



REGULAR MEETING – CHARTER REVISION COMMISSION AGENDA

APRIL 15, 2025, 6:30 PM

ZOOM AND COMMON COUNCIL CHAMBERS

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Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be included into the record, they must be submitted by 12:00 p.m. the day of the meeting. Please email the City Clerk's office at cityclerk@norwalkct.gov with the subject line "Public Comment" to provide written public comment prior to the meeting.

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **ACCEPTANCE OF MINUTES**
 - A. **Regular Meeting: April 1, 2025**
- IV. **PUBLIC PARTICIPATION**
- V. **NEW BUSINESS**
 - A. **Structure of BET**
 - B. **Article X**
 - C. **Library Director**

VI. DISCUSSION

- A. Council compensation**
- B. Miscellaneous revisions**
- C. Tax collector**
- D. Controller**
- E. Public Works**
- F. Purchasing**
- G. Historical Council Districts**
- H. Norwalk Harbor**
- I. Pensions for Certain Retired Employees**
- J. Assessment Appeals**

VII. ADJOURNMENT

**CITY OF NORWALK
CHARTER REVISION COMMISSION
REGULAR MEETING
APRIL 1, 2025**

ATTENDANCE: Tyler Fairbairn, Chair; Douglas Hempstead, Vice Chair; Carl Dickens, John Levin

Via Zoom: Jim Clark, Richard McQuaid, Tanya Rhodes-Small; Atty. Ed Camacho (6:36 p.m.)

OTHERS: Moina Noor, Norwalk Library Board Chair; Atty. Steven Mednick, consultant (7:00 p.m.); Jared Schmitt, Financial Director.

CALL TO ORDER

Mr. Fairbairn called the meeting to order at 6:33 p.m.

ROLL CALL

[0:20]

The roll was called. A quorum was present.

ACCEPTANCE OF MINUTES

A. Regular Meeting: March 18, 2025

**** MR. HEMPSTEAD MOVED THE MINUTES OF THE MARCH 28, 2025 MEETING.**

The following corrections/changes were noted:

Page 1, under **ATTENDANCE**, please change “John Levine” to “John Levin” .

Page 1, under **ATTENDANCE**, please move “Tanya Rhodes-Small” from the in person list to the “Via Zoom” listing.

Page 2, paragraph 5, line 1, please change “Charter does not authority the BET” to “Charter does not authorize the BET”

Page 2, paragraph 5, line 3: please change “proposed language is a “recommend a cap” to proposed language is “recommend a cap”.

Page 4, paragraph 10, line 1: please change “be nice, t would” to “be nice, it would”

**** THE MOTION TO APPROVE THE MINUTES OF THE MARCH 18, 2025 MEETING AS CORRECTED PASSED UNANIMOUSLY.**

Atty. Camacho joined the meeting at 6:36 p.m.

IV. PUBLIC PARTICIPATION

[3:00]

Ms. Moina Noor of Pequot Drive greeted the Commissioners. She stated that she was present to speak as Chairperson of the Norwalk Public Library Board of Directors, she wished to comment about the City Charter in reference to the Library governance. She sent a letter in advance.

Historically, the Library Director has been appointed through a collaborative effort between the Board of Directors and the Mayor. This partnership has worked well in the past. She outlined the previous process and noted that the Mayor would make the final decision for the Public Library.

The Library Board is appointed by the Mayor and the Taxing Districts. The Board members understand the Library's specific needs while the Mayor's Chief Executive makes the final hiring decision. It works effectively, aligns with the Connecticut State statute on Library Governance, follows Connecticut Library Board best practices and mirrors how most Library Directors are hired in Connecticut, including Fairfield and New Haven. She noted that Atty. Mednick had worked with the Town of Fairfield when they revised their Charter.

However, in 2023, in an effort to standardize mayoral appointments, the Library Board was removed from this important function. Both the Mayor and Council Member Burnett were not in favor of this change. Section 8.2 now grants sole appointment authority to the Mayor with Common Council approval. This means that the Library board that oversees Library policy, planning and facilities now has no formal stated role in selecting the Director they work most closely with.

Ms. Noor said that she has complete confidence in the current administration, there are long term implications. Libraries are facing increasing politicization nationwide and their role as neutral centers for knowledge and community engagement becomes even more critical. The Mayor/Board partnership helps to safe guard the neutrality, particularly if the Board faces an administration with a narrower perspective.

She said they were recommending two additional changes: first, clarifying the reporting structure to specify that the Library Director reports to the Board on matters of Library policy and to the City on administrative matters, which reflects the hybrid nature of this position, and secondly, updating budget preparation procedure to formalize that the Library Board works with the Director to prepare an advisory budget for submission to both the BET and the Director of Community Services. This better aligns with the current management.

These important changes will help to ensure that the Library system maintains its excellence and independence for years to come.

Mr. Fairbairn said that the Commission had received Ms. Noor's comments and would be checking with Atty. Mednick since some of the items appear to be ordinance related. [6:35] This will be placed on a future agenda.

Ms. Diane Lauricella greeted the Commissioners and thanked them for allowing her to participate virtually. [7:01]. She applauds the tenacity to make these changes that will be voted in the future.

She said that under Title 10, Budget Public Fund, under the Board of Estimate and Taxation, which appears to be 1-c-2, public engagement, based upon her experience the other night and in other years, she felt that once the BET has a public hearing, it should not be the night when the BET votes on that budget. She felt that last week's hearing was offensive in terms of the purpose of the public hearing. The BET voted on the Operating budget after extensive public interest from more than just the BOE parents and decided to cast away almost all of the public comments. Most of the comments were well thought out and spoken from both the heart and the head. Two BET members did not vote that night but the remaining Board members did vote.

She would like to see this codified in the Charter and work it out in the scheduling that the BET cannot vote on the Operating Budget along with the Common Council on the Capital Budget on the same night as the final public hearing.

Ms. Lauricella said that Norwalk should have an elected Board of Estimate and Taxation, but if this is not possible, one of the elected officials should have some influence other than the Mayor on the BET appointments.

She said that the \$1.1 million dollars for the "puny" parcel at Lockwood Mathews Mansion, should not have been allowed by the BET. On page 9, 10-13 said it was reviewed by the Planning and Zoning. The public hearing was kind of a joke because all they cared about is whether it was germane to the POCD. She suggested that the Commission consider changing P&Z's role back to monetary oversight.

Regarding 10-21, where it states as many as public hearing as deemed necessary, Ms. Lauricella said that the various bodies should have more than one public hearing. It is the taxpayers who pay the freight.

Ms. Lauricella thanked the Commission and said that the BET needs to be reined in and suggested that the Chairman might possibly need to resign based on the way he treated Ms. Yang more than once when she had a number of suggestions.

Mr. Fairbairn asked if anyone else wished to speak. [10:47] No one responded.

Mr. Dickens asked how many people were in attendance at the BET Public Hearing. [11:10]

Ms. Lauricella said that there was a lack of proper permission on the Zoom call and in Norwalk the public does not know how many people are there. [11:22] IT would be able to tell how many people were there. A number of people were present in person, but IT does not allow the call in speakers to be seen on screen.

Atty. Camacho said that he was present at the hearing since he is a member of the BET. [12:20] He estimated that there were 30 to 40 people there. He said that he knew it was not the Commissioners role to comment on Public Comments, but would like to provide some context to what happened at that meeting, since he was one of the two members who did not vote because he was offended by the notion that they would vote the same night.

Mr. Fairbairn thanked the participants. [13:22] He said that they would wait on the BET discussion until Atty. Mednick was present and therefore would start a discussion on Agenda Item V.

V. NEW BUSINESS

• Proposed Changes

1. Referendum, changes to section 4-10 A, 4-10 B & D
2. BET accountability, changes to section 7-2 A(2)
3. Democracy, Fairness of Elections and Representation of Minority Parties, changes to section 3-3A
4. Police Commission Accountability and Governance, changes to section 7-2 B(1)(a)

Mr. Levin said that he had submitted four proposals and the first item, had two parts. [14:25] He noted that the Council would be receiving the recommendations and determine which ones will be on the ballot.

The first item addresses the procedure for referendums. This had been tabled at an earlier meeting. He asked if anyone had not had the chance to read the three page summary of the four proposals. Atty. Camacho said that he had not had the chance to read them.

Mr. Levin directed everyone to Section 4-10 and explained that based on an earlier discussion he had changed the percentage of the voters would be changed from not less than 8% to not less than 4%. He said that the current requirement was a very high hurdle. The number of voter signatures and address would then be 2,619. To petition oneself onto the ballot for Mayor or Council Member would require only 156 signatures to get on the ballot.

Changing the percentage from 8% to 4% for a referendum was the first part of the first proposal. The second part involved changing an overly restrictive language regarding number of electors that must begin the petition electors from 5 to 4 and increase the required fee from \$25 to \$200 and increase the number of days for collecting signatures from 25 to 40 days.

**** MR. DICKENS REMOVED SECTION 4-10 FROM THE TABLE.
** THE MOTION PASSED UNANIMOUSLY.**

**** MR. LEVIN MOVED REVISION #1, PART 1 TO CHANGE SECTION 4-10 REGARDING PROCEDURES. THE REQUIRED PERCENTAGE OF “UPON A PETITION OF NOT LESS THAN 8% OF THE ELECTORS ” TO “UPON A PETITION OF NOT LESS 4% OF THE ELECTORS” IN SECTION 4-10 A.**

Mr. Dickens asked for confirmation that this proposal was to make it easier to get a referendum on the ballot. [21:10] Mr. Levin said that he believed it would make it slightly more possible.

Mr. Dickens asked how many referendums there were in the last 10 years. [21:32] Mr. McQuaid said that the only referendum was for the Charter and he had not seen any others at all as Town Clerk.

Atty. Camacho said that Mr. Levin had mentioned that Danbury had a lower threshold and asked if they knew if there were any referenda in the last ten years. [22:20]

Mr. Levin explained that Atty. Mednick had previously mentioned that New Haven had not had a citizen’s referenda in about 40 years. Norwalk did not have a citizen referendum during roughly the same time period. [22:45] Discussion followed about why there have not been any during the past years.

Mr. Hempstead said that in his years on the Council the calls for a referendum usually happens when something egregious happens or economic tough times. [26:48] He felt that it happens less on a local level because there are fewer issues. He had no problem with Mr. Levin’s proposal because he thought that a referendum would not be proposed unless something egregious happened. This will not make it too easy that it could be done in the back room.

Mr. Levin clarified that the signatures would have to have addresses included and the Town Clerk could disqualify any one of those signatures. [28:55] Based on the 2024 registrations, 4% of 65,562 would equal 2,619 signatures. The discussion moved to the number of signature collection days. Mr. Levin said that his goal was to expand democracy but did not expect much of a response. However, he felt 8% was an insult and that 4% would still be a challenge, but possible.

Atty. Mednick joined the meeting at 7:00 p.m.

Mr. McQuaid said he agreed with the 4% but not the change from 25 days to 40 days. [30:33] There isn’t that much wiggle room and now there are more things coming to play such as early voting, absentee voting and 25 days should be sufficient.

Mr. McQuaid said that the form already has a requirement for the individuals who sign to print their addresses. Often the Town Clerks can't read the signatures and many get tossed because of illegibility and other irregularities such as duplicates.

Mr. Dickens asked what it might cost to hold a referendum. [32:25] Mr. McQuaid said that with the security, the police and the schools, he thought a citywide election would be between \$20,000 to \$23,000.

Atty. Camacho said that it would be too premature to vote on an item because it has become moot or other statutory considerations. [32:52] It would be important to have language in the Charter that other statutory time frames or State or local deadlines could moot out a referendum.

Mr. Levin said reminded everyone that the only change he was proposing at this time was the change from 8% to 4%. [34:00] The second part of the proposal discusses the number of electors and signature periods. He separated them out for this reason.

The discussion moved to the copies of the Charter that Ms. Murrillo sent to the Commissioner and what language was used for that section.

Mr. Levin said that his proposals were on pages 18, 19 and 20 and reviewed the current language.

Atty. Camacho asked about the time limits that might render a referendum moot. [35:25] Mr. Levin said his only point was the change from 8% to 4%.

Atty Camacho said that Mr. Levin's comments make it sound like the current process is not democratic but pointed out that the residents vote every two years for Common Council members. [36:42] In Congress, the House Representatives run for re-election every two years. He went on to speak about California's recall provision for governors and this can be undemocratic. He said his concern was perceived lack of democracy and the democratic process was not available to the electorate.

Mr. Levin said that this was the only opportunity for direct democracy where citizens can pursue their issue. [38:50] Mr. Fairbairn said that the public has the opportunity to speak at the Council. Discussion followed about the details.

Mr. Dickens asked Atty. Mednick if it would be possible to limit the number of referendums that could be called for within a given year or a given election cycle. [41:10] He explained that his concern was the cost of a referendum.

Mr. Hempstead pointed out that there have been a number of communities that have complained that the elections cost too much. He asked whether the goal was to increase participation or to lower the cost of the election.

Mr. Fairbairn said that they had discussed this enough to determine whether they wished to support it through a vote. [44:10].

Atty. Camacho reminded everything that the upcoming election was not a primary and often times they only get about 600 people coming in to vote. [44:40] He said that it seemed like a solution that was looking for a problem.

Atty. Mednick said that he had never researched the issue of limiting the number of referenda but had seen some limits on budget referenda in some communities [45:20] Since these referenda are limited and specialized, it would be difficult to limit the number. If the goal is to increase the amount of participation and increase access, limiting the number may have some legal challenges since there is no way to know what issues may come up during the year. He said that putting a limit might be a problem.

Atty. Mednick noted that determining when the referendum takes place would be up to the Council. [46:30] He added that there was a newspaper publication requirement and it was Atty. Mednick's understanding that the City was trying to move away from newspaper publications requirements. He recommend that they be consistent and have the notification as the same as other matters.

Mr. Levin said that he would like to respond to Atty. Camacho's suggested that a small number of voters could pass a referendum. [47:30] He noted that in the Charter there was a requirement for at least 25% of the electors in the city must cast a ballot in request to qualify for approval. For Norwalk, that would require 16,367 voters to turn out. He was not proposing any changes to that.

**** THE MOTION TO APPROVE REVISION #1, PART 1 TO CHANGE SECTION 4-10 REGARDING PROCEDURES. THE REQUIRED PERCENTAGE OF "UPON A PETITION OF NOT LESS THAN 8% OF THE ELECTORS" TO "UPON A PETITION OF NOT LESS 4% OF THE ELECTORS" IN SECTION 4-10 A PASSED WITH SIX (6) IN FAVOR (CLARK, DICKENS, HEMPSTEAD, LEVIN, MCQUAID AND RHODES-SMALL); ONE (1) OPPOSED (CAMACHO) AND ONE (1) ABSTENTION (FAIRBAIRN).**

Mr. Levin said that Part 2, Item 1, would be a proposed changes to Section 4-10 B & D. [50:00] This would be to reduce the threshold of five electors going to the clerk in the city down to four and to increase the fee that they must pay the City Clerk from \$25.00 to \$200.00 and finally to change the number of days to collect signatures from 25 to 45 days.

Mr. McQuaid said that he had concern about changing the 25 days to 45 days. [50:45] Mr. Clark also expressed concerns about this change. He said that he would not support these changes because there needs to be more thought put into it and it would be premature at this point.

Atty Camacho proposed that they change the number of electors to 4 and felt that increasing the fee would deter more people than it would encourage to apply. He felt that it should remain at \$25.00 and the number of signatory days remain at 25.

Mr. McQuaid agreed with Atty. Camacho.[53:30] He said that there had not been a referendum since he was in office, he was not sure where the \$25.00 would be deposited. He would support the change from 5 to 4, and would like to see the days remain unchanged. Mr. Fairbairn agreed.

**** THE MOTION TO APPROVE PART 2 AS AMENDED WITH THE NUMBER OF ELECTORS GOING FROM FIVE (5) TO FOUR (4) PASSED UNANIMOUSLY.**

The next item addresses accountability for the Board of Estimate and Taxation (BET) with a change to Section 7-2, Item A, paragraph 2. [55:30] This would change the appointing authority for the six members for the BET from all six being appointed by the Mayor to three being appointed by the Mayor and three being appointed by the Council. He said that this was based on some of the comments from the public who feel the BET is not sufficiently representative. There are many Council Members and former Council Members who feel the budgeting should be in the hands of the Council and not the BET. This would be a step in that direction.

Mr. Levin then read the language of the current language and where the proposed change should be inserted [56:30] Atty. Camacho pointed out that currently, the Mayor recommends the candidates and the Council confirms them. He wished to know if the Mayor would recommend three and the Council would approve those three and then the Council would recommend three and the Mayor would approve the Council's recommendations.

Mr. Levin said that was not what he was proposing. [57:55] He said that the Charter Commission was appointed by the Council and it does not require approval from the Mayor.

Atty. Camacho said he wanted to table the item because the membership of the BET should not only include members of the Republican and Democratic party and unaffiliated, but should also represent each District in the City.

Atty. Camacho said that he did not believe that the Charter included language so that every District in the City was represented on the BET. Until that issue is addressed, Atty. Camacho wished to table the discussion regarding who would appoint whom.

Mr. Dickens asked how the BET membership number was determined to be six. [59:24] Atty. Camacho said that he didn't know but explained that no more than two members can be from the same District and there has to be a significant minority party representation on the Board. Since the Mayor is an ex-officio member, he can break a tie vote. He noted that the City of New York had disbanded their BET because they found it did not represent the entire city.

Atty. Camacho said he found it undemocratic that the BET decides what the mill rate will ultimately be and felt that because of this, the Board should have at least one member from every District.

Mr. Dickens agreed with him and added that the members should be elected and not appointed [1:01:15]

**** ATTY. CAMACHO MOVED TO TABLE THE ITEM BECAUSE THE MEMBERSHIP OF THE BET SHOULD NOT ONLY INCLUDE MEMBERS OF THE REPUBLICAN AND DEMOCRATIC PARTY AND UNAFFILIATED, BUT SHOULD ALSO REPRESENT EACH DISTRICT IN THE CITY.**

**** THE MOTION TO TABLE PASSED WITH PASSED WITH SEVEN (7) IN FAVOR (CAMACHO CLARK, DICKENS, FAIRBAIRN, HEMPSTEAD, MCQUAID AND RHODES-SMALL) AND ONE (1) OPPOSED (LEVIN).**

Mr. Dickens asked when the group would discuss holding a public hearing about having an elected BET. [1:02:45] Mr. Fairbairn said that they would see how much progress they would make on the Article 10 revision. He added that he would be added an item about the Library as a stand-alone item. He said that they would need to discuss the BET. Mr. Dickens said that if they stopped people on the street to ask them if they knew what the BET does, they would not know.

Atty. Mednick said that he had provided the Commissioners with a background document for this meeting. [1:04:19] The document lays out the structure of the only two BETs groups in Connecticut and noted that the Board of Finance basic structures of the top 20 communities in the State were also included. Mr. Fairbairn said that they would have this as a stand-alone discussion soon.

Atty. Camacho said that when Ms. Lauricella spoke earlier in the meeting, he had said he wished to clarify the BET vote. [1:05:00] He explained that he had been on the BET for a long time and could not remember a time when the Board voted the same night on the Operating Budget following the Public Hearing. He said that this time around, the statute required the BET to set tentative budget by April 1st. This is a tentative budget and Atty. Camacho said he was assured by the Mayor and the Finance Director that the BET could still vote on open items. Many of those issues were mentioned by the public at the hearing. In past years, the BET would come in under the cap and he went on to give examples of how discussions were held after the Public Hearing. This year, the proposed budget was right at the cap. There was no wiggle room. He explained that if they were to give a department any additional funding, they would have to subtract the same amount from another department because they were right at the Common Council's cap. It was unfortunate that it appeared that BET didn't care about what the public had to say. They had to vote because the statute required them to have a tentative budget by April 1st. The comments that were made at the public hearing will be considered but he reminded everyone that any additional approvals would require a matching decrease from another department.

Mr. Levin said that Proposal #2 [1:08:38] has been tabled, but the suggestions made by Mr. Camacho and Mr. Dickens, the Commission should consider changes that would require changes to represent each district on the BET or the election of the BET members. He encouraged people to check the Charter language and propose changes. He said that while he respects what lawyers do, there is no magic or science in what they do and the Commission members can propose changes.

Mr. Dickens asked Atty. Camacho about the four year term for the BET members. [1:09:48] Atty. Camacho said that this was so. Mr. Dickens asked where this decision came from. Atty. Camacho said that he believed the terms were staggered in order to give a sense of stability. It takes a few years to get up to speed on the BET. With staggered terms, there is always some institutional knowledge on the Commission. He said that he suspected this is why both the BET and the BOE have the staggered four year terms.

Mr. Dickens said that he didn't disagree but this also lent credence to having the Common Council and the Mayor have four year terms. [1:11:25] Mr. Hempstead added that it was staggered because when a new Mayor was elected, it would take him a full two years to get a majority on the BET. The staggering was adjusted to allow the Mayor to have some appointees on the BET.

Atty. Mednick asked where the staggered terms were listed because he did not see it in the Charter. [1:12:20] Mr. Hempstead said that the way they were originally set up, they were staggered. Discussion followed about the details.

Mr. Levin said that his third proposal seeks to improve democracy, the fairness of elections and provide a credible path for representation of minority parties. [1:13:37] The change would be in Section 3-3, Paragraph A in the Charter. He then read the current language on the process for the election of officials in the City. He stated that it states the Common Council may alter the methodology utilized in the municipality elections.

Mr. Levin said that he had raised the question regarding cumulative voting as a way to address the imbalance where 55% of the votes may be from one party, but 100% of the seats are awarded to that particular party. He said that he had researched this issue and felt that cumulative voting would eventually come to Connecticut. He repeated that there were seven bills before the legislature for providing rank choice voting for specific elections such as primaries.

He proposed to add the following to the current language in the section: "The prior sentence notwithstanding, in the event cumulative voting is permitted by law, the Common Council by ordinance will alter the methodology used in the election of at large Council Members to utilize cumulative voting for the next applicable and all future municipal elections."

Mr. Fairbairn said that if the existing language already allows for a different methodology, adding this extra language would make it more restrictive. [1:16:32]

Atty. Mednick said that Mr. Fairbairn and Mr. McQuaid probably remember the debate two years previously. [1:16:57] He said that one of the reasons that the current language was included was precisely for the reasons Mr. Levin was stating. He said that the current language was broad enough to include cumulative voting or rank choice voting or other forms, unless the State ultimately moves to change the method of voting. Discussion followed about the and the details for process of rank choice voting.

Mr. Levin said that the proposed language would require the Council to solve the problem, while the current language gives the Council the opportunity to make changes if they wish to. [1:23:36] It is the Council Members who are the beneficiaries of the current system which is undemocratic and flawed. He reviewed the percentages of the recent Council at large election. He then spoke about someone who had spent a long time studying voting systems in the Southern states. Those various locations were never able to have black representation on the school boards or on the City Council. Cumulative voting would allow the possibility for a minority constituency to have the possibility of having a seat at the table. He said that he was trying to address the issue of the voters who want representation but are not able to get it. Additional discussion about the details followed.

**** MR. LEVIN MOVED TO ADD THE FOLLOWING TO SECTION 3-3, PARAGRAPH A IN THE CHARTER:**

“THE PRIOR SENTENCE NOTWITHSTANDING, IN THE EVENT CUMULATIVE VOTING IS PERMITTED BY LAW, THE COMMON COUNCIL BY ORDINANCE WILL ALTER THE METHODOLOGY USED IN THE ELECTION OF AT LARGE COUNCIL MEMBERS TO UTILIZE CUMULATIVE VOTING FOR THE NEXT APPLICABLE AND ALL FUTURE MUNICIPAL ELECTIONS.”

**** THE MOTION FAILED TO PASS WITH ONE (1) IN FAVOR (LEVIN) AND SEVEN (7) OPPOSED (CAMACHO CLARK, DICKENS, FAIRBAIRN, HEMPSTEAD, MCQUAID AND RHODES-SMALL).**

Mr. Levin said that the fourth item seeks to address an issue with the Police Commission accountability and governance. [1:37:12] He directed everyone to Section 7-2, Paragraph B, subsection 1, subparagraph A, which currently indicates there shall be a five member Police Commission consisting of four electors appointed by the Mayor, subject to approval by the Common Council as set forth in Section 7-1C and continues on further with “in addition to the four electors, the Mayor shall be ex-officio, a voting member and the Chair of the Commission.”

He proposed that there should be a five member Police Commission consisting of two electors appointed by the Mayor, subject to the Common Council and so forth and so on and two electors appointed by the Common Council. The goal is to divide the appointing authority between the Mayor and the Council and the language continues in addition to the four electors, the Mayor shall be the ex-officio, a voting member and Chair of the Commission. He said that he also

wished to include the following: “The prior sentence notwithstanding, the Mayor may recuse himself or herself from being a voting member or Chair of the Commission if there exists a conflict of interest serving in either role or for any other reason.”

The current Mayor who is now in his 12th and final year of office, he had previously been employed by the Norwalk Police Department for 41 years. During the last 17 years of his employment by the Police Department, he served as the Police Chief. He then became the Mayor. Mr. Levin said that it was his opinion that the Police Commission does not meet their responsibilities under the Charter and don’t even know what their responsibilities under the Charter are. As a consequence, the Police Commission is dysfunctional and by diluting the appointment authority, the City will have a better result than what is currently in place.

Mr. Dickens asked for an example of where the Police Chief has been negligent or dysfunctional. [1:40:00] Mr. Levin said that the Charter indicates what they have not done, such the Commission being in control, management and supervision of the Police force in the City and all of its property. The Police Union’s contract expired nine months ago. Mr. Levin asked if it had been reviewed or discussed by the Commission prior to or since its expiration.

Mr. McQuaid said he believed there were four contracts currently that have not been renewed at that time. [1:41:12] He felt this was a personal attack on the Police Commission, which he did not wish to be part of. He stated that the discussion of contracts was much bigger than just the Police Commission.

Mr. Dickens agreed. [1:42:28] He asked what the role would be that the Police Commission would play in the negotiations between the City and the Police.

Mr. Hempstead pointed out that under the Connecticut State statutes, the Mayor is the negotiator or his appointee, which could be an attorney or a firm. [1:43:00] As a legislative part of the body, he cannot be part of the negotiations. Legislators can vote to accept or reject the contract. He said that he believed that they could not even be in the room when the negotiations are underway. Discussion followed.

**** MR. HEMPSTEAD MOVED TO TABLE THE PROPOSED CHANGES TO SECTION 7-2, PARAGRAPH B, SUBSECTION 1, SUBPARAGRAPH A.**

Atty. Mednick pointed out that Norwalk has an Ethics Commission, which would govern issues of recusals and either personal or financial conflicts of interest. [1:46:06] He confirmed that Mr. Hempstead had correctly stated the issues regarding the role of the Mayor in negotiations. He explained that the union contracts also play a role in discipline and this could actually have an effect on the charter. Discussion followed about this.

Mr. Levin claimed that there were numerous other examples of negligence by the Police Commission regarding the control, management and supervision of the Police force by design. [1:50:52]

**** MR. LEVIN MOVED TO APPROVE THE PROPOSED CHANGES TO SECTION 7-2, PARAGRAPH B, SUBSECTION 1, SUBPARAGRAPH A.**

**** THE MOTION FAILED TO PASS WITH ONE (1) IN FAVOR (LEVIN) AND SEVEN (7) OPPOSED (CAMACHO CLARK, DICKENS, FAIRBAIRN, HEMPSTEAD, MCQUAID AND RHODES-SMALL).**

RECESS

Mr. Fairbairn announced a brief recess at 8:26 p.m. He reconvened the meeting at 8:30 p.m.

• Structure of the Board of Estimate and Taxation and Boards of Finance.

Atty. Mednick said that he would review this at another time.

VI. DISCUSSION

A. Article X Revisions

Mr. Fairbairn said that Atty. Mednick would be reviewing the changes in Article X. [1:52:45] His intent was to set this up as an Action Item for the next meeting. He then reviewed the details of the previously discussed proposed changes with the Commissioners.

Mr. Hempstead summarized the changes that Atty. Mednick reviewed as the Mayor being advisory, the Board of Estimate and Taxation are advisory and Planning and Zoning are advisory.[2:20:20] At the end of the day, the Council will have the ability to choose items from the proposed budget.

Atty. Mednick agreed and noted that if the Council wished to increase the cap, it would be a 2/34rd vote. [2:03:20] He said that the Council would be able to approve, reject, reduce or reinstate items. He reminded everyone that the Mayor sets the cap. The BET's role has changed and Atty. Mednick reviewed the details of this.

Discussion followed about a five year Capital budget projections and a ten year Capital budget projections.

Atty. Camacho spoke about how the Charter appears to indicate that the BET sets the cap and the Council's hands are tied afterwards. [2:09:38] The change appears to have the BET send a recommendation to the Council, who is the body that will take action. Discussion followed.

Mr. Schmitt then addressed the Commissioners. [2:12:47] He then spoke about the Capital plan and how the future items that may not have been allocated funding would be the items that would be subject to reinstatement. He gave the reasons why he wanted to have a ten year Capital Plan projection. Discussion followed.

Mr. Hempstead spoke about past Council sessions where the Council has re-allocated funding in the budget. [2:21:50] He indicated that the department had to have asked for funding in that column in that particular year. Allocating additional funding required the department to go through the entire process again.

Mr. Hempstead asked if the Mayor could still veto the Capital Budget. [2:23:23] Atty. Mednick said that he did not think they had changed anything in that regard. He also noted that the Charter required the Council to approve the Capital Budget on or before April 15th of each year. He was not sure how that would mesh into the veto process.

Mr. Dickens left the meeting. Discussion followed about how the Mayor would veto something. Atty. Mednick said that they should have some additional clarity on that and he will speak with Corporation Counsel on this.

Mr. Schmitt apologized for getting back to Atty. Mednick late, but mentioned a reference to the Capital Program of Expenditures. [2:30:47] He asked if they were using this synonymously interchangeably with the Capital Improvement Plan. Atty. Mednick said that they should have consistent terms in the Charter. Mr. Schmitt said that there was no reference in the definition to Capital items and he sent some alternative language for that.

Mr. Fairbairn said that they would update the updated version and have it on the agenda for the next meeting. [2:33:20] Atty. Mednick encouraged everyone to consider how they wanted to approach the review of the BET for the next meeting. He reminded everyone that the clock was running and they should have most of the heavy items considered and still need to schedule the public hearing.

Mr. Hempstead asked Mr. Schmitt about the City's financial obligations regarding the new high school. [2:34:35] Mr. Schmitt said that for this construction project that the City would be using bonding funds and the reimbursement funds now are sent every two months. Last year they issued Bond Anticipation Notes to cover the funding they need. At the end of the project, the State will withhold funding. The funding for the SoNo School will also be included in the bond. Mr. Schmitt went on to give the details.

VII. ADJOURNMENT

**** MR. LEVIN MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:12 p.m.

Respectfully submitted,

S.L. Soltes
Telesco Secretarial Services

City of Norwalk
Charter Revision Commission
Regular Meeting
April 1, 2025

ARTICLE X: BUDGET, PUBLIC FUNDS AND FINANCE

§10-1. The Budget Process¹.

A. Cooperation of City Officials and Employees². The Mayor, Common Council, Board of Estimate and Taxation, the Board of Education, the Planning and Zoning Commission, and all other Budgeted Entities (including any Board, Commission, office, agency, bureau, authority or any other entity receiving or expending City funds or multi-year state or federal funds or grants, including the Board of Education and the Norwalk Public Schools) are required to work together and share information, in good faith, throughout the year in order to develop, approve and implement the budget of the City, which is comprised of the:

(1) **Operating Budget³.** The Operating Budget, adopted annually as set forth in this Charter, consists of all expected revenues and expenditures and, for the purposes of short-and long-term financial planning, includes detailed estimates of revenues and operating expenses, including, but not limited to operating, personnel and facility maintenance expenses, costs and all expected revenues, as required by this Charter and any related Ordinances. The Operating Budget is funded primarily through local property taxes; intergovernmental revenue, licenses, fees, charges for services, fines, interest and other sources of revenue.

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(2) **Capital Budget and Capital Improvement Plan⁴.** The Capital Budget, adopted annually as set forth in this Charter, consists of expected costs of improvements to City facilities infrastructure, and long-term assets that are contemplated to be financed through borrowing and grants and the Capital Improvement Plan that includes a ~~Ten-Year Program of Capital Expenditures~~Improvement Plan, of which years 2 – 10 are non-binding.

Commented [SGM2]: CFO 031425

All Public Officials and employees of the City are required to utilize commonly accepted practices and to aspire to employing best practices in the field of municipal and public finance. In order to comply with Law and with the generally accepted accounting principles (or any successor policies thereto) Public Officials and employees of the City must embrace principles of accountability, transparency, and outreach in order to expand public participation, engagement, and trust in the budgetary process of the City.

B. Fiscal Year⁵. The fiscal year of the City begins on July 1st and ends on June 30th of the succeeding year.

¹ NEW (2023)

² NEW (2023).

³ 2025 revision of §10-1.A(1) which was adopted in the 2023 Charter.

⁴ 2025 revision of §10-1.A(2) which was adopted in the 2023 Charter. The 2023 revision was derived from §30-1 of the Code of Ordinances. Note: Chapter 30 of the Code of Ordinances was adopted by the City of Norwalk Common Council 4-24-1958. Amendments noted where applicable.

⁵ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

C. The Budget: A Public Record.

(1) **Public Inspection**⁶. The budget documents, comprised of the proposed Operating Budget and Capital Budget, as public records must be filed in the office of the City Clerk. Following Public Notice the budget documents must be (a) available for public inspection at the Office of the City Clerk, during regular office hours; and (b) posted on the City's website or electronic media or at public facilities including libraries and schools, as may be determined by the Mayor or the Common Council. Physical copies of the budget must be available promptly upon request following the filing with the Clerk, subject to a reasonable charge as permitted by Law.

(2) **Public Engagement**⁷. The Mayor, Common Council, Board of Estimate and Taxation, Board of Education, and Planning and Zoning Commission must develop and publicize procedures designed to encourage public participation in the budget process. The Common Council has the legislative authority to enact Ordinances to implement these provisions of the Charter.

(3) **Budget Calendar**⁸. Not later than the first week in September of each year, the Chief Financial Officer is required to publish a budget calendar, including procedural rules, in order to inform the public of the significant milestones in the budget process

(4) **Initial Joint Public Hearings**⁹. On or before October 1st in each year, joint public hearings for the purpose of eliciting comments and ideas from members of the public prior to the development of the Operating and Capital Budgets for the subsequent fiscal year must be conducted by the (a) Mayor; (b) Chief Financial Officer; (c) President of the Common Council; (d) Chair(s) of the Council committee(s) authorized to review the budget; (e) Chair pro tempore of the Board of Education; (f) Superintendent of the Norwalk Public Schools; (g) Chief Financial Officer of the Norwalk Public Schools; (h) Chair of the Planning and Zoning Commission, and (i) a member of the Board of Estimate and Taxation designated by the Mayor.

Commented [SGM3]: CFO 021625

D. Authority to Require Operating Budget and Capital Budget Information¹⁰.

The Mayor has the authority to require each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, to submit to the Mayor or a designee the following:

Commented [SGM4]: SGM consolidation based upon CFO 021625

(1) estimates of revenue and requests for expenditures for the Operating Budget in the ensuing fiscal year¹¹; and

⁶ NEW (2023)

⁷ NEW (2023)

⁸ NEW (2023).

⁹ 2025 revision of §10-1.C(4) which was adopted in the 2023 Charter.

¹⁰ 2025 recodification and revision of §10-2.A which was new provision added to the Charter in 2023.

¹¹ 2025 recodification of §10-2.A(1)

(2) estimates of the cost of Capital Budget Items pending or which should be undertaken within the next and nine succeeding fiscal years, including a detailed budget by project for expected Capital Budget Items the next fiscal year, shall be submitted by each Department annually in the form and manner prescribed by the Chief Financial Officer under the authority of the Mayor¹²;

(3) any additional information which the Departments possess (including, but not limited to, records, books, accounts, contracts, reports and other papers and documents as specified by the Mayor (or the Mayor's designee) all of which are necessary to discharge the duties imposed upon the Mayor by this Charter¹³; and,

(4) all special revenue, equity assistance and enterprise funds, if any¹⁴.

E. Submission of Operating Budget and Capital Budget Estimates¹⁵. Each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, ~~through their Department Head or other responsible officer,~~ in conjunction with the assigned Division Chief, ~~if any,~~ is required, on or before December 15th of each year, ~~(or, in the case of the Norwalk Public Schools, on or before December 31st),~~ to submit and report the following:

Commented [SGM5]: SGM consolidation based upon CFO 021625.

Commented [SGM6]: RECOMMENDED BY COUNSEL.

Commented [SGM7]: CFO FOLLOWING CONSULTATION WITH PUBLIC SCHOOL CFO)

(1) **Operating Budget Estimate¹⁶.** To the Mayor or designee, a detailed estimate of the amount of Operating Budget moneys requested by the respective Departments or other Budgeted Entities (including the Board of Education and Norwalk Public Schools) for the ensuing fiscal year, giving details as prescribed by the Chief Financial Officer¹⁷; and,

(2) **Capital Budget Items Estimate¹⁸.** To the Mayor or designee and the Planning and Zoning Commission a detailed estimate of all Capital Budget Items, which, in the judgment of each Department Head and responsible officer, in conjunction with the assigned Division Chief, should be undertaken within the ~~Ten-Year Program of Capital Expenditures~~ Improvement Plan, including the proposed Capital Budget for the ensuing year.

Commented [SGM8]: RECOMMENDED BY COUNSEL.

Commented [SGM9]: CFO 031525

These estimates shall be known as "Operating Budget and Capital Budget Estimates" and

¹² NEW (2025)

¹³ 2025 recodification of §10-2.A(2).

¹⁴ NEW (2025)

¹⁵ 2025 recodification of §10-2.B and 10-11.

¹⁶ 2025 recodification and revision of §10-2.B which is derived from the 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twelfth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter.

¹⁷ 2023 repeal current Article V, Part 4 – Department of Finance §1-239.D. Added by Charter Amendment 8-29-1978, §4; Charter Amendment 11-8-2005, as follows: "Each Department Head shall submit to the Chief Financial Officer or other officer designated by the Mayor, a true copy of its proposed annual budget or any proposed changes or additions on or before the fifteenth (15th) day of December in each year." Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

¹⁸ 2025 recodification and revision of §10-11 which was a new provision adopted in 2023. It was derived from §30-5 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

shall be prepared and submitted on a form the Chief Financial Officer shall prescribe. Upon Public Notice, these estimates shall be public records and shall be open for inspection at all reasonable times.

Annual Operating Budget

§10-2. Operating Budget Estimates.

A. **Submission of Operating Budget Estimates**¹⁹. In accordance with §10-1.E(1), above.

Commented [SGM10]: SGM consolidation in Sec. 10-1.D(1) based upon CFO 021625.

B. **Budget Preview: Joint Committees**²⁰. On or before January 21st in each year, the Chief Financial Officer and Chief Financial Officer of the Norwalk Public Schools shall meet with the members of the committee(s) of jurisdiction of the Council and Board of Education in order to review the pre-submission **Operating Budget** budget priorities ("Joint Committees"). The Joint Committees shall **eliciting** comments and ideas from members of the public during this meeting.

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The Proposed Mayor's Operating Budget

§10-3. Submission of the Mayor's Proposed Operating Budget to the Board of Estimate and Taxation²¹ and Common Council²².

The Mayor or the Mayor's designee must submit to the Board of Estimate and Taxation and the Common Council on or before February 15th of each year, the Mayor's Proposed Operating Budget, comprised of the following:

Commented [SGM12]: CFO 021625

A. **Narrative and Recommendations**²³. The Mayor's narrative and recommendation on the contents of the Proposed Operating Budget and

B. **Department and Other Budgeted Entity Estimates, including the Norwalk Public Schools under the auspices of the Board of Education**²⁴. An estimate of the amounts requested by each Budgeted Entity (including the line-item requests and narrative of the particulars proposed by the Board of Education) giving the particulars as far as possible and recommending appropriations for all the expenses of the City (including the proposed

¹⁹ 2025 revision and merger in §10-1.D(1).

²⁰ NEW (2025)

²¹ 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. Added by Charter Amendment 8-29-1978, §4; Charter Amendment 11-8-2005. Historical *Editor's Note*: Approved by the electorate at the general election held 11-7-1978.

²² 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²³ 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. See, derivations in fn #17, above.

²⁴ 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). See, derivations in fn #18, above.

total Board of Education appropriation) and recommending a mil rate applied to the assessed value of property (the sum of which for the City is referred to as the Grand List) as deemed necessary to meet the expenses of the City, after deducting the amount of the available revenue for the fiscal year as well as any other necessary adjustments.

§10-4. Notice and Publication of the Mayor’s Proposed Operating Budget²⁵.

The Chief Financial Officer or other designee of the Mayor must post the Mayor’s Proposed Operating Budget, in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, at least five Days before the fourth Monday of February of each year.

§10-5. Review by the Common Council.

A. Maximum Limit on Total Appropriations²⁶. The Common Council must, at a meeting thereof to be held on or before February 28th of each year, adopt by a resolution approved by an affirmative vote of a majority of the entire membership of the Council, a maximum limit on total appropriations for the City as an amendment to the Mayor’s Proposed Operating Budget for the ensuing fiscal year and cause the same to be communicated to the Board of Estimate and Taxation.

B. Exemption from the Referendum Provisions of this Charter²⁷. The Common Council resolution is exempted from the application of §4-10.

C. Exemption of Grants from Maximum Taxation²⁸. Any grants from private, state, or federal sources received after the adoption of any maximum taxation by the Common Council under this section are exempted from the maximum limitation.

²⁵ 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²⁶ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Fifteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²⁷ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Sixteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²⁸ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Seventeenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

§10-6. Board of Estimate and Taxation Deliberations on the Mayor’s Proposed Operating Budget²⁹.

The Board of Estimate and Taxation must hold one or more meetings on or before March 30th of each year including at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any alterations in the estimates. Thereafter the Board may make any alterations, increases and decreases in the Mayor’s Proposed Operating Budget and make the additional appropriations, as it deems proper.

§10-7. Transmittal of Board of Estimate and Taxation’s Approved Operating Budget to the Common Council.

A. Submission of Statement of Appropriations and Tax Rates to Common Council³⁰. The Board of Estimate and Taxation, having made alterations, increases, and decreases, if any, is required to prepare a statement of appropriations and tax rates which it proposes to make and levy, and cause the same to be forwarded to the Common Council not later than April 1st of each year.

B. Deliberations of the Common Council³¹. The Common Council may, at a regular or special meeting to be held not later than April 15th of each year, amend the maximum limit of total appropriations for the City for the ensuing fiscal year by an affirmative vote of two-thirds of the entire membership of the Council.

C. Exemption from the Referendum Provisions of this Charter³². The Common Council vote is exempted from the application of §4-10.

§10-8. Final Actions by Board of Estimate and Taxation.

²⁹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eighteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³⁰ 2023 adaptation and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Nineteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³¹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twentieth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³² 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-first sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

A. Alteration to Common Council Limits³³. The Board of Estimate and Taxation must thereupon make alterations in the Proposed Operating Budget, including the tax rates, as are necessary to comply with the limit set by the Common Council, and shall prepare a Final Approved Operating Budget, including tax rates, which it proposes to make and levy in accordance therewith.

B. Notice and Publication³⁴. The Board of Estimate and Taxation is required to post the Approved Operating Budget as set forth in §10-8.A in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, no later than April 30th of each year.

C. Final Alterations of Proposed Operating Budget, including Tax Rates³⁵. The Board of Estimate and Taxation must hold a meeting no later than May 7th of each year for the purpose of making further alterations in the estimates, appropriations, and tax rates as it shall deem proper. The Board is authorized to make appropriations and lay taxes at the meeting. Finally, the Board may fix the time or times when any tax approved by it shall become due and payable, and may divide the altered tax levy and make the same payable in two or more installments, as authorized by the General Statutes³⁶.

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D. No Further Action by Common Council³⁷. No appropriation made at the meeting held pursuant to §10-8.C shall require the approval of the Common Council; provided, however, that the total amount of the approved appropriations shall not exceed the maximum limit established by the Council as hereinabove provided.

E. Actions Subject to Referendum Provisions of the Charter³⁸. The actions of the Board of Estimate and Taxation at the meeting held pursuant to §10-8.C are subject to the provisions of §4-10.

§10-9. Appropriations Shall Not Exceed Estimate of Revenues³⁹.

³³ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³⁴ 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). See, derivations in fn #31.

³⁵ 2025 revision of the 2023 modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-third sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³⁶ **Comment of the 2025 Charter Revision Commission.** At the time of the adoption of this provision the authority for installment payment, C.G.S. §12-142.

³⁷ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fourth sentence). See derivations in fn #33.

³⁸ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fifth sentence). See derivations in fn. #33.

³⁹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-sixth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No.

The Board of Estimate and Taxation is not authorized to make appropriations in excess of the estimate of revenues made by it for any year, and in no case shall the expenses of the City exceed their respective estimated revenues (including tax revenues) for any year, except for the purposes for which the City is authorized to issue bonds, and only when bonds are so issued.

§10-10. Limitations on Expenditures and Revenues; Action by Board of Estimate and Common Council.

A. Limits on Expenditures; Special Appropriations and Exemption from Maximum Limit⁴⁰. No money other than that appropriated as aforesaid by the Board of Estimate and Taxation in the final budget shall be expended unless a special appropriation therefor has been provided by the Board of Estimate and Taxation ~~at a special meeting called for that purpose~~ and has been approved by a Majority Vote of the Council. Any special appropriation approved in the manner herein set forth is exempted from the maximum limit established by the Council as hereinabove provided.

Commented [SGM14]: CFO WANTS TO REPEAL

B. Special Appropriations⁴¹. If a special appropriation in excess of the unappropriated revenues of the City is required, an estimate of the same must be prepared by the Chief Financial Officer and submitted to the Board of Estimate and Taxation ~~at a special meeting called for that purpose~~. The Board, at ~~the called meeting~~their Meeting or an adjournment thereof, is authorized to make any special appropriation, and to lay a special tax to meet the same; however, no special appropriation may be made unless available General Fund resources or a special tax is sufficient to cover the amount when the special appropriation is in excess of the unappropriated revenues of the City and unless the special tax has been approved by a Majority Vote of the Council.

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Commented [SGM16]: CFO WANTS TO REPEAL

Commented [SGM17]: CFO 031425.

C. Specific Purpose Appropriations⁴². Any appropriation, regular or special, for any specific purpose, shall not be expended for any other purpose and, if unexpended, shall be transferred into the treasury sixty days after the expiration of the fiscal year for which it is made. All appropriations so made shall remain on the books of the City to the credit of the specific purposes for which they are made for sixty days after the expiration of the fiscal year

400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁴⁰ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-seventh and twenty-eighth sentences).

⁴¹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirtieth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁴² 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-first and thirty-second sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

for which they are made, for the purpose of paying bills lawfully contracted during the fiscal year which are properly chargeable to the specific purpose appropriations.

The Capital Budget

§10-11. Submission of Estimate of Capital Budget Items⁴³.

Commented [SGM18]: SGM consolidation in Sec. 10-1.D(2) based upon CFO 021625.

A. **Submission**⁴⁴. The estimates of Capital Budget Items shall be submitted in accordance with §10-1.E(1), above.

Commented [SGM19]: SGM consolidation in Sec. 10-1.D(2) based upon CFO 021625.

B. **Public Hearing Requirements**⁴⁵. In accordance with the Public Notice and Public Hearing provisions of this Charter, the Planning and Zoning Commission, Board of Estimate and Taxation, and the Common Council are each required to hold at least one and, each in its discretion, as many Public Hearings on the Mayor's Proposed Capital Budget, including the Capital Improvement Plan as either or them may deem necessary to ascertain the opinion of the public on the matters under consideration. The Public Hearings shall permit public participation within the parameters of the rules of the Commission, Board or Council in order to facilitate the submission of views and information relative to a matter on which a decision of each of the entities is pending.

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§10-12. Chief Financial Officer's Report⁴⁶.

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Following the receipt of estimates for Capital Budget Items and not later than February 1st of each year, the Chief Financial Officer must submit a report on the **Ten-Year Program of Capital Expenditures** **Improvement Plan** to the Board of Estimate and Taxation, the Common Council, and the Planning and Zoning Commission the amount of the expenditures requested and the Chief Financial Officer's:

Commented [SGM22]: CFO 031425

A. Estimates of the effect of the proposed expenditures upon the current budget and the bonded indebtedness for the succeeding years; and

B. Recommendations relative thereto.

The Chief Financial Officer is required to send said Report to the Department Heads or responsible officers for each of the Budgeted Entities that have submitted requests for inclusion in the Capital Improvement Plan.

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§10-13. Review by the Planning and Zoning Commission⁴⁷.

A. **Public Hearings**. On or before February 15th in each year, the Planning and Zoning Commission is required to hold a Public Hearing on the proposed **Ten-Year Capital**

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Commented [SGM25]: CFO WANT DISCRETION ("MAY").

⁴³ 2025 revision and merger into §10-1.D(2).

⁴⁴ 2025 revision and merger into §10-1.D(2).

⁴⁵ Recodification of §10-21 which was a new provision in the 2023 Charter. Derived from §30-13 of the Code of Ordinances. Amended 9-28-2021.

⁴⁶ 2025 revision of §10-12, which was adopted in 2023 and derived from §30-6 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

⁴⁷ Revision of §10-13 which was adopted in 2023 and derived from §30-7 of the Code of Ordinances. Amended 3-10-1959; 9-28-2021.

Improvement Plan, at which time the Mayor, Department Heads and responsible officers of other Budgeted Entities, including the Board of Education; the Chief Financial Officer; members of the Board of Estimate and Taxation; members of the Common Council and members of the public may be heard for the sole purpose of discussing the alignment of the estimates for Capital Budget Items with the City's Plan of Conservation and Development for each of these years. The hearing may be continued, if deemed necessary ensure the record is complete.

B. Role of the Planning and Zoning Commission. The sole function of the Planning and Zoning Commission is to ensure that each Capital Budget Item in the proposed ~~Ten-Year~~ Capital Improvement Plan not previously approved is consistent with the City's Plan of Conservation and Development.

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C. Production of Information. The Planning and Zoning Commission may require the production of all pertinent data with respect to the proposed estimates, including but not limited to, preliminary plans, sketches, layouts and surveys insofar as the information is necessary to assess the alignment of the proposed estimates with the City's Plan of Conservation and Development.

D. Report of the Planning and Zoning Commission. The Planning and Zoning Commission must thereupon prepare a report setting forth its determination as to whether each proposed Capital Budget ~~Item~~ for the ensuing fiscal year is or is not consistent with the City's Plan of Conservation and Development ("POCD Report"). The Planning and Zoning Commission shall deliver the POCD Report to the Mayor as provided in §10-14 and also to the Common Council, Board of Estimate and Taxation and Chief Financial Officer.

Commented [SGM27]: SAME ISSUE: DEFINED TERM.

E. Transmittal of the Report⁴⁸. The proposed Capital Budget, including the ~~Ten Year~~ Capital Improvement ~~Plan~~ and the POCD Report, must thereupon, on or before March 5th of each year, be transmitted to the Mayor for review and recommendations. However, the Mayor may not include therein any new Capital Budget Items without first submitting them to the Planning and Zoning Commission for its determination in accordance with this section.

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CFO (031425): "SHOULD REFERENCE TO THE MAYOR'S REVIEW AND RECOMMENDATIONS BE MOVED TO 10-14 - THE END OF THE FIRST SENTENCE AND THE FULL SECOND SENTENCE?"

§10-14. Review by the Mayor; Transmittal to Board of Estimate and Taxation and Common Council.

A. Mayoral Review⁴⁹. In the event the Planning and Zoning Commission determines that any proposed new Capital Budget Item is not consistent with the City's Plan of Conservation and Development, this fact shall be recorded by the Mayor when submitting the Mayor's proposed Capital Budget to the Board of Estimate and Taxation and the Common Council.

⁴⁸ 2025 recodification and edit of §10-14 (first sentence) which was adopted in 2023 and derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁴⁹ 2025 recodification of the second sentence of §10-14 and revision by transferring the first sentence to 10-13.E, above. This provision was adopted in 2023 and derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

B. Transmittal by the Mayor to the Board of Estimate and Taxation and Common Council⁵⁰. The Mayor's proposed Capital Budget must be transmitted to the Board of Estimate and Taxation and the Common Council on or before March 15th of each year.

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§10-15. Transmittal of Recommendations by the Board of Estimate and Taxation.

A. Adoption of Resolution. The Board of Estimate and Taxation is required to adopt a Resolution, adopted by an affirmative vote of a majority of the entire membership of the Board. The Resolution is required to set forth its written recommendations pertaining to the Mayor's Proposed Capital Budget for the ensuing fiscal year and cause the same to be transmitted to the Common Council, as set forth below⁵¹.

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(1) **Content of Recommendations.** The recommendations of the Board of Estimate and Taxation are a written expression of its judgment with respect to the amount of funds the Mayor has proposed to expend in the Capital Budget and the effect the expenditures will, in its opinion, have upon the operating expenses and credit of the City⁵².

(2) **Further Recommendations.** Said transmittal shall incorporate therein recommendations as the Mayor, the Planning and Zoning Commission and the Chief Financial Officer may make⁵³.

Commented [SGM32]: IS THIS NECESSARY? (031925)

B. Public Hearings⁵⁴. The Board of Estimate is required to hold one or more meetings and at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any recommendations pertaining to the Mayor's Proposed Capital Improvement Plan.

Commented [SGM33]: SGM NOTE,

B.C. Transmittal by the Board of Estimate and Taxation to the Common Council. Following approval of its written recommendations on the Mayor's proposed Capital Budget, the Board of Estimate and Taxation is required to forward the same to the Common Council on or before April 1st of each year⁵⁵. The Council is not required to take into account any recommendations of the Board of Estimate and Taxation if not in writing or transmitted on or before April 1st of each year⁵⁶.

Commented [SGM34]: CFO 021625

C.D. Transfers to Operating Budget⁵⁷. The Board of Estimate and Taxation may transfer from the Mayor's proposed Capital Budget to the Operating Budget all or part of any capital items it believes may feasibly be included in the Operating Budget for the ensuing year.

⁵⁰ 2025 revisions and recodification of §10-15.A which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁵¹ NEW (2025).

⁵² 2025 recodification and minor revision of the last clause of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁵³ 2025 recodification of the last clause of the second sentence of §10-15.A.

⁵⁴ NEW (2025).

⁵⁵ 2025 revisiorecodification of vision of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021. The last clause was recodified as §10-15.A(1).

⁵⁶ NEW (2025).

⁵⁷ NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

D.E. Exemption from the Referendum Provisions of this Charter⁵⁸. The Common Council resolution is exempted from the application of §4-10.

§10-16. Adoption of Capital Budget.

A. ~~Actions of the Common Council.~~ Upon receipt of the recommendations of the Board of Estimate and Taxation, the Common Council may approve, reject, ~~or reduce or reinstate~~ any item in the Mayor's proposed Capital Budget ~~or reinstate any proposed transfer under §10-15.C, above,~~ by a Majority Vote of the Council within the maximum limits of the total Capital Budget established by the Mayor⁵⁹. ~~Notwithstanding the foregoing, the Common Council may, not later than April 15th of each year, amend the maximum limit of total Capital Budget for the ensuing fiscal year by an affirmative vote of two-thirds of the entire membership of the Council⁶⁰.~~

B.A. ~~Reinstatement.~~ ~~Reinstatement means all multi-year Capital Items or projects approved in the current Ten-Year Capital Improvement Plan that are not included in the Mayor's proposed Capital Budget.~~

C.B. ~~Deadline for Approval⁶¹.~~ The Common Council must thereupon approve the proposed Capital Budget, as amended, on or before April 15th of each year, when it shall be certified to the Chief Financial Officer. Any item not rejected or reduced by the Common Council is deemed approved by the Council.

D.C. ~~Items Deemed Inconsistent with the Plan of Conservation and Development⁶².~~ Notwithstanding anything to the contrary in this Article, if any proposed Capital Budget Item has been determined by the Planning and Zoning Commission not to be consistent with the City's Plan of Conservation and Development, the designated item or items shall not be included in any Capital Budget or otherwise funded unless and until it has been approved by an affirmative vote of two-thirds of the Council, present and voting.

E.D. ~~Public Hearings⁶³.~~ The Common Council through its committee(s) of jurisdiction is required to hold one or more meetings and at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any alterations in the Mayor's Proposed Capital Improvement Plan. Thereafter the Council may take such actions as set forth in §10-15.A, above.

§10-17. Allotments and Recommendations for Termination or Abandonment of Capital Budget Items⁶⁴.

A. ~~Allotments⁶⁵.~~ Funds set aside for a Capital Budget Item shall be deemed to

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"REINSTATEMENT" LILIMITED TO BET §10-15.C TRANSFERS

Commented [SGM37]: SGM NOTE TO CREATE AN AUTHORITY SIMILIAR TO THE POWER IN THE GENERAL FUND PROCESS.

Commented [SGM38]: CFO 031425

⁵⁸ NEW (2025).

⁵⁹ 2025 revision of §10-16.A which was adopted in 2023 and derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁶⁰ ~~NEW (2025)~~

⁶¹ NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁶² NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁶³ NEW (2025).

⁶⁴ NEW (2023). Derived from §30-10.1 of the Code of Ordinances. Added 1-24-1961; amended 5-13-2003; 9-28-2021.

⁶⁵ NEW (2023). Derived from §30-10.1.B (First sentence) of the Code of Ordinances

have been allotted for that purpose only.

B. Termination or Abandonment: Actions of Planning and Zoning Commission and Common Council⁶⁶. Any Capital Budget Item shall lapse if not implemented with four years of authorization by the Common Council. On or before November 1st of each year, the Chief Financial Officer shall submit to the Common Council a report that identifies the status of projects that are scheduled to lapse within the following 12 months. The Common Council may continue an authorization for a project or projects by a majority vote of the Council. Thereafter, the Planning and Zoning Commission is required, within thirty days after the receipt of the Mayor's notice, to forward its recommendations to the Common Council. The Council must hold a Public Hearing thereon. In the event of approval by the Planning and Zoning Commission of the Mayor's request, a Majority Vote of the Council is required for concurrence; in the event of disapproval, the Commission shall communicate its reasons to the Council, which shall have the power to overrule the disapproval of the Commission by a recorded Majority Vote of the Council.

Commented [SGM39]: CFO 031425

C. Unencumbered Funds⁶⁷. Any and all unencumbered funds that constitute a surplus of funds allocated for Capital Budget Items that have been completed, terminated, or abandoned shall revert to a capital budget surplus account which shall be used to reduce the net capital budget for the succeeding year, except when the surplus funds are used to finance additional obligations as provided for in §10-20 of this Charter.

§10-18. Restrictions⁶⁸.

No obligations of the City are authorized nor expenditures made or permitted in any fiscal year for or on account of the Capital Budget unless the obligations or expenditures were included in the Capital Budget as finally approved for that fiscal year or a prior year, except provided in this Charter or by Ordinance.

§10-19. Financing Additional Obligations⁶⁹.

A. Unforeseeable or Emergency Conditions. Requests for additional obligations to the capital budget shall not be approved unless the request is made necessary by unforeseeable or emergency conditions.

B. Contents of Request. Any request under this provision shall be accompanied by a statement from the Chief Financial Officer setting forth, the following: (1) the necessity for using Capital Budget funds rather than financing through the Operating Budget; and, (2) recommendations as to the most feasible and economical measures to finance the additional obligations.

C. Sources of Funding. Sources of the proposed financing recommendations may be either from overall surplus from any previous bond issue for capital budgets or from the issuance of notes, each of which shall be designated "bond anticipation notes" and which

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⁶⁶ 2025 revision of §10-17.B which was adopted in 2023 and derived from §30-10.1.B (Fourth and fifth sentences) of the Code of Ordinances

⁶⁷ NEW (2023). Derived from §30-10.1.C of the Code of Ordinances

⁶⁸ NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.

⁶⁹ NEW (2023). Derived from §30-11.1 of the Code of Ordinances. Added 1-24-1961; amended 9-28-2021.

may be renewed from time to time through utilization of funds from Capital Budget Items that have been terminated, abandoned, or lapsed. However, all the notes of any fiscal year and any renewals thereof shall be paid from the proceeds of the next regular capital improvements bond issue.

D. Action of the Common Council⁷⁰. Additional obligations may be authorized and expenditures made provided that the additional obligations or expenditures are specifically recommended, in writing, by the Mayor to the Planning and Zoning Commission. Within ten days after receipt thereof, the Commission is required to forward the same to the Common Council with its recommendations relative thereto. Except as otherwise provided in §10-16, the Common Council may thereupon, by a Majority Vote of the Council, approve, reduce or reject all or any part thereof.

§10-20. Financing Recommendations⁷¹.

On or before June 1st of each year, the Chief Financial Officer is required to transmit to the Common Council and the Board of Estimate and Taxation recommendations in respect to the most feasible and economic measures to finance the capital budget for the ensuing fiscal year. These bodies, at an appropriate time, must adopt the Resolutions necessary to give force and effect to the financing of the capital budget in accordance with the provisions of the Charter relating thereto.

~~§10-21. **Planning and Zoning Commission, Board of Estimate and Taxation, and Common Council Required to Conduct Public Hearings**⁷².~~

~~**C.**—In accordance with the Public Notice and Public Hearing provisions of this Charter, **the Planning and Zoning Commission, Board of Estimate and Taxation, and the Common Council** are each required to hold at least one and, each in its discretion, as many Public Hearings on the Capital Budget, including the Ten-Year Program Capital Improvement Plan as either or both of them may deem necessary to ascertain the opinion of the public on the matters under consideration. The Public Hearings shall permit public participation within the parameters of the rules of the Commission, Board or Council in order to facilitate the submission of views and information relative to a matter on which a decision of each of the entities is pending.~~

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MOVED TO BEGINNING OF SECTION

⁷⁰ NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.
⁷¹ NEW (2023). Derived from §30-12 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.
⁷² ~~NEW (2023). Derived from §30-13 of the Code of Ordinances. Amended 9-28-2021.~~

Capital Budget Administration

§10-22. Implementation and Oversight of the Capital Budget Projects⁷³.

The Common Council must enact an Ordinance pertaining to the implementation and oversight of the Capital Budget projects.

Borrowing

§10-23. Issuance Authorized: Procedures⁷⁴.

The City has the authority and power to incur indebtedness by issuing its bonds or notes for such purposes, upon such terms and to such extent as is authorized by the General Statutes. Each such bond or note shall be signed in the name of the City by the manual or facsimile signature of the Mayor, Chief Financial Officer, and Comptroller and have the seal of the City or a facsimile thereof affixed. No bonds or notes shall be approved by the Mayor and Common Council until the amount and purpose thereof shall be approved by the Board of Estimate and Taxation at a meeting duly called and held therefor. The Board of Estimate and Taxation, at a meeting held in the fiscal year in which such bonds or notes are issued, shall make a sufficient appropriation to pay all bonds or notes so issued during such fiscal year and such bonds or notes shall be paid from such appropriation when it shall become available.

Referenda

§10-24. Referendum Procedure.

See §4-10 of this Charter.

§2-2.B(7). Capital Budget⁷⁵ means the first Fiscal Year of the ~~Ten-Year Program of Capital Expenditures~~Improvement Plan for which it is proposed for the purpose of authorizing expenditures during such fiscal year.

Commented [SGM42]: CFO 021625

⁷³ NEW (2023).

⁷⁴ 2023 modification and recodification of (1) current Article IV. The Common Council. §1-200. Derived from Sp. Laws 1929, No. 101, §1. Historical editor's Note: See also § 1-189; § 1-226; (2) current Article IV. The Common Council. §1-201. Derived from Sp. Laws 1929, No. 101, §2. Historical editor's Note: See also Art. VI; and, (3) Current Article IV. The Common Council. §1-202. Derived from Sp. Laws 1929, No. 101, §2. Historical Editor's Note: A Charter Amendment, adopted 9-2-1980 and approved by the electorate at the general election held 11-4-1980, repealed former Article XX, Miscellaneous Bond Issues, which was comprised of the following sections: §§ 1-616 (Sp. Laws 1919, No. 123); 1-617 through 1-619 (Sp. Laws 1921, No. 297, §§ 1 to 3); 1-620 through 1-624 (Sp. Laws 1921, No. 222, §§ 1 to 5); 1-625 through 1-631 (Sp. Laws 1937, No. 73, §§ 1 to 7); 1-632 through 1-637 (Sp. Laws 1945, No. 202, §§ 1 to 6); 1-638 through 1-644 (Sp. Laws 1947, No. 326, §§ 1 to 7); 1-645 through 1-648 (Sp. Laws 1951, No. 523, §§ 1 to 4); 1-649 through 1-653 (Sp. Laws 1953, No. 209, §§ 1 to 5); 1-654 through 1-658 (Sp. Laws 1953, No. 300, §§ 1 to 5). These sections shall be maintained for record purposes in a separate book entitled "Bond Issues of the City of Norwalk, the First, the Second, the Third and the Sixth Taxing Districts." Copies of such compilation shall be kept in the offices of the City Clerk and Town Clerk and in the Finance Department. § 1-616. through § 1-658. (Reserved)

⁷⁵ NEW (2023). Derived from §30-1 of the Code of Ordinances. Note: Chapter 30 of the Code of Ordinances was adopted by the City of Norwalk Common Council 4-24-1958. Amendments noted where applicable

§2-2.B(8). Capital Budget Items⁷⁶ means all individual expenditures in excess of Twenty-five Thousand (\$25,000) Dollars (or an increased amount set forth by Ordinance) to be utilized in more than one fiscal year, other than for ordinary operating expenses, which shall be requested or expended for improvements to City facilities, infrastructure and long-term assets. These Capital Budget Items shall include, but not be limited to, acquisition of property, the construction or remodeling of schools, public buildings and structures of whatever nature, highways, parks, sanitary sewers, sewage and garbage-disposal plants, drainage systems, rehabilitation of blighted areas and for machinery and other facilities having a usable expectancy of at least two years, for which the credit of the City shall, usually but not always, be pledged by the issuance of bonds, notes or other certificates of indebtedness.

§2-2.B(17). ~~Ten-Year Program of Capital Expenditures~~Improvement Plan⁷⁷ means ~~a comprehensive long-term financial~~the ten year plan that identifieswherein each Department Head and prioritizesresponsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education identify and prioritize expected needs-based-on-a-strategic-plan, establishesCpalital Items, establish project scope and cost, detailsdetail estimate amounts of funding from various sources-and-projects future operating, and maintenance costs. Department Heads of each of the Budgeted Entities,provide other relevant information in conjunction with the assigned Divisiona format required by eh Chief, are responsible for preparing the plan in the manner prescribed by this Charter. Financial Officers. The first year of the ten-year projections is referred to as the "Capital Budget."

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OTHER REVISIONS RECOMMENDED BY COUNSEL

Commented [SGM44]: CFO 021625 and 040125

§7-2. Boards and Commission Established by the Charter.

A. Board of Estimate and Taxation⁷⁸.

(1) **Established⁷⁹: Mayor as ex officio member of Board of Estimate and Taxation; Board in General⁸⁰.** The seven-member Board of Estimate and Taxation is comprised of six Electors who shall serve without pay. The Mayor shall be an ex officio a member of the Board of Estimate and Taxation and shall be entitled to vote in the proceedings of the Board.

Commented [SGM45]: STRUCTURE OF BOARD OF ESTIMATE: (A) ELECTED? (B) APPOINTED BY MAYOR? OR JOINT APPOINTMENT BY MAYOR AND COUNCIL?

⁷⁶ NEW (2023). Derived from §30-4 of the Code of Ordinances.

⁷⁷ 2025 revision of 2-2.B(17) which was which was adopted in the 2023 Charter. The 2023 revision was derived from §30-3 of the Code of Ordinances.

⁷⁸ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288. Derived from Sp. Laws 1913, No. 352, §88; Charter Amendment 8-29-1978 [Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978]; Charter Amendment 8-10-1982. [Editor's Note: Approved by the electorate at the general election held 11-2-1982].

⁷⁹ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (First sentence).

⁸⁰ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (First sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter Amendment 11-8-2005.) Historical Editor's Note: For the powers and duties of Mayor, see Art. V, Part 2.

(a) **Mayor as Presiding Officer**⁸¹. The Mayor shall preside at all meetings of the Board when present.

(b) **Quorum**⁸². At all meetings of the Board, four members shall constitute a quorum, and the concurrence of four votes shall be necessary for the transaction of business⁸³.

(2) **Appointment, Term of Office, Approval, Qualification, and Political Balance**⁸⁴. The members shall be appointed by the Mayor, for a term of four years⁸⁵, subject to approval by the Common Council as set forth in §7-1.C.

(a) **Political and Geographic Balance**. There shall be not more than two members from any one Council District and not more than three appointed members shall belong to the same political party.

(b) **Vacancy - Balance of Term**⁸⁶. As set forth in §7-1.D⁸⁷.

(3) **Powers**⁸⁸. The Board of Estimate shall have the powers specified in this Charter and the incidental powers as may be reasonably necessary to enable it to investigate and determine those matters of fiscal policy of the City as are within its direct jurisdiction and responsibility⁸⁹.

(a) **Open Meetings; Public Notice**⁹⁰. The regular meetings of the Board shall be open to the public and shall be convened by the Mayor, and notice of the time, place, and purpose of holding the same shall be posted or published as required by this Charter or as otherwise may be required by Law.

(b) **Vote and Proceedings of the Board of Estimate and Taxation: Evidential Weight of Records**⁹¹. The City Clerk shall be clerk of the Board of Estimate and Taxation and is responsible for maintaining the records of the Board in accordance with the §7-1.B(6). All of the records, including legacy records, shall be in all courts, evidence of the truth of the

⁸¹ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

⁸² 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

⁸³ 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289 (Third sentence), as follows: “Lack of Quorum. Warrant to Compel Attendance. Whenever any meeting of the Board has been regularly called and no quorum shall be present, the Mayor may execute and issue a warrant, directed to a State Marshall or to the City Sheriff of the City, to arrest and bring into such meeting a sufficient number of members of the Board to constitute a quorum.”

⁸⁴ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (Second sentence).

⁸⁵ 2023 edit and recodification of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences).

⁸⁶ 2023 revision of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences), which is set forth in §7-1.D of this Charter.

⁸⁷ 2023 repeal of current Article VI – Board of Estimate and Taxation §1-288 entitled “1983 Transition Provision” (Fifth and sixth sentences).

⁸⁸ NEW (2023).

⁸⁹ 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289 (Fourth sentence), which addresses faithful discharge of duties, conflict of interest, fines and removal from office.

⁹⁰ 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Fifth sentence).

⁹¹ 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Sixth and seventh sentences).

matters therein contained, and a certified copy of any record shall be received in all courts as evidence of the same validity as the original record.

(c) Special Meetings of the Board of Estimate and Taxation⁹².

The Mayor or a majority of the members of the Board of Estimate and Taxation have the authority and power to call a special meeting of the Board.

(4) The Budget Process and Authority of the Board of Estimate and Taxation to Review Budgetary Information and to Levy Taxes.

(a) The Budget Process. The role of the Board of Estimate with respect to the budget process and deliberations is set forth in Article X.

(b) Furnishing of Information⁹³. The Board of Estimate and Taxation is authorized to require the Department Heads and responsible officers for each Budgeted Entity (including the Norwalk Public Schools under the auspices of the Board of Education) to furnish the required information necessary, in the opinion of the Board, to enable it to discharge the duties imposed upon it by this Charter.

(c) The Power to Levy Taxes; Fiscal Year⁹⁴. The Board of Estimate and Taxation is authorized to establish the mil rate on the assessed value of the property within the limits of the City, subject to the maximum limit on total appropriations as set by the Common Council as hereinafter provided and in conformity with Law. Every tax approved by the Board shall be laid upon the assessment list of the City last completed.

(5) The Annual Report⁹⁵. All administrative City officers and committees are required by this Charter to make annual reports to the Mayor, Board or Estimate and Taxation and the Common Council on or before the first Day of August in each year.

⁹² 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-ninth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁹³ 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eighth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁹⁴ 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Ninth through eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁹⁵ 2023 recodification and revision of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-third sentences).

(6) Election Expenses⁹⁶. The Board of Estimate and Taxation must appropriate sufficient sums to cover the expenses of all elections, including the expenses of each voting precinct and voting place⁹⁷.

⁹⁶ 2023 recodification of current Article III – Part 1. In General, §1-182. Derived from Sp. Laws 1945, No. 134, §4.

⁹⁷ 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289: (a) First clause of the thirty-fourth sentence) which addresses the Annual Appropriation for District Library and Sinking Funds for the First, Second, Third and Fifth Districts; (b) (Second clause of the thirty-fourth sentence which addresses Investment and Reinvestment of Funds Collected and Appropriated of the First, Second and Third Taxing Districts; and, (c) Third clause of the thirty-fourth sentence which addresses Investment and Reinvestment of Funds Appropriated and Collected for the Fifth Taxing District.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

ARTICLE X: BUDGET, PUBLIC FUNDS AND FINANCE

§10-1. The Budget Process¹.

A. Cooperation of City Officials and Employees². The Mayor, Common Council, Board of Estimate and Taxation, the Board of Education, the Planning and Zoning Commission, and all other Budgeted Entities (including any Board, Commission, office, agency, bureau, authority or any other entity receiving or expending City funds or multi-year state or federal funds or grants, including the Board of Education and the Norwalk Public Schools) are required to work together and share information, in good faith, throughout the year in order to develop, approve and implement the budget of the City, which is comprised of the:

(1) **Operating Budget³.** The Operating Budget, adopted annually as set forth in this Charter, consists of all expected revenues and expenditures and, for the purposes of short-and long-term financial planning, includes detailed estimates of revenues and operating expenses, including, but not limited to operating, personnel and facility maintenance expenses, costs and all expected revenues, as required by this Charter and any related Ordinances. The Operating Budget is funded primarily through local property taxes; intergovernmental revenue, licenses, fees, charges for services, fines, interest and other sources of revenue.

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(2) **Capital Budget and Capital Improvement Plan⁴.** The Capital ~~Budget, adopted annually as set forth in this Charter,~~ **Improvement Plan** consists of expected costs of improvements to City facilities infrastructure, and long-term assets that are contemplated to be financed through borrowing and grants ~~and the Capital Improvement Plan that includes over a Capital Improvement Plan 10-year period,~~ of which years 2 – 10 are non-binding. ~~The Capital Budget, adopted annually as set forth in this Charter, consists of such improvements to be included authorized for the ensuing fiscal year.~~

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Commented [SGM3]: CFO 031425 and 041525

All Public Officials and employees of the City are required to utilize commonly accepted practices and to aspire to employing best practices in the field of municipal and public finance. In order to comply with Law and with the generally accepted accounting principles (or any successor policies thereto) Public Officials and employees of the City must embrace principles of accountability, transparency, and outreach in order to expand public participation, engagement, and trust in the budgetary process of the City.

B. Fiscal Year⁵. The fiscal year of the City begins on July 1st and ends on June

¹ NEW (2023)

² NEW (2023).

³ 2025 revision of §10-1.A(1) which was adopted in the 2023 Charter.

⁴ 2025 revision of §10-1.A(2) which was adopted in the 2023 Charter. The 2023 revision was derived from §30-1 of the Code of Ordinances. Note: Chapter 30 of the Code of Ordinances was adopted by the City of Norwalk Common Council 4-24-1958. Amendments noted where applicable.

⁵ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

30th of the succeeding year.

C. The Budget: A Public Record.

(1) **Public Inspection**⁶. The budget documents, comprised of the proposed Operating Budget and Capital Budget, as public records must be filed in the office of the City Clerk. Following Public Notice the budget documents must be (a) available for public inspection at the Office of the City Clerk, during regular office hours; and (b) posted on the City's website or electronic media or at public facilities including libraries and schools, as may be determined by the Mayor or the Common Council. Physical copies of the budget must be available promptly upon request following the filing with the Clerk, subject to a reasonable charge as permitted by Law.

(2) **Public Engagement**⁷. The Mayor, Common Council, Board of Estimate and Taxation, Board of Education, and Planning and Zoning Commission must develop and publicize procedures designed to encourage public participation in the budget process. The Common Council has the legislative authority to enact Ordinances to implement these provisions of the Charter.

(3) **Budget Calendar**⁸. Not later than the first week in September of each year, the Chief Financial Officer is required to publish a budget calendar, including procedural rules, in order to inform the public of the significant milestones in the budget process

(4) **Initial Joint Public Hearings**⁹. On or before October 1st in each year, joint public hearings for the purpose of eliciting comments and ideas from members of the public prior to the development of the Operating and Capital Budgets for the subsequent fiscal year must be conducted by the (a) Mayor; (b) Chief Financial Officer; (c) President of the Common Council; (d) Chair(s) of the Council committee(s) authorized to review the budget; (e) Chair pro tempore of the Board of Education; (f) Superintendent of the Norwalk Public Schools; (g) Chief Financial Officer of the Norwalk Public Schools; (h) Chair of the Planning and Zoning Commission, and (i) a member of the Board of Estimate and Taxation designated by the Mayor.

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D. Authority to Require Operating Budget and Capital Budget Information¹⁰.

The Mayor has the authority to require each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, to submit to the Mayor or a designee the following:

Commented [SGM5]: SGM consolidation based upon CFO 021625

general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁶ NEW (2023)

⁷ NEW (2023)

⁸ NEW (2023).

⁹ 2025 revision of §10-1.C(4) which was adopted in the 2023 Charter.

¹⁰ 2025 recodification and revision of §10-2.A which was new provision added to the Charter in 2023.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

(1) estimates of revenue and requests for expenditures for the Operating Budget in the ensuing fiscal year¹¹; and

(2) estimates of the cost of Capital Budget Items pending or which should be undertaken within the next and nine succeeding fiscal years, including a detailed budget by project for expected Capital Budget Items the next fiscal year, shall be submitted by each Department annually in the form and manner prescribed by the Chief Financial Officer under the authority of the Mayor¹²;

(3) any additional information which the Departments possess (including, but not limited to, records, books, accounts, contracts, reports and other papers and documents as specified by the Mayor (or the Mayor's designee) all of which are necessary to discharge the duties imposed upon the Mayor by this Charter¹³; and,

(4) all special revenue, equity assistance and enterprise funds, if any¹⁴.

E. Submission of Operating Budget and Capital Budget Estimates¹⁵. Each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, in conjunction with the assigned Division Chief, if any, is required, on or before December 15th of each year (or, in the case of the ~~Norwalk~~ Norwalk Public Schools, on or before December 31st), to submit and report the following:

(1) **Operating Budget Estimate¹⁶.** To the Mayor or designee, a detailed estimate of the amount of Operating Budget moneys requested by the respective Departments or other Budgeted Entities (including the Board of Education and Norwalk Public Schools) for the ensuing fiscal year, giving details as prescribed by the Chief Financial Officer¹⁷; and,

(2) **Capital Budget Items Estimate¹⁸.** To the Mayor or designee and the Planning and Zoning Commission a detailed estimate of all Capital Budget Items, which, in the judgment of each Department Head and responsible officer, in conjunction with the assigned Division Chief, should be undertaken within the Capital

Commented [SGM6]: SGM consolidation based upon CFO 021625.

Commented [SGM7]: RECOMMENDED BY COUNSEL.

Commented [SGM8]: CFO FOLLOWING CONSULTATION WITH PUBLIC SCHOOL CFO)

Commented [SGM9]: RECOMMENDED BY COUNSEL.

¹¹ 2025 recodification of §10-2.A(1)

¹² NEW (2025)

¹³ 2025 recodification of §10-2.A(2).

¹⁴ NEW (2025)

¹⁵ 2025 recodification of §10-2.B and 10-11.

¹⁶ 2025 recodification and revision of §10-2.B which is derived from the 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twelfth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter.

¹⁷ 2023 repeal current Article V, Part 4 – Department of Finance §1-239.D. Added by Charter Amendment 8-29-1978, §4; Charter Amendment 11-8-2005, as follows: "Each Department Head shall submit to the Chief Financial Officer or other officer designated by the Mayor, a true copy of its proposed annual budget or any proposed changes or additions on or before the fifteenth (15th) day of December in each year." Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

¹⁸ 2025 recodification and revision of §10-11 which was a new provision adopted in 2023. It was derived from §30-5 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

Improvement Plan, including the proposed Capital Budget for the ensuing year.

Commented [SGM10]: CFO 031525

These estimates shall be known as "Operating Budget and Capital Budget Estimates" and shall be prepared and submitted on a form the Chief Financial Officer shall prescribe. Upon Public Notice, these estimates shall be public records and shall be open for inspection at all reasonable times.

Annual Operating Budget

§10-2. Operating Budget Estimates.

A. **Submission of Operating Budget Estimates**¹⁹. In accordance with §10-1.E(1), above.

Commented [SGM11]: SGM consolidation in Sec. 10-1.D(1) based upon CFO 021625.

B. **Budget Preview; Joint Committees**²⁰. On or before January 21st in each year, the Chief Financial Officer and Chief Financial Officer of the Norwalk Public Schools shall meet with the members of the committee(s) of jurisdiction of the Council and Board of Education in order to review the pre-submission budget priorities ("Joint Committees"). The Joint Committees shall elicit comments and ideas from members of the public during this meeting.

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The Proposed Mayor's Operating Budget

§10-3. Submission of the Mayor's Proposed Operating Budget to the Board of Estimate and Taxation²¹ and Common Council²².

The Mayor or the Mayor's designee must submit to the Board of Estimate and Taxation and the Common Council on or before February 15th of each year, the Mayor's Proposed Operating Budget, comprised of the following:

Commented [SGM13]: CFO 021625

A. **Narrative and Recommendations**²³. The Mayor's narrative and recommendation on the contents of the Proposed Operating Budget and

B. **Department and Other Budgeted Entity Estimates, including the Norwalk Public Schools under the auspices of the Board of Education**²⁴. An estimate of the

¹⁹ 2025 revision and merger in §10-1.D(1).

²⁰ NEW (2025)

²¹ 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. Added by Charter Amendment 8-29-1978, §4; Charter Amendment 11-8-2005. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

²² 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²³ 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. See, derivations in fn #17, above.

²⁴ 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). See, derivations in fn #18, above.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

amounts requested by each Budgeted Entity (including the line-item requests and narrative of the particulars proposed by the Board of Education) giving the particulars as far as possible and recommending appropriations for all the expenses of the City (including the proposed total Board of Education appropriation) and recommending a mil rate applied to the assessed value of property (the sum of which for the City is referred to as the Grand List) as deemed necessary to meet the expenses of the City, after deducting the amount of the available revenue for the fiscal year as well as any other necessary adjustments.

§10-4. Notice and Publication of the Mayor's Proposed Operating Budget²⁵.

The Chief Financial Officer or other designee of the Mayor must post the Mayor's Proposed Operating Budget, in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, at least five Days before the fourth Monday of February of each year.

§10-5. Review by the Common Council.

A. Maximum Limit on Total Appropriations²⁶. The Common Council must, at a meeting thereof to be held on or before February 28th of each year, adopt by a resolution approved by an affirmative vote of a majority of the entire membership of the Council, a maximum limit on total appropriations for the City as an amendment to the Mayor's Proposed Operating Budget for the ensuing fiscal year and cause the same to be communicated to the Board of Estimate and Taxation.

B. Exemption from the Referendum Provisions of this Charter²⁷. The Common Council resolution is exempted from the application of §4-10.

C. Exemption of Grants from Maximum Taxation²⁸. Any grants from private, state, or federal sources received after the adoption of any maximum taxation by the Common Council under this section are exempted from the maximum limitation.

²⁵ 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²⁶ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Fifteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²⁷ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Sixteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²⁸ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Seventeenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

§10-6. Board of Estimate and Taxation Deliberations on the Mayor's Proposed Operating Budget²⁹.

The Board of Estimate and Taxation must hold one or more meetings on or before March 30th of each year including at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any alterations in the estimates. Thereafter the Board may make any alterations, increases and decreases in the Mayor's Proposed Operating Budget ~~and make the additional~~ appropriations, as it deems proper.

§10-7. Transmittal of Board of Estimate and Taxation's Approved Operating Budget to the Common Council.

A. Submission of Statement of Appropriations and Tax Rates to Common Council³⁰. The Board of Estimate and Taxation, having made alterations, increases, and decreases, if any, is required to prepare a statement of appropriations and tax rates which it proposes to make and levy, and cause the same to be forwarded to the Common Council not later than April 1st of each year.

B. Deliberations of the Common Council³¹. The Common Council may, at a regular or special meeting to be held not later than April 15th of each year, amend the maximum limit of total appropriations for the City for the ensuing fiscal year by an affirmative vote of two-thirds of the entire membership of the Council.

C. Exemption from the Referendum Provisions of this Charter³². The Common Council vote is exempted from the application of §4-10.

400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

²⁹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eighteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³⁰ 2023 adaptation and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Nineteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³¹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twentieth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³² 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-first sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

§10-8. Final Actions by Board of Estimate and Taxation.

A. Alteration to Common Council Limits³³. The Board of Estimate and Taxation must thereupon make alterations in the Proposed Operating Budget, including the tax rates, as are necessary to comply with the limit set by the Common Council, and shall prepare a Final Approved Operating Budget, including tax rates, which it proposes to make and levy in accordance therewith.

B. Notice and Publication³⁴. The Board of Estimate and Taxation is required to post the Approved Operating Budget as set forth in §10-8.A in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, no later than April 30th of each year.

C. Final Alterations of Proposed Operating Budget, including Tax Rates³⁵. The Board of Estimate and Taxation must hold a meeting no later than May 7th of each year for the purpose of making further alterations in the estimates, appropriations, and tax rates as it shall deem proper. The Board is authorized to make appropriations and lay taxes at the meeting. Finally, the Board may fix the time or times when any tax approved by it shall become due and payable, and may divide the altered tax levy and make the same payable in two or more installments, as authorized by the General Statutes³⁶.

Commented [SGM14]: CFO 021625

D. No Further Action by Common Council³⁷. No appropriation made at the meeting held pursuant to §10-8.C shall require the approval of the Common Council; provided, however, that the total amount of the approved appropriations shall not exceed the maximum limit established by the Council as hereinabove provided.

E. Actions Subject to Referendum Provisions of the Charter³⁸. The actions of the Board of Estimate and Taxation at the meeting held pursuant to §10-8.C are subject to the provisions of §4-10.

general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³³ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³⁴ 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). See, derivations in fn #31.

³⁵ 2025 revision of the 2023 modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-third sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

³⁶ **Comment of the 2025 Charter Revision Commission.** At the time of the adoption of this provision the authority for installment payment, C.G.S. §12-142.

³⁷ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fourth sentence). See derivations in fn #33.

³⁸ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fifth sentence). See derivations in fn. #33.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

§10-9. Appropriations Shall Not Exceed Estimate of Revenues³⁹.

The Board of Estimate and Taxation is not authorized to make appropriations in excess of the estimate of revenues made by it for any year, and in no case shall the expenses of the City exceed their respective estimated revenues (including tax revenues) for any year, except for the purposes for which the City is authorized to issue bonds, and only when bonds are so issued.

§10-10. Limitations on Expenditures and Revenues; Action by Board of Estimate and Common Council.

A. Limits on Expenditures; Special Appropriations and Exemption from Maximum Limit⁴⁰. No money other than that appropriated as aforesaid by the Board of Estimate and Taxation in the final budget shall be expended unless a special appropriation therefor has been provided by the Board of Estimate and Taxation and has been approved by a Majority Vote of the Council. Any special appropriation approved in the manner herein set forth is exempted from the maximum limit established by the Council as hereinabove provided.

Commented [SGM15]: CFO WANTS TO REPEAL

B. Special Appropriations⁴¹. If a special appropriation in excess of the unappropriated revenues of the City is required, an estimate of the same must be prepared by the Chief Financial Officer and submitted to the Board of Estimate and Taxation. The Board, at their Meeting or an adjournment thereof, is authorized to make any special appropriation, and to lay a special tax to meet the same; however, no special appropriation may be made unless available General Fund resources or a special tax is sufficient to cover the amount when the special appropriation is in excess of the unappropriated revenues of the City and unless the special tax has been approved by a Majority Vote of the Council.

Commented [SGM16]: CFO WANTS TO REPEAL

Commented [SGM17]: CFO 031425.

C. Specific Purpose Appropriations⁴². Any appropriation, regular or special, for any specific purpose, shall not be expended for any other purpose and, if unexpended, shall be transferred into the treasury sixty days after the expiration of the fiscal year for which it is

³⁹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-sixth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁴⁰ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-seventh and twenty-eighth sentences).

⁴¹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirtieth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁴² 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-first and thirty-second sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

made. All appropriations so made shall remain on the books of the City to the credit of the specific purposes for which they are made for sixty days after the expiration of the fiscal year for which they are made, for the purpose of paying bills lawfully contracted during the fiscal year which are properly chargeable to the specific purpose appropriations.

The Capital Budget

§10-11. Submission of Estimate of Capital Budget Items.

A. Submission of Estimates⁴³. The estimates of Capital Budget Items shall be submitted in accordance with §10-1.E(12), above.

Commented [SGM18]: SGM consolidation in Sec. 10-1.D(2) based upon CFO 021625.

B. Submission of Mayor's Proposed Capital Budget and Capital Improvement Plan⁴⁴. The Mayor or the Mayor's designee must submit to the Board of Estimate and Taxation and the Common Council on or before February 15th of each year, the Mayor's Proposed Capital Budget and Capital Improvement Plan. The budget and plan shall include the

Commented [SGM19]: CFO 021625 and 041525

(1) The Chief Financial Officers' Report as set forth in §10-12, below;

(2) An estimate of the amounts requested by each Budgeted Entity (including the requests and narrative of the particulars proposed by the Board of Education) giving the particulars as far as possible and recommending appropriations for all the expenses of the City (including the proposed total Board of Education Capital Items); and

(3) Any other information requested by the Board of Estimate and Taxation, the Planning and Zoning Commission and the Common Council.

A.C. Notice and Publication of the Mayor's Proposed Operating Budget⁴⁵. The Chief Financial Officer or other designee of the Mayor must post the Mayor's Proposed Capital Budget and Capital Improvement Plan, in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, at least five Days before the fourth Monday of February of each year.

B.D. Public Hearing Requirements⁴⁶. In accordance with the Public Notice and Public Hearing provisions of this Charter, the Planning and Zoning Commission, Board of Estimate and Taxation, and the Common Council are each required to hold at least one and, each in its discretion, as many Public Hearings on the Mayor's Proposed Capital Budget, including the Capital Improvement Plan, as either or them may deem necessary to ascertain the opinion of the public on the matters under consideration. The Public Hearings shall permit public participation within the parameters of the rules of the Commission, Board or Council in order to facilitate the submission of views and information relative to a matter on which a

Commented [SGM20]: CFO 031425

⁴³ 2025 revision and merger into §10-1.D(2).

⁴⁴ NEW (2025).

⁴⁵ NEW (2025)

⁴⁶ Recodification of §10-21 which was a new provision in the 2023 Charter. Derived from §30-13 of the Code of Ordinances. Amended 9-28-2021.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

decision of each of the entities is pending.

§10-12. Chief Financial Officer's Report⁴⁷.

Commented [SGM21]: CFO 021625

Following the receipt of estimates for Capital Budget Items and not later than February 1st of each year, the Chief Financial Officer must submit a report on the Capital Improvement Plan to the Board of Estimate and Taxation, the Common Council, and the Planning and Zoning Commission the amount of the expenditures requested and the Chief Financial Officer's:

Commented [SGM22]: CFO 031425

A. Estimates of the effect of the proposed expenditures upon the current budget and the bonded indebtedness for the succeeding years; and

B. Recommendations relative thereto.

The Chief Financial Officer is required to send said Report to the Department Heads or responsible officers for each of the Budgeted Entities that have submitted requests for inclusion in the Capital Improvement Plan.

Commented [SGM23]: CFO 031425

§10-13. Review by the Planning and Zoning Commission⁴⁸.

A. Public Hearings. On or before February 15th in each year, the Planning and Zoning Commission is required to hold a Public Hearing on the proposed Capital Improvement Plan, at which time the Mayor, Department Heads and responsible officers of other Budgeted Entities, including the Board of Education; the Chief Financial Officer; members of the Board of Estimate and Taxation; members of the Common Council and members of the public may be heard for the sole purpose of discussing the alignment of the estimates for Capital Budget Items with the City's Plan of Conservation and Development for each of these years. The hearing may be continued, if deemed necessary, in order to ensure the record is complete.

Commented [SGM24]: CFO 021625

B. Role of the Planning and Zoning Commission. The sole function of the Planning and Zoning Commission is to ensure that each Capital Budget Item in the proposed Capital Improvement Plan not previously approved is consistent with the City's Plan of Conservation and Development.

Commented [SGM25]: CFO 031425

C. Production of Information. The Planning and Zoning Commission may require the production of all pertinent data with respect to the proposed estimates, including but not limited to, preliminary plans, sketches, layouts and surveys insofar as the information is necessary to assess the alignment of the proposed estimates with the City's Plan of Conservation and Development.

D. Report of the Planning and Zoning Commission. The Planning and Zoning Commission must thereupon prepare a report setting forth its determination as to whether

⁴⁷ 2025 revision of §10-12, which was adopted in 2023 and derived from §30-6 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

⁴⁸ Revision of §10-13 which was adopted in 2023 and derived from §30-7 of the Code of Ordinances. Amended 3-10-1959; 9-28-2021.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

each proposed Capital Budget **Item** for the ensuing fiscal year is or is not consistent with the City's Plan of Conservation and Development ("POCD Report"). The Planning and Zoning Commission shall deliver the POCD Report to the Mayor as provided in §10-14 and also to the Common Council, Board of Estimate and Taxation and Chief Financial Officer.

Commented [SGM26]: SAME ISSUE: DEFINED TERM.

E. Transmittal of the Report⁴⁹. The proposed Capital Budget, including the Capital Improvement **Plan** and the POCD Report, must thereupon, on or before March 5th of each year, be transmitted to the Mayor for review and recommendations. However, the Mayor may not include therein any new Capital Budget Items without first submitting them to the Planning and Zoning Commission for its determination in accordance with this section.

Commented [SGM27]: CFO 021625

Commented [SGM28]: CFO 031425.

CFO (031425): "SHOULD REFERENCE TO THE MAYOR'S REVIEW AND RECOMMENDATIONS BE MOVED TO 10-14 - THE END OF THE FIRST SENTENCE AND THE FULL SECOND SENTENCE?"

§10-14. Review by the Mayor; Transmittal to Board of Estimate and Taxation and Common Council.

A. Mayoral Review⁵⁰. In the event the Planning and Zoning Commission determines that any proposed new Capital Budget Item is not consistent with the City's Plan of Conservation and Development, this fact shall be recorded by the Mayor when submitting the Mayor's proposed Capital Budget to the Board of Estimate and Taxation and the Common Council.

B. Transmittal by the Mayor to the Board of Estimate and Taxation and Common Council⁵¹. The Mayor's proposed Capital Budget must be transmitted to the Board of Estimate and Taxation and the Common Council on or before March 15th of each year.

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§10-15. Transmittal of Recommendations by the Board of Estimate and Taxation.

A. Adoption of Resolution. The Board of Estimate and Taxation is required to adopt a Resolution, adopted by an affirmative vote of a majority of the entire membership of the Board. The Resolution is required to set forth its written recommendations pertaining to the Mayor's Proposed Capital Budget for the ensuing fiscal year and cause the same to be transmitted to the Common Council, as set forth below⁵².

Commented [SGM30]: CFO 021625

(1) Content of Recommendations. The recommendations of the Board of Estimate and Taxation are a written expression of its judgment with respect to the amount of funds the Mayor has proposed to expend in the Capital Budget and the effect the expenditures will, in its opinion, have upon the operating expenses and credit of the City⁵³.

(2) Further Recommendations.. Said transmittal shall incorporate therein

⁴⁹ 2025 recodification and edit of §10-14 (first sentence) which was adopted in 2023 and derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁵⁰ 2025 recodification of the second sentence of §10-14 and revision by transferring the first sentence to 10-13.E, above. This provision was adopted in 2023 and derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁵¹ 2025 revisions and recodification of §10-15.A which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁵² NEW (2025).

⁵³ 2025 recodification and minor revision of the last clause of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

recommendations as the Mayor, the Planning and Zoning Commission and the Chief Financial Officer may make⁵⁴.

Commented [SGM31]: IS THIS NECESSARY?
(031925)

B. Public Hearings⁵⁵. The Board of Estimate is required to hold one or more meetings and at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any recommendations pertaining to the Mayor's Proposed Capital Improvement Plan.

Commented [SGM32]: SGM NOTE,

C. Transmittal by the Board of Estimate and Taxation to the Common Council. Following approval of its written recommendations on the Mayor's proposed Capital Budget, the Board of Estimate and Taxation is required to forward the same to the Common Council on or before April 1st of each year⁵⁶. The Council is not required to take into account any recommendations of the Board of Estimate and Taxation if not in writing or transmitted on or before April 1st of each year⁵⁷.

Commented [SGM33]: CFO 021625

D. Transfers to Operating Budget⁵⁸. The Board of Estimate and Taxation may transfer from the Mayor's proposed Capital Budget to the Operating Budget all or part of any capital items it believes may feasibly be included in the Operating Budget for the ensuing year.

E. Exemption from the Referendum Provisions of this Charter⁵⁹. The Common Council resolution is exempted from the application of §4-10.

§10-16. Adoption of Capital Budget.

A. Actions of the Common Council. Upon receipt of the recommendations of the Board of Estimate and Taxation, the Common Council may approve, reject or reduce any item in the Mayor's proposed Capital Budget or reinstate any proposed transfer under §10-15.C, above, by a Majority Vote of the Council within the maximum limits of the total Capital Budget established by the Mayor⁶⁰.

Commented [SGM34]: CFO 021625

B. Deadline for Approval⁶¹. The Common Council must thereupon approve the proposed Capital Budget, as amended, on or before April 15th of each year, when it shall be certified to the Chief Financial Officer. Any item not rejected or reduced by the Common Council is deemed approved by the Council.

"REINSTATEMENT" LILIMITED TO BET §10-15.C TRANSFERS

C. Items Deemed Inconsistent with the Plan of Conservation and Development⁶². Notwithstanding anything to the contrary in this Article, if any proposed Capital Budget Item has been determined by the Planning and Zoning Commission not to be consistent with the City's Plan of Conservation and Development, the designated item or

⁵⁴ 2025 recodification of the last clause of the second sentence of §10-15.A.

⁵⁵ NEW (2025).

⁵⁶ 2025 recodification of vision of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021. The last clause was recodified as §10-15.A(1).

⁵⁷ NEW (2025).

⁵⁸ NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁵⁹ NEW (2025).

⁶⁰ 2025 revision of §10-16.A which was adopted in 2023 and derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁶¹ NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁶² NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

items shall not be included in any Capital Budget or otherwise funded unless and until it has been approved by an affirmative vote of two-thirds of the Council, present and voting.

D. Public Hearings⁶³. The Common Council through its committee(s) of jurisdiction is required to hold one or more meetings and at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any alterations in the Mayor's Proposed Capital Improvement Plan. Thereafter the Council may take such actions as set forth in §10-15.A, above.

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Commented [SGM36]: CFO 031425

§10-17. Allotments and Recommendations for Termination or Abandonment of Capital Budget Items⁶⁴.

A. Allotments⁶⁵. Funds set aside for a Capital Budget Item shall be deemed to have been allotted for that purpose only.

B. Termination or Abandonment: Actions of Planning and Zoning Commission and Common Council⁶⁶. Any Capital Budget Item shall lapse if not implemented withwithin four years of authorization by the Common Council. On or before November 1st of each year, the Chief Financial Officer shall submit to the Common Council a report that identifies the status of projects that are scheduled to lapse within the following 12 months. The Common Council may continue an authorization for a project or projects by a majority vote of the Council. Thereafter, the Planning and Zoning Commission is required, within thirty days after the receipt of the Mayor's notice, to forward its recommendations to the Common Council. The Council must hold a Public Hearing thereon. In the event of approval by the Planning and Zoning Commission of the Mayor's request, a Majority Vote of the Council is required for concurrence; in the event of disapproval, the Commission shall communicate its reasons to the Council, which shall have the power to overrule the disapproval of the Commission by a recorded Majority Vote of the Council.

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C. Unencumbered Funds⁶⁷. Any and all unencumbered funds that constitute a surplus of funds allocated for Capital Budget Items that have been completed, terminated, or abandoned shall revert to a capital budget surplus account which shall be used to reduce the net capital budget for the succeeding year, except when the surplus funds are used to finance additional obligations as provided for in §10-20 of this Charter.

§10-18. Restrictions⁶⁸.

No obligations of the City are authorized nor expenditures made or permitted in any fiscal year for or on account of the Capital Budget unless the obligations or expenditures were included in the Capital Budget as finally approved for that fiscal year or a prior year, except provided in this Charter or by Ordinance.

⁶³ NEW (2025).

⁶⁴ NEW (2023). Derived from §30-10.1 of the Code of Ordinances. Added 1-24-1961; amended 5-13-2003; 9-28-2021.

⁶⁵ NEW (2023). Derived from §30-10.1.B (First sentence) of the Code of Ordinances

⁶⁶ 2025 revision of §10-17.B which was adopted in 2023 and derived from §30-10.1.B (Fourth and fifth sentences) of the Code of Ordinances

⁶⁷ NEW (2023). Derived from §30-10.1.C of the Code of Ordinances

⁶⁸ NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

§10-19. Financing Additional Obligations⁶⁹.

A. Unforeseeable or Emergency Conditions. Requests for additional obligations to the capital budget shall not be approved unless the request is made necessary by unforeseeable or emergency conditions.

B. Contents of Request. Any request under this provision shall be accompanied by a statement from the Chief Financial Officer setting forth, the following: (1) the necessity for using Capital Budget funds rather than financing through the Operating Budget; and, (2) recommendations as to the most feasible and economical measures to finance the additional obligations.

C. Sources of Funding. Sources of the proposed financing recommendations may be either from overall surplus from any previous bond issue for capital budgets or from the issuance of notes, each of which shall be designated "bond anticipation notes" and which may be renewed from time to time through utilization of funds from Capital Budget Items that have been terminated, abandoned, or lapsed. However, all the notes of any fiscal year and any renewals thereof shall be paid from the proceeds of the next regular capital improvements bond issue.

D. Action of the Common Council⁷⁰. Additional obligations may be authorized and expenditures made provided that the additional obligations or expenditures are specifically recommended, in writing, by the Mayor to the Planning and Zoning Commission. Within ten days after receipt thereof, the Commission is required to forward the same to the Common Council with its recommendations relative thereto. Except as otherwise provided in §10-16, the Common Council may thereupon, by a Majority Vote of the Council, approve, reduce or reject all or any part thereof.

§10-20. Financing Recommendations⁷¹.

On or before June 1st of each year, the Chief Financial Officer is required to transmit to the Common Council and the Board of Estimate and Taxation recommendations in respect to the most feasible and economic measures to finance the capital budget for the ensuing fiscal year. These bodies, at an appropriate time, must adopt the Resolutions necessary to give force and effect to the financing of the capital budget in accordance with the provisions of the Charter relating thereto.

Capital Budget Administration

§10-22. Implementation and Oversight of the Capital Budget Projects⁷².

The Common Council must enact an Ordinance pertaining to the implementation and oversight of the Capital Budget projects.

⁶⁹ NEW (2023). Derived from §30-11.1 of the Code of Ordinances. Added 1-24-1961; amended 9-28-2021.

⁷⁰ NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.

⁷¹ NEW (2023). Derived from §30-12 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁷² NEW (2023).

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JARED: LET'S TALK ABOUT THE GO BOND LANGUAGE.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

Borrowing

§10-23. Issuance Authorized: Procedures⁷³.

The City has the authority and power to incur indebtedness by issuing its bonds or notes for such purposes, upon such terms and to such extent as is authorized by the General Statutes. Each such bond or note shall be signed in the name of the City by the manual or facsimile signature of the Mayor, Chief Financial Officer, and Comptroller and have the seal of the City or a facsimile thereof affixed. No bonds or notes shall be approved by the Mayor and Common Council until the amount and purpose thereof shall be approved by the Board of Estimate and Taxation at a meeting duly called and held therefor. The Board of Estimate and Taxation, at a meeting held in the fiscal year in which such bonds or notes are issued, shall make a sufficient appropriation to pay all bonds or notes so issued during such fiscal year and such bonds or notes shall be paid from such appropriation when it shall become available.

Referenda

§10-24. Referendum Procedure.

See §4-10 of this Charter.

§2-2.B(7). Capital Budget⁷⁴ means the first Fiscal Year of the Capital Improvement Plan for which it is proposed for the purpose of authorizing expenditures during such fiscal year.

Commented [SGM39]: CFO 021625

§2-2.B(8). Capital Budget Items⁷⁵ means all individual expenditures in excess of Twenty-five Thousand (\$25,000) Dollars (or an increased amount set forth by Ordinance) to be utilized in more than one fiscal year, other than for ordinary operating expenses, which shall be requested or expended for improvements to City facilities, infrastructure and long-term assets. These Capital Budget Items shall include, but not be limited to, acquisition of property, the construction or remodeling of schools, public buildings and structures of whatever nature, highways, parks, sanitary sewers, sewage and garbage-disposal plants, drainage systems, rehabilitation of blighted areas and for machinery and other facilities

⁷³ 2023 modification and recodification of (1) current Article IV. The Common Council. §1-200. Derived from Sp. Laws 1929, No. 101, §1. Historical editor's Note: See also § 1-189; § 1-226; (2) current Article IV. The Common Council. §1-201. Derived from Sp. Laws 1929, No. 101, §2. Historical editor's Note: See also Art. VI; and, (3) Current Article IV. The Common Council. §1-202. Derived from Sp. Laws 1929, No. 101, §2. Historical Editor's Note: A Charter Amendment, adopted 9-2-1980 and approved by the electorate at the general election held 11-4-1980, repealed former Article XX, Miscellaneous Bond Issues, which was comprised of the following sections: §§ 1-616 (Sp. Laws 1919, No. 123); 1-617 through 1-619 (Sp. Laws 1921, No. 297, §§ 1 to 3); 1-620 through 1-624 (Sp. Laws 1921, No. 222, §§ 1 to 5); 1-625 through 1-631 (Sp. Laws 1937, No. 73, §§ 1 to 7); 1-632 through 1-637 (Sp. Laws 1945, No. 202, §§ 1 to 6); 1-638 through 1-644 (Sp. Laws 1947, No. 326, §§ 1 to 7); 1-645 through 1-648 (Sp. Laws 1951, No. 523, §§ 1 to 4); 1-649 through 1-653 (Sp. Laws 1953, No. 209, §§ 1 to 5); 1-654 through 1-658 (Sp. Laws 1953, No. 300, §§ 1 to 5). These sections shall be maintained for record purposes in a separate book entitled "Bond Issues of the City of Norwalk, the First, the Second, the Third and the Sixth Taxing Districts." Copies of such compilation shall be kept in the offices of the City Clerk and Town Clerk and in the Finance Department. § 1-616. through § 1-658. (Reserved)

⁷⁴ NEW (2023). Derived from §30-1 of the Code of Ordinances. Note: Chapter 30 of the Code of Ordinances was adopted by the City of Norwalk Common Council 4-24-1958. Amendments noted where applicable

⁷⁵ NEW (2023). Derived from §30-4 of the Code of Ordinances.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

having a usable expectancy of at least two years, for which the credit of the City shall, usually but not always, be pledged by the issuance of bonds, notes or other certificates of indebtedness.

§2-2.B(17). Capital Improvement Plan⁷⁶ means the ten year plan wherein each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education identify and prioritize expected Capital Items, establish project scope and cost, detail estimate amounts of funding from various sources, and provide other relevant information in a format required by the Chief Financial Officers. The first year of the ten-year projections is referred to as the "Capital Budget."

Commented [SGM40]: CFO 021625 and 040125

§7-2. Boards and Commission Established by the Charter.

A. Board of Estimate and Taxation⁷⁷.

(1) **Established⁷⁸: Mayor as ex officio member of Board of Estimate and Taxation; Board in General⁷⁹.** The seven-member Board of Estimate and Taxation is comprised of six Electors who shall serve without pay. The Mayor shall be an ex officio member of the Board of Estimate and Taxation and shall be entitled to vote in the proceedings of the Board.

Commented [SGM41]: STRUCTURE OF BOARD OF ESTIMATE: (A) ELECTED? (B) APPOINTED BY MAYOR? OR JOINT APPOINTMENT BY MAYOR AND COUNCIL?

(a) **Mayor as Presiding Officer⁸⁰.** The Mayor shall preside at all meetings of the Board when present.

(b) **Quorum⁸¹.** At all meetings of the Board, four members shall constitute a quorum, and the concurrence of four votes shall be necessary for the transaction of business⁸².

⁷⁶ 2025 revision of 2-2.B(17) which was which was adopted in the 2023 Charter. The 2023 revision was derived from §30-3 of the Code of Ordinances.

⁷⁷ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288. Derived from Sp. Laws 1913, No. 352, §88; Charter Amendment 8-29-1978 [Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978]; Charter Amendment 8-10-1982. [Editor's Note: Approved by the electorate at the general election held 11-2-1982].

⁷⁸ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (First sentence).

⁷⁹ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (First sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter Amendment 11-8-2005.) Historical Editor's Note: For the powers and duties of Mayor, see Art. V, Part 2.

⁸⁰ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

⁸¹ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

⁸² 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289 (Third sentence), as follows: "Lack of Quorum. Warrant to Compel Attendance. Whenever any meeting of the Board has been regularly called and no quorum shall be present, the Mayor may execute and issue a warrant, directed to a State Marshall or to the City Sheriff of the City, to arrest and bring into such meeting a sufficient number of members of the Board to constitute a quorum."

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

(2) Appointment, Term of Office, Approval, Qualification, and Political Balance⁸³. The members shall be appointed by the Mayor, for a term of four years⁸⁴, subject to approval by the Common Council as set forth in §7-1.C.

(a) Political and Geographic Balance. There shall be not more than two members from any one Council District and not more than three appointed members shall belong to the same political party.

(b) Vacancy - Balance of Term⁸⁵. As set forth in §7-1.D⁸⁶.

(3) Powers⁸⁷. The Board of Estimate shall have the powers specified in this Charter and the incidental powers as may be reasonably necessary to enable it to investigate and determine those matters of fiscal policy of the City as are within its direct jurisdiction and responsibility⁸⁸.

(a) Open Meetings; Public Notice⁸⁹. The regular meetings of the Board shall be open to the public and shall be convened by the Mayor, and notice of the time, place, and purpose of holding the same shall be posted or published as required by this Charter or as otherwise may be required by Law.

(b) Vote and Proceedings of the Board of Estimate and Taxation: Evidential Weight of Records⁹⁰. The City Clerk shall be clerk of the Board of Estimate and Taxation and is responsible for maintaining the records of the Board in accordance with the §7-1.B(6). All of the records, including legacy records, shall be in all courts, evidence of the truth of the matters therein contained, and a certified copy of any record shall be received in all courts as evidence of the same validity as the original record.

(c) Special Meetings of the Board of Estimate and Taxation⁹¹. The Mayor or a majority of the members of the Board of Estimate and Taxation have the authority and power to call a special meeting of the Board.

⁸³ 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (Second sentence).

⁸⁴ 2023 edit and recodification of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences).

⁸⁵ 2023 revision of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences), which is set forth in §7-1.D of this Charter.

⁸⁶ 2023 repeal of current Article VI – Board of Estimate and Taxation §1-288 entitled “1983 Transition Provision” (Fifth and sixth sentences).

⁸⁷ NEW (2023).

⁸⁸ 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289 (Fourth sentence), which addresses faithful discharge of duties, conflict of interest, fines and removal from office.

⁸⁹ 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Fifth sentence).

⁹⁰ 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Sixth and seventh sentences).

⁹¹ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-ninth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

(4) The Budget Process and Authority of the Board of Estimate and Taxation to Review Budgetary Information and to Levy Taxes.

(a) **The Budget Process.** The role of the Board of Estimate with respect to the budget process and deliberations is set forth in Article X.

(b) **Furnishing of Information⁹².** The Board of Estimate and Taxation is authorized to require the Department Heads and responsible officers for each Budgeted Entity (including the Norwalk Public Schools under the auspices of the Board of Education) to furnish the required information necessary, in the opinion of the Board, to enable it to discharge the duties imposed upon it by this Charter.

(c) **The Power to Levy Taxes; Fiscal Year⁹³.** The Board of Estimate and Taxation is authorized to establish the mil rate on the assessed value of the property within the limits of the City, subject to the maximum limit on total appropriations as set by the Common Council as hereinafter provided and in conformity with Law. Every tax approved by the Board shall be laid upon the assessment list of the City last completed.

(5) **The Annual Report⁹⁴.** All administrative City officers and committees are required by this Charter to make annual reports to the Mayor, Board or Estimate and Taxation and the Common Council on or before the first Day of August in each year.

(6) **Election Expenses⁹⁵.** The Board of Estimate and Taxation must appropriate sufficient sums to cover the expenses of all elections, including the expenses of each voting precinct and voting place ⁹⁶.

⁹² 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eighth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁹³ 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Ninth through eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

⁹⁴ 2023 recodification and revision of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-third sentences).

⁹⁵ 2023 recodification of current Article III – Part 1. In General, §1-182. Derived from Sp. Laws 1945, No. 134, §4.

⁹⁶ 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289: (a) First clause of the thirty-fourth sentence) which addresses the Annual Appropriation for District Library and Sinking Funds for the First, Second, Third and Fifth Districts; (b) (Second clause of the thirty-fourth sentence which addresses Investment and Reinvestment of Funds Collected and Appropriated of the First, Second and Third Taxing Districts; and, (c) Third clause of the thirty-fourth sentence which addresses Investment and Reinvestment of Funds Appropriated and Collected for the Fifth Taxing District.

ADDITIONAL COMMENTS FROM CFO AND CRC COUNSEL (04152025)

041125 Revision - 19

ACTION ITEM #2 – NORWALK CRC: MISCELLANEOUS ITEMS I (15 APRIL 2025)

1. **§4-10.G(2).** “Any referendum election concerning the Capital Budget, Operating Budget, any other appropriation or any part thereof shall be held at a special election not earlier than seventeen Days nor later than twenty-five Days following the Day upon which the City Clerk, upon instruction from the Common Council, issues a Public Notice¹ therefor in accordance with the requirements of §2-2.B(29), above by publishing a notice thereof in a newspaper having general circulation in the City of Norwalk. Any other referendum election shall be held at the next general election if such general election is to be held within six months from the date of verification by the City Clerk as provided in §4-10.G(2), above; provided, however, that if such verification by the City Clerk as provided in §4-10.G(2), above occurs less than sixty Days or more than six months prior to the general election, then the referendum election shall be held at a special election not earlier than seventeen Days nor later than twenty-five Days following the Day upon which the City Clerk, upon instruction from the Common Council, issues a Public Notice therefor by publishing a Public N notice thereof therefor in accordance with the requirements of §2-2.B(29), a in a newspaper having a general circulation in the City of Norwalk².”

2. **§4-3.A(2). Roll Call Votes³.** A roll call vote of the Common Council must be taken whenever the same is requested by any members⁴.

3. §6-3. Powers and Duties of Constables.

4. **§7-1.B. Administrative Requirements of Boards and Commissions⁵.** All Boards and Commissions established by this Charter or by Ordinance are required to comply with the following requirements:

(1) **Number of Members and Terms⁶.** Except as otherwise provided by the General Statutes and this Charter, the number of Board and Commission members must always be an odd number and the term of office shall not exceed a term of four years, which may be staggered.

(2) **Required ~~Ordinance~~ Provisions Applicable to all Boards and commissions⁷.** ~~All ny such Ordinance~~ Boards and Commissions must make provision in its rules for:

(a) The appointment of a chair, such officers as may be necessary for its proper function and a delineation of the responsibilities of the presiding officer and other officers;

¹ In lieu of “warning.”

² 2025 revision of §4-10.G(2) which is derived from the 2023 recodification of current Article XXII. “Referendum Procedure,”. §1-669.9.b

³ 2025 revision of §4-3.A(2) which is derived from the 2023 recodification of current Article IV. The Common Council. §1-199 (Ninth sentence). Derived from Sp. Laws 1913, No. 352, § 87; Sp. Laws 1921, No. 400, §5. Historical Editor’s Note: See also Art. V, Part 2; and Ch. 9, Administration, Art. II.

⁴ 2023 repeal of current Article IV. The Common Council (“Issuance of Warrant”). §1-197 (Fourth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.

⁵ NEW (2023).

⁶ NEW (2023).

⁷ 2025 revision of §7-1.B which was added to the Charter in 2023..

ACTION ITEM #2 – NORWALK CRC: MISCELLANEOUS ITEMS I (15 APRIL 2025)

(b) The keeping of records and posting of agendas as required by Law;

~~(c) Compliance with minority party representation in accordance with §7-1.B(6);~~

(d) Public access, comment and interaction (including, but not limited to, public speaking, comment and any applicable rules and protocols) as may enacted by Ordinance or, in the absence of an Ordinance, by the rules of the Board or Commission; and,

~~(e) Frequency of regular Meetings of all Boards and Commissions, in accordance with the Ordinances or, in the absence of an Ordinance, the rules of the Board or Commission, and mandatory attendance requirements, for the purpose of establishing a standard as required by §7-1.E(2), unless otherwise set forth by Ordinance.~~

5. §7-1.E (2). Removal⁸. Unless otherwise set forth in the General Statutes or this Charter, the Mayor or Appointing Authority may initiate proceedings to remove a member of any appointed Board, Commission, or relevant position for any of the following reasons:

(1) misconduct in the performance of duties;

(2) persistent absence, as defined by (a) Ordinance; or, (b) in the absence of an Ordinance if required by Ordinance in by the rules of the Board or Commission⁹;

(3) conviction of a felony while in office;

(4) conviction, while in office, of a misdemeanor which would undermine the public confidence in the member's ability to perform the duties of office, as determined by the Board of Ethics; and,

(5) ceasing to be an Elector in violation of §7-1.F.

Moreover, the Chair or a majority of the full membership of any Board or Commission may recommend removal of a member for the reasons set forth herein. Additional grounds for removal may be enacted by Ordinance.

6. §8-2.A (2). Appointed by Mayor and Confirmation by the Common Council: Service Under the Direction of the Mayor¹⁰. Unless otherwise set forth in this Charter or by written agreement, the Mayor is responsible for appointing the following ~~unclassified~~ employees, who serve at the direction of and with the pleasure of the Mayor¹¹,

⁸ NEW (2023)

⁹2025 revision of §7-1.E (2) which was added to the Charter in 2023.

¹⁰ 2025 revision of §8-2.A (2) which was added o the Charter in 2023. Restatement of current practices as set forth in Charter and/or Ordinance:

¹¹ 2025 revision of the 2023 recodification and modification of the pre-existing Article V, Part 4 – Department of Finance

ACTION ITEM #2 – NORWALK CRC: MISCELLANEOUS ITEMS I (15 APRIL 2025)

subject to Confirmation by the Common Council. The term of service of these officials is also subject to removal as set forth in §3-10.L. At the time of the adoption of the Charter the following Division Chiefs and Other Mayoral Appointees serve at the pleasure of the Mayor:

7. §8-2.G. Appointive Officer Oath¹². Every appointee ~~of the Council, when required by the Council,~~ must, before the appointee enters upon the duties of office, make oath or affirmation before some competent authority that the appointee will faithfully and impartially discharge the duties of office. The form of oath to be administered shall be as follows: "You, _____ having been appointed _____ of the City of Norwalk, do swear or affirm that you will faithfully and impartially discharge the duties of office according to your best skill and judgment, so help you God, or upon the pains and penalties of perjury." A certificate of the oath or affirmation under the hand of the authority administering it shall be lodged and kept on file in the office of the City Clerk.

8. §8-3.B. Structure of Office¹³. While enacting any Ordinances pertaining to the Law Department, the Council may determine the number of attorneys, their qualifications, their respective terms of office, and their compensation ~~subject to the approval of the Board of Estimate and Taxation.~~

9. §11-4.A Periodic Review of the Charter and Amendment of Charter¹⁴. No later than ~~September of 2025, the Council shall appoint a Charter Revision Commission pursuant to the General Statutes in order to review the work of the 2023 Charter Commission and to address issues that were not examined during that time. Thereafter, no later than September of 2035~~ ~~0~~ and no later than every ~~ten~~ ~~five~~ years thereafter, the Council shall appoint a Charter Revision Commission, pursuant to the General Statutes. Nothing in this section limits the right of the Council to appoint one or more Charter Revision Commissions other than the Commissions required by this section, but no such Commission shall be appointed if its appointment would preclude the Council from appointing a Commission as required by this section.

10. Errata and Scrivener's Edits. These include internal reference corrections, conformity for defined terms used throughout the Charter or minor edits, all of which will be highlighted before final approval.

§1-239.A. Under the pre=2023 charter this provision applies to the Director of Finance a/k/a Chief Financial Officer.

¹² 2025 revision of §8-2.G which is derived from the 2023 recodification of current Article V, Part 1 – General. §1-210. Derived from Sp. Laws 1913, No. 352, §77. Historical Editor's Note: See also § 1-178 for oath for elective officers

¹³ 2025 revision of §8-3.B which is derived from the 2023 modification and recodification of current Article IV. The Common Council. §1-189.4 (Third and Fourth sentence). Added by Charter Amendment 11-3-1970. The following provision was repealed: "Any such ordinance shall not be inconsistent with §219 (1956 Edition); §1-230 (1970 Edition), relative to the employment of attorneys, or with §212 (1956 Edition); §1-223 (1970 Edition), relative to the appointment of the Corporation Counsel."

¹⁴ Revision of §11-4.A which was added to the Charter in 2023.

ACTION ITEM #3 – NORWALK CRC: TAX COLLECTOR (15 APRIL 2025)

1. **§8-4.E. The Tax Collector**¹. The Collector of Taxes and Assessments is required to perform all of the duties and assume all of the responsibilities entrusted to Tax Collectors by virtue of the General Statutes, this Charter, and the Ordinances.

(1) **Public Improvement Liens; Duration**². In all cases where liens are created on account of public improvements in said City such liens shall, if an appeal is taken from the appraisal of damages or any assessment, continue for a period of sixty Days after the passage of the final decree of the Court of Judge having jurisdiction of such appeal, or after termination of the appeal proceedings, but no longer, unless within said period a certificate signed by the Mayor or Clerk of said City, describing the premises on which the lien exists and stating the amount claimed by said City as a lien thereon, shall be lodged with said Town Clerk of Norwalk.

(2) **Sidewalk Improvements; Building removal**³. All sums expended or expenses incurred under direction of the Council to level, raise, repair, flag, concrete or pave any sidewalk along the frontage of any property or in the removal of any building erected in violation of §§1-14 and 1-15⁴,^[1] with the expense for filing, shall be a lien upon the lands and buildings with reference to which such expenditures were made or such expense incurred, and such lien shall date from the Day when such expenditures were made or expense incurred and shall have the same validity and be collected in the same manner as tax liens, provided such liens shall not exist for a period longer than sixty Days after such expenditure was made or expense incurred unless, within said period, a certificate, signed by the Mayor and Clerk of said City, is filed with the Town Clerk of Norwalk relating to liens for benefits assessed.

~~**Historical Transition Provision.** The historical powers and duties of the Tax Collector as set forth in §14-5 shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) an opinion of the Corporation Counsel certifying that the functions of §14-5 have been addressed by the Ordinance, §14-5 shall expire and may be removed from the Charter.~~

Commented [SGM1]: REMOVE?

2. **§14-5. Historical Provisions Pertaining to the Tax Collector**⁵.

¹ 2025 revision of §8-4,E which is derived from the 2023 recodification, consolidation and restructuring of(1) current Article V, Part 4 – Department of Finance, §1-242.A entitled “Division of Tax Collection” (First and second sentences). Added by Charter Amendment 8-29-1978, §7. Historical Editor’s Note: Approved by the electorate at the general election held 11-7-1978; and (2) current Article V, Part 6 entitled Collector of Taxes and Assessments,” §1-252 Added by Sp. Laws 1933, No. 363, § 4.) The remainder of the **historical provisions have been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter. Comment of the 2025 Charter Revision Commission:** Repeal of §14-5 (with the exception of subsections (N) and (O) entitled “Historical Provisions Pertaining to the Tax Collector” derived from the 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-242.A entitled “Division of Tax Collection” (First and second sentences). Added by Charter Amendment 8-29-1978, §7. Historical Editor’s Note: Approved by the electorate at the general election held 11-7-1978.

² 2025 revision and recodification of §14-5(N) which is derived from the 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments,” §1-267 (Sp. Laws 1913, No. 352, § 108.)

³ 2025 revision and recodification of §14-5(O) which is derived from the 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments,” §1-268 (Sp. Laws 1913, No. 352, § 109; Sp. Laws 1921, No. 400, § 7.)

⁴ Historical Editor’s Note: See §§ 1-14 and 1-15.

⁵ Repeal of §14-5 (with the exception of subsections (N) and (O) entitled “Historical Provisions Pertaining to the Tax Collector” derived from the 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-242.A entitled “Division of Tax Collection” (First and second sentences). Added by Charter Amendment 8-29-1978, §7. Historical Editor’s Note: Approved by the electorate at the general election held 11-7-1978.

ACTION ITEM #3 – NORWALK CRC: TAX COLLECTOR (15 APRIL 2025)

The following provisions shall supplement the provisions of Article VIII, §8.4.E and shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) an opinion of the Corporation Counsel certifying that the functions of §14-5 have been addressed by the Ordinance, §14-5 shall expire and may be removed from the Charter.

A. — Powers and Duties of Tax Collector⁶.—Said Tax Collector shall (1) have the powers and be subject to the duties imposed by law upon Collectors of Town Taxes⁷; (2) receive and collect all taxes due to said city, all assessments made by said city, and all taxes and assessments which have been laid and assessed, and are unpaid at the passage of this act, by the Town of Norwalk, the City of Norwalk, the City of South Norwalk, and the East Norwalk Fire District, and report to the Council of said City the names and addresses of all persons who, being liable to pay such taxes and assessments on the Day when they become due, have neglected to pay the same⁸. All the amounts due to said City as special benefits or otherwise as herein provided may be collected by warrants under the hand of the Mayor, directed to the Collector who may collect the same in the manner in which tax warrants are collected⁹.

B. — Inspections of Tax Book¹⁰.—The tax book of the Collector of Taxes of said City shall at all reasonable times be open to the inspection of any taxpayer and to any auditor of public accounts in said city.

C. — Time Annual Taxes Payable¹¹.—All taxes, annually laid by said Board of Estimate and Taxation shall be payable on the Day fixed by the Board of Estimate and Taxation in each year.

D. — Time Special Taxes Payable¹².—All special taxes laid shall be due and payable on such Day as said Board of Estimate and Taxation shall designate at the time of laying said tax and upon any special tax being laid the Collector of Taxes shall publish a notice of the time when said tax shall be payable in a newspaper published in said City at least one week preceding said time.

⁶ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-254 Added by Sp. Laws 1913, No. 352, § 95; Sp. Laws 1933, No. 363, §5. Editor's Note: For duties of the Assistant Tax Collector, see Ch. 9, Administration.

⁷ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-254 (First sentence).

⁸ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-254 (Second sentence).

⁹ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-254 (Third sentence). Historical Editor's Note: See § 1-226.

¹⁰ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-255 (Sp. Laws 1913, No. 352, § 96.)

¹¹ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-256 (Sp. Laws 1913, No. 352, § 97.). Historical Editor's Note: See § 1-289.

¹² 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-257 (Sp. Laws 1913, No. 352, § 98.)

ACTION ITEM #3 – NORWALK CRC: TAX COLLECTOR (15 APRIL 2025)

~~E. — Notices for Payable Taxes¹³. The Tax Collector shall include in the notice of the time when the tax shall become payable a notice of the place and the times at which the Collector will receive such taxes.~~

~~F. — Delinquent Taxes¹⁴. If any tax laid by said Board of Estimate and Taxation shall remain unpaid for one month after the same shall become payable interest at the rate of nine percent per annum shall be charged from the time when such tax shall become due until the same shall be paid, which shall be collectible as part of said tax, and the Collector of Taxes shall keep an accurate and separate account of all such additions and the time when the same may be received, and shall pay the same as a part of the tax, and said Tax Collector shall immediately pay all moneys collected to the Treasurer of the City or to the Treasurers of the several Taxing Districts as herein provided.~~

~~G. — Recovery of Taxes¹⁵. All taxes assessed by said Board of Estimate and Taxation shall become a debt due from the person or corporation against whom they are assessed to the city, and may, in addition to the other remedies provided by law, be recovered in any proper action in the name of said city; but the bringing of such action shall in no wise affect the life or validity of the lien for said taxes or the right to bring action of foreclosure for the same, provided a substantial recovery by either of such remedies shall bar a recovery by any other remedy.~~

~~H. — Demands and Levys¹⁶. If any person shall fail to pay any tax said Tax Collector for the City shall, if such person be a resident of said city, make demand of such person therefor or leave written demand at such person's place of abode. If such a person is not a resident of said City the Collector shall make demand of such person therefor, or deposit in a post office in said Town of Norwalk a written demand upon such person for said tax, postage prepaid, addressed to the person's last known place of residence. After demand has been made in the manner above provided said Collector may levy for said taxes on any taxable goods or chattels of such person and post and sell the same in the manner provided in case of executions, but if any such goods or chattels belonging to such person cannot be found, after reasonable search on the part of said Collector, the Collector may (a) enforce, by levy and sale, any lien upon real estate assessed for said taxes, or (b) levy upon or sell such interest of the person in any real estate as exists at the date of levy, or (c) levy upon the body of such person and commit the person to jail until the tax and the legal costs or be discharged in due course of law are paid.~~

~~I. — Real Estate Liens¹⁷. When the Board of Estimate and Taxation shall lay any tax as provided herein the same shall be a lien upon the taxable real estate in the several Taxing Districts in reference to which such tax was laid, and any lien for taxes annually laid~~

¹³ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-258 (Sp. Laws 1913, No. 352, § 99.)

¹⁴ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-259 (Sp. Laws 1913, No. 352, § 100.)

¹⁵ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-260 (Sp. Laws 1913, No. 352, § 101.)

¹⁶ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-261 (Sp. Laws 1913, No. 352, § 102.)

¹⁷ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-262 (Sp. Laws 1913, No. 352, § 103; Sp. Laws 1915, No. 367, § 6.)

ACTION ITEM #3 – NORWALK CRC: TAX COLLECTOR (15 APRIL 2025)

by said Board shall date from the first Day of the preceding October, and the lien for any special tax laid by said Board shall date from the Day on which the appropriation therefor was made.

J. — Continuance of Tax Liens¹⁸. The Tax Collector of said City may continue any tax lien upon any real estate by causing to be recorded in the land records of said Town of Norwalk within the first year after the tax becomes due a certificate of the Tax Collector describing the real estate and the amount of such tax at the time when it becomes due, and thereupon such tax, with interest thereon at seven percent per annum in lieu of nine percent hereinbefore prescribed, shall remain a lien upon such real estate from the recording of said certificate until paid, and any tax lien so continued may, when the tax has been paid, be discharged by a certificate of the Tax Collector recorded in such land records. The fee of the Town Clerk for recording such tax lien shall be \$0.25 and there shall be allowed in favor of said City the sum of \$0.50 which sums shall be collected in addition to the tax so secured.

K. — Notice of filing Certificate for Continuance of Lien¹⁹. Whenever the Tax Collector of said City shall file with the Town Clerk a certificate for the purpose of continuing a lien of any tax upon real estate as herein provided, the Collector shall, within thirty Days thereafter, give notice to the person or persons in whose name such property appears of record that such certificate has been filed, which notice shall contain a statement of the original amount of such tax, and if the person to whom such notice is sent is not the person against whom such tax was assessed such notice shall state the name of the person against whom the tax was assessed. Said notice shall not be required in cases where said Collector, within thirty Days prior to the filing of such certificate, has given notice to the person who appears of record to be the owner of the Collector's intention to file such certificate of lien. Such notice shall not take the place of other notices herein required, nor shall the failure to give the notice required by this section affect the collection of the tax or invalidate the certificate of lien.

L. — Foreclosure of Any Tax of Other Lien²⁰. The Tax Collector of said City may bring suit for the foreclosure of any tax or other lien herein provided for, in the name of said city, in the manner provided by law for the foreclosure of tax liens.

M. — Precedence of Liens; Release; Fees for Recording Added to Lien²¹. Assessments of benefits, as provided in ~~§ 1-439, § 1-451, § 1-204 and § 1-457²²~~, or as otherwise herein provided, shall be a lien upon the land or other property upon which they are respectively made, and shall take precedence of all other liens or encumbrances except taxes due the state, and the land, with the buildings thereon, on which any such lien may exist, shall be liable to be foreclosed in the same manner as in the case of tax liens, provided such lien shall not continue to exist for a period longer than sixty Days after the giving of

¹⁸ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-263 (Sp. Laws 1913, No. 352, § 104.)

¹⁹ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-264 (Sp. Laws 1913, No. 352, § 105.)

²⁰ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-265 (Sp. Laws 1913, No. 352, § 106.)

²¹ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-266 (Sp. Laws 1913, No. 352, § 107.)

²² Historical Editor's Note: § 1-439; § 1-451; § 1-204; § 1-457.

ACTION ITEM #3 – NORWALK CRC: TAX COLLECTOR (15 APRIL 2025)

notice as hereinbefore prescribed, unless within said period a certificate, signed by the Mayor or Clerk of said city, describing the premises on which said lien exists and stating the amount claimed by said City as a lien thereon, shall be lodged with the Town Clerk of Norwalk. Said liens shall cease to exist whenever a certificate releasing the same signed by the Mayor or Clerk shall be filed with said Town Clerk. All such certificates shall be recorded by said Town Clerk in the land records of said Town of Norwalk, and the lawful fees for filing such liens shall be added to such assessment. Said assessment may be collected by warrant, under the hand of the Mayor, in the same manner as town taxes are collected, and shall bear interest at legal rate from time to time when the same becomes due.

N. — Public Improvement Liens; Duration²³. In all cases where liens are created on account of public improvements in said City such liens shall, if an appeal is taken from the appraisal of damages or any assessment, continue for a period of sixty Days after the passage of the final decree of the Court of Judge having jurisdiction of such appeal, or after termination of the appeal proceedings, but no longer, unless within said period a certificate signed by the Mayor or Clerk of said city, describing the premises on which the lien exists and stating the amount claimed by said City as a lien thereon, shall be lodged with said Town Clerk of Norwalk.

O. — Sidewalk Improvements; Building removal²⁴. All sums expended or expenses incurred under direction of the Council to level, raise, repair, flag, concrete or pave any sidewalk along the frontage of any property as provided in §§1-442 and 1-443, or in the removal of any building erected in violation of §§1-14 and 1-15^{25, [4]} with the expense for filing, shall be a lien upon the lands and buildings with reference to which such expenditures were made or such expense incurred, and such lien shall date from the Day when such expenditures were made or expense incurred and shall have the same validity and be collected in the same manner as tax liens, provided such liens shall not exist for a period longer than sixty Days after such expenditure was made or expense incurred unless, within said period, a certificate, signed by the Mayor and Clerk of said city, is filed with the Town Clerk of Norwalk, as provided in § 1-266, relating to liens for benefits assessed.

²³ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-267 (Sp. Laws 1913, No. 352, § 108.)

²⁴ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-268 (Sp. Laws 1913, No. 352, § 109; Sp. Laws 1921, No. 400, § 7.)

²⁵ Historical Editor's Note: See §§ 1-14 and 1-15.

ACTION ITEM #3 – NORWALK CRC: TAX COLLECTOR (15 APRIL 2025)

P. — ~~Reserved Historical Provisions Pertaining to the Collector of Taxes and Assessments~~²⁶. Note: Should be repealed. ~~Repeal of Former Provisions~~²⁷. So much of §1-165 of an act consolidating the Town of Norwalk with the cities of Norwalk and South Norwalk and the East Norwalk Fire District, and incorporating the City of Norwalk, approved June 6, 1913, as amended by an act approved June 14, 1921, as relates to the election and tenure of office of the Collector of Taxes and Assessments is repealed, the same to be effective as of October 4, 1933. Such portion of §1-254 of said act as relates to the election and tenure of office of the Collector of Taxes and Assessments is repealed, and such repeal shall be effective on October 4, 1933. So much of §1-224 of said act as amended by acts approved June 16, 1927, and April 18, 1929, as relates to the salary of the Collector of Taxes and Assessments is repealed.

²⁶ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments": (a) Historical Editor's Note: Former § 1-249, Appointment of the Collector of Taxes and Assessments Sp. Laws 1933, No. 363, § 1), was repealed by Charter Amendments 8-29-1978; (b) Historical Editor's Note: Former § 1-250, Collector of Taxes; salary; other offices; bond Sp. Laws 1933, No. 363, § 2; Sp. Laws 1945, No. 135), was repealed by Charter Amendment 8-29-1978; (c) Historical Editor's Note: Former § 1-251, Removal of the Collector of Taxes from office Sp. Laws 1933, No. 363, § 3), was repealed by Charter Amendment 8-29-1978; (d) 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-269 Editor's Note: Former §§ 1-269, Assessment for street sprinkling as lien upon affected real estate, Sp. Laws 1913, No. 352, § 110; Sp. Laws 1967, No. 197, § 1, and 1-270, Sale of property subject to sprinkling lien; depositing of amount, Sp. Laws 1913, No. 352, § 111, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980; and, (e) 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-270

Editor's Note: Former §§ 1-269, Assessment for street sprinkling as lien upon affected real estate, Sp. Laws 1913, No. 352, § 110; Sp. Laws 1967, No. 197, § 1, and 1-270, Sale of property subject to sprinkling lien; depositing of amount, Sp. Laws 1913, No. 352, § 111, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

²⁷ 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-253 Added by Sp. Laws 1933, No. 363, §5)

ACTION ITEM #4 – NORWALK CRC: THE CONTROLLER (15 APRIL 2025)

1. §8-4.C The Comptroller.

(1) **Duties and Responsibilities**¹. The Comptroller is required to perform the duties and responsibilities as set forth in this Charter and the Ordinances, under the authority of the Mayor and operational purview of the Chief Financial Officer or such other official in the event of a reorganization in accordance with the provisions of this Charter.

(a) **Certification of the Availability of Appropriated Funds.** The Comptroller must, in performance of the duties of office, certify as to the availability of appropriated funds for the payment of every obligation arising by reason of the proposed purchases or contracts of each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, and officer of the City, and assure that purchase orders or contracts are valid obligations of the City of Norwalk, bearing the certification of the Comptroller.

(b) **Refusal to Approve Purchase Orders or Contracts.** The Comptroller is also required to refuse to approve any purchase order or contract when the available appropriation for that purpose is exhausted or, in the opinion of the Comptroller, will be so depleted that there will remain insufficient funds for the regular and ordinary expenditures of that appropriation.

~~**Historical Transition Provision.** The historical powers and duties of the Comptroller as set forth in §14-3 shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) an opinion of the Corporation Counsel certifying that the functions of §14-3 have been addressed by the Ordinance, §14-3 shall expire and may be removed from the Charter.~~

(2) **Historical Provisions Pertaining to the Comptroller**². The Controller is also required to perform the following functions:

(a) Maintain and supervise the general accounting system for all Budgeted Entities;

¹ 2025 recodification of §8-4.C which is derived from the 2023 recodification and modification of current Article V, Part 4 – Department of Finance §1-240.A (Sixth sentences, clauses (ix) – (x)). The remainder of the historical provision has been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter. The following provisions dealing with the Division of Accounting and Treasury and salary of the Comptroller are repealed: (1) current Article V, Part 4 – Department of Finance §1-240.A (First and second sentences). Added by Charter Amendment 8-29-1978, § 5. Editor's Note: Approved by the electorate at the general election held 11-7-197; and (2) current Article V, Part 4 – Department of Finance §1-240.A (Third through fifth sentences).

² Recodification of §14-3 derived from the 2023 recodification of current Article V, Part 4 – Department of Finance §1-240.A (Sixth sentences, clauses (i) – (x)). With the exception of the following provisions which remain in Article VIII, 8.4.C: “certify as to the availability of appropriated funds for the payment of every obligation arising by reason of the proposed purchases or contracts of each Budgeted Entity and officer of the city, and no purchase order or contract shall be a valid obligation of the City of Norwalk unless it shall bear such certification of the Comptroller; and, refuse to approve any purchase order or contract when the available appropriation for that purpose is exhausted or, in his or her opinion, will be so depleted that there will remain insufficient funds for the regular and ordinary expenditures of that appropriation.”

ACTION ITEM #4 – NORWALK CRC: THE CONTROLLER (15 APRIL 2025)

(b) Keep or cause to be kept complete books of records and accounts showing the financial conditions of the City and all financial transactions, including all districts of the City but more especially those districts which are not under the supervision of District Commissioners as provided in this Charter;

(c) Keep separate accounts for the appropriations in the budget and the allotments thereof and shall encumber immediately each appropriation and each allotment for the amount of any purchase order, payroll or contract upon approval;

(d) Maintain for each account a record of the amounts paid and remaining unpaid, all encumbrances and unencumbered balances; the Comptroller shall keep a record of accounts payable by the City and accounts receivable by the City;

(e) Prescribe and control receipts to be used by all departments, offices, agencies and commissions of the City;

(f) Audit before payment all bills, invoices, payroll and other evidences of claims, demands or charges against the City and approve them only if proper and legal and only if moneys have been appropriated and an unspent and unencumbered balance is available;

(g) Administer the payroll of the City;

(h) Subject to the control and supervision of the Chief Financial Officer as aforesaid, manage and invest the excess funds of the City and shall administer the debt of the city;

(3) **Further Historical Provisions Pertaining to the Duties of the Comptroller**³. The Controller is also required to perform the following functions:

(a) **Methods of Accounting and Reporting.** The Comptroller, under the direction of the Director of Finance, shall supervise the methods of accounting for all departments and offices of the City and shall prescribe such methods of accounting and reporting as will enable such Controller to keep a true record of all financial acts of the City.

(b) **Duties of Town Treasurers.** The Comptroller shall have the same relative powers and duties within the City of Norwalk as the Town Treasurers under the general statutes in their respective towns except as herein provided.

³ 2025 recodification of 14-3.I derived from the 2023 recodification of current Article V, Part 4 – Department of Finance §1-240.A (Seventh and eighth sentences).

ACTION ITEM #4 – NORWALK CRC: THE CONTROLLER (15 APRIL 2025)

2. §14-3. Historical Provisions Pertaining to the Comptroller⁴.

~~The following provisions shall supplement the provisions of Article VIII, §8.4.C and shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) an opinion of the Corporation Counsel certifying that the functions of §14-3 have been addressed by the Ordinance, §14-3 shall expire and may be removed from the Charter.~~

~~**A.** maintain and supervise the general accounting system for all Budgeted Entities;~~

~~**B.** keep or cause to be kept complete books of records and accounts showing the financial conditions of the City and all financial transactions, including all districts of the City but more especially those districts which are not under the supervision of District Commissioners as provided in this Charter;~~

~~**C.** keep separate accounts for the appropriations in the budget and the allotments thereof and shall encumber immediately each appropriation and each allotment for the amount of any purchase order, payroll or contract upon approval;~~

~~**D.** maintain for each account a record of the amounts paid and remaining unpaid, all encumbrances and unencumbered balances; the Comptroller shall keep a record of accounts payable by the City and accounts receivable by the City;~~

~~**E.** prescribe and control receipts to be used by all departments, offices, agencies and commissions of the City;~~

~~**F.** audit before payment all bills, invoices, payroll and other evidences of claims, demands or charges against the City and approve them only if proper and legal and only if moneys have been appropriated and an unspent and unencumbered balance is available;~~

~~**G.** administer the payroll of the City;~~

~~**H.** subject to the control and supervision of the Chief Financial Officer as aforesaid, manage and invest the excess funds of the City and shall administer the debt of the city;~~

~~**I.** **Further Duties of the Controller⁵.**~~

⁴ 2023 recodification of current Article V, Part 4 – Department of Finance §1-240.A (Sixth sentences, clauses (i) – (x)). With the exception of the following provisions which remain in Article VIII, 8.4.C: “certify as to the availability of appropriated funds for the payment of every obligation arising by reason of the proposed purchases or contracts of each Budgeted Entity and officer of the city, and no purchase order or contract shall be a valid obligation of the City of Norwalk unless it shall bear such certification of the Comptroller; and, refuse to approve any purchase order or contract when the available appropriation for that purpose is exhausted or, in his or her opinion, will be so depleted that there will remain insufficient funds for the regular and ordinary expenditures of that appropriation.”

⁵ 2023 recodification of current Article V, Part 4 – Department of Finance §1-240.A (Seventh and eighth sentences).

ACTION ITEM #4 – NORWALK CRC: THE CONTROLLER (15 APRIL 2025)

~~(1) **Methods of Accounting and Reporting.** The Comptroller, under the direction of the Director of Finance, shall supervise the methods of accounting for all departments and offices of the City and shall prescribe such methods of accounting and reporting as will enable such Controller to keep a true record of all financial acts of the City.~~

~~(2) **Duties of Town Treasurers.** The Comptroller shall have the same relative powers and duties within the City of Norwalk as the Town Treasurers under the general statutes in their respective towns except as herein provided.~~

ACTION ITEM #5 – NORWALK CRC: PUBLIC WORKS (15 APRIL 2025)

1. §8-7. Operations Functions.

A. Generally¹. The functions under this division of government pertain to the administration and management of policies and programs pertaining to the operations and infrastructure needs of the City.

B. Chief of Operations and Public Works. At the time of the adoption of this provision of the Charter, the Division Chief is the Chief of Operations and Public Works. The Chief shall be responsible for the administration of the functions set forth in this Charter and the Ordinances on the basis of experience and qualifications established by Ordinance.

(1) Departments and Direct Reports to the Division Chief². The following Department Heads and Other Mayoral Appointees are accountable to the Mayor and are also required to report on their functions to the Division Chief: (a) Building Management, (b) Engineering, (c) Public Works³, (d) Recreation and Parks⁴ and (e) others as may be directed by Ordinance

¹ NEW (2023). Derived from Ord. §90-1. Note: Public Works was a mandatory provision under current Article IV. The Common Council. §1-189.2.A (Second sentence). Derived from Charter Amendment 11-3-1970. Historic editor's Note: Former § 1-189.3, Authorization of Council to establish Purchasing Department, added by Charter Amendment 11-3-1970, was repealed by Charter Amendment 8-29-1978. The remainder of the historical provisions have been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter.

² NEW (2023).

³ 2023 recodification of (1) current Article XI, (a) §1-362 (Reserved) derived from Sp. Laws 1945, No. 313, §1; (b) §1-363 (Reserved), derived from Sp. Laws 1945, No. 313, §2; Charter Amendment 8-17-1976; (c) §1-364 derived from Sp. Laws 1945, No. 313, §3; Sp. Laws 1947, No. 218, §2; (d) §1-365 derived from Sp. Laws 1945, No. 313, §4; and, (e) §1-366 derived from Sp. Laws 1947, No. 218, §1. Historical Editor's Note: Former Article XI, Department of Public Works, was repealed 10-24-1978. For current provisions in this regard, see Ch. 88, Public Works Department, of the Code of the City of Norwalk; (2) current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing. Part 3 (Reserved) contained the following historical editor's note: "Former Part 3, Sprinkling, which was comprised of §§ 1-451 through 1-456, Sp. Laws 1913, No. 352 §§ 117 through 122, was repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980." Sections 1-451 through 1-456 (Reserved); (3) current Article XV entitled "Streets, Sidewalks and Building Lines". Part 2. Laying Out, Altering, Extending or Discontinuing. (a) §1-443 derived from Sp. Laws 1913, No. 352, §127; (b) §1-444. Derived from Sp. Laws 1945, No. 216, §1. Editor's Note: For Commissioner of Public Works, see § 1-363. (c) §1-445. Derived from Sp. Laws 1945, No. 216, §2. (d) §1-446. Derived from Sp. Laws 1945, No. 216, §3; (d) §1-447. Derived from Sp. Laws 1945, No. 216, §4. (e) §1-448. Derived from Sp. Laws 1945, No. 216, §5. (f) §1-449. Derived from Sp. Laws 1945, No. 263, §1. (g) §1-450. Derived from Sp. Laws 1945, No. 263, §2.

⁴2023 repeal of current Article XVII. Part 1: (1) Historical Editor's Note: Editor's Note: See also, Ch. 74, Parks and Recreation; Appendix, Part IV, Veteran's Memorial Park; Part 2 (Reserved). Historical Editor's Note: A Charter Amendment, adopted 9-2-1980 and approved by the electorate at the general election held 11-4-1980, repealed former Part 2, Bonds, which was comprised of the following sections: §§ 1-489 through 1-493, Sp. Laws 1941, No. 36, §§ 1 to 5; §§ 1-494 through 1-499, Sp. Laws 1949, No. 205, §§ 1 to 6; §§ 1-500 through 1-506, Sp. Laws 1947, No. 342, §§ 1 through 6, and Sp. Laws 1953, No. 278, §§ 1 and 2. These sections will be maintained for record purposes in a separate book entitled "Bond Issues of the City of Norwalk, the First, the Second, the Third and the Sixth Taxing Districts." Copies of such compilation shall be kept in the offices of the City Clerk and Town Clerk and in the Finance Department. § 1-489. through § 1-506. (Reserved); (2) current Article XVII, Part 1. General. (a) §1-484. Derived from Sp. Laws 1917, No. 423, §1; (b) §1-485. Derived from Sp. Laws 1917, No. 423, §2; (c) §1-486. Derived from Sp. Laws 1917, No. 423, §3; (d) §1-487. Derived from Sp. Laws 1917, No. 423, §4; and (e) §1-488. Derived from Sp. Laws 1917, No. 423, §5; Sp. Laws 1921, No. 131.

**ACTION ITEM #5 – NORWALK CRC:
PUBLIC WORKS (15 APRIL 2025)**

(2) Functions of the Chief and Department Heads of the Division of Operations and Public Works⁵. The Division Chief and the Department Heads thereunder are responsible for the following:

(a) The maintenance and repair of all accepted streets and appurtenances and of public ways and public grounds not under the supervision of others.

(b) The collection and disposal of solid waste in accordance with state statutes.

(c) The management and operation of the wastewater treatment plant and collection system. The Chief of Operations, who was formerly known as the "Director of Public Works," shall have responsible charge, jurisdiction, rights and powers to perform all duties relating to the supervision, operation, repair, maintenance and upkeep of the wastewater system of the City. He/she shall, subject to the orders and directions of the Water Pollution Control Authority, have charge of the sewer system of the Fourth Taxing District and of the care and maintenance thereof and of the construction of all new sewers.

(d) The preparation of or assistance in the preparation of plans and specifications for bidding the construction, demolition, repair, renovation or rehabilitation of municipal improvements and all manner of public works projects carried out by the City.

(e) The supervision and coordination of public improvements carried out by contract to the City of Norwalk and the performance, direction or inspection of actual conduct of all construction work by or on behalf of the City.

(f) The prevention of encroachment and excavations in the public streets and highways, except in accordance with duly adopted law and Regulation.

(g) The development and administration of a comprehensive program of fleet maintenance services for all City departments, agencies and commissions, with the exception of the Fire Department. The program shall include the acquisition, assignment, disposition, sale and modification of all equipment and related parts and supplies. Acquisition and assignment of police vehicles shall be the responsibility of the Police Department. Acquisition and assignment of parks maintenance vehicles and equipment shall be the responsibility of this Department.

⁵ 2025 recodification and revision of §14-6.A –M. **Comment of 2023 Charter Revision Commission.** Public Works was a mandatory provision under current Article IV. The Common Council. §1-189.2.A (Second sentence). Derived from Charter Amendment 11-3-1970. Historic editor's Note: Former § 1-189.3, Authorization of Council to establish Purchasing Department, added by Charter Amendment 11-3-1970, was repealed by Charter Amendment 8-29-1978. The remainder of the historical provisions have been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter.

**ACTION ITEM #5 – NORWALK CRC:
PUBLIC WORKS (15 APRIL 2025)**

(h) The control, development, operation and maintenance of a system of public parks and recreational areas and facilities, including narrow parkways, boulevard strips and small areas along streets, now in existence or that may hereafter be acquired; and the control, development, management, operation and maintenance of the Oak Hills Park and all other matters relating thereto shall be under a separate department, as provided by ordinance. Said Department shall be charged with the construction, protection, repair, furnishing, cleaning, heating, lighting and general care of all public buildings, except school buildings and structures under the jurisdiction of the Board of Education, and the water pollution control plants, pump stations and the solid waste transfer station.

(i) The maintenance of playgrounds, playfields, bathing beaches, swimming pools, recreation centers and other recreation and park activities, areas and facilities.

(j) May plan, set up or place and protect and care for flowers, vines, shrubs and trees to adorn and improve public squares, grounds, boulevards, streets, avenues or spaces within the City.

(k) Shall recommend to the Common Council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the City for the purposes of the Department.

(l) Shall have the right to call upon any other department of the City government for assistance in performing its duties, and it shall be the duty of such other departments to comply with a proper request of said Department. Any questions as to what shall constitute a proper request for assistance shall be decided by the Mayor; and,

(m) Such other related activities as may be assigned to the Chief from time to time by the Mayor or by Ordinance.

(3) Historical Special Duties and Responsibilities Pertaining to Cross Street.

(a) Cross Street⁶. The ~~Division Chief Highway Commissioner~~ is directed to relocate and construct that part of Cross Street in the City of Norwalk from Hoyt Street to Belden Avenue in accordance with a general plan developed by the City of Norwalk and approved by the Highway Commissioner.

⁶2025 recodification and revision of §13-2.F which is derived from the 2023 recodification of current Article XV, Part 1. General, §1-434. Derived from Sp. Laws 1957, No. 419, §1.

ACTION ITEM #5 – NORWALK CRC: PUBLIC WORKS (15 APRIL 2025)

(b) **Cross Street; Acquiring rights-of-way; cost of constructing bridges and approaches**⁷. The City of Norwalk shall acquire all rights-of-way required for the purposes of ~~§8--7.B(2)(a) §13-2.F~~, at its own expense. The cost of the construction of the bridge over the Norwalk River shall be paid from the flood fund and the cost of the construction of the approaches from the highway fund.

(c) **Cross Street; Responsibilities**⁸. The City of Norwalk shall be responsible for the maintenance of the part of Cross Street subsequent to the relocation and construction provided in ~~§8--7.B(2)(a) §13-2.F~~, and the Highway Commissioner shall have no obligation or liability therefor.

~~**Historical Transition Provision.** The historical powers and duties pertaining to operations and public works as set forth in §14-6 shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) an opinion of the Corporation Counsel certifying that the functions of §14-6 have been addressed by the Ordinance, §14-6 shall expire and may be removed from~~

Commented [SGM1]: REMOVE?

2. §13-2. Streets, Sidewalks and Building Lines.

~~The following provisions shall supplement the provisions of the Charter pertaining to the care, maintenance, operation and administration of streets, sidewalks and building lines of the City and shall remain in full force and effect until replaced by an Ordinance. Upon the effective date of the Ordinance these provisions shall be null and void and may be removed from the Charter; unless the Corporation Counsel determines, in writing, that any provisions should remain in the Charter for the reason that there is no alternate legal foundation for the authority set forth herein.~~

~~**A. — West Avenue**⁹. West Avenue in the City of Norwalk from Wall Street to North Main Street is included in the trunk line system of highways.~~

~~**B. — Abandonment of West Avenue**¹⁰. The Highway Commissioner is authorized to abandon, on written notice to the Mayor of Norwalk, either before or after construction or reconstruction, the above described section of highway when and if the said Commissioner shall substitute another section of highway for relief or as a cut-off for the same.~~

~~**C. — West Avenue; Reversion to City**¹¹. The section of highway described in §13-2.A shall, when abandoned by the Highway Commissioner, revert to the City of Norwalk.~~

⁷ 2025 recodification of §13-2.G which is derived from 2023 recodification of current Article XV, Part 1. General, §1-435. Derived from Sp. Laws 1957, No. 419, §2.

⁸ 2025 recodification of §13-2.H which is derived from 2023 recodification of current Article XV, Part 1. General, §1-436. Derived from Sp. Laws 1957, No. 419, §3.

⁹ 2025 repeal of §13-2.A which was derived from the 2023 recodification of current Article XV, Part 1. General, §1-429. Derived from Sp. Laws 1933, No. 414, §1.

¹⁰ 2025 repeal of §13-2.B which was derived from the 2023 recodification of current Article XV, Part 1. General, §1-430. Derived from Sp. Laws 1933, No. 414, §2.

¹¹ 2025 repeal of §13-2.C which was derived from the 2023 recodification of current Article XV, Part 1. General, §1-431. Derived from Sp. Laws 1933, No. 414, §3.

ACTION ITEM #5 – NORWALK CRC: PUBLIC WORKS (15 APRIL 2025)

~~D. **Glover Avenue**¹². Glover Avenue from Route 7 to Oakwood Avenue and Oakwood Avenue from Glover Avenue to the Wilton town line, in the Town of Norwalk, shall be included in the trunk line system of highways.~~

E. Washington Street Bridge¹³. Washington Street Bridge in the City of Norwalk and its approaches to the intersection with Water Street and its intersection with Liberty Square shall be in the system of state highways.

~~F. **Cross Street**¹⁴. The Highway Commissioner is directed to relocate and construct that part of Cross Street in the City of Norwalk from Hoyt Street to Belden Avenue in accordance with a general plan developed by the City of Norwalk and approved by the Highway Commissioner.~~

~~G. **Cross Street; Acquiring rights of way; cost of constructing bridges and approaches**¹⁵. The City of Norwalk shall acquire all rights of way required for the purposes of §13-2.F, at its own expense. The cost of the construction of the bridge over the Norwalk River shall be paid from the flood fund and the cost of the construction of the approaches from the highway fund.~~

~~H. **Cross Street; Responsibilities**¹⁶. The City of Norwalk shall be responsible for the maintenance of the part of Cross Street subsequent to the relocation and construction provided in §13-2.F, and the Highway Commissioner shall have no obligation or liability therefor.~~

~~I. **Yankee Doodle Bridge**¹⁷. The highway bridge of the Connecticut Turnpike to be built across the Norwalk River in Norwalk is named the "Yankee Doodle Bridge."~~

~~3. **§14-6. Historical Provisions pertaining to Public Works/Operations Functions**¹⁸. The following provisions shall supplement the provisions of Article VIII, §8-7 and shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective~~

¹² 2025 repeal of §13-2.D which was derived from the 2023 recodification of current Article XV, Part 1. General, §1-432. Derived from Sp. Laws 1955, No. 402.

¹³ 2023 recodification of current Article XV, Part 1. General, §1-433. Derived from Sp. Laws 1949, No. 249. Historical Editor's Note: See § 1-7.

¹⁴2025 recodification of §13-2.F which is derived from the 2023 recodification of current Article XV, Part 1. General, §1-434. Derived from Sp. Laws 1957, No. 419, §1.

¹⁵ 2025 recodification of §13-2.G which is derived from 2023 recodification of current Article XV, Part 1. General, §1-435. Derived from Sp. Laws 1957, No. 419, §2.

¹⁶ 2025 recodification of §13-2.H which is derived from 2023 recodification of current Article XV, Part 1. General, §1-436. Derived from Sp. Laws 1957, No. 419, §3.

¹⁷ 2025 repeal of §13-2.I which is derived from 2023 recodification of current Article XV, Part 1. General, §1-437 Derived from Sp. Laws 1957, No. 503.

¹⁸ 2025 recodification and revision of §14-6. Comment of 2023 Charter revision Commission. Public Works was a mandatory provision under current Article IV. The Common Council. §1-189.2.A (Second sentence). Derived from Charter Amendment 11-3-1970. Historic editor's Note: Former § 1-189.3, Authorization of Council to establish Purchasing Department, added by Charter Amendment 11-3-1970, was repealed by Charter Amendment 8-29-1978. The remainder of the historical provisions have been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter.

ACTION ITEM #5 – NORWALK CRC: PUBLIC WORKS (15 APRIL 2025)

~~date of the approved Ordinance and (2) an opinion of the Corporation Counsel certifying that the functions of §14-6 have been addressed by the Ordinance, §14-6 shall expire and may be removed from the Charter.~~

~~The Division Chief and the Department Heads thereunder are responsible for the following:~~

~~A. — The maintenance and repair of all accepted streets and appurtenances and of public ways and public grounds not under the supervision of others.~~

~~B. — The collection and disposal of solid waste in accordance with state statutes.~~

~~C. — The management and operation of the wastewater treatment plant and collection system. The Chief of Operations, who was formerly known as the "Director of Public Works," shall have responsible charge, jurisdiction, rights and powers to perform all duties relating to the supervision, operation, repair, maintenance and upkeep of the wastewater system of the City. He/she shall, subject to the orders and directions of the Water Pollution Control Authority, have charge of the sewer system of the Fourth Taxing District and of the care and maintenance thereof and of the construction of all new sewers.~~

~~D. — The preparation of or assistance in the preparation of plans and specifications for bidding the construction, demolition, repair, renovation or rehabilitation of municipal improvements and all manner of public works projects carried out by the City.~~

~~E. — The supervision and coordination of public improvements carried out by contract to the City of Norwalk and the performance, direction or inspection of actual conduct of all construction work by or on behalf of the City.~~

~~F. — The prevention of encroachment and excavations in the public streets and highways, except in accordance with duly adopted law and Regulation.~~

~~G. — The development and administration of a comprehensive program of fleet maintenance services for all City departments, agencies and commissions, with the exception of the Fire Department. The program shall include the acquisition, assignment, disposition, sale and modification of all equipment and related parts and supplies. Acquisition and assignment of police vehicles shall be the responsibility of the Police Department. Acquisition and assignment of parks maintenance vehicles and equipment shall be the responsibility of this Department.~~

~~H. — The control, development, operation and maintenance of a system of public parks and recreational areas and facilities, including narrow parkways, boulevard strips and small areas along streets, now in existence or that may hereafter be acquired; and the control, development, management, operation and maintenance of the Oak Hills Park and all other matters relating thereto shall be under a separate department, as provided by ordinance. Said Department shall be charged with the construction, protection, repair, furnishing, cleaning, heating, lighting and general care of all public buildings, except school buildings and structures under the jurisdiction of the Board of Education, and the water pollution control plants, pump stations and the solid waste transfer station.~~

**ACTION ITEM #5 – NORWALK CRC:
PUBLIC WORKS (15 APRIL 2025)**

~~I. The maintenance of playgrounds, playfields, bathing beaches, swimming pools, recreation centers and other recreation and park activities, areas and facilities.~~

~~J. May plan, set up or place and protect and care for flowers, vines, shrubs and trees to adorn and improve public squares, grounds, boulevards, streets, avenues or spaces within the City.~~

ACTION ITEM #6 – NORWALK CRC: HISTORICAL COUNCIL DISTRICTS (15 APRIL 2025)

1. ~~§3-4.A(1)~~ **Structure of the Council and Board of Education.**

(1) **Five Council Districts.** The City is divided into five council districts. Two Councilmembers will be elected from each council district at the regular municipal election of the City to be held as set forth in §3-3.A, above¹.

~~**Transition Provision.** The historical boundaries are set forth in §14-1, entitled “Historical Council Districts²”.~~

2. ~~§14-1.~~ **Historical Council Districts³.**

~~The following are the Historical Council Districts referred to in §3-4.A, above, subject to repeal upon the conclusion of the reapportionment for the 2025 municipal election:~~

~~**A. District A.** District A, to consist of the First Taxing District in Norwalk and so much of the Fifth Taxing District as lies easterly of the easterly boundary line of District “E” between the center lines of Connecticut Ave. on the south and Eleanor, Ingleside, Spring Hill and Ponus Avenues on the north and so much of the Fifth Taxing District that lies westerly of a certain line beginning at the intersection of Willow Street and the division line between the First and Fifth Taxing Districts and continuing northerly along the center line of Willow Street to the intersection of Tierney Street and continuing easterly along the center line of Tierney Street to the intersection of George Avenue; thence northerly along the center line of George Avenue to the intersection of Westport Avenue; thence westerly along the center line of Westport Avenue to the division line between the First and Fifth Taxing Districts; thence northerly along the division line to the intersection of Dry Hill Road and continuing northerly along the center line of Dry Hill Road to the intersection of Roosevelt Street; thence westerly along the center line of Roosevelt Street to the intersection of Newtown Avenue; and so much of the Fifth Taxing District as lies southerly of a certain line beginning at the intersection of West Rocks Road and Glendenning Street and continuing northerly along the center line of West Rocks Road to the intersection of Jarvis Street and continuing southerly along the center line of Jarvis Street to the intersection of Buttonball Trail and continuing westerly along the center line of Buttonball Trail to the intersection of Rainbow Road and continuing southwesterly along the center line of Rainbow Road to the intersection of the division line between the First and Fifth Taxing Districts; and so much of the Fifth Taxing District as lies southerly of a certain line beginning at the intersection of Main Street and the division line between the First and Fifth Taxing Districts and continuing along the center line of Main Street to the intersection of Broad Street and continuing westerly along the center line of Broad~~

¹ 2025 revision of 3-4.A which is derived from the 2023 recodification, repeal and replacement of current Article I - General. §1-2.1. Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972; Also, 2025 repeal of 14-1, which is derived from the 2023 recodification and modification of current Article I - General. §1-2.1. Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972. Comment of the 2023 Charter Revision Commission: These districts should not be confused with the Taxing Districts which are addressed in Article XII of this Charter.

¹ 2023 recodification and modification of current Article I - General. §1-2.1. Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972. Comment of the 2023 Charter Revision Commission: These districts should not be confused with the Taxing Districts which are addressed in Article XII of this Charter..

² NEW (2023)

³ 2023 recodification and modification of current Article I - General. §1-2.1. Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972. Comment of the 2023 Charter Revision Commission: These districts should not be confused with the Taxing Districts which are addressed in Article XII of this Charter.

ACTION ITEM #6 – NORWALK CRC: HISTORICAL COUNCIL DISTRICTS (15 APRIL 2025)

~~Street to the intersection of the Silvermine River and continuing southerly along the center line of the Silvermine River to the intersection of the division line between the First and Fifth Taxing Districts.~~

~~**B. District B.** District B, to consist of the Second Taxing District of Norwalk and so much of the Fifth Taxing District that lies southerly and easterly of a certain line beginning at the intersection of North Taylor Avenue and the division line between the Second and Fifth Taxing Districts and continuing northerly along the center line of North Taylor Avenue to the intersection of West Cedar Street and continuing westerly along the center line of West Cedar Street to the intersection of Scribner Avenue and continuing southerly along the center line of Scribner Avenue to the intersection of Senga Road and continuing easterly along the center line of Senga Road to the intersection of Richmond Hill Road and continuing southerly along the center line of Richmond Hill Road to the intersection of McAllister Avenue and continuing easterly along the center line of McAllister Avenue to the intersection of Woodlawn Avenue and continuing southerly along the center line of Woodlawn Avenue to the intersection of Flax Hill Road and continuing easterly along the center line of Flax Hill Road to the division line of the Second and Fifth Taxing Districts; and so much of the Fifth Taxing District as is bounded by a line beginning at the intersection of the boundary line between the Second and Fifth Taxing Districts and the center lines of Glasser Street and Windsor Place; thence in a southerly direction along the center line of Glasser Street to the intersection of Bouton Street; thence in a southerly direction along the center line of Bouton Street to the intersection of Riordan Street; thence continuing easterly along the center line of Riordan Street to its intersection with the Pennsylvania Railroad right of way and continuing southerly along the center line of the railroad to the intersection of the division line between the Fifth and Sixth Taxing Districts south of Charcoal Road; thence continuing southeasterly in a straight line to the intersection of the railroad right of way; thence continuing northerly along the center line of the railroad to its intersection with the division line between the Second and Fifth Taxing Districts; and so much of the Fifth Taxing District as is bounded by a line beginning at the intersection of Woodward Avenue and the division line between the Second and Fifth Taxing Districts and continuing southerly along the center line of Woodward Avenue to the intersection of Naromake Avenue and continuing easterly along the center line of Naromake Avenue to the intersection of the division line between the Second and Fifth Taxing Districts.~~

~~**C. District C.** District C, to consist of that portion of Norwalk not included in Districts D, E, A, and B.~~

~~**D. District D.** District D, to consist of that portion of Norwalk lying north of a line beginning at the Norwalk New Canaan town line in the center line of Carter Street and continuing southerly to and along the center line of Ponus Avenue to the intersection of Beau Street and continuing southerly along the center line of Beau Street to the intersection of Ingleside Avenue, and continuing easterly along the center line of Ingleside Avenue to the intersection of Spring Hill Avenue and continuing northerly along the center line of Spring Hill Avenue to the intersection of Ponus Avenue and continuing easterly along the center line of Ponus Avenue to the division line of the First and Fifth Taxing Districts; thence northerly along the center line of the Silvermine River to the intersection of Broad Street; thence easterly along the center line of Broad Street to the intersection of Main Street; thence southerly along the center line of Main Street to the division line of the First and Fifth Taxing Districts; thence easterly along the division line of the Taxing Districts to the intersection of Rainbow Road and~~

ACTION ITEM #6 – NORWALK CRC: HISTORICAL COUNCIL DISTRICTS (15 APRIL 2025)

~~continuing northerly along the center line of Rainbow Road to the intersection of Buttonball Trail; thence easterly along the center line of Buttonball Trail to the intersection of Jarvis Street and continuing northerly along the center line of Jarvis Street to the intersection of West Rocks Road; thence southerly along the center line of West Rocks Road to the intersection of Glendenning Street; thence easterly along the center line of Glendenning Street to the division line of the First and Fifth Taxing Districts; thence still easterly along the division line of the Taxing Districts to the center line of Newtown Avenue; thence northerly along the center line of Newtown Avenue to the intersection of Murray Street, thence easterly along the center line of Murray Street to the Westport Town line.~~

~~**E. District E.** District E, to consist of that portion of Norwalk lying south of the District "D" line from the New Canaan town line to a point at the intersections of Beau Street and Ponus Avenue; the district line continuing southerly along the center line of Beau Street to the intersection of Eleanor Lane and continuing westerly along the center line of Eleanor Lane to the intersection of Maher Drive and continuing southerly along the center line of Maher Drive to its intersection with the center lines of Steppingstone Road and Steppingstone Place; thence southwesterly along the center line of Steppingstone Road to the intersection of Fillow Street and continuing southerly along the center line of Fillow Street to the intersection of No. Taylor Avenue; thence southerly along the center line of No. Taylor Avenue to the intersection of Benedict Street; thence northeasterly along the center line of Benedict Street to the intersection of Ferris Avenue; thence southerly along the center line of Ferris Avenue to the intersection of Phillips Street; thence easterly along the center line of Phillips Street to the intersection of Glenwood Avenue; thence southerly along the center line of Glenwood Avenue to the division line of the Second and Fifth Taxing Districts; thence westerly along the division line of the Taxing Districts to the center line of No. Taylor Avenue; thence northerly along the center line of No. Taylor Avenue to the intersection of West Cedar Street and then continuing westerly along the center line of West Cedar Street to the intersection of Scribner Avenue; thence southerly along the center line of Scribner Avenue to the intersection of Senga Road; thence easterly along the center line of Senga Road to the intersection of Richmond Hill Road and continuing southerly along the center line of Richmond Hill Road to the intersection of McAllister Avenue, thence easterly along the center line of McAllister Avenue to the intersection of Woodlawn Avenue continuing southerly along the center line of Woodlawn Avenue to the intersection of Flax Hill Road and continuing easterly along the center line of Flax Hill Road to the intersection of Arbor Drive and continuing southerly along the center line of Arbor Drive to the intersection of Glasser Street; thence southerly along the center line of Glasser Street to the intersection of Bouton Street and continuing southerly along the center line of Bouton Street to the intersection of Riordan Street; thence easterly along the center line of Riordan Street to the intersection of the Pennsylvania Railroad right-of-way and continuing southerly along the center line of the railroad to the intersection of the division line between the Fifth and Sixth Taxing Districts south of Charcoal Road; thence southeasterly in a straight line to the intersection of the railroad tracks and continuing in a northerly direction along the tracks to the division line between the Second and Fifth Taxing Districts and continuing easterly along the division lines to the intersection of Woodward Avenue; thence continuing southerly along the center line of Woodward Avenue to the intersection of Naromake Avenue and continuing easterly along the center line of Naromake Avenue to the intersection of Neptune Avenue and continuing easterly along the center line of Neptune Avenue to the Norwalk River.~~

**ACTION ITEM #6 – NORWALK CRC:
HISTORICAL COUNCIL DISTRICTS (15 APRIL 2025)**

ACTION ITEM #7 – NORWALK CRC: ASSESSMENT APPEALS (15 APRIL 2025)

1. §4-4.C(3). Historical Powers of the Common Council.

(3) to lay out, construct, maintain, and repair sewers and drains through and along streets and highways and through public and private grounds in said City, and in all such cases, except where sewers or drains are laid through private grounds, to assess the expense thereof, or such part thereof as the Council may deem reasonable, upon the property abutting upon the streets and highways through which such sewers or drains are laid and which may be benefited thereby, and in proportion to the benefits by such property received therefrom, subject to the same notice, manner of assessment, and appeal therefrom as is provided under the General Statutes, concerning highways.

(a) Whenever the Council shall propose a layout, or cause to be laid out, a drain or sewer in the City, wholly or in part through or across private lands, it shall proceed in the manner provided in the General Statutes in case of layout of highways, both as to the layout of such sewer or drain and the assessment of damages and benefits resulting therefrom.

(b) Any person aggrieved by any estimate of damages or benefits made under the provisions of this section may appeal to any Judge of the Superior Court as conferred by §4-4.CV(3)(c), below, as derived from the Special Act¹;

(c) **Appeal².** Any person aggrieved by an assessment of benefits or appraisal of damages made by said Council under the provisions of the foregoing section may, within thirty Days after notice given to said aggrieved person of such assessment or appraisal, appeal from such assessment or appraisal to any Judge of the Superior Court, by written petition with a citation attached, returnable in not less than six nor more than twenty Days after its date, which shall be served at least six Days before the return day upon the Clerk of the city; and any number of persons affected by any such assessment or appraisal may join in such appeal. Such Judge may, by a Committee or otherwise, reassess said benefits or damages and correct any errors in the report or schedule of such assessment and award costs. Such Judge shall return all papers connected with the case to the Clerk of the Superior Court for Fairfield County, and said Clerk shall issue execution for the amount of damages or benefits fixed by such reassessment and for costs, to be taxed

¹ 2023 recodification of current Article XVI. "Sewers and Sewerage Disposal". Historical Editor's Note: Editor's Note: See also, Charter, § 1-12; Ch. 94, Sewers and Sewage Disposal; Appendix, Part III, Sewer Assessments. Also, 2023 recodification of current Article XVI, Part 1. General, §1-457. Derived from Sp. Laws 1913, No. 352, §137.

² 2025 recodification and edit of 13-4 which is derived from the 2023 recodification of §1-440 "Assessment Appeals" derived from Sp. Laws 1913, No. 352, §115.

§ 1-659. through § 1-662. (Reserved). Historical Editor's Note II: Former § 1-659, Payment to Grace Briggs Barrett, and 1-660, Pension from date of retirement included in estimate of expenditures, Sp. Laws 1949, No. 34, §§ 1 and 2, and §§ 1-661, Payment to Charles T. McGovern, and 1-662, Pension included in estimate of expenditures, Sp. Laws 1953, No. 426, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

ACTION ITEM #7 – NORWALK CRC: ASSESSMENT APPEALS (15 APRIL 2025)

upon civil process, and shall cause copies of the papers connected with the case to be delivered to the Clerk of said City.

2. §13-4 Assessment Appeals (harmonized with §4-4.C(4)³.

~~Any person aggrieved by an assessment of benefits or appraisal of damages made by said Council under the provisions of the foregoing section may, within thirty days after notice given to said aggrieved person of such assessment or appraisal, appeal from such assessment or appraisal to any Judge of the Superior Court, by written petition with a citation attached, returnable in not less than six nor more than twenty days after its date, which shall be served at least six days before the return day upon the Clerk of the city; and any number of persons affected by any such assessment or appraisal may join in such appeal. Such Judge may, by a Committee or otherwise, reassess said benefits or damages and correct any errors in the report or schedule of such assessment and award costs. Such Judge shall return all papers connected with the case to the Clerk of the Superior Court for Fairfield County, and said Clerk shall issue execution for the amount of damages or benefits fixed by such reassessment and for costs, to be taxed upon civil process, and shall cause copies of the papers connected with the case to be delivered to the Clerk of said city.~~

³ 2023 recodification of current §1-440 "Assessment Appeals" derived from Sp. Laws 1913, No. 352, §115. § 1-659. through § 1-662. (Reserved). Historical Editor's Note II: Former § 1-659, Payment to Grace Briggs Barrett, and 1-660, Pension from date of retirement included in estimate of expenditures, Sp. Laws 1949, No. 34, §§ 1 and 2, and §§ 1-661, Payment to Charles T. McGovern, and 1-662, Pension included in estimate of expenditures, Sp. Laws 1953, No. 426, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.