TOWN OF PRESTON
TOWN OFFICES
389 ROUTE 2
PRESTON, CONNECTICUT 06365-8830

TOWN OF PRESTON

NOTICE OF ADOPTION OF ORDINANCES

Pursuant to Connecticut General Statutes 7-157, notice is hereby published that the following Ordinances were enacted by the Town of Preston at a Special Town Meeting held on May 30, 1996:

1. An Ordinance concerning Disposal of Commercial Waste which would define "commercial establishments" and require all "commercial establishments" to provide for disposal of waste located or produced on such premises, including the payment of tipping fees; to permit such establishments to haul their own waste to the Preston Transfer Station without incurring tipping fees; and, to require that disposal of bulky waste at the Transfer Station be paid for by any business, resident, commercial establishment, farm or farm operation bringing such bulky waste to the Transfer Station.

2. An Ordinance which would prohibit the consumption of alcoholic beverages or possession or control of an open container of alcoholic beverage while in any town owned or controlled property or quasi-public property; to establish a procedure for obtaining a permit for such consumption or possession of alcoholic beverages; to provide penalties for violation of such ordinance.

A full text of the aforementioned Ordinances are on file for public inspection in the Office of the Town Clerk.

The Ordinances become effective fifteen (15) days from date of publication.

Dated @ Preston, Connecticut this 6th Day of June, 1996.

Hattie Wucik
Hattie Wucik
Town Clerk

ORDINANCE # 2 was
REPEAL ON 7/18/96

ATTEST:

Hattie Wucik
Town Clerk

Confirmed - 10465

Town of Preston

Notice of Additional Fees-Transfer Station

Pursuant to the Town's Ordinance concerning Landfill Fees, the Board of Selectmen at a meeting held on February 20th, 2003 voted to set the following fees for the disposal of Liquid Propane Tanks at the Transfer Station:

One Dollar (\$1.00) each for five (5) to twenty (20) lb. Tanks

Twenty Dollars (\$20.00) each for thirty (30) to forty (40) lb. Tanks

The fees will become effective March 21st, 2003.

Robert Congdon

Robert Congdon *OK*
First Selectman

* published
March 15th, 2003

Received For Record March 18, 2003
At 9:38 P.M. Heidi A. Halburc
TST, Town Clerk

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REVISED

SEE PAGE 138

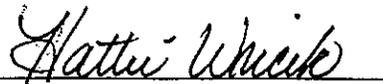
TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

Pursuant to Connecticut General Statutes 1-157, the Town of Preston hereby gives notice of the adoption of the following ordinances:

1. At a Special Town Meeting , duly warned and held on October 20, 2005, an ordinance entitled "Preston Code of Ethics" was approved by a vote of the Town at said meeting. In summary, the ordinance provides for the establishment of an Ethics Commission consisting of 5 regular members and 3 alternates to be appointed by the Board of Selectmen. The qualifications, terms of office, and structure of the commission are set out. The purpose of the ordinance is to set forth standards of ethical conduct for public officials, agents, and employees of the Town of Preston. The commission is empowered to hear complaints regarding violations of ethical conduct as set out in the ordinance, and to issue advisory opinions. Specific definitions and rules for the conduct of public officials are set in the ordinance.

A copy of the ordinance is available for inspection at the Preston Town Clerk's office during regular office hours, and a copy will be mailed upon request, at no charge, to any person requesting a copy.

This document(summary) 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 Preston for any purpose.



Hattie Wucik, Town Clerk

The above ordinance shall become effective fifteen days from the publication of this notice.

*Effective -09-02-06
HW*

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCES

Pursuant to Connecticut General Statutes 1-157, the Town of Preston hereby gives notice of the adoption of the following ordinances:

1. At a Special Town Meeting, duly warned and held on October 20, 2005, an ordinance entitled "Preston Code of Ethics" was approved by a vote of the Town at said meeting. In summary, the ordinance provides for the establishment of an Ethics Commission consisting of 5 regular members, 2 alternates and (1) one investigator appointed by the Board of Selectmen. The qualifications, terms office, and structure of the commission are set out. The purpose of the ordinance is to set forth standards of ethical conduct and establish guidelines for ethical conduct for public officials, agents, and employees of the Town of Preston. The Commission is empowered to hear complaints regarding alleged violations of ethical conduct as set out in the ordinance, and to issue advisory opinions. Specific definitions and rules for the conduct of public officials are set out in the ordinance.

A copy of the ordinance is available for inspection at the Preston Town Clerk's office during regular office hours, and a copy will be mailed upon request, at no charge, to any person requesting a copy.

- This document(summary) 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 Preston for any purpose.
2. At a referendum, duly warned and held on November 1, 2005 "An ordinance prohibiting the acquisition of certain property by eminent domain for privately held or controlled economic development purposes in the Town of Preston" was approved by vote of the Town.

The above ordinances shall become effective fifteen days from the publication of this notice.

Hattie Wucik, CCMC
Preston Town Clerk

Adopted: 11-04-05
Effective: 11-19-05

**AN ORDINANCE PROHIBITING EMINENT DOMAIN
FOR CERTAIN PURPOSES**

BE IT ORDAINED by the voters of the Town of Preston at a duly warned town meeting:

The acquisition of certain property by eminent domain for privately held or controlled economic development purposes in the Town of Preston is prohibited.

The above ordinance shall become effective fifteen days from the publication of this notice in accordance with the General Statutes.

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

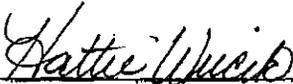
Pursuant to Connecticut General Statutes § 1-157, the Town of Preston hereby gives notice of the adoption of the following ordinances:

1. At a Special Town Meeting, duly warned and held on June 15, 2006, an ordinance entitled "Ordinance to Amend the Ordinance Concerning Public Bidding" was approved by a vote of the Town at said meeting.

The text of said ordinance is as follows:

"All contracts entered into on behalf of the Town of Preston for supplies, materials and services in excess of \$7,500.00 (except contracts for personal services of an individual) shall only be awarded after public notice and bid, provided however that no bid for expenditures to be paid from Town Aid Road funds shall be necessary as long as the price paid is equal to or less than the price to be paid by the State for the same type of expenditure. Bid requirement may be waived by agreement of a majority of the members of the Board of Finance."

The above ordinance shall become effective fifteen days from the publication of this notice.



Hattie Wucik, Town Clerk.

Effective - 07-02-06
hw



TOWN OF PRESTON
TOWN OFFICES
389 ROUTE 2
PRESTON, CONNECTICUT 06365-8830

NOTICE OF AMENDMENT OF ORDINANCE

Notice: At a Special Town Meeting of the Town of Preston, the following amendment to the Ethics Ordinance was enacted by vote of the Town.

1. – To amend Section 1.4A of the Preston Code of Ethics Ordinance to provide for four (4) alternate members instead of three (3), one of which shall be an unaffiliated elector of the Town.

Adopted at a Special Town Meeting held April 5, 2007.

Dated at Preston, CT this 11th day of April 2007.

