REGULAR MEETING – CHARTER REVISION COMMISSION
AGENDA

APRIL 29, 2025, 6:30 PM
ZOOM AND COMMON COUNCIL CHAMBERS

To allow public access, anyone may access a meeting by telephone and/or Zoom, or a recording in the City of Norwalk YouTube channel. Specific instructions and links can be found at norwalkct.gov/meetings.

Members of the public may call in to participate. Callers will not be able to see the meeting participants. All participants will be muted upon entering the meeting. To speak, dial *9 on the phone and you will be called on by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.

Members of the public who wish to provide "live comments" may also use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the “raise your hand indicator” and you will be called by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.

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.govwith 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 15, 2025

IV. PUBLIC PARTICIPATION

V. NEW BUSINESS

A. Article X

B. Council compensation

C. Miscellaneous revisions

D. **Tax collector**

E. **Controller**

F. **Public Works**

G. **Purchasing**

H. **Historical Council Districts**

I. **Norwalk Harbor**

J. **Pensions for Certain Retired Employees**

K. **Assessment Appeals**

VI. **ADJOURNMENT**

CITY OF NORWALK
CHARTER REVISION COMMISSION
REGULAR MEETING
APRIL 15, 2025

ATTENDANCE: Tyler Fairbairn, Chair; Jo Bennett; Atty. Ed Camacho; Jim Clark; Carl Dickens; Douglas Hempstead; John Levin; Rick McQuaid; Tanya Rhodes-Small

OTHER: Steven Mednick; Jared Schmitt; Laurel Peterson

CALL TO ORDER

Chair Fairbairn called the meeting to order at 6:32 P.M. There was a quorum present.

ROLL CALL

A Roll Call of those present was performed.

ACCEPTANCE OF MINUTES

REGULAR MEETING: APRIL 1, 2025

Please make the following changes:

- Page 6: Change 1.1 Million for the park parcel at Lockwood-Matthews Mansion to Parcel at Butler Street.
- Page 7, Paragraph 2: Change 'Attorney Camacho reminded everything' to 'Attorney Camacho reminded everyone.'
- Page 7, Paragraph 5: Change 'Mr. Levin said that he'd like to respond to Attorney Camacho's suggested' to Mr. Levin said that he'd like to respond to Attorney Camacho's suggestion'.
- Page 9, Paragraph 4: Change 'He added that he would be added' to he added that he would be adding'.
- Page 12, Paragraph 3: Change '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.' to 'As a consequence, the Police Commission is dysfunctional and by diluting the appointment authority the City might get a better result than what is currently in place'
- Page 12, Paragraph 3: Change 'Mr. Dickens asked for an example of where the Police Chief has been negligent or dysfunctional' to 'Mr. Dickens asked for an example of where the Police Commission has been negligent or dysfunctional'
- Page 12, Paragraph 3: Change '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.' to 'Mr. Levin replied that under the City Charter the Police Commission is responsible for control, management, and supervision of the Police Force in the City and all of its property. The dysfunction and negligence are due to what the Commission hasn't done.'

**** MR. HEMPSTEAD MOVED TO APPROVE THE MINUTES OF APRIL 1, 2025 AS AMENDED.**
**** MR. DICKENS SECONDED THE MOTION.**
**** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION

Ms. Peterson came forward for Public Participation. She is a member of the Norwalk Public Library Board of Directors. She is in support of the recommended changes to the City Charter regarding library governance. She explained her reasoning for the support.

NEW BUSINESS

STRUCTURE OF B.E.T.

This item was tabled previously.

**** MR. CLARK MOVED TO REMOVE THE STRUCTURE OF THE B.E.T. FROM THE TABLE.**

Chair Fairbairn made it clear that they needed to decide what to do regarding the proposed structure of the B.E.T. Mr. Dickens said he would like to get a clear-cut picture of how the current council feels about B.E.T. members being either appointed or elected.

**** THE MOTION PASSED UNANIMOUSLY.**

Discussion followed regarding how to ensure that they had proper information regarding the council's feelings and desires. There were issues with uncertainty at the federal level providing additional complications. Atty. Camacho reviewed the changes he wished to make for those present. He wished to add that there would be one member from each Council district. Discussion followed.

Mr. Levin put forward a proposal for a three-and-three split was put forwards in which three members will be appointed by the Mayor for a term of four years subject to approval by the Common Council and three members shall be appointed by the Common Council for a term of four years.

**** MR. DICKENS MOVED TO VOTE FOR A THREE AND THREE SPLIT FOR THE STRUCTURE OF THE B.E.T.**

**** THE MOTION FAILED WITH THREE (3) IN FAVOR (LEVIN, BENNETT, DICKENS) AND SIX (6) OPPOSED (FAIRBAIRN, MCQUAID, HEMPSTEAD, CLARK, CAMACHO, RHODES-SMALL)**

Atty. Camacho suggested that they have at least one member of each Council District represented on the B.E.T.

**** ATTY. CAMACHO PUT FORWARD HIS PROPOSAL FOR THE B.E.T.**
**** THE MOTION PASSED WITH EIGHT (8) IN FAVOR (FAIRBAIRN, MCQUAID, HEMPSTEAD, CLARK, BENNETT, DICKENS, CAMACHO, RHODES-SMALL) AND ONE (1) ABSTENTION (LEVIN)**

Questions were raised as to if the nominations needed to be staggered or not and discussion followed regarding this as well as language regarding the start dates. Mr. Levin said staggered terms were already present and did not need to be added. Further discussion followed regarding what was in the charter regarding terms.

Chairman Fairbairn said they needed to move on the staggered nominations and adjusting the start time to February 1st. Discussion followed as to what the best start date would be.

**** ATTY. CAMACHO MOVED TO APPROVE THE STAGGERED NOMINATIONS FOR THE B.E.T. AND TO ADJUST THE START TIMES TO BE NO LATER THAN FEBRUARY 1ST.**
**** THERE WAS A SECOND FOR THE MOTION.**
**** THE MOTION PASSED UNANIMOUSLY.**

ARTICLE X

Atty. Mednick came forward to discuss this item. He reviewed what Article X was about including the importance of Public Hearings. There was also discussion about term reinstatement. He noted that they were consistent in their definition of the capital expenditures plan which would be called 'The Capital Improvement Plan'. A document has been sent out called 'Additional Comments from CFO and CRC'. Final language of the document will be prepared for the next meeting. Review of the document followed. They decided to wait till the final version before giving a motion for approval.

LIBRARY DIRECTOR

Chair Fairbairn reviewed what section of the charter needed revision. He said it was division heads and department chiefs. The proposed revision would add 'The mayor shall appoint the library director in consultation with the Library Board of Directors from a list of not less than three candidates nominated by the Board.' There was also an ordinance proposed. Mr. Levin said he was under the impression that the Library Board wished to return to the appointment process that was in place before the last charter. Discussion followed regarding how department heads

are appointed. It was suggested that this item be tabled until they could confirm what was present in the last charter. Further discussion followed. It was decided to add language to make the terms concurrent with the term of the mayor.

**** MR. MCQUAID MOVED TO TABLE DISCUSSION OF THE LIBRARY DIRECTOR.**
**** MR. HEMPSTEAD SECONDED THE MOTION.**
**** THE MOTION PASSED UNANIMOUSLY.**

DISCUSSION

COUNCIL COMPENSATION

MISCELLANEOUS REVISIONS

TAX COLLECTOR

CONTROLLER

PUBLIC WORKS

PURCHASING

HISTORICAL COUNCIL DISTRICTS

NORWALK HARBOR

PENSIONS FOR CERTAIN RETIRED EMPLOYEES

ASSESSMENT APPEALS

These items were all handled together. Information on the items was provided in a packet for those present. Chair Fairbairn said they would not be acting on these items and would be using the time between now and the next meeting to look them over. Atty. Mednick reviewed the proposed changes for this item and drew attention to several of them such as items number 4 and 9. Chair Fairbairn said they would also need to decide what to do with the four-year term. Mr. Levin asked if there was a difference between ‘controller’ and ‘comptroller’. He was told that they were similar.

ADJOURNMENT

**** MR. LEVIN MOVED TO ADJOURN.**
**** MR. CLARK SECONDED THE MOTION.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:27 P.M.

Respectfully Submitted
Telesco Secretarial Services

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

DRAFT REPORT CHARTER

OF THE

CITY OF NORWALK
Connecticut

Presented to the Common Council
Approved May __, 2025

Transmitted to the Town Clerk: May __, 2025
Pursuant to C.G.S. 7-191(b)

Tyler Fairbairn
Chair

Douglas Hempstead
Vice Chair

Jo Bennett
Ed Camacho
James Clark
Carl Dickens
John Levin
Hon. Richard McQuaid
Tanya Rhodes-Small

Attorney Steven G. Mednick
Counsel to the Commission

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PART I – THE GENERAL GOVERNMENT

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2023 CHARTER REVISION COMMISSION: SETTING THE CONTEXT[1]

What is the Norwalk City Charter? A City charter is a constitutional document that defines the organization, powers, functions and essential procedures of a city's government. Municipalities in the State of Connecticut are permitted to create and amend their charters within the scope of power granted by the legislature. Norwalk officially became a City in 1913 and has been governed by a City Charter since its inception.

Norwalk's City Charter (hereafter referred to as "Charter") serves as Norwalk's local constitution and creates the structure of Norwalk's government. The Charter includes the rules that govern Norwalk's elected and appointed officials, including the mayor, the Common Council, boards and commissions. Courts refer to the Charter as the "organic law of the city" and it has been a product of years of *Special Acts* passed by the General Assembly that empower local officials to conduct the affairs of government.

Why was the Charter revised in 2023? The Charter had not undergone a comprehensive revision since 1913. In the years since the Home Rule Act of 1957 and the Constitution of 1965, the Norwalk Common Council established charter revision commissions to replace the *Special Acts* in an attempt to align the Charter to the contemporary needs of the people of Norwalk. This 2023 revision represents the most significant effort to update and streamline the governing document of the City of Norwalk in more than 100 years.

The 2023 Charter Revision Commission (the "Commission") was appointed with a clear and simple mandate: to make the Charter easier for Norwalk residents to comprehend and, with the input of the public, reorganize the document to give residents a better sense of how their government works and enhance transparency and accountability.

The revision process was not intended to reform or restructure the current structure of Norwalk's municipal government. The process was also not intended to ignore Norwalk's rich history as embodied in the current Charter. Rather, the goal was to clearly explain Norwalk's

[1] **General Historic Note from the Town Clerk (2023):** This version of the Charter ("2023 Charter") amends the Charter that was originally enacted as a Special Act by the General Assembly in 1913 ("1913 Charter"). For one hundred-ten-years Norwalk has governed under the authority of the 1913 Charter, which was enacted over fifty years before the Home Rule Act. According to the historical annotations, the 1913 Charter was subjected to piecemeal amendments first by Special Act (at least ten times in 1913, 1915, 1921, 1927, 1929, 1931, 1933, 1947, 1951, 1969.) and, later, under the Home Rule Act through charter revision (at least thirteen times in 1970, 1971, 1972, 1974, 1976, 1978, 1980, 1981, 1989 [inexplicably by resolution], 1995, 1996, 2000, 2003, 2005, 2011, 2014). The 2023 Charter is the result of the process that was initiated and guided by then-Council President Thomas Livingston in resolutions that were approved by the Common Council on August 9, 2022 and September 6, 2022, respectively. The Charter Revision Commission members were: Patsy Brescia, Char; Hon. Richard McQuaid, Vice Chair; Carl Dickens; Tyler Fairbairn; Angela Wassuna; Benita Watford Raleigh; and, Michael Witherspoon. The Final Report of the Commission was approved by the Common Council on August 15, 2023. At that time the Common Council was comprised of the following members: Harry Rilling, Mayor and Presiding Officer; Greg Burnett, President; Darlene Young, Majority Leader; Bryan Meek, Minority Leader; Heidi Alterman; Nicol Ayers; Edwin Camacho; James Frayer; Joshua Goldstein; David Heuvelman; John Kydes; Jenn McMurrer; Nora Niedzielski-Eichner; Diana Revolus; Lisa Shanahan; and, Barbara Smyth. Attorney Steven G. Mednick served as Special Counsel to the Council and the Commission; and, Mario Coppola served as the Corporation Counsel.

complex form of government and, to the extent possible, modernize the document to reflect the natural evolution of the City since 1913.

The document was therefore revised to foster a better understanding of the government; the processes for adopting Ordinances and the budget development protocols among other topics, all with the goal of enabling greater citizen participation in the affairs of our Norwalk government.

What are the main provisions in the 2023 Charter? Norwalk is a consolidated municipal corporation where the Mayor serves as the chief executive officer and the Common Council serves as the legislative body and the Board of Estimate and Taxation as the fiscal authority. The Charter, as the governing document, is comprised of three parts:

- Part I enumerates all the entities, officials and processes for the general government of the City, including the Board of Education.
- Part II includes all the provisions of the Charter that govern Norwalk's Taxing Districts.
- Part III details special action provisions that will be replaced by Ordinance. Once that occurs, these transition provisions will be repealed and extricated from the Charter by operation of law.

What are the major changes in this 2023 revised Charter? As noted above, the changes recommended by the Commission are not intended to reform Norwalk's governance structure. On the other hand, there are some key changes that have been proposed in this revision process to bring the Charter in line with public expectations and to enhance good governance:

- Clarity in presentation and organization.
- Greater emphasis on public engagement, including a reorganized budget process and pre-budget public hearing.
- An expanded glossary of defined terms designed to increase public understanding.
- Elimination of the positions of Selectmen and City Treasurer, effectively following the 2025 mayoral election.
- Gender neutrality.
- The inclusion of a provision that requires a new charter revision commission to be established in three years to engage in a comprehensive review of the issue of government reform in addition to requiring a Commission to be established every 5 years thereafter for potential changes.
- Sunsetting/repealing a number of outdated and/or irrelevant provisions of the existing Charter.
- Expansion of Police and Fire Commissions from three to five members.
- Define division Chiefs and Department structure.

The Commission carefully considered the viewpoints of a range of stakeholders in recommending the above revisions to the existing Charter, from among the City residents,

City staff, members of the Common Council, elected/appointed City position holders and elected officials from other Connecticut municipalities. The Commission is hopeful that future administrations and Common Councils will continue to revisit the Charter periodically to provide the citizens of Norwalk with the best possible governing document.

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

ARTICLE I: INCORPORATION, CONSTRUCTION AND GENERAL POWERS

§1-1. Title[2].

The title of this document shall be the "Charter of the City of Norwalk" or "Charter."

§1-2. Body Politic and Corporate[3].

All the ~~electors~~Electors of this state, inhabitants of the Town of Norwalk ("Town"), are hereby declared to be a body politic and corporate under the name of the City of Norwalk, and by that name they and their successors shall be capable of suing and being sued, pleading and being impleaded in all courts, and of purchasing, holding and conveying any estate, real or personal. The City shall have a common seal and alter the same at pleasure.

§1-3. Territorial Limits of the City of Norwalk[4].

The territorial limits of the City of Norwalk shall be the same as those of the Town of Norwalk as the same exist at the passage of Sp. Laws 1913, No. 352, and the boundaries of the Town as they so exist shall be the boundaries of the City.

§1-4. Continuance of Rights and Obligations.

Transfer of Rights and Liability from Town to City: Liability of City[5]. All property, both real and personal, and all rights of action and all securities and liens belonging to or vested in the Town of Norwalk as of the date this Charter first took effect are hereby transferred to the City, and the City thereafter was and remains liable for all debts and obligations of the Town, payable out of the treasury of the City. The City shall hereafter perform all the duties and have and exercise all the rights, powers, and privileges conferred upon the Town, and all laws imposing such duties, burdens, and expenses and conferring such rights, powers and privileges upon the Town are hereby made applicable to the City.

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[2] NEW (2023).
[3] 2023 recodification and modification of current Article I - General. §1-1. Derived from Sp. Laws 1913, No. 352, §1. Historical Editor's Note: See Ch. 7, Administration, §§ 7-9, 7-10 for designation and custody of seal.
[4] 2023 Recodification of current Article I - General. §1-2. Derived from Sp. Laws 1913, No. 352, §2.
[5] 2023 Recodification of current Article I - General. §1-4 through 1-5. Derived from Sp. Laws 1913, No. 352, §5 and 6. Note: The Special Act included the following liabilities: "All burdens and expenses imposed by law upon the Town of Norwalk for the conduct of elections, the care and support of poor, insane, and imbecile persons, the construction and maintenance of highways and bridges, the support of schools, the construction and maintenance of public buildings, the prosecution of criminal offenses, the payment of principal and interest of the town debt, the payment of state, military, and county taxes, and for all other purposes for which towns are liable." Repealed from the Charter are the following provisions: (1) Current Article IU,. General - Exclusion of Town Meetings. §1-6. Derived from Sp. Laws 1913, No. 352, §9; (2) Current Article I – Rights, privileges, and immunities vested in the Cities of Norwalk, South Norwalk, East Norwalk Fire District and the Town of Norwalk, General. §1-7. Derived from Sp. Laws 1913, No. 352, §173. Historical Editor's Note: See also § 1-433, for inclusion of bridge into the state highway system; and, (3) Current Article V, Part 1 – General. §1-210. Derived from Sp. Laws 1913, No. 352, § 174. Historical Editor's Note: For vacancies in office refer to § 1-174.

§1-5. General Grant of Powers[6].

A. In addition to all powers granted to municipalities under the State Constitution and the General Statutes, or which may hereinafter be conferred, the City shall have all powers:

(1) specifically granted by this Charter and all powers fairly implied in or incidental to the powers expressly granted to municipalities, now or hereafter, by the State Constitution or General Statutes to the management of the property, government and affairs of the City; and,

(2) conferred by the Special Acts, which the City deems to be of continued applicability.

B. The enumeration of particular powers in this and of any other chapter of this Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto. The City shall exercise all the rights, powers, privileges, functions and jurisdiction essential to a proper exercise of its corporate functions, including all that may be necessarily incident to, or may be fairly implied from, the powers specifically conferred upon this City.

[6] NEW (2023). Repealed were Historical Special; Act provisions pertaining to: (1) Building, owning, leasing and using docks, wharves, piers, bridges and property along waterfront (current Article I - General. §1-8. Derived from Sp. Laws 1921, No. 400, §8. Historical Editor's Note: For "Shorefront Property Acquisition and Improvement Boards," see §§ 1-654 to 1-658.); (2) Acquisition of public lands and buildings owned by any taxing district (current Article I - General. §1-9. Derived from Sp. Laws 1931, No. 283, §1.); (3) Acquisition of property for public use by condemnation (current Article I - General. §1-10. Derived from Sp. Laws 1931, No. 283, §2); (4) Acquisition of school property owned by taxing districts (current Article I - General. §1-11. Derived from Sp. Laws 1931, No. 283, §3.); (5) Authorization of Council to establish a building district where it shall be unlawful to construct or remove wooden buildings (current Article I - General. §1-14. Derived from Sp. Laws 1913, No. 352 §139. Historical Editor's Note: §1-268, as to provision for lien for costs); and, (6) Salaries of the Officers of the City and Town of Norwalk (current Article V, Part 1 – General. §1-224. Derived from Sp. Laws 1913, No. 352, §169; Sp. Laws 1927, No. 255; Sp. Laws 1929, No. 102; Sp. Laws 1933, No. 335, § 2; Sp. Laws 1933, No. 363, § 5; Sp. Laws 1933, No. 456, §2. Historical Editor's Note: For salary of City Clerk, see § 1-233; for salary of Selectmen, see § 1-215).

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

ARTICLE II: CONSTRUCTION AND STANDARDS OF GENERAL APPLICATION OF THE CHARTER OF THE CITY OF NORWALK

§2-1. Definitions and Titles Generally[7].

The definitions contained in the General Statutes of the State of Connecticut shall govern the interpretation of this Charter unless otherwise defined herein. Articles and Sections are for the purpose of ready reference and shall not be held to limit, extend or effect the interpretation and meaning of the text.

§2-2. Definitions[8].

A. Capitalized terms[9]. The following rule has been used in determining which terms in this Charter are capitalized: All references to particular City officials, as defined, below, and to particular City Departments, Boards and Commissions are capitalized, while general references are not.

B. Defined terms[10]. The following terms shall have the meanings set forth in this subsection unless otherwise specified in this Charter:

(1) Appointing Authority[11] means the Mayor or other Board or Commission (elected or appointed), Public Official or person who possess the legal authority to make appointment or removal as required under the provisions of this Charter, the Ordinances or otherwise by Law.

(2) Board or Commission[12] means, for the purposes of this Charter and except as otherwise provided by Law, all boards, agencies, commissions, authorities created by the City in accordance with Law[13] or like entities of the City, whether elected or appointed, including the Board of Education. The Common Council is not a Board or Commission.

(3) Budgeted Entity[14] means each Division, Department (including the Norwalk Public Schools under the auspices of the Board of Education), Department Head, Board, Commission, office, authority created by the City in accordance with Law

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[7] NEW (2023).
[8] NEW (2023).
[9] NEW 2023).
[10] NEW (2023).
[11] NEW (2023)
[12] NEW (2023).
[13] **Comment of the 2023 Charter Revision Commission.** There are several authorities that currently exist in Norwalk. The historical charter included reference to such authorities and in the context of our mission to reform the document did not alter. Since the authorities are by nature of their creation independent quasi-municipal entities not under the direct control of the City, it is not clear whether they should fall under the purview of the Charter. That issue was not reviewed or resolved.
[14] NEW (2023)

or any other entity of the City receiving or expending City funds, whether appropriated or otherwise, including state or federal funds or government or private grants.

(4) **Charter**[15] means the Charter of the City of Norwalk.

(5) **City**[16] means the City of Norwalk.

(6) **City Clerk**[17] is a Public Official appointed by the Mayor and serves the function set forth in in this Charter, in particular in Article V, §5-5.

(7) **Capital Budget**[18] means the first Fiscal Year of the ~~Five-Year Program of~~ Capital ~~Expenditures~~Improvement Plan for which it is proposed for the purpose of authorizing expenditures during such fiscal year.

Commented [SGM1]: CFO 021625

Commented [SGM2R1]: ACTION ITEM: 042925

(8) **Capital Budget Items**[19] 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.

(9) Capital Improvement Plan[20] 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 Officer. The first year of the ten-year projections is referred to as the "Capital Budget."

Commented [SGM3]: CFO 021625 and 040125

Commented [SGM4R3]: ACTION ITEM: 042925

~~(9)~~(10)**Common Council** or **Council**[21] means the legislative body of the City,

[15] NEW (2023)
[16] NEW (2023)
[17] NEW (2023)
[18] ~~NEW (2023). Derived~~ 2025 revision of §2-2.B(7) which was adopted in 2023 and 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
[19] NEW (2023). Derived from §30-4 of the Code of Ordinances.
[20] 2025 revision and recodification of 2-2.B(17) entitled "Five-Year Program of Capital Expenditures" which was which was adopted in the 2023 Charter. The 2023 revision was derived from §30-3 of the Code of Ordinances.
[21] NEW (2023) Required by C.G.S. §7-193(a)(1)(C).

as required by the General Statutes.

~~(10)~~(11) **Confirmation by the Common Council**[22] means a Majority Vote of the Council of all Mayoral appointees or those nominated by Appointing Authorities other than the Mayor. The confirmation authority as set forth in §4-4.B(4~~5~~). Confirmation by the Common Council does not confer appointment or removal authority unless explicitly stated in this Charter or as otherwise required by Law.

Commented [SGM5]: Errata

~~(11)~~(12) **Day(s)**[23] means calendar Days; unless, otherwise specifically set forth in this Charter. Moreover, where a Day set forth in this Charter or Ordinances falls on a weekend, holiday or day when the City is closed for business, the deadline shall be extended through the close of the next City business Day; unless otherwise required by Law. Sundays and holidays shall be included in computing such period, except that, if the last Day of such period is on a Sunday or holiday, such Day shall not be counted, and the last Day shall be the Day following such Sunday or holiday[24].

~~(12)~~(13) **Department or Administrative Departments**[25] means any major functional or administrative division of the City, including any offices, agencies, bureaus or other descriptions serving the purpose as may be set forth in the Charter, the Ordinances or, budget of the City. When used within the section establishing or describing the duties of the particular department or its related Board or Commission, the term "Department" shall apply exclusively to the functional division referred to in that section.

~~(13)~~(14) **Department Head**[26] means an employee who heads any Department in the City, has substantial supervisory control over other municipal employees; and, is directly accountable to the Mayor.

~~(14)~~(15) **Division Chief**[27] means the Public Officials appointed by the Mayor in accordance with §8-~~1~~2 who assist the Mayor in the coordination of the functions of government with the Department Heads and other City employees.

Commented [SGM6]: Errata.

~~(15)~~(16) **Elected Public Official**[28] means an individual who holds an elected municipal office[29] (not including a justice of the peace or notary public) in the

[22] NEW (2023)
[23] NEW (2023).
[24] The final clause is a 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.12.b.
[25] NEW (2023).
[26] NEW (2023).
[27] NEW (2023)
[28] NEW (2023)
[29] **Comment of the 2023 Charter Revision Commission.** At the time of the adoption of the Charter "municipal office" is defined in C.G.S. §9-372(7), as may be amended from time-to-time, as follows: " an elective office for which only the electors of a single town, city, borough, or political subdivision, as defined in subdivision (10) of this section, may vote, including the office of justice of the peace."

City. The Elected Public Officials of the City are set forth in §3-3.C; Article IV (Common Council), Article V (Mayor), Article VI (Town Clerk and Registrars of Voters and Constables) and, Chapter IX (Board of Education).

~~(16)~~(17) **Elector**[30] **or Elector of the City**[31] has the meaning contained in the General Statutes[32].

Commented [SGM7]: Scrivener's Revision

~~**(17) Five-Year Program of Capital Expenditures**[33] means the projected five-year program of capital expenditures to which consideration must be given by the Budgeted Entities in whom that responsibility is vested, and in the manner prescribed by this Charter. The first year of the five-year projections is referred to as the "Capital Budget."~~

(18) Fourth Taxing District and **Fifth Taxing District**[34] refer to two areas of Norwalk that together comprise the City, in its entirety. The areas are differentiated by the specific services provided to the residents within those districts. At the time of adoption of this Charter, residents of the Fourth Taxing District are provided with sewer service; while the residents of the Fifth Taxing District do not have sewer service. Moreover, while these two districts share the historic name "taxing district" with the First, Second, Third and Sixth Taxing Districts, the Fourth and Fifth Taxing Districts do not serve any governance functions and do not have the authority to impose taxes upon their residents.

(19) General Statutes[35] means the General Statutes of the State of Connecticut, as amended from time to time; also referred to as "C.G.S" or "G.S.".

(20) Law[36] includes, but is not limited to, decisions of courts and administrative bodies (or any agreements sanctioned by any such bodies), federal or state legislative or regulatory enactments, including all applicable rules contained therein.

(21) Majority Vote of the Council[37] means an affirmative vote of at least a majority of the members of the Council, present and voting, at a Meeting of the Council at which a quorum is present.

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[30] ~~NEW (2023).~~
[31] NEW (2023).
[32] **Comment of the 2023 Charter Revision Commission.** At the time of the adoption of the Charter the term "elector" is defined in C.G.S. §9-1(e) as follows: "'Elector' means any person possessing the qualifications prescribed by the Constitution and duly admitted to, and entitled to exercise, the privileges of an elector in a town". In the common parlance an "elector" may the equivalent to a "registered voter."
[33] ~~NEW (2023) Derived from §30-3 of the Code of Ordinances.~~
[34] NEW (2023).
[35] NEW (2023).
[36] NEW (2023).
[37] NEW (2023).

(22) Mayor[38] is the chief executive officer of the municipality, as required by the General Statutes. Where in this Charter or the Ordinances thereunder, reference is made to "Mayor or designee," the identity of the designee must, at all times, be determined, in the sole discretion of the Mayor.

(23) Meeting or **Public Meeting**[39] has the meaning set forth in ~~C.G.S. §1-200(2),~~the General Statutes[40], including Meetings by means of electronic equipment, as may be amended from time to time.

Commented [SGM8]: Errata.

(24) Meeting (or Hearing Notice)[41] means a Public Notice, as defined in this Charter, for a regular, special or emergency Meeting and Public Hearing of the Common Council or any Boards and Commissions. Notice requirements may be further defined by established by Ordinance or the rules of the Common Council or any Board or Commission insofar as the notice requirements are in accordance with the General Statutes. ~~—~~A Meeting Notice (including Public Hearings) is required to state the agenda (and items or materials before the body) and time and place thereof and must be published, at a minimum, in compliance with the regulatory practices and procedures set forth in the General Statutes or by a more stringent requirement as may be set forth in this Charter or the Ordinances.

~~**(25) Operating Budget**[42] means the document proposed by the Mayor and approved by the Board of Estimate and Taxation and Common Council that consists of all revenues and expenses for the ensuing fiscal year, including all requirements set forth in this Charter or by Ordinance and that the City uses to plan its operations as well as the appropriations for such expenditures as personnel services, supplies, utilities, materials, and debt service.~~

~~(26)~~(25) **Public Official**[43] means an individual who holds an elected or appointed municipal office in the City; including but not limited to Elected Officials of the City, other persons appointed pursuant to Article VIII; and members of Boards and Commissions. **Appointed Public Official** includes all Public Officials who are not Elected Public Officials. When the term "officer" is used in this Charter or Ordinances (and not in connection with sworn law enforcement officers), it is synonymous with the term "Official".

(26) Operating Budget[44] means the document proposed by the Mayor and approved by the Board of Estimate and Taxation and Common Council that consists of all revenues and expenses for the ensuing fiscal year, including all requirements

Commented [SGM9]: RECODIFICATION RECOMMENDED BY SGM

[38] NEW (2023). Required by C.G.S. § 7-193(a)(2)(C).
[39] NEW (2023)
[40] At the time of the 2025 revision the citation is C.G.S. §1-200(2).
[41] NEW (2023)
[42] ~~NEW (2023).~~
[43] ~~NEW (2023)~~ 2025 recodification of §2-2.B(26) which was approved in the 2023 charter revision.
[44] 2025 recodification of §2-2.B(25) which was approved in the 2023 charter revision.

set forth in this Charter or by Ordinance and that the City uses to plan its operations as well as the appropriations for such expenditures as personnel services, supplies, utilities, materials, and debt service.

(27) Ordinance(s)[45] means the codes of local laws resulting from the authority vested in the Common Council and the Mayor, as set forth in this Charter, to: (A) establish rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other penalty; (B) create a permanent local law of general applicability; or (C) accomplish other objectives permitted by the General Statutes as may be enacted in accordance with the provisions of this Charter.

(28) Public Hearing[46] means a publicly noticed meeting or official proceeding held in order to receive testimony from all interested parties, including the general public, on a proposed issue, item or action; unless otherwise required by the General Statutes. Members of the general public and other parties, within the parameters of the rules of the Common Council or a Board or Commission will be offered an opportunity to submit views and data relative to a matter on which a decision of the Board or Commission is pending. Public Hearings are required prior to the adoption of Ordinances, approval of the Operating and Capital Budgets or where otherwise required by Law, this Charter or Ordinance. Additional Public Hearing(s) may be permitted by the Chair of the Board or Commission or may be required by Ordinance.

(29) Public Notice[47] means a notice for matters other than Meetings or Public Hearings, including the public inspection, posting or availability of any documents or data, as may be required by this Charter, the Ordinances or otherwise by Law. It specifically includes matters where "publication" was required under the prior Charter or the General Statutes. Any Public Notice must be posted as specifically set forth in this Charter and in accordance with the requirements of the General Statutes. In the event the requirement of the Charter is more stringent than the requirements of the General Statutes, then the Charter provision prevails. Public Notice must be posted (A) in the Office of the Town Clerk and other public space or location in City Hall or other municipal office building designated by the Town Clerk in order to assure sufficient disclosure to and access by the public; (B) on the City web-site, through other electronic media by the Town and City Clerks, including a specific link to the item being noticed; and, (C) if otherwise required by Law, Charter or Ordinance, by publication in a newspaper of general circulation distributed in the City.

(30) Quorum[48]**.** A majority of the entire membership of the Council or any

[45] NEW (2023)
[46] NEW (2023).
[47] NEW (2023).
[48] 2023 recodification of current Article IV. The Common Council. §1-197 (Third sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4. Historical Editor's Note: As to attendance of City Clerk, see § 1-235.

Board or Commission is required to constitute a quorum for the transaction of business, but a smaller number may adjourn.

(31) Referendum[49] means the petition process for overriding the actions of the Mayor and Council with respect to the approval of Ordinances and the Operating and/or Capital Budgets as set forth in §4-10 ~~and §10-13~~ and as may be further defined by ~~in C.G.S. §9-1(n).~~the General Statutes[50].

Commented [SGM10]: Errata.

(32) Regulation[51] means a statement of general applicability approved by a Department or Board or Commission (and the Council where specifically set forth herein), without regard to its designation, that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice requirements of any Department, Board or Commission or the Laws under which they operate. The term includes the amendment or repeal of a prior Regulation, but does not include statements concerning only the internal management of any Department and not affecting private rights or procedures available to the public, including, but not limited to intra-Departmental or inter-Departmental memoranda.

(33) Resolution[52] means a declaratory action on a given matter by the Common Council that (A) expresses the sentiment or intent of the Council; (B) governs the business of the Council; (C) expresses recognition by the Council; or (D) complies with the specific requirements of the General Statutes with regard to certain legislative enactments. Resolutions may also be adopted in a similar manner by other Boards and Commission, including the Commissioners of the various Taxing Districts.

(34) Special Acts or **Special Laws**[53] means the acts of the General Assembly of the State pertinent to the City.

(35) State or **Connecticut**[54] means the State of Connecticut.

(36) State Constitution[55] means the Constitution of the State of Connecticut.

(37) Taxing Districts[56] means First, Second, Third and Sixth Taxing Districts as set forth in Article XII of Part 2 of this Charter, all of which are quasi-

[49] NEW (2023).
[50] At the time of the adoption of the 2025 revisions the citation is C.G.S. §9-1(n).
[51] NEW (2023). Derived from C.G.S. §4-166(16).
[52] NEW (2023).
[53] NEW (2023).
[54] NEW (2023).
[55] NEW (2023).
[56] NEW (2023)

municipal corporations[57], bodies politic[58] or political subdivisions of the state[59]. The First, Second and Third Taxing Districts are funded through their respective utility revenues and thereby, at the time of the adoption of this revision are not imposing a separate district tax; while the Sixth Taxing District levies a tax for the services it provides for its parks and beaches, garbage collection, library and fire service.

(38) Town Clerk[60] is an elected Public Official who serves the function set forth in the General Statutes and this Charter, in particular in Article VI, §6-1.

(39) Vacancy[61] or, in the alternative, the use of the word "Vacant" means whenever any Official of the City (or of any the Taxing Districts) is unable to complete the current term of office for any cause, including, but not limited to (a) death, (b) resignation, (c) removal or expulsion, (d) failure to remain an Elector of the City or a resident of district where the residence is required for holding the office, (e) by reason of permanent mental or physical disability or infirmity, shall become incapacitated to discharge the duties of office, in accordance with the procedure set forth in ~~§3-7~~§§3-6 and 3-7 and §§7-1.D and E and any Ordinance of Rules of the Common Council, (f) conviction of crimes pertaining to malfeasance in office or any infamous crime, or (g) other reason as may be defined by Ordinance.

Commented [SGM11]: Errata.

C. Use of Terms[62].

(1) Where reference is made to the word "shall" the legislative intention is to make the function a mandatory or imperative obligation for the Public Official or entity charged with an obligation under this Charter or under the Ordinances. It is recommended that to avoid any doubt the word "must" or "required" should be used in order to impose clarity on the concept of obligation.

(2) Where reference is made to a majority, two-thirds or other voting standard of the "**entire membership**" of the Common Council, Board or Commission it shall refer to the voting privileges conferred upon the duly qualified elected or appointed members of the body, including those absent and those present but not voting; however, shall not include any vacancies on the body.

§2-3. Standards of Conduct[63].

[57] See, **Third Taxing District of the City of Norwalk v. Lyons**, 35 Conn. App. 795, 32, 33 (1994).
[58] See, **Barr v. First Taxing District of the City of Norwalk**, 11 Conn. 53, 54 (1963).
[59] See, **Maisano v. Mitchell,** 155 Conn. 256, 264 (1967)
[60] NEW (2023)
[61] NEW (2023).
[62] NEW (2023)
[63] NEW (2023). In lieu of Article V, Part 1 – General. §1-225.1. Derived from Charter Amendment 9-12-2000, Historical Editor's Note: Approved by the electorate at the general election held 11-7-2000, It should be further noted that there

A. Statement of Purpose[64]. Public office is a public trust. The trust of the public is essential for government to function effectively. Public policy developed by Officials affects every resident of the City, and it must be based on honest and fair deliberations and decisions. This process must be free from threats, favoritism, nepotism, undue influence and all forms of impropriety so that the confidence of the public is not eroded. By setting forth this Statement of Purpose, the City seeks to articulate a policy that will continually strive to maintain and increase the confidence of the people of Norwalk in the integrity and fairness of their government. Public Officials and employees must discharge their duties impartially so as to ensure fair competitive access to government procurement by responsible contractors. In turn, those contractors must conduct themselves in such a manner as to foster public confidence in the integrity of the competitive process. In all cases, any reality or appearance of impropriety must be addressed as required by the Code of Ethics Ordinance[65].

B. Code of Ethics Ordinance[66]. The Code of Ethics Ordinance covering all Public Officials and employees of the City whether elected or appointed, paid or unpaid, and individuals and entities seeking to and conducting business with the City must be periodically updated and amended. The purpose of the code is to establish suitable ethical standards by prohibiting acts or actions incompatible with the discharge of their public duties and the best interests of the City, and by directing disclosure of private financial interest or personal interest in matters affecting the City by the elected and appointed Officials or employees as well as such individuals and entities seeking to and conducting business with the City. The City Clerk is required to provide all Public Officials and employees of the City with copies of the provisions of ~~§2-3~~this section and the implementing Ordinances and policies enacted hereunder, upon the commencement of their public service and/or employment.

Commented [SGM12]: Errata.

(1) Periodic Update of Ethics Ordinance[67]. The Council is required to enact a code of ethics by Ordinance (and has an affirmative obligation to update and amend the Ordinance) following public review and comment by the Board of Ethics, in a manner consistent with the provisions of this Charter.

(2) Recusal[68]. Any Public Official or employee must refrain from voting, participating or acting on matters which constitute a violation of the code of ethics or ~~otherwise~~oth creates a conflict of interest. In the case of members of the Council or any Board and Commission, such recusal shall be placed in the public record. Filing of public disclosures may be addressed in accordance with the Ethics Ordinance, as

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is a very extensive ethics regimen for the Taxing Districts. 1-225.1 reads as follows: "All employees and officers of the City of Norwalk, salaried and unsalaried, including the members of all boards, agencies and commissions elected or appointed in the City of Norwalk, shall be subject to the Code of Ethics contained in Chapter 32 of the Norwalk Code, as it may be amended from time to time."

[64] NEW (2023).

[65] **Comment of the 2023 Charter Revision Commission.** At the time of the effective date of this Charter the Code of Ethics may be found in Chapter 32 of the Code of Ethics, as may be amended form time-to-time.

[66] NEW (2023).

[67] NEW (2023).

[68] NEW (2023).

may be amended from time-to-time.

(3) Violation[69]. In addition to any remedies or penalties set forth in the Ordinance effectuating this provision of the Charter, any finding of a violation by the Board of Ethics as authorized by Ordinance and any Regulations thereunder:

(a) shall render any action, including but not limited to any contract or agreement involved voidable, at the option of the City;

(b) may result in the discipline of Officials and employees in accordance with the provisions of this Charter and Ordinances; and,

(c) may result in disqualifying individuals or entities from engaging in business with the City for a period of time to be established by Ordinance.

C. Conflict of Interest and Corrupt Practices[70]. All Public Officials are required to comply with the provisions of the General Statutes[71], this Charter or Ordinances pertaining to conflicts of interest and corrupt practices. The Ordinance required by §2-3.B~~(1)~~, above, shall define and set forth the parameters of conflicts of interest and corrupt practices.

Commented [SGM13]: Errata

§2-4. Rules of Order and Civility[72].

City Officials and employees are required to treat members of the public with respect and expect the same in return in official in-person or virtual/electronic interactions. The City is committed to maintaining orderly and fair administrative processes and in keeping City administrative offices free from disruption.

A. The Workplace and City Operations. This Charter promotes mutual respect, civility and orderly conduct among City employees, Elected Officials and the public in the workplace and other official interactions. This section is not intended to deprive any person of the right to freedom of expression, but only to maintain, to the extent possible and

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[69] NEW (2023).
[70] NEW (2023).
[71] **Comment of the 2023 Charter Revision Commission.** Among the provisions is C.G.S. §7-148h(b): "Notwithstanding the provisions of any special act, municipal charter or ordinance to the contrary, an elected official of any town, city, district or borough that has established a board, commission, council, committee or other agency under subsection (a) of this section, has an interest that is in substantial conflict with the proper discharge of the official's duties or employment in the public interest and of the official's responsibilities as prescribed by the laws of this state, if the official has reason to believe or expect that the official, the official's spouse or dependent child, or a business with which he is associated, as defined in section 1-79, will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of the official's official activity. Any such elected official does not have an interest that is in substantial conflict with the proper discharge of the official's duties in the public interest and of the official's responsibilities as prescribed by the laws of this state, if any benefit or detriment accrues to the official, the official's spouse or dependent child, or a business with which he, his spouse or such dependent child is associated as a member of a profession, occupation or group to no greater extent than to any other member of such profession, occupation or group. Any such elected official who has a substantial conflict may not take official action on the matter.
[72] NEW (2023).

reasonable, a safe, productive, and harassment-free workplace for City staff and a safe and non-threatening environment for the public. The City encourages all parties to engage in professional, respectful, and courteous communication and discourages hostile, intimidating, or otherwise disruptive actions.

B. Public Meeting Decorum. The City is committed to the democratic process, the rule of law, individual rights of expression, robust debate, and tolerance for disparate views and the building of better community relationships through increased empathy, greater awareness and decreased reactivity. The City's elected and appointed Boards and Commissions, the Council and any other public bodies, including, committees, task forces, or other like entities all convene public Meetings to address, from time to time, controversial issues that may engender passionate and often conflicting opinions. An atmosphere of civility and respect at Public Meetings will encourage and embolden robust participation and debate, contributing to the outcomes of decisions and strengthening local democratic process.

C. Rules of Order. In order to effectuate these provisions of the Charter, the City may adopt Ordinances generally governing the conduct of public Meetings in accordance with this Charter.

(1) Parliamentary Authority: The General Rule[73]. At the commencement of the term of office, the Common Council must adopt a manual of parliamentary procedures to regulate the conduct of all Meetings of the Council and all elected and appointed Boards and Commissions. Notwithstanding the Council, or any Board or Commission may specify an alternate parliamentary authority, with the written approval of the Corporation Counsel.

(2) Adoption of Rules. Notwithstanding the foregoing, the Council and each elected and appointed Board and Commission may adopt rules of order in order to conduct public Meetings and government business in a civil and orderly environment. An affirmative vote of two-thirds of the entire membership of the Council, Board or Commission is required for approval of the rule, following review by the Corporation Counsel to ensure that the rules are consistent with the open meeting requirements of the General Statutes and this Charter.

D. The Role of the Presiding Officer. The presiding officer of the Council and each elected and appointed Board and Commission are responsible for maintaining the order and decorum at Public Meeting and for the uniform enforcement of rules of order.

E. Compliance with Rules of Order and Decorum. Likewise, all persons who attend a public Meeting must comply with any lawful order of the presiding officer to enforce rules of order and decorum. In all circumstances, members of the public and all Public Officials shall be expected to follow the rules of the body and must not engage in disorderly

[73] NEW (2023).

conduct, uncivil language or actions as may be defined by Ordinance, Regulation or rules of order of the body.

F. Breach of Rules. In the event any person breaches the rules of order pertaining to civility in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of the Meeting, the presiding officer has the sole discretion to order that person to cease the conduct. The presiding officer has the authority to order a member of the public, Public Official or member of the body to leave the Public Meeting in the event of continued violations following an initial order from the presiding officer. If the initial order to cease the offending conduct is not obeyed and the conduct continues in spite of an escalation of additional orders from the presiding officer, the party may be removed from the Meeting. Removal of a person at an in-person Public Meeting may be facilitated by a law enforcement officer, upon the request of the presiding officer. At a virtual or hybrid Meeting the presiding officer may block the person from participation. Members of appointed Boards and Commissions may be subject to removal in accordance with the provisions of §7.1-E, below.

§2-5. Open Meetings and Public Records[74].

A. Records[75]. Each Elected and Appointed Board and Commission and committees, task forces, or other like entities, created or mandated by this Charter, must keep a complete and accurate record of its official acts, votes, Meetings, and proceedings and are required to maintain custody of its correspondence, files and other records. The minutes and recordings of Boards and Commissions are public records, in accordance with the General Statutes, and must be available for public inspection (1) at the office of the City Clerk during regular business hours; and, (2) on the City website.

B. Open and Public Meetings[76]. All Meetings of the Common Council[77] and all other Elected and Appointed Boards and Commissions and all committees, task forces or other like entities must be open to the public except for executive sessions permitted by the General Statutes. All appointed Boards and Commissions, and all committees, task forces or other like entities must comply with the State freedom of information laws unless otherwise provided by the General Statutes or Law.

§2-6. Diversity on Boards and Commissions[78].

The active, informed, inclusive, and equitable engagement of community members, both individually and collectively, is an essential element of healthy civic life and a thriving local democracy. All Public Officials who appoint members of Boards and Commissions are required to take into consideration the knowledge, expertise, experience, and, to the fullest

[74] NEW (2023).
[75] NEW (2023).
[76] NEW (2023).
[77] NEW (2023).
[78] NEW (2023).

extent possible, the diversity of residents and the geographic areas of the City when considering the composition of Boards and Commissions. Diversity on Boards and Commissions should, in its broadest sense be considered to include, but shall not be limited to[79], race, color, ethnicity, religious creed, age, sex, national origin, ancestry or culture, status as a veteran, socio-economic status, sexual orientation, gender identity or expression, familial and marital status, pregnancy, or physical and mental disability.

§2-7. Required Cooperation[80].

Each Public Official and all employees of the City must cooperate with each other, assist the Boards and Commissions, elected and appointed, and the pertinent Departments in carrying out the provisions of this Charter, advancing City objectives and policies and serving the public interest. Good faith actions by all Public Officials will encourage and embrace public engagement which, in turn, will inform public decisions.

[79] **Comment of the 2023 Charter Revision Commission.** The listing in this Charter is not exclusive since it reflects the current state of protected classes under federal and state law. It is fully expected that as those classes are modified by Congress or the General Assembly, the new protected classes will be deemed covered as if they were specifically included in the enumeration.
[80] NEW (2023).

ARTICLE III:- ELECTIONS, ELECTORS, ELECTED OFFICIALS, TERMS OF OFFICE AND OTHER PROVISIONS APPLICABLE TO CITY OFFICIALS

§3-1. Application of the General Statutes[81].

The General Statutes, as amended from time to time, relating to elections, including, without limitation, residency requirements and nomination of candidates, are applicable to all elections held in accordance with the provisions of this Charter.

A. Public Notice of Elections[82]. If required by Law or otherwise deemed necessary, the Common Council must provide by Ordinance for the manner of Public Notice of municipal elections and such additional Regulations in respect of elections, not inconsistent with the General Statutes or this Charter, as may be necessary to accomplish the intent of this chapter[83]. Public Notice of the election stating the officers to be voted for and the polling places in the several voting districts must be published by the Town Clerk at least two weeks preceding the election, as required by Law, including an Ordinance, and in compliance with the Public Notice provisions of this Charter.

B. Nominations and Elections[84]. The nomination and elections of all Federal, State and City Elected Officials must be conducted as prescribed by the General Statutes.

§3-2. Rules Pertaining to Electors.

A. Qualified Voters Entitled to Vote: Electors[85]. Every Elector of this State and resident of this City entitled and qualified to vote therein shall be an Elector of the City. All the Electors who are duly registered as hereinafter provided are entitled to vote at all elections of the City at the polling place as may be approved by the Common Council[86].

B. Prepared Lists of Electors[87]. The Registrars of Voters are required to keep and maintain records concerning Electors.

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[81] NEW (2023).
[82] 2023 recodification and modification of current Article III – Part 1. In General, §1-169. Derived from Sp. Laws, 1913, No. 352, §51.
[83] NEW (2023).
[84] NEW (2023). Current Article III – Part 1. In General, §1-163, derived from Sp. Laws 1913, No. 352, §46 is repealed, as follows: "The election of Elected Public Officials herein provided for shall be held at the polling places approved by the Common Council for the Town election". Historical Editor's Note: See § 1-180 for provision authorizing Registrars of Voters to designate polling places. Current Article IV. The Common Council. §1-189 is repealed, as follows: "The Council has the authority: to regulate and prescribe the mode of conducting all elections not regulated by this act;; to regulate the manner of warning (or notice) city elections and meetings of the Common Council, and the times and places of holding the same; and, to provide places for holding elections in said city and in the wards thereof."
[85] 2023 recodification and modification of current Article III – Part 1. In General, §1-164. Derived from Sp. Laws 1913, No. 352, §47.
[86] 2023 recodification, repeal and modification of current Article I - General. §1-2.1 (Fourth sentence). Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972.
[87] 2023 recodification and in lieu of current Article III – Part 1. In General, §1-170. Derived from Sp. Laws 1913, No. 352, § 52; Sp. Laws 1921, No. 400, § 2.

C. Eligibility[88]. No person shall be eligible for nomination or election to any City office who is not an Elector[89] of the City, and, in the case of a district council representative, a resident of that particular district. Any person ceasing to be an Elector of the City or a resident of a district where residence in the district is required for holding the office shall thereupon cease to hold elected office in the City or district.

D. Time Polls Open[90]. The polls are required to open and remain open as required by the General Statutes.

§3-3. Election of Officers and Other Elected Public Officials.