Hattie Wucik, CCMC
Preston Town Clerk

Effective Date: April 22, 2007

TOWN OF PRESTON

Town Ordinance Establishing Town of Preston Fire Department

Pursuant to Connecticut General Statutes 7-301 there is hereby established in the Town of Preston a Town Fire Department which shall be known as the Preston Fire and Emergency Services Department. Said Department shall be subject to the management, discipline and control by the Board of Selectmen and the Board of Selectmen may make regulations for the conduct of the fire department and may appoint, discipline and remove for cause shown all employees of the department and purchase supplies and equipment necessary for its operation. The Board of Selectmen may enter into any agreements appropriate for the conduct of fire and emergency services in the Town of Preston with the Poquetanuck Volunteer Fire Department and the Preston City Volunteer Fire Department.

The Department shall be responsible for the protection of life and property within the Town from the harmful effects of fire, explosion, medical emergencies, hazardous materials release, structural collapse, man made and natural disasters. The fire and emergency services department shall utilize personnel and resources pursuant to any agreements entered into by the Board of Selectmen, of the Poquetanuck and Preston City Volunteer Fire Departments. The department shall be under the command and control of the Fire Chief who shall be appointed by the Board of Selectmen and report directly to the First Selectman. The Fire Chief shall be responsible for the protection of life and property from fire and related emergencies and for enforcement of all laws, ordinances, and regulations relating to fire prevention and fire safety within the Town of Preston.

The Fire Chief shall be responsible for managing and directing all fire suppression, emergency and rescue mitigation, emergency medical services and fire prevention activities in the Town of Preston and shall have all authority set forth in Connecticut General Statutes 7-313e when responding to or operating at a fire, service call, or other emergency within the Town of Preston. In the absence of the paid fire chief at such a fire, service call, or other emergency, then such authority shall be exercised by the highest ranking officer on scene from either of the volunteer fire departments located within the Town of Preston. However, if volunteer officers on scene are of equal rank, the highest ranking officer from the assigned primary response district in which the emergency is located shall exercise the authority set forth in Connecticut General Statutes 7-313e.

The duties of the fire chief shall be established by the board of selectmen and shall include but not be limited to planning, organizing, budgeting, staffing, directing, and supervising the emergency operations of the existing volunteer fire personnel, part time and full time paid personnel, coordinating work with other departments, boards and commissions, maintaining records and preparing reports. The fire chief shall be responsible for all fire apparatus, vehicles, fire fighting rescue and emergency medical equipment owned and/or purchased with Town funds or obtained by the Town through grants. The fire chief shall establish standard operating guidelines and a table of organization, which may be updated from time to time by the chief to meet the needs of the community. The fire chief shall also serve as Fire Marshal, Director of Emergency Management and Open Burning Official.

Nothing in this ordinance shall alter the ownership of buildings and property currently owned by the volunteer fire departments, nor shall the fire chief have control over the volunteer departments' non-profit social, fraternal, and/or benevolent corporations or organizations. Each volunteer fire department may continue to operate under their respective by-laws, provided they do not conflict with this ordinance, and maintain their respective identity. The Town of Preston shall fund necessary operating expenses for the fire department to include the utility cost and casualty and property insurance cost of the volunteer fire department buildings, which are used specifically for the fire departments' purposes. The town shall also provide funding for injury and death insurance policies for volunteer fire department personnel as currently in force in addition to any workers' compensation insurance policies for volunteer and/or paid personnel.

This ordinance becomes effective fifteen (15) days from date of publication.

Dated @ Preston this 25th day of June, 2007.

Hattie Wucik
Preston Town Clerk

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

At a Special Town Meeting of the Town of Preston, CT held on July 12, 2007, the following ordinance was adopted:

AN ORDINANCE REGARDING THE REORGANIZATION OF THE
CONSERVATION/INLAND WETLANDS COMMISSION

BE IT ORDAINED BY THIS TOWN MEETING:

SECTION 1 - PURPOSE.

The purpose of this ordinance is to establish a conservation commission separate and apart from the existing Conservation/Inland Wetlands Commission and to rename and establish the existing Conservation/Inland Wetlands Commission as the Inland Wetlands Commission for the Town.

SECTION 2 - REORGANIZATION OF THE CONSERVATION/INLAND
WETLANDS COMMISSION.

The Conservation/Inland Wetlands Commission is hereby reorganized as follows:

(A) Repeal of Powers. The powers granted to the Conservation/Inland Wetlands Commission to act as the conservation commission for the Town of Preston pursuant to Connecticut General Statutes Section 7-131a, as provided in ordinances adopted at Town Meetings held on February 25, 1971, January 13, 1972 and November 30, 1994, are hereby repealed.

(B) New Title. The Conservation/Inland Wetlands Commission shall be named the Inland Wetlands Commission.

(C) Powers and Duties. The Inland Wetlands Commission shall have all of the powers and duties provided in the Connecticut Inland Wetlands and Watercourses Act (Connecticut General Statutes Sections 22a-36 through 22a-45a, as amended from time to time).

(D) Membership; Terms of Office: The Inland Wetlands Commission shall consist of seven members and two alternate members. The term of office for each of the members shall be six years, as follows:

Two to serve until January 1, 2008
One to serve until January 1, 2009
One to serve until January 1, 2010

One to serve until January 1, 2011
One to serve until January 1, 2012
One to serve until January 1, 2013

The two alternate members shall each serve until January 1, 2013.

The members shall be appointed by the First Selectman. The First Selectman may remove any member or alternate member for cause and may fill any vacancy.

The members of the Conservation/Inland Wetlands Commission as of the date this ordinance is adopted shall continue to serve as the members of the Inland Wetlands Commission until their successors are appointed and qualified.

SECTION 3 - ESTABLISHMENT OF THE CONSERVATION COMMISSION.

(A) Establishment. There is hereby established for the Town of Preston a conservation commission to be known as the Conservation Commission.

(B) Power and Duties. The Conservation Commission shall have all of the powers and duties of a conservation commission granted in Connecticut General Statutes Section 7-131a, provided, however, that the Conservation Commission shall have the authority to promulgate rules and regulations solely for the purpose of regulating the use of land and easements acquired by the Conservation Commission in the name of the Town of Preston. Such rules and regulations shall be adopted at a Town Meeting.

(C) Terms of Office. The Conservation Commission shall consist of seven members and two alternate members.

The term of office for each of the members shall be six years, as follows:

Two to serve until January 1, 2008
One to serve until January 1, 2009
One to serve until January 1, 2010
One to serve until January 1, 2011
One to serve until January 1, 2012
One to serve until January 1, 2013

The two alternate members shall each serve until January 1, 2013.

The members shall be appointed by the First Selectman. The First Selectman may remove any member or alternate member for cause and may fill any vacancy.

Hattie Wucik, Town Clerk
Town of Preston

Effective: 08-02-2007 AW

**TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCES**

At a Special Town Meeting of the Town of Preston, Connecticut held on Thursday, September 27, 2007, the voters eligible to vote at Town Meetings adopted the following ordinances:

1. AN ORDINANCE AUTHORIZING MUNICIPAL EMPLOYEES TO SERVE ON LAND USE BOARDS AND COMMISSIONS, the purpose of which is to authorize municipal employees, except those specifically prohibited by the Connecticut General Statutes, to serve on the Town's land use boards and commissions.

2. AN ORDINANCE AMENDING THE ORDINANCE CONCERNING THE ADOPTION OF ZONING AND PLANNING IN THE TOWN OF PRESTON, CREATING A PLANNING AND ZONING COMMISSION AND PROVIDING FOR ITS APPOINTMENT AND ELECTION, the purpose of which is to authorize municipal employees, except those specifically prohibited by the Connecticut General Statutes, to serve on the Town's Planning and Zoning Commission.

Copies of the full texts of the Ordinances are on file and available for public inspection at the Office of the Town Clerk, 389 Route 2, Preston, Connecticut. These Ordinances will be effective 15 days after publication of this Notice.

TOWN OF PRESTON
By: Hattie Wucik, Town Clerk

485473 v.01

*Effective date: 10-12-07
AW*

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

At a Special Town Meeting held on March 6, 2008, the electors and those persons eligible to vote in town meetings of the Town of Preston, Connecticut, adopted an ordinance entitled "An Ordinance Regarding Public Comment and Questions at Meetings of Town Boards, Commissions and Committees." The ordinance provides for public comment and questions at all meetings of public agencies of the Town of Preston. A copy of the full text of the ordinance is on file and available for public inspection at the office of the Town Clerk and will be mailed by the Town Clerk to any person that requests a copy.

The ordinance shall become effective fifteen days after the publication of this Notice.

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

Dated at Preston, Connecticut this 7th day of March, 2008.



Hattie Wucik
Town Clerk
Town of Preston

AN ORDINANCE REGARDING PUBLIC COMMENT AND QUESTIONS AT
MEETINGS OF TOWN BOARDS, COMMISSIONS AND COMMITTEES

BE IT ORDAINED BY THIS TOWN MEETING:

SECTION 1 – PURPOSE:

The purpose of this ordinance is to require the agenda for meetings of all Town of Preston Boards, Commissions, and Committees to provide for a public comment and questions segment.

SECTION 2 – DEFINITIONS:

“Agency or Agencies” is any public agency as defined in Section 1-200(1) of the Connecticut General Statutes.

“Meeting” is any proceeding of an Agency as defined in Section 1-200(2) of the Connecticut General Statutes.

SECTION 3 – PROCEDURES FOR PUBLIC COMMENT AND QUESTIONS:

The following requirements and procedures shall be used for all Agencies to regulate Public Comment and Questions during Public Meetings:

1. The agenda for public meetings of an Agency shall provide a 15-minute time segment devoted to Public Comments and Questions.
2. The moderator of the Agency may limit the amount of time a person is allowed to speak provided that any individual wishing to address an Agency during a meeting shall be permitted a minimum of 2 minutes during the Public Comment and Questions segment provided any public comment or question must be germane to the business of that Agency.
3. No individual who has been recognized by the moderator to address an Agency may yield their allotted time to another individual.
4. Any Agency may set their own policy regarding responses to Public Comment and Questions and the placement of agenda items.
5. To the extent of the law any Agency may limit Public Comment and Questions to Preston residents or Preston taxpayers.
6. The Agency may from time to time limit or delete the Public Comment and Question segment from its agenda.
 - (a) If the Public Comment and Question segment is limited or deleted from the agenda, the reason for limiting or deleting Public Comment and Question shall be identified in the agenda when it is posted.

- (b) If the Public Comment and Question segment is limited or deleted at the meeting, the reason for limiting or deleting Public Comment and Questions shall be identified and included in the minutes of the meeting.
- 7. The meeting moderator for each Agency may end Public Comment or Questions to restore proper decorum.
- 8. Public Comment and Questions will not be permitted on matters exempt from public discussion pursuant to the Connecticut Freedom of Information Act.
- 9. In an effort to provide public notice, individuals are encouraged to contact the chairpersons of each Agency to have issues added to a public meeting agenda.

SECTION 4 – DECORUM WHEN ADDRESSING AGENCIES:

Individuals wishing to address an Agency during Public Comment and Questions shall adhere to the following criteria:

- (a) Individuals may speak only when recognized by the meeting moderator.
- (b) All comments and questions shall be addressed thru the meeting moderator.
- (c) Individuals may make one comment or ask one question until all other individuals wishing to speak have had an opportunity before addressing any Agency again.

SECTION 5 – EXCEPTIONS:

This ordinance shall not apply when, in the determination of the Agency, it conflicts with provisions of the Connecticut General Statutes.

SECTION 6 – SUMMARY PUBLICATION OF ADOPTION:

Upon the adoption of this ordinance, a summary of the ordinance shall be published in lieu of the complete text of the ordinance.

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

At a Special Town Meeting held on April 30, 2009, the electors and those persons eligible to vote in town meetings of the Town of Preston, Connecticut, adopted an ordinance entitled "An Ordinance to Establish a Redevelopment Agency for the Redevelopment of the Former Norwich State Hospital Property." The ordinance provides for the establishment of the Preston Redevelopment Agency as the Town's lead agency for the redevelopment of the former Norwich State Hospital property, which was acquired by the Town on March 12, 2009, and specifies the powers and duties of the Agency. A copy of the full text of the ordinance is on file and available for public inspection at the office of the Town Clerk, is posted on the Town's website at www.preston-ct.org and will be mailed by the Town Clerk to any person that requests a copy.

The ordinance shall become effective fifteen days after the publication of this Notice.

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

Dated at Preston, Connecticut this 1st day of May, 2009.

Hattie Wucik

Hattie Wucik
Town Clerk
Town of Preston

540100 v.01

*Effective -15 days after
publication hw*

*Effective
05-17-09
Attest
Hattie Wucik
Town Clerk*

TOWN OF PRESTON

AN ORDINANCE TO ESTABLISH A REDEVELOPMENT AGENCY FOR THE
REDEVELOPMENT OF THE FORMER NORWICH STATE HOSPITAL
PROPERTY

BE IT ORDAINED BY THIS TOWN MEETING:

SECTION 1 - PURPOSE.

The purpose of this ordinance is to establish a redevelopment agency, pursuant to Chapter 130, Part I of the Connecticut General Statutes (the "General Statutes"), for the redevelopment of the former Norwich State Hospital property, which property was acquired by the Town of Preston on March 12, 2009 and is shown on the attached map (the "Property").

SECTION 2 - ESTABLISHMENT OF THE PRESTON REDEVELOPMENT
AGENCY.

(A) Establishment. There is hereby established the Preston Redevelopment Agency (the "Agency"). The Agency shall be a redevelopment agency of the Town pursuant to the General Statutes and shall be the Town's lead agency for the redevelopment of the Property.

(B) Members; Terms of Office; Officers.

(1) The Agency shall consist of ten members who shall be electors resident in the Town of Preston. The members shall be appointed by the Board of Selectmen with the approval of a town meeting. Any person appointed shall serve at the pleasure of the Board of Selectmen.

(2) The ten members first appointed shall be appointed as follows: two members each shall serve for one, two, three, four, and five years, respectively, and thereafter two members shall be appointed annually to serve for five years. Each member shall serve until his or her successor is appointed and has qualified and any vacancy shall be filled for the unexpired term.

(3) Action by the Agency shall be taken only on the majority vote of all the members.

(4) The Agency shall select from among its members a chairman and a vice-chairman, and may employ a secretary and such other officers, agents, technical

consultants, legal counsel and employees as it requires, subject to budgeted appropriations or other sources of funding. No person shall cause any employee of the Agency to serve in any capacity for the purpose of promoting a political party or any member thereof.

(5) Members shall serve without compensation but may be reimbursed for necessary expenses.

SECTION 3 - POWERS AND DUTIES. Except as otherwise provided in this ordinance, the Agency shall have all of the powers and duties of a redevelopment agency granted in the General Statutes.

(A) Preparation and Approval of Redevelopment Plan.

(1) The Agency shall prepare, or cause to be prepared, a redevelopment plan for the Property and any redeveloper may submit a redevelopment plan to the Agency.

(2) Before approving any redevelopment plan, the Agency shall (i) transmit such plan to the Preston Planning and Zoning Commission for its study and for its written opinion, including a determination on whether the plan is consistent with the Town's plan of conservation and development, (ii) hold a public hearing on the plan, and (iii) after the public hearing, make the findings required by the General Statutes. After the Agency has approved the plan, it shall be approved at a town meeting.

(3) The plan shall be effective for a period of ten years after town meeting approval and may be amended as provided in this Section and in accordance with the General Statutes. The town meeting shall review the plan at least once every ten years after the initial approval, and shall reapprove such plan or an amended plan at least once every ten years after the initial approval in order for the plan or amended plan to remain in effect.

(B) Acceptance of Funds; Financing.

(1) For the purpose of carrying out or administering a redevelopment plan or other functions authorized under this ordinance, the Town, acting by and through the Agency, may accept grants, advances, loans or other financial assistance from the federal government, the state or other source, and may do any and all things necessary or desirable to secure such financial aid. To assist the Agency, the Town may, upon such

terms as it determines, furnish service or facilities, provide property, lend or contribute funds, and take any other action of a character which it is authorized to perform for other purposes.

- (2) To obtain funds for the temporary and definitive financing of any redevelopment project, the Town may, in addition to other action authorized under this ordinance or other law, levy taxes and issue and sell its temporary loan notes, bonds or other obligations. Such temporary loan notes shall be issued for a period of not more than three years. Any such bonds or other obligations issued by the Town pursuant to this subsection shall be in accordance with such statutory and other legal requirements as govern the issuance of obligations generally by the Town.

(C) Bonds; Authorization; Issuance by Connecticut Development Authority.

- (1) For the purpose of carrying out or administering a redevelopment plan or other functions authorized under this ordinance, the Town, acting by and through the Agency, is authorized to issue bonds of the Town, or to issue bonds through the Connecticut Development Authority for a specified project, which are payable solely from and secured by: (a) a pledge of and lien upon any or all of the income, proceeds, revenues and property of redevelopment projects; (b) taxes or payments in lieu of taxes, or both, allocated to and paid into a special fund of the Town for the payment of debt service, bond repurchases and other bonding costs pursuant to the provisions of the General Statutes; or (c) any combination of the methods in (a) and (b) of this subsection.

- (2) Any bonds payable and secured as provided in this Section shall be authorized by a resolution adopted by a town meeting.

(D) Acquisition or Rental of Real Property; Limitation on Use of Eminent Domain.

- (1) Within a reasonable time after its approval of the redevelopment plan, the Agency may proceed with the acquisition or rental of real property by purchase, lease, exchange or gift.
- (2) The Agency may acquire real property, or interests therein, within the boundary lines of the Property by eminent domain with the approval of a town meeting, provided:

- (a) the acquisition shall comply with the procedures and requirements in the General Statutes;
- (b) the acquisition of any property, or interests therein, that would prohibit or restrict access to real property upon which there is an inhabited residential structure shall be prohibited; and
- (c) the acquisition of the properties labeled as "Privately Owned" on the attached map shall be prohibited.

(3) The Town ordinance entitled "An Ordinance Prohibiting Eminent Domain for Certain Purposes" as approved at the November 1, 2005 Town Meeting, shall not apply to the Agency's eminent domain proceedings and acquisitions allowed under this ordinance.

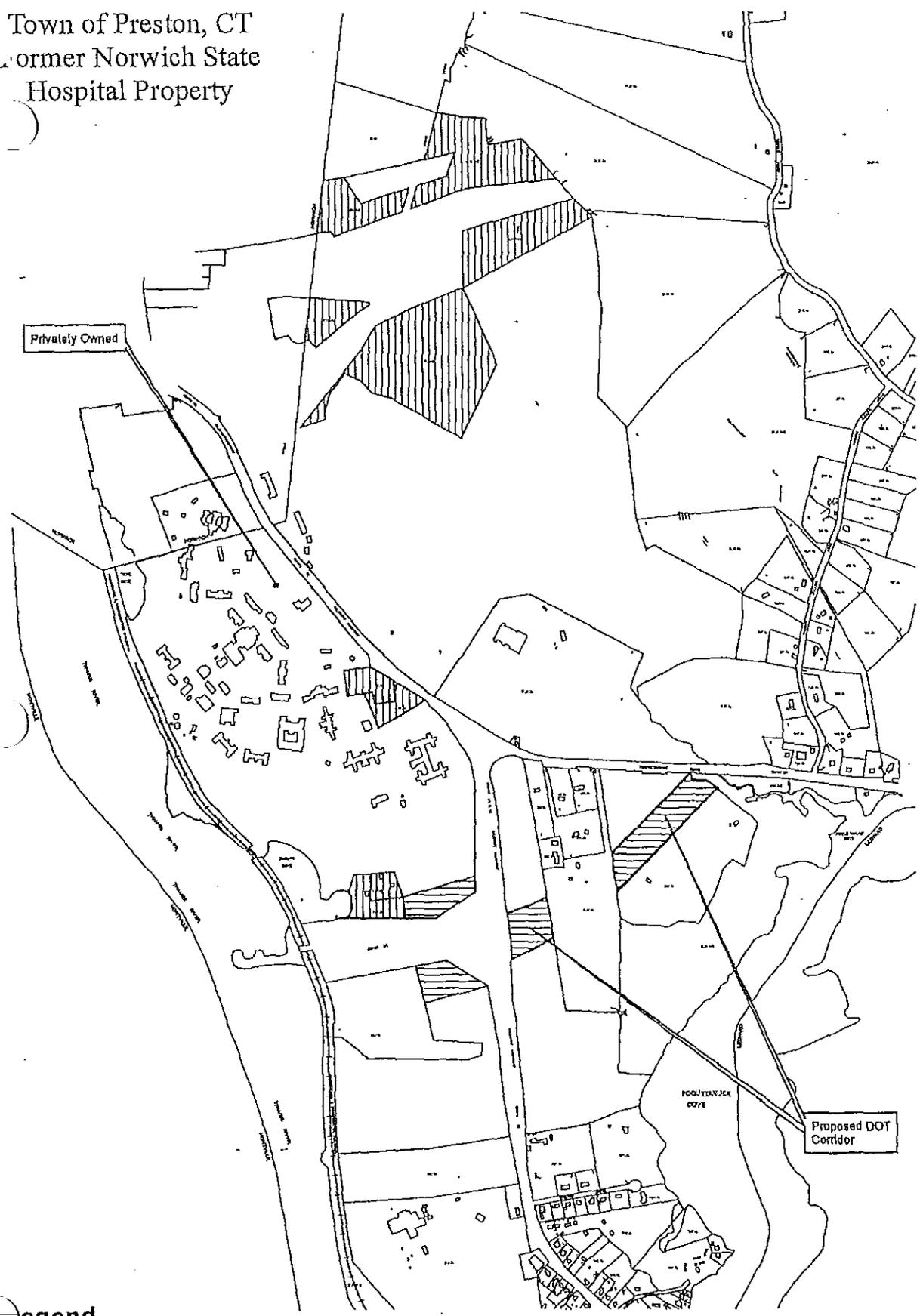
(E) Transfer, Sale or Lease of Real Property.

- (1) The Agency may sell, lease or otherwise transfer for such sums as are agreed upon the whole or any part of the real property within a redevelopment area to the redeveloper or, if the real property is to be used for public purposes, to an appropriate public agency.
- (2) Any contract for sale, lease or other transfer shall be approved by a town meeting before its final approval by the Agency:

SECTION 4 - SUMMARY PUBLICATION OF ADOPTION. Upon the adoption of this ordinance, a summary of the ordinance shall be published in lieu of the complete text of the ordinance.

This ordinance shall be effective fifteen (15) days after the date of publication.

Town of Preston, CT
 Former Norwich State
 Hospital Property



Privately Owned

Proposed DOT Corridor

Legend

-  Privately Owned
-  Former Norwich State Hospital
-  Proposed DOT Parcel

THIS MAP IS PREPARED FOR THE INVENTORY OF REAL PROPERTY FOUND WITHIN THESE JURISDICTIONS AND IS COMPILED FROM RECORDED DEEDS, PLATS, AND OTHER PUBLIC RECORDS AND DATA. USERS OF THE MAP ARE HEREBY NOTIFIED THAT THE AFOREMENTIONED PUBLIC PRIMARY INFORMATION SOURCES SHOULD BE CONSULTED FOR VERIFICATION OF THE INFORMATION CONTAINED ON THIS MAP. THE TOWN AND THE MAPPING COMPANY ASSUME NO LEGAL RESPONSIBILITIES FOR THE INFORMATION CONTAINED ON THIS MAP. HORIZONTAL DATUM BASED ON THE CONNECTICUT STATE PLANE COORDINATE SYSTEM, NAD83
 April 22, 2009

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Town of Preston
Notice of Adoption of Ordinance

Note: At a Special Town Meeting, of the Town of Preston the following amendment to an Ordinance was enacted by vote of the Town.

1. An Ordinance amending an ordinance of the Town of Preston Building Permit Fees (that shall become effective July 1, 2009).

A copy of the Current Fee Scheduled is on file with the Town Clerk's Office and the Building Department.

Dated at Preston, Connecticut this 14th day of July, 2009.

Hattie Wucik
Preston Town Clerk

*Effective 07-30-09
15 days after publication
Attest.
H. Wucik
Town Clerk*

**AN ORDINANCE AMENDING AN ORDINANCE OF
THE TOWN OF PRESTON BUILDING PERMIT FEES**

(effective date July 1, 2009)

BUILDING PERMIT FEES ARE AS FOLLOWS:

A 1	RESIDENTIAL CONSTRUCTION: One and Two Family Dwellings	
a	New Construction	\$8.00 per \$1,000
b	Alteration/Addition/Renovation	\$8.00 per \$1,000
c	Residential Accessory Structures:	
	1. Detached Garages	\$8.00 per \$1,000
	2. Barns/Sheds/Storage (residential)	\$8.00 per \$1,000
	3. Above Ground Pools	\$45.00 above ground + building permit fees as applicable for fences, walks, outbuildings, etc
	4. In Ground Pools	\$75.00 in ground + building permit fees as applicable for fences, walks, outbuildings, etc.
d	Plumbing (Residential)	\$6.00 per \$1,000 min \$25.00
e	Mechanical (Residential)	\$6.00 per \$1,000 min \$25.00
f	Electrical (Residential)	\$6.00 per \$1,000 min \$25.00
2	AGRICULTURAL - FARMING:	
a	Barns/Sheds/Storage Only	\$8.00 per \$1,000
b	Any Building under Planning & Zoning Regulation Section 15.18.1-B or D	\$16.00 per \$1,000
3	COMMERCIAL (INCLUDING MULTI FAMILY)	
a	New Construction	\$16.00 per \$1,000
b	Alteration/Addition/Renovation	\$16.00 per \$1,000
c	Accessory Structures	\$16.00 per \$1,000
d	Plumbing (Commercial)	\$16.00 per \$1,000
e	Mechanical (Commercial)	\$16.00 per \$1,000
f	Electrical (Commercial)	\$16.00 per \$1,000
4	DEMOLITION	
		\$15.00 minimum for a shed
		\$45.00 for entire residence or barn type structure
5	REMOVAL OR MOVING	
	MOVING (Residential /Residential Accessory within Town)	\$4.00 per \$1,000
6	MOVING (Residential From Out of Town)	Applicable as new residential
7	MOVING (Commercial)	Applicable as new commercial

Notes:

1. Fee for reinspection of work when it is called in and not ready for inspection \$25.00
(does not include rejected work)

2. Double permit fees when work is started without a permit

3. Expired Permit Fees minimum	Minimum	Maximum
Residential Accessory	\$0.00	Cost of remaining work
Residential	\$250.00	Cost of remaining work
Commercial	\$500.00	Cost of remaining work

B. Town of Preston owned buildings will require Building permits, however, no building permit fees will be collected for any Town of Preston owned building including trade permits for repairs or renovations on any owned buildings, except as required by law.

C. On all building permits issued by the Town of Preston on or after February 1, 1990 for all buildings, structures, or other projects of such a nature that the local building official is unable to perform a complete plan review including plans, specifications and construction inspections without expert assistance and the building official deems it necessary to hire an expert consultant(s) in order to perform such a review and inspections, there will be charged, in addition to the regular building permit fee, a surcharge to cover such consultant's fees. The surcharge fees will be equal to the fees charged by any expert consultants retained by the Town to assist in the review and inspections, for compliance with the State of Connecticut Building Code, shall be due and payable at the time such charges are made to the Town. The surcharge may be in addition for any surcharge for "threshold" building reviews and inspections.

RECEIVED
PRESTON, CT.

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Brenda A. Halperin
Asst. PRESTON TOWN CLERK

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

At a Special Town Meeting held on February 25, 2010, the electors and those persons eligible to vote in town meetings of the Town of Preston, Connecticut, adopted an ordinance entitled "An Ordinance Amending the Ordinance to Establish a Redevelopment Agency for the Redevelopment of the Former Norwich State Hospital Property." The revision to the existing ordinance provided as follow:

That the Town's ORDINANCE TO ESTABLISH A REDEVELOPMENT AGENCY FOR THE REDEVELOPMENT OF THE FORMER NORWICH STATE HOSPITAL PROPERTY, as adopted at the April 30, 2009 Special Town Meeting, is hereby amended to add, under SECTION 3 - POWERS AND DUTIES, a new subsection (F) to read as follows:

(F) Management and Finance Powers. In addition to the powers and duties granted to the Agency by the General Statutes and other Town of Preston ordinances, the Agency shall have the following additional powers and duties:

(1) The Agency may approve expenditures of non-tax derived funds up to \$500,000, contract commitments up to an award level of \$1,000,000, recommendations to the Town for major deviations in land use from the approved Conceptual & Management Plan for the Redevelopment of Preston Riverwalk dated February 2010 (the "CMP"), and approval of significant changes in supporting plans for infrastructure or sequence of development.

(2) The Chairman of the Agency may approve individual expenditures of appropriated funds received from the Preston General Fund not to exceed \$5,000, expenditures of non-tax derived funds up to \$100,000, contract commitments up to \$250,000, submitted requests for funding/services grants and loans, and application of non-tax derived funds to matching fund grants up to \$100,000.

(3) The Agency's Director of Communications, Operations Manager and Director of Marketing may authorize disbursements of up to \$1,000.

All contract commitments and disbursement of Agency funds will be subject to the Contract Management Procedures and Financial Controls described in Parts B and C of the CMP.

Any expenditures or awarding of Contracts requires an individual majority Vote of the Entire PRA Membership for approval as per Connecticut State Statute.

The Agency, by a majority vote of its entire membership, may revise the powers and duties given to its Chairman, Director of Communications, Operations Manager and Director of Marketing as described (2) and (3) above, provided that the Agency may not exceed its powers and duties described in (1) above.

The ordinance shall become effective fifteen days after the publication of this Notice.

Dated at Preston, Connecticut this 2nd day of March, 2010.



Hattie Wucik
Town Clerk
Town of Preston

Effective Date: 03-18-2010
HW

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**TOWN OF PRESTON
ADOPTION OF ORDINANCE**

At a Special Town Meeting, of the Town of Preston, held on Thursday, September 16, 2010 the voters eligible to vote at Town Meetings adopted the following amended ordinances:

1. An Ordinance amending an Ordinance of the Town of Preston, titled “An Ordinance Concerning the Adoption of a Fee Schedule for the Processing of Land Use Applications,” as adopted at the January 25, 1990 Special Town Meeting.
2. An amendment to the Preston Code of Ethics, (in accordance with the August 25, 2010 proposed recommendations of the Preston Ethics Commission) –To ADD “Approved September 16, 2010 and which supersedes all previous versions to the cover page of the document.

Copies of the full texts, or the amended Ordinances, are on file and available for public inspection at the Office of the Town Clerk, 389 Route 2, Preston, CT. These ordinances will be effective 15 days after publication of this Notice.

Dated at Preston, Connecticut this 23rd day September, 2010.



Hattie Wucik
Preston Town Clerk

Effective Date: 10/08/2010

AN ORDINANCE CONCERNING THE ADOPTION OF A FEE
SCHEUDLE FOR THE PROCESSING OF LAND USE APPLICATIONS
(Adopted at a Special Town Meeting January 25, 1990)

The existing Ordinance adopted at the January 25, 1990 Special Town Meeting is hereby rescinded and replaced with the following:

Fee schedules for all land use applications that appear before the Planning and Zoning, Zoning Board of Appeals and the Inland Wetland and Watercourses Commission shall be as set forth in the respective regulations governing said board or commission.

REVISED

AN ORDINANCE CONCERNING THE ADOPTION OF A FEE SCHEDULE FOR THE PROCESSING OF LAND USE APPLICATIONS (Adopted at a Special Town Meeting January 25, 1990)

BE IT ENACTED:

1. Pursuant to the provisions of S8-1c of the Connecticut General Statutes, there is hereby established the following schedule of fees for processing various land use applications:
 - a. For an application to the Inland Wetlands and Watercourses Commission, \$100. for an application requiring a Public Hearing; \$25. for all other applications.
 - b. For an application to the Zoning Board of Appeals, \$50.
 - c. For an application seeking site plan approval or the granting of a Special Exception, \$50., plus a sum, to be computed by a retained Town Engineer, equal to three percent (3%) of the estimated cost of the public improvements required by the approving Commission or Board to be paid prior to the endorsement of the record map.
 - d. For an application seeking a special permit for a multi-family complex, the minimum fee shall be \$100. for each application and the maximum fee shall be \$35. per dwelling unit, plus a sum, to be computed by a retained Town Engineer, equal to three percent (3%) of the estimated cost of the public improvements and public safety related community improvements required by the approving Commission or Board to be paid prior to the endorsement of the record map.
 - e. For an application seeking approval of a subdivision or resubdivision plan, the minimum fee shall be \$50. for each application and the maximum fee shall be \$25. for each lot within the proposed subdivision/resubdivision, plus a sum, to be computed by a retained Town Engineer, equal to three percent (3%) of the estimated cost of the public improvements required by the approving Commission or Board to be paid prior to the endorsement of the record map.
 - f. For any other application to the Planning and Zoning Commission, \$50.
2. "Public Improvements", for the purposes of this ordinance, includes but is not limited to the construction of new roads, improvements to existing roads, storm drainage, water, sewer and other utility lines, the setting aside of open space and recreation areas, planting of trees or other landscaping, the installation of retaining walls or other structures and erosion and sediment controls.
3. This ordinance shall take effect upon passage and publication according to law.

Published, Norwich Bulletin 2/3/90

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

At a Special Town meeting, of the Town of Preston, held on Thursday, October 21, 2010 the voters eligible to vote at Town Meetings adopted the following ordinance.

An ordinance entitled "An Ordinance to Define the Annual Town Budget Meeting and Board of Finance Public Hearing."

A copy of the ordinance, is on file and available for public inspection at the Preston Town Clerk Office, 389 Route 2, Preston, CT. during regular office hours and on the Town's website at www.preston-ct.org.

This ordinance will be effective 15 days after publication of this notice.

Dated at Preston, Connecticut this 22nd day of October, 2010

Hattie Wucik
Preston Town Clerk

AN ORDINANCE TO DEFINE THE ANNUAL TOWN BUDGET MEETING
AND BOARD OF FINANCE PUBLIC HEARING

The purpose of this ordinance is to establish a fixed schedule for preparation and approval of the annual budget for the Town of Preston in accordance with the requirements of Connecticut General Statutes, Chapter 106, Section 7-344.

A proposed General Government budget approved by the Board of Selectmen and a proposed Education Budget approved by the Board of Education shall be submitted to the Board of Finance no later than the first Tuesday in the month of March immediately preceding the fiscal year and shall be submitted in electronic and paper format.

The Annual Town Budget Meeting shall be held on the first Thursday of the month of May immediately preceding the fiscal year.

The Board of Finance shall hold a public hearing not less than two weeks before the Annual Town Budget Meeting. At such hearing, the Board of Finance will present itemized estimates of the expenditures of the Town for the ensuing fiscal year and shall allow all persons to be heard with respect to such appropriations as they are desirous that the Board of Finance should recommend or reject.

Following the public hearing, the Board of Finance shall meet to adopt a final budget report to be submitted to the Annual Town Budget Meeting. The Board of Finance shall submit such report to the Board of Selectman and the Town Clerk in a sufficiently timely fashion to allow publication of the budget report five days prior to the date of the Annual Town Budget Meeting.

Upon completion of any business that may properly come before the Annual Town Budget Meeting and after an opportunity for discussion and action on the appropriations recommended by the Board of Finance, the Annual Town Budget Meeting shall be adjourned to a referendum to be held on a date that is not less than seven days nor more than fourteen days thereafter.

This Ordinance shall take effect fifteen (15) days after approval.

Effective: November 8, 2010

Attest- Hattie Wucik
Preston Town Clerk

TOWN OF PRESTON
NOTICE OF ADOPTION OF ORDINANCE

At a Special Town Meeting held on March 15, 2012, the electors and those persons eligible to vote in town meetings of the Town of Preston, Connecticut, adopted an ordinance entitled "An Ordinance to Provide Additional Property Tax Exemption for Veterans." The ordinance provides for an additional property tax exemption of \$10,000 of the assessed value of property owned by an eligible veteran or an eligible surviving spouse of a veteran if their qualifying income does not exceed the applicable maximum amount specified in State law. The ordinance also details the application and application renewal process for the additional exemption. A copy of the full text of the ordinance is on file and available for public inspection at the office of the Town Clerk, is posted on the Town's website at www.preston-ct.org and will be mailed by the Town Clerk to any person that requests a copy.

The ordinance shall become effective fifteen days after the publication of this Notice.

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

Dated at Preston, Connecticut this 22nd day of March, 2012.
Effective Date: April 6th, 2012



Hattie Wucik
Town Clerk
Town of Preston

-142-

See Also - 143 & 144

TOWN OF PRESTON

AN ORDINANCE TO PROVIDE ADDITIONAL PROPERTY TAX EXEMPTION FOR
VETERANS

BE IT ORDAINED BY THIS TOWN MEETING:

SECTION 1 - PURPOSE.

The purpose of this ordinance is to provide additional property tax exemption for veterans as provided for in Conn. Gen. Stat. § 12-81f.

SECTION 2 - EXEMPTION.

Any veteran entitled to an exemption from property tax in accordance with Conn. Gen. Stat. § 12-81(19) shall be entitled to an additional exemption of \$10,000 of such assessed value applied to the assessed value of an eligible veteran's property, provided such veteran's qualifying income does not exceed the applicable maximum amount as provided under Conn. Gen. Stat. § 12-81f and provided such veteran complies with the claim and application procedures set forth in subsections (4) and (5) of this ordinance.

SECTION 3 - EXEMPTION FOR SURVIVING SPOUSE.

Any veteran's surviving spouse entitled to an exemption from property tax in accordance with Conn. Gen. Stat. § 12-81(22) shall be entitled to an additional exemption of \$10,000 of such assessed value applied to the assessed value of an eligible surviving spouse's property, provided such surviving spouse's qualifying income does not exceed the applicable maximum amount as provided under Conn. Gen. Stat. § 12-81f and provided such surviving spouse complies with the claim and application procedures set forth in subsections (4) and (5) of this ordinance.

SECTION 4 - APPLICATION PROCESS.

Any such veteran or surviving spouse submitting a claim for such additional exemption shall be required to file an application on a form prepared for such purpose by the Town Assessor, no later than the assessment date which such additional exemption is claimed, provided when an applicant has filed for such exemption and received approval for the first time, such applicant shall be required to file for such exemption biennially thereafter, subject to the provisions of subsection (5) of this ordinance. Each such application shall include a copy of such veteran's or surviving spouse's federal income tax return, or in the event such return is not filed, such evidence related to income as may be required by the Town assessor for the tax year ending immediately prior to the assessment date with respect to which such additional exemption is claimed. For purposes of this

ordinance income is defined as income from all sources, including tax-exempt interest and social security payments.

SECTION 5 - APPLICATION RENEWAL.

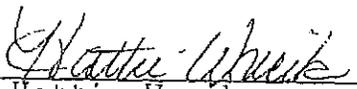
Any person who has submitted an application and been approved in any year for the additional exemption under subsection (2) or (3) of this ordinance shall, in any year immediately following approval, be presumed to be qualified for such exemption. During the year immediately following such approval, the Town assessor shall notify, in writing, each person presumed to be qualified pursuant to this subsection. If any such person has qualifying income in excess of the maximum amount allowed under said subsection (2) or (3), such person shall notify the Town assessor on or before the next filing date for such exemption and shall be denied such exemption for the assessment year immediately following and any subsequent year until such person has reapplied and again qualified for such exemption. Any person who fails to notify the Town assessor of such disqualification shall make payment to the town in the amount of the property tax loss related to the exemption improperly taken.

SECTION 6 - SUMMARY PUBLICATION OF ADOPTION. Upon the adoption of this ordinance, a summary of the ordinance shall be published in lieu of the complete text of the ordinance.

This ordinance shall be effective fifteen (15) days after the date of publication.

EFFECTIVE DATE: April 6th, 2012

ATTEST:



Hattie Wucik
Preston Town Clerk

TOWN OF PRESTON

NOTICE OF ADOPTION OF ORDINANCES

At a Special Town Meeting held on December 6, 2012 the electors and those persons eligible to vote in Town Meetings of the Town of Preston, Connecticut, adopted an ordinance entitled:

**Property Tax Exemption for Farm Buildings
and Seasonal Farm Employee Housing**

§121-21. Property Tax Exemption for Farm Buildings and Seasonal Farm Employee Housing.

Pursuant to Section 12-91(c) of the Connecticut General Statutes, any building used actually and exclusively in farming as defined in Section 1-1, or for any building used to provide housing for seasonal farm employees shall be exempt from property tax. The amount of such exemption shall not exceed twenty one thousand dollars (\$21,000.00) of assessed value for each eligible building. Such exemption shall not apply to residence of the farmer and shall be subject to the application and qualification process provided in Section 12-91(d) of the Connecticut General Statutes, commencing with the October 2012 Grand List.

This ordinance shall become effective fifteen days after the publication of this notice.

Effective Date: 12/24/2012

Hattie Wucik
Preston Town Clerk

TOWN OF PRESTON
ADOPTION OF ORDINANCE

A Special Town Meeting, of the Town of Preston, held on Thursday January 23, 2014 the voters eligible to vote at Town Meetings adopted the following amended ordinance to Section 4D.(1) of the Preston Code of Ethics:

1. Set forth that a majority of those voting and present shall be required for action, unless otherwise provide in the Code of Ethics.
2. Require the Commission to meet no less than annually.

Copies of the full texts, or the amended Ordinance, are on file and available for Public inspection at the Office of the Town Clerk 389 Route 2, Preston, CT

This ordinance will be effective in 15 days.

Dated at Preston, Connecticut the 24th day of January, 2014.

Effective Date: February 9, 2015.

Hattie Wucik
Preston Town Clerk

TOWN OF PRESTON
LEGAL NOTICE

**AN ORDINANCE AMENDING AN ORDINANCE CONCERNING THE
ESTABLISHMENT OF A CONSERVATION COMMISSION ADOPTED
FEBRUARY 25, 1971 AS AMENDED**

BE IT ORDAINED BY THE TOWN OF PRESTON:

That hereinafter, the Conservation Commission for the Town of Preston shall be known as the Conservation and Agricultural Commission for the Town of Preston.

Effective Date: 06-26, 2014

Reference: Town Meeting Book 15, Page 17.

Dated at Preston, this 11th day of June, 2014.


Hattie Wucik
Preston Town Clerk

Town of Preston

Legal Notice

**AN ORDINANCE EXEMPTING THE TOWN OF PRESTON FROM
MAKING TAX REFUNDS IN AMOUNTS LESS THAN FIVE DOLLARS**

Be it ordained by the Town of Preston that:

1. The Tax Collector of the Town of Preston is hereby authorized to retain payments in excess of the amount of taxes due provided the amount of the excess payment is less than (5) dollars.
2. This authority is established pursuant to Connecticut General Statutes § 12-129

This ordinance shall become effective fifteen days after the publication of this notice.

Effective Date: January 6, 2015

Hattie Wucik

Preston Town Clerk

ORDINANCE CONCERNING PUBLIC BIDDING

Be it ordained by the electors of the Town of Preston at a duly warned Town Meeting held December 18, 2014 that all existing bidding ordinances are deleted and replaced with:

1. All contracts and requisitions for goods or services, exceeding ten thousand dollars (\$10,000), shall require sealed bids, based upon specifications prepared by the requisitioning department, or their designee, as applicable.
2. Invitations to bid shall be published in a newspaper having a substantial circulation in the region and in such other publications as the Town may choose at least 14 calendar days prior to the opening of said bids.
3. Sealed bids shall be filed by bidders and shall be opened and read aloud at a place, date, and time specified in the invitation to bid.
4. All bid invitations must state that the Town may reject any and all bids, in whole or in part, or the Board of Finance may waive any formalities in the bid if, in its opinion, it is in the best interest of the Town to do so.
5. If the lowest bidder meets all specifications, is responsive, and if applicable, qualified, but the bid is not acceptable to the requisitioning department, the matter must be referred to the Board of Selectmen for its decision on whether to reject all bids, to accept a higher bid, or to take such other action as may be in the best interest of the Town.
6. Bulk items such as road salt, fuel, oil, clerical supplies, construction materials, and other similar items, which may be delivered at intervals, may be bid on a unit measure basis.
7. The requisitioning department may obtain bids of hourly rates for equipment and labor from contractors. Each such rate schedule shall be binding upon the submitting contractor for up to one (1) fiscal year or until another bid is requested.
8. Purchases, having a dollar value of \$2,000.00 to \$5,000.00 shall be made by an authorized purchase order and shall require informal bids in the form of verbal quotations from a minimum of three (3) vendors or suppliers as feasible unless waived by the Board of finance. Purchases having an estimated dollar value of more than \$5,000 and not more than \$10,000 shall be made by an authorized purchase order and shall require competitive bids in the form of documented written quotations from a minimum of three (3) vendors or contractors.

Waivers of Bid Requirements:

1. If the State of Connecticut, Department of Administration Services, Bureau of Purchases has awarded contracts for goods or services to bidders who warrant to the State that the prices, terms, and conditions will be extended to all political subdivisions within the State or to certain districts or counties within the State of Connecticut, the Board of Selectmen may authorize the purchase of those goods or services without bid. If there is more than one vendor listed for the same item the Town shall quotes from all listed vendors.
2. The Board of Selectmen may authorize the purchase of goods or services, with or without bid, in conjunction with other municipalities or regional government purchasing entities.
3. The Board of Finance may waive the provisions of the Section pertaining to bid requirements and may authorize a negotiated contract or a shortened notice schedule if deemed by it to be in the best interest of the Town. Such waiver shall be in writing and filed with the final purchase order/invoice. The Board of Finance may also authorize the requisitioning department to negotiate a contract with a vendor or vendors or to conduct bidding utilizing a restricted or prequalified list of bidders if deemed in the best interest of the Town.
4. In the case of licensed professionals, such as, but not limited to, architects, lawyers and engineers, bidding shall not be required; their services and fees shall be negotiated.
5. An invitation for bid or other solicitation may be canceled, or any and all bids may be rejected in whole or in part as may be specified in the solicitation, when it is for good cause and in the best interests of the town. The reasons shall be made part of the contract file. Each solicitation issued by the town shall state that the solicitation may be canceled and that any bid may be rejected in whole or in part for good cause when in the best interests of the town. Notice of cancellation shall be sent to all businesses solicited. The notice shall identify the solicitation, explain the reason for cancellation and, where appropriate, explain that an opportunity will be given to compete on any re-solicitation or any future procurements of similar items. Reasons for rejection shall be provided upon request by unsuccessful bidders.

Dated at Preston, CT this 30th day of December, 2014

This ordinance will be effective 15 days after publication of this notice.

Effective Date: January 15, 2015

Hattie Wucik

Preston Town Clerk

**TOWN OF PRESTON
ADOPTION OF ORDINANCE**

At a Special Town Meeting, of the Town of Preston, held on Thursday, December 18, 2014 the voters eligible to vote at Town Meetings adopted the following amended ordinance:

An amendment to the Preston Code of Ethics, to:

1. Remove items 1 thru 5 from section 4, Subsection B – Qualifications
2. Renumber items 6 and 7 of Section 4, Subsection B – Qualifications as items 1 and 2.
3. Add the following to Section 4, Subsection B – Qualifications as item 3: “However, if an Ethics Commission member is also a member of a Town Board, Commission or Agency or employed by the Town or Board of Education and a complaint is filed against one of the aforementioned or any member thereof, that member must recuse himself or herself.

Copies of the full texts, or the amended Ordinances, are on file and available for public inspection at the Office of the Town Clerk, 389 Route 2, Preston, CT. These ordinances will be effective 15 days after publication of this Notice.

Dated at Preston, Connecticut this 30th day December, 2014:

Effective Date: January 14, 2015

Hattie Wucik

Preston Town Clerk