A. Date of Election[91]. On the first Tuesday after the first Monday of November in the odd-numbered years, and biennially thereafter, and in accordance with early voting laws, as prescribed by the State, there shall be held a municipal election for the choice of Elected Public Officials. The Elected Public Officials shall be elected by a plurality of ballots; unless otherwise required by Law. In the event alternate election methods are permitted by Law, the Common Council, by Ordinance, may alter the methodology utilized in the municipal elections.

B. Election of Registrar of Voters in 1952 and Thereafter[92]. On the first Tuesday after the first Monday in November 1952 and in the even-numbered years thereafter as the term of office shall fall (as set forth in §3-3.D(3)), below, the Electors of the City shall elect, in accordance with the provisions of General Statutes, Registrars of Voters, of whom no ~~elector~~Elector shall vote for more than one and no more than one of whom shall be a member of any one political party.

Commented [SGM14]: Errata

C. Elected Public Officials. The Elected Public Officials are:

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[88] NEW (2023). See, 2023 Recodification of current Article III – Part 2. Registrars of Voters. §1-186. Derived from Sp. Laws 1951, No. 334, §4. Also, 2023 recodification of current Article III – Part 2. Registrars of Voters [Editor's Note: See § 1-172 for compensation; §§ 1-179 to 1-181 for duties with respect to voting precincts and polling places; § 1-217, for powers and duties generally. See also, Ch. 9, Administration, Art. IV]; see also, §1-183 through 1-184 (Reserved). Editor's Note: Former §§ 1-183, 1951 election, and 1-184, Term of office for Registrars of Voters, Sp. Laws 1951, No. 334, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

[88] NEW (2023). Derived from current Article III – Part 2. Registrars of Voters. §1-187. Derived from Sp. Laws 1951, No. 334, §5, which reads, as follows: " Said Registrars shall be electors of said City and their duties shall be such as are required by statute in respect to election laws."

[89] Chapter 143. ELECTORS: QUALIFICATIONS AND ADMISSION. Revised to January 1, 2010. C.G.S. §9-12 entitled "Who may be admitted".

[90] 2023 recodification and modification of current Article III – Part 1. In General, §1-170. Derived from Sp. Laws 1913, No. 352, § 52; Sp. Laws 1921, No. 400, § 2.

[91] 2023 recodification and modification of current Article III – Part 1. In General, §1-166. Derived from Sp. Laws 1947, No. 211, § 1; Charter Amendment 11-7-1972; Charter Amendment 8-17-1976;[1] Charter Amendment 8-29-1978. Historical editor's Note: (1) Editor's Note: Approved by the electorate at the general election held 11-2-1978; (2) Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[92] 2023 recodification of current Article III – Part 2. Registrars of Voters. §1-185 (First sentence). Derived from Sp. Laws 1951, No. 334, §3.

(1) The Mayor;
(2) Fifteen Members of the Common Council, as set forth in §3-4.A, below;
(3) Nine Members of the Board of Education as set forth in §3-4.B, below;
(4) Town Clerk, ex officio Registrar of Vital Statistics;
(5) Registrars of Voters;
(6) City Sheriff and,
(7) Seven Constables.

No person shall vote for more than four Constables.

Sunset Provision.

A. Selectmen and Treasurer[93]. Three Selectmen and a Treasurer shall be Elected Public Officials for a two-year term commencing on the second Tuesday following their election in November 2023. The office shall be abolished at the end of the term; or, in the event a Vacancy occurs prior to the end of the term at the time of the Vacancy. The Selectmen and Treasurer shall have duties and responsibilities as may be assigned; or, as otherwise set forth in Law.

B. Remaining Elected Public Officials. The remaining Elected Public Officials shall serve for their respective terms of office commencing on the second Tuesday following the municipal general election of November 2023. Their respective terms shall conclude at 11:59:59 P.M. on the Day prior to the first business Day of January 2026. Upon the conclusion of the events set forth in this provision, as certified by the Corporation Counsel, these provisions may be removed from the Charter.

D. Term of Office.

(1) Elected City and Town Officers: Two-year Terms[94]. With the exception of the Board of Education, all of Elected Public Officials shall hold office for the term of two years from the first business Day of January 2026 following their election and until their successors are elected and have qualified. Any provisions in the Charter which are in conflict with this change are nullified as of 11:59:59 P.M. on the Day immediately prior to the first business Day of January 2026.

[93] NEW (2023). Note: Upon the conclusion of the timelines set forth in the "Sunset Provisions," as verified in writing by the Corporation Counsel, this section may be moved from the body of the Charter.
[94] 2023 recodification of current Article III – Part 1. In General, §1-166. Derived from Sp. Laws 1947, No. 211, § 1; Charter Amendment 11-7-1972; Charter Amendment 8-17-1976 (Editor's Note: Approved by the electorate at the general election held 11-2-1976); Charter Amendment 8-29-1978 (Editor's Note: Approved by the electorate at the general election held 11-7-1078).

(2) Board of Education: Four-year Term[95]. All members of the Board of Education shall serve for terms of four years. Following the election of 2015, the members of the Board of Education shall hold office for a term of four years from the first business day of January 2026 following their election and until their successor are elected and have qualified.

(3) Registrars of Voters: Two-year Term[9697]. The terms of Registrars of Voters shall be for two years from the first Monday of the January next succeeding their election and until their successors shall be elected and shall have qualified, unless sooner removed for cause as provided by Law.

E. Transition Period[98]. Effective on the fifth Day of November 2025, each newly elected Mayor must be provided with furnished office space for the period commencing on the Day following the election of the Mayor until 11:59:59 P.M. on the Day immediately prior to the first business Day of January 2026 (and in each year thereafter when there is a newly elected Mayor). The purpose of this provision is to best effectuate, with the cooperation of the outgoing Mayor, the transition of the change of executive leadership of the City government. Members-elect of the Council and Board of Education must be provided with assistance, including public information and training materials pertaining to the budget process and other active legislative matters before the Common Council or the Board of Education by the Mayor, Corporation Counsel, Chair of the Board of Education or the President of the Council during this transition period.

F. Mayor Not Succeeding to a Subsequent Term in Office. Duties, Powers and Restrictions[99]. Notwithstanding any other provisions of this Charter, during the

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[95] 2023 recodification of current Article III – Part 1. In General, §1-167 (Third Sentence). Derived from Charter Amendment 11-3-1970; effective 7-1-1971; Charter Amendment 9-12-2000. Historical editor's Note: (1) See also Art. XVIII, Part 2; (2) Approved by the electorate at the general election held 11-7-2000.

[96] **Comment of the 2023 Charter Revision Commission.** The term of office for the Registrars of Voters is different because it is established by C.G.S. §9-190a.

[97] 2023 recodification of current Article III – Part 2. Registrars of Voters. §1-185 (Second sentence). Derived from Sp. Laws 1951, No. 334, §3.

[98] NEW (2023).

[99] 2023 recodification and modification of the portions of current Article V, Part 1 – General. §1-218, which follow. Derived from Sp. Laws 1913, No. 352, §74. Historical Editor's Note: See § 1-227 for powers and duties of appointive officers, in lieu of the following: "All officers required by law to be appointed by towns and by Selectmen of towns, not herein otherwise provided for, shall, on and after the first (1st) Monday of October, 1913, be appointed by the Mayor, subject to confirmation by the Council." The modification is in lieu of the following: (1) "Following October 1 of the year in which there is a mayoral election a Mayor shall be entitled to make appointments only for a temporary period ending no later than sixty (60) Days following the commencement of the term of office of the new Mayor. If the Mayor is re-elected this limitation shall not apply after the election. The Mayor shall have the power to initiate the removal of any appointee;" and, Following October 1 of the year in which there is a mayoral election a Mayor shall be entitled to make appointments only for a temporary period ending no later than sixty (60) Days following the commencement of the term of office of the new Mayor. If the Mayor is re-elected this limitation shall not apply after the election. The Mayor shall have power to remove any appointee, except a member of the Classified Service. The Mayor may suspend from duty for not more than thirty (30) Days any such appointee pending Final Action." This provision is also in lieu of current Article V, Part 2 – Mayor. 1-227 (Fourth sentence), Derived from Sp. Laws Sp. Laws 1947, No.

Transition Period as defined in §3-3.E, above, the outgoing Mayor must not appoint, hire, remove, terminate, discipline, promote, demote or transfer any officer, Division Chief, Department Head, Other Executive-Level Appointee, Board or Commission member, or employee of the City. Notwithstanding the foregoing, this provision should not be construed to stay, suspend or delay or terminate (1) any pending actions commenced at least sixty Days prior to the election; (2) any matter before a judicial or administrative tribunal; (3) any matter required by Law or a collective bargaining agreement. If required by Law or a collective bargaining agreement, the Mayor may be required to make appointments only for a temporary period ending no later than sixty Days following the commencement of the term of office of the new Mayor.

§3-4. Structure of the Council and Board of Education.

A. The Common Council.

(1) Five Council Districts[100]. 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[101], above. The districts shall be created by Ordinance following reapportionment as required by §3-4.A(3), below.

Commented [SGM15]: ACTION ITEM #6: 042925

Commented [SGM16]: APPROVED BY CRC (041525)

~~**Transition Provision.** The historical boundaries are set forth in §14-1, entitled "Historical Council Districts[102]".~~

206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1972, as follows: "No appointments or reappointments shall be made by any Mayor or Common Council and no vacancies shall be filled by any Mayor or Common Council after the seventh (7th) Day prior to a municipal election and before the Day of their taking office following the election in any municipal election year'

[100] 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. **Comment of the 2025 Chater Revision Commission: §**14-1 entitled "Historical council Districts" is repealed. §14-1 was 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.

[100] 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..

~~[101] 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.~~

~~[102] NEW (2023)~~

(2) At-Large Councilmembers[103]. The number of Councilmembers-at-Large elected from the City must be equivalent in number to the number of council districts as may exist, from time to time.

(3) Periodic Revision of Common Council District Boundaries: Reapportionment. The boundaries of each Common Council District must be revised from time to time, as required by Law[104]. By Ordinance, the Common Council is required to designate the council districts, by letter or number[105]. The establishment of districts by the Council must be in conformity with the requirements of Law[106].

B. The Board of Education.

(1) Five Board of Education Districts[107]. There are five members of the Board of Education, elected one each from each of the Common Council Districts established and revised as set forth in §3-4.A(3), above.

(2) Four at-Large Members of the Board of Education. There are four elected at-Large Members of the Board of Education.

(3) Party Representation Pertaining to the Board of Education[108]. The maximum number of candidates who may be endorsed by any political party and the maximum number of candidates for which an ~~elector~~Elector may vote at the general municipal elections shall be four in years in which four terms expire, and one per Council district in years in which five terms expire, and the candidates receiving the highest numbers of votes cast shall be elected.

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[103] 2023 recodification, repeal and replacement of current Article I - General. §1-2.1 (Third sentence). Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972.
[104] NEW (2023). Comment from the 2023 Charter Revision Commission. Decennial redistricting is required by federal and state law in order to comply with constitutional standards and requirements of the Voting Rights Act.
[105] 2023 recodification, repeal and replacement of current Article I - General. §1-2.1 (Second sentence). Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972.
[106] NEW (2023).
[107] 2023 recodification and modification of current Article III – Part 1. In General, §1-167. Derived from Charter Amendment 11-3-1970; effective 7-1-1971; Charter Amendment 9-12-2000. Historical editor's Note: (1) See also Art. XVIII, Part 2; (2) Approved by the electorate at the general election held 11-7-2000. Transition Provision I: See, §1-167.(Fourth through seventh sentences), as follows: "The five (5) members of the Board elected in the general municipal election in 1999 shall serve for a term of four (4) years. At the general municipal election to be held in 2001, four (4) members shall be elected to said Board at large. At the general municipal election to be held in 2003, five (5) members shall be elected to said Board, one (1) member to be elected from each Council district. Thereafter, alternately at each general municipal election, four or five (4 or 5) members, as the case may be, shall be elected to said Board, the four (4) members to be elected at-large and the five (5) members to be elected one from each Council district, in the manner set forth above." Transition Provision II: See, §1-167.(Ninth sentence), as follows: "No person now serving on the Board of Education at the effective date of this section shall have his term shortened or terminated by reason of this section." Transition Provision II: See, §1-167.(Tenth sentence), as follows: "This section shall supersede any previous or alternative version hereof, whether adopted prior to or contemporaneously herewith."
[108] 2023 Recodification of current Article III – Part 1. In General, §1-167 (Eighth sentence). Derived from Charter Amendment 11-3-1970; effective 7-1-1971; Charter Amendment 9-12-2000. Historical editor's Note: (1) See also Art. XVIII, Part 2; (2) Approved by the electorate at the general election held 11-7-2000.

C. Other Districts[109]. The districts for the election of First, Second, Third and Sixth Taxing District Commissioners and other district officers shall be the same as the Taxing Districts as set forth in Article XII of this Charter[110].

§3-5. Tie Votes and Elections[111].

Whenever at any election there shall be no election to any of the aforesaid offices by reason of a tie vote, the election to fill the office or offices is required to proceed in the manner set forth in the General Statutes[112].

[109] 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.
[110]2023 recodification of current Article III – Part 1. In General, §1-165 which was a "Reserved" provision. Derived from Sp. Laws 1913, No. 352, §48; Sp. Laws 1921, No. 400, § 1; Sp. Laws 1933, No. 363, § 5; repealed by Charter Amendment 8-29-1978. Historical editor's Note: Approved by the electorate at the general election held 11-7-1978 2023 recodification of current Article III – Part 1. In General, §1-168 which was a "Reserved" provision. Repealed by Charter Amendment 11-3-1970; effective 7-1-1971.
[111] 2023 recodification of current Article III – Part 1. In General, §1-171. Derived from Sp. Laws 1913, No. 352, §53.
[112] 2023 repeal of current Article III – Part 1. In General, §1-173. Derived from Sp. Laws 1913, No. 352, §54; Sp. Laws 1921, No. 355, §1, as follows: The provision pertaining to "Tie votes and elections" (§3-5) and "Council may make ordinances and fix compensation" (§4-4.A) "….shall not take effect until they have been approved by a majority vote of the electors of said City of Norwalk, at the biennial election held the first (1st) Monday of October 1921. If said vote shall be in favor of the approval of this act, it shall thereupon take effect and a certificate of said vote, signed by the Clerk of said City, shall be filed in the office of the Secretary of State." The following clause was repealed, since it was redundant: "Provided, if a vacancy occurs in the office of Councilmember, the vacancy shall be filled by the town and City committee of the political party to which the Councilmember whose office has become vacant had been a registered member at the time of election and provided the manner of filling vacancies as described herein shall not apply to vacancies occurring in the Board of Education."

§3-6. Vacancies[113].

A. Elected Officials Other Than Mayor[114]. Whenever any Elected Public Official, for any reason, fails to qualify or a Vacancy occurs, the Common Council must, having been called together for the purpose by the Town Clerk, upon one weeks' Public Notice, declare the office in question vacant and forthwith is required to fill the Vacancy as provided in this Article, following the posting of Public Notice.

B. Filling of Vacancies[115]. Unless otherwise set forth by Law, including the provisions of this Charter, vacancies in elected Public Officials must be conducted, as follows:

(1) Office of Mayor: Succession[116]. Whenever a Vacancy occurs in the Office of the Mayor, the President of the Council will succeed to the Office of the Mayor for a period of time, until a successor is elected and qualified following the next biennial election for the remainder of the term.

(2) Office of the Common Council[117]. Whenever a Vacancy occurs in the membership of the Common Council, it must be filled by the town committee of the political party of which the Councilmember whose office has become vacant had been a registered member at the time of the election and, if a district representative, the successor must be a resident of the district from which the former incumbent of the office was chosen.

(3) Board of Education[118]. Whenever a Vacancy occurs in the membership of the Board, the Vacancy must be filled by the town committee of the political party of which the Board of Education member whose office has become vacant had been a registered member at the time of the election and, if a district representative, the successor must be a resident of the district from which the former incumbent of the office was chosen.

(a) During the First Sixteen Months. If the Vacancy occurs during the first sixteen months of any four-year term of office, the person so chosen

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[113] 2023 recodification and amendment of current Article III – Part 1. In General, §1-174. Derived from Sp. Laws 1913, No. 352, § 55; Sp. Laws 1915, No. 367, § 2; Sp. Laws 1921, No. 334, § 3; Sp. Laws 1969, No. 186, No. 283, § 3; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: (1) This §1-174 was amended pursuant to the court decision in the First Taxing District et al v. City of Norwalk case; and, (2) Editor's Note: Approved by the electorate at the general election held 11-7-1978. The following language was eliminated from the provision; however, is a general statement of law that remains applicable: "The provisions of §9-221 of the General Statutes shall apply to the filling of vacancies occurring during the periods specified in the statute; provided, however, that nothing herein contained shall supersede the application of §9-167a of the Connecticut General Statutes."

[114] Title added 2023.

[115] Title added 2023.

[116] Title added 2023.

[117] Title added 2023.

[118] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Ninth through thirteenth sentences).

shall serve until the next municipal election following the person's appointment. At the municipal election, such Vacancy must be filled by election in accordance with the general statutes, and the member so elected shall serve for the final two years of the term.

(b) Following the First Sixteen Months. If the Vacancy occurs after the first sixteen months of any four-year term of office, the person so chosen shall serve until the completion of the four-year term.

(c) The Role of the Council. The Common Council shall not have the power to fill any Vacancy in the Board of Education.

In every case, except the office of Mayor and where there is an election to fill a Vacancy, the Vacancy must be filled by an ~~elector~~Elector of the same political party from which the former incumbent was chosen.

C. Powers, Duties and Term of Replacement Public Official[119]. The person chosen to fill a Vacancy in accordance with the provisions of this Charter shall have all the powers and duties of the former incumbent of the vacant office and shall continue therein until the expiration of the term for which the incumbent was elected and until a successor is duly elected and qualified

§3-7. Temporary Absence or Disability of the Mayor[120].

In the event that the Mayor is temporarily absent or disabled and is, because of the absence or disability, unable to the perform the duties of the Mayor's office, the Council President, or in the President's absence or disability, the Council must designate a member who, shall exercise the authority and powers of the Mayor, except that until such absence or disability of the Mayor has continued for thirty Days, the acting Mayor will not have the authority to appoint or remove officers or employees. The compensation for the acting Mayor must be determined by the Council but shall in no event exceed in proportion the salary of the Mayor. The Council is required to provide, by Ordinance, a procedure for determining the absence or disability of the Mayor.

A. Notification by the Mayor[121]. In the event that the Mayor notifies the President of the Council of an inability to attend to the duties of office due to

(1) temporary absence from the City where the Mayor cannot comply with the contact requirement, set forth in §3-7.D, below or

[119] Title added 2023.
[120] NEW (2023).
[121] 2022 recodification and modification of current Chapter V, Sec. 4 (first sentence) derived from the election of 11-5-02

(2) temporary disability or sickness or other cause

the President of the Council, or, in the President's absence or disability, the member as the Council is required to designate, shall exercise the authority and power of the Mayor ("Acting Mayor"), except that until the absence or disability of the Mayor has continued for thirty Days, the Acting Mayor shall not have the authority to appoint or remove officers or employees.

B. Action by the Council: Evidential Determination. In the event the Mayor fails to notify the President of the Council pursuant to §3-7.A, above, the Council may initiate proceedings to determine the Mayor's inability to attend to or perform the duties of office due to a temporary absence from the City, by reason of temporary disability or illness, or other cause, at the call of the President of the Council or upon a petition filed by ten members of the Council, at a regular or special meeting called in accordance with Public Notice for that purpose. The Council determination of the temporary disability or absence of the Mayor must be approved by the affirmative vote of twelve members of the Common Council, in accordance with the following findings.

(1) In the event of an alleged temporary disability or illness, the Council must cause the Mayor to submit to examination by two physicians licensed to practice medicine in the State of Connecticut who is required to submit written reports to the Council as to the ability of the Mayor to carry out the duties of the Office of Mayor.

(2) If the examination substantiates the Mayor's inability to carry out the duties of the Office of Mayor, the Council must consider the findings and act accordingly. In the event the Mayor fails to submit the examinations, the Council, in consultation with the Corporation Counsel or in the event of a conflict, independent counsel, is required to act upon the best evidence as presented by competent authority.

(3) In the event of temporary absence, the Council actions must be based upon the best evidence as presented by competent authority.

(4) In all cases, these procedures may be further set forth by Ordinance or the Rules of the Council, in order to ensure procedural fairness and privacy concerns, taking into account the best interests of the City and the requirements of Law.

In the event the Council determines that a temporary disability or absence exists, the Town Clerk must declare a temporary Vacancy and the President of the Council is then required to exercise the authority and powers of Acting Mayor as set forth in §3-6.B(1~~) of the Charter,~~), above.

Commented [SGM17]: errata

C. Termination of the Temporary Vacancy. Termination of the temporary Vacancy due to absence shall be upon the Mayor's notification of a return to office to the

President of the Council. With respect to temporary disability or illness, the termination of the temporary Vacancy by change of condition must be confirmed by two physicians licensed to practice medicine in the State of Connecticut that the Mayor is physically and/or mentally able to carry out the duties of the Office of Mayor. Upon the filing of the reports to the Town Clerk, the Clerk must notify the President and members of the Common Council of the Mayor's ability to resume office.

D. Absence. Defined. In the event the Mayor is not able to be or remain in contact with the Chief of Staff~~, as set forth in §5.5.A and §8-2.A(1)(a),~~ and President of the Council by electronic or voice communications, the Mayor shall be deemed to be absent.

Commented [SGM18]: Errata

E. Procedural Ordinance: Sustained Absence. The Council must define, by Ordinance, a procedure for determining the existence of a sustained absence or disability, consistent with the standard set forth herein. The Ordinance must define the term "sustained absence" for the purposes of initiating a removal proceeding where there is a determination of incapacity to discharge the duties of office.

F. Compensation. Upon serving for thirty Days as Acting Mayor, the compensation for serving as Acting Mayor must be tendered in an amount equal to a diem rate calculated on the basis of the Mayor's salary as set forth in the budget in effect at the time of the Acting Mayor's service.

G. Status of the Council President. There is no Vacancy in the Office of the President of the Council when the President serves as Acting Mayor under this provision of the Charter.

§3-8. Expulsion of Councilmembers from Office: Restitution[122].

Any Councilmember who, while holding office, is found, after a public hearing, to have directly or indirectly taken or bargained for any fee or pecuniary consideration to influence a vote or action upon any Resolution or Ordinance pending in the Common Council, shall be ordered to pay to the City a penalty equal to the fee or pecuniary consideration received or bargained for, and shall, upon a two-thirds vote of the entire membership of the Council, be expelled from office.".

§3-9. Removal of Mayor for Misconduct or Neglect of Duty.

A. Commencement of Removal Proceedings[123]. At any meeting of the Council any member may commence a removal proceeding by giving written Public Notice, seconded

[122] 2023 recodification and edit of current Article IV. The Common Council. §1-197 (Fifth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.
[123] 2023 recodification and modification of current Article IV. The Common Council. §1-199 (First 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.

in writing by a majority of the entire membership of the Common Council, stating the member's intention to propose at the next meeting a Resolution removing the Mayor from office for (1) official misconduct, (2) neglect of duty, (3) those circumstances set forth in §2-2.B(39)(d), (e) or (f) or other permitted by Law or (4) such other grounds as may be established by Ordinance.

B. Content of Public Notice[124]. The Public Notice is required to specify particularly the acts of misconduct or the neglect of duty complained of and must be entered in the records of the Council, and the City Clerk is required to serve a copy thereof upon the Mayor, mail a copy to each member of the Council and file a copy with the Town Clerk.

C. Right to Be Heard[125]. At the next meeting of the Council the Mayor must have the right to be heard and present witnesses. The meeting may be adjourned from time to time as the Council may direct.

D. Council Action[126]. A roll call vote on the Resolution is required. If the resolution fails to receive an affirmative vote of two-thirds of the entire membership of the Council, if shall have no effect. If it receives the affirmative vote of two-thirds of the entire membership of the Council, the resolution shall become operative upon the service of a copy thereof upon the Mayor personally or by leaving the same at the Mayor's residence, and the office of Mayor must be deemed vacant.

E. Filling of Vacancy[127]. The Council must fill the Vacancy as provided in §3-6.B(1~~).~~), above.

Commented [SGM19]: Errata.

§3-10. Removal of Appointed Public Officials and Employees[128].

Except as otherwise provided in this Charter, any Appointed Public Official or employee may be removed for malfeasance in office, neglect of duty or other just cause by the Appointing Authority in accordance with the procedure set out herein.

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[124] 2023 recodification and modification of current Article IV. The Common Council. §1-199 (Second 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.

[125] 2023 recodification and edit of current Article IV. The Common Council. §1-199 (Third 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.

[126] 2023 recodification of current Article IV. The Common Council. §1-199 (Fourth, fifth and sixth sentences). 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.

[127] 2023 recodification of current Article IV. The Common Council. §1-199 (Seventh 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.

[128] 2023 recodification of current Article V, Part 1 – General. §1-222 (First sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

A. Notification[129]. The Mayor or other Appointing Authority as set forth in this Charter or the Ordinances is required to notify, in writing, the affected official or employee of the removal and of the reasons justifying the removal from office or employment.

B. Removal and Cessation of Salary[130]. An official or employee removed as aforesaid by the Mayor or other Appointing Authority as set forth in this Charter or the Ordinances must cease to discharge the functions of office and shall not receive any salary therefor unless reinstated on appeal.

C. Failure to File Appeal[131]. Thereupon, unless the affected official or employee files, in writing with the City Clerk, a request for a hearing before the Common Council within seven Days, the removal shall be final.

D. Filing of Appeal[132]. In the event a request for a hearing is filed as aforesaid, the Common Council is required to hear the appeal within thirty Days of the filing thereof.

E. Additional Reasons for Removal[133]. The Mayor or other Appointing Authority as set forth in this Charter or the Ordinances may specify additional reasons justifying the removal, but the additional reasons must be filed not later than two weeks prior to a hearing before the Common Council.

F. Right to Hearing Postponement[134]. The affected officer or employee shall have the right to be granted two postponements of the hearing, not in excess of one week each, by filing a request therefor with the City Clerk not later than twenty-four hours prior to the time appointed for the hearing.

G. Right to Counsel and Presentation of Witnesses: Executive Session. At the hearing the affected officer or employee shall have the right to (1) be represented by

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[129] 2023 recodification of current Article V, Part 1 – General. §1-222 (Second sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[130] 2023 recodification and edit of current Article V, Part 1 – General. §1-222 (Third sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[131] 2023 recodification of current Article V, Part 1 – General. §1-222 (Fourth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[132] 2023 recodification and edit of current Article V, Part 1 – General. §1-222 (Fifth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[133] 2023 recodification and edit of current Article V, Part 1 – General. §1-222 (Sixth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[134] 2023 recodification of current Article V, Part 1 – General. §1-222 (Seventh sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

counsel; (2) present witnesses; and (3) cross-examine any witnesses[135]. At the request of the affected officer or employee, the hearing shall be held in executive session (unless not permitted by Law); otherwise, the hearing shall be public[136].

H. Common Council Decision[137]. The decision of the Common Council must be rendered not later than two weeks after the conclusion of the hearing.

I. Appeal of Council Decision[138]. Any officer or employee whose dismissal has been confirmed by the Common Council after hearing as provided by this section may appeal from the order of dismissal to any Judge of the Superior Court.

(a) Service and Return Date. The appeal shall be made returnable not less than three nor more than six Days from the date of the confirmation of the dismissal by the Common Council and shall be served upon the City Clerk at least two Days before the time fixed for the hearing of the appeal.

(b) De Novo Hearing. The Judge, having given such further notice as may be deemed necessary, shall forthwith hear such case de novo and must dismiss or retain such appellant as deemed proper and may award costs, all in the discretion of the Judge.

J. Reinstatement by Judge[139]. If the appellant is reinstated by the Judge, the appellant may be paid from the date of dismissal until restored to duty as decided by the Judge, in the discretion of the court.

K. Effect of this Section on Collective Bargaining Employees[140]. Nothing contained herein providing for appeals shall be deemed applicable to employees who are members of bargaining units that are covered by the provisions of an applicable collective bargaining agreement addressing termination, removal or dismissal issues.

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[135] 2023 recodification of current Article V, Part 1 – General. §1-222 (Eighth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[136] 2023 recodification of current Article V, Part 1 – General. §1-222 (Ninth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[137] 2023 recodification of current Article V, Part 1 – General. §1-222 (Tenth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[138] 2023 recodification and edit of current Article V, Part 1 – General. §1-222 (Twelfth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[139] 2023 recodification of current Article V, Part 1 – General. §1-222 (Eleventh sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[140] 2023 recodification and modification of current Article V, Part 1 – General. §1-222 (Thirteenth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

L. Appointees serving under the direction of the Mayor Without a Prescribed Term of Office[141]. Appointees serving coterminous with or at the will or pleasure of the Mayor may be removed from office in the sole discretion of the Mayor, as set forth in §8-2.A(1) and (2) ~~.~~), below.

Commented [SGM20]: Errata.

M. Town Clerk, Chief of Police, Fire Chief, Fire Marshal, Building Officials and Other Officials Designated for Protection by the General Statutes[142]. The applicable provisions of the General Statutes must be taken into consideration with regard to the removal proceedings of the Town Clerk, Chief of Police, Fire Chief, Fire Marshal, Building Official and any other Officials designated for protection by the General Statutes.

§3-11. Removal of Any Other Public Official for Cause[143].

The Council may enact an Ordinance to provide for the removal of any other Public Official for cause whose removal is not otherwise provided for by this Charter.

§3-12. Oath for Elected Public Officers[144].

All Elected Public Officials shall be sworn or affirmed to the faithful discharge of their duties. The following oath shall be administered: "You _____ having been elected _____ of the City of Norwalk do solemnly swear (or affirm) that you will faithfully discharge the duties of the office, according to law." The oath may be administered by any duly constituted authority, or the Mayor may administer the same.

[141] NEW (2023).
[142] NEW (2023).
[143] 2023 recodification of current Article IV. The Common Council. §1-192 (second clause). Derived from Sp. Laws 1913, No. 352, § 82.
[144] 2023 recodification and edit of current Article III – Part 1. In General, §1-178. Derived from Sp. Laws 1913, No. 352, §59. Historical Editor's Note: See also § 1-221 for oath of officers appointed by Council.

ARTICLE IV: THE COMMON COUNCIL[145]

§4-1. Legislative Power[146].

A. The General Grant of Authority. The legislative power and authority of the City are vested in the Common Council. No enumeration of powers set forth in this Charter shall be deemed to limit the legislative authority of the Council as provided for in the General Statutes.

B. Repealed Special Act Provisions. The Charter that was in effect until the effective date of this Charter contained an enumeration of seventy-six powers, more or less, in §1-189 of the Prior Charter**.** The historical enumeration is replaced by the general grant of authority under §4-1.A, above; the provisions pertaining to additional authority and powers of the Council as set forth in §4-4; the General Statutes; and, as otherwise authorized by Law. This Charter also retains many of the Special Acts that formed the foundation of the governance of this City.

C. Powers and Authority of the Common Council with respect to the First, Second, Third, and Sixth Taxing Districts. The powers and authority of the Common Council with respect to these Taxing Districts are set forth in Article XII entitled "Taxing Districts."

§4-2. Officers of the Council.

A. Presiding Officer, Clerk, and President of the Council: Tie Vote.

(1) Role of the Mayor: Tie Vote[147]. The Mayor may preside at the meetings of the Council, and may vote only in case of a tie.

(2) Role of the City Clerk[148]. The City Clerk is the clerk of the Council.

(3) President of the Common Council[149]. At the beginning of each municipal term, the Council must elect from its members a President, for a term as

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[145] Historical editor's Note: See § 1-224 for salaries, §§ 1-219 to 1-223 for appointments by Council; § 1-220, for designation of duties for appointive officers. See also Ch. 9, Administration, Art. III.
[146] NEW (2023).
[147] 2023 recodification and edit of current Article IV. The Common Council. §1-196 (Second sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[148] 2023 recodification of current Article IV. The Common Council. §1-196 (Third sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[149] 2023 recodification of current Article IV. The Common Council. §1-196 (First clause of fourth sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.

may be established by the rules of the Council. The President must preside at meetings of the Council in the absence of the Mayor.

(4) Death, Resignation, Absence or Inability of Mayor to Perform Duties of Office. Role of the President[150]. In the event the President succeeds to the Mayoralty the provisions of §3-6.B(1) or §3-7, above, will apply.

Commented [SGM21]: Errata.

§4-3. Meetings and Procedures of the Council.

A. Rules of Procedure[151]. The Council must determine and adopt rules of its procedure at the commencement of the term of office.

(1) Quorum[152]. As defined in §2-2.B(30~~).~~), above.

Commented [SGM22]: ACTION ITEM #2.2: 042925

(2) Roll Call Votes[153]. A roll--call vote of the Common Council must be taken whenever the same is requested by any ~~members~~member[154].

Commented [SGM23]:

B. First Meeting of the Council[155]. Following the election of November 2025, the Mayor and Council are required to meet on the second Tuesday in January, following the election of the Council, for the purpose of making and confirming appointments.

C. Subsequent Meetings of the Council: Regular Meetings[156]. Thereafter, the Common Council must hold at least one regular meeting each month on a date established by Resolution of the Council and such additional regular meetings as it shall, by Resolution, determine. The minutes and records of regular meetings must be filed in a timely manner as required by Law.

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[150] 2023 recodification and revision of current Article IV. The Common Council. §1-196 (Second clause of fourth sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.

[151] 2023 recodification of current Article IV. The Common Council. §1-197 (Second sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.

[152] 2023 recodification of current Article IV. The Common Council. §1-197 (Third sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4. Historical Editor's Note: As to attendance of City Clerk, see § 1-235.

[153] 2025 revision of 4-3.A(2) which was a 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.

[154] 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.

[155] 2023 recodification and revision of current Article IV. The Common Council. §1-196 (First sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980; See also, §1-198 (First sentence), as follows: "The first meeting of each newly elected Common Council shall be held on the second Tuesday following each town and city election in the Town and City of Norwalk." Derived from Sp. Laws 1947, No. 211, § 3; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[156] 2023 recodification of current Article IV. The Common Council. §1-198. (Second sentence). Derived from Sp. Laws 1947, No. 211, § 3; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

D. Special Meetings[157]. The Council may be specially convened at any time by the Mayor or Council President on notice of at least twenty-four hours. Regular Council meetings must be held at the times fixed by the Council.

E. Public Meetings[158]. The Council meetings must be open to the public and the record of its proceedings must be available for public inspection[159].

§4-4. Authority and Power of the Council.

A. The Source of Legislative Authority[160]. The Common Council shall have the authority to take such actions as may be (1) necessarily or fairly implied in or incident to the powers expressly granted by Law, including, but not limited to the General Statutes and Special Acts and (2) necessary to enable it to discharge the duties and carry into effect the declared objectives and purposes of the City.

B. Legislative Actions[161]. By a Majority Vote of the Council unless otherwise set forth herein, subject to action by the Mayor as set forth in §4-8.D(1), above, the Council is authorized, in accordance with the general grant of authority to take the following legislative actions:

Commented [SGM24]: Errata.

(1) Enact, amend, alter, repeal and establish enforcement protocols for all Ordinances, Resolutions (including those required by the General Statutes) or other legislative actions pertaining to the governance of the City and the management of its business and to implement all of the powers set forth in this Charter and within the scope of municipal authority under Law, as set forth above, including but not limited

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[157] 2023 minor edit and recodification of current Article IV. The Common Council. §1-197 (First sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4. Historical editor's Note: Regular meetings are held on the second Tuesday of each month; see §1-198.

[158] 2023 Recodification of current Article IV. The Common Council. §1-199 (Eighth 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.

[159] 2023 repeal of current Article IV. The Common Council. §1-199 (Tenth 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. The following was repealed: "the Council may elect, appoint or discharge any officer, except the Mayor, in executive session, but no business other than that relating to appointments or removals from office shall be considered in executive session."

[160] NEW (2023)

[161] 2023 recodification in lien of current Article IV. The Common Council. §1-189 (Items (1) – (76). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3. Historical editor's Note: (1) See §§ 1-200 to 1-202 for power to borrow money. (2) Editor's Note: A resolution adopted 10-10-1989 reads as follows: Whereas Article IV, § 1-189, of the Code of the City of Norwalk authorizes the Common Council "to establish building lines beyond which no building, step, stoop, veranda, billboard, advertising sign or other structure may be erected," and over time the Council has established such setbacks; and Whereas these setbacks are in conflict with those that are established by the Zoning Regulations, the following resolution is recommended: Resolved by the Common Council that all building setback lines established by the Common Council are hereby repealed and the setback lines as defined in the Zoning Regulations, as amended, be adopted; and Be it further resolved that all structures that conform to the Council setback lines as they exist on this date are declared to be conforming and may be rebuilt in accordance with the Council setback should they be damaged by accident or natural disaster. See Art. XV, Streets, Sidewalks and Building Lines; Ch. 101, Streets and Sidewalks.

to the municipal powers[162] and other statutory authority as may be amended from time-to-time[163].

[162] Drafting Note Pertaining to the Municipal Powers Act. The following provisions of the current Charter are repealed because they are unnecessary due to the enactment of the Home Rule Act, including the provisions of the Municipal Powers Act: (a) finances and appropriations, including regulation of the mode of assessment and collection of taxes, authorized by C.G.S. §7-148(c)(2); (b) the acquisition, management and disposition of real and personal property authorized by C.G.S. §7-148(c)(3), in lieu of the current Charter language ""to manage and control the finances and property, real and personal, of the city" and "to regulate the sale, conveyance and transfer of city property;" (c) provision and management of public services, including, but not limited to police as authorized by C.G.S. §7-148(c)(1), in lien of the current Charter language ""to regulate and prescribe the duties of the police force in respect to criminal matters within said district; to establish and maintain suitable prisons or lockups within the limits of said city for confinement of all persons arrested, and such prisons shall be under such rules and regulations as the Council shall ordain;" (d) fire as authorized by C.G.S. §7-148(c)(4)(A) and (B), in lieu of the current language ""to erect and keep in repair all buildings necessary for the Fire Departments of the city" and to establish fire limits;" (e) entertainment and cultural activities as authorized by C.G.S. §7-148(c)(4(C) in lieu of current language "to regulate parades, processions, public assemblages, shows, and music in the public streets;" and, "to license and regulate sports, exhibitions, public amusements, and billiard and bowling rooms;" (f) public works, sewers, drainage as authorized by C.G.S. §7-148(c4)(H) and (6) in lieu of current language "to prohibit the depositing of any filth, garbage, or rubbish in any stream or on any highway or public or private grounds;" "to provide for public lighting of streets and to protect the same from injury;" and, "to sprinkle the streets of the city with water, oil, or other substance at the expense of the city, or by assessment as hereinafter provided;" (g) public utilities authorized by C.G.S. §7-148(c)(6)(b) in lieu of current language "to provide for public lighting of streets and to protect the same from injury; and "to regulate the erection and maintenance of lamp posts, telegraph, telephone, and electric light poles and conduits, wires, and fixtures;" (h) highways and streets authorized by C.G.S. §7-148(c)(6)(C) in lieu of current language "to regulate the width of all highways, streets, sidewalks, and gutters; to regulate excavations in streets, highways, and public grounds and the location of any work thereon, or the depositing of building materials on any sidewalk or highway, or the removal of buildings upon or through the same; to prohibit, regulate, or license the selling of wares and merchandise upon said streets, sidewalks, or public places;" "to regulate the laying of conduits, gas pipes, water pipes, and drains in the streets and highways;" "to regulate the planting, removal, care and preservation of trees in the public streets and parks; to prohibit the sale of newspapers upon the streets;" "to make, repair, clean, light, and keep open and safe for public use and travel, and free from encroachment and obstruction, the streets, highways, sidewalks, gutters, and public grounds (Editor's Note: See Art. XV, Streets, Sidewalks and Building Lines; Ch. 101, Streets and Sidewalks);" "to license and regulate public hacks, automobiles, and carriages, and the charges of hackmen, chauffeurs, public drivers, carmen and truckmen;" "to regulate the naming of public streets, the numbering of lots thereon, and the erection of banners or flags;" and, "to regulate coasting, sliding, and use of velocipedes, bicycles, and tricycles on the sidewalks;" (i) regulatory and police powers pertaining to buildings and adjuncts thereto authorized by C.G.S. §7-148(c)(7) and C.G.S. §7-148(c)(7)(A) and (C) in lieu of current language "to enforce the disuse, removal, or demolition of any such building or part thereof which may become unsafe"; "to provide safe and convenient means of egress in case of emergency from any building used by the public, and to prohibit the use of any building which may become unsafe by reason of insufficient facilities for egress or other causes;" "to regulate the use and occupation of all the city buildings;" "to regulate the mode of building, and determine materials to be used for building or altering of buildings"; "to grant permits for the moving, erection, addition to, repair, and enlargement of buildings; to regulate the heating of buildings, and cleaning of chimneys;" "to establish districts of said city within which it shall be unlawful to erect, elevate, enlarge, repair, or remove any wooden building, except by permission of said Council or a committee thereof;" "to regulate the erection, construction, repair, or use within said city of any building which by reason of its structure is or may become unsafe"; and, "to regulate or prohibit the placing of signs or awnings over sidewalks." (j) traffic as authorized by C.G.S. §7-148(c)(7)(B) in lieu of current language ""to regulate the speed of animals, vehicles, and cars in the streets." (k) public health and safety as authorized by C.G.S. §7-148(c)(7)(H) in lieu of current language "1) "to provide for raising, filling, and draining low lands and places in which mosquitoes breed, and the widening, deepening, or straightening of any streams within said city;" (2) "to provide for the health of the city; to prevent and abate every kind of nuisance;" (3) "to regulate the location, construction, and use of sinks, cesspools, pigpens, drains, sewers, and privies;" (4) " to compel the removal of nuisances injurious to health, or offensive or annoying to the public at the expense of the owners of the premises upon which said nuisances exist;" (5) "to regulate the moving of any manure, swill, night soil, or dead animals;" (6) "to regulate the carrying on of any trade, manufacture, or business prejudicial to public health or unreasonably annoying to those living or owning property within

(2) (a) Adopt the Operating and Capital Budgets, as provided in Article X of the Charter; (b) approve agreements, settlements and transactions creating a present or future obligation longer than twelve months in duration or a payment in excess of one hundred thousand ($100,000) dollars or the authorized limit otherwise established by Ordinance; (c) authorize the issuance of debt as provided for under Law and in Article X[164]; and (d) engage in legislative oversight and review of the operations of government, including financial matters[165];

(3) Create, merge, consolidate or eliminate (a) Divisions or Departments, unless otherwise required by this Charter, upon the request of the Mayor, as set forth in §4-5 and §8-1.C and D, above[166]. The powers of the Council shall apply to all Departments, including but not limited to all Departments in existence at the original effective date of this section, whether established by Charter, Special Act, or

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the vicinity;" (7) "to provide for the inspection of meat, vegetables, fish, produce, fruits, milk, and food of any kind exposed for sale in said city, and to prohibit the sale thereof when in such condition as to endanger public health;" and, (8) "to compel the closing of saloons and other places where spirituous and intoxicating liquors are kept and sold at such suitable hours during the night season as said Council may designate, and at such times and on such occasions as may be required by the public good; (9) "to license and regulate peddling and auctions upon the streets and sidewalks;" (10) "to preserve and care for public burial grounds and regulate the burial of the dead;" and, (11) "to regulate bathing in places exposed to public view." (i) animals as authorized by C.G.S. §7-148(c)(7)(D) in lieu of current language "(1) "to prevent cruelty to animals and inhuman sports;" and, (2) "to regulate or prohibit the running at large of all animals in said city." (m) nuisance, loitering, trespassing and vice as authorized by C.G.S. §7-148(c)(7)(E), (F), and (G) in lieu of current language: "to compel the owners or occupants of land and buildings to remove the snow and ice from the sidewalks in front of such land and buildings;" "to regulate the blowing of whistles and horns, and the ringing of bells;" "to prevent persons loitering on the streets, sidewalks and spaces between sidewalks and buildings, and in and about the entrance of buildings to the hindrance or annoyance of the public;" and "to preserve order, to prevent and quell riots and disorderly assemblages, to suppress gambling houses, houses of ill-fame and disorderly houses." (n) human rights, including fair housing; prohibited discriminatory practices as authorized by C.G.S. §7-148(c)(9)(A) and C.G.S. §7-148(c)(9)(B) in lieu of current language ""exercise the power to make, alter and repeal ordinances and bylaws relative to the care and support of the poor." (o) establishment of fees, fines, forfeitures, penalties and enforcement protocols as authorized by C.G.S. §7-148(c)(10)(A) and C.G.S. §7-148(c)(8) in lieu of current §1-191. Derived from Sp. Laws of 1913, No. 352, §81 and language ""to prescribe fines" and "penalties, and forfeitures for the violation of any ordinances, which penalties and forfeitures may be recovered by the Corporation Counsel in an action brought for that purpose in the name of the city before the town court or any other court having jurisdiction for the use of said city." In addition, the Municipal Powers Act includes items that are not in the current charter or recited elsewhere, such as corporate powers (C.G.S. §7-148(c)(1)); personnel,(C.G.S. §7-148(c)(5)) environmental protection and regulations (C.G.S. §7-148(c)(8)); adoption of a code of ethical conduct; (j) establishing and maintain free legal aid bureaus (C.G.S. §7-148(c)(10)(C)); performing fee-based data processing and related administrative computer services to another municipality (C.G.S. §7-148(c)(10)(D)); freedom of information ordinance and board (C.G.S. §7-148(c)(10)(E)); and, provides for due execution of contract and evidence of indebtedness of the City. (C.G.S. §7-148(c)(10)(F))

[163] 2023 recodification, revision and replacement of current Article IV. The Common Council. §1-189.2.A (Third sentence) and 1-189(1) – (76). Derived from Charter Amendment 11-3-1970.

[164] 2023 recodification and modification (Subsections (b) and (c) 2023) in lieu of current Article IV. The Common Council. §1-189 (Items (1) – (76), as follows: "to provide for the due execution of contracts and of evidences of indebtedness issued by said city."

[165] NEW (2023)

[166] 2023 recodification and revision of current Article IV, The Common Council. §1-189.2.A (First sentence). Derived from Charter Amendment 11-3-1970, by eliminating the following clause: "or the preservation of good order, peace, health and safety of the City and its inhabitants."*

Ordinance; and Ordinances enacted by the Council pursuant to this section shall supersede any prior inconsistent provisions of this Charter, Special Acts or Ordinances. The functions of the following Departments, Boards and Commission are exempted from this provision:

(a) any elected departments, agencies, commissions, authorities or boards, including those elected by Taxing Districts;

(b) Police Department;

(c) Fire Department;

(d) Planning and Zoning Commission;

(e) Board of Estimate and Taxation;

(f) Chief Financial Officer; and,

(g) Corporation Counsel [167].

Notwithstanding the foregoing, an affirmative vote of two-thirds of the entire membership of the Common Council is required to take any action authorized by this sub-section (3), and shall be subject to action by the Mayor as set forth in §4-8.D(1)), above[168].

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(4) Create, merge, consolidate or eliminate Boards or Commissions, either upon request of the Mayor or upon its own motion, in accordance with Article VII[169] Notwithstanding the foregoing, an affirmative vote of two-thirds of the entire membership of the Common Council is required to take any action authorized by this sub-section (4), and shall be subject to action by the Mayor as set forth in §4-8.D(1)), above[170].

Commented [SGM27]: Errata.

[167] 2023 recodification and modification of current Article IV. The Common Council. §1-189.2.B Derived from Charter Amendment 11-3-1970.
[168] 2023 recodification and modification of current Article IV. The Common Council. §1-189.2.D. Derived from Charter Amendment 11-3-1970. The following provision is repealed: ""Protection of the Holders of Debt. In taking action under this section, the Council shall adopt appropriate provisions protecting the interests of any holders of debt which may have been issued by any administrative department affected by such action of the Council, prior to any ordinance enacted pursuant to this section, and the Council shall also adopt appropriate provisions regarding future issuance of debt instruments," derived from The Common Council. §1-189.2.C, derived from Charter Amendment 11-3-1970.
[169] 2023 recodification and revision of current Article IV, The Common Council. §1-189.2.A (First sentence). Derived from Charter Amendment 11-3-1970, by eliminating the following clause: "or the preservation of good order, peace, health and safety of the City and its inhabitants."*
[170] 2023 recodification and modification of current Article IV. The Common Council. §1-189.2.D. Derived from Charter Amendment 11-3-1970. The following provision is repealed: ""Protection of the Holders of Debt. In taking action under this section, the Council shall adopt appropriate provisions protecting the interests of any holders of debt which may have been issued by any administrative department affected by such action of the Council, prior to any ordinance

(5) Approve or disapprove Mayoral appointments or the nominees of other Appointing Authorities, if any, to (a) Boards and Commissions; and, (b) Department Heads and other Mayoral Executive-Level Appointees in the manner set forth in Articles VII and VIII;

(6) Remove the Mayor or other Public Official or expulsion of Councilmembers in the manner set forth in Article III;

(7) Undertake public improvements and prescribe the form of proceeding and mode of assessing benefits and appraising damages in taking land for public use as the time and manner in which the benefits assessed shall be collected[171];

(8) License, regulate, or prohibit the manufacture, keeping, sale, or use of fireworks, torpedoes, fire crackers, gun powder, petroleum, or other explosive or inflammable substances, and the conveyance thereof[172];

(9) Regulate the discharge of fire arms[173];

(10) Provide the mode for keeping and auditing the accounts of the City and adjusting claims against the City[174];

(11) To fix the salaries[175], approve the salary ranges and compensation for officers and employees of the City and to prescribe the general duties of the officers and employees[176],

(12) Provide a public seal[177];

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enacted pursuant to this section, and the Council shall also adopt appropriate provisions regarding future issuance of debt instruments," derived from The Common Council. §1-189.2.C, derived from Charter Amendment 11-3-1970.

[171] 2023 recodification and edit of current Article IV. The Common Council. §1-189 (thirty-first clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.

[172] 2023 recodification of current Article IV. The Common Council. §1-189 (twenty-fifth clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.

[173] 2023 recodification of current Article IV. The Common Council. §1-189 (twenty-sixth clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.

[174] 2023 recodification of current Article IV. The Common Council. §1-189 (sixth clause). Derived from Sp. Laws 1913, No. 352, §80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.

[175] 2023 recodification of current Article IV. The Common Council. §1-189 (sixth clause). Derived from Sp. Laws 1913, No. 352, §80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.

[176] 2023 recodification of current Article IV. The Common Council. §1-189 (sixth clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.

[177] 2023 recodification of current Article IV. The Common Council. §1-189 (sixtieth clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.

(13) Prescribe the amount of bonds to be given by City officers or employees and to confer upon the officers of the City all proper authority to enable them to discharge their duties[178];

C. Historical Powers of the Common Council[179]. The Council retains the following historical powers:

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[178] 2023 recodification of current Article IV. The Common Council. §1-189 (first clause). Derived from S Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3. Repeal of the following: (1) regulate (a) the storing and hiring of lumber (current Article IV. The Common Council. §1-189 (twenty-eighth clause) Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3); (b) weights and measures (current Article IV. The Common Council. §1-189 (fifty-fourth clause); and (c) protect public buildings, property, and structures from injury (current Article IV. The Common Council. §1-189 (Fifty-seventh clause) derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, §3)

[179] 2023 recodification of current Article IV. The Common Council. §1-189 (Items (1) – (56). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3. Historical editor's Note: (1) See §§ 1-200 to 1-202 for power to borrow money. (2) Editor's Note: A resolution adopted 10-10-1989 reads as follows: Whereas Article IV, § 1-189, of the Code of the City of Norwalk authorizes the Common Council "to establish building lines beyond which no building, step, stoop, veranda, billboard, advertising sign or other structure may be erected," and over time the Council has established such setbacks; and Whereas these setbacks are in conflict with those that are established by the Zoning Regulations, the following resolution is recommended: Resolved by the Common Council that all building setback lines established by the Common Council are hereby repealed and the setback lines as defined in the Zoning Regulations, as amended, be adopted; and Be it further resolved that all structures that conform to the Council setback lines as they exist on this date are declared to be conforming and may be rebuilt in accordance with the Council setback should they be damaged by accident or natural disaster; and (3) See Art. XV, Streets, Sidewalks and Building Lines; Ch. 101, Streets and Sidewalks. The following provisions were repealed: "to maintain an efficient police force in the Fourth Taxing District at the expense of the district…to protect the City from fire; to maintain a Fire Department in the Fourth Taxing District and to provide apparatus therefor…to purchase necessary fire engines, hose carriages, horses, and other fire apparatus at the expense of the Fourth District; to make rules and regulations for the safekeeping and preservation of all apparatus connected with and used by the Fire Departments…to provide for the collection, removal, and disposal of garbage, ashes, and refuse in the Fourth Taxing District at the expense of the district. Also repealed are historic powers of the Council as to streams, current (1) Article IV. The Common Council., §1-203, derived from Sp. Laws 1913, No. 352, §135. Historical Editor's Note: For powers of Council see § 1-189; (2) A Article IV. The Common Council., §1-425. Derived from Sp. Laws 1913, No. 352, §8; (3) Article XV, Part 1. General. Historical Editor's Note: Refer also to Ch. 101, Streets and Sidewalks; and (4) Article IV. The Common Council. §1-204 (Second and third sentences). Derived from Sp. Laws 1913, No. 352, §136. Historical Editor's Note: For powers of Council see § 1-189. Also repealed are provisions pertaining to "street, sidewalks and building lines," as follows: (1) current Article XV, Part 1. General. Historical Editor's Note: Refer also to Ch. 101, Streets and Sidewalks; (2) current Article XV, Part 1. General, §1-424. Derived from Sp. Laws 1913, No. 352, §112; (3) current Article XV, Part 1. General, §1-425. Derived from Sp. Laws 1913, No. 352, §8; and, (4) current Article XV, Part 1. General, §1-426. Derived from Sp. Laws 1913, No. 352, §123. Historical editor's Note: See Ch. 101, Streets and Sidewalks, § 101-3. Also repealed are provisions pertaining to ice and snow, as follows: current Article XV, Part 1. General, §1-427. Derived from Sp. Laws 1913, No. 352, §124; Sp. Laws 1915, No. 367, § 8. Historical editor's Note: See Ch. 101, Streets and Sidewalks, § 101-17. Also repealed are provisions pertaining to "Laying Out, Altering, Extending or Discontinuing Streets, Sidewalks and Building Lines," as follows: (1) current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing. Historical editor's Note: See Ch. 101, Streets and Sidewalks; (2) current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing, §1-438. Derived from Sp. Laws 1913, No. 352, §113; (3) current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing, §1-439. Derived from Sp. Laws 1913, No. 352, §114; Sp. Laws 1915, No. 367, §7; (4) Editor's Note: As to building lines in the Fourth Taxing District, see § 1-15, supra; and, (5) Historical Editor's Note: See § 1-363. Also repealed are provisions pertaining to "Sewers and Sewerage Disposal," as follows: current Article XVI, 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: §§ 1-459 through 1-466, Sp. Laws 1929, No. 219, §§ 1 to 8; § 1-467, Sp. Laws 1931, No. 366; §§ 1-468 through 1-471, Sp. Laws 1931, No. 23, §§ 1 to 4; § 1-472, Sp. Laws 1931, No. 539; §§ 1-473 through 1-478,

(1) to authorize the Mayor, upon a Majority Vote of the Council, to borrow in the name of the City, and upon the responsibility of the Fourth or Fifth Taxing District, as the case may be, for the purpose of paying the running expenses of the City, money in anticipation of the collection of taxes[180];

(2) to define, designate and specify additional territory situated in the Fourth or Fifth Wards of the City, as set forth in §12-1.B, above, to be included at any time hereafter in the Fourth Taxing District thereof; to regulate the construction, erection and maintenance of billboards, advertising signs and other structures; to establish building lines beyond which no building, step, stoop, veranda, billboard, advertising sign or other structure may be erected[181];

(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~~proposes 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.

~~(a)~~(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

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Sp. Laws 1947, No. 524, §§ 1 to 6; §§ 1-479 through 1-483, Sp. Laws 1949, No. 178, §§ 1 to 5. 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.

[180] Historical editor's Note: (1) See §§ 1-200 to 1-202 for power to borrow money.

[181] Editor's Note: A resolution adopted 10-10-1989 reads as follows: Whereas Article IV, § 1-189, of the Code of the City of Norwalk authorizes the Common Council "to establish building lines beyond which no building, step, stoop, veranda, billboard, advertising sign or other structure may be erected," and over time the Council has established such setbacks; and Whereas these setbacks are in conflict with those that are established by the Zoning Regulations, the following resolution is recommended: Resolved by the Common Council that all building setback lines established by the Common Council are hereby repealed and the setback lines as defined in the Zoning Regulations, as amended, be adopted; and Be it further resolved that all structures that conform to the Council setback lines as they exist on this date are declared to be conforming and may be rebuilt in accordance with the Council setback should they be damaged by accident or natural disaster.

Superior Court ~~as conferred by §13-3~~, as derived from the Special Act[182]; as set forth in subsection (c), below[183].

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(c) Appeal[184]. 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)~~(4) whenever in its opinion the Health Director shall require, to compel the owners of property abutting on any street or highway wherein a public sewer is laid to connect any and all buildings on such property with such public sewer and when any order is made by the Council requiring such owner to connect the owner's building or buildings with such sewer, the Clerk of the City, if the owner is a resident of the City, shall make service of said order upon such owner by leaving with the owner or at the owners usual place of abode a true copy thereof; but if such owner is not a resident of said city service of the order shall be made upon the owner by the Clerk by leaving a true copy thereof with the agent of said owner or the person in charge of said premises; and in case such owner shall neglect or refuse to connect the building or buildings

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~~[182] 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.~~

[183] 2025 recodification of §4-4.C(3) in to §4-4.C(3)(a) and (b) which is derived from the 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.

[184] 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.

with such sewer within the time limited therefor by said order, the owner or other person shall be fined One Hundred Dollars[185].

§4-5. Reorganization Plans for Divisions and Departments[186].

A. The Mayor may initiate a divisional and departmental reorganization by proposing an Ordinance, subject to an affirmative vote of two-thirds of the entire membership of the Common Council, as set forth in §8-1.D, above[187]. The reorganization plan may include Divisions and Departments created by Charter.

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(1) Alteration of Divisions and Departments Created by Charter. The delineation of divisional and departmental categories in this Charter are obligatory; however, the structure of the named Divisions and Departments may be altered pursuant to a reorganization plan. In this respect, any divisional or departmental categories may be reorganized and Department Heads may be reassigned (unless otherwise prohibited by Law or agreement) to other Divisions.

(2) Limitation of Reorganization Plan: Opinion of the Corporation Counsel. The reorganization plan is subject to the limitation that all governmental functions set forth in this Charter must continue to be provided to the residents of the City; unless such function has been eliminated as the result of a repealed Federal or State mandate or not otherwise deemed not to be in the best interest of the City to continue. Moreover, any reorganization plan must include specific reference to the divisional and departmental function(s) set forth in this Charter that will be carried out in the reorganization and must include an opinion of the Corporation Counsel verifying that the functional requirements of the Charter will be maintained in the reorganization plan.

§4-6. Grants and Leases of Real Estate: Council Approval and Mayoral Signature[188]**.**

All grants and leases of real estate belonging to the City authorized by the Council must be signed by the Mayor and sealed with the City seal.

§4-7. Additional Council Authority.

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[185] 2023 recodification of current Article XVI, Part 1. General, §1-458. Derived from Sp. Laws 1913, No. 352, §1338. Historical Editor's Note: For exclusion of certain territory refer to § 1-17.
[186] NEW (2023)
[187] 2023 recodification of current Article IV. The Common Council. §1-189.4 (Fifth sentence). Added by Charter Amendment 11-3-1970. New language in lieu of the following: "approval of the Mayor as set forth in §191 of the Charter (1956 Edition), §1-197 (1970 Edition). This section shall take effect on January 1, 1971."
[188] 2023 recodification of current Article IV. The Common Council. §1-195. Derived from Sp. Laws 1913, No. 352, §84.

A. Council Appointments[189]. All appointments to office or to any position when the appointing power is vested with the Council, which necessarily includes all appointments not otherwise conferred upon the Mayor, must be made by a plurality of votes passed in the Council, the Mayor having a vote only in case of a tie.

B. Designation of Duties for Appointive Officers[190]. The duties of all Appointed Public Officials not in this Charter particularly designated must be prescribed by the Council.

C. Compensation Fixed by Council. The compensation of all officers and employees of the City of Norwalk shall be fixed by the Council, in accordance with applicable collective bargaining agreeme nts, except the salary of the Councilmembers, ~~which~~who shall ~~be set at~~receive no less than Six Hundred ($600) Dollars per annum[191]. ~~In accordance with the General Statutes any proposed increase in the~~ and such additional compensation ~~of the members of the Common Council must be subject to confirmation~~as may be permitted by ~~Referendum[192] at the next regular election[193].~~Law[194].

Commented [SGM32]: CRC Approved 01212025

§4-8. Procedure for Enacting Ordinances and Other Legislative Actions.

A. Procedure[195]. All Ordinances must be submitted to the Common Council, referred to the appropriate Committee and reported back to the Council, unless assigned by the President to the Committee of the Whole.

B. Required Public Hearing as to Ordinances[196]. Before the Common Council adopts any Ordinance, the Council or a committee thereof must hold a Public Hearing in relation thereto, at which all persons shall have an opportunity to be heard.

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[189] 2023 recodification and minor edit of current Article V, Part 1 – General. §1-219. Derived from Sp. Laws 1913, No. 352, §75. Historical Editor's Note: See also § 1-223.

[190] 2023 recodification of current Article V, Part 1 – General. §1-220. Derived from Sp. Laws 1913, No. 352, §76.

~~[191] 2023 recodification of current Article V, Part 1 – General. §1-225. Derived from Sp. Laws 1913, No. 352, §172; Charter Amendment 9-2-1980. Historical Editor's Note Approved by the electorate at the general election held 11-4-1980.~~

~~[192] **Comment of the 2023 Charter Revision Commission:** At the time of the adoption of this Charter the statute governing the alteration of legislative compensation is C.G.S. §7-460.~~

~~[193] NEW (2023).~~

[194] 2025 revision of the 2023 recodification of then Article V, Part 1 – General. §1-225. Derived from Sp. Laws 1913, No. 352, §172; Charter Amendment 9-2-1980. Historical Editor's Note Approved by the electorate at the general election held 11-4-1980. **Comment of the 2025 Charter Revision Commission:** At the time of the adoption of this Charter the statute governing the alteration of legislative compensation is C.G.S. §7-460. There are provisionbs of the State Constitution that address the frequency of compensation adjustments

[195] NEW (2023)

[196] 2023 recodification and modification of current Article IV. The Common Council. §1-191.1.A (First sentence). Amended by Charter Amendment 9-
2-1980. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.

(1) Public Notice[197]. Public Notice of the time and place of such Public Hearings, together with a copy of the proposed Ordinance, must be posted or published as required by Ordinance, in accordance with the provisions of this Charter or as may otherwise be required by the General Statutes, not more than fifteen nor less than seven Days prior to the date of such Public Hearing.

(2) Post-Hearing Modifications of Ordinance[198]. The Common Council or any of its committee may, after the Public Hearing, make such changes or alterations in the form or content of a proposed Ordinance as seems appropriate or necessary as a result of the Public Hearing held in connection therewith. Such changes, additions or alterations does not require further Public Hearing.

(3) Emergency Ordinances[199]. The provisions of this section do not apply to Ordinances which are designated by the Common Council as emergency in nature and requiring immediate action.

C. Procedures for Resolutions, Orders, Motions, Votes and Other Legislative Actions. The Common Council must establish rules of procedure for the adoption of Resolutions and other legislative actions, including, but not limited to, orders and motions.

D. Transmittal of Council Actions to the Mayor[200]. Every proposed Ordinance, or Resolution mandated by the General Statutes requiring executive action, must be transmitted to the Mayor ("Legislative Measure(s)"). Any legislative action pertaining to the organization of the Council, to its own officers or employees, to the removal of the Mayor or to the declaration of a Vacancy in the office of Mayor is not subject to action by the Mayor.

(1) Mayoral Action.

(a) Approval or Veto[201]. The Mayor must either: (i) approve the Legislative Measure within six Days, in which case it will become operative and effectual or, (ii) veto (disapprove) the same and return it to the Council within six Days, accompanied by specific statement of objections, in writing.

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[197] 2023 recodification and modification of current Article IV. The Common Council. §1-191.1.A (Second and third sentences). Amended by Charter Amendment 9-2-1980. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[198] 2023 recodification of current Article IV. The Common Council. §1-191.1.B. Amended by Charter Amendment 9-2-1980. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[199] 2023 recodification of current Article IV. The Common Council. §1-191.1.C. Added by Charter Amendment 8-13-1974. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-5-1974.
[200] 2023 recodification and modification of current Article IV. The Common Council. §1-197 (First clause of the sixth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.
[201] 2023 recodification and modification of current Article IV. The Common Council. §1-197 (First clause of the sixth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.

(b) Failure to Take Action[202]. If the Mayor refuses or neglects to approve or disapprove any Legislative Measure, transmitted under this section within six Days after its reception, such measure shall become operative and effectual as though approved by the Mayor, subject to the provisions of §4-10.

(2) Council Reconsideration: Override of Mayoral Veto[203]. After such statement of objections has been read, the Council must proceed to reconsider its vote on such measure. If, after such reconsideration, the Council again passes it by a recorded affirmative vote of not less than two-thirds of the entire membership of the Council, it shall become operative and effectual without the approval of the Mayor; subject to the provisions of §4-10, above.

Commented [SGM33]: Errata.

E. Publication of Ordinances; Effective Date[204]. No Ordinance will take effect until the same has been published as required by the General Statutes nor until the lapse of the time for filing a petition under the provisions of §4-10, above.

Commented [SGM34]: Errata.

§4-9. Audit of Accounts[205].

A. Appropriation of funds to defray expenses of Audit[206]. The Board of Estimate and Taxation[207] of the City of Norwalk is required to appropriate funds sufficient to defray the expense of the annual audits provided for by this provision.

B. Accounts; Reports to Council. Between August 15th and September 15th of each year, the Board of Estimate and Taxation must appoint an accountant or a firm of accountants to conduct an audit of the accounts and transactions of the City of Norwalk for the fiscal year commencing the previous July 1st. On or before the regular Council meeting in January, the accountant or accountants employed is required to report in writing to the Common Council the results of the examination. The accountant or firm of accountants may make interim reports to the Common Council and the Board of Estimate and Taxation at any time before completion of the final audit.

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[202] 2023 recodification and edit of current Article IV. The Common Council. §1-197 (Ninth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.
[203] 2023 recodification of current Article IV. The Common Council. §1-197 (Seventh and eighth sentences). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.
[204] 2023 recodification and modification of current Article IV. The Common Council. §1-193. Derived from Sp. Laws 1913, No. 352, § 83. Amended by Charter Amendment 9-2-1980. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[205] 2023 recodification of current Article V, Part 8. Audit of Accounts. Historical Editor's Note: See §§ 1-239 to 1-241.
[206] 2023 recodification of current Article V, Part 8. Audit of Accounts, §1-285. Derived from Sp. Laws 1945, No. 316, §1.
[207] Historical Editor's Note: As to the Board of Estimate and Taxation in general, see Art. VI.

C. Accountant Qualifications[208]. The accountant or accountants shall be certified as may be required by the General Statutes and must have practiced accountancy in the State for at least five years immediately preceding the appointment.

§4-10. Referendum Procedure ("Petition for Overrule"): Matters Subject to Referendum; Procedure[209].

Any provision of this Charter to the contrary notwithstanding, every Ordinance hereinafter enacted and every exercise of authority of the Common Council, Board of Estimate and Taxation, or any other Board or Commission, except as otherwise prohibited by the Acts of the General Assembly, the Constitution of the State of Connecticut or the Constitution of the United States, or as exempted in accordance with §4-10.~~K(3I(7)~~ herein below, shall be subject to Referendum, as defined, which results shall be binding upon the Common Council, Board of Estimate and Taxation, or any other Board or Commission which enacted the Ordinance or exercised the authority which is the subject of the Referendum action[210].

Commented [SGM35]: Errata.

A. Upon a petition of not less than ~~eight~~four percent of the ~~electors~~Electors of the City of Norwalk qualified to vote in the previous general election filed, in accordance with this provision of the Charter, with the City Clerk asking that any such Ordinance or exercise of authority be submitted to the voters of the City, such Ordinance or exercise of authority shall be so submitted[211].

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B. No Ordinance or other exercise of authority shall be subject to referendum unless, within seven Days of the time that the Ordinance is passed or exercise of authority is taken, a written request including the particular question or proposal to be subject to referendum is filed by at least ~~five electors~~four Electors of the City of Norwalk, duly notarized, for the issuance of forms of petition for the referendum with the City Clerk, together with a fee of twenty-five dollars[212].

Commented [SGM37]: CRC Approved 04012025

C. Within three Days of the receipt of a request in accordance with §4-10.B above, the City Clerk shall cause to be prepared a form of petition for referendum in at least five hundred copies, each of which shall be marked with the Seal of the City of Norwalk, and shall notify by registered mail the ~~electors~~Electors named in the aforesaid request for petition forms

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[208] 2023 recodification and modification of current Article V, Part 8. Audit of Accounts, §1-287. Derived from Sp. Laws 1945, No. 316, §3,

[209] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669. Derived from Charter Amendment 8-8-1974(I); Charter Amendment 8-17-1976;[2] Charter Amendment 11-5-1996.). Historical Editor's Note I: Approved by the electorate at the general election held 11-5-1974. Former §1-669, originally part of Article XXII, Extension of Fire Protection, was repealed by Charter Amendment of 11-3-1970, effective 7-1-1971. Historical Editor's Note II: Editor's Note: Approved by the electorate at the general election held 11-2-1976. § 1-670. through § 1-671. (Reserved) Editor's Note: Former §§ 1-670 and 1-671, originally part of Article XXII, Extension of Fire Protection, were repealed by Charter Amendment of 11-3-1970, effective 7-1-1971..

[210] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.6

[211] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.1

[212] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.2

that such petition forms are available in the office of the City Clerk. The petition forms shall be available at the office of the City Clerk on the Day that the notice is mailed as hereinbefore provided and shall be released by the City Clerk upon demand at that time or any time thereafter to any of the ~~electors~~Electors referenced in §4-10.B ~~hereinabove~~, above[213].

D. No Ordinance or exercise of authority shall be subject to referendum unless, within twenty-five Days of the mailing of notice in accordance with §4-10.C, above, there shall be returned to the City Clerk as a lot by any of the named ~~electors~~Electors of the aforesaid request for petition, the petition forms containing the signatures, with addresses, of ~~eight~~four percent of the ~~electors~~Electors of the City of Norwalk on the petition forms requesting such referendum issued by the City Clerk[214].

E. Role of the City Clerk.

(1) Question or Proposal. The City Clerk shall cause the question or proposal to be reprinted on each petition form as submitted by the ~~electors~~Electors in their written request for the issuance of petition forms pursuant to §4-10.B above, except that the City Clerk may rephrase or remove any language which is ambiguous, misleading, scandalous, libelous, repetitive, presents the question or proposal in an outlandish or impractical form, is inconsistent with §4-10.E(2) hereof, or is otherwise contrary to law; but in no event shall the City Clerk rephrase or remove any language in such a manner which could contravene, defeat, vary or evade the clearly expressed purpose and intent of any question or proposal so submitted which may lawfully be the subject of referendum under the provisions of this Article, the General Statutes and the Constitution of the State of Connecticut[215].

(2) Capital Budget, Operating Budget or Any Other Appropriation or Part Thereof. When the question or proposal to be reprinted concerns the Capital Budget, Operating Budget, any other appropriation, or any part thereof, the question or proposal may either (i) call for disapproval of the Capital Budget, Operating Budget, any other appropriation or any part thereof, or (ii) specifically state whether the Capital Budget, Operating Budget, any other appropriation or any part thereof is to be decreased by a specified dollar amount or percentage. If the question or proposal as submitted by the ~~electors~~Electors in their written request for the issuance of petition forms pursuant to §4-10.B above specifically states whether the Capital Budget, Operating Budget, any other appropriation or any part thereof is to be decreased by a specified dollar amount or percentage, the City Clerk shall specifically and clearly state such dollar amount or percentage of decrease in the question or proposal reprinted on the petition forms[216].

Commented [SGM38]: Errata.

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Commented [SGM40]: CRC Approved 04012025

[213] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.3
[214] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.4
[215] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.5.a
[216] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.5.b.

(3) The City Clerk shall cause to be reprinted on each petition form the question or proposal in accordance with the provisions of §4-10.E(1) and (2), above, which shall be followed by sufficient lines for the signatures and addresses of twenty ~~electors~~Electors. Below the lines the City Clerk shall cause to be reprinted on the petition forms language substantially as follows:

The undersigned ~~elector~~Elector of the City of Norwalk hereby attests that[217]:

(a) Each person whose name appears on this page personally signed the same in my presence[218].

(ii) Each person whose name appears on this page is either personally known to me or satisfactorily identified himself or herself to me[219].

I recognize that the above statements are made by me subject to the penalties for false statement.

Signature of circulator

Names and address of circulator (to be typed or printed)

F. Certification of Petitions to the City Clerk by the Town Clerk. The Town Clerk shall review all petition forms returned hereunto within five business Days of their receipt by the City Clerk and shall certify to the City Clerk[220]:

(1) The number of validated signatures necessary to equal the signatures of eight percent of the ~~electors~~Electors of the City[221].

(2) The number of valid signatures on each page of the petition forms. The City Clerk shall then, within two Days of the receipt of the petition forms from the Town Clerk, issue a statement by registered mail addressed to the ~~electors~~Electors named in the request for petition forms pursuant to §4-10.B above either (a) verifying the timely receipt of the petition forms in proper order containing the signatures of eight percent of the ~~electors~~Electors of the City ~~of Norwalk~~; or, (b) issuing a statement that such petition forms were not timely received by the City Clerk or were not in proper order or contained less than the signatures of eight percent of the ~~electors~~Electors of the City[222].

Commented [SGM41]: Scrivener's Edit

[217] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.5.c.
[218] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.5.c.1.
[219] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.5.c.2.
[220] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.7
[221] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.7.a.
[222] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.7.b.

(3) No action shall be taken pursuant to any Ordinance or exercise of authority subject to referendum under this Article until seven Days shall have passed after the adoption of such Ordinance or after the taking of the decision to exercise authority as aforesaid. In the event that a request is received by the City Clerk in accordance with §4-10.B above, no such action shall be taken until the City Clerk shall have issued a statement pursuant to §4-10.G, above. In the event that the City Clerk issues a statement verifying the timely receipt of petition forms in proper order containing the signatures of eight per cent of the ~~electors~~Electors of the City ~~of Norwalk~~, then no such action shall be taken until the referendum election on such Ordinance or exercise of authority is held and the Ordinance or exercise of authority is upheld; provided, however, that any Ordinance or exercise of authority designated as an emergency measure by the municipal authority so acting shall be fully and immediately effective unless and until disapproved at a referendum election[223].

Commented [SGM42]: Scrivener's Edit

G. Verification of Timely Receipt of Petition Forms.

(1) In the event that the City Clerk issues a statement verifying ~~the timely receipt of petition forms in proper order containing the signatures of eight~~four percent of the ~~electors~~Electors of the City ~~of Norwalk~~ as provided in §4-10.G~~A~~ , above, then within three Days of the date on which the statement verifying the petition forms is deposited in the mail, the Common Council shall meet and determine the date of the referendum and shall instruct the City Clerk to issue Public Notice[224] according to this Charter or the General Statutes; provided, however, in the case of a special election, such Public Notice shall be issued by the City Clerk within three Days after instruction by the Common Council[225].

Commented [SGM43]: CRC Approved 04012025

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(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 Notice[226] therefor ~~by publishing a notice thereof in a newspaper having general circulation in the City of Norwalk.~~in accordance with the requirements of §2-2.B(29),above. 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 ~~notice~~Public

[223] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.8.
[224] In lieu of "warning."
[225] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.9.a
[226] In lieu of "warning."

Notice thereof therefor in ~~a newspaper having a general circulation in~~accordance with the ~~City or Norwalk~~requirements of §2-2.B(29)[227].

H. No question or proposal shall be approved unless, at the election at least twenty-five percent of the ~~electors~~Electors of the City ~~of Norwalk~~ cast a ballot with respect to such question or proposal[228] and the majority of such Electors vote to approve the question or proposal.

I. Effect of Referendum.

(1) Every referendum pursuant to this Article and any question or proposal approved by the ~~electors~~Electors of the City ~~of Norwalk~~ shall be binding, final and mandatory upon the Common Council, Board of Estimate and Taxation, or any other City Board or Commission which enacted the Ordinance or exercised the authority which is the subject of the referendum action, unless the same has been exempted in accordance with §4-10.~~K(3)~~I(7), above[229].

(2) If, upon the official determination of the result of such referendum, the question or proposal has been approved by the electors, such question or proposal shall take effect forthwith[230].

(3) Whenever the question or proposal so voted upon concerns the Capital Budget, Operating Budget, or any other appropriation or any part thereof and the question or proposal as submitted by the electors in their written request for the issuance of petition forms pursuant to §4-10.B, above, specifically provided whether the Capital Budget, Operating Budget, any other appropriation or any part thereof is to be decreased by a specified dollar amount or percentage, the decrease shall take effect forthwith; provided, however, that the appropriate municipal authority shall meet within three Days of the referendum to determine in what manner the mandated decrease of the dollar amount or percentage shall be effected, unless the manner of the implementation of the decrease is otherwise provided for in the question or proposal so approved, in which event no such meeting shall be required[231].

(4) Whenever the electors of the City of Norwalk approve any question or proposal at any referendum requiring the Operating Budget to be decreased, the Board of Estimate and Taxation shall meet within three Days and shall lower the mill rate in accordance with the decrease. Nothing herein shall be interpreted as requiring any action by the Board of Estimate and Taxation in order for the decrease to take

Commented [SGM46]: Scrivener's Edit

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Commented [SGM48]: Scrivener's Edit

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[227] 2025 revision of §4-10.G(2) which is derived from the 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.9.b
[228] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.10
[229] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.a.
[230] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.b.
[231] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.c.

effect forthwith. As to the manner of the implementation of the exercise of the decrease, the provisions of §4-10.~~J~~I(3), above, shall apply[232].

Commented [SGM51]: Errata

(5) In the event that a referendum is held and the Capital Budget, Operating Budget, any other appropriation or any part thereof submitted to the electorate in the referendum shall be disapproved, but the question or proposal as submitted by the electors in their written request for the issuance of petition forms pursuant to §4-10.B, above did not specifically provide whether the Capital Budget, Operating Budget, any other appropriation or any part thereof is to be decreased by a specified dollar amount or percentage, then within three Days after the election the Board of Estimate and Taxation shall hold a Public Hearing on the appropriations and shall make such alterations or adjustments therein and shall decrease the tax rate to correspond to such changes as are appropriate to reflect the wishes of the electors; provided, however, that the Board of Estimate at such meeting shall not approve any increase in total appropriations above the amount provided for in the disapproved budget, appropriation or part thereof[233].

(6) Notwithstanding any other provision hereof, if two or more conflicting questions or proposals shall be approved by the electors at the same referendum election, the question or proposal receiving the greatest number of affirmative votes shall prevail in all particulars as to which there is a conflict, so long as such question or proposal has met the requirements of §4-10.~~I~~G,above[234].

Commented [SGM52]: Errata.

(7) Notwithstanding any other provision hereof, any appropriations fixed by the Board of Estimate and Taxation pursuant to §4-10.~~J~~I (3) – (5)), above, shall be final, and the actions taken by the Board of Estimate and Taxation pursuant to those sections shall be exempt from any further referendum as to the actions[235].

Commented [SGM53]: Errata.

J. Miscellaneous.

(1) Each paragraph, subparagraph and each provision of each paragraph and subparagraph of this Article shall be separable, and the invalidity of any portion of any paragraph, subparagraph or any provision of any paragraph or subparagraph shall not affect the validity or enforcement of any other portion. Should any provision be found to be invalid as to any circumstance, such provision shall apply to all other circumstances to which such provision may lawfully apply[236].

(2) Should any provision of this §4-10 conflict with any other provision of any other section of this Article, or any other Article of this Charter, the provision of §4-10 shall apply, be considered supreme, and supersede such other provision,

[232] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.d
[233] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.e.
[234] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.f.
[235] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.g
[236] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.12.a.

unless such other provision specifically states that it is exempt from the application of this §4-10[237].

[237] 2023 recodification of current Article XXII. “Referendum Procedure,”. §1-669.12.c.

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ARTICLE V: THE MAYOR

§5-1. Authority of the Chief Executive Officer[238].

At each general municipal election, a Mayor shall be chosen by the Electors of the City. The Mayor shall be the chief executive officer of the City and, as such, the executive and administrative powers of the City are vested in the Mayor[239]. The Mayor shall receive compensation as set by the Council and must devote full time to the duties of the office.

§5-2. Powers and Duties of the Mayor.

The Mayor shall have the authority to take such actions (1) necessarily or fairly implied in or incident to the powers expressly granted by Law, including, but not limited to, the General Statutes and Special Acts; and, (2) essential to the declared objects and purposes of the City, not simply convenient, but indispensable[240]. In addition to those powers and duties and as further specified elsewhere in this Charter, the Mayor shall:

A. Take care that the Laws, including the Ordinances, be faithfully and vigilantly executed and enforced[241].

B. (1) Preside at all meetings of the Council following notice of the time and place of holding of meetings and may attend the Council Committee meetings, but shall have no vote therein, except in the case of a tie as set forth in §4-2.A(1)[242]; (2) Recommend the adoption of such measures connected with the peace, security, health, cleanliness, and general well-being of the City, and the improvement of its government and finances as the

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[238] 2023 recodification and modification of current Article V, Part 2 – Mayor. 1-226 (First sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.

[239]2023 modification of current Article V, Part 2 – Mayor. 1-229, Derived from Sp. Laws 1913, No. 352, §64. Historical Editor's Note: See § 1-216 for powers and duties of Selectmen. In lieu of the following: "All duties required by law of Selectmen of towns, except such as are imposed upon them by the constitution of the state, shall be performed by the Mayor except as otherwise herein provided.'.

[240] Among the duties and powers of the Mayor in the current charter that are repealed are the following: (1) the ability to exercise the powers of Sheriffs and to call out military forces of the state to enforce the laws of the City as set forth in current Article V, Part 2 – Mayor. 1-226 (Ninth sentence), derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201; (2) power to issue warrants for the collection of taxes, etc… as set forth in current Article V, Part 2 – Mayor. 1-226 (Fifth sentences), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201: (3) serve as Superintendent of Police Forces and conservator fo the peace of the City as set forth in current Article V, Part 2 – Mayor. 1-226 (Sixth and seventh sentences), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201; (4) the ability to enter any house, building, place or enclosures for assorted reasons as set forth in current Article V, Part 2 – Mayor. 1-226 (Eighth sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.

[241] 2023 recodification and modification of current Article V, Part 2 – Mayor. 1-226 (First sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.

[242] 2023 recodification of current Article V, Part 2 – Mayor. 1-226 (Second sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.

Mayor deems expedient, and, (3) Communicate to the Council at the end of each fiscal year a statement of the condition of the City in relation to its government, expenditures, finances, and improvements, which statement must be entered upon the records of the City within five Days after its reception, and published in such manner as the Council shall order[243].

C. Execute contracts and other papers on behalf of the City[244].

D. Administer oaths and take acknowledgments of deeds and other instruments[245].

E. Employ attorneys, other than the Corporation Counsel, in matters affecting the interest of the City, and all services rendered to the City by such attorneys shall be paid for in the same manner as other claims against the City, in the event the Mayor deems it necessary, subject to the consent of a Majority Vote of the Council[246].

F. Assign members of the clerical staff of any department, except that of the Board of Education, to work temporarily in any other department under the direction of the head thereof, when in the judgment of the Mayor needs of the City service require such assignment[247].

G. Serve as an ex officio voting member of the Board of Estimate and Taxation, Police Commission, and Fire Commission as set forth in §7-2.A, B and C[248].

§5-3. Mayoral Appointments[249].

A. The Mayor upon the commencement of the term of office shall, except as

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[243] 2023 recodification of current Article V, Part 2 – Mayor. 1-226 (Tenth sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.
[244] 2023 recodification and edit of current Article V, Part 2 – Mayor. 1-226 (Third sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.
[245] 2023 recodification and edit of current Article V, Part 2 – Mayor. 1-226 (Fourth sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.
[246] 2023 recodification and modification of current Article V, Part 2 – Mayor. 1-230, Derived from Sp. Laws 1913, No. 352, §66.
[247] 2023 recodification of current Article V, Part 2 – Mayor. 1-232, Derived from Sp. Laws 1945, No. 269.
[248] NEW (2023).
[249] 2023 recodification and modification of (1) current Article V, Part 1 – General. §1-218. Derived from Sp. Laws 1913, No. 352, §74. Historical Editor's Note: See § 1-227 for powers and duties of appointive officers, in lieu of the following: "All officers required by law to be appointed by towns and by Selectmen of towns, not herein otherwise provided for, shall, on and after the first (1st) Monday of October, 1913, be appointed by the Mayor, subject to confirmation by the Council;" and (2) current Article V, Part 2 – Mayor. 1-227 (First sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978, in lieu of the following: "The Mayor of the City of Norwalk to be elected at the city election to be held on the Tuesday after the first (1st) Monday in November 1979, and each Mayor elected biennially thereafter, shall make all appointments to city offices as provided by this Charter on the Day of his taking office as Mayor."

otherwise provided in this Charter:

(1) Appoint, subject to §7-1.B, all members of all vacancies on Boards and Commissions created pursuant to the General Statutes, this Charter or Ordinance.

(2) Appoint, subject to §8-2.A(1) – (4), the Division Chiefs, Department Heads and Other Mayoral Executive-Level Appointees, except as otherwise provided in this Charter or collective bargaining agreement, and such other officers and employees of the City as this Charter or an Ordinance of the Council consistent therewith may provide.

B. This provision shall not apply to Elected Officials who are Department Heads[250]. Nothing in this section shall deprive the Council of the power of confirming any appointments for offices when Confirmation by the Common Council is required by the Charter or Ordinances[251].

§5-4. Organization of the Office of the Mayor[252].

A. Appropriations. The Mayor may appoint a Chief of Staff (or equivalent position) in accordance with §8-2.A(1), and such other clerical staff and assistants for which sufficient funds must be appropriated in the Operating Budget.

B. Division Chiefs. The Mayor may appoint as employees of the City, except as otherwise provided by this Charter, Division Chiefs as set forth herein. The Division Chiefs must have professional qualifications in their applicable field, including, but not limited to, economic and community development, community and human services, public administration and operations, infrastructure and public works, public safety or public finance. The Division Chiefs are required to aid the Mayor in the carrying out of the Mayor's duties as chief executive and administrative officer of the City. The qualifications for the Division Chiefs must be prepared in accordance with nationally accepted professional standards and best practices in the applicable field and must be updated prior to the appointment of a new Chief.

§5-5. City Clerk.

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[250] NEW (2023).

[251] 2023 recodification of current Article V, Part 2 – Mayor. 1-227 (Fifth sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. The following language from current Article V, Part 2 – Mayor. 1-228, derived from Sp. Laws 1933, No. 255, has been repealed: "The Mayor of the City of Norwalk may, with the approval of any appointive or elective officer of said City, appoint a person to perform all the duties and exercise all the powers of such office during such time as such officer shall be incapacitated by illness or absence from said City. Such appointee shall furnish an adequate bond for the performance of such duties. The Mayor shall notify such appointee of his release from such appointment upon notice from such officer of his ability to resume his duties."

[252] NEW (2023).

A. Appointment, Term, and Salary of City Clerk[253]. Upon the commencement of the term of office, the Mayor shall appoint the City Clerk, subject to the approval of the Common Council, §8-2.A(1). The salary of the City Clerk must be set by Ordinance.

B. Duties of the City Clerk[254]. The Clerk of the City shall also be Clerk of the Council, and must keep and maintain records of all the votes and proceedings of the City, and of the Council. Moreover, the Clerk is required to:

(1) cause the Ordinances to be published as required by the General Statutes;

(2) cause to be served by the City Sheriff or other proper officer all Public Notices or orders of the Council and enter upon the records the return of such service;

(3) issue over the signature of the Clerk such licenses and permits as may be granted by the Council or prescribed by this Charter and the Ordinances, and keep a record of the licenses and permits;

(4) collect the money due for such licenses or permits and pay the same to the City, in accordance with the financial procedures of the City;

(5) collect all such bills as the Council may order, and account for the same to the Mayor and other Public Officials, as directed by the Mayor;

(6) perform all such duties as may be required by this Charter or by any vote or Ordinance of the Council;

(7) maintain a record of all amendments to this Charter and all Ordinances;

(8) keep the Office of the Clerk open at such hours as directed by the Mayor and/or the Council;

(9) serve as Clerk of the Board of Estimate and Taxation; thereby responsible for keeping true records of all the votes and proceedings of the Board, which records must be, at all times, open to public inspection and preserved in the records of the City[255]; and,

(10) serve as the Clerk of the Board of Assessment Appeals.

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[253] 2023 recodification of current Article V, Part 3 – City Clerk §1-233. Derived from Sp. Laws 1947, No. 208, §1; Charter Amendment 9-2-1980. Historical Editor's Note: Approved by the electorate at the general election held 11-4-1980.
[254] 2023 recodification and edit of current Article V, Part 3 – City Clerk §1-234. Derived from Sp. Laws 1913, No. 352, § 67. Historical Editor's Note: See also § 1-217
[255] Historical Editor's Note: See § 1-289, Mayor as ex officio member of Board of Estimate and Taxation; Board in general.

All records of the Clerk shall have the same validity as records of Town Clerks and shall be treated in all courts as evidence of the truth of the matters therein contained, and a duly certified copy of any such records shall be received in all courts as evidence of the same validity as the original record[256].

C. Assignment of City Clerk Duties by Mayor[257]. In addition to the duties prescribed in the existing provisions of the Charter, the City Clerk shall perform such duties as are assigned by the Mayor. In the absence of the Mayor and President of the Council, the City Clerk must attend all meetings of all Boards and Commissions of which the Mayor is a member or an ex officio member, but at such meetings the Mayor or any Public Official attending in the absence of the Mayor shall have no vote.

D. Appointment of Assistant City Clerk[258]. The Council may at any time appoint an Assistant Clerk who shall provide administrative assistance to the Council under the direction of the President, and shall, in the absence or in case of the disability or death of the Clerk, perform all the duties of the Clerk. All records and acts of the assistant shall have the same validity as the records of the Clerk.

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[256]Historical Editor's Note: For custody of City Seal, see Ch. 7, General Provisions, § 7-10.
[257] 2023 recodification of current Article V, Part 3 – City Clerk §1-235. Derived from Sp. Laws 1947, No. 208, §2.
[258] 2023 recodification of current Article V, Part 3 – City Clerk §1-236. Derived from Sp. Laws 1913, No. 352, §68.

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ARTICLE VI: OTHER ELECTED OFFICIALS

§6-1. Town Clerk.

A. There shall be a Town Clerk as required by the General Statutes and as set forth in this Charter[259].

B. Powers and Duties[260] The Town Clerk shall have all the powers and duties[261] prescribed by the General Statutes and this Charter and such other powers and duties as may be prescribed by the Council.

(1) Registrar of Vital Statistics[262]. The Town Clerk also serves as Registrar of Vital Statistics, unless otherwise set forth by the General Statutes[263].

(2) General Responsibilities. The Town Clerk supervises the processing, interpreting, indexing and recording of all land transactions, vital statistics, and official documents. The Clerk is also custodian of the Town Seal and Registrar of Vital Statistics Seal. Moreover, the Town Clerk is responsible for the following services and functions, unless otherwise specified by Law.

(a) Public Information. Creating procedures for the public to review public records and documents and providing technical information and assistance to title searchers, attorneys, and members of the public. Moreover, the Clerk is responsible for responding to general inquiries of the public.

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[259] NEW (2023).
[260] 2023 recodification and restatement of current Article V, Part 1 – General. §1-217. Derived from Sp. Laws 1913, No. 352, §73.
[261] NEW (2023). Some of the responsibilities of the Town Clerk are set forth in C.G.S. Title 7, Chapter 92. This is not the exhaustive list. (1) § 7-16. Bond (Repealed); (2) § 7-16a. Notice to Secretary of the State of appointment of town clerk, vacancy in appointed office of town clerk; (3) § 7-17. Oath of town clerks; (4) § 7-18. Neglect of duty (Repealed); (5) § 7-19. Assistant town clerks. Notice to Secretary of the State of appointment, vacancy; (6) § 7-20. Acting town clerk; (7) § 7-21. Town clerk pro tempore; (8) § 7-22. Removal of town clerks; (9) § 7-22a. Certification program for town clerks; (10) § 7-23. Records and copies; (11) § 7-24. Recording of instruments; safekeeping of records; recording of illegible instruments; (12) § 7-25. Index; (13) § 7-25a. Electronic indexing system; (14) § 7-26. Errors to be corrected; (15) § 7-26a. Indemnification of clerk with respect to claims arising out of land record errors; (16) § 7-27. Municipal records to be kept in fire-resistive vaults or safes; (17) § 7-27a. Destruction of original land records or instruments; (18) § 7-27b. Removal of Social Security number from document prior to recording on land records; (19) § 7-28. Indexing of mechanic's lien; (20) § 7-29. Release or assignment of mortgage or lien; (21) § 7-30. Attachment of real estate; (22) § 7-31. Maps of surveys and plots, filing requirements, copies; (23) § 7-32. Index of surveys and maps; (24) § 7-32a to 7-32j. Reserved for future use; (25) § 7-32k. Property upon which hunting or shooting sports regularly take place. Placement of property location on list maintained by town clerk. Notice. Liability not imposed by section; (26) § 7-33. Lists of transfers of taxable property; (27) § 7-33a. Issuance of certificates of authority of justices of peace, notaries and Superior Court Commissioners; (28) § 7-34. Fees; (29) § 7-34a. Fees; (30) § 7-34b. Accounting of fees required. Salary in lieu of fees; (31) § 7-35. Preservation by town clerks of statutes, special acts and Register and Manual; (32) § 7-35a. Off-site storage of original documents. Requirements; (33) § 7-35b to 7-35z.
[262] NEW (2023).
[263] C.G.S. §7-37 entitled “Town clerk, ex-officio registrar. Notice to Secretary of the State of appointment of registrar, vacancy in appointed office of registrar”.

(b) Election Activities. Coordinating election activities with the moderators of General and Special elections; including the supervision of the preparation, issuance, receipt, and processing of absentee ballots.

(c) Licensing and Permits. Managing the issuance of various licenses and permits.

(d) Record and Reporting Functions. Maintaining financial records for receiving fees in order to track or index and calculate recording fees, conveyance taxes for deed transfers, land maps and, trade name certificates. The Clerk is also responsible for preparing daily, monthly, and annual reports to State Departments of Environmental Protection, Health, and Revenue Services and required reports for the Secretary of the State.

(e) Administration. Preparing and administering the budget as well as the collective bargaining agreement and personnel rules for members of office staff.

(f) Oath of Office. Administering oath of office to elected and appointed officials.

(3) Assistants and Employees[264]. The Town Clerk shall appoint and may remove all assistants[265] and employees of this office.

(4) Compensation[266]. The Town Clerk's compensation and benefits shall be determined by the Common Council from time-to-time.

(5) Fees[267]. All fees collected by the Town Clerk must be paid to the City, except as otherwise provided by the General Statutes.

(6) Certification[268]. For the purpose of achieving best practices and the highest professional standards in the conduct of Public Meetings, the Town Clerk is required, upon eligibility, to participate in the certification program for town clerks, as set forth in the General Statutes.

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[264] NEW (2023).
[265] The appointment and vacancies in the office of such assistants shall be subject to notification as required by the General Statutes. (C.G.S. Sec. 7-19).
[266] NEW (2023).
[267] NEW (2023).
[268] NEW (2023). See, C.G.S. §7-22a entitled "Certification program for town clerks" is not mandatory: "(b) any person may participate in the course of training….and upon successfully completing any examination…. shall be recommended to the secretary of the state as a candidate for certification as a certified Connecticut town clerk".

§6-2. Registrars of Voters[269].

A. Powers and Duties[270]. There shall be Registrars of Voters who shall have the powers and duties as are conferred or imposed on them by the General Statutes and the provisions of this Charter. Among other duties, the Registrars of Voters are responsible for the following:

(1) Creating and maintaining the official Voter Registry List, lists of enrolled party members and voting records documenting who voted.

(2) Preparing maps showing voting locations and state and local district and precinct boundaries and updating the maps following redistricting and reapportionment.

(3) Acting together to conduct all elections, prepare official checklists of voters, obtain ballots, test tabulating and other equipment, hiring and appointing poll workers, training election officials and poll workers, overseeing accurate counts and submitting accurate results.

(4) Storing and maintaining all election equipment and supplies, used ballots, and archival records; setting-up of the polling places; ensuring proper reporting of voting totals during the election period; conducting post-election audits and recounts as required.

(5) All other duties imposed upon Registrars by Law or this Charter.

B. Council May Make Ordinances and Fix Compensation[271]. The Common Council may make Ordinances to regulate the meetings and elections and to provide for holding and conducting the same.

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[269] 2023 recodification of current Article III – Part 2. Registrars of Voters. §1-186. Derived from Sp. Laws 1951, No. 334, §4. Also, 2023 recodification of current Article III – Part 2. Registrars of Voters [Editor's Note: See § 1-172 for compensation; §§ 1-179 to 1-181 for duties with respect to voting precincts and polling places; § 1-217, for powers and duties generally. See also, Ch. 9, Administration, Art. IV]; see also, §1-183 through 1-184 (Reserved). Editor's Note: Former §§ 1-183, 1951 election, and 1-184, Term of office for Registrars of Voters, Sp. Laws 1951, No. 334, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

[270] 2023 recodification of current Article III – Part 2. Registrars of Voters. §1-187. Derived from Sp. Laws 1951, No. 334, §5. See also, See, C.G.S. §9-190 entitled "Registrars of voters". See also, C.G.S. §9-189a entitled "Four-year terms for town clerks, registrars and treasurers"

[271] 2023 recodification and edit of current Article III – Part 1. In General, §1-172. Derived from Sp. Laws 1913, No. 352, §54; Sp. Laws 1921, No. 355, §1. Historical editor's Note: See also § 1-185

C. Compensation [272]. The Common Council shall fix the compensation of the Registrars and their assistants and of the Presiding Officers, box tenders, check clerks and counters.

D. Operational Standards[273]. The Registrars of Voters shall operate in accordance with nationally accepted professional standards as they aspire to best practices and provide the Electors of the City with assistance on a non-partisan basis.

E. Establishment of Precincts and Voting Places.

(3) Voting Precincts[274]. The Registrars of Voters shall, subject to approval by the Common Council, at least one hundred and twenty Days prior to any general election, establish and designate suitable voting precincts, if practicable, within the established Council Districts. Each Council District shall be entitled to at least one such voting precinct and each voting precinct shall have a separate voting place.

(4) Voting Places[275]. The Registrars of Voters shall have the authority to designate the voting places (and set up voting accommodations at public buildings (including any and all public schools). All public buildings used as polling places shall include electrical power for lighting and use of electronic equipment, internet access, water, HVAC, and parking necessary to make the building useable for voting.

(5) Precinct Voting Lists[276]. The Registrars shall compile separate voting lists for each precinct so established and designated.

§6-3. Powers and Duties of Constables[277].

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The powers and duties of the Constables shall be those conferred and imposed upon such officers of towns under the General Statutes.

§6-4. Sheriff: Authority and Duties[278].

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[272] 2023 recodification and revision of current Article III – Part 1. In General, §1-172. Derived from Sp. Laws 1913, No. 352, §54; Sp. Laws 1921, No. 355, §1. Historical editor's Note: See also § 1-185. The following language was repealed: "provided each Registrar of the First and Second Voting Districts shall receive not less than $2,000 annually and each Registrar of the Third Voting District not less than $125 annually as compensation for their services as the Registrars."
[273] NEW (2023)
[274] 2023 recodification and edit of current Article III – Part 1. In General, §1-179. Derived from Sp. Laws 1945, No. 134, §1. Historical Editor's Note: See also §1-3 for earlier provision.
[275] 2023 recodification and edit of current Article III – Part 1. In General, §1-180. Derived from Sp. Laws 1945, No. 134, §2.
[276] 2023 recodification of current Article III – Part 1. In General, §1-181. Derived from Sp. Laws 1945, No. 134, §3.
[277] 2023 recodification and modification of current Article V, Part 1 – General. §1-217. Derived from Sp. Laws 1913, No. 352, §73. Note: City and Clerk and Registrars of Voters were deleted from this provision.
[278] 2023 recodification of current Article V, Part 1 – General. §1-214. Derived from Sp. Laws 1913, No. 352, §71. Historical Editor's Note: For election provision refer to § 1-166.

The Sheriff shall, within the limits of the City, have the same authority, both criminal and civil, and be subjected to the same liabilities and penalties as Constables of towns. The Sheriff shall serve Public Notices of the Council when directed by the Clerk, and shall collect such bills and assessments as the Council may order, and shall receive for all services rendered the legal fees provided by the General Statutes for Constables of towns[279].

[279] 2023 recodification of current Article V, Part 1 – General. (1) The Selectmen: §1-215 derived from Sp. Laws 1947, No. 215, Historical Editor's Note: For election provision refer to § 1-166 and §1-216 derived from Sp. Laws 1913, No. 352, §72; and (2) The Treasurer, Article V, Part 4 – Department of Finance, §1-246 entitled "City Treasurer". Added by Charter Amendment 8-29-1978, §11. Editor's Note: Approved by the electorate at the general election held 11-7-1978.

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ARTICLE VII: BOARDS AND COMMISSIONS

§7-1. General Requirements for Appointed Boards and Commissions.

A. Creation of Boards and Commissions[280]. In addition to those Boards and Commissions established by this Charter, the Common Council shall by Ordinance establish the Boards and Commissions of the City.

(1) The Role of Boards and Commissions[281]. The primary purpose of a Board or Commission is to serve the residents of the City in carrying out the policy, advisory and/or quasi-judicial or regulatory functions under its charge. Boards and Commissions serve as a conduit for citizen participation and input by gathering, analyzing and acting upon such information in order to meet the specific objectives as set forth under this Charter, Ordinances, or other source of legal authority.

(2) The Public Interest[282]. Members of Boards and Commissions are required to understand the role and scope of responsibility and be informed of the objectives and operating procedures of the Board of Commission to which they are appointed. Members should represent the public interest and not personal interests or special interest groups and seek to render decisions on the basis of what is best for the residents of the City. Furthermore, members should take care that deliberations include thorough research and review of all alternatives on an issue prior to making a recommendation.

(a) Regulatory Functions. In the case of members of regulatory Boards and Commissions, decisions should be evidence-based taking into account the interests of the public and fairness to the parties based upon application of the Law and any other pertinent documents.

(b) Departmental Policy and Administrative Functions. In the case of members of Boards and Commissions aligned with a Division or Department**,** members serve as a communication link between the community, staff, and City regarding programs and recommendations and provide a channel for citizen expression. Members should establish a strong working relationship with Department Heads and other executives; however, at all times, members represent the public interest as opposed to the specific department interests under their jurisdiction. This is particularly true when a Board or Commission has an oversight function.

(3) Open Meetings[283]. The objective of Norwalk's open government policy

[280] NEW (2023).
[281] NEW (2023).
[282] NEW (2023).
[283] NEW (2023).

is to achieve optimal public accessibility at all Meetings, while continuing to evolve as State policies and laws advance. All Meetings of Boards and Commissions must be held in public and conducted in strict compliance with the requirements of the General Statutes; unless otherwise permitted or required by Law[284]. In furtherance of this objective, all Boards and Commissions are required to utilize all technology provided by the City so that in-person, remote[285] or hybrid interactions[286] may be offered to the public at every meeting, wherever practicable. The City must continue to migrate toward ensuring that optimal technologies are available to all Boards and Commissions to achieve the objective of public accessibility.

B. Administrative Requirements of Boards and Commissions[287]. All Boards and Commissions established by this Charter or by Ordinance are required to comply with the following requirements:

(1) Number of Members and Terms[288]. 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 be less than two years nor exceed a term of four years, that latter of which may be staggered[289].

(2) Required ~~Ordinance~~ Provisions[290]. ~~Any such Ordinance~~ Applicable to all Boards and Commissions[291]. All Boards and Commissions must make ~~provision~~provisions 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;

(b) The keeping of records and posting of agendas as required by Law[292];

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

~~(d)~~(c) Public access, comment and interaction (including, but not

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Commented [SGM57]: ACTION ITEM #2.4: 042925 (REPEAL §7-1.B(2)(c) PERTAINING TO MINORITY PARTY REPRESENTATION SINCE IT IS ADDRESSED IN §7-1.B(7).

[284] At the time of adoption of this Charter amendment the applicable provision was C.G.S. §1-200(2) and (6).
[285] **Comment of the 2023 Charter Revision Commission:** Remote meetings are entirely "virtual." There is no in-person component. At the time of the adoption of this Charter state law requires an accommodation for "remote" meetings; seem, P.A. 22-3.
[286] **Comment of the 2023 Charter Revision Commission:** A "hybrid meeting" is one which utilizes electronic or telephonic equipment in conjunction with an in-person meeting. These meetings are governed by C.G.S. §1-225a.
[287] NEW (2023).
[288] NEW (2023).
[289] NEW (2025)
[290] ~~NEW (2023).~~
[291] 2025 revision of §7-1.B(2) which was approved in 2023.
[292] 2025 repeal of §7-1.b(2)(c) pertaining to minority party representation since it is addressed in §7-1.b(7).

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)~~(d) 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 §7-1E(2~~).~~), unless otherwise set forth by Ordinance[293].

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(3) Quorum. As defined in §2-2.B(30). .

(4) Meeting Frequency and Public Notice[294]. Each Board or Commission is required to meet as frequently as necessary to perform its duties, however, not less than monthly; unless otherwise permitted by Ordinance. Meetings may be cancelled by disclosing to the public the reason for the cancellation through Public Notice; notwithstanding the foregoing, Boards or Commissions must not cancel Meetings for two consecutive months. Failure to obtain a quorum is not deemed a violation of this provision of the Charter[295]. The Chair, any two members or the Mayor may call a Meeting of any appointive Board or Commission, provided each member and the public is given Public Notice of not less than twenty-four hours thereof, unless otherwise required by Law.

(5) Clerical Assistance[296]. The Mayor must make certain that each Board or Commission has staff assigned to assist the members in the conduct of their meetings and public business.

(6) Public Records[297]. Each clerk is required to (a) keep a complete record of the Resolutions and other proceedings of the Board or Commission; and, (b) maintain custody of its correspondence, files and other records. All minutes and recordings of Meetings must be filed and preserved with the City Clerk, in accordance with the requirements of the General Statutes, this Charter and any applicable Ordinances. All the records must be open for public inspection at reasonable hours; and available for public review and inspection, in formats that will be accessible and durable, including on the City website, if practicable or if required by Law.

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[293] 2025 recodification and revision of §7-1.B(2)(e).
[294] NEW (2023).
[295] NEW (2023).
[296] 2023 recodification and modification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-300 (Derived from Sp. Laws 1935, No. 455, §4.) pertinent to all Boards and Commissions and in lieu of the following: "The Commission may employ clerks for its own work and the clerical work of the Police Department, and may pay their salaries."
[297] NEW (2023).

(7) Political Composition: Minority Party Representation[298]. Unless otherwise required by the General Statutes or as otherwise set forth in this Charter, the political affiliation of the members and alternate members of all appointed Boards or Commissions must comply with the requirements of the General Statutes with respect to minority party representation. This provision applies to all Boards or Commissions established or required by this Charter or established by Ordinance.

(8) Compensation Prohibited[299]. Except as otherwise set forth in this Charter or by Ordinance, members of any appointed Board or Commission are not entitled to receive compensation for services as a member.

C. Appointment[300]. Except as otherwise provided by the General Statutes or this Charter, all members or alternate members of Boards or Commissions are to be appointed by the Mayor as set forth in this Charter, subject to approval by a Majority Vote of the Council. All Board or Commission members shall serve until the completion of their respective terms or until their successors have been appointed and qualified.

D. Vacancy[301]. Unless otherwise set forth in the General Statutes or in this Charter, in the event of a Vacancy on any Board or Commission, whether established by Charter or Ordinance, a successor must be appointed by the Mayor, subject to approval by the Common Council as set forth in §7-1.C, for the balance of the unexpired term.

(1) Resignation: Effective Date[302]. The effective date of a Vacancy caused by resignation is the date the City Clerk notifies the Mayor or other Appointing Authority of the resignation and Vacancy. The date must be filed and recorded in the records of the City Clerk's office. A resignation may be effectuated if an oral statement is made on the record of the Board or Commission and the approved minutes of the Meeting in question are transmitted to the City Clerk by the Chair.

(2) Notice to the Mayor of Vacancy Due to Resignation. The City Clerk is required to send notice of any Vacancy to the Mayor (or other Appointing Authority) and the President of the Common Council within four business days of receipt or knowledge. The Clerk must record the date of the notice as set forth in this section.

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[298] NEW (2023). Note: This provision memorializes the applicable state law: C.G.S. § 9-167a entitled "Minority representation".
[299] NEW (2023).
[300] 2023 recodification of current Article V, Part 2 – Mayor. 1-227 (Second sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[301] 2023 restatement and recodification of (1) current Article VI pertaining to the Board of Estimate and Taxation §1-288 (Third and fourth sentences); (2) current Article V, Part 7 pertaining to the Tax Commissioners and Board of Relief §1-271 (Fourth sentence); and (3) 2023 recodification of current Article V, Part 2 – Mayor. 1-227 (Third sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[302] NEW (2023).

E. Removal[303]. 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) ~~if required by~~in the absence of an Ordinance ~~in~~by the rules of the Board or Commission[304];

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(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.

F. Elector Requirement: General Rule[305]. Except as otherwise provided by Ordinance, no person may serve on a Board or Commission unless the person is an Elector of the City. If any person who is a member of a Board or Commission ceases to be an Elector of the City, the person shall thereupon cease to hold appointive office in the City. Failure to resign shall be grounds for removal under §7-1.E(5).

G. Representation on Boards and Commissions[306]. The Mayor and other appointing authorities are required to consider appointments to ensure that, to the fullest extent possible, the composition of Boards and Commissions reflect the diversity of the residents and the geographic areas of the City.

K. **Administration of Boards and Commissions[307].** The Mayor must, with the assistance of the City Clerk, develop policies governing the general administration of Boards and Commissions. The following issues must be addressed by the policies: (1) assignment of an administrator responsible for retaining and organizing the records pertaining to the appointment of Board and Commission members and maintaining a public applicant pool for Board and Commission membership; (2) organizing swearing-in ceremonies; (3) providing Board and Commission members with background materials regarding the procedures and legal issues associated with service as a member, including, but not limited to, parliamentary

[303] NEW (2023)
[304] NEW (2023)
[305] NEW (2023).
[306] NEW (2023)
[307] NEW (2023).

procedure and home rule, freedom of information and open government laws; (4) the assignment of clerks, as set forth in §7-1.B(45), above; (5) the keeping of records to comply with the General Statutes and for public review, as set forth in §7-1.B(56), above; (6) posting of all agendas and minutes of Boards and Commissions, as set forth in §2-2(24) and (29), above; (7) maintaining records of incumbency of Boards and Commission by list; (8) coordinating the list with the City Clerk on a quarterly basis; and (9) public outreach plans.

Commented [SGM60]: Errata.

Commented [SGM61]: Errata/

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

A. Board of Estimate and Taxation[308].

(1) Established[309]: Mayor as ex officio member of Board of Estimate and Taxation; Board in General[310]. 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.

(a) Mayor as Presiding Officer[311]. The Mayor shall preside at all meetings of the Board when present.

(b) Quorum[312]. 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 business[313].

(2) Appointment, Term of Office, Approval, Qualification, and Political Balance[314]. The members shall be appointed by the Mayor, for a term of four years[315],

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[308] 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].

[309] 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (First sentence).

[310] 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.

[311] 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

[312] 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

[313] 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."

[314] 2025 revision of §7-2.A(2) which is derived from the 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (Second sentence).

[315] 2023 edit and recodification of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences).

subject to approval by the Common Council as set forth in §7-1.C. The terms shall commence on the 1st Day of February of the year of appointment, which dates shall be staggered as set forth in §7-2.A(3), below.

Commented [SGM62]: APPROVED BY CRC 04152025.

Commented [SGM63]: APPROVED BY CRC 04152025.

(3) Political and Geographic Balance[316]. 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.; provided there shall be at least one member from each Council District, as follows:.

(a) One member from Districts B, E and D to a term of four years commenced in the 1st Day of February 2026.

(b) One member from Districts A, C and any other district to a term of fours years commencing on the at Day of February 2028.

(4) Vacancy - Balance of Term[317]. As set forth in §7-1.D[318].

(5) Powers[319]. The Board of Estimate and Taxation 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 responsibility[320].

(a) Open Meetings; Public Notice[321]. 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[322]. 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.

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316 2025 revision of §7-2.A(2(a)) which is derived from the 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (Second sentence).
317 2025 recodification of §7-2.A(2)(b) 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.
318 2023 repeal of current Article VI – Board of Estimate and Taxation §1-288 entitled "1983 Transition Provision" (Fifth and sixth sentences).
319 NEW (2023).
320 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.
321 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Fifth sentence).
322 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Sixth and seventh sentences).

(c) Special Meetings of the Board of Estimate and Taxation[323]. 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.

(6) 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 and Taxation with respect to the budget process and deliberations is set forth in Article X.

(b) Furnishing of Information[324]. 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 Year[325]. 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.

(7) The Annual Report[326]. All administrative City officers and ~~committees~~Budgeted Entities are required by this Charter to make annual reports to

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[323] 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

[324] 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

[325] 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

[326] 2025 revision of §7-2.A(7) which is derived from the 2023 recodification and revision of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-third sentences).

the Mayor, Board or Estimate and Taxation and the Common Council on or before the first Day of August in each year.

(8) Election Expenses[327]. 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 [328].

B. The Police Commission[329].

(1) Creation, Composition, Powers and Duties[330].

(a) Established[331]. There shall be a five-member Police Commission, consisting of four Electors appointed by the Mayor, to serve conterminously with the Mayor[332], subject to approval by the Common Council as set forth in §7-1.C. The members shall serve without compensation. Not more than one-half of the members of the Commission, with the exception of the Mayor, shall be members of any one political party. In addition to the four Electors, the Mayor shall be, ex officio, a voting member and Chair of the Commission[333].

Commented [SGM64]: Approved by CRC (041525)

(b) Transaction of Business - Quorum[334]. Three members of the Commission shall constitute a quorum, and a concurrence of three votes shall be necessary for the transaction of business.

(c) Meetings[335]. The Commission shall hold meetings at least once each month and at such other times as it may determine, or as otherwise modified by Ordinance, in accordance with §7-1.B(4). Special meetings of the

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[327] 2023 recodification of current Article III – Part 1. In General, §1-182. Derived from Sp. Laws 1945, No. 134, §4.
[328] 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.
[329] Editor's Note: See § 1-12. See also Ch. 111, Vehicle and Traffic.
[330] 2023 recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297. Derived from Sp. Laws 1935, No. 455, §1.
[331] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (First – third sentences). Note: there are two additional citizen members.
[332] NEW (2025)
[333] 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Fourth sentence) which addresses "transition provision: Term of Office."
[334] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Fifth and sixth sentences). Quorum was raised from two to three with the increase in the membership. The following language was repealed: "The Police Commission shall annually elect a Secretary from its members."
[335] 2023 Recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Fifth and sixth sentences).

Board may be called by the Mayor or by two members upon reasonable Public Notice to the Mayor, the other members and the public.

(2) Function of the Commission. The Commission shall:

(a) have control, management and supervision of the police force of the City and all property belonging to or used in the Police Department[336].

(b) have the power to appoint, remove, suspend, discipline and punish and prescribe the duties of all officers and members[337] of the Police Department, including the Chief of Police, and to fix their salaries and compensation unless otherwise set forth in a collective bargaining agreement[338] to make rules and Regulations as it may deem necessary, consistent with the provisions hereof, Law and any applicable provisions of a collective bargaining agreement, for the Regulation and government of the Department[339].

(c) enforce and carry into effect all Ordinances, and the General Statutes, including, but not limited to those referring to the safety of the City[340].

(d) keep and preserve detailed records, files and minutes of all its proceedings and of all work, property and expenditures of the Police Department, and the files, records and minutes, or certified copies thereof, shall be accepted as evidence in all courts and proceedings[341].

(e) have power to summon and examine witnesses and compel the production of books and papers, as in civil actions, and administer oaths to such witnesses, and may require of any officer or board of the City all

[336] 2023 Recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Seventh sentence). Repeal of the following language: "have the power to purchase all supplies and equipment necessary for the management of the Department."
[337] Repealed the following: "whether regular, supernumerary or call."
[338] **Comment of the 2023 Charter Revision Commission.** At the time of the adoption of this Charter C.G.S §7-474(f) remained in full force and effect. That statute addresses the relationship between local laws, including the Charter and Ordinances and any municipal collective bargaining agreement. As you review the Charter it is important to understand that many of the provisions dealing with the rights of employees, including, but not limited to discipline, dismissal, may be impacted by the specific terms of collective bargaining agreements approved by the City or the subject of binding arbitration.
[339] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Seventh sentence).
[340] 2023 recodification and modification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Eighth sentence). Repealed "…and by-laws of the Common Council."
[341] 2023 recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Ninth sentence).

information and copies of records, books and papers relative to the public business in connection with the Police Department[342].

(3) Powers of the Police Commission[343].

(a) Abolishing Officers in the Police Department; Removal and Expulsion. The Police Commission shall not abolish any office in the Police Department during the incumbency thereof of any appointee to such office, nor shall it remove, expel, or reduce in rank any officer or regular or permanent member of the Police Department except for cause found after hearing; unless otherwise set forth under Law or in a collective bargaining agreement. Notice of any removal, expulsion, or reduction in rank shall be given by the Commission in writing to the officer or permanent member concerned, and any officer or permanent member aggrieved by such removal, expulsion, or reduction may, within ten Days after receiving notice of the action by the Commission, appeal therefrom to the Superior Court in and for the County of Fairfield, which shall hear the appeal and render judgment thereon[344]; or, such provisions of Law[345].

(b) Number and Designation of Officers. The power to fix the number and designation of all the officers and members of the Police Department shall be in and exercised only by the Police Commission and the number and designation of all officers of the Department shall continue as at present until the Commission shall take action[346].

(c) Retired List. The Commission shall have the power to retire any member of the Police Department for mental or physical disability and place the name of the member on the retired list and the member shall not thereafter be entitled to pay or compensation from the City unless assigned to duty by the

[342] 2023 recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Tenth sentence). Repeal the fo0llowing: (1) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Eleventh sentence), as follows: "render monthly detailed statements and reports to the Common Council of its proceedings and of all disbursements and contracts made in the Department during the preceding month;" (2) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-298 (Sp. Laws 1935, No. 455, §2," as follows: "render annually to the Common Council and to the Board of Estimate and Taxation (Editor's Note: See also, Art. VI, for Board of Estimate and Taxation.), a full statement of its disbursements and expenditures in the Police Department during the preceding year, with a report of the condition of the Department, and an estimate of the necessary expenditures for the ensuing fiscal year."

[343] 2023 modification and recodification of

[344] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-298 (First and second sentences).

[345] NEW (2023).

[346] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-298 (Third sentence).

Chief of Police of the Police Department. The member's pay for the time so assigned to duty shall be that of a regular member of the force[347].

(d) Appointments and Promotions[348]. All appointments to be made by the Commission shall be based upon merit and fitness for the duties pertaining thereto, and, in no degree, upon political affiliations or considerations. All promotions shall be made in accordance with the provisions of the Law and any applicable collective bargaining agreement[349].

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[347] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-298 (Fourth and fifth sentences). 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-299 (Derived from Sp. Laws 1935, No. 455, §3, including Historical Editor's Note: See §§ 1-319 to 1-332, as follows: "The Commission shall administer the Policemen's Benefit Fund established under the provisions of an act approved April 30, 1925, as amended by §3 of an act approved June 16, 1927." Repeal of (1) Editor's Note: Refer to § 1-299 for administration of fund; (2) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-319. Derived from Sp. Laws 1931, No. 518, § 1; Sp. Laws 1945, No. 235; (3) .current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-320. Derived from Sp. Laws 1931, No. 518, §2; (3) .current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-321. Derived from Sp. Laws 1931, No. 518, §3; (4) .current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-322. Derived from Sp. Laws 1931, No. 518, §4; (5) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-323. Derived from Sp. Laws 1931, No. 518, §5; (5) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-324. Derived from Sp. Laws 1931, No. 518, § 6; Sp. Laws 1939, No. 255, §1; (6) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-325. Historical Editor's Note: Editor's Note: Former § 1-325, Retirement at 60, Sp. Laws 1931, No. 518, § 7; Sp. Laws 1933, No. 333, § 1, was repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980; (7) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-326. Derived from Sp. Laws 1931, No. 518, § 8; (7) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-327. Derived from Sp. Laws 1931, No. 518, §9; (8) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-328. Derived from Sp. Laws 1931, No. 518, 10; (9) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-329. Derived from Sp. Laws 1931, No. 518, §11; (10) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-330. Derived from Sp. Laws 1931, No. 518, §12; Sp. Laws 1933, No. 333, § 2; (11) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-327. Derived from Sp. Laws 1931, No. 518, §13; (12) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-332. Derived from Sp. Laws 939, No. 255, §2.

[348] 2023 recodification and modification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-301 (Derived from Sp. Laws 1935, No. 455, §5.). The following language is repealed: "In carrying out the provisions of this section, the Commission may adopt the provisions of Chapter 105 of the General Statutes as it may deem advisable and, on or before September 1, 1935, the merit system shall be in effect in the City."

[349] 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-302 (Derived from Sp. Laws 1935, No. 455, §6.), as follows: "An act creating a Board of Public Safety in the City of Norwalk, approved June 16, 1927, as amended by an act amending an act creating a Board of Public Safety in the City of Norwalk, approved March 27, 1929, and all acts or parts of acts inconsistent herewith are repealed." The following footnotes attached to "repealed Provisions in the current Charter are hereby preserved as follows: (1) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-304-305. Historical Editor's Note: Former §§ 1-304, Supernumerary Police Force; members; appointment; control; duties; powers, Sp. Laws 1913, No. 352, § 144; Sp. Laws 1915, No. 367, § 10; Sp. Laws 1925, No. 225, § 2; Sp. Laws 1969, No. 149, and 1-305, Appointments to regular force, Sp. Laws 1913, No. 352, § 146, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980; (2) Current Article VIII – Police Department and Police Fund, Part 1 – General, §1-307-310. Historical Editor's Note: Former §§ 1-307, Appointment of Women Probation Officer, 1-308, Powers of Woman Probation Officer, 1-309, Removal of Woman Probation Officer, and 1-310, Salary of Probation Officer, Sp. Laws 1927, No. 371, §§ 1 to 4, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980; (3) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-314-316. Historical Editor's Note: Repealed by Charter Amendment 11-3-1970; effective 7-1-1971.; and (4) current Article VIII – Police Department and

C. The Fire Commission[350].

(1) Creation and Composition; General Powers[351].

(a) Established[352]. There shall be a five-member Fire Commission, consisting of four Electors appointed by the Mayor, to serve conterminously with the Mayor[353], subject to approval by the Common Council as set forth in §7-1.C. The Board shall serve without compensation. Not more than one-half of the members of the Commission, with the exception of the Mayor, shall be members of any one political party. In addition to the four Electors, the Mayor shall be, ex officio, a voting member and chair of the Commission[354]. The Fire Commission may employ clerks for its own work and the clerical work of the Fire Department, and may fix and pay their salaries[355].

Commented [SGM65]: Approved by CRC (041525)

(b) Transaction of Business - Quorum[356]. Three members of the Commission shall constitute a quorum and a concurrence of three votes shall be necessary for the transaction of business.

(c) Meetings[357]. The Commission shall hold meetings at least once each month and at such other times as it may determine or, as otherwise modified by Ordinance, in accordance with §7-1.B(4). Special meetings of the Commission may be called by the Mayor or by two members upon reasonable Public Notice to the Mayor, the other members and the public.

(2) Functions of the Fire Commission. The Commission shall:

Police Fund, Part 1 – General, §1-317-318. Historical Editor's Note: Editor's Note: Former §§ 1-317, Workweek for policemen, and 1-318, Approval of workweek, Sp. Laws 1951, No. 293, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

[350] Historical Editor's Note: See § 1-12, of Charter, and Ch. 41, Fire Department. For extension of fire protection see, Art. XXII.

[351] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. Derived from Sp. Laws 1935, No. 454, §1.

[352] 2023 modification and recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (First - third sentences).

[353] NEW (2025)

[354] 2023 repeal of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333 (Fourth sentence) which addressed the term of office during a transition in 1937.

[355] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-336. (Derived from Sp. Laws 1935, No. 454, §4).

[356] 2023 edit and recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Fifth and sixth sentences). The following language was repealed: "The Commission shall annually elect a Secretary from its members."

[357] 2023 edit and recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Seventh and eighth sentences).

(a) have control, management and supervision of the fire-fighters of the City and all property belonging to or used in the Fire Department; except as otherwise set forth in this Charter[358].

(b) have the power to purchase all supplies and equipment necessary for the management of the Department[359];

(c) have the power to appoint, remove, suspend, discipline and punish and prescribe the duties of all officers and members (including the Chief), of the Fire Department and fix their salaries and compensation and to make rules and Regulations as it may deem necessary, consistent with the provisions hereof, for the Regulation and government of the Department unless otherwise set forth in a collective bargaining agreement[360].

(d) enforce and carry into effect all Ordinances and the General Statutes including, but not limited to, those referring to the safety of the City[361].

(e) keep and preserve detailed records, files and minutes of all its proceedings and of all work, property and expenditures of the Fire Department and the files, records and minutes, or certified copies thereof, shall be accepted as evidence in all courts and proceedings[362].

(f) have the power to summon and examine witnesses and compel the production of books and papers, as in civil actions, and administer oaths to such witnesses, and may require of any officer or board of the City all information and copies of records, books and papers relative to the public business in connection with the Department[363].

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[358] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Ninth sentence).
[359] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Tenth sentence).
[360] 2023 modification and recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Eleventh sentence). The following are repealed: "whether regular, supernumerary or call."
[361] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Twelfth sentence).
[362] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Thirteenth sentence).
[363] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Fourteenth sentence). Repeal of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Fifteenth sentence), as follows: "render monthly detailed statements and reports to the Common Council of its proceedings and of all disbursements and contracts made in the Fire Department during the preceding month; shall render annually to the Common Council and to the Board of Estimate and Taxation a full statement of its disbursements and expenditures in the Department during the preceding year, with a report of the condition of the Department, and an estimate of the necessary expenditures for the ensuing fiscal year." 2023 repeal of (1) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-338. Derived from Sp. Laws 1931, No. 37, § 1; Sp. Laws 1945, No. 242; (2) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-339. Derived from Sp. Laws 1931, No. 37, §2; (3) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-

(3) Powers of the Fire Department.; Number and Designation of Officers; Retired List[364].

(a) Abolishing Officers in the Fire Department; Removal and Expulsion. The Fire Commission shall not abolish any office in the Fire Department during the incumbency thereof of any appointee to such office, nor shall it remove, expel or reduce in rank any officer or regular or permanent member of the Fire Department except for cause found after hearing. Notice of any removal, expulsion or reduction in rank shall be given by the Commission in writing to the officer or permanent member concerned, and any officer or permanent member aggrieved by the removal, expulsion or reduction may, within ten Days after receiving notice of the action by the Commission, appeal therefrom to the Superior Court in and for the County of Fairfield, which shall hear the appeal and render judgment thereon[365].

(b) Number and Designation of Officers. The power to fix the number and designation of all officers and members of the Fire Department shall be in and exercised only by the Fire Commission, and the number and designation of all officers of the Department shall continue as at present until the Commission shall take action[366].

(c) Retired List. The Fire Commission shall have the power to retire any member of the Fire Department for mental or physical disability and place the name of the member on the retired list and such member shall not thereafter be entitled to pay or compensation from the City unless assigned to

340. Derived from Sp. Laws 1931, No. 37, §3; (4) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-341. Derived from Sp. Laws 1931, No. 37, §4; (5) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-342. Derived from Sp. Laws 1931, No. 37, §5; (6) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-343. Derived from Sp. Laws 1931, No. 37, §6; (7) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-345. Derived from Sp. Laws 1931, No. 37, §7; Sp. Laws 1941, No. 419, §1; (8) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-345. Derived from Sp. Laws 1931, No. 37, §8; Sp. Laws 1933, No. 329, §1; (9) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-346. Derived from Sp. Laws 1931, No. 37, §9; (10) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-347. Derived from Sp. Laws 1931, No. 37, §10; (11) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-348. Derived from Sp. Laws 1931, No. 37, §11; (12) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-349. Derived from Sp. Laws 1931, No. 37, §12; (13) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-350. Derived from Sp. Laws 1931, No. 37, § 13; Sp. Laws 1933, No. 329, § 2; (14) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-351. Derived from Sp. Laws 1931, No. 37, §14; (15) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-352. Derived from Sp. Laws 1941, No. 419, §2).

364 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-334. (Derived from Sp. Laws 1935, No. 454, §2.

365 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-334. (First and second sentences).

366 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-334. (Third sentence).

duty by the Fire Chief of the Fire Department. The pay for the time so assigned to duty shall be that of a regular member of the force[367].

(4) Appointments by Fire Commission[368]. All appointments to be made by the Fire Commission shall be based upon merit and fitness for the duties pertaining thereto and, in no degree, upon political affiliations or consideration. In carrying out the provisions of this section, the Commission may adopt the provisions of Chapter 105 of the General Statutes as it may deem advisable and, on or before September 1, 1935, the merit system shall be in effect in the City[369].

§7-3. Boards and Commissions Required by the Charter.

The Common Council shall adopt Ordinances setting forth the organizational structures, powers, duties, and responsibilities of the following Boards and Commissions, subject to the requirements of Law, including but not limited to §7-1:

A. Board of Assessment Appeals[370];
B. Planning and Zoning Commission[371];

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[367] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-338. (Fourth and fifth sentences).
[368] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-337. (Derived from Sp. Laws 1935, No. 454, §5).
[369] 2023 repeal of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-335. (Derived from Sp. Laws 1935, No. 454, §3), including, Historical Editor's Note: See §§ 1-338 to 1-352, amended, as follows: "The Fire Commission shall administer the Firemen's Benefit Fund established under the provisions of an act approved May 21, 1925, as amended by §4 of an act approved June 16, 1927."
[370] 2023 recodification mandates the Board of Assessment Appeals, current Ord. §103-14. Repeals current Article V, Part 7 – Tax Commissioners and Board of Relief §1-271. Derived from (Sp. Laws 1913, No. 352, § 49; Sp. Laws 1933, No. 456, § 1; Charter Amendment 8-29-1978 [Historical Editor's Note: Editor's Note: Approved by the electorate at the general election held 11-7-1978]. In addition, repeals (1) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-272. Derived from (Sp. Laws 1913, No. 352, §49; Sp. Laws 1933, No. 456, §1; and, (2) .current Article V, Part 7 – Tax Commissioners and Board of Relief §1-273. Derived from Sp. Laws 1913, No. 352, § 90; Sp. Laws 1915, No. 367, § 4; Sp. Laws 1967, No. 197, §2. Historical Editor's Note: See § 1-284 for later provision; (3) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-274. Derived from Sp. Laws 1913, No. 352, § 91; Sp. Laws 1915, No. 367, § 5; Sp. Laws 1967, No. 197, § 3; Sp. Laws 1969, No. 264, §1. (4) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-275. Derived from Sp. Laws 1913, No. 352, §92. (5) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-276. Derived from Sp. Laws 1913, No. 352, §93; (6) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-277. Derived from Sp. Laws 1937, No. 539, §1; (7) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-278. Derived from Sp. Laws 1937, No. 539, §2; (8) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-279. Derived from Sp. Laws 1937, No. 539, §3.(9) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-280. Derived from Sp. Laws 1937, No. 539, §4; (10) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-281. Derived from Sp. Laws 1913, No. 352, §94; (11) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-282. Derived from Sp. Laws 1935, No. 363; Sp. Laws 1967, No. 197, §4; Sp. Laws 1969, No. 264, §2. Editor's Note: See also § 1-283 and Editor's Note: See also § 1-289; (12) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-283. Derived from Sp. Laws 1947, No. 486; (13) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-284. Derived from Sp. Laws 1935, No. 126.
[371] 2023 repeal of current Article XII entitled "Planning Commission" (replaced by current Chapter 79 of the Ordinances): (1) §1-367. Derived from Charter Amendment 11-3-1970; effective 1-1-1971). Editor's Note: See Land Subdivision

C. Conservation Commission[372];
D. The Pension Board[373];
E. Food Services Pension Board[374];
F. Zoning Board of Appeals[375];
G. Board of Ethics (appointed by Common Council)[376]; and
H. Public Library Board[377].

§7-4. Appointed Boards and Commission Established by Ordinance or as Otherwise May Be Prescribed by the General Statutes[378].

The Common Council may establish, by Ordinance or as otherwise may be prescribed by the General Statutes, such additional Boards and Commissions as are necessary to effectuate the powers and purposes of the City as enumerated in the General Statutes, Special Acts, and this Charter.

§7-5. Consolidation or Merger[379].

The functions of any Board or Commission required under this Article may be merged or consolidated with another by Ordinance.

Regulations, Appendix, Part I.\ Editor's Note: As of July 1974, it was the opinion of the Corporation Counsel that § 1-367 should be interpreted as referring to the Norwalk Planning and Zoning Commission rather than the Norwalk City Planning Commission. See Ch. 79, Planning and Zoning Commission; (2) §1-368. Derived from Sp. Laws 1947, No. 214, § 2; Sp. Laws 1955, No. 400, § 1. Editor's Note: As of July 1974, it was the opinion of the Corporation Counsel that § 1-368 had been superseded by §§ 79-2, Powers; 79-3, Composition and appointment; 79-4, Alternate members; and 79-5, Terms of office, of Ch. 79, Planning and Zoning Commission; (3) §1-368.1. Derived from Charter Amendment 11-3-1970; effective 1-1-1971; (4) §1-368.2. Derived from Charter Amendment 11-3-1970; effective 1-1-1971; (5) §1-369. Derived from Sp. Laws 1947, No. 214, §3; (5) §1-370. Derived from Sp. Laws 1947, No. 214, § 4; Sp. Laws 1955, No. 400, § 2; Charter Amendment 8-17-1976. Historical Editor's Note: Approved by the electorate at the general election held 11-2-1976; (6) §1-371. Derived from Sp. Laws 1947, No. 214, § 5. Historical Editor's Note: See Appendix, Part I, Land Subdivision Regulations, § 6; (7) §1-372. Derived from Sp. Laws 1947, No. 214, §6; (8) §1-373 A + B. Derived from Added by Charter Amendment 11-3-1970; effective 1-1-1971; (9) §1-374. Derived from Sp. Laws 1947, No. 214, §8; (10) §1-375. Derived from Sp. Laws 1947, No. 214, §9; (11) current Article XII – Planning Commission §1-375. Derived from Sp. Laws 1947, No. 214, §9; (12) current Article XII – Planning Commission §1-376. Derived from Sp. Laws 1947, No. 214, §10; (13) current Article XII – Planning Commission §1-377. Derived from Charter Amendment 11-3-1970, effective § 1-1-1971; and (14) current Article XII – Planning Commission §1-377.1. Derived from Charter Amendment 11-3-1970, effective § 1-1-1971.

[372] NEW (2023). **Comment of the 2023 Charter** ~~revision commission~~**Revision Commission. At** the time of the adoption of tis Charter Ord. §35-2 established a Conservation Commission comprised of 7 members appointed by Mayor and confirmed by Council for a term of 5-years (stagger). The Commission serves inland wetland functions, in accord with Ord. §35-07 et seq. as well as the administration of the open space fund in accord with Ord. §35-7 et seq. and -9, respectively.

[373] NEW (2024). See, Chapter 126 entitled "Pension Plan." Adopted by Common Council 9-24-1963. Amendments noted where applicable. 5 members appointed by Mayor and confirmed by "a majority of the Norwalk Common Council."

[374] NEW (2023). See, Ord. Chapter 132 (Appendix Part VIII)

[375] NEW (2023) mandates current Ord. §118-1410.

[376] Ord. §32-12 – 5 members and 2 alternates appointed by and approved by 11 members of the Common Council.

[377] NEW (2023)

[378] NEW (2023)

[379] NEW (2023)

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

ARTICLE VIII: DEPARTMENTS AND DEPARTMENT HEADS

§8-1. The Authority to Establish the Divisions and Departments of the City.

A. Powers and Duties[380]. In addition to the Divisions and Departments specifically set forth in this Charter and, as further delineated in §8-1.C, below, the City, acting within the authority, powers and duties enumerated in the General Statutes, Special Acts and this Charter, may establish such Divisions and Departments thereunder necessary to carry out and organize the functions of government as set forth in this Charter.

(1) Intent. The express intent of this Charter is to allow the Mayor and the Council the ability to organize the government in order to achieve a balance of efficiency and service to the people of the City. The delineation of departmental categories in this Charter is to mandate services to be provided and functions to be served; in that regard, the structures set forth in this Charter may be altered pursuant to a reorganization plan adopted in accordance with the provisions of this Charter. However, the powers, duties, and functions defined in this Charter must be assigned to Officials of the City.

(2) Objective. The system of government administration set forth in this Charter is specifically designed to reduce duplication of services and efficiently foster the delivery of services to the City.

B. Creation of Divisions and Departments[381]. The Common Council by an affirmative vote of two-thirds of its entire membership shall, by Ordinance proposed by the Mayor, establish the Divisions and Departments of the City required to carry out the City's functions and to meet public need. The Council is authorized to prescribe by Ordinance the powers, duties, and privileges of each Division and Department, not inconsistent with any of the provisions contained herein. Each of these Divisions and Departments must be constituted to perform such functions and have such powers and duties as are imposed by the General Statutes, this Charter and Ordinance.

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[380] NEW (2023)

[381] 2023 replacement of current Article IV. The Common Council. §1-190. Derived from Sp. Laws 1913, No. 352, §124; Sp. Laws 1915, No. 367, §8. Historical editor's Note: See Ch. 81, Plumbing; Ch. 36, Electrical Code; Ch. 66, Milk; Ch. 57, Health and Sanitation. The repealed language follows: "Authorization of Council to enact ordinances covering plumbing, sanitation, electrical work, licensing of workers, licensing and regulations of dealers in milk. The Council is also hereby authorized to enact ordinances or bylaws concerning plumbing, sanitation, and electrical work, and to provide for the examination and licensing of master or journeymen plumbers or electricians by such committee of persons as the Council shall designate, and for the revocation of such licenses with power to forbid any unlicensed person doing any plumbing or repairing of plumbing, or doing any electrical work, under such penalties as the Council shall prescribe; to provide for a Building, Plumbing, and Electrical Inspector, define his powers and duties, and determine the fees to be paid for permits; to provide for the licensing of dealers in milk, fix the fees for such licenses, prescribe the conditions under which milk shall be kept, offered for sale, and sold in the City, and prohibit the bringing into the City of milk which is not pure, or which has been exposed to contamination, and to provide penalties for the violation of any of the ordinances of the City."

C. Division Chiefs and Department Heads[382]. The executive leaders of each Division established by Ordinance are (1) subject to the provisions of this Charter generally applicable to Division Chiefs; and (2) serve at the will of the Mayor (however, may continue to serve until a successor is appointed and qualified to serve), unless otherwise provided by the General Statutes, this Charter or any applicable collective bargaining agreement. All Divisions and Departments must be assigned office space provided by the City, which shall remain open during such hours as the Mayor may direct.

D. Reorganization Plans for Divisions and Departments. As set forth in §4-5[383], an affirmative vote of two-thirds of the entire membership of the Common Council is necessary to effectuate any action authorized by this section, and the legislative action is also subject to the action of the Mayor as set forth in §4-8.D(1)[384].

§8-2. Appointment of Division Chiefs, Department Heads and Other Mayoral Executive-Level Appointees; General Requirements.

A. Appointment. Except as otherwise provided by the General Statutes or this Charter, all Division Chiefs, Department Heads and Other Mayoral Executive-Level Appointees, are subject to the authority and serve under the direction of the Mayor, as follows:

(1) Appointment and Removal in the Sole Discretion of the Mayor[385]. The Chief of Staff, Corporation Counsel[386] and City Clerk shall be appointed by the Mayor. They shall each serve coterminous with the Mayor and may be removed in the sole discretion of the Mayor[387].

(2) Appointed by Mayor and Confirmation by the Common Council: Service Under the Direction of the Mayor[388]. 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

Commented [SGM66]: ACTION ITEM #2.6: 042925 ("Classified" employees is not a term used in Norwalk.)

[382] NEW (2023)
[383] NEW (2023)
[384] 2023 modification and recodification of current Article IV. The Common Council. §1-189.4 (Fifth sentence). Added by Charter Amendment 11-3-1970. New language in lieu of the following: "approval of the Mayor as set forth in §191 of the Charter (1956 Edition), §1-197 (1970 Edition). This section shall take effect on January 1, 1971."
[385] NEW (2023). Restatement of current practices as set forth in Charter and/or Ordinance: (1) Chief of Staff _____; and (2) Corporation Counsel, as set forth in current §1-223.
[386] Comment of the 2023 Charter Revision Commission. The Corporation Counsel is addressed in Ord. §63-4. Corporation Counsel and appointed as set forth in Charter and the Ordinances.
[387] 2023 modification and recodification of current Article V, Part 1 – General. §1-223. Derived from Sp. Laws 1913, No. 352, § 79; Sp. Laws 1931, No. 323; Chapter Amendment 9-2-1980. Historical Editor's Note: Approved by the electorate at the general election held 11-4-1980.
[388] NEW (2023). Restatement of current practices as set forth in Charter and/or Ordinance:

of the Mayor[389], subject to Confirmation by the Common Council. The term of service of these officials is also subject to removal as set forth in §3-~~9~~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:

Commented [SGM67]: Errata.

(a) Chief Financial Officer[390];
(b) Chief of Economic and Community Development[391];
(c) Chief of Human Resources and Personnel[392];
(d) Chief of Operations and Public Works[393]; and
(e) Chief of Community Services[394].

(3) Appointed by Mayor and Confirmation by the Common Council. The Mayor is responsible for appointing the following Department Heads, subject to Confirmation by the Common Council, and to serve as specified by this Charter or Ordinance and until a successor is duly appointed and qualified to serve, unless otherwise terminated in accordance with this Charter or as otherwise set forth in Law as follows:

(a) The Comptroller[395];
(b) The Purchasing Agent[396];

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[389] 2025 revision of §8-2.A(2) which is derived from the 2023 recodification and modification of current Article V, Part 4 – Department of Finance §1-239.A. Under the current charter this provision applies to the Director of Finance a/k/a Chief Financial Officer.
[390] Note: The Chief Financial Officer is addressed in §8-4 of this Charter and in Ord, 1-239 et. seq with respect to the duties and authority of the Director of Finance.
[391] Note: At the time of the adoption of the 2023 Revision the Chief of Economic and Community Development is governed by current Ord. 35B-1 – 2. The Division Chief is appointed by Mayor subject to confirmation by Council to serve at the pleasure of the Mayor.
[392] Note: At the time of the adoption of this Revision the Chief of HR and Personnel): Personnel Director is governed by current Ord. §1-287.2. The Chief is appointed by Mayor subject to confirmation by council sat the pleasure of the Mayor and may be removed at the will of the Mayor.
[393] Note: At the time of the adoption of the 2023 Revision the Chief of Operations and Public Works is governed by current Ord. §90-2. The Chief is appointed by Mayor and confirmed by Council subject to removal at the discretion of the Mayor.
[394] Note: At the time of the adoption of the 2023 Revision the Chief of Community Services is governed by current Ord. §33-2. The Chief is appointed by Mayor and confirmed by Council serve at the pleasure of the Mayor.
[395] 2023 recodification and modification of 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. Repealed the following language: "The Mayor elected in November 1979, subject to confirmation by the City Council, shall appoint a City Comptroller to hold office for a term of four (4) years beginning July 1, 1980, and until his or her successor shall be duly appointed and shall have qualified." Comptroller current Art. V – Part 4, §1-240.A appointed by Mayor subject to confirmation by the Council for a term of 4 years.
[396] 2023 Recodification of current Article V, Part 4 – Department of Finance, §1-241.A entitled "Division of Purchasing First and second sentences). Added by Charter Amendment 8-29-1978, §6. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. Repealed the following language: "The Mayor elected in November 1977, subject to confirmation by the City Council, shall appoint a Purchasing Agent to hold office for an initial term from the date of his appointment to June 30, 1981, and thereafter the Mayor, subject to confirmation by the City Council, shall appoint a Purchasing Agent to hold office for a term of four (4) years beginning July 1, 1981, and until his or her successor shall be duly appointed and shall have qualified." Note: At the time of the adoption of the 2023 Revision the Purchasing Agent is appointed by Mayor and confirmed by Council for a term of 4-years.

(c) Tax Collector[397];
(d) Assistant Tax Collectors[398];
(e) Tax Assessor[399];
(f) Assistant Tax Assessor[400];
(g) Health Director[401];
(h) Deputy and Assistant Corporation Counsels[402];
(i) Building Official[403];
(j) Director of Code Enforcement[404];
(k) Municipal Historian[405];
(l) Director of Recreation and Parks[406]; and,
(m) Library Director[407].

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[397] 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. Repealed the following language: "The Mayor elected in November 1981, subject to confirmation by the City Council, shall appoint a Tax Collector to hold office for a term of four (4) years beginning July 1, 1982, and until his or her successor shall be duly appointed and shall have qualified.' Note: At the time of the adoption of the 2023 Charter the Tax Collector is appointed by Mayor and confirmed by Council for a term of 4-years.

[398] Note: At the time of the adopt of the 2023 Charter, the Assistant Tax Collectors are governed by Ord. Art. V, §9-13 + -14. They are appointed by Mayor and Confirmed by Council.

[399] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-243.A entitled "Division of Tax Assessment" (First and second sentences). Added by Charter Amendment 8-29-1978, §8. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. Repealed the following language: "There shall be a Division of Tax Assessment headed by the Tax Assessor, who shall be appointed for a term of four (4) years. The Mayor elected in November 1977, subject to confirmation by the City Council, shall appoint a Tax Assessor to hold office for a term of four (4) years beginning July 1, 1979, and until his or her successor shall be duly appointed and shall have qualified." Note: At the time of the adoption of the 2023 Revision, the Tax Assessor is appointed by Mayor and confirmed by Council for a term of 4-years

[400] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-243.B entitled "Division of Tax Assessment". Repealed the following language: "the Mayor elected in November 1981, subject to confirmation by the City Council, shall appoint an Assistant Tax Assessor to hold office for a term of four (4) years beginning July 1, 1982, and until his or her successor shall be duly appointed and shall have qualified." Note: At the time of the adoption of the 2023 Revision the Assistant Tax Assessor is appointed by Mayor and confirmed by Council for a term of 4-years

[401] Note: At the time of the adoption of the 2023 Revision the Director of Health (Health Department) is governed by current Ord. §57-2 and -3. Under that provisions the Director is appointed by Mayor and confirmed by Council for a term of 4 years, removal for cause. The position is subject to a probationary period and the powers and duties by ordinance.

[402] Note: At the time of the adoption of the 2023 Revision the Deputy and Assistant Corporation Counsels are governed by current Ord. §63-5. They are appointed by Mayor and confirmed by Council. §63-6. Qualifications of Deputy CC.

[403] Note: At the time of the adoption of the 2023 Revision the Building Official is governed by current Ord. §26-5. The official is appointed by Mayor and confirmed by Council for a term of 4-years.

[404] Note: At the time of the adoption of the 2023 Revision the Director of Code Enforcement is governed by current Ord. §35A-3.A + B. The Director is appointed by Mayor and confirmed by Council for a term of 4 years. The job description is set forth in the Code of Ordinances

[405] Note: At the time of the adoption of the 2023 Revision, the Municipal Historian is governed by current Ord. §57A-6. The Municipal Historian appointed by Mayor and confirmed by Council, removal for cause. There is no term set forth in the ordinances.

[406] Note: At the time of the adoption of the 2023 Revision the Director of Recreation and Parks is governed by current Ord. 74-24. The Director is appointed by the Mayor and confirmed by Council for a term 4 years.

[407] NEW (2023). Note: Based upon past practice and custom.

(4) Appointed by a Board or Commission for an Indeterminate Term. The following Department Heads must be appointed as follows, for an indeterminate term of office until a successor is duly appointed and qualified to serve, subject to removal in accordance with the provisions of the General Statutes:

(a) Police Chief, by the Police Commission; and
(b) Fire Chief, by the Fire Commission.

Commented [SGM68]: Errata.

B. Removal of Appointive Officers and Employees[408]**.** Except as otherwise provided in this Charter, any officer or employee may be removed for malfeasance in office, neglect of duty, or other just cause by the Mayor or other authority in accordance with the procedures set forth in §3-~~9 and §3-~~10 and any Ordinances or Regulations enacted ~~thereunder~~hereunder; or the provisions of any applicable collective bargaining agreement.

Commented [SGM69]: Errata

C. Compensation[409]**.** The salaries and compensation of all Division Chiefs, Department Heads and employees of the City must be established by Ordinance or through the budget or as otherwise covered by the personnel and civil service rules, collective bargaining agreement(s) or other agreement.

D. Liability.

(1) Unlawful Disbursement of Money[410]**.** No officer or employee of the City is entitled to receive or disburse money belonging to the City unless authorized to so do by the provisions of this Charter, by Ordinance, or by a Resolution regularly adopted by the Council.

(2) Unlawful Incurring of Debts and Obligations: Authority of the Corporation Counsel to Commence Legal Process[411]**.** Any officer or employee of the City, who (a) willfully or knowingly incurs in the name of the City any debt or other obligation that the City may be compelled to pay without any appropriation having been made for the benefit of the same or (b) willfully or knowingly incurs any such debt or obligation in excess of any appropriation that may have been made therefor, is deemed personally liable for the payment and reimbursement of such debt or

[408] 2023 recodification of current Article V, Part 1 – General. §1-222 (First sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[409] NEW (2023). The following provisions are repealed (1) pertaining to the Purchasing Agent is repealed: "current Article V, Part 4 – Department of Finance, §1-241.A entitled "Division of Purchasing (Third sentence);" (2) pertaining to the Tax Collector: "current Article V, Part 4 – Department of Finance, §1-242.A entitled "Division of Tax Collection" (Third sentence); (3) pertaining to the Tax Assessor and Assistant Tax Assessor; "current Article V, Part 4 – Department of Finance, §1-243.E entitled "Division of Tax Assessment."
[410] 2023 recodification and modification of current Article V, Part 1 – General. §1-212. Derived from Sp. Laws 1913, No. 352, §61. Added the term "by Ordinance").
[411] 2023 recodification and edit of current Article V, Part 1 – General. §1-213. Derived from Sp. Laws 1913, No. 352, §62.

obligation. The Corporation Counsel is hereby authorized to sue for the same, in the name and for the benefit of the City, before any court of competent jurisdiction.

(3) Surety Bond and Other Risk Management Considerations[412]. The City may require surety bond or other forms of insurance for certain Public Officials in accordance with the requirements of an Ordinance, consistent with best practices in the risk management field.

E. Full Time Positions[413]. All Division Chiefs, Department Heads, with the exception of the Corporation Counsel, and other Mayoral Executive-Level Appointees[414], are prohibited from (1) engaging in any commercial business or (2) holding any other office, public or private, for which a salary or emolument is paid; or, (3) having any substantial interest or owning any substantial stock interest in any corporation, partnership or concern having any business relations with the City.

F. Delivery of Records to Successor[415]. Upon expiration of the term of office, all Division Chiefs, Department Heads, and other Executive-Level Mayoral Appointees are required to deliver all records to the successor in office.

G. Appointive Officer Oath[416]. 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.

Commented [SGM70]: ACTION ITEM #2.7: 042925

[412] 2023 revision and recodification of current Article V, Part 4 – Department of Finance (1) §1-239.C (Second sentence) and in lieu of the following: "The Director of Finance shall give a bond in an amount to be determined by the Common Council to the City conditioned against defalcation or malfeasance in office, with a surety company as surety;" (2) §1-242.A entitled "Division of Tax Collection" (Fourth sentence), in lieu fo the following: "The Tax Collector (He or she) shall give a surety bond as required by the General Statutes of the State of Connecticut in an amount prescribed by the Common Council; " and, (3) §1-243.D entitled "Division of Tax Assessment," in lieu of the following: "The Tax Assessor and the Assistant Tax Assessor shall each give a bond in an amount to be determined by the Common Council to the city conditioned against defalcation or malfeasance in office, with a surety company as surety."

[413] 2023 modification and recodification of current Article V, Part 4 – Department of Finance, §1-244.A entitled "Requirements for certain Department officers". Added by Charter Amendment 8-29-1978, §9. Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[414] In lieu of the following: "The Director of Finance, Comptroller, Purchasing Agent, Tax Collector, Tax Assessor and Assistant Tax Assessor."

[415] 2023 modification and recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-254 (Fourth sentence).

[416] 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

H. Position Titles[417]. The position titles of the Division Chiefs and Department Heads set forth in this Charter reflect the title at the time of the adoption of this Charter. Titles may be changed; however, the functions and fiduciary obligations specifically set forth in this Charter must not be altered[418].

I. Reporting Requirements of the Division Chiefs[419]. The Division Chiefs are each required to prepare for the Board of Estimate and Taxation, the Common Council, and the Mayor any special reports which any of them may desire.

§8-3. The Corporation Counsel: The Law Department.

A. Law Department; Department Head[420]. The Corporation Counsel is the administrative head of the Law Department[421].

B. Structure of Office[422]. 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.~~

Commented [SGM71]: ACTION ITEM #2.8: 042925

C. Codification[423]. The City of Norwalk will cause to be prepared, under the direction of its Corporation Counsel, a codification of all Ordinances in force and effect.

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[417] NEW (2023).
[418] 2023 repeal of current Article V, Part 1 – General. §1-220.1 pertaining to "Disposal of Surplus or Obsolete Equipment," derived from Charter Amendment 8-23-1977. Historical Editor's Note: Approved by the electorate at the general election held 11-8-1977.
[419] 2023 recodification and modification of current Article V, Part 4 – Department of Finance §1-239.F, by requiring this function for all Division Chiefs.
[420] 2023 modification and recodification of current Article IV. The Common Council. §1-189.4 (First sentence). Added by Charter Amendment 11-3-1970. The following is repealed: "Authorization of Council to Establish Law Department. The Council shall have the power to establish a Law Department."
[421] 2023 recodification of current Article IV. The Common Council. §1-189.4 (Second sentence). Added by Charter Amendment 11-3-1970.
[422] 2025 revision of §8-3.B adopted in 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."
[423] 2023 modification and recodification of current Article IV. The Common Council. §1-194. Derived from Sp. Laws 1957, No. 111; Charter Amendment 9-2-1. Historical editor's Note: Approved by the electorate at the general election held 11-5-1974. Editor's Note: Approved by the electorate at the general election held 11-4-1980. The following language was repealed: "A competent legal publishing company may be employed by the city for that purpose and said codification may rephrase, alter, repeal or eliminate all obsolete and conflicting ordinances. Said codification shall be published in book form and any ordinances contained therein shall not require publication in a newspaper. The city shall provide sufficient quantities of said codification in book form to make available copies for the use of members of the Common Council, the office of the Corporation Counsel, all other city offices, including the Norwalk Public Libraries, the members of the Charter Revision Commission, and sufficient additional quantities for sale to the public.", including the reference to Editor's Note: See Ch. 7, General Provisions, Article I, General

§8-4. Finance Functions[424].

A. Generally[425]. This division of government is responsible for the administration of the fiscal policies of the City and for keeping of accounts and financial records of the City; for the assessment and collection of taxes, special assessments and other revenues; for the custody and disbursement of City funds and money; for the control over expenditures; for the purchase of services and materials, including insurance; for the preparation of the Operating and Capital Budgets for submission to the Mayor, Board of Estimate and Taxation, Common Council and other authorities otherwise provided in this Charter for the adoption of such budgets and for advising each of the authorities when requested as to fiscal matters[426]; and such other powers and duties as may be required by the General Statutes, this Charter, Ordinance, or Order or Motion of the Council[427].

Historical Transition Provisions. The historical powers and duties of the Finance Division as set forth in §14-2 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 §14-2 have been addressed by the Ordinance, §14-2 shall expire and may be removed from the Charter.

B. Chief Financial Officer[428]. At the time of the adoption of this provision of the Charter the Division Chief is the Chief Financial Officer. The Chief Financial Officer is responsible for the administration of the financial management of the City.

(1) Departments and Direct Reports to the Division Chief[429]. 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 responsible for the financial functions of the City: (a) The Comptroller; (b) The

[424] 2023 title change and recodification of current Article V, Part 4 – Department of Finance. Derived from Sp. Laws 1913, No. 352, §69; Sp. Laws 1921, No. 334, § 2; Sp. Laws 1933, No. 335, §1; and, §1-238, Payments to Treasurer. (Sp. Laws 1913, No. 352, § 7), was repealed by Charter Amendment 8-29-1978. Historical Editor's Note: Editor's Note: Former Part 4, City Treasurer, consisting of § 1-237, Duties of the City Treasurer.

[425] 2023 modification and recodification of current Article V, Part 4 – Department of Finance §1-238. Added by Charter Amendment 8-29-1978, §3. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[426] 2023 recodification of current Article V, Part 4 – Department of Finance §1-238.A

[427] NEW (2023)

[428] 2023 revision (f/k/a "Director of Finance") and recodification of (1) current Article V, Part 4 – Department of Finance §1-239. 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; and (2) current Article V, Part 4 – Department of Finance §1-239.B, in lieu of the following: "The Director of Finance shall have experience in finance and possess appropriate professional qualifications for the discharge of his or her office." The following provisions pertaining to the designation of an Assistant Director of Finance and assumption of certain powers and duties of the Comptroller with respect to the capital budget and capital projects program are repealed, as follows (1) current Article V, Part 4 – Department of Finance §1-239.C (Fourth sentence); and (2) current Article V, Part 4 – Department of Finance §1-239.E.

[429] 2023 modification and recodification of current Article V, Part 4 – Department of Finance §1-237 and §1-239.C (First sentence). Added by Charter Amendment 8-29-1978, §2. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978, in lieu of "there shall be a Department of Finance which shall be composed of the Divisions of Accounting and Treasury, Purchasing, Tax Assessment, and Tax Collection."

Purchasing Agent; (c) The Tax Collector; (d) The Tax Assessor; (e) The Assistant Tax Assessor; and (f) any other Departments that may be assigned.

(2) Audit Functions[430]**.** The Chief Financial Officer or a designee is required to audit or cause to be audited such accounts, as determined in the discretion of the Chief Financial Officer. The Chief is also responsible for performing those duties historically performed by the Auditor and the Comptroller[431] .

(3) Annual Report[432]**.** At the end of each Fiscal Year the Chief Financial Officer is required to examine the yearly statement of accounts of all City officers and report the result to the Mayor, Council, and Board of Estimate and Taxation, which report must be entered by the City Clerk upon the records of the City and published in such manner as the Council may order[433].

C. The Comptroller[434]**.**

Commented [SGM72]: ACTION ITEM #4: 042925.

[430] 2023 modification and recodification of current Article V, Part 4 – Department of Finance, §1-240.A. Added by Charter Amendment 8-29-1978, § 5. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[431] 2023 recodification and edit of current Article V, Part 4 – Department of Finance §1-239.G (First sentence), language replaced: "set forth in §1-240D of the Charter."

[432] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-239.G (Second sentence).

[433] 2023 repeal of the following provisions: (1) current Article V, Part 4 – Department of Finance, §1-240.B entitled "Office of City Comptroller." Added by Sp. Laws 1931, No. 323, §1: "On and after September 1, 1931, the office of City Auditor shall be abolished, and in lieu thereof there is created the office of City Comptroller;" (2) current Article V, Part 4 – Department of Finance, §1-240.C entitled "Vested Powers." Added by Sp. Laws 1931, No. 323, §2: "All powers and duties vested in said City Auditor by statute or by the Charter of the City of Norwalk shall be vested in the City Comptroller;" (3) c current Article V, Part 4 – Department of Finance, §1-240.D entitled "Former duties of Auditor which are now performed by Comptroller". Added by Sp. Laws Sp. Laws 1913, No. 352, §70.7: "The Auditor shall quarterly and oftener when required by the ordinances of said city examine and audit the accounts of all appointed or elected officers of said city, including like officers of the First, Second and Third Taxing Districts, who are authorized to receive or disburse money belonging to said city, or said districts, and shall compare the items of such accounts with the vouchers therefor, and shall report the result of such examination to the Council, and at the end of the current year, he shall examine the yearly statement of accounts of all such officers and report the result to the Council, which report shall be entered by the City Clerk upon the records of said city and published in such manner as the Council may order;" (4) current Article V, Part 4 – Department of Finance, §1-240.E entitled "Checks or orders to be countersigned by City Comptroller." Added by Sp. Laws 1931, No. 323, §7: "No funds may be withdrawn by the City Treasurer unless such checks or orders shall be countersigned by the City Comptroller;" and, (5) current Article V, Part 4 – Department of Finance, §1-240.F entitled "Repeal of inconsistent sections that deal with Treasurer." Added by Sp. Laws 1931, No. 323, §8: "So much of the Charter of the City of Norwalk, concerning the duties of the City Treasurer, as is inconsistent herewith is repealed."

[434] ~~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 Divison of Accoutning 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).~~

~~(4)~~(1) **Duties and Responsibilities[435].** 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.

(2) Historical Provisions Pertaining to the Comptroller[436]. The Controller is also required to perform the following functions:

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

~~(a)~~**(b)** Keep or cause to be kept complete books of records and accounts showing the financial conditions of the City and all financial

[435] 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 Divison 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).

[436] 2025 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."

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.

Further ~~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.~~

(3) Historical Provisions Pertaining to the Duties of the Comptroller[437]. 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

[437] 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).

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.

~~C.~~D. **The Purchasing Agent[438].** The Purchasing Agent is responsible for 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.

(1) General Duties[439]. The City Purchasing Agent is required to (a) make all purchases of supplies, materials, equipment and contractual services for all Budgeted Entities of the City and (b) administer the central purchasing system for the City covering the purchase of all supplies, materials, equipment. and other commodities for the use and needs of all Departments, Budgeted Entities, Boards and Commissions and Public Officials, including the Board of Education. With regard to the Board of Education, the City Purchasing Agent is required to take advantage of incentives, cooperative agreements, and consortiums generally available to boards of education in order to expedite the acquisition of goods and services for the Board to meet the curriculum and scheduling requirements of the Board.

Historical Transition Provision. The historical powers and duties of the Purchasing Agent as set forth in §14-4 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 §14-4 have been addressed by the Ordinance, §14-4 shall expire and may be removed from the Charter.

(2) Purchasing Ordinance[440]. The Common Council is authorized to establish and amend by Ordinance such rules, Regulations, policies and procedures as it may deem necessary or appropriate to define and govern the powers, duties, responsibilities, and operations of such Purchasing Division.

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[438] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-241.A entitled "Division of Purchasing First and second sentences). Added by Charter Amendment 8-29-1978, §6. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. The remainder of the historical provision has been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter.

[439] NEW (2023).

[440] 2023 modification and recodification of current Article V, Part 4 – Department of Finance, §1-241.B (Fifth sentence). Editor's Note: Procurement Guidelines were adopted 2-8-2005 by the Common Council of the City of Norwalk and last amended 7-8-2014. A complete copy of these guidelines and any amendments thereto are on file in the City offices. See also § 19-1, Threshold for bidding, of this Code.

(3) Centralized Purchasing System: Purchasing Ordinance[441]. There must be a centralized purchasing system for the City (including, where practicable, the Board of Education) covering the purchase of all services, supplies, materials, equipment, and other commodities required. In order to advance the provisions of this Charter, the Common Council is authorized, upon recommendation of the Purchasing Agent, to establish and amend, by Ordinance, the local laws governing the operation of a central purchasing system in a manner consistent with the General Statutes, this Charter, Ordinance and standards established by organizations such as the National Institute of Governmental Purchasing and the National Association of State Purchasing Officials as well as the Model Procurement Code and Ordinances prepared by the American Bar Association. The Ordinance must include, but not be limited to, provisions governing: (a) additional roles and responsibilities of the Purchasing Agent; (b) ~~Competitive~~competitive procurement[442] and solicitation requirements, including local business preference; (c) specifications, requisition standards and inspection and testing methodologies, following consultation with the Mayor, Chief Financial Officer and appropriate City Officials, designated by the Mayor; (d) storage; (e) recycled and recyclable products; (f) transfer or sale of surplus property; and (g) appropriate reporting standards and inventory control.

Commented [SGM73]: errata

The Purchasing Agent is required to review the Ordinance every two years and make recommendations for amendment or revision pertaining to the purchase of all services, supplies, materials, equipment, and other commodities required as well as the factors, including, but not limited to, cost, competition and processes, that assure compliance with the provisions of this Charter.

~~D.~~E. **The Tax Collector[443].** 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.

Commented [SGM74]: ACTION ITEM #3: 042925

~~**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~~

[441] NEW (2023).
[442] See, C.G.S. §7-148v entitled "Requirements for competitive bidding". See also, C.G.S. §7-148w entitled "Disqualification of contractors from bidding on municipal contracts".
[443] 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.

~~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.~~

(1) Public Improvement Liens; Duration[444]. 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[445]. 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 this Charter or Ordinances[446],[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.

~~E.~~F. **The Tax Assessor[447].** The Tax Assessor is responsible for the following:

(1) Appointment of Assistant Tax Assessor[448]. There shall be an appointed Assistant Tax Assessor.

(2) Duties and Powers[449]. All of the duties and powers entrusted to and vested in the Assessors and Board of Assessors under the General Statutes and this Charter, as amended, are entrusted to and vested in the Tax Assessor and Assistant Tax Assessor as constituted herein.

§8-5. Economic and Community Development Functions.

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[444] 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.)
[445] 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.)
[446] Historical Editor's Note: See §§ 1-14 and 1-15.
[447] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-243.A entitled "Division of Tax Assessment" (First and second sentences). Added by Charter Amendment 8-29-1978, §8. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[448] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-243.B entitled "Division of Tax Assessment".
[449] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-243.F entitled "Division of Tax Assessment".

A. Generally[450]**.** The functions of this division relate to neighborhood, community, and economic development planning and programs, planning and zoning, code enforcement, blight enforcement, business development and tourism, transportation, mobility and parking, and such other related activities as may be assigned to the Chief from time to time by the Mayor or by Ordinance[451].

B. Chief of Economic and Community Development[452]**.** At the time of the adoption of this provision of the Charter, the Division Chief is the Chief of Economic and Community Development. The Chief is 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 Chief[453]**.** 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) Business Development and Tourism; (b) Code Enforcement[454]; (c) Planning and Zoning; and (4) Transportation, Mobility and Parking[455].

§8-6. Human Resources and Personnel Functions.

A. Generally[456]**.** The functions of this division of government involve the administration of the City's compensation plans and employee benefit programs, assistance to all Departments and other Budgeted Entities in the recruitment, selection, and training of

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[450] NEW (2023)
[451] Last sentence derived from Ord. §35B-3.A.
[452] NEW (2023)'s Note: Approved by the electorate at the general election held 11-7-1978; and (2) current Article V, Part 4 – Department of Finance §1-239.B, in lieu of the following: "The Director of Finance shall have experience in finance and possess appropriate professional qualifications for the discharge of his or her office."
[453] NEW (2023).
[454] 2023 replacement of current Article IV. The Common Council. §1-190. Derived from Sp. Laws 1913, No. 352, §124; Sp. Laws 1915, No. 367, §8. Historical editor's Note: See Ch. 81, Plumbing; Ch. 36, Electrical Code; Ch. 66, Milk; Ch. 57, Health and Sanitation. The repealed language follows: "Authorization of Council to enact ordinances covering plumbing, sanitation, electrical work, licensing of workers, licensing and regulations of dealers in milk. The Council is also hereby authorized to enact ordinances or bylaws concerning plumbing, sanitation, and electrical work, and to provide for the examination and licensing of master or journeymen plumbers or electricians by such committee of persons as the Council shall designate, and for the revocation of such licenses with power to forbid any unlicensed person doing any plumbing or repairing of plumbing, or doing any electrical work, under such penalties as the Council shall prescribe; to provide for a Building, Plumbing, and Electrical Inspector, define his powers and duties, and determine the fees to be paid for permits; to provide for the licensing of dealers in milk, fix the fees for such licenses, prescribe the conditions under which milk shall be kept, offered for sale, and sold in the City, and prohibit the bringing into the City of milk which is not pure, or which has been exposed to contamination, and to provide penalties for the violation of any of the ordinances of the City."
[455] The following provision pertaining to the parking department, in lieu of the Parking Authority is repealed: current Article XIII, §1-378 derived from Charter Amendment 8-17-1976. Historical Editor's Note I: Former Article XIII, Parking Authority, was repealed 8-17-1976 by the Charter Amendment which established the Parking Department. Historical Editor's Note II: Approved by the electorate at the general election held 11-2-1976. Historical Editor's Note III: Former Article XIV, City Court, was deleted in its entirety, as the city court system was abolished by state statute.
[456] NEW (2023).

new employees; conducting analyses of job classifications, developing and running periodic employee training and safety programs as well as training and establishing policies pertaining to the scope of federal and state laws addressing discrimination and harassment, maintaining employee records, providing personnel and labor relations services to all Departments and other Budgeted Entities, representing the City's interest in collective bargaining, grievance, and arbitration matters and such other related activities as may be assigned to the Chief from time to time by the Mayor or by Ordinance.

B. Chief of Human Resources and Personnel[457]. At the time of the adoption of this provision of the Charter, the Division Chief is the Chief of Human Resources and Personnel. The Chief is 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[458].

~~§8-7. Operations Functions.~~ §8-7. Operations Functions.

A. Generally[459]. 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 Chief[460]. The following Department Heads and Other Mayoral Appointees are accountable to the

[457] NEW (2023). In lieu of current Article V, Part 9 – Personnel Department, 1-287.2. Derived from Sp. Laws 1969, No. 151, §2; Charter Amendment 8-13-1974. Historical Editor's Note: Approved by the electorate at the general election held 11-5-1974, which is repealed as follows: "On the first (1st) Monday after the first (1st) Tuesday in December 1977, the Mayor then in office shall appoint a Personnel Director, subject to confirmation of the Council of the City, who shall hold office at the pleasure of the Mayor and who may be removed at any time at the will of the Mayor. Such removal for all purposes shall be treated as a resignation. If the Mayor shall so remove his appointee, he shall forthwith appoint a successor, which appointment shall require confirmation by the Council. The Mayor shall fill any vacancy in the office of Personnel Director, subject to confirmation by the Council." Also, in lieu of current Article V, Part 9 – Personnel Department, 1-287.1. Derived from Sp. Laws 1969, No. 151, §1.

[458] 2023 repeal of current Article V, Part 9 – Personnel Department, 1-287.3. Derived from Sp. Laws 1969, No. 151, §3, as follows: "The Common Council shall establish by ordinance rules, regulations, policies and procedures which shall govern the operation of said Personnel Department and the administration of personnel matters in the City of Norwalk, including the duties of the Personnel Director. Such ordinance may be amended from time to time by the Common Council in such manner as it may deem necessary for the proper operation of said Personnel Department and the proper administration of personnel matters in the City of Norwalk."

[459] 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.

[460] NEW (2023).

Mayor and are also required to report on their functions to the Division Chief: (a) Building Management, (b) Engineering, (c) Public Works[461], (d) Recreation and Parks[462] and (e) others as may be directed by Ordinance.

~~**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 the Charter.~~

(2) Functions of the Chief and Department Heads of the Division of Operations and Public Works[463]. 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.

Commented [SGM75]: ACTION ITEM #5: 042925

[461] 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.

[462] 2023 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.

[463] 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.

(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.

(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 Street[464]**.** The Division Chief 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.

(b) Cross Street; Acquiring rights-of-way; cost of constructing bridges and approaches[465]**.** The City of Norwalk shall acquire all rights-of-way required for the purposes of §8-7.B(2)(a), 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.

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[464] 2025 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.

[465] 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.

(c) Cross Street; Responsibilities[466]. 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), and the Highway Commissioner shall have no obligation or liability therefor.

§8-8. Community Service Functions[467]**.**

A. Generally[468]**.** The functions under this division of government pertain to the administration and management of policies and programs designed to (1) increase and sustain the social well-being and health of all residents of the City, by consolidating initiatives and programs that directly affect the social well-being and health of the residents of the City; (2) provide oversight and administrative support to departments under its supervision; and (3) such other related activities as may be assigned to the Chief from time to time by the Mayor or by Ordinance. The Chief serves as the liaison to state and federal agencies within the purview of the division.

B. Chief of Community Services[469]**.** At the time of the adoption of this provision of the Charter, the Division Chief is the Chief of Community Services. 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.

C. Departments and Direct Reports to the Division Chief[470]**.** 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) Health, (b) Public Library[471], (c) Human Services and (d) others as may be directed by Ordinance or assigned by the Mayor.

§8-9. Public Safety Functions.

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[466] 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.

[467] 2023 repeal of the following provisions pertaining to Social Services and Public Welfare: from current Article X – Department of Social Services, (1) §1-353. Derived from Charter Amendment 2-10-1981.) Historical Editor's Note: The Charter Amendment adopted 2-10-1981 also provided for the repeal of former §§ 1-353 through 1-361, which comprised former Art. X, Department of Public Welfare (Sp. Laws 1913, No. 352, § 171; Sp. Laws 1933, No. 331, §§ 1 and 2; Sp. Laws 1935, No. 505, §§ 1, 2, 3, 4, 5, 6 and 7.); (2) §1-354. Derived from Charter Amendment 2-10-1981; (3) §1-356. Derived from Charter Amendment 2-10-1981; (4) §1-356. Derived from Charter Amendment 2-10-1981; (5) §1-358. Derived from Charter Amendment 2-10-1981; and (5) §1-357. Derived from Charter Amendment 2-10-1981.

[468] NEW (2023)

[469] NEW (2023).

[470] NEW (2023).

[471] Note: At the time of the adoption of this Charter the Public Library consists of the libraries in the First Taxing District and the Second Taxing District of the City. The Rowayton Library and East Norwalk Library are not governed by the Charter and Ordinances.

A. The Police Department[472]. The Police Department is responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, ~~Regulation~~regulation of traffic, protection of the rights of persons and property and enforcement of Laws and Ordinances and all rules and Regulations made in accordance therewith[473]. The City must maintain an adequate police force and provide all services as may be required by Law, Charter or Ordinance.

Commented [SGM76]: Errata.

(1) All sworn members of the Department possess and are authorized to exercise the authority and duties pertaining to the service of criminal process and enforcement of criminal laws as are vested in police officers by Law, this Charter and Ordinances[474].

(2) The Chief of Police - Powers and Duties[475]. The head of the Police Department is the Chief of Police who is responsible for the general management and operations of the Police Department. In this regard, the Chief is required to propose, in writing, policies, rules, and Regulations concerning the general management and operations of the Department and the conduct of all its members, in accordance with Law, this Charter and Ordinance.

(a) Appointment[476]. The Police Commission is required to appoint the Chief of Police as set forth in §7-2.B(~~1)(c)(iii~~2)(b); however, the Chief may be removed from office in accordance with the provisions of this Charter, the Ordinances and the General Statutes[477]. The Chief of Police may hold office until completion of service or until a successor shall be appointed and shall have qualified.

Commented [SGM77]: errata

(b) Qualifications[478]. The Chief of Police must meet the requirements, qualifications and certifications as may be set forth in the General Statutes and required by the City in accordance with nationally

[472] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-312 (Derived from Charter Amendment 11-3-1970), in lieu of the following: "The Norwalk Police Department shall maintain an adequate police force and shall provide all services as they may be required in the entire City of Norwalk. This section shall apply to the fiscal year beginning July 1, 1971, and shall be effective as of that date."
[473] NEW (2023).
[474] NEW (2023). 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-303 (Derived from Sp. Laws 1913, No. 352, § 141; Sp. Laws 1925, No. 225, § 17.) Historical Editor's Note: Refer to § 1-217 for powers of Constables; See also, 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-311 (Derived from Sp. Laws 1953, No. 590, §1, as follows: "The police shall have the powers of Constables of towns in the apprehension and arrest of criminals and the service of process within the limits of the City."
[475] NEW (2023).
[476] NEW (2023).
[477] C.G.S. §7-278 entitled "Hearing prior to dismissal of municipal police head. Just cause requirement. Appeal".
[478] Charter Revision of 2011.

accepted professional standards and best practices in the applicable field as developed pursuant to §8-2.E[479].

B. The Fire Department. The Fire Department is responsible for the protection of life and property in the City from fire and other like disasters and emergencies, and for the enforcement of all Laws, Ordinances and Regulations relating to fire prevention and fire safety**[480]**. The jurisdiction of the Norwalk Fire Department extends to the entire City of Norwalk except to the Sixth Taxing District[481]. The Department is required to maintain an adequate fire-fighting force; provide all services as may be required; and maintain all necessary fire houses and fire-fighting equipment within the boundaries of the Fifth Taxing District, except the Sixth Taxing District**[482]**. Notwithstanding the foregoing, the Norwalk Fire Department is required to make available the services of its entire department to the entire City whenever they may be required**[483]**.

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[479] 2023 repeal of (1) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-305.1 (Derived from Sp. Laws 1967, No. 403), as follows: "here shall be a special police force or call force in the City of Norwalk consisting of not more than two hundred (200) members. The members of said special police or call force shall be appointed by the Board of Police Commissioners for terms not exceeding two (2) years. No person shall be appointed a member of the special police or call force unless he is an elector of the City of Norwalk, of good moral character and habits, in good health, and shall have passed such examination, mental and physical, as may be required by the Board of Police Commissioners. Such special police force or call force shall, at all times, be under the direction and control of the Chief of Police and shall perform such duties as may be assigned or designated by said Chief of Police. Members of the special police or call force shall have the power of regular policemen in the apprehension and arrest of criminals, in maintaining public order, and in the service of process within the limits of the City of Norwalk, and shall be paid for their services by said city;" (2) current Article VIII – Police Department and Police Fund, Part 1 – General (arrest without warrant), §1-306 (Derived from Sp. Laws 1913, No. 352, §148), as follows: "It shall be the duty of any police officer of the City to arrest, without previous complaint or warrant, any person guilty of drunkenness, vagrancy, disorderly conduct, breach of the peace, common assault, or any other offense committed within the City, when such offender may be taken or apprehended in the act, or on the speedy information of others, or when such officer has reasonable grounds to believe that an offense has been committed, and all persons so arrested shall be immediately presented before the Superior Court for trial; and, (3) current Article VIII – Police Department and Police Fund, Part 1 – General, (1) §1-303 (Derived from Sp. Laws 1913, No. 352, § 141; Sp. Laws 1925, No. 225, § 17.) Historical Editor's Note: Refer to § 1-217 for powers of Constables, as follows: ".The police shall have the powers of Constables of towns in the apprehension and arrest of criminals and the service of process within the limits of the City; and (2) §1-313 (Derived from Charter Amendment 11-3-1970), as follows: "All the inhabitants and real and personal property within the limits of the Fifth Taxing District shall be liable to taxation to defray the expenses of the Police Department, and an appropriation for the Police Department shall be included in the annual budget of the City. This section shall apply to the fiscal year beginning July 1, 1971, and shall be effective as of that date." .

[480] NEW (2023).

[481] 2023 recodification of current Article XXII "Extension of Fire Protections," §1-665. Derived from Charter Amendment 11-3-1970; effective 7-1-1971. See also, current Article XXII "Extension of Fire Protection." [Adopted 6-14-1961] Historical Editor's Note: See also, Art. IX and Ch. 41, Fire Department.

[482] 2023 modification and recodification of current Article XXII "Extension of Fire Protections," §1-666. Derived from Charter Amendment 11-3-1970, effective 7-1-1971, in lieu of the following: "(i) The Norwalk Fire Department shall maintain adequate fire-fighting force within the Fifth Taxing District of the City of Norwalk and in addition thereto shall maintain all necessary fire houses and fire-fighting equipment within the boundaries of the Fifth Taxing District of the City of Norwalk, except the Sixth Taxing District. (ii) The Norwalk Fire Department shall make available the services of its entire department to the entire city whenever they may be required."

[483] 2023 modification and recodification of current Article XXII "Extension of Fire Protections," §1-666. Derived from Charter Amendment 11-3-1970, effective 7-1-1971.

(1) The Fire Chief – Powers and Duties[484]. The head of the Fire Department is the Fire Chief, who is responsible for the general management and operations of the Fire Department. In this regard, the Chief is required to propose, in writing, policies, rules and Regulations concerning the general management and operations of the Department and the conduct of all its members, in accordance with Law.

(2) Appointment[485]. The Fire Commission is required to appoint the Fire Chief as set forth in §7-2.C(~~1~~)(~~e~~)(~~iii~~2)(d); however, the Chief may be removed from office in accordance with the provisions of this Charter, the Ordinances and the General Statutes[486]. The Fire Chief may hold office until Completion of Service or until a successor shall be appointed and shall have qualified.

Commented [SGM78]: Errata

(3) Qualifications[487]. The Fire Chief must meet the requirements, qualifications and certifications as may be set forth in the General Statutes and required by the City in accordance with nationally accepted professional standards and best practices in the applicable field as developed pursuant to §8-2.E.

(4) Taxation[488]. All of the inhabitants and the real and personal property within the limits of the Fifth Taxing District, with the exception of the Sixth Taxing District, shall be liable to taxation in order to defray the expenses of the Norwalk Fire Department. An appropriation to cover the operation of the Norwalk Fire Department shall be included in the annual budget of the City.

(5) Termination of Sixth Taxing District Exception[489]. At such time as the Sixth Taxing District shall cease to maintain its own Fire Department, the Sixth Taxing District shall no longer be excepted from the provisions of §8-9.B, hereinabove, and all of the inhabitants and real and personal property within the Fifth Taxing District are liable to taxation to defray the expenses of the Department.

[484] NEW (2023).
[485] NEW (2023).
[486] See, C.G.S. §7-302 entitled "Hearing prior to dismissal of fire department head. Appeal".
[487] Charter Revision of 2011.
[488] 2023 Recodification of current Article XXII "Extension of Fire Protections," §1-667. Derived from Charter Amendment 11-3-1970; effective 7-1-1971.
[489] 2023 recodification of current Article XXII "Extension of Fire Protections," §1-668. Derived from Charter Amendment 11-3-1970; effective 7-1-1971.

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

ARTICLE IX: EDUCATION[490]

§9-1. Board of Education[491].

A. Creation and Composition of the Board of Education[492].

(1) Composition[493]. The Department of Education which shall be under the control of nine members, who shall be Electors of the City of Norwalk, and shall be known as the Board of Education. Its members are elected as hereinbefore provided.

(2) Duties[494]. The Board shall perform the duties and have the powers provided by the General Statutes for boards of education.

(3) Meetings[495]. The Board is required to hold a regular meeting each month.

(4) Mayor Ex-Officio Non-Voting Chair of the Board[496]. The Mayor is, ex officio, the Chair of the Board of Education and may preside at all meetings of the

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[490] 2023 recodification of current Article XVIII, entitled "Schools", Part 1. General. §1-507 through 1-509 (Reserved). Historical Editor's Note I: Editor's Note: See also Part 2, Board of Education, §§ 1-516 through 1-520. Historical Editor's Note II: Former §§ 1-507, Control of School Committee, 1-508, Term of School Committee, and 1-509, Retention of positions, Sp. Laws 1913, No. 352, §§ 162 through 164, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980. §1-509. through § 1-515. (Reserved). Historical Editor's Note III: Former §§ 1-511, Expansion of technical and vocational training, 1-512, Appropriation for expansion of technical and vocational training, and 1-513 Appropriations not subject to certain statutory limitations, Sp. Laws of 1943, No. 478, §§ 1 to 3, and §§ 1-514, Transfer to city of funds of South Norwalk Union School District, and 1-515, Transfer to city of funds of South Norwalk and Brookside School Districts, Sp. Laws 1937, No. 39, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

[491] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education.

[492] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516. Derived from Sp. Laws 1913, No. 352, § 166; Sp. Laws 1915, No. 198, § 1; Sp. Laws 1921, No. 189, § 6; Sp. Laws 1929, No. 103; Sp. Laws 1967, No. 197, § 7; Charter Amendment 11-3-1970, effective 7-1-1971; Charter Amendment 9-12-2000. Historical Editor's Note: Approved by the electorate at the general election held 11-7-2000.

[493] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (First sentence). Editor's Note: For election of Board of Education members refer to § 1-167b Note: Replaces of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-518. Derived from Sp. Laws 1931, No. 315, § 2; Sp. Laws 1933, No. 174; Sp. Laws 1967, No. 197, § 8; Sp. Laws 1969, No. 264, §3; Charter Amendment 8-17-1976 (I); Charter Amendment 8-29-1978 (II). Historical Editor's Note I: Approved by the electorate at the general election held 11-2-1976. Historical Editor's Note II: Approved by the electorate at the general election held 11-7-1978. Historical Editor's Note I: This date was corrected by resolution of the Common Council 3-8-1977. Historical Editor's Note II: See also, Art. VI, § 1-289, for appropriations in general. Also replaces current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-519. Derived from Sp. Laws 1931, No. 315, §3.

[494] 2023 recodification and modification of current Article III – Part 1. In General, §1-167. Derived from Charter Amendment 11-3-1970; effective 7-1-1971; Charter Amendment 9-12-2000. Historical editor's Note: (1) See also Art. XVIII, Part 2; (2) Approved by the electorate at the general election held 11-7-2000..

[495] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Second sentence).

[496] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Third and fourth sentences).

Board. The Mayor has no vote in any meeting of the Board except in case of a tie vote among the regular members of the Board.

(5) Election of Officers[497]. The Board is required to elect, from among its members, a (a) Chair pro tempore, who presides at all meetings of the Board in the absence of the Mayor, (b) Vice Chair and (c) Secretary, who shall keep a record of all votes, acts and transactions of the Board. The Chair, Vice Chair and Secretary shall perform all duties imposed by the Board or by Law, this Charter or Ordinances.

(6) Election of Superintendent[498]. The Board is required to elect a Superintendent of Schools, in accordance with the General Statutes.

(7) Other Appointments. Acting through the Superintendent of Schools or otherwise, the Board is authorized to employ such number of assistants, principals and teachers as it may deem necessary and prescribe their respective terms of office and duties, in accordance with the education appropriation and such other funds as may be available to the Board[499]. The Board may make such appointments before any appropriation has been made to cover the salaries of the persons appointed and §8-2.D(2) shall not apply to such obligations[500].

(8) Duties of Board[501]. The Board of Education is responsible for the control, charge, and direction of the public schools in the City and for the expenditure of moneys appropriated for the support of the same strictly in accordance with the provision of the applicable General Statutes[502]. This authority does not include erection of new schools or additions to the present buildings. The Board is authorized to:

(a) Keep all the school buildings and apparatus used therein in good condition and repair and

(b) Exercise the powers conferred by the General Statutes, subject to the general duties and limitations of Boards of Education, in accordance with the applicable General Statutes[503].

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[497] 2023 modification and recodification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-516 (Fifth and sixth sentences).
[498] 2023 recodification and modification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-516 (Seventh sentence).
[499] 2023 recodification and modification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-516 (Seventh sentence).
[500] 2023 recodification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-516 (Eighth sentence).
[501] 2023 recodification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-517. Derived from Sp. Laws 1931, No. 315, § 1.
[502] Editor's Note: See also § 1-248, for purchase of commodities by Comptroller.
[503] In lieu of current §§1-517 to 1-519.

The Board is further authorized to make its by-laws, define the duties of its officers and committees and prescribe rules and Regulations for discipline in the public schools.

(9) Board Reports[504]. The Board is required, at the end of each fiscal year, to transmit to the Mayor a full report of its proceedings during the year with a statement showing the total amount of money received and expended for the support of the schools, and, at least once in each month, shall transmit to the Mayor a detailed statement of expenses incurred during the preceding month and the expenses shall be paid in the same manner as other expenses of the City[505].

§9-2. School Districts[506].

The territorial limits of the City as herein described shall be one school district, but the Board of Education may divide the same into subdistricts for the purpose of control of attendance of pupils of certain schools.

§9-3. Budget[507].

The Board of Education and Superintendent is required to submit its budget to the Chief Financial Officer and the Mayor at the same time as other Departments, as set forth in this Charter. If the Board receives an appropriation greater or less than its original request, it must, forthwith, revise its estimates of expenditure in accordance therewith and file a copy thereof with the Mayor, Board of Estimate and Taxation and the Common Council. The Board is further required to report monthly to the Mayor, Chief Financial Officer, Board of Estimate and Taxation, and the Council a comparison of actual and estimated expenditures.

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[504] 2023 recodification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-520. Derived from Sp. Laws 1913, No. 352, §168; Sp. Laws 1921, No. 189, §5.

[505] 2023 Repeal of (1) Current Article XVIII, entitled “Schools”, Part 3. Bonds and Notes. §1-521 through 1-613 (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 the following sections relating to terminated bond issues: §§ 1-521 through 1-525 (Sp. Laws 1923, No. 137, §§ 1 to 5); 1-526 through 1-530 (Sp. Laws 1925, No. 451, §§ 1 to 5); 1-531 through 1-535 (Sp. Laws 1927, No. 97, §§ 1 to 5); 1-536 through 1-539 (Sp. Laws 1929, No. 192, §§ 1 to 4); 1-540 through 1-543 (Sp. Laws 1929, No. 215, §§ 1 to 4); 1-544 through 1-551 (Sp. Laws 1935, No. 359, §§ 1 to 8); 1-552 through 1-558 (Sp. Laws 1937, No. 74, §§ 1 to 7); 1-559 through 1-565 (Sp. Laws 1939, No. 19, §§ 1 to 7); 1-566 through 1-570 (Sp. Laws 1943, No. 206, §§ 1 to 5); 1-571 through 1-575 (Sp. Laws 1945, No. 165, §§ 1 to 5); 1-576 through 1-581 (Sp. Laws 1947, No. 347, §§ 1 to 6); 1-582 through 1-587 (Sp. Laws 1947, No. 370, §§ 1 to 6); 1-588 through 1-593 (Sp. Laws 1949, No. 206, §§ 1 to 6; Sp. Laws 1951, No. 161, §§ 1 and 2); 1-594 through 1-599, (Sp. Laws 1949, No. 306, §§ 1 to 6); 1-600 through 1-603 (Sp. Laws 1951, No. 536, §§ 1 to 4); 1-604 through 1-608 (Sp. Laws 1953, No. 299, §§ 1 to 5); 1-609 through 1-613 (Sp. Laws 1957, No. 665, §§ 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. Also Repeal of current Article XVIII, entitled “Schools”, Part 3. Bonds and Notes. §1-614. Derived from Sp. Laws 1957, No. 665, §§ 6, 7.

[506] 2023 recodification of current Article XVIII, entitled “Schools”, Part 1. General. §1-508. Derived from Sp. Laws 1913, No. 352, § 165.

[507] NEW (2023)

§9-4. Reporting Requirements[508].

Unless otherwise specifically prohibited by the General Statutes, commencing on the first business day of July and every quarter thereafter, the Board of Education shall file with the Mayor, Board of Estimate and Taxation and Common Council, a report pertaining to all contracts (including, but not limited to, agreements, memoranda, letters of understanding, side letters, and other agreements) with a multi-year term; or which were procured by means of a competitive process for a multiple year term or option for extension; or, which otherwise contains an extension, option or renewal provision. This provision does not apply to contracts exempted from public disclosure by Law or otherwise not capable of redaction in order to protect statutory privacy rights of individuals. The exemption from this provision should not be construed to prevent the City or their officials from obtaining such documents, where permitted under Law.

[508] NEW (2023)

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

ARTICLE X: BUDGET, PUBLIC FUNDS AND FINANCE

§10-1. The Budget Process[509].

A. Cooperation of City Officials and Employees[510]. 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 Budget[511]. 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~~, capital expenses~~ 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.

(2) Capital Budget[512]~~.~~ and Capital Improvement Plan[513]. 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~~. Each Capital Budget must include~~ and grants over a 10-year period, of which years 2 – 10 are non-binding ~~Five-Year Program of Capital Expenditures~~. The Capital Budget, adopted annually as set forth in this Charter, consists of such improvements to be included authorized for the ensuing fiscal year.

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.

Commented [SGM79]: CFO 031425

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Commented [SGM81]: CFO 031425 and 041525

Commented [SGM82R81]: ACTION ITEM: 042925

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[509] NEW (2023)
[510] NEW (2023).
[511] ~~NEW (2023)~~ 2025 revision of §10-1.A(1) which was adopted in the 2023 Charter.
[512] ~~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.~~
[513] 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.

B. Fiscal Year[514]. The fiscal year of the City begins on July 1st and ends on June 30th of the succeeding year.

C. The Budget: A Public Record.

(1) Public Inspection[515]. 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[516]. 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[517]. 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[518]. 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;~~ (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 (~~f~~i) a member of the Board of Estimate and Taxation designated by the Mayor~~.~~

Commented [SGM83]: CFO 021625

Commented [SGM84R83]: ACTION ITEM: 042925

[514] 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

[515] NEW (2023)

[516] NEW (2023)

[517] NEW (2023).

[518] ~~NEW (2023)~~ 2025 revision of §10-1.C(4) which was adopted in the 2023 Charter.

D. Authority to Require Operating Budget and Capital Budget Information[519]. 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 the Mayor's designee the following:

(1) estimates of revenue and requests for expenditures for the Operating Budget in the ensuing fiscal year[520];

(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 in 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 Mayor[521];

(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 Charter[522]; and,

(4) all special revenue, equity assistance and enterprise funds, if any[523].

E. Submission of Operating Budget and Capital Budget Estimates[524]. 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 Public Schools, on or before December 31st), to submit and report to the Mayor or designee, the following:

(1) Operating Budget Estimate[525]. 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

Commented [SGM85]: SGM consolidation based upon CFO 021625

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Commented [SGM87]: SGM consolidation based upon CFO 021625.

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Commented [SGM89]: RECOMMENDED BY COUNSEL.

Commented [SGM90R89]: ACTION ITEM: 042925

Commented [SGM91]: CFO FOLLOWING CONSULTATION WITH PUBLIC SCHOOL CFO) 042925: ACTION ITEM

Commented [SGM92R91]: ACTION ITEM: 042925

[519] 2025 recodification and revision of §10-2.A which was new provision added to the Charter in 2023.
[520] 2025 recodification of §10-2.A(1)
[521] NEW (2025)
[522] 2025 recodification of §10-2.A(2).
[523] NEW (2025)
[524] 2025 recodification of §10-2.B and 10-11.
[525] 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.

Chief Financial Officer[526]; and,

(2) Capital Budget Items Estimate[527]. 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 Improvement Plan, including the proposed Capital Budget for the ensuing year.

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.

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Commented [SGM95]: CFO 031525

Commented [SGM96R95]: ACTION ITEM: 042925

Annual Operating Budget

§10-2. Operating Budget Estimates.

~~**A. Authority to Require Operating Budget Estimates[528].** The Mayor has the authority to require 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:~~

A. Submission of Operating Budget Estimates[529]. The Operating Budget Estimates shall be submitted to the Mayor or the Mayor's designee, in accordance with §10-1.E(1), above.

Commented [SGM97]: SGM consolidation in Sec. 10-1.D(1) based upon CFO 021625.

Commented [SGM98R97]: ACTION ITEM: 042925

B. Budget Preview: Joint Committees[530]. 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 of all Budgeted Entities ("Joint Committees"). The Joint Committees shall elicit comments and ideas from members of the public during this meeting.

Commented [SGM99]: CFO 021625

Commented [SGM100R99]: ACTION ITEM: 042925

~~**(1)** estimates of revenue and requests for expenditures for the ensuing fiscal year; and~~

~~**(2)** any additional information which they possess (including, but not limited to, records, books, accounts, contracts, reports and other papers and~~

[526] 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

[527] 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

~~[528] NEW (2023)~~

[529] 2025 revision and merger in §10-1.D(1).

[530] NEW (2025)

~~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 Charter.~~

~~**B. Submission of Operating Budget Estimates[531].** Each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, through their Department Head or other responsible officer, is required, on or before the December 15th of each year, to submit and report to the Mayor or designee, an estimate of the amount of money 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 Officer[532].~~

The Proposed Mayor's Operating Budget

§10-3. Submission of the Mayor's Proposed Operating Budget to the Board of Estimate and Taxation[533] and Common Council[534].

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 ~~and to the Common Council, on or before February 22nd of each year~~, the Mayor's Proposed Operating Budget, comprised of the following:

Commented [SGM101]: CFO 021625

Commented [SGM102R101]: ACTION ITEM: 042925

A. Narrative and Recommendations[535]. The Mayor's narrative and recommendation on the contents of the Proposed Operating Budget and

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~~[531] 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~~

~~[532] 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~~

[533] 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.

[534] 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

[535] 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. See, derivations in fn #17, above.

B. Department and Other Budgeted Entity Estimates, including the Norwalk Public Schools under the auspices of the Board of Education[536]. 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 total Board of Education appropriation) and recommending ~~a~~an estimated 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 Budget[537].

. 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 Appropriations[538]. 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 Charter[539]. The Common Council resolution is exempted from the application of §4-10.

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[536] 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.

[537] 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

[538] 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

[539] 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

C. Exemption of Grants from Maximum ~~Taxation~~[540].Limit on Total Appropriations[541]. Any grants from private, state, or federal sources received after the adoption of any maximum ~~taxation~~limit on total appropriations by the Common Council under this section are exempted from ~~the~~such maximum ~~limitation~~limit.

Commented [SGM103]: ACTION ITEM: 042825

§10-6. Board of Estimate and Taxation Deliberations on the Mayor's Proposed Operating Budget[542].

Commented [SGM104]: ACTION ITEM: 042825

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~~proposed changes 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 Council[543]. 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

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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

[540] ~~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~~

[541] 2025 revision derived from the 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

[542] 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

[543] 2025 revision of §10-7.A, derived from the 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

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 Council[544]. 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 Charter[545]. The Common Council vote is exempted from the application of §4-10.

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

A. Alteration to Common Council Limits[546]. 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 Publication[547]. 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 Rates[548]. The Board of Estimate and Taxation must hold a meeting no later than May 7th of each year

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[544] 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

[545] 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

[546] 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

[547] 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). See, derivations in fn #31.

[548] 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-third

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 Statutes[549].

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D. No Further Action by Common Council[550]. 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 Charter[551]. 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 Revenues[552].

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 Limit[553]. No money other than that appropriated as aforesaid by the Board of

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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

[549] **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.

[550] 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fourth sentence). See derivations in fn #33.

[551] 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fifth sentence). See derivations in fn. #33.

[552] 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

[553] 2025 revision of §10-10.A, derived from the 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-seventh and twenty-eighth sentences).

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.

B. Special Appropriations[554]**.** 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.

C. Specific Purpose Appropriations[555]**.** 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 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[556]**.**

A. ~~On~~Submission of Estimates[557]**.** The Estimates of Capital Budget Items shall be submitted to the Mayor or a designee in accordance with §10-1.E(2), above.

B. Submission of Mayor's Proposed Capital Budget and Capital

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Commented [SGM108]: CFO 031425.

Commented [SGM109]: SGM consolidation in Sec. 10-1.D(2) based upon CFO 021625.

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[554] 2025 revision of §10-7.B, derived from the 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

[555] 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

[556] NEW (2023). Derived from §30-5 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

[557] 2025 revision and merger into §10-1.D(2).

Improvement Plan[558]**.** The Mayor or the Mayor's designee must submit to the Board of Estimate and Taxation and the Common Council on or before ~~December 31st~~February 15th of each year~~, each Department Head and responsible officer for~~, the Mayor's Proposed Capital Budget and Capital Improvement Plan,. The budget and plan shall include the

(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 ~~Norwalk Public Schools under the auspices of~~ requests and narrative of the particulars proposed by the Board of Education) ~~must submit to the~~ 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.

C. Notice and Publication of the Mayor's Proposed Operating Budget[559]**.** The Chief Financial Officer ~~a detailed estimate of all Capital Budget Items, which, in the judgment of each Department Head and responsible officer, should be undertaken~~or other designee of the Mayor must post the Mayor's Proposed Capital Budget and Capital Improvement Plant, 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.

Public Hearing Requirements[560]**.** 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 any 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 ~~Five-Year Program of Capital Expenditures, including the proposed Capital Budget for the ensuing year. These estimates shall be known as "estimates for capital projects" 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.~~

D. parameters of the rules of the Commission, Board or Council in order to facilitate the submission of views and information related to a matter on which a decision of each of the entities is pending.

Commented [SGM111]: CFO 021625 and 041525

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Commented [SGM113]: ACTION ITEM: 042925

Commented [SGM114]: CFO 031425

Commented [SGM115R114]: ACTION ITEM: 042925

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[558] NEW (2025).
[559] NEW (2025)
[560] 2025 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.

§10-12. Chief Financial Officer's Report[561].

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

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 Report must also be sent to the Budgeted Entities, which have submitted requested for including in the Capital Budget.~~

B. Recommendations related thereto.

The Chief Financial Officer must also 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.

§10-13. Review by the Planning and Zoning Commission[562].

A. Public ~~Hearings~~Hearing. On or before February 15th in each year, the Planning and Zoning Commission is required to hold ~~hearings~~a Public Hearing on the proposed ~~Five-Year Program of~~ Capital ~~Expenditures~~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 ~~Common Council~~ public may be heard for the purpose set forthin §10-13.B, below. The hearing may be continued in ~~respect~~order to ~~estimates for each of these years.~~ ensure maximum public participation.

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

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 ascertain whether the proposed estimates are consistent with the City's Plan of Conservation and Development.

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Commented [SGM118]: TL QUERY: THE WHOLE THING?
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Commented [SGM120]: CFO 031425
Commented [SGM121R120]: ACTION ITEM: 042925
Commented [SGM122]: CFO 021625
Commented [SGM123R122]: ACTION ITEM: 042925
Commented [SGM124]: TL QUERY: THE WHOLE THING OR JUST THE CAPITAL BUDGET (YEAR 1)?
Commented [SGM125]: CFO 031425
Commented [SGM126R125]: ACTION ITEM: 042925

[561] ~~NEW (~~2025 revision of §10-12 which was new in 2023~~). Derived~~, derived from §30-6 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

[562] ~~NEW (~~Revision of §10-13 which was adopted in 2023~~). Derived~~ and derived from §30-7 of the Code of Ordinances. Amended 3-10-1959; 9-28-2021.

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~~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.

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~~**§10-14. Review by the Mayor[563].**~~

E. Transmittal of the Report[564]. The proposed Capital Budget, including the ~~Five-Year Program of~~ Capital ~~Expenditures~~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~~. 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 ~~§10-13.~~this section.

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Commented [SGM131]: 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?"

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

A. Mayoral Review[565]. 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.

~~**§10-15. Action by the Board of Estimate and Taxation[566].**~~

B. Transmittal by the Mayor to the Board of Estimate and Taxation~~.~~ and Common Council[567]. 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[568].

~~[563] NEW (2023). Derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.~~

[564] 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.

[565] 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.

~~[566] NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.~~

[567] 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.

[568] 2025 recodification of §10-15 which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

A. Adoption of Resolution. The Board of Estimate and Taxation is~~, then~~ required to ~~approve the~~adopt a Resolution, adopted by an affirmative vote of a majority of the entire membership of the Board to set forth its written recommendations pertaining to the Mayor's Proposed Capital Budget~~, incorporating therein the~~ for the ensuing fiscal year and cause the same to be transmitted to the Common Council, as set forth below[569].

(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 City[570].

~~(1)~~(2) ..... **Further Recommendations.. Said transmittal shall incorporate therein recommendations as the Mayor, the Planning and Zoning Commission and the Chief Financial Officer may make**[571].

B. Public Hearings[572]**.** The Board of Estimate and Taxation 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.

A.C. Transmittal by the Board of Estimate and Taxation to the Common Council. ~~Upon~~ 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 year, with an expression in writing of its judgment with respect to the amount of funds it is 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 City. each year~~[573]. The Council is not required to consider any recommendations of the Board of Estimate and Taxation if not in writing or transmitted on or before April 1st of each year[574].

~~B.~~D. **Transfers to Operating Budget**[575]**.** 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.

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Commented [SGM139]: CFO 021625

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Commented [SGM141]: TL QUERY: IS THIE NECESSARY? COUNCIL CAN IGNORE EVEN IF TRANSMITTED IN A TIMELY FASHION.

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[569] NEW (2025).
[570] 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.
[571] 2025 recodification of the last clause of the second sentence of §10-15.A.
[572] NEW (2025).
[573] 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).
[574] NEW (2025).
[575] NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

E. Exemption from the Referendum Provisions of this Charter[576]. The Resolution of the Board of Estimate and Taxation is exempted from the application of §4-10, above.

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§10-16. Adoption of Capital Budget[577].

A. Actions of the Common Council[578]. 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.D, above, by a Majority Vote of the Council~~.~~ within the maximum limits of the total Capital Budget established by the Mayor.

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"REINSTATEMENT" LIMITED TO BET §10-15.D TRANSFERS

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B. Deadline for Approval[579]. 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.

C. Items Deemed Inconsistent with the Plan of Conservation and Development[580]. 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.

D. Public Hearings[581]. 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 the Mayor's Proposed Capital Budget. Thereafter the Council may take such actions as set forth in §10-15.A, above.

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Commented [SGM148]: CFO 031425

Commented [SGM149R148]: ACTION ITEM: 042925

§10-17. Allotments and Recommendations for Termination or Abandonment of Capital Budget Items[582].

A. Allotments[583]. 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

[576] NEW (2025).
[577] ~~NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.~~
[578] 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.
[579] NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.
[580] NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.
[581] NEW (2025).
[582] NEW (2023). Derived from §30-10.1 of the Code of Ordinances. Added 1-24-1961; amended 5-13-2003; 9-28-2021.
[583] NEW (2023). Derived from §30-10.1.B (First sentence) of the Code of Ordinances

Commission and Common Council[584]**.** Any Capital Budget Item ~~may be terminated~~shall lapse if not implemented within four years of authorization by the Common Council. On or ~~abandoned, provided that the Mayor gives written Public Notice~~before November 1st of each year, the Chief Financial Officer shall submit to the ~~Planning and Zoning Commission of the reason~~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 ~~termination~~a project or ~~abandonment.~~ 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 Funds[585]**.** 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~~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~~19, below.

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§10-18. Restrictions[586]**.**

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 Obligations[587]**.**

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.

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[584] ~~NEW (2025 revision of §10-17.B which was adopted in~~ 2023~~). Derived~~ and derived from §30-10.1.B (Fourth and fifth sentences) of the Code of Ordinances

[585] ~~NEW (Revision of §10-17.C which was adopted in~~ 2023~~).~~ Derived from §30-10.1.C of the Code of Ordinances

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

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

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 Council[588]**..** 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 Recommendations[589]**.**

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[590].

~~**§10-21. Planning and Zoning Commission, Board of Estimate and Taxation, and Common Council Required to Conduct Public Hearings**[591]**.**~~

~~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 Five-Year Program of Capital Expenditures 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.~~

Capital Budget Administration

[588] NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.
[589] NEW (2023). Derived from §30-12 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.
[590] §10-21 was recodified as §10-11.D.
~~[591] NEW (2023). Derived from §30-13 of the Code of Ordinances. Amended 9-28-2021.~~

§10-22. Implementation and Oversight of the Capital Budget Projects[592].

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

Borrowing

§10-23. Issuance Authorized: Procedures[593].

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.

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[592] NEW (2023).

[593] 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)

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ARTCLE XI: TRANSITION AND MISCELLANEOUS PROVISIONS

§11-1. Existing Laws and Ordinances[594].

All special acts of the legislature and Ordinances of the City, except as the same are in conflict with this Charter, shall continue in full force and effect until amended or repealed.

§11-2. Savings Clause[595].

If any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which a section or part of a section so held invalid may appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holding shall directly apply.

§11-3. Transition Provisions[596].

All Departments, Boards, Commissions and other units of the City government previously provided for in the Charter but not provided for in this amended Charter and in existence as of the effective date of this amended Charter, and the positions associated therewith, shall remain in existence unless and until they are altered or abolished by Ordinance. The Department Heads, deputies, and assistants of the Departments~~,~~ shall continue until replaced by the Mayor, in accordance with Law and any applicable collective bargaining agreements.~~.~~

§11-4. Periodic Review of the Charter and Amendment of Charter[597].

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A. 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 2030~~2035 and no later than every ~~five~~ten 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.

B. This Charter may be amended in the manner prescribed by Law and shall take effect as set forth by the General Statutes.

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[594] NEW (2023)
[595] NEW (2023)
[596] NEW (2023)
[597] ~~NEW (2023)~~ Revision of §11-4 which was adopted in 2023.

§11-5. Effective Date.

The provisions of this Charter and amendments thereto, as to the administration of the City shall become effective on January 1, ~~2024~~2026; unless otherwise set forth in the Charter.

Commented [SGM157]: Scrivener's Edit.

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

PART 2 – THE TAXING DISTRICTS[598]

[598] **Comment of the 2023 Charter Revision Commission.** Part 2 of this Charter recodifies all the current charter provision pertaining to the First, Second, Third and Sixth Taxing Districts. The First, Second, Third and Sixth Taxing Districts, as defined in §2-2.B((35), above, and as further set forth in Article XII of Part 2 of this Charter, are quasi-municipal corporations, bodies politic or political subdivisions of the state. The First, Second and Third Taxing Districts are funded through their respective utility revenues and thereby, impose no separate district tax; while the Sixth Taxing District levies a tax for the services it provided for its parks and beaches, garbage collection, library and fire service. The 2023 charter revision did not embark on any changes in the provisions of this Charter other than some minor edits, including the effort to engage in gender neutrality, capitalization of defined terms and placement of provisions that were in the body of the Charter and were more aptly placed in the provisions dealing with the Taxing Districts. The Commission believes that Part 2 should be thoroughly reviewed by the governing bodies of the Taxing Districts. As the reader can see by reviewing the annotations, the Commission itself did not make any changes other than gender neutralization and to capitalization of defined terms. In this section of the Charter, we will retain the internal references to the Charter in effect prior to the effective date of the 2023 revision hereinafter referred to as the "Prior Charter." The provisions of the Prior Charter are referenced in the endnotes.

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ARTICLE XII: TAXING DISTRICTS

§12-1. General.

A. Division into six Taxing Districts[599]. The City is divided into six Taxing Districts. The First and Second Wards[600] shall be the First and Second Taxing Districts[601]. So much of the territory of the City as is included within the boundaries of the East Norwalk Fire District, as the same existed at the passage of the consolidation act, shall be the Third Taxing District[602]. So much of the territory of the City as is included in the First, Second and Third Wards, together with such additional territory situated in the Fourth or Fifth Wards as may at any time hereafter be designated, defined and specified by the Common Council, as provided in §1-17 of the Prior Charter shall be the Fourth Taxing District. The Fifth Taxing District shall be the entire City.

B. Division of City into Wards[603]. For the purposes of the Taxing Districts and other reason as may be stated by Law, the City is divided into five wards: So much of the territory of said city as is included within the boundaries of the former City of Norwalk as the same existed prior to its consolidation with the City of South Norwalk and the East Norwalk Fire District in 1913 shall be the First Ward. So much of the territory of said City as is included within the boundaries of the former City of South Norwalk as the same existed at its consolidation with the City of Norwalk and the East Norwalk Fire District in 1913 shall be the Second Ward. So much of the territory of said City as is included within the following boundaries: Commencing at a point on the boundary line between said City and the Town of Westport where the center line of the New York, New Haven and Hartford Railroad intersects the same, thence southerly along said boundary line to the southeast corner of said city, thence westerly along the southerly line of said city to the southeast corner of the Fifth Ward, thence northerly along the easterly line of said Fifth Ward to the intersection of the same with the southerly line of the Second Ward, thence northerly along the easterly line of said Second Ward to the intersection of the same with the southerly line of the First Ward, thence easterly along the southerly line of the First Ward to the southeast corner of said First Ward, and thence easterly in a straight line to the point or place of beginning, shall be the Third Ward. So much of the territory of said city as lies southerly and westerly of a line commencing at the intersection of the center line of Connecticut Avenue and the boundary line between said city and the Town of Darien, thence running easterly along the center line of said Connecticut Avenue to the westerly line of said Second Ward, thence running southerly along the westerly line of said Second Ward and easterly along the southerly line of said Second Ward to the intersection of the same with the westerly line of the former East Norwalk Fire District, and

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[599] 2023 recodification of current Article II, Part 1. General, §1-16. Derived from Sp. Laws 1913, No. 352, §4; Sp. Laws 1929, No. 82, §1.
[600] Editor's Note: For descriptions of Wards refer to Art. I, § 1-3
[601] Editor's Note: For First Taxing District see Art. II, Part 2. For Second Taxing District see, Art. II, Part 3.
[602] Editor's Note: For Third Taxing District see Art. II, Part 4.
[603] 2023 recodification of current Article I - General. §1-3. Derived from Sp. Laws 1969, No. 186, §2. Historical Editor's Note 1: Editor's Note: See Art. II, § 1-16, for division of city into taxing districts. Historical Editor's Note #2.: Former § 1-3 adopted as § 55 of Sp. Laws 1913, No. 352, as amended, was repealed by Sp. Laws 1969, No. 186, §3.

thence southerly in a direct north and south line along the westerly line of the former East Norwalk Fire District to the southerly line of said city, shall be the Fifth Ward. All the remaining portion of the present City of Norwalk not included in the description of the First, Second, Third and Fifth Wards shall be the Fourth Ward.

C. Taxing District Officers.

(1) Board of Commissioners and Treasurer in First Taxing District[604]. At the election for the choice of City and town officers in 1913, there shall be elected in the First Ward by the electors of the First Taxing District three Commissioners for the terms of office of two, four and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified and there shall be elected a Treasurer of the First Taxing District who shall hold office for the term of two years and until successor is elected and qualified. Biennially thereafter there shall be elected in the First Ward by the electors of the First Taxing District one Commissioner who shall hold office for the term of six years and until A successor is elected and qualified, and a Treasurer of the First Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

(2) Board of Commissioners, Board of Electrical Commissioners and Treasurer in Second Taxing District[605]. At the election for the choice of City and town officers in 1913, there shall be elected in the Second Ward by the electors of the Second Taxing District three Commissioners for the terms of office of two, four, and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified, and there shall be elected in the Second Ward by the electors of the Second Taxing District three members of the Board of Electrical Commissioners, which members shall hold office for the terms of two, four and six years, respectively, and until their successors are elected and qualified, and there shall be elected a Treasurer of the Second Taxing District who shall hold office for a term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the Second Taxing District one Commissioner and one member of the Board of Electrical Commissioners, each of whom shall hold office for the term of six years and until a successor is elected and qualified, and a Treasurer of the Second Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

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[604] 2023 recodification of current Article III – Part 1. In General, §1-175. Derived from Sp. Laws 1913, No. 352, §56. Historical editor's Note: See § 1-24.
[605] 2023 recodification of current Article III – Part 1. In General, §1-176. Derived from Sp. Laws 1913, No. 352, §57. Historical Editor's Note: See also § 1-78.

(3) Board of Commissioners and Treasurer in Third Taxing District[606]. At the election for the choice of City and town officers in 1913, there shall be elected in the Third Ward by the electors of the Third Taxing District three Commissioners for the terms of office of two, four, and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified, and there shall be elected a Treasurer of the Taxing District[607] who shall hold office for the term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the Third Taxing District by the electors of the district, a Commissioner who shall hold office for the term of six years and until a successor is elected and qualified, and a Treasurer of the Third Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

D. Vacancies in Elected Offices of the First, Second, Third or Sixth Taxing Districts[608]. If a Vacancy occurs in any elected office of the First, Second, Third or Sixth Taxing District of the City, the Vacancy shall be filled by the Commissioners of the district in which the same occurs.

E. Extensions and exclusions of Taxing Districts[609].

(1) Authority of the Council to Extend Limits of the Fourth Taxing District[610]. The Common Council is empowered to extend the limits of the Fourth Taxing District to include any part or parts of the Fourth or Fifth Wards of the City. Notice of such proposed action by the Council shall be given by publication thereof, at least ten Days prior to any such meeting, in a newspaper published in the City, which notice shall describe the territory so to be included. If the territory of the Fourth or Fifth Wards to be included in the extension of the limits of the Fourth Taxing District shall be connected by sewer or sewers with the Fourth Taxing District, such extension may be made at the will of the Council after notice as aforesaid. In case the territory so to be included shall not be connected by sewer or sewers with the Fourth Taxing District, the limits of the Fourth Taxing District shall not be extended by the Council to include such proposed additional territory unless a petition for such extension and inclusion, signed by a majority of the electors of the City residing in the territory so to be included, shall be filed with the City Clerk of the City .

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[606] 2023 recodification of current Article III – Part 1. In General, §1-177. Derived from Sp. Laws 1913, No. 352, §58. Historical Editor's Note: For further provisions see § 1-117 supra.
[607] Historical Editor's Note: The Third Taxing District is meant.
[608] 2023 recodification of current Article III – Part 1. In General, §1-174. Derived from Sp. Laws 1913, No. 352, § 55; Sp. Laws 1915, No. 367, § 2; Sp. Laws 1921, No. 334, § 3; Sp. Laws 1969, No. 186, No. 283, § 3; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: (1) This §1-174 was amended pursuant to the court decision in the First Taxing District et al v. City of Norwalk case; and, (2) Editor's Note: Approved by the electorate at the general election held 11-7-1978..
[609] 2023 recodification of current Article II, Part 1. General, §1-17. Derived from Sp. Laws 1913, No. 352, § 4; Sp. Laws 1929, No. 82, § 2; Sp. Laws 1949, No. 399.
[610] 2023 recodification of current Article II, Part 1. General, §1-17 (First paragraph).

(2) Authority of the Council to Exclude Territory from the Fourth Taxing District[611]. The Common Council is empowered to exclude from the Fourth Taxing District any territory of the Fourth and Fifth Wards of the City , if such territory shall not be connected by sewer or sewers of the Fourth Taxing District. Notice of such proposed action by the Council shall be given by publication thereof, at least ten (10) Days prior to such meeting, in a newspaper published in the City , which notice shall describe the territory so to be excluded.

F. Proportioning of former expenses and burdens[612]. All inhabitants and property within the limits of the Fifth Taxing District shall be liable to the burdens and expenses heretofore borne by the Town of Norwalk and herein imposed upon the City by this act to the same extent as they would be liable if the burdens, expenses, duties, and powers had not been transferred from the Town of Norwalk to the City, and in addition thereto, for the expenses of the Board of Health, and the salaries of all elective officials of the City, and the clerical and incidental expenses of their respective offices, except the Commissioners and Treasurer elected in the First, Second, and Third Taxing Districts of the City. All expense of permanent improvement of the highways in the Fourth Taxing District, including paving and the care of the same, shall be borne by the Fourth Taxing District. All other burdens and expenses of the City shall be met by taxes levied upon the inhabitants and property within the limits of the Fourth Taxing District, and it shall be the duty of the assessors to indicate in the completed list of the City, and by separate lists, the property and amount thereof taxable in each of the several Taxing Districts herein created, and the money derived from the taxation of the inhabitants and property of each of the aforesaid Taxing Districts shall not be used for any other purpose than to defray the burdens and expenses of such Taxing Districts as herein imposed.

G. Fiscal year and annual meeting of First, Second and Third Taxing Districts[613]. The fiscal year[614] of the First Taxing District, of the Second Taxing District and of the Third Taxing District, respectively, of the City of Norwalk shall begin on the first Day of January and terminate on the last Day of December. Beginning in the year 1956, the annual meeting of each of the districts shall be held on the first Wednesday of March, and Public Notice of each such meeting shall be given in the same manner as is provided in the Charter of the City.

H. Repeal of inconsistent, former provisions[615]. Any provisions of §§1-23, 1-77 or 1-116[616] of an act, approved June 6, 1913, entitled "An Act consolidating the Town of

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[611] 2023 recodification of current Article II, Part 1. General, §1-17 (Second paragraph).
[612] 2023 recodification of current Article II, Part 1. General, §1-18. Derived from Sp. Laws 1913, No. 352, §10; Sp. Laws 1915, No. 367, §1.
[613] 2023 recodification of current Article II, Part 1. General, §1-19. Derived from Sp. Laws 1937, No. 283, §1; Sp. Laws 1939, No. 183; Sp. Laws 1945, No. 265, §§ 1, 2; Sp. Laws 1955, No. 438, §1.
[614] Historical Editor's Note: See also, § 1-289.
[615] 2023 recodification of current Article II, Part 1. General, §1-20. Derived from Sp. Laws 1937, No. 283, §2.
[616] Editor's Note: See § 1-23; § 1-77; § 1-116.

Norwalk with the Cities of Norwalk and South Norwalk and the East Norwalk Fire District, and incorporating the City of Norwalk," inconsistent with the provisions of this act, is [are] repealed.

I. Appropriation and acquisition of land for parking[617]. To relieve congestion on the highways of the First, Second and Third Taxing Districts of the City of Norwalk, the Taxing Districts are authorized to acquire, by lease, deed or gift, such real estate in the districts as to the Commissioners of the districts shall appear necessary to provide suitable spaces or places for the parking of automobiles and other vehicles, and12- to make any necessary appropriation of funds for such purposes. In the event that the districts, acting through their the Commissioners, shall be unable to agree with any property owners whose land shall be deemed necessary for such parking spaces or places, on the price to be paid therefor, the Commissioners, for and in the name of the districts, may acquire the same by condemnation proceedings, in which case the districts shall follow the same procedure for acquiring the land as is prescribed and set forth in this Charter to be followed by the First and Second Districts for the acquisition of land for the uses of the water department of the First and Second Districts.

J. Vacancies in Elective Offices of the First, Second, Third or Sixth Taxing Districts[618]. If a Vacancy occurs in any elective office of the First, Second, Third or Sixth Taxing District of the City , such Vacancy shall be filled by the Commissioners of the district in which the same occurs.

§12-2. Powers of the Council: Public Lighting[619].

The Common Council shall have and exercise general supervision over the public lighting of streets, highways, sidewalks and public grounds within the limits of the entire City. The schedule of public lighting hours and the kind, size and capacity of lamps to be used for supplying such public lighting in the First, Second, Third and Sixth Districts shall be arranged or contracted for, as may be required, by the District Commissioners of such several districts, subject to the approval of the Council. The cost of public lighting shall be met by taxes levied upon the inhabitants and property within the limits of the Fifth Taxing District in the following manner: the inhabitants and property within the limits of the First Taxing District shall be taxed for and such First Taxing District shall pay the cost of the public lighting within such First District; the inhabitants and property within the limits of the Second Taxing District shall be taxed for and such Second Taxing District shall pay the cost of the public lighting within such

[617] 2023 recodification of current Article II, Part 1. General, §1-21. Derived from Sp. Laws 1941, No. 445; Sp. Laws 1959, No. 93.
[618] 2023 recodification of current Article III – Part 1. In General, §1-174. Derived from Sp. Laws 1913, No. 352, § 55; Sp. Laws 1915, No. 367, § 2; Sp. Laws 1921, No. 334, § 3; Sp. Laws 1969, No. 186, No. 283, § 3; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: (1) This §1-174 was amended pursuant to the court decision in the First Taxing District et al v. City of Norwalk case; and, (2) Editor's Note: Approved by the electorate at the general election held 11-7-1978..
[619] 2023 recodification of current Article XV, Part 1. General, §1-428. Derived from Sp. Laws 1957, No. 527. Historical editor's Note: See Ch. 86, Public Lighting, supra..

Second Taxing District; the inhabitants within the limits of the Third Taxing District shall be taxed for and such Third Taxing District shall pay the cost of the public lighting within such Third Taxing District, and the inhabitants within the limits of the Sixth Taxing District shall be taxed for and such Sixth Taxing District shall pay the cost of the public lighting within such Sixth Taxing District. In the event that the First Taxing District or Sixth Taxing District shall, at any time, neglect or fail to light the streets, highways, sidewalks and public grounds within the limits of such respective districts, the Council shall arrange and contract for the lighting thereof, and the expense of such lighting shall be borne by the district within which the Council shall furnish such public lighting and shall be paid for by taxes levied for such purpose on the inhabitants and property within the limits of such district. The inhabitants and property outside the limits of the First Taxing District, the Second Taxing District, the Third Taxing District and the Sixth Taxing District shall pay the cost of the public lighting outside the Taxing Districts[620].

§12-3. Care and Maintenance of Sewer Systems; continuance of former Municipality Police and Fire Departments[621].

The City at the expense of the Fourth Taxing District shall care for and maintain the sewer systems of the First, Second, and Third Districts, and the Ordinances, by-laws, rules, and Regulations of the several districts respecting the sewers shall continue in force until the City shall repeal or alter the same. The City shall maintain the Police and Fire Departments existing at the passage of this provision of the Charter the Cities of Norwalk and South Norwalk, and the Fire Department of the East Norwalk Fire District, as provided by the charters of the cities, and under the Ordinances, by-laws, rules, and Regulations of the former

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[620] 2023 repeal of current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing, §1-442. Derived from Sp. Laws 1913, No. 352, §126. Historical Editor's Note: See §1-363.. Historical editor's Note: See Ch. 101, Streets and Sidewalks, as follows: "The Council shall have power, as public necessity and convenience may require, to designate the course, width, height, and level of all sidewalks and gutters in and upon the streets and highways of the Fourth Taxing District of the City , and may, at the expense of the City, lay out, construct, raise, flag, or make in a suitable manner any crosswalk in the Fourth Taxing District of the City. The Council may order the owner or owners of the lands and buildings fronting on sidewalks to repair or make such sidewalks on their several frontages according to the course, width, height, and level designated as aforesaid, to flag, concrete, or pave the same in such manner as the Council shall direct, and to provide such safeguards thereon as public safety shall require, and may limit such time as may be deemed reasonable for the carrying out of any such order, notice of which shall be given by leaving a true and attested copy of such order personally with or at the place of abode of such owner within five Days after the passage of same; and if such owner be a nonresident of the City, a true and attested copy of the order deposited in the post office in the City, postage paid, addressed to owner at the owner's place of residence, if the same be known, and a like true and attested copy left with the owner's agent or the person having charge of such property or occupying the same shall be a legal notice to such owner. A statement of the width height, courses, and levels, certified to by the City Engineer,[1] shall be kept on file in the office of the Clerk, and whenever any sidewalk has been laid by order of the Council, in accordance with the grade established and recorded as prescribed and it is deemed necessary by the Council at any time within ten (10) years thereafter, to alter the grade or relay the sidewalk, such alteration or relaying shall be done at the expense of the City, provided, where such an alteration, change of grade, or relaying of any sidewalk is made necessary by the alterations of any street line, the expense thereof shall be borne by the City , and provided the provisions of this section shall extend and apply to sidewalks already made, paved, concreted, and flagged in accordance with the orders of the Council.".

[621] 2023 recodification of current Article I - General. §1-12. Derived from Sp. Laws 1913, No. 352, §44. Historical Editor's Note: For sewers and sewage disposal see Art. XVI, of Charter; and Ch. 94. As to sewer assessments refer to the appendix, Part III. For Police Department, see also, Art. VIII. For Fire Department, see also, Art. IX, and Ch. 41, Fire Department.

municipalities, until the same are modified or revoked by the Council and until under authority of this act the City shall establish and maintain a police force and a fire department for the Fourth District. The members of the Police and Fire Departments at the passage of this provision of the Charter shall remain members of the respective Police and Fire Departments as the same are maintained by the City under the provisions of this section and shall hold office until removed by the Council[622].

§12-4. Maintenance of Garbage Disposal Plant[623].

The City shall maintain the garbage-disposal plant of the Second Taxing District at the expense of the district until the City shall establish and maintain a like plant for the Fourth District.

§12-5. Building Lines in Fourth Taxing District; and removal of buildings[624].

The Council shall have power to designate a line or lines on the land adjoining any highway or street in the Fourth Taxing District of the City between which line or lines and the highway or street no building or part thereof, not any stoop or part thereof, shall be erected.[1] Any person violating either provision of this section shall be fined nor more than $100. Any building erected in violation of the provisions of this section may be removed by order of the Council at the owner's expense.

§12-6. The Library.

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[622] 2023 repeal of current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing, §1-441. Derived from Sp. Laws 1913, No. 352, §116. Historical Editor's Note: For Fourth Taxing District see Art. II. Historical editor's Note: See Ch. 101, Streets and Sidewalks, as follows: "The Council shall have power, whenever specific appropriations are made therefor, to pave any street or highway in the Fourth Taxing District of the City at the expense of the district, or may assess not to exceed 1/4 of such expense of paving each of the streets, except the intersections thereof with other streets or parts of streets so paved, upon the persons whose property abuts upon such street or part of street upon one side thereof, and 1/4 of such expense upon the persons whose property abuts upon such street or part of street upon the other side thereof, in such amounts as shall, in the judgment of the Council, be proportionate to the benefits accruing to the property from the work, and the Council shall estimate and assess, in the manner herein provided, the particular amount of such expense to be paid by every person, designating the land belonging to each person assessed which will be so benefited. Before the Council shall undertake any such improvement to be followed by an assessment of benefits it shall give notice to all persons in interest, as provided in §1-439, in cases of layouts or highways, of a hearing as to the public necessity of such proposed improvement, and at such hearing shall submit an estimate of the cost of such work. If after such hearing the Council shall determine to proceed with the contemplated work and to make thereon assessment of benefits and damages such assessment shall be made in the manner provided in §1-439, so far as the same shall apply. All persons aggrieved by the assessment so made by the Council shall have the right to appeal in the manner provided by §1-440, provided no property assessed under this section shall be again assessed for a similar purpose for a period of ten (10) years from the date of the first (1st) assessment.".

[623] 2023 recodification of current Article I - General. §1-13. Derived from Sp. Laws 1913, No. 352, §45. Historical Editor's Note: See §§ 1-625 through 631 of the "Bond Issues of the City of Norwalk, the First, the Second, the Third and the Sixth Taxing Districts" book.o Copies kept in the offices of the City Clerk and Town Clerk and in the Finance Department.

[624] 2023 recodification of current Article I - General. §1-15. Derived Sp. Laws 1913, No. 352, § 140. Historical Editor's Note: See § 1-439, for Council procedure in designating building lines.

A. Special Meeting of Electors[625]. A special meeting of the electors of the First, Second, Third, and Sixth Taxing Districts, respectively, of the City of Norwalk shall be held at least thirty Days prior to the first regular meeting, in each year, of the Board of Estimate and Taxation of the City, for the purpose of making in each district an appropriation for the ensuing fiscal year for the library maintained within the particular district. The Board of Estimate and Taxation shall annually lay a tax based on the assessment list of the district last completed to defray the expenses of the library of such district to the amount appropriated by the district as hereinbefore provided.

§12-7. First Taxing District.

A. Body Politic and Corporate; Rights and Liabilities[626]. All electors of this state dwelling within the territorial limits of the First Taxing District are hereby constituted a body politic and corporate by the name of the First Taxing District of the City of Norwalk, and by that name shall be capable of suing and being sued, pleading and being impleaded, purchasing, holding, selling and conveying any estate, real or personal, and of having a common seal, and as such corporation shall succeed to and possess all the property, both real and personal, of the City of Norwalk and all the rights, powers, franchises, privileges and immunities heretofore granted to the City of Norwalk and the Water Commissioners of the City in relation to the taking of water, the construction, maintenance and operation of waterworks, and supplying water for the use of the City of Norwalk and the inhabitants thereof, and any other persons or corporations, and all property, rights and interests heretofore acquired by the City of Norwalk or the Water Commissioners of the City for the purpose of supplying water as aforesaid, and the same are hereby vested and confirmed in the First Taxing District. The First Taxing District is hereby authorized to manage, operate and control the water system, with the same authority, rights and liabilities, and in the same manner as the former City of Norwalk, and, except as herein otherwise provided, to care for, maintain and keep in repair all estate, both real and personal, which the district may acquire, to sell and convey any of the property, and property held by the former city in trust excepted, and apply the proceeds to the reduction of the indebtedness of the district. The First Taxing District shall succeed to and possess all the rights and privileges heretofore possessed by the City of Norwalk in respect to the public library of the City, and shall continue to support and maintain the same. All the inhabitants and property within the limits of the First Taxing District shall be liable to taxation to defray any burdens, expenses and liabilities of the former City of Norwalk at the passage of this act and such other liabilities as the taxing district may incur under the provisions of this act. The First Taxing District is hereby authorized to use the water of any stream, lake or pond in whole or in part within the limits of the Towns of Norwalk, Weston, New Canaan, Wilton and Ridgefield, to hold, convey and distribute such water to the

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[625] 2023 Recodification of current Article XIX “Library Appropriations” §1-615. Derived from Sp. Laws 1925, No. 18. Historical Editor’s Note: Editor's Note: See First Taxing District, § 1-28; Second Taxing District, § 1-82; Third Taxing District, § 1-118; Sixth Taxing District, §§ 1-136 and 1-140.

[626] 2023 recodification of current Article II, Part 2. First Taxing District, §1-22. Derived from Sp. Laws 1913, No. 352, § 11; Public Act 1972, No. 277, § 1; amendment approved 11-5-1985. Historical Editor's Note: For authority of First Taxing District as to the acquisition of land for parking purposes, refer to § 1-21. As to taxing districts in general, see Art. II. See also Ch. 5, Special Acts.

persons and corporations whom it may supply by means of any necessary reservoirs, pipes, aqueducts, pumps and other suitable works, in such quantities as the necessities of the district may require, to take and hold any lands, property or privileges, and to exercise any powers that may be necessary or convenient for the district in order that a satisfactory supply of water may be obtained, and the same stored and distributed to the persons and corporations the district may supply. To the extent not already provided by law, the First Taxing District is authorized to use the water from any subsurface body of water within the limits of the towns in order that a satisfactory supply of water may be obtained. In addition to any rights, franchises, privileges and immunities granted hereunder, the First Taxing District is hereby authorized to supply water to any person or corporation within or without the geographical limits of the district.

B. Purpose and holding of annual and special meetings[627]. The annual meeting of the electors residing in the taxing district shall be held on the third Wednesday of November[628] for the purpose of hearing the reports of the Commissioners of the district, making annual appropriations, and action on such matters as may be properly brought before the meeting. Public Notice of the time and place of the meeting shall be given by the Board of Commissioners by publishing in a newspaper having a circulation in the district at least ten Days before the meeting, which notice shall set forth all matters to be considered at such meeting. The Commissioners shall deliver the proposed budgets for the district and the Water Department to the office of the District Clerk and make them available for public inspection at least one week before the annual meeting. Special meetings of the district may be called in like manner by the Board, and shall be called upon written petition of twenty-five electors of the district, to consider and act upon the matters set forth in the notice and petition. No appropriation or expenditure of money may be authorized at a special meeting unless announcement of the proposed appropriation or expenditure is made in the published notice of the meeting and the amount authorized is equal to or less than the amount appearing in the notice. In addition, no authorization at a special meeting to appropriate or expend more than $25,000 shall be valid or final until ratified by a majority of electors present at a second special meeting called for the purpose of ratifying the authorization. The second (2nd) special meeting shall be called by the Board of Commissioners and held within thirty Days of the meeting at which the authorization was first made.

C. Board of Commissioners and Treasurer in First Taxing District[629]. At the election for the choice of City and town officers in 1913, there shall be elected in the First Ward by the electors of the First Taxing District three Commissioners for the terms of office of two, four and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified and there shall be elected a Treasurer of the First Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the First Ward by the electors of the

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[627] 2023 recodification of current Article II, Part 2. First Taxing District, §1-23. Derived from Sp. Laws 1913, No. 352, §12; amendment approved 11-5-1985.
[628] Historical Editor's Note: See also § 1-19.
[629] 2023 recodification of current Article III – Part 1. In General, §1-175. Derived from Sp. Laws 1913, No. 352, §56. Historical editor's Note: See § 1-24.

First Taxing District one Commissioner who shall hold office for the term of six years and until a successor is elected and qualified, and a Treasurer of the First Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

D. Board of Commissioners.

(1) Treasurer, Clerk, Mechanics and Laborers[630]. The district shall elect a Board of Commissioners and a Treasurer of the district, all of whom shall be, at the time of their election and throughout their term, electors of the district and domiciled therein, and all of whom shall be sworn to a faithful discharge of their duties, shall hold office as hereinafter provided and shall receive such compensation as the district shall determine. The Commissioners shall appoint a Clerk, who shall receive reasonable compensation as determined by the Commissioners[631].[1] It shall be the duty of the Clerk to keep a record of all transactions of the district and of the Board of Commissioners and discharge such duties as such Board may prescribe. The Commissioners may employ such mechanics and laborers as may be necessary to operate, manage, control and keep in repair the real, personal and mixed estate of the district.

(2) Authorization and Powers of Board of Commissioners[632]. The Commissioners are authorized to purchase and take conveyances in the name of the First Taxing District of all lands, property and privileges necessary or convenient for the purpose of the waterworks of the district; to hold in sufficient quantities the water of any stream, either within or without the district, and in either of the towns as set out in §1-22 of the prior Charter by the construction of suitable dams; to enter upon any lands near such proposed dams and procure earth, stone or other materials for the construction and maintenance thereof, to make suitable wasteways for the surplus water of such streams; to change the location of any road or passway which may be covered by the waters of any reservoirs so formed and take land thereof; to enter upon and use the ground or soil under any railroad, street, private way or public or private grounds; to lay, construct and maintain all necessary pipes, pumps and aqueducts in such manner as least to damage or impede travel thereon; to make contracts for labor and materials for the general purpose of the waterworks; to establish public reservoirs; to erect and maintain hydrants under the direction of the Council of the city; to make rules and Regulations regarding the use and distribution of the water and establish the prices to be paid therefor; to collect all water rents and pay the same to the Treasurer of the district; to admit, allow and draw orders on the Treasurer for the payment of all

[630] 2023 recodification of current Article II, Part 2. First Taxing District, §1-24. Derived from Sp. Laws 1913, No. 352, §13; amendment approved 11-5-1985.
[631] Historical Editor's Note: See also § 1-175.
[632] 2023 recodification of current Article II, Part 2. First Taxing District, §1-25. Derived from Sp. Laws 1913, No. 352, §14; Sp. Laws 1931, No. 292, §1.

claims against the district on account of the waterworks, including payment of interest on notes issued on account of the works; to attend to the construction, care, supervision and management of the waterworks; to appoint Directors of the public library of the district as vacancies shall occur; to care for, maintain and keep in repair, except as herein otherwise provided, all the property of the district, with power to lease or sell the same or exchange the same for other property; and to execute and deliver on behalf of the district all documents which may be necessary or proper to effectuate any such letting, sale or exchange, delivering the income and proceeds therefrom to the Treasurer of the district and to apply the proceeds therefrom in such manner as the Board may be authorized by the district; and to exercise any powers that may, from time to time, be conferred on them by the district, a majority of the Commissioners shall constitute a quorum for the transaction of business.

(3) Vacancies[633]. If a Vacancy occurs in any elective office of the First Taxing District, such Vacancy shall be filled by the Commissioners within sixty Days following the occurrence of the Vacancy. The Commissioners shall fill the Vacancy with an elector of the same political party with which the former incumbent was registered. If the former incumbent was not registered with a political party, then the Commissioners shall fill the Vacancy with an unaffiliated elector. Upon failure of the Commissioners to fill the Vacancy within the sixty Days, the position may be filled with an elector selected by Town Committee members of the party of the former incumbent who reside in the district. If the former incumbent was registered with a party not having a Town Committee, then the position may be filled with an elector selected by a caucus of the registered members of the party who reside in the district. Such appointee shall serve through the remainder of the term of the office left vacant. No Commissioner serving in office may be appointed to fill any Vacancy on the Board of Commissioners. The procedure provided under this section shall supersede any Vacancy-filling procedure heretofore existing under any special act. The term "political party" or "party," as used in this section, shall mean any political organization whose members appear on the current list or last official list required to be maintained under §9-66 of the Connecticut General Statutes.

(4) Removal of Officials[634].

(a) Definitions.

(i) The phrase "formal notice," as used in this section, shall mean receipt by the District Clerk of a written instrument issued by any

[633] 2023 recodification of current Article II, Part 2. First Taxing District, §1-25.1. Derived from added approved 11-5-1985.
[634] 2023 recodification of current Article II, Part 2. First Taxing District, §1-25.2. Derived from added approved 11-5-1985.

person having knowledge of the appropriate events attesting to the occurrence of that event.

(ii) The term "official," as used in this section, shall mean any Commissioners or Treasurer of the First Taxing District.

(b) Grounds for removal from office. Any official of the district shall be subject to removal from office upon any of the following grounds:

(i) Conviction of a felony while the official is an official of the district.

(ii) Conviction of a misdemeanor involving misconduct in office while the official holds office in the district.

(iii) A finding of incapability according to Connecticut General Statutes §45a-650.

(iv) Removal of domicile from the First Taxing District of the City of Norwalk.

(c) Removal Committee; creation and action.

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(i) The Removal Committee shall consist of five electors, excluding Commissioners and the Treasurer of the district, chosen at the annual meeting of the electors. Within thirty Days of its election, the Removal Committee shall meet to organize and to elect a Chair, Vice Chair and such other officers as it deems appropriate. The District Clerk shall act as Secretary to the Committee but shall have no vote.

(ii) Within thirty Days after receipt of formal notice of the indictment or arrest for a felony, or a misdemeanor involving misconduct in office, or an application for involuntary representation pursuant to C.G.S. §45a-649, or removal of the official's domicile from the First Taxing District of the City of Norwalk of an official of the district, the Committee shall hold a meeting to discuss grounds for suspension or removal as set forth in this section.

(iii) Public Notice of all meetings held under this section shall be published in a newspaper having general circulation within the First Taxing District no more than fifteen nor less than five Days before the date of each meeting.

(iv) Should the Committee determine that grounds for suspension or removal should be considered or examined, it shall hold a second meeting for purposes of such consideration or examination. Written notice of the second meeting shall be sent by certified mail to the official who is the subject of the examination to the official's address in the First Taxing District by the Committee not less than five Days before the meeting date. The notice shall specify the grounds for suspension and removal; the legal consequences thereof; and the time and place of the meeting. The notice shall further state that the official has a right to be present at the meeting and has a right to be represented by an attorney at the officials own expense.

(v) The Committee shall consider the allegations involving each official so indicted, arrested, subject to incapability hearing or accused of removing their domicile, separate and apart from the allegations involving any other official. The Committee shall decide whether there is sufficient evidence based on the facts adduced at the hearing to require suspension of the official: the length of the suspension, if required; and the terms of reinstatement to office. These matters shall be determined by a simple majority vote of the entire Committee.

(vi) Upon a decision by the Committee to suspend an official, the official shall be forthwith suspended from all duties, authority and compensation relating to the official's office until reinstatement. Upon reinstatement, all compensation due the official that would have earned had the official had not been suspended shall become due and payable. No term of office shall be extended by any action of the Committee.

(vii) Within ten Days of receipt of formal notice of a plea of guilty, an entry of a plea of nolo contendere or verdict finding the official guilty of a felony or misdemeanor involving misconduct in office or upon a finding by court of competent jurisdiction that the official is incapable of managing affairs of office or is deemed a protected person pursuant to C.G.S. §45a-650 or upon a finding by the Special Committee that the official has removed their domicile from the First Taxing District of the City of Norwalk, the Committee shall declare the office of the official vacant and so notify the official. After the Vacancy has been declared, it shall be filled as provided in this Charter.

(viii) Within seven Days of receipt of notice of a verdict finding the official not guilty or upon the entering of a nolle prosequi by the state's Attorney or dismissal of a felony or misdemeanor involving misconduct in office or upon the dismissal of the application to appoint

a conservator or similar petition or upon a finding that the official has not removed their domicile from the First Taxing District of the City of Norwalk, the Special Committee shall be reconvened by its Chair for the purpose of declaring the suspension revoked and the official reinstated to office.

(ix) The Committee may hold as many meetings is it deems appropriate during its consideration of grounds for suspension or removal. The Committee may employ an attorney of its choice, whose reasonable fee shall be paid out of district funds.

(d) Each paragraph, subparagraph and each provision of each paragraph and subparagraph of this section shall be separable, and the invalidity of any portion of any paragraph or subparagraph shall not affect the validity or enforcement of any other portion. Should any provision be found to be invalid as to any circumstance, such provision shall apply to all other circumstances to which such provision may lawfully apply.

(5) Code of Ethics[635]. Disclosure and use of confidential material. No member of the Board of Commissioners, Treasurer or employee of the district shall improperly disclose confidential information concerning the property, government or affairs of the district, nor shall be knowingly use such information to advance the financial or other private interests of himself or others.

(a) Conflict of interest.

(i) No member of the Board of Commissioners, Treasurer or employee of the district shall participate in hearings, deliberations or decisions connected with holding office, commission or department upon any matter in which the official is directly or indirectly interested in a personal or financial sense.

(ii) No member of the Board of Commissioners, Treasurer or employee of the district shall have any financial interest, direct or indirect, in any contract with the district or in the sale to the district of any supplies, materials, services, land, buildings or equipment unless the official shall have filed with the District Clerk, at least seven Days prior to entering upon such contract or selling such item, a written statement setting forth fully the nature and extent of the official's interest therein. To comply with this provision, it shall be the duty of any member of the Board of Commissioners, Treasurer or employee of the district

[635] 2023 recodification of current Article II, Part 2. First Taxing District, §1-25.3. Derived from added approved 11-5-1985.

owning stock in a corporation engaged or seeking to be engaged in any financial transaction between such corporation and the district to make a full disclosure of the amount of stock owned by the member by filing a written statement thereof with the District Clerk at least seven Days prior to the commencement of the financial transaction; provided, however, that such filing shall be unnecessary for shareholders of a publicly held corporation engaged in any of the aforementioned transactions within the district in the usual course of the corporation's business. It shall also be the duty of any member of the Board of Commissioners, Treasurer or employee of the district having any interest in a proprietorship or partnership engaged or seeking to be engaged in any financial transaction between such entity and the district to make a full disclosure of the nature and degree of the official's interest in such entity by filing a written statement thereof with the District Clerk at least seven Days prior to the commencement of the financial transaction.

(b) Committee of Ethics. The administration of this code shall be charged to the members of the Removal Committee elected at the annual meeting, who shall act as a Committee of Ethics for purposes of this section. Any member of the Committee shall disqualify himself and not participate in Committee functions where a complaint or investigation under this section pertains to any employee or official who is a relative of such Committee member. The principal duties of the Committee of Ethics shall be as follows:

(i) To receive and initiate complaints regarding violations of the code of ethics.

(ii) To conduct investigations and/or hearings regarding alleged violations of this code. In conducting its investigation, the Commission shall have complete access to all necessary and relevant district agencies, officers, officials and employees.

(iii) To transmit the findings of such investigations and/or hearings to the Board of Commissioners, to the district and/or to individuals directly involved.

(iv) To render advisory opinions to the officers, employees, officials and Board of Commissioners or any of its committees pursuant to written request or upon its own initiative.

(c) Responses to the Committee of Ethics. The Board of Commissioners, upon receiving any finding indicating a violation of the code of ethics by the Committee of Ethics, shall, within thirty Days, take action on the

finding of the Committee and give written notification of such action to the Committee of Ethics.

E. The Waterworks.

(1) Liability for damages of injuries incurred in construction or maintenance of waterworks[636]. The district shall be liable to pay all damages that shall be sustained by any person or corporation by the taking of any land or estate as aforesaid or by the construction or laying of any reservoirs, pipes, pumps, aqueducts or other works for the purposes of the waterworks. If at any time it shall appear that any damage has occurred or may be likely to occur to any person or corporation by reason of taking or using their land or estate for the purposes of the waterworks or in the construction of the waterworks, and the Board or Commissioners cannot agree with the owners of such property or privileges as to the amount of compensation or damages to be paid to them, such compensation or damages may be assessed by three disinterested persons under oath, to be appointed by a Judge of the Superior Court, on application by either party, upon such notice as the Judge shall prescribe. The appraisers shall report their doings and the amount of their assessments to the Superior Court for Fairfield County. The court may set aside such report for any irregular or improper conduct and may appoint another committee, but, if the report is accepted, it shall be recorded, and such assessments shall be a final adjustment of the compensation and damages between the parties, and payment thereof or a deposit of the amount thereof with the Treasurer of the county for the use of such owner shall release the district from liability to further claims for compensation or damages.

(2) Water-rent income and disposal thereof[637]. All income from water rents shall be applied to defraying the current expenses of the waterworks and to paying the principal of and interest on notes, bonds or certificates of indebtedness incurred in relation to the waterworks. If there shall be a surplus, the Commission shall make report thereof to the next annual or special meeting of the district, which may direct the same to be applied to the payment of the principal of or interest on bonds, notes, certificates or other indebtedness of the district or to any other lawful purpose for which the district is authorized to appropriate money.

(3) Taxation[638]. In case the income from water rents is inadequate to meet the current expenses of the waterworks and the interest of the notes, bonds, or certificates, a tax on all property and persons liable to taxation in the district shall be

[636] 2023 recodification of current Article II, Part 2. First Taxing District, §1-26. Derived from Sp. Laws 1913, No. 352, §15.

[637] 2023 recodification of current Article II, Part 2. First Taxing District, §1-27. Derived from Sp. Laws 1913, No. 352, §16; Sp. Laws 1957, No. 362.

[638] 2023 recodification of current Article II, Part 2. First Taxing District, §1-28. Derived from Sp. Laws 1913, No. 352, §17; Sp. Laws 1921, No. 189, §1.

laid to supply such deficiency by the Board of Estimate and Taxation of the City at any meeting called for that purpose upon application of the Board of Commissioners, and the tax shall be collected in the same manner as other City taxes. The Board of Estimate and Taxation may lay and collect taxes for the purpose of paying the debts of the district or any part thereof and of establishing a sinking fund for that purpose. The avails of such taxes shall be paid to the Treasurer of the district for application for the purposes only. The Board of Estimate and Taxation shall lay a tax to defray the expenses of the public library of the district to the amount appropriated by the district at any annual or special meeting[639].

(4) Liens and warrants for water rents[640]. Any claim of the district for the use of water, or for rent of hydrants, shall be a lien upon the real estate or property wherein or in connection with which such water was used, or on which such rent was assessed and such lien shall have the same effect as a lien for taxes under the provisions of the general statutes and shall have precedence over any prior encumbrance on such property except a tax lien. Such lien may be foreclosed by the district before any court having jurisdiction in the same manner as a mortgage may be foreclosed. The Board of District Commissioners shall have power to issue warrants for the collection of all such claims in the form prescribed by law for the collection of taxes, which warrants shall be signed by the Commissioners and directed to the Collector of City taxes, or to some indifferent person named therein, who shall have the same power to levy and collect as have Collectors of town taxes.

(5) Accounts and reports of the Board of Commissioners[641]. It shall be the duty of the Board of Commissioners to keep a record of its proceedings and an accurate account of its receipts and disbursements appertaining to the waterworks, and a like account of its receipts and disbursements in connection with all other properties of the district, verified by proper vouchers, which accounts shall be open at all reasonable times to inspection by any taxpayer of the district. The Board shall annually render to the district a statement of the accounts, which shall be sworn to by a majority of the Commissioners and recorded in the records of the district. The Board shall include in its annual report a statement of its doings, and a general statement of the condition of the waterworks and the property of the district, with an estimate of all sums required for the works and other purposes of the district, and a detailed statement of all claims outstanding against the district. The Treasurer of the district shall render annually to the district a statement of the Treasurer's account as a part of the report of the Board of Commissioners, and the Treasurer shall render at all times such statements and reports as the district may require.

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[639] Historical Editor's Note: As to appropriations for libraries see Art. XIX.
[640] 2023 recodification of current Article II, Part 2. First Taxing District, §1-29. Derived from Sp. Laws 1913, No. 352, §18; Sp. Laws 1933, No. 340, §1.
[641] 2023 recodification of current Article II, Part 2. First Taxing District, §1-30. Derived from Sp. Laws 1913, No. 352, §19.

(6) Supplying water to any person or corporation[642]. The Board of Commissioners may, with the consent of the district, supply water from the waterworks of the district to person or corporation.

(7) Unlawful destruction of waterwork property; violations and penalties[643]. Any person who shall willfully injure the water of any reservoir, aqueduct, hydrant, pipe, pump, or other portion of the waterworks, or destroy or injure any portion of such works, or any material or property used in connection therewith, shall be fined not more than $500 or imprisoned not more than one year, or both. Such district shall have power to enact by-laws at any annual or special meeting imposing penalties and forfeitures for the violation of any of the rules and Regulations of the Board of Commissioners of the district, provided such penalties or forfeitures shall not exceed $20 for each offense. The by-laws shall not become effective until published in a newspaper having a circulation in the district.

(8) Authorization of New Canaan Water Company and First Taxing District as to the purchase and selling of water[644]. The New Canaan Water Company is authorized to purchase water from or to sell water to the First Taxing District of the City of Norwalk. The First Taxing District of the City of Norwalk is authorized to purchase water from or sell water to the New Canaan Water Company.

(9) Federal Social Security System[645]. Section 3 Number 408 of the Public Acts of 1955 is inapplicable to the First Taxing District of the City of Norwalk so far as the section may prevent the taxing district from participating in the Federal Old Age and Survivor's Insurance System while the taxing district is participating in the Connecticut Municipal Employees' Retirement Fund.

F. Authorization to Issue Bonds: The Waterworks.

(1) Authorization to issue bonds, notes and other certificates of indebtedness and purpose; funding and refunding bond issue of 1917[646]. The First Taxing District of the City of Norwalk is authorized to issue bonds, notes or other certificates of indebtedness, to an amount not exceeding two hundred fifty thousand ($250,000) dollars for the purpose of funding any floating debt of the district, refunding at their maturity any bonds, notes or other certificates of indebtedness issued by the

[642] 2023 recodification of current Article II, Part 2. First Taxing District, §1-31. Derived from Sp. Laws 1913, No. 352, §20.
[643] 2023 recodification of current Article II, Part 2. First Taxing District, §1-32. Derived from Sp. Laws 1913, No. 352, §21.
[644] 2023 recodification of current Article II, Part 2. First Taxing District, §1-33. Derived from Sp. Laws 1947, No. 432, §§ 1, 2.
[645] 2023 recodification of current Article II, Part 2. First Taxing District, §1-34. Derived from Sp. Laws 1955, No. 40.
[646] 2023 recodification of current Article II, Part 2. First Taxing District, §1-35. Derived from Sp. Laws 1917, No. 337, §1.

district or by the former City of Norwalk or providing moneys to pay any expenses incurred in increasing and extending the water supply or system of the district.

(a) Funding and refunding bond issue of 1917; details[647]. The district, at a special meeting called for that purpose, shall determine the several and aggregate amounts of such bonds, notes or other certificates which may be issued for any of the foregoing purposes, the annual rate of interest, the time and place of payment of the principal and interest, the dates and times of issue and maturity of the same, the manner in which such bonds, notes or other certificates shall be issued and the person or persons by whom such bonds, notes or other certificates shall be executed, sold and delivered for and in behalf of the district.

(b) Funding and refunding bond issue of 1917; obligation[648]. Such bonds, notes or other certificates, when executed and delivered by the district, or its officers duly authorized, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same, provided the bonds, notes or other certificates issued to provide moneys for the increase of the water supply or system shall not exceed in amount $250,000.

(c) Funding and refunding bond issue of 1917; limitation[649]. No bonds shall be so issued under the provisions of this act[1] as to permit the net bonded indebtedness of the district at any time to exceed 5% of the grand list of the district as the same may be compiled for the year of such issue, provided in computing the debt limitation, bonds issued or to be issued for the construction or maintenance of municipal waterworks or lighting plants shall not be included.

(2) Authorization to issue bonds, notes or certificates of indebtedness; water refunding bond issue of 1929[650]. The First Taxing District of the City of Norwalk is authorized to issue bonds, notes or certificates of indebtedness to an amount not exceeding three hundred-fifty thousand ($350,000) dollars, in coupon form or otherwise and registered or not registered, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at not less than par and accrued interest, and shall be serial in form, payable in substantially equal annual installments, beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period

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[647] 2023 recodification of current Article II, Part 2. First Taxing District, §1-36. Derived from Sp. Laws 1917, No. 337, §2.
[648] 2023 recodification of current Article II, Part 2. First Taxing District, §1-37. Derived from Sp. Laws 1917, No. 337, §3.
[649] 2023 recodification of current Article II, Part 2. First Taxing District, §1-38. Derived from Sp. Laws 1917, No. 337, §4. Historical Editor's Note: §§ 1-35 to 1-38.
[650] 2023 recodification of current Article II, Part 2. First Taxing District, §1-39. Derived from Sp. Laws 1929, No. 220, §1.

not more than forty years from their date. It may be stipulated therein that the principal and interest shall be payable in gold coin of the present standard of weight and fineness. The proceeds of such bonds shall be used for refunding two hundred thousand ($200,000) dollars of City of Norwalk refunding gold bonds maturing July 1, 1929, for reimbursing the district sinking fund, the sum of forty-six thousand ($46,000) dollars advanced therefrom for the payment of forty-six thousand ($46,000) dollars of City of Norwalk water bonds which matured June 1, 1928, and one hundred four thousand ($104,000) dollars for payment of water department floating debt and extensions, enlargements and improvements of the water system of the district.

(a) Water refunding bond issue of 1929; details[651]. The district, at any meeting called for that purpose, shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the maximum annual rate of interest. Other particulars of the form of such bonds and the manner of issuance not determined hereby or by district vote may be determined by the District Commissioners and the Treasurer.

(b) Water refunding bond issue of 1929; payment provisions[652]. The district shall, at the time of authorizing such bonds, provide for the payment thereof in accordance with the provisions of §1-39 of the Prior Charter and, when a vote to that effect shall have been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating the waterworks and interest as it accrues on such bonds and other water debt of the district and to make such payments on the principal as may be required under §1-39 to §1-43 of the Prior Charter, shall be assessed upon the district annually until the debt incurred by such bonds shall be paid.

(c) §1-42 of the Prior Charter. Water refunding bond issue of 1929; obligations of district[653]. Such bonds, when executed and delivered, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) § 1-43 of the Prior Charter. Water refunding bond issue of 1929; issuance for water purposes[654]. Such bonds shall be deemed to be issued for water purposes and to be outside all statutory debt limits.

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[651] 2023 recodification of current Article II, Part 2. First Taxing District, §1-40. Derived from Sp. Laws 1929, No. 220, §2.
[652] 2023 recodification of current Article II, Part 2. First Taxing District, §1-41. Derived from Sp. Laws 1929, No. 220, §3.
[653] 2023 recodification of current Article II, Part 2. First Taxing District, §1-42. Derived from Sp. Laws 1929, No. 220, §4.
[654] 2023 recodification of current Article II, Part 2. First Taxing District, §1-43. Derived from Sp. Laws 1929, No. 220, §6.

(3) Authorization to issue bonds, notes or certificates of indebtedness; water bond issue of 1931[655]**.** The First Taxing District of the City of Norwalk is authorized to issue bonds, notes or certificates of indebtedness to an amount not exceeding forty thousand ($40,000) dollars in coupon form or otherwise, and registered or not registered, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at not less than per and accrued interest, and shall be in serial form, payable in substantially equal annual installments, beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than twenty years from their date. It may be stipulated therein that the principal and interest may be payable in gold coin of the present standard of weight and fineness. The proceeds of such bonds shall be used for the payment of lands acquired by the First Taxing District, in condemnation proceedings for water purposes, and for extensions, enlargements and improvements of the water system of the district.

(a) Water bond issue of 1931; details[656]**.** The district, at any meeting called for that purpose, shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the maximum annual rate of interest. Other particulars of the form of such bonds and the manner of issuance not determined hereby or by district vote may be determined by the District Commissioners and the Treasurer.

(b) Water bond issue of 1931; obligations[657]**.** Such bonds, notes or certificates of indebtedness, when executed and delivered, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(4) Authorization to issue bonds, notes or certificates of indebtedness; water bond issue of 1933[658]**.** The First Taxing District of the City of Norwalk is authorized to issue, without vote of its electors, but by and through the action of the Commissioners and the Treasurer of the district, bonds, notes or certificates of indebtedness to an amount not exceeding one hundred forty thousand ($140,000) dollars, in coupon form or otherwise, and registered or not registered, bearing interest at a rate not greater than six percent per annum, payable semiannually, which bonds shall be sold at not less than par and accrued interest, and shall be in serial form, payable in substantially equal annual installments, beginning not more than two years from date of issue, in such sums that the entire amount

[655] 2023 recodification of current Article II, Part 2. First Taxing District, §1-44. Derived from Sp. Laws 1931, No. 237, §1.
[656] 2023 recodification of current Article II, Part 2. First Taxing District, §1-45. Derived from Sp. Laws 1931, No. 237, §2.
[657] 2023 recodification of current Article II, Part 2. First Taxing District, §1-46. Derived from Sp. Laws 1931, No. 237, §3.
[658] 2023 recodification of current Article II, Part 2. First Taxing District, §1-54. Derived from Sp. Laws 1933, No. 383, §1.

thereof shall be paid within a period of not more than twenty years from their date. The proceeds of such bonds shall be used for the payment for lands and rights-of-way to be acquired by the district for water purposes, by condemnation proceedings or otherwise, and for extensions, reinforcements, enlargements and improvements of the water system of the district. Such bonds may be issued from time to time and nothing herein contained shall require the whole amount of such bonds to be issued or prevent their issuance in amount less than the total authorized issue as may be deemed expedient, in which case each authorized issue shall constitute a separate loan and each such loan shall be payable in annual installments and within the period of time specified herein from its date.

(a) Water bond issue of 1933; details[659]**.** The Commissioners and Treasurer of the district shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the annual rate of interest and other particulars of the form of such bonds and the manner of issuance not determined hereby.

(b) Water bond issue of 1933; payment provisions[660]**.** The district, by its Commissioners, shall, at the time of authorizing such bonds, provide for the payment thereof in accordance with the provisions of §1-54 of the Prior Charter, and, when a vote to that effect shall have been passed, a sum which, with income derived from water rates, will be sufficient to pay the annual expense of operating the waterworks and interest as it accrues on such bonds and other water debt of the district and to make such payments on the principal as may be required under §1-54 to ~~§ 1-58~~§1-58 of the Prior Charter, shall be assessed upon the district annually until the debt incurred by such bonds shall be paid.

(c) Water bond issue of 1933; obligations[661]**.** Such bonds, when executed and delivered, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) Water bond issue of 1933; issuance[662]**.** Such bonds shall be deemed to be issued for water purposes and to be exempt from any limitations imposed by Statute.

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[659] 2023 recodification of current Article II, Part 2. First Taxing District, §1-55. Derived from Sp. Laws 1933, No. 383, §2.
[660] 2023 recodification of current Article II, Part 2. First Taxing District, §1-56. Derived from Sp. Laws 1933, No. 383, §3.
[661] 2023 recodification of current Article II, Part 2. First Taxing District, §1-57. Derived from Sp. Laws 1933, No. 383, §4.
[662] 2023 recodification of current Article II, Part 2. First Taxing District, §1-58. Derived from Sp. Laws 1933, No. 383, §5.

(5) Bond issue of 1945 for extending and enlarging waterworks system; authorization[663]**.** The electors of the First Taxing District of the City of Norwalk having, on September 19, 1944, authorized the issuance of bonds in an amount not to exceed $750,000 for the purpose of financing the construction of a dam and reservoir in the Town of New Canaan, and suitable connections to the dam and reservoir, as a part of the waterworks system of the district, the district is authorized to issue, without a further vote of its electors, bonds of the district in an amount not exceeding seven hundred fifty thousand ($750,000) dollars for the purpose of extending and enlarging the waterworks system of the district by constructing, installing, erecting and completing a dam and reservoir in the Town of New Canaan, and suitable connections to the dam and reservoir as part of the waterworks system of the district, including the acquisition of any and all real estate and flowage or other rights therein necessary or suitable for such purpose. The bonds shall be issued in the name of the First Taxing District of the City of Norwalk and shall be signed by the Commissioners of the district and by the Treasurer of the district. The bonds shall bear interest at a rate not exceeding four percent per annum, and shall be payable, as to principal, serially in annual installments commencing four years from the date of the bonds in amounts as follows: five thousand ($5,000) dollar bonds in each of the first three years, fifteen thousand ($15,000) dollar bonds in the fourth year, twenty thousand ($20,000) dollar bonds in each of the fifth and sixth years, twenty-five thousand ($25,000) dollar bonds in each of the seventh and eighth years, thirty thousand ($30,000) dollar bonds in each of the ninth through fourteenth years, thirty-five thousand ($35,000) dollar bonds in each of the fifteenth through eighteenth years, forty thousand ($40,000) dollar bonds in each of the nineteenth through twenty-second years and fifty thousand ($50,000) dollar bonds in each of the twenty-third through twenty-fifth years, of such maturities. The bonds shall be authorized by a Resolution to be adopted by the Commissioners of the district and shall be sold in such manner as the Commissioners shall determine, at either public or private sale, but none of the bonds shall be sold for less than the par value thereof and accrued interest to date of delivery. In the event that less than the total amount of bonds authorized to be issued shall be sold at any one time, the Commissioners shall, by Resolution, designate the particular bonds of the maturities aforesaid which shall be sold at any one time.

(a) Bond issue of 1945; payment provisions[664]**.** The bonds shall be payable, both principal and interest, from the revenues derived from the operation of the waterworks system of the district, and if such revenues are insufficient for that purpose, taxes shall be levied upon all the taxable property of the district without limitation as to rate or amount, sufficient for the payment of the principal of and interest on the bonds.

[663] 2023 recodification of current Article II, Part 2. First Taxing District, §1-59. Derived from Sp. Laws 1945, No. 91, §1.
[664] 2023 recodification of current Article II, Part 2. First Taxing District, §1-60. Derived from Sp. Laws 1945, No. 91, §2.

(b) Bond issue of 1945; fixing water rates[665]. The Commissioners of the district are authorized to fix rates for water which shall be sufficient for the maintenance and operation of the water system of the district and the payment of the principal of and interest on the indebtedness of the district, including the bonds.

(c) Bond issue of 1945; obligations of district[666]. The bonds when executed and delivered, shall be the general obligations of the district and obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) Bond issue of 1945; issuance for water purposes[667]. The bonds shall be deemed to be issued for water purposes and shall be exempt from any limitation of indebtedness imposed by statute.

(e) Bond issue of 1945; authority and repeal of conflicts[668]. §§1-59 to 1-64 of the Prior Charter shall constitute full and complete authority for the issuance of the bonds, and all acts or parts of acts in conflict herewith are hereby declared inoperative so far as in conflict herewith.

(6) Authorization to issue bonds, notes or certificates of indebtedness; water bond issue of 1951[669]. The First Taxing District of the City of Norwalk, acting through the Commissioners and Treasurer of the district, is authorized to issue, upon approval by the electors of the district at a meeting of the district, bonds, notes or certificates of indebtedness of the district to an amount not exceeding one hundred seventy-five thousand ($175,000) dollars, in coupon form, or otherwise, with privilege of registration and reconversion into coupon form, bearing interest at a rate or rates not greater than six percent per annum, payable semiannually, which bonds, notes or certificates of indebtedness shall be sold at not less than par and accrued interest and shall be in serial form payable in substantially equal installments, beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than fifteen years from their date. The proceeds of such bonds, notes, or certificates of indebtedness shall be used for the cost of lands and rights-of-way to be acquired by the district for water purposes, by condemnation proceedings or otherwise and for extensions, additional installations, reinforcements, enlargements and improvements of the water system of the district. Such bonds, notes, or certificates of indebtedness may be issued from time to time, and nothing herein contained shall require the whole amount of such bonds, notes or certificates of indebtedness to be issued or prevent their issuance in amounts less

[665] 2023 recodification of current Article II, Part 2. First Taxing District, §1-61. Derived from Sp. Laws 1945, No. 91, §3.
[666] 2023 recodification of current Article II, Part 2. First Taxing District, §1-62. Derived from Sp. Laws 1945, No. 91, §4.
[667] 2023 recodification of current Article II, Part 2. First Taxing District, §1-63. Derived from Sp. Laws 1945, No. 91, §5.
[668] 2023 recodification of current Article II, Part 2. First Taxing District, §1-64. Derived from Sp. Laws 1945, No. 91, §6.
[669] 2023 recodification of current Article II, Part 2. First Taxing District, §1-65. Derived from Sp. Laws 1951, No. 108, §1.

than the total authorized issue as may be deemed expedient, in which case each authorized issue shall constitute a separate loan and each loan shall be payable in annual installments and within the period of time specified from the date of issue.

(a) Water bond issue of 1951; details[670]. The Commissioners and Treasurer of the district shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds, notes or certificates of indebtedness, and the annual rate of interest and other particulars of the form of such bonds, notes or certificates of indebtedness and the manner of issuance not determined hereby.

(b) § 1-67. Water bond issue of 1951; notes for water; payment provisions[671]. The Commissioners of the district are authorized to fix rates for water which shall be sufficient for the maintenance and operation of the water system of the district and the payment of the principal of and interest on the indebtedness of the district, including the obligations authorized hereby. The bonds, notes or certificates of indebtedness authorized shall be general obligations of the district, and for the payment of principal of and interest on the bonds, notes or certificates of indebtedness, taxes may be levied upon all of the taxable property in the district without limitation as to rate or amount; provided, to the extent revenues derived from the operation of the water system of the district are available, sufficient for the payment of the principal of and interest on the bonds, notes or certificates of indebtedness when the same become due, it shall not be necessary that taxes be levied for that purpose.

(c) § 1-68 of the Prior Charter. Water bond issue of 1951; obligations[672]. Such bonds, notes or certificates of indebtedness, when executed and delivered shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) § 1-69 of the Prior Charter. Water bond issue of 1951; issuance for water purposes[673]. Such bonds, notes or certificates of indebtedness shall be deemed to be issued for water purposes and to be exempt from any limitations imposed by statute.

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[670] 2023 recodification of current Article II, Part 2. First Taxing District, §1-66. Derived from Sp. Laws 1951, No. 108, §2.
[671] 2023 recodification of current Article II, Part 2. First Taxing District, §1-67. Derived from Sp. Laws 1951, No. 108, §3.
[672] 2023 recodification of current Article II, Part 2. First Taxing District, §1-68. Derived from Sp. Laws 1951, No. 108, §4.
[673] 2023 recodification of current Article II, Part 2. First Taxing District, §1-69. Derived from Sp. Laws 1951, No. 108, §5.

(7) Authorization to issue bonds, notes or certificates of indebtedness; water bond issue of 1955[674]**.** The First Taxing District of the City of Norwalk, acting through the Commissioners and Treasurer of the district, is authorized to issue, upon approval by the electors of the district at a meeting of the district, bonds, notes or certificates of indebtedness of the district, to an amount not exceeding two hundred fifty thousand ($250,000) dollars, in coupon form, or otherwise, with privilege of registration and reconversion into coupon form, bearing interest at a rate or rates not greater than six (6%) percent per annum, payable semiannually, which bonds, notes or certificates of indebtedness shall be sold at not less than par and accrued interest and shall be in serial form payable in substantially equal installments beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than fifteen years from their date. The proceeds of such bonds, notes or certificates of indebtedness shall be used for the cost of lands and rights-of-way to be acquired by the district for water purposes, by condemnation proceedings or otherwise and for extensions, additional installations, reinforcements, enlargements and improvements of the water system of the district. Such bonds, notes or certificates of indebtedness may be issued from time to time, and nothing herein contained shall require the whole amount of such bonds, notes or certificates of indebtedness to be issued or prevent their issuance in amounts less than the total authorized issue as may be deemed expedient, in which case each authorized issue shall constitute a separate loan and each loan shall be payable in annual installments and within the period of time specified from the date of issue.

(a) Water bond issue of 1955; details[675]**.** The Commissioners and Treasurer of the district shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds, notes or certificates of indebtedness, and the annual rate of interest and other particulars of the form of such bonds, notes or certificates of indebtedness and the manner of issuance not determined thereby.

(b) Water bond issue of 1955; notes; payment provisions[676]**.** The Commissioners of the district are authorized to fix rates for water which shall be sufficient for the maintenance and operation of the water system of the district and the payment of the principal of and interest on the indebtedness of the district, including the obligations authorized hereby. The bonds, notes or certificates of indebtedness authorized hereby shall be general obligations of the district, and for the payment of principal of and interest on the bonds, notes or certificates of indebtedness, taxes may be levied upon all of the taxable property in the district without limitation as to rate or amount, provided, to the

[674] 2023 recodification of current Article II, Part 2. First Taxing District, §1-70. Derived from Sp. Laws 1955, No. 136, §1.
[675] 2023 recodification of current Article II, Part 2. First Taxing District, §1-71. Derived from Sp. Laws 1955, No. 136, §2.
[676] 2023 recodification of current Article II, Part 2. First Taxing District, §1-72. Derived from Sp. Laws 1955, No. 136, §3.

extent revenues derived from the operation of the water system of the district are available, sufficient for the payment of the principal of and interest on the bonds, notes or certificates of indebtedness when the same become due, it shall not be necessary that taxes be levied for that purpose.

(c) Water bond issue of 1955; obligations[677]. Such bonds, notes or certificates of indebtedness when executed and delivered shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) Water bond issue of 1955; issuance for water purposes[678]. Such bonds, notes or certificates of indebtedness shall be deemed to be issued for water purposes and to be exempt from any limitations imposed by statute.

G. Authorization to Issue Bonds: Paving Refunding.

(1) Authorization to issue bonds, notes or certificates of indebtedness; paving refunding bond issue of 1931[679]. The First Taxing District of the City of Norwalk is authorized to issue bonds, notes or certificates of indebtedness to an amount not exceeding forty thousand ($40,000) dollars, in coupon form or otherwise and registered or not registered, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at not less than par and accrued interest, and shall be in serial form, payable in substantially equal annual installments, beginning not more taken two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than fifteen years from their date. It may be stipulated therein that the principal and interest may be payable in gold coin of the present standard of weight and fineness. The proceeds of such bonds shall be used for refunding paving bonds in the amount of forty thousand ($40,000) dollars, due July 1, 1931.

(a) Paving refunding bond issue of 1931; details[680]. The district, at any meeting called for that purpose, shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the maximum annual rate of interest. Other particulars of the form of such bonds and the manner of issuance not determined hereby or by district vote may be determined by the District Commissioners and the Treasurer.

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[677] 2023 recodification of current Article II, Part 2. First Taxing District, §1-73. Derived from Sp. Laws 1955, No. 136, §4.
[678] 2023 recodification of current Article II, Part 2. First Taxing District, §1-74. Derived from Sp. Laws 1955, No. 136, §5.
[679] 2023 recodification of current Article II, Part 2. First Taxing District, §1-47. Derived from Sp. Laws 1931, No. 238, §1.
[680] 2023 recodification of current Article II, Part 2. First Taxing District, §1-48. Derived from Sp. Laws 1931, No. 238, §2.

(b) Paving refunding bond issue of 1931; obligations[681]. Such bonds, notes or certificates of indebtedness, when executed and delivered, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(c) Paving refunding bond issue of 1931; limitations[682]. The amount of bonds issued the provisions of §1-47 to § 1-50 of the Prior Charter, together with the amount of the aggregate outstanding indebtedness of the consolidated town and city, the area of which consolidated town and city is occupied in part by the First Taxing District and of each independent and dependent political or territorial division or subdivision coterminous with or within the consolidated town and city, shall not exceed, exclusive of the amount of bonds issued for the supply of water, gas or electricity or the construction of subways or underground conduits for cables, wires and pipes and exclusive of the value of bonds, notes and other intangible assets placed in the sinking fund of the consolidated town and city and placed in the sinking fund of each such political or territorial division or subdivision, 5% of the last completed grand list of the consolidated town and city as "grand list" is defined in §470 of the General Statutes.

H. Authorization to Issue Bonds: Firehouse Bond Issue.

(1) Fire house bond issue of 1933; purpose[683]. A new fire house and appurtenances in the First Taxing District of the City of Norwalk in substitution for the present leased buildings of the former City of Norwalk used as fire houses by the present City of Norwalk is declared to be of public convenience and necessity.

(a) Authority to erect and construct firehouse[684]. The Commissioners of the First Taxing District of the City of Norwalk are authorized to erect and construct a fire house and appurtenances in the district, and the powers of the former City of Norwalk for that purpose are continued and vested in the First Taxing District and its Commissioners, any provisions in the laws or charter of the present City of Norwalk notwithstanding, until the fire house and appurtenances herein provided for shall be acquired and taken over by the City of Norwalk or a Fourth Taxing District thereof, if the same shall be authorized.

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[681] 2023 recodification of current Article II, Part 2. First Taxing District, §1-49. Derived from Sp. Laws 1931, No. 238, §3.
[682] 2023 recodification of current Article II, Part 2. First Taxing District, §1-50. Derived from Sp. Laws 1931, No. 238, §4.
[683] 2023 recodification of current Article II, Part 2. First Taxing District, §1-51. Derived from Sp. Laws 1933, No. 382, §1.
[684] 2023 recodification of current Article II, Part 2. First Taxing District, §1-52. Derived from Sp. Laws 1933, No. 382, §2.

(b) Fire house bond issue of 1933; authorization and details[685]. For the purposes aforesaid, the First Taxing District of the City of Norwalk by its Commissioners is authorized to borrow in the name of the district not exceeding the sum of sixty-five thousand ($65,000) dollars and to issue bonds or other evidences of indebtedness therefor. Such bonds shall be designated "Fire House Bonds," shall be in coupon form or otherwise and registered or not registered, bearing interest at a rate not greater than six (6%) percent per annum, payable semiannually, which bonds shall be sold at not less than par and accrued interest, and shall be in serial form, payable in substantially equal annual installments, beginning not more than two (2) years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than fifteen (15) years from their date. The district, at any meeting called for that purpose, shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the maximum annual rate of interest. Other particulars of the form of such bonds and the manner of issuance not determined hereby or by district vote may be determined by the District Commissioners and the Treasurer.

§12-8. Second Taxing District[686].

A. Body Politic and Corporation; Rights and Liabilities[687]. All electors of this state dwelling within the territorial limits of the Second Taxing District are hereby constituted a body politic and corporate by the name of the "Second Taxing District of the City of Norwalk" and, by that name, shall be capable of suing and being sued, pleading and being impleaded, purchasing, holding, selling and conveying any estate, real or personal, and of having a common seal, and as such corporation shall succeed to and possess all the property, both real and personal, of the City of South Norwalk, together with all the rights, powers, franchises, privileges and immunities heretofore granted to the City of South Norwalk and to the Water Commissioners of the City in relation to the taking of water, the construction, maintenance and operation of waterworks and supplying water for the use of the City of South Norwalk and the inhabitants thereof and any other persons or corporation as the Second Taxing District shall determine, together with all property, rights and interest hereto acquired by the City or the Water Commissioners of the City for the purpose of supplying water as aforesaid and all the rights, privileges and powers the City has acquired by virtue of having complied with the requirements of §2 of Chapter CCXXXI of the Public Acts of 1893 and all property acquired by the City as a part of its electric light and power plant and all of the property, rights, powers, franchises, privileges and immunities are hereby vested in and confirmed to the Second Taxing District. The Second Taxing District is hereby authorized to manage, operate and control the water system and electric light plant with the same authority,

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[685] 2023 recodification of current Article II, Part 2. First Taxing District, §1-53. Derived from Sp. Laws 1933, No. 382, §3.

[686] Editor's Note: See § 121 for authority of Second Taxing District as to appropriations for parking purposes. For taxing districts in general, see Art. II.

[687] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-75. Derived from Sp. Laws 1913, No. 352, § 22; Charter Amendment 11-8-1983; Charter Amendment 11-4-2003, effective 12-4-2003.

rights and liabilities and in the same manner as the City of South Norwalk, whether within the limits of the Second Taxing District or beyond, and, except as herein otherwise provided, to care for, maintain and to keep in repair all estate, both real and personal, which the district may possess wherever located and to sell and convey any of the property, any property held by the City in trust excepted, and apply the proceeds to the reduction of the indebtedness of the district only. The Second Taxing District shall succeed to and possess all the rights and privileges heretofore possessed by the City of South Norwalk in respect to the public library of the City and shall continue to support and maintain the same. The District Commissioners shall have the authority to provide for public library services by the lease of District property and/or by contracting with the City of Norwalk or other qualified library service entity; provided no lease or contract shall be executed unless the District Commissioners conduct a duly noticed Public Hearing prior to the execution of any such lease or contract.

B. Expenses, liabilities, powers, privileges, duties with regard to the supply and distribution of water and electricity[688]. All the inhabitants and property within the limits of the Second Taxing District shall be liable to taxation by the city to defray the burdens, expenses and liabilities of all kinds existing against the former City of South Norwalk at the passage of this act and such liabilities as the taxing district may become liable for under the provisions of this act.

The Second Taxing District is hereby authorized to use the water of any stream, lake or pond, either surface or subsurface, in whole or in part, within the limits of the towns named in an act entitled "An Act to Provide a Supply of Pure and Wholesome Water to the City of South Norwalk," approved July 22, 1874, and, with the restrictions expressed in the act, to hold, convey and distribute such water to the persons and corporations whom it may supply by means of any necessary reservoirs, pipes, aqueducts, pumps and other suitable works, in such quantities as the necessities of the district may require; to purchase water from, sell water to or exchange water with any other community, public or private water company, as may be necessary or advisable; to take and hold any lands, property or privileges; and to exercise any powers, including the power of eminent domain, that may be necessary or convenient for the district in order that a satisfactory supply of water may be obtained and the same stored and distributed to the persons and corporations the district may supply; and in like manner, the district may take and hold any lands, property or privileges and to exercise any power, including the power of eminent domain, necessary for the district in order to maintain an adequate supply and for appropriate installations for and transmission of electric power to the persons and corporations the district may supply.

C. Board of Commissioners, Board of Electrical Commissioners and Treasurer in Second Taxing District[689]. At the election for the choice of City and town officers in 1913, there shall be elected in the Second Ward by the electors of the Second

[688] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-76. Derived from Sp. Laws 1913, No. 352, §23; Charter Amendment 11-8-1983.
[689] 2023 recodification of current Article III – Part 1. In General, §1-176. Derived from Sp. Laws 1913, No. 352, §57. Historical Editor's Note: See also § 1-78.

Taxing District three Commissioners for the terms of office of two, four, and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified, and there shall be elected in the Second Ward by the electors of the Second Taxing District three members of the Board of Electrical Commissioners, which members shall hold office for the terms of two, four and six years, respectively, and until their successors are elected and qualified, and there shall be elected a Treasurer of the Second Taxing District who shall hold office for a term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the Second Taxing District one Commissioner and one member of the Board of Electrical Commissioners, each of whom shall hold office for the term of six years and until a successor is elected and qualified, and a Treasurer of the Second Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

D. Authorization of the Board of Commissioners[690]. The District Commissioners are hereby authorized to purchase and take conveyances in the name of the Second Taxing District of all lands, property and privileges necessary or convenient for the purposes of this act; to hold in sufficient quantities the water of any stream, either within or without the district, and in either of the towns as set out in §1-76 of the Prior Charter, by the construction of suitable dams; to enter upon any lands near such proposed dams and procure earth, stone or other material for the construction and maintenance thereof and to make suitable wasteways for the surplus water of such streams; to change the location of any road or pathway which may be covered by the waters of any reservoirs so formed and to take land therefor; to enter upon and make use of the ground or soil under any railroad, street, private way or public or private grounds; to lay, construct and maintain all necessary pipes, pumps and aqueducts in such manner as least to damage or impede travel thereon; to make contracts for labor and materials for the general purpose of the waterworks; to establish public reservoirs; to erect and maintain hydrants under the direction of the Council of the city; to make rules and Regulations regarding the use and distribution of the water and establish the prices to be paid therefor; to collect all water rents and pay the same to the Treasurer of the district; to admit, allow and draw orders on the Treasurer for the payment of all claims against the district on account of the waterworks, including payment of interest on notes and bonds issued on account of such works; to attend to the construction, care, supervision and management of the waterworks; to appoint Directors of the public library of the district as vacancies in the Board shall occur; to care for, maintain and keep in repair, except as herein otherwise provided, all the property of the district, with the power to lease or sell the same, delivering the income and proceeds of such sales to the Treasurer of the district and to apply the proceeds therefrom in such manner as the District Commissioners may be authorized by the district; and to exercise any powers that may from time to time be conferred upon them by the district. A majority of the Commissioners shall constitute a quorum for the transaction of any of the business of the Board.

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[690] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79. Derived from Sp. Laws 1913, No. 352, §26.

E. Ordinance procedure[691]. The Second Taxing District may enact, modify, amend or repeal ordinances which it deems necessary to operate the district, including such rules, Regulations, policies and procedures it deems necessary to define and govern the powers, duties, responsibilities, administration and operations of the district; provided, however, no ordinance, inconsistent with the scope of the district's power, duties and responsibilities, as specified in the District Charter, Special Acts of the Legislature or the Connecticut General Statutes shall be enacted.

Ordinances shall be enacted, altered or repealed, by a majority vote of the electors present and voting, at a special, regular or annual meeting of the district electors, duly noticed and warned for that purpose. Ordinances so enacted shall become effective fifteen Days after publication in a daily paper of circulation in the City of Norwalk.

Ordinances shall be proposed by a majority vote of the District Commissioners, at a regular or special meeting of the Commission, or by written petition of at least ten percent of the electors of the district, as determined by the then current list of electors. A petition for ordinance shall include the proposed ordinance, or a summary of the proposed ordinance, prepared by the District Clerk, where the full text of the proposed ordinance has been filed with the Clerk, by an elector of the district, in which case the Clerk shall make available the full text of the proposed ordinance to any person requesting a copy. The District Clerk shall, upon receipt of a petition, verify that each petitioner is an elector and that ten percent of the electors have signed a valid petition. After certification of a valid petition, the district clerk shall forward the petition for ordinance to the District Commissioners.

When a valid proposed ordinance is before the district either through electors' petition or an action of the District Commission, the Commissioners will schedule an electors' meeting to act on the proposed ordinance within thirty Days. The electors' meeting shall be noticed and warned in a daily paper of circulation in the City of Norwalk at least ten Days before the meeting.

F. Meetings[692]. The notice of the time, place and agenda of all meetings of the electors residing in the taxing district shall be given by the Board of Commissioners by publishing in a newspaper having a circulation in the district at least ten Days before the meeting.

The notice of the time, place and agenda of all regular and special meetings of commissions, boards or committees of the district shall be published in a newspaper having a circulation in the district at least twenty-four hours before the meeting. In the case of an emergency, a special meeting may be held without the notice specified by this section, provided the minutes of such emergency meeting adequately sets forth the nature of the

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[691] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-76.A. No citation re – derivation.
[692] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-77. Derived from Sp. Laws 1913, No. 352, § 24; Charter Amendment 11-8-1983; Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.

emergency and the business transacted at such meeting, and the minutes shall be filed with the District Clerk not later than seventy-two hours following the holding of the emergency meeting.

The Board of District Commissioners shall file with the Clerk of the district, by December 31, a schedule of the regular meeting of the Board for the ensuing year. All meetings of the Board not filed as a regular meeting shall be considered a special meeting.

All meetings, notices, agendas, record of meetings and procedures shall comply with the requirements and provisions of the Connecticut General Statutes, as amended, in addition to the requirements included herein.

The annual meeting of the electors residing in the taxing district shall be held on the third (3rd) Tuesday of November for the purpose of hearing the reports of the Commissioners of the district and acting on such matters as may properly be brought before the meeting. Special meetings of the electors of the district may be called by the Board and shall be called upon written petition of at least ten percent of the electors of the district as determined by the then current list of electors maintained by the Registrar of Voters of the City of Norwalk to consider and act upon the matters set forth in such notice of petition. The right of electors to vote at all district meetings shall be determined by the then current voting list so maintained. The notice and agenda of all meetings of the district and its commissions, boards and committees and all notifications and postings of the District Clerk shall be posted on a public meeting board outside the office of the district.

Not fewer than fifteen electors of the district shall constitute a quorum for the transaction of business at any meeting of the district, and, if fifteen electors are not present at such meeting, any District Commissioner, or the District Clerk, shall adjourn the meeting to a time and place certain. At any meeting of the district where a quorum is present, the meeting may be adjourned to a time and place certain by a majority vote of the electors present and voting. Any such adjourned meeting, which is rescheduled shall be warned and noticed in a newspaper having circulation in the district, at least five Days before the rescheduled meeting. A copy of the notice of adjournment, including the time, date and place of the adjourned meeting, shall be conspicuously posted on or near the door of the place where the regular or special meeting was held, within twenty-four hours after the time of adjournment.

G. Board of Commissioners and Treasurer. The district shall elect a seven-member Board of District Commissioners, who shall also serve as Water Commissioners and Electrical Commissioners, and a Treasurer of the district, all of whom shall be, at the time of their election and throughout their term, electors of the district and domiciled therein; and all of whom shall be sworn to a faithful discharge of their duties, shall hold their office as hereinafter provided and shall receive such compensation as the district determine at each annual meeting.

(1) Clerk; Personnel[693]. The Commissioners shall appoint a Clerk, who shall receive reasonable compensation as determined by the Commissioners. It shall be the duty of the Clerk to keep a record of all the transactions and meetings of the district and all of its commissions, boards and committees and discharge such duties as the Commission may prescribe or as prescribed by ordinances of the district. The District Clerk shall perform all duties as prescribed in the General Statutes to be performed by the Clerk of the municipality, or the Clerk of the district, or the Clerk as to the extent such specific statutes are applicable to the district. The District Clerk, for the purpose of keeping a record of meetings, may designate assistant(s) to assist with the discharge of the duties of the Clerk.

(2) Meetings[694]. All meetings of the district shall be electronically recorded, and suitable means to electronically record all meetings shall be provided by the clerk.

(3) Legal Counsel[695]. The Commissioners shall appoint District Legal Counsel, who shall serve as sole legal counsel to the district and all of its commissions, elected officials, district officers, agencies, boards, water and electric utilities and other operations. District Legal Counsel shall be appointed for a one-year term commencing each July 1. However, the Commissioners may replace District Legal Counsel at their discretion during a term. District Legal Counsel shall advise the district and all of its commissions, elected officials, district officers, agencies boards, water and electric utilities and other operations, on all matters of law, pertaining to their respective offices and/or duties. The Commissioners may also make specific appointments of special legal counsel as necessary, to provide specialized legal counsel at the recommendation of District Legal Counsel or on their own motion.

(4) Personnel[696]. The, Commissioners may employ such personnel as may be reasonably necessary to manage, operate, control and keep in repair the real, personal and mixed estate of the district.

(5) Power Akin to Selectmen[697]. The Commissioners, with regard to all of the affairs of the district shall have all the powers and discharge all the duties as given to and required of Selectmen of towns as set forth in §7-12 of the General Statutes, as amended, and shall be generally responsible for the conduct of the affairs of the district.

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[693] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(a). Derived from Sp. Laws 1913, No. 352, § 25; Charter Amendment 11-8-1983; Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.
[694] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(b).
[695] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(c).
[696] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(d).
[697] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(e).

(6) Duties Akin to the Board of Electrical Commissioners[698]. The Board of Commissioners shall have all the powers and the duties of the Board of Electrical Commissioners as set forth in Connecticut General Statutes Chapter 101, §§7-213 through and including 7-233hh and with respect to the Waste Department Chapter 102, §§7-234 through and including 7-244a, as amended, except where those sections are inconsistent with this Charter.

(7) Term of Office[699]. The Board of District Commissions shall appoint for terms of three years each two (2) members of the Norwalk Public Library Board, in accordance with Chapter 87 of the Code of the City of Norwalk, Connecticut. The members shall, at the time of their appointment and throughout their terms be electors of the Second Taxing District and be domiciled therein.

(8) Chairperson and Vice Chairperson[700]. The Board of District Commissioners shall elect from their members a Chairperson and a Vice Chairperson who will serve for a period of two years from the date of election by the Board of Commissioners at the first meeting after each regular biennial municipal election in November of the odd numbered years, in the following manner:

(a) At the first meeting of the Board of District Commissioners, after the combination of the Board of Electrical Commissioners and the Board of District Commissioners, and the election of a seventh commissioner, as provided in §1-78A of the Prior Charter, on or before January 31, 2004, the Board of District Commissioners shall elect from its members one person to serve as Chairperson and one person to serve as Vice Chairperson until the first meeting of the District Commissioners after the regular biennial municipal election in November, 2005 or until successors have been duly elected and qualified.

(b) Thereafter, at the first meeting of the Board of District Commissioners after the regular biennial municipal election, the Board shall select a person to act as Chairperson and one person to serve as Vice Chairperson from among its members for a term of two years or until successors have been duly elected and qualified.

The Chairperson shall preside at all meetings of the electors and Board of District Commissioners; present a report of the condition and operations of the District at the annual meeting; present a report on the proposed budget at the annual budget meeting; cause to be called all regular and special meetings of the electors and Board of District Commissioners; set the agenda for all

[698] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(f).
[699] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(g). Derived from Sp. Laws 1913, No. 352, § 25; Charter Amendment 11-8-1983; Charter Amendment 11-7-1995, effective 12-7-1995
[700] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(h).

meetings of the electors and Board of District Commissioners after the consultation with the Vice Chairperson; appoint such committees and/or subcommittees of the Board of District Commissioners as may be required or desirable from time to time; perform all of the duties incident to the office and which are required by law; and perform such duties and functions as the electors or Board of District Commissioners may assign from time to time. The Chairperson shall call a special meeting of the electors or Commissioners upon written petition by a majority of the Board of Commissioners, which petition shall include the agenda for such meeting. During the absence or incapacity of the Chairperson, the Vice Chairperson shall preside over meetings and shall perform the duties of the Chairperson.

(9) Election of District Commissioners[701].

(a) The members of the Board of Electrical Commissioners in office on December 1, 2003, shall be combined with the members of Board of District Commissioner in office on December 1, 2003, to form a six-member Board of District Commissioners. Each Commissioner shall remain in office for the remainder of their current six-year elected term and until their successor is elected at a regular biennial municipal election. The six-member Board of Commissioners shall call on or before January 31, 2004, a special elector's meeting for the purpose of electing a seventh Commissioner. The seventh Commissioner shall be elected by the electors of the District at duly warned and noticed meeting with due regard for §9-167a of the Connecticut General Statutes, Minority Representation, until a successor is elected for a six-year term at the regular biennial municipal election of city and town officers of 2005[702].

(b) Method of election: 2005[703]. At the regular biennial municipal election in 2005, three persons shall be elected as members of the Board of District Commissioners for a term of six years, or until their successors are duly elected and qualified. Thereafter, three members of the Board will be elected every six years.

(c) Method of Election: 2007 and 2009[704]. At the regular biennial municipal election in 2007 and 2009, two persons shall be elected as members of the Board of District Commissioners for a term of six years, or until their successors are duly elected and qualified. Thereafter, two members of the Board will be elected every six years.

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[701] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78A. Derived from Charter Amendment 11-4-2003, effective 12-4-2003.
[702] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78A.1.
[703] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78A.2(a).
[704] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78A.2(b).

H. Duties of the Treasurer[705]. The Second Taxing District shall elect a District Treasurer, who shall perform the following duties:

(1) Maintain the financial records and accounts of the General Second Taxing District Government, and approve all payments from the General Second Taxing District accounts to be made by the District Commissioners[706].

(2) Periodically, but not less than annually, review records and accounts of the Second Taxing District General Government, including the cash receipts and disbursements of each, and report to the electors at the annual meeting the results of such examination[707].

(3) Periodically, but not less than annually, review records and accounts of the Second Taxing District Electric Water Departments, including the cash receipts and disbursements of each, and report to the electors at the annual meeting the results of such examination[708].

(4) Coordinate with the auditors during the auditing process, and review the final audit report, prior to its presentation to the electors, at the annual meeting of the Second Taxing District. At the annual meeting, report on the financial condition of the Second Taxing District; and make any recommendations to the electors concerning the accounts and operations of the finances of the district deemed appropriate by the Treasurer[709].

(5) Perform such other duties customarily performed by the Treasurers of municipalities in appropriate cases, and as may be assigned from time to time by the electors at the annual meeting or at a special meeting called for that purpose[710].

(6) In the event that a district tax shall be necessary, the Treasurer shall certify the financial condition of the district and the amount to be raised by taxation to the District Commissioners and to the Norwalk Board of Estimate and Taxation[711].

(7) Execute such certifications as may be required by law or for the management of the financial affairs of the Second Taxing District[712].

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[705] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B. Derived from Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.
[706] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.1
[707] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.2
[708] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.3
[709] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.4
[710] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.5
[711] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.6
[712] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.7

Any provisions of the Charter of the Second District which require the Treasurer to directly and personally receive the funds raised by taxation or otherwise by the district, or to receive monies collected by the Water Department or the Electric Department are superseded by this section.

I. Removal of Elected Officials[713].

(1) Grounds for Removal[714]. Grounds for removal from elected office. Any elected official of the district shall be subject to removal from office upon any of the following grounds:

(a) Conviction of a felony;

(b) Conviction of a misdemeanor involving misconduct in office;

(c) A finding of incompetency according to Connecticut General Statutes §45a-650;

(d) Removal of or vacating their domicile from the Second Taxing District of the City of Norwalk.

(2) Special Committee; creation and action[715]. Within ten Days after receipt of formal notice of the indictment or arrest for a felony or a misdemeanor involving misconduct in office or of competency hearing pursuant to C.G.S. §45a-649 or removal of or vacating their domicile from the Second Taxing District of the City of Norwalk of an elected official of the district, a Special Committee shall be selected by the District Commissioners. The purpose of the Special Committee shall be to consider those matters set forth in Subpart (e) of this Article. In the event the District Commissioners fail to select those electors as members of the Special Committee within the ten Day period, the electors, at a special meeting called for that purpose in accordance with §1-77 of the Prior Charter, shall elect three persons to be members of the Committee.

(a) The Special Committee shall consist of the following: (i) all elected officials of the District serving in office at the time of formal notice, excluding those elected officials who are the subject of the Special Committee's

[713] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79A. Derived from Charter Amendment 11-8-1983.
[714] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79A.1a-d.
[715] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79A.2a-i.

examination; and (ii) three electors of the district chosen by those District Commissioners serving in office at the time of formal notice, excluding those subject to the Special Committee review. The Special Committee shall continue as so constituted until it takes final action notwithstanding intervening elections.

(b) A meeting of the Special Committee shall be held within thirty Days following receipt of the formal notice of indictment, arrest or application for a hearing to determine competency or removal of their domicile all as set forth in the opening paragraph of this section. The senior District Commissioner, and, if there be none, the senior Electrical Commissioner, shall preside over the meetings of the Committee. If there are no elected officials eligible to sit on the Committee, a Chair shall be elected from among the members of the Committee. The District Clerk shall act as secretary to the Committee, but shall have no vote.

(c) The phrase "formal notice," as used in this Article, shall mean receipt by the District Clerk of a written instrument issued by any public official having knowledge of the appropriate events attesting to the occurrence of that event.

(d) Written notice of the meeting of the Special Committee shall be sent by certified mail to the elected official who is the subject of the examination of the official's address in the Second Taxing District or last known address by the Committee not less than fifteen Days before the meeting date. The notice shall specify (i) the nature of the grounds for suspension and removal; (ii) the legal consequences thereof; (iii) the time and place of the meeting. The notice shall further state that the elected official has a right to be present at the meeting and has a right to be represented by an attorney at the official's expense.

Notice of the meeting shall also be given by publication thereof in a newspaper having a general circulation within the Second Taxing District no more than) nor less than seven Days before the date of the meeting

(e) The Special Committee shall consider the allegations involving each elected official so indicted, arrested, subject to competency hearing or accused of removing their domicile, separate and apart from the allegations involving any other elected official. The Special Committee shall decide (i) whether there is sufficient evidence based on the facts adduced at the hearing to require suspension of the elected official; (ii) the length of the suspension if required; and (iii) the terms of reinstatement to office. These matters shall be determined by a simple majority vote of the entire Special Committee.

(f) Upon a decision by the Special Committee to suspend an elected official, the elected official shall be forthwith suspended from all duties, authority and compensation relating to the official's office until reinstatement. Upon reinstatement, all compensation due the elected official that would have been earned had the official not been suspended shall become due and payable. No term of office shall be extended by any action of the Special Committee.

(g) Within ten Days of receipt of formal notice of a plea of guilty, an entry of a plea of nolo contendere or verdict finding the elected official guilty of a felony or misdemeanor involving misconduct in office or upon a finding by court of competent jurisdiction that the official is incapable of managing one's affairs or deemed to be a protected person pursuant to C.G.S. §45a-650 or upon a finding by the Special Committee that the official has removed their domicile from the Second Taxing District of the City of Norwalk, the Special Committee shall declare the office of the official vacant and so notify the District Commission. The District Commission shall, after receiving the notice, fill the Vacancy as provided in this Charter unless within a ten-Day period after the action of the Special Committee a referendum is requested pursuant to this Charter.

(h) Within seven Days of a receipt of formal notice of a verdict finding the elected official not guilty or upon the entering of a nolle prosequi by the State's Attorney or dismissal of a felony or misdemeanor involving misconduct in office or upon the dismissal of the application to appoint a conservator or similar petition or upon a finding that the official has not removed their domicile in the Second Taxing District of the City of Norwalk, the Special Committee shall be reconvened by its Chair for the purpose of declaring the suspension revoked and the official reinstated to office; the reinstatement to be in accordance with the provisions of Section A.2 of this provision in the Prior Charter.

(3) Electors' right to referendum[716]. Any provision of the Charter of the Second Taxing District of Norwalk to the contrary notwithstanding, the final action of the Special Committee in declaring an elected official suspended pursuant to Section A.2h of this provision in the Prior Charter or an office vacant pursuant to Section A.2g of this provision of the Prior Charter, unless otherwise provided by the Acts of the General Assembly or Constitution of the State of Connecticut, shall be subject to referendum as set out herein.

(a) The electors of the Second Taxing District may petition for a referendum on any action taken by the Special Committee. The action of the Special Committee shall not be subject to referendum unless a petition in a

[716] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79A.3a-j.

form similar to that set out in A.3b of this provision of the Prior Charter and signed by not less than a number of electors equal to ten (10%) percent of the total number of persons entitled to vote at the previous election is filed with the District Clerk within thirty Days of the action of the Special Committee. Failure to so file will result in the action of the Special Committee being final for all purposes.

(b) The form of petition shall be substantially as follows:

The undersigned electors of the Second Taxing District of the City of Norwalk hereby request that action of the Special Committee (removing) (suspending) (not removing) (not suspending) (failing to remove/suspend) from the office of be disapproved by means of a referendum election to be held thereon. (Lines for the signature and addresses of twenty electors shall follow the above)

The undersigned circulator hereby attests that:

1. Each person whose name appears on this page personally signed the same in my presence.
2. Each person whose name appears on this page is either personally known to me or has satisfactorily identified himself to me.
3. I the signatures on this page were obtained no earlier than six (6) months prior to the filing of this petition with the District Clerk for the Second Taxing District of the City of Norwalk

I recognize that the above statement is made by me subject to the penalties of false statement

_____
Signature of Circulator
Date
Name of Circulator
(to be typed or printed)

(c) The District Clerk shall review all petitions returned hereunder within five Days of their receipt by said Clerk and shall certify to the District Commissioners:

(i) The number of validated signatures necessary to equal the signatures of ten percent of the electors of the district entitled to vote at the last election.

(ii) On each page of the petitions the number of valid signatures.

(iii) The total number of valid signatures.

(iv) Either (a) verifying the timely receipt of petitions and that they are in proper order and contain the necessary number of signatures; or (b) shall so issue a statement that such petitions were not timely received by said Clerk or were not in proper order or contained less than the necessary number of signatures.

(d) No action upon the decision of the Special Committee shall be implemented regarding any matter which is subject to referendum until thirty Days shall have passed after the date of the action by the Special Committee. In the event that the District Clerk issues a statement verifying the timely receipt of petitions in proper order containing the signatures of ten percent of the electors of the district, then no such suspension or Vacancy shall be effective until the referendum election on such action is held and the action is upheld.

(e) The referendum election shall be held not earlier than thirty Days nor later than forty-five Days after the aforesaid verification.

(f) No decision of the Special Committee as set forth above shall be invalidated unless at the election thereon at least twenty-five (25%) percent of the electors of the Second Taxing District of the City of Norwalk cast a written ballot at a special meeting of electors called for that purpose with respect to such action, and a majority thereof disapprove the action. A majority of the vote cast shall decide the referendum.

(g) Every referendum pursuant to this Article and the removal from office of any elected official of the Second Taxing District of the City of Norwalk pursuant thereto shall be binding upon the District Commissioners, the Electrical Commissioners and the Treasurer of the district.

(h) If upon the official determination of the result of the referendum, the suspension or removal of an elected official from office is affirmed by the electors, the District Commission shall forthwith continue the suspension or fill the Vacancy created by the action of the Special Committee.

(i) If upon the official determination of the result of the referendum, the suspension or removal of the elected official is disapproved by the electors, then the elected official shall immediately resume the duties and emoluments of office, including compensation for such period of time as has been withheld by reason of the official's suspension. In no way shall any suspension extend the original term of office.

(i) Each paragraph, subparagraph and each provision of each paragraph and subparagraph of this Article shall be separable, and the invalidity of any portion of any paragraph or subparagraph shall not affect the validity or enforcement of any other portion. Should any provision be found to be invalid as to any circumstance, such provision shall apply to all other circumstances to which such provision may lawfully apply.

(ii) Should any provision of this Article conflict with any other provision of any other section of this Article or any other Article of this Charter, the provision of this Section A.3 of this provision of the Prior Charter shall apply, take precedence over and supersede such other provision.

J. Code of Ethics[717]. The following Code of Ethics shall apply to all elected officials, appointed members of committees ("public officials") and all employees of the Second Taxing District.

(1) A public official or employee shall not participate in any matter in which the public official or employee has a personal or financial interest, nor shall such person participate in any matter in which a business that the person is associated with, or in which a member of the person's immediate family has a personal or financial interest. If the matter is within the public official's or employee's duties and responsibilities, the public official or employee shall disclose the nature of the personal and financial interest, and shall be disqualified from participation in such matter.

(2) A public official or employee shall not participate in any business or transaction, including employment with a private or public business, which is incompatible with the proper discharge of the public official's or employee's duties and responsibilities.

(3) A public official or employee shall not use, directly or indirectly, for personal gain, any confidential information concerning the business of the Second Taxing District, which is obtained solely by virtue of the public position or employment held by such person, and is of such nature that it is not, at the time of the use of such

[717] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79B. Derived from Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.

information, a matter of public knowledge or public record, or required to be disclosed to the public by law.

(4) A public official or employee shall not seek, solicit or accept any compensation from any person, firm or corporation which transacts business with the Second Taxing District, or from any person, firm or corporation which has a direct personal or financial interest in any matter pending before any commission, committee or department of the Second Taxing District, or concerning a matter within the official responsibility of the public official or employee.

K. **Ethics Commission[718].**

(1) Election:

(a) An Ethics Commission consisting of seven electors, no more than four of whom shall be members of the same political party, shall be elected at the annual meeting of the Second Taxing District, each member to serve for a term of one year, commencing upon election at the annual meeting and serving until the next annual meeting. If a Vacancy occurs during the one-year term, the Vacancy shall be filled by the District Commission at a regular or special meeting called for that purpose. The Vacancy shall be filled with an elector from the same political party of the vacating member. If the vacating member was not registered with a political party, the Vacancy shall be filled with an unaffiliated elector.

(b) The Moderator of the annual meeting shall accept nominations for candidates from the electors of the District, which nominations will not require a second. Each elector so nominated shall affirm on the record their willingness to serve or a written statement signed by the elector of willingness to serve may be provided to the Clerk prior to the nomination. The District Clerk shall prepare a list of the candidates including their official political party affiliation ranked from the highest to the lowest according to the number of votes each receives; when the number of any one political party exceeds four, only candidates of such political party with the highest number of votes up to the limit of four shall be elected, and the names of the remaining candidates of such political party shall be stricken from the list. The next highest-ranking candidates shall be elected up to the number of seven.

(2) **Duties of Commission:** The principal duties of the Ethics Commission shall be:

[718] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79C. Derived from Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.

(a) To receive and/or initiate complaints of violations of the Code of Ethics.

(b) To conduct investigations and private hearings on alleged violations with complete access to all necessary and relevant district records, and to obtain the full cooperation of all district agencies, officers, officials and employees in connection therewith.

(c) To transmit the written findings of such hearings and/or investigations to the District Commissioners, the electors and the individual(s) directly involved.

(d) To render advisory opinions to the officer, employees, officials and Commissioners of the district, or any of its committees pursuant to written request or upon its own initiative.

(e) To make recommendations to the district for changes to the Code of Ethics by ordinance.

(3) Procedures: The following procedures shall be followed by the Ethics Commission:

(a) The Commission shall convene only upon:

(i) Written notice from the District Clerk of the receipt of a written ethics complaint by an elector of the district.

(ii) A request for a meeting, containing a statement for the purpose of the meeting, submitted to the District Clerk by at least four members of the Commission.

(iii) Upon the request of the District Commissioners for a specific purpose.

(b) A meeting of the Commission shall convene within seven Days after the receipt of the request for a meeting. The Commission shall provide written notice of the date, time and place of the meeting and the nature of the complaint to any person who is the subject of an ethics complaint, or concerning whom an ethics investigation has been requested.

(c) The Commission may interview any persons who have any relevant information, may receive any written documents, including financial information, and may receive any information which they deem appropriate.

(d) Any person who appears before the Commission shall have the right to be represented by an attorney. The Commission shall have the right to seek legal advice from the District Counsel.

(e) All meetings of the Ethics Commission concerning the investigation of a complaint shall be conducted in executive session, convened by two-third (2/3rd) vote of the Commission, for the purpose of a discussion concerning the employment, performance or dismissal of a public officer, or an employee, provided that the individual who is the subject of the investigation may require that the discussion be held at an open meeting.

(f) At the conclusion of each investigation, the Commission shall issue a written report setting forth the purpose of the investigation, its findings and recommendations. If the Commission shall find probable cause of a violation of the Code of Ethics, the Commission shall:

(i) In the case of an elected official, refer the written report to the District Clerk for the initiation of appropriate action in accordance with § 1-79a of the Charter.

(ii) In the case of any other public official, such as a member of a committee, the written report shall be sent to the Appointing Authority for appropriate action.

(iii) If the person involved is an employee, the written report shall be delivered to the District Commission.

(iv) The individual concerned with the investigation shall be given written notice of the findings and recommendations of the Commission.

(g) A quorum of the Commission shall consist of not less than five (5) members. No finding of probable cause shall be made except upon clear and convincing evidence of a violation of the Code of Ethics, or other relevant law, and upon the vote of at least five (5) members of the Commission.

L. Vacancies[719]. Whenever any elective officer of the Second Taxing District shall die, resign or remove their residence from the district or, by reason of permanent mental or physical disability or infirmity, shall become incapacitated to discharge the duties of the office or shall be convicted of malfeasance in office or any infamous crime, or is removed from office as provided in §1-79A of the Prior Charter, or when any Vacancy shall occur in any elective office from any cause, the Clerk of the district shall give notice of the Vacancy

[719] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79D. Derived from Charter Amendment 11-7-1995, effective 12-7-1995.

and convene a special meeting of the District Commissioners, upon at least ten Days' notice of such Vacancy.

(1) At the special meeting, the District Commissioners shall declare such office vacant and shall give written notice within seven Days of the meeting to the chair of the Town and City Committee of the political party from which the former incumbent was chosen of the existence of the Vacancy and that the Vacancy is to be filled by an elector selected by the members of the Town and City Committee of the political party of the former incumbent who resides in the Second Taxing District. The members of the Town and City Committee residing in the Second Taxing District shall fill the Vacancy with an eligible elector within sixty Days of the date on which the District Commissioners declared the office vacant. If the former incumbent was registered with a political party not having a Town Committee, the position may be filled by an elector selected by a caucus of the registered members of the political party, who resides in the district, within sixty Days of the date on which the position was declared vacant by the District Commissioners. Written notice of such appointment shall be given by the political party to the District Commissioners, who shall declare such Vacancy filled at the next regular or special meeting of the District Commissioners. The appointee, so designated, shall serve through the remainder of the term of the office left vacant.

(2) Upon the failure of the appropriate Town and City Committee or political party caucus to fill the Vacancy with a qualified elector within sixty Days of the date on which the position was declared vacant by the District Commissioners, the position shall be filled by the District Commissioners with an eligible elector who is a member of the same political party of the former incumbent and who resides in the Second Taxing District and meets all qualifications for office as set forth below.

(3) If the former incumbent was not registered with a political party, the District Commissioners shall fill the Vacancy with an unaffiliated elector, who shall serve until the next municipal election, at which time a person shall be elected to serve through the remainder of the term of the office left vacant.

(4) The Vacancy shall be filled by an elector residing in the Second Taxing District. No Commissioner serving in office may be appointed to fill any Vacancy. If the Vacancy is filled by the District Commission, no elector who is related by blood or marriage, to wit: spouse, parent, child, sibling or in-law of these degrees of relationship, to a District Commissioner shall be appointed to fill a Vacancy on the District Commission.

(5) The term "political party" or "party," as used in this section, shall mean any political organization whose members appear on the current list or last official list required to be maintained under §9-66 of the Connecticut General Statutes.

I. The Waterworks and Electrical Power.

(1) Liability for waterwork construction and maintenance[720]. The district shall be liable to pay all damages that shall be sustained by any person or corporation by the taking of any land or estate as aforesaid or by the construction or laying of any reservoirs, pipes, pumps, aqueducts or other works for the purposes of the waterworks. If at any time it shall appear that any damage has occurred or may be likely to occur to any person or corporation by reason of taking or using their land or estate for the purposes of this act or in the construction of the waterworks, and the Board of District Commissioners cannot agree with the owners of such property or privilege as to the amount of compensation or damages to be paid to them, such compensation or damages may be assessed by three disinterested persons under oath, to be appointed by a Judge of the Superior Court on application by either party, upon such notice as the Judge shall prescribe. The appraisers shall report their doings and the amount of their assessments to the Superior Court for Fairfield County. The Court may set aside such report for any irregular or improper conduct and may appoint another committee, but if the report is accepted, it shall be recorded, and such assessments shall be a final adjustment of the compensation and damages between the parties, and payment thereof or a deposit of the amount thereof with the Treasurer of the county for the use of such owners shall release the district from liability to further claims for compensation or damages.

(2) Obligation of the Commissioners[721]. The Commissioners shall recognize at all times, as their primary obligation, the duty to provide a supply of pure and wholesome water to the inhabitants of the Second Taxing District and to provide an adequate supply of electrical power to the inhabitants of the Second Taxing District, both at the lowest, reasonable cost, always considering the long-term needs of the utilities. Any expansion outside the district should be undertaken only if it is calculated to benefit the inhabitants of the Second Taxing District and without putting them at unneeded risk or expense.

(3) Budgets and Finance[722].

(a) Fiscal year: The fiscal year for the Second Taxing District shall be for a period commencing on July 1 of each year and ending on June 30 of the following year.

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[720] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-80. Derived from Sp. Laws Sp. Laws 1913, No. 352, §27.

[721] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-80A. Derived from Charter Amendment 11-8-1983.

[722] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-81. Derived from Charter Amendment 11-4-2003, effective 12-4-2003.

(b) Accounts and procedure: The accounting for the funds and operations of the district shall consist of three components: General District Government, Water Department and Electric Department.

The accounting and bookkeeping for each utility shall be maintained separately and distinctly from the accounting and bookkeeping of the taxing district.

(c) General District Government: The General District Government accounts shall be used to manage, operate and control the taxing district, to maintain and keep in repair all property, both real and personal, which the district may possess and to perform all such duties as directed by the electors of the district at a regular or special meeting of the district, except the general accounts shall not include funds used for the purpose of managing, operating, controlling or maintaining and keeping in repair all property, both real and personal, utilized for the purposes of supplying electricity or water. Separate accounts shall be maintained in the budget for each utility.

(d) Water Department: All income from water service rates and charges shall be applied to defray the current expenses of the Water Department and to pay the current interest on notes, bonds or certificates of indebtedness incurred in relation to the Water Department and to the extinction of principal on the notes, bonds and certificates of indebtedness, as required by holders. After the payment of current expenses, interest and debt principal, funds shall be used for the purpose of funding current capital projects, including replacement of facilities or the purchase of new facilities, all for the purposes of constructing appropriate facilities necessary for the Water Department. If a surplus exists for the current year, funds shall be transferred to the Water Department reserve fund for future use by the Water Department or, if a deficit exists, funds shall be transferred from the Water Reserve Fund to provide for current operating or capital expenses. Transfers to or from the district account shall be made to or from the Water Reserve Fund, as recommended by the District Commission and approved by the electors at the annual budget meeting, or any regular or special meeting noticed and warned for that purpose.

The District Commissioners, acting as Water Commissioners, shall adopt the budget of the Water Department, consisting of income from water service, expenses, capital appropriations and the changes to the Water Department Reserve Fund for the ensuing year no later than the third (3rd) Wednesday in February, which budget shall be approved by a majority of the District Commissioners. The budget shall then be provided to the district for the purpose of inclusion in the annual district budget. Any request by the District Commission for transfer of funds from the district reserve account to the Water Department Reserve Fund, for use in the operating or Capital Budget of the Water Department, shall be submitted as part of the district budget.

(e) Electric Department. All income from electric service, rates and charges shall be applied to defray the current expenses of the Electric Department and to pay the current interest on notes, bonds or certificates of indebtedness incurred in relation to the Electric Department and to the extinction of principal on the notes, bonds and certificates of indebtedness, as required by holders. After payment of current expenses, interest and debt principal, funds shall be used for the purpose of funding current capital projects, including replacement of facilities or the purchase of new facilities, all for the purposes of constructing appropriate facilities necessary for the Electric Department. If a surplus exists for the current year, funds shall be transferred to the Electric Department Reserve Fund for future use by the electric Department or, if a deficit exists, from the Electric Reserve Fund to provide for current operating or capital expenses. Transfers to or from the district account shall be made to or from the Electric Reserve Fund, as recommended by the District Commissioners, and approved by the electors at the annual budget meeting, or any regular or special meeting noticed and warned for that purpose.

The District Commissioners shall adopt the budget of the Electric Department, consisting of income from electric service, expenses, capital appropriations and the changes to Electric Department Reserve Fund for the ensuing year, no later than the third Wednesday in February, which budget shall be approved by a majority of the District Commissioners. The budget shall then be provided to the district for the purpose of inclusion in the annual district budget. Any request by the District Commission for transfer of funds from the district to the Electric Department Reserve Fund, for use in the Operating or Capital Budget of the Electric Department, shall be submitted as part of the district budget.

(f) Procedure for adoption of budget. On or before the first Wednesday in March, the District Commissioners shall prepare a general district government budget, which shall include all sources of revenue to the district, the transfer of funds between the Water or Electric Reserve Fund and the District Reserve Fund, all expenses of the district, including the interest and principal due on notes, bonds or certificates of indebtedness of the district, not related to the Water Department or Electric Department, any capital appropriations of the district, not related to the Water Department or Electric Department, any amount to be transferred to a special reserve fund and any amount necessary to be collected through a tax and the application of any surplus or deficit to the General Fund Reserve. The general water and electric budgets shall be combined into a single district budget, for adoption by the District Commission. The district budget shall be submitted for the approval of the electors of the district at the annual budget meeting.

The Clerk of the district shall publish a summary of the district budget as adopted by the District Commission in a newspaper of general circulation in the City of Norwalk no later than the second Wednesday in March, which notice shall inform the electors of the district that the entire budget document is available for inspection at the district office.

(g) Annual budget meeting. The annual budget meeting of the electors of the Second Taxing District shall be held on the third Tuesday in March of each year. At which meeting, the District Commissioners shall present the annual budget for the ensuing fiscal year to the electors for approval. The electors may approve, reject or reject with comment the proposed budget as adopted by the District Commissioners by a majority vote of the electors present and voting at the meeting. If the budget is rejected by the electors, it shall be sent back to the District Commissioners who shall modify the budget as they deem appropriate by reconsidering the general district budget, the Electric Department and the Water Department budget. The District Commissioners, after making alterations to the general fund, Electric Department and Water Department budgets as they deem appropriate, shall adopt a revised budget for presentation to the electors for approval. The District Commission shall call a special meeting of the electors for approval of the budget as revised or resubmitted. In the event that the electors have not approved an annual budget by July 1, the start of the fiscal year, the prior year's budget shall be used for a period of up to ninety Days for the purpose of continuing the business of the taxing district and its utilities. If after ninety Days a budget is not approved by the electors, the prior year's budget well be used on a month-to-month basis for the purpose of continuing the operations of the district and the Water Department and Electric Department, until such time as a budget is approved by the electors.

(h) Reserve fund: The district is empowered to establish special district reserve funds, to be set aside in special reserve accounts, which shall be used only for the purpose for which the fund was approved. The reserve funds shall be approved by a majority of the electors present and voting at the annual budget meeting, the annual meeting or a special meeting of the electors, duly warned and noticed for that purpose. Transfers from a special district reserve fund for other purposes may be made only by a two-thirds majority of the electors present at the annual budget meeting, the annual meeting or any special meeting of the electors called for that purpose.

(4) Taxation[723]. In case the income from water rents is inadequate to meet the current expense of the waterworks and the interest of the notes, bonds or certificates, or the income from the electric light and power plant is at any time

[723] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-82. Derived from Sp. Laws 1913, No. 352, §29; Sp. Laws 1921, No. 189, §2.

inadequate to meet the current expenses of the electric light and power plant and the interest of all indebtedness incurred on account of the electric light and power plant, a tax on all property and persons liable to taxation in the district shall be laid to supply such deficiency by the Board of Estimate and Taxation of the city at any meeting called for that purpose upon application of the Board of District Commissioners, and the tax shall be collected in the same manner as other city taxes. The Board of Estimate and Taxation may lay and collect taxes for the purpose of paying any and all debts of the district and establishing a sinking fund for that purpose. The avails of such taxes shall be paid to the Treasurer of the district for the purposes only. The Board of Estimate and Taxation shall lay a tax to defray the expenses of the public library of the district to the amount appropriated by the district at any annual or special meeting[724].

(5) Liens and warrants for water rents[725]. Any claim of the district for use of water or for rent of hydrants shall be a lien upon the real estate or property wherein or in connection with which water was used or on which such rent was assessed, and such lien shall have the same effect as a lien for taxes under the provisions of the General Statutes and shall have precedence over any prior encumbrance on such property except a tax lien. Such lien may be foreclosed by the district before any court having jurisdiction in the same manner as a mortgage may be foreclosed. The Board of District Commissioners shall have power to issue warrants for the collection of all such claims in the form prescribed by law for the collection of taxes, or to some indifferent person named therein, who shall have the same power to levy and collect the same as have collectors of town taxes.

(6) Accounts and reports of the Board of Commissioners[726]. The Board of District Commissioners shall keep a record of its proceedings and an accurate account of its receipts and disbursements appertaining to the Water and Electric Department and a like account of its receipts and disbursements in connection with all other properties of the district, verified by proper vouchers, which accounts shall be open at all reasonable time to inspection by any taxpayer of the district. The Board shall annually render to the district a statement of the accounts, and which statement shall be approved by a majority of the District Commissioners and recorded in the records of the district. The Board shall include in its annual report a statement of its doings and a general statement of the condition of the Water Department, the Electric Department and the property of the district, with an estimate of all sums required for the Water Department, the Electric Department and other purposes of the district, a detailed estimate of all income expected to be received and an estimate of the surplus or deficit, the amount needed to be raised by taxation and a detailed statement of all claims outstanding against the district.

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[724] Historical Editor's Note: See Art. XIX, Library Appropriations.
[725] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-83. Derived from Sp. Laws 1913, No. 352, § 30; Sp. Laws 1933, No. 340, § 2; Sp. Laws 1951, No. 572.
[726] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-82. Derived from Sp. Laws 1913, No. 352, § 31; Charter Amendment 11-8-1983; Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.

The Treasurer of the district shall keep a record of proceedings and an accurate account of receipts and disbursements, verified by proper vouchers, which accounts shall be open at all reasonable time to inspection by any taxpayer of the district. The Treasurer shall render annually to the district a statement of the accounts, and which statement shall be sworn to by the Treasurer and recorded in the records of the district.

All financial reports, statements and accounts of the district and its Treasurer, commissions, boards and committees shall be audited at least annually by an independent auditor who shall be a public accountant, certified as such, by the State of Connecticut. The independent auditor shall be appointed by the Board of District Commissioners; which appointment shall be ratified by the electors of the district at the annual budget meeting.

(7) Supplying water or electricity to any person or corporation[727]. The Board of District Commissioners may, with the consent of the electors of the district, supply water from the Water Department or electricity from the Electric Department of the district to any person or corporation within or without the geographical limits of the district.

(8) Unlawful destruction of waterwork property; violations and penalties[728]. Any person who shall willfully injure the water in any reservoir, aqueduct, hydrant, pipe or pump or destroy or injure any portion of the works or any material or property used in connection therewith shall be fined not more than $500 or imprisoned not more than one year, or both. The district shall have power to enact bylaws at any annual or special meeting imposing penalties and forfeiture for the violation of any of the rules and Regulations of the Board of Commissioners of the district, provided such penalties or forfeitures shall be in accordance with those prescribed for Class C misdemeanors in the State of Connecticut for each offense. The bylaws shall not become effective until ten Days after the date of publication in a newspaper having a circulation in the district.

(9) Brooks and streams[729]. The Second Taxing District of the City of Norwalk, successor to the City of South Norwalk, shall have the full and exclusive right, privilege and power to take, acquire and use the waters of the "Wilton Branch," so-called, of the Silvermine Stream, emptying into the Norwalk River and of the North Wilton Brook, Barrett's Brook or Comstock's Brook, as the brook is locally known, also emptying into the Norwalk River, to and including the headwaters of the stream and brook and the tributaries thereof, all to be used and employed by the district in

[727] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-85. Derived from Sp. Laws 1913, No. 352, § 32; Charter Amendment 11-8-1983; Charter Amendment 11-4-2003, effective 12-4-2003.
[728] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-86. Derived from Sp. Laws 1913, No. 352, § 33; Charter Amendment 11-8-1983.
[729] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-87. Derived from Sp. Laws 1929, No. 471, § 1.

accordance with the provisions of An Act to Provide a Supply of Pure and Wholesome Water to the City of South Norwalk, approved July 22, 1874, and any and all acts amendatory thereof.

(10) Providing and selling water[730]. The exclusive right and privilege to provide and sell water by means of reservoirs, conduits and pipes within the limits of the City of Norwalk is granted to the First Taxing District of the City and to the Second Taxing District of the City; the area to be supplied by the districts, respectively, to be as agreed upon by and between the respective Boards of Commissioners of the districts.

(11) Authorization to erect loft or factory building[731]. The Second Taxing District of the City of Norwalk is authorized to erect on land now owned by the district, or on land contiguous thereto which shall hereafter be acquired by the district, a suitable loft or factory building, or buildings, and to rent or lease the same to manufacturers who shall desire to locate and conduct business therein. Any loft or factory building erected by the district shall be managed and rented or leased on behalf of the district by its District Commissioners.

(12) Obtaining land for factory building[732]. For the purpose of erecting such building or buildings the district is authorized to obtain such additional land by gift or purchase as shall be necessary therefor, and to borrow money for the purchase of such land and the erection of such building or buildings, and to secure the money so borrowed by mortgage on the land, or on the land and building or buildings.

(13) District meeting for proposed factory building[733]. Before purchasing any additional land or erecting any loft or factory building, the District Commissioners shall submit the proposition to purchase any land or to erect any such building at a regular or special meeting of the district; and such meeting shall determine the advisability of such proposed purchase of land or erection of building or buildings, the amount of money to be expended and the amount to be borrowed therefor, the amount of mortgage to be executed and delivered to secure such borrowed money, and the terms of such mortgage; and the District Commissioners shall not purchase any land, erect any loft or factory building or buildings or borrow any money for such purpose or purposes unless instructed by the district so to do.

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[730] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-88. Derived from Sp. Laws 1929, No. 471, § 2.
[731] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-89. Derived from Sp. Laws 1919, No. 306, § 1.
[732] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-90. Derived from Sp. Laws 1919, No. 306, § 2.
[733] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-91. Derived from Sp. Laws 1919, No. 306, § 3.

(14) Sale of land[734]. The Second Taxing District is authorized to sell and convey any land owned or which shall hereafter be owned by the district which is not or at any time shall not be required for the purposes of the district, but no such sale or conveyance shall be made unless the District Commissioners have been authorized by regular or special meeting of the district to sell and convey the same.

(15) Pensions for employees of Board of Electrical Commissioners; repeal of 1937 act[735]. Number 244 of the Special Acts of 1937 is repealed.

(16) Fund distribution and liquidation[736]. The Board of Electrical Commissioners of the Second Taxing District of the City of Norwalk is authorized to provide suitably for any persons now receiving the benefits of the act out of monies now in the pension fund therein provided for in the same manner and the same amount as provided under the act, and, after making provision for the persons, to administer and liquidate the balance of any monies remaining in the fund in a manner fair and equitable to those contributing thereto.

J. Authorization to Issue Bonds: Water or Electric Works.

(1) Authorization to issue bonds; Water or Electric Works bond issue of 1917[737]. The Second Taxing District of the City of Norwalk is authorized to issue serial bonds to an amount not exceeding four hundred thousand ($400,000) dollars registered or with coupons attached, bearing interest at a rate not greater than four and one-quarter percent per annum, payable semiannually, the first installment of such bonds to mature within three years from the date of issue and the remainder of the principal thereof to be payable at some certain time or times not later than thirty years from the date thereof. Such bonds shall be sold at not less than par and the avails thereof used only for the extension, improvement and enlargement of the water or electric works, or both, of the district, including the building and equipping of a new plant.

(a) Water or Electric Works bond issue of 1917; details[738]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the

[734] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-92. Derived from Sp. Laws 1919, No. 306, § 4.).
[735] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-93. Derived from Sp. Laws 1949, No. 19, § 1.
[736] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-94. Derived from Sp. Laws 1949, No. 19, § 2.
[737] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-95. Derived from Sp. Laws 1917, No. 176, §1.
[738] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-96. Derived from Sp. Laws 1917, No. 176, §2.

dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued, and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district; and such bonds, when so signed, executed, issued and delivered, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor of the same.

(2) Authorization to issue bonds; Water Bond Issue of 1923[739]. The Second Taxing District of the City of Norwalk is authorized to issue bonds to an amount not exceeding three hundred thousand ($300,000) dollars, registered or with coupons attached, bearing interest at a rate not greater than five (5%) percent per annum, payable semiannually. Such bonds shall be issued in serial form, payable, as consecutively numbered, in such equal amounts each year, beginning five (5) years after their date, that the whole amount thereof shall be paid within a time not exceeding forty (40) years from their date. Such bonds shall be sold at not less than par and the avails thereof used only for the extension, improvement and enlargement of the waterworks of the district including a new or additional filtration plant.

(a) Water Bond issue of 1923; details[740]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued, and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district; and such bonds, when so signed, executed and delivered, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor and purport of the same.

(b) Water Bond issue of 1923; payment provisions[741]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall annually make an appropriation and levy taxes to pay the interest on such bonds, and shall also annually appropriate, and levy taxes to raise, such sum or sums of money as shall be requested by the Commissioners of the district for the purpose of paying such bonds at maturity, which money, when so raised, shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for the payment of such bonds.

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[739] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-101. Derived from Sp. Laws 1923, No. 126, §1.
[740] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-102. Derived from Sp. Laws 1923, No. 126, §2.
[741] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-103. Derived from Sp. Laws 1923, No. 126, §3.

K. Authorization to Issue Bonds: Street Paving Bonds.

(1) Authorization to issue bonds; Street Paving Bonds of 1923[742]. The Second Taxing District of the City of Norwalk is authorized to issue serial bonds to an amount not exceeding seventy-eight thousand ($78,000) dollars registered or with coupons attached, bearing interest at a rate not greater than five percent per annum, payable semiannually, the first installment of such bonds to mature four years from the date of issue, the second installment of such bonds to mature seven years from the date of issue and the third installment of such bonds to mature ten years from the date of issue. Such bonds shall be sold at not less than par and the avails thereof used only for the purpose of paying, canceling and retiring notes in equal amount issued by the district for the purpose of paying and retiring certain street paving bonds which matured August 1, 1922.

(a) Street paving bonds of 1923; details[743]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district; and such bonds, when so signed, executed, issued and delivered, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor and purport of the same.

(b) Street paving bonds of 1923; payment provisions[744]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall annually make an appropriation and levy taxes to pay the interest on such bonds, and shall also annually appropriate and levy taxes to raise such sum or sums of money as shall be required to pay such bonds at maturity, which money, when so raised, shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for the payment of such bonds.

(c) Street paving bonds of 1923; limitation on amount[745]. The amount of the bonds issued under §§1-97 to 1-100 of the Prior Charter with the

[742] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-97. Derived from Sp. Laws 1923, No. 157, §1.
[743] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-98. Derived from Sp. Laws 1923, No. 157, §2.
[744] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-99. Derived from Sp. Laws 1923, No. 157, §3.
[745] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-100. Derived from Sp. Laws 1923, No. 157, §4.

amount of the outstanding indebtedness of the City, shall not exceed, exclusive of the amount of bonds issued for water supply and of notes or other evidences of indebtedness placed in the sinking fund, five percent of the grand list of the City.

L. Authorization to Issue Bonds: Public Improvement Bonds.

(1) Authorization to issue bonds; Public Refunding of Bonds of 1925[746]. The Second Taxing District of the City of Norwalk is authorized to issue bonds to an amount not exceeding thirty thousand ($30,000) dollars registered or with coupons attached, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at less than par and shall be serial in form, payable, as consecutively numbered, so that the whole amount shall be paid within a time not exceeding thirty (30) years from their date. The avails of such bonds shall be used only to refund certain public improvement bonds issued by the district under its former name of the City of South Norwalk which are to mature July 1, 1925.

(a) Public refunding bonds of 1925; details[747]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district.

(b) Public refunding bonds of 1925; payment provisions[748]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall annually make an appropriation and levy taxes to pay the interest on such bonds, and shall also annually appropriate and levy taxes to raise such sum or sums of money as shall be determined by the district, which money shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for the partial or complete payment of such bonds at maturity.

(c) Public refunding bonds of 1925; limitations[749]. The amount of the bonds issued under the provisions of this act, with the amount of the

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[746] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-104. Derived from Sp. Laws 1925, No. 447, §1.
[747] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-105. Derived from Sp. Laws 1925, No. 447, §2.
[748] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-106. Derived from Sp. Laws 1925, No. 447, §3.
[749] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-107. Derived from Sp. Laws 1925, No. 447, §4.

outstanding indebtedness of the district and the City, shall not exceed, exclusive of the amount of bonds issued for water supply and of notes or other evidences of indebtedness placed in the sinking fund, five percent of the grand list of the City.

M. Authorization to Issue Bonds: Water Refunding Bonds.

(1) Authorization to issue bonds; Water Refunding Bond Issue of 1925[750]. The Second Taxing District of the City of Norwalk is authorized to issue bonds to an amount not exceeding ninety thousand ($90,000) dollars, registered or with coupons attached, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at not less than par and shall be in serial in form, payable, as consecutively numbered, so that the whole amount shall be paid within a time not exceeding thirty years from their date. The avails of such bonds shall be used only to refund certain water bonds issued by the district under its former name of the City of South Norwalk which are to mature July 1, 1925.

(a) Water refunding bond issue of 1925; details[751]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district.

(b) Water refunding bond issue of 1925; payment provisions[752]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall annually make an appropriation and levy taxes to pay the interest on such bonds, and shall also annually appropriate and levy taxes to raise such sum or sums of money as shall be determined by the district, which money shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for the partial or complete payment of such bonds at maturity.

N. Authorization to Issue Bonds: Water Bond Issue of 1953[753]. The Second Taxing District of the City of Norwalk is hereby authorized to issue bonds to an amount not

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[750] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-108. Derived from Sp. Laws 1925, No. 471, §1.
[751] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-109. Derived from Sp. Laws 1925, No. 471, §2.
[752] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-110. Derived from Sp. Laws 1925, No. 471, §3.
[753] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-111. Derived from Sp. Laws 1953, No. 179, §1.

exceeding five hundred thousand ($500,000) dollars, registered or with coupons attached, bearing interest at a rate not greater than five percent per annum, payable semiannually. Such bonds shall be issued in serial form, payable as consecutively numbered, in such approximately equal amounts each year, beginning two years after their date, that the whole amount thereof shall be paid within a time not exceeding twenty years from their date. Such bonds shall be sold at not less than par and the avails thereof used only for the extension, improvement and enlargement of the waterworks of the district, including a new or additional filtration plant.

(1) Water bond issue of 1953; details[754]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued, and the person or person by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district; and such bonds, when so signed, executed, issued and delivered, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor of the same.

(2) Water bond issue of 1953; payment provisions[755]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall, if requested by the Commissioners of the district, annually make an appropriation and levy taxes to pay the interest on the bonds, and shall also annually appropriate and levy taxes to raise such sum or sums of money as shall be requested by the Commissioners of the district for the purpose of paying such bonds at maturity and the money shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for and in the payment of such bonds.

§12-9. Third Taxing District[756].

A. Body politic and corporate; rights in general[757]. All the electors of this state dwelling within the territorial limits of the Third Taxing District as hereinbefore established are hereby constituted a body politic and corporate by the name of the Third Taxing District of the City of Norwalk, and by that name shall be capable of suing and being sued, pleading and being impleaded, purchasing, holding, selling, and conveying any property, real or personal, and of having a common seal, and as such corporation shall succeed to and possess all the property, both real and personal, of the East Norwalk Fire District of the Town of Norwalk,

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[754] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-112. Derived from Sp. Laws 1953, No. 179, §2.
[755] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-113. Derived from Sp. Laws 1953, No. 179, §3.
[756] Historical Editor's Note: For taxing districts, in general, see Art. II.
[757] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-114. Derived from Sp. Laws 1913, No. 352, § 34; Sp. Laws 1921, No. 189, §3.

and all the rights, powers, franchises, privileges, and immunities heretofore granted to the East Norwalk Fire District in relation to the construction of electric light works, and the generation and purchase of electricity for the use of the district and the inhabitants thereof, and the erection, placing, and maintenance of poles, wires, and all other necessary fixtures within the district for receiving and distributing electricity, and the same are hereby vested in the Third Taxing District, and the Third Taxing District is hereby authorized to manage, operate, and control its electric light works with the same authority, rights and liabilities, and in the same manner as the East Norwalk Fire District and except as herein otherwise provided, to care for, maintain, and keep in repair, all estate, both real and personal, which the district may acquire, to sell and convey any of the property, any property held in trust excepted, and apply the proceeds in the reduction of the indebtedness of the district. The district shall pay $100 or more yearly toward the support of the East Norwalk Improvement Association, Incorporated, Public Library.

B. **Taxation liability[758].** All the inhabitants and property within the limits of the Third Taxing District shall be liable to taxation to defray any burdens, expenses, and liabilities of the former East Norwalk Fire District at the time of the passage of this act and such other liabilities as the taxing district may incur under the provisions of this act.

C. **Meetings[759].** The annual meeting of the electors residing in the taxing district shall be held on the third Wednesday of September[760][1] for the purpose of hearing the reports of the Commissioners of the district, and acting on such matters as may be properly brought before the meeting. Public Notice of time and place of the meeting shall be given by the Board of Commissioners by publishing in a newspaper having a circulation in the district at least ten Days before the meeting, which notice shall set forth all matters to be considered at the meeting. Special meetings of the district may be called in like manner by the Board, and shall be called upon written petition of twenty-five electors of the district, to consider and act upon the matters set forth in such notice or petition.

D. **Board of Commissioners and Treasurer in Third Taxing District[761].** At the election for the choice of City and town officers in 1913, there shall be elected in the Third Ward by the electors of the Third Taxing District three Commissioners for the terms of office of two, four, and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified, and there shall be elected a Treasurer of the Taxing District[762] who shall hold office for the term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the Third Taxing District by the electors of the district, a Commissioner who shall hold office for the term of six years and until a

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[758] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-115. Derived from Sp. Laws 1913, No. 352, §35.
[759] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-116. Derived from Sp. Laws 1913, No. 352, §36.
[760] Historical Editor's Note: See also § 1-19.
[761] 2023 recodification of current Article III – Part 1. In General, §1-177. Derived from Sp. Laws 1913, No. 352, §58. Historical Editor's Note: For further provisions see § 1-117 supra.
[762] Historical Editor's Note: The Third Taxing District is meant.

successor is elected and qualified, and a Treasurer of the Third Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

E. Board of Commissioners, Treasurer, Clerk; mechanics and laborers[763]. The district shall elect a Board of Commissioners and a Treasurer of the district, all of whom shall be sworn to a faithful discharge of their duties, and shall hold their office as hereinafter provided, and shall receive such compensation as the district shall determine[764]. The Commissioners shall appoint a Clerk who shall receive reasonable compensation as determined by the Commissioners. It shall be the duty of the Clerk to keep a record of all transactions of the district and of the Board of Commissioners and discharge such duties as the Board may prescribe. The Commissioners may employ such mechanics, experts, and laborers as may be necessary in the exercise of their powers and duties.

F. Authority and duties of Commissioners[765]. The Commissioners are hereby authorized in all matters pertaining to the electric-light plant of the district to exercise all the authority and discharge all the duties that are granted to Electrical Commissioners by Chapter 122 of the General Statutes, except as the powers and duties may be herein limited, and to care for and keep in repair all the property of the district, with power to lease or sell the same, delivering the income and proceeds of such sales to the Treasurer of the district, and apply the proceeds as the Board may be authorized by the district, and to exercise any additional powers that may, from time to time, be conferred upon them by the district. A majority of the Commissioners shall constitute a quorum for the transaction of any of the business of the Board.

G. Taxation[766]. In case the income from the sales of electricity is inadequate to meet the current expenses of the electric-light plant and the interest on the indebtedness of the district, a tax on all property and persons liable to taxation in the district shall be laid to supply such deficiency by the Board of Estimate and Taxation of the city at any meeting of the Board called for that purpose upon the application of the Board of Commissioners of the district, and the tax shall be collected in the same manner as other city taxes. The Board of Estimate and Taxation may lay and collect taxes for the purpose of paying the debts of the district or any part thereof, and of establishing a sinking fund for that purpose. The avails of such taxes shall be paid to the Treasurer of the district for application for the purposes only. The Board of Estimate and Taxation shall lay a tax to defray the expenses of the public library

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[763] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-117. Derived from Sp. Laws 1913, No. 352, §37

[764] Historical Editor's Note: For further election provisions refer to § 1-177.

[765] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-122. Derived from Sp. Laws 1913, No. 352, §38.

[766] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-118. Derived from Sp. Laws 1913, No. 352, §40; Sp. Laws 1921, No. 189, §4

of the East Norwalk Improvement Association, Incorporated, of the district to the amount appropriated by the district at any annual or special meeting[767].

H. **Use-of-electricity liens[768].** Any claim of the district for the use of electricity or for the rent of fixtures shall be a lien upon the real estate or property in connection with which such electricity was furnished or such fixtures used, and the lien may be foreclosed by the district before any court having jurisdiction in the same manner as mortgages.

I. **Records and accounts of the Board of Commissioners[769].** It shall be the duty of the Board of Commissioners to keep a record of its proceedings and an accurate account of its receipts and disbursements appertaining to the electric-light plant, and a like account of its receipts and disbursements in connection with all other property of the district, verified by proper vouchers, which accounts shall be open at all reasonable times to inspection by any taxpayer of the district.

J. **Violations, penalties, and forfeitures[770].** The district shall have power to enact by-laws at any annual or special meeting imposing penalties and forfeitures for the violation of any of the rules and Regulations of the Board of Commissioners of the district, providing such penalties or forfeitures shall not exceed $20 for each offense. The by-laws shall not become effective until published in a newspaper having a circulation in the district.

K. **Income from electricity[771].** All income from the sales of electricity shall first be applied to defraying the current expenses of the electric-light plant, and to paying the interest on notes, bonds, or certificates of indebtedness incurred in relation to the electric-light plant. If there are retained earnings of cash or negotiable securities or an accumulated surplus of cash or negotiable securities, in excess of retirement reserve, the Commissioners shall make report thereof to the next annual or special meeting of the district, which shall direct the same to be applied to the extinction of the principal debt of the district, or to any purpose in connection with the works, and, if there is no such debt or need in connection with the works, the meeting may direct such retained earnings or any portion thereof in excess of a proper retirement reserve to be applied to the district general account for current expenses of the district, including public street lighting, care of parks owned by the district, care of the East Norwalk Cemetery, salaries of district officials, support of the East Norwalk Improvement Association Public Library, and improvements to the library and the building and premises where it is housed and adjoining premises owned by the district.

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[767] Historical Editor's Note: For appropriations for libraries, see Art. XIX.
[768] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-119. Derived from Sp. Laws 1913, No. 352, §41.
[769] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-120. Derived from Sp. Laws 1913, No. 352, §42.
[770] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-121. Derived from Sp. Laws 1913, No. 352, §43
[771] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-123. Derived Sp. Laws 1913, No. 352, § 39; Sp. Laws 1959, No. 282.

L. Authorization to issue bonds; funding bond issue of 1917[772]. The Third Taxing District of the City of Norwalk is authorized to issue serial bonds, to an amount not exceeding eighty-five thousand ($85,000) dollars, registered or with coupons attached, bearing interest at a rate not greater than four and one-half percent per annum, payable semiannually, the first installment of the principal thereof to be payable within three years from the date of issue and the remainder at some certain time or times not later than thirty years after the date thereof. Such bonds shall be sold at not less than par and the avails thereof used only for the funding of the debt of the district and for the extension, improvement and enlargement of the electric-power plant of the district.

(1) Funding bond issue of 1917; details[773]. The district, at a special meeting of its electors, duly warned, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered in behalf of the district. Such bonds, when so signed, executed, issued and delivered, shall be obligatory upon the district and upon the inhabitants thereof, according to the tenor and purport of the same.

(2) Funding bond issue of 1917; limitations[774]. No bonds shall be issued under §§1-124 to 1-126 of the Prior Charter as to permit the net bonded indebtedness of the district at any time to exceed five (5%) percent of the grand list of the district as the same may be compiled for the year of such issue, provided, in computing the debt limitation, bonds issued or to be issued for the construction or maintenance of municipal waterworks or lighting plants shall not be included.

M. Authorization to issue bonds; bond issue of 1949[775]. The Third Taxing District of the City of Norwalk is authorized to issue, by and through the action of the Commissioners and the Treasurer of the district, bonds, notes or other certificates of indebtedness to an amount not exceeding two hundred fifty thousand ($250,000) dollars, in coupon form or otherwise and registered or not registered, hearing interest to a rate not greater than five percent per annum, payable in substantially equal monthly or annual installments, beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than twenty (20) years from their date. The proceeds of such bonds, notes, or other certificates shall be used for the extension, improve and facilities of the district. Such bonds, notes or other certificates may

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[772] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-124. Derived from Sp. Laws 1917, No. 259, §1.
[773] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-125. Derived from Sp. Laws 1917, No. 259, §2.
[774] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-126. Derived from Sp. Laws 1917, No. 259, §3.
[775] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-127. Derived from Sp. Laws 1949, No. 141, §1.

be issued from time to time, and nothing herein contained shall require the whole amount of such bonds, notes or other certificates to be issued or prevent their issuance in amounts less than the total authorized issue as may be deemed expedient, in which case each authorized issue shall constitute a separate loan and each such loan shall be payable in monthly or annual installments and within the period of time specified herein from its date. Such Commissioners and Treasurer may borrow on short-term notes within the limitations of this section and for the purpose herein set forth and may renew the notes from time to time if this manner of borrowing shall be deemed expedient.

(1) Bond issue of 1949; details[776]. The Commissioners and Treasurer of the district shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds, notes or other certificates and the annual rate of interest and other particulars of the form of such bonds, notes or other certificates and the manner of issuance.

(2) Bond issue of 1949; obligations[777]. Such bonds, notes or other certificates, when executed, and delivered by the Commissioners and Treasurer of the district, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(3) Bond issue of 1949; effective date[778]. §§1-127 to 1-130 of the Prior Charter shall be effective upon its ratification by a special meeting of the district called for this purpose.

N. Purchase of Taylor property; maximum expenditures[779]. The Third Taxing District of the City of Norwalk may purchase the property, known as the Taylor property, which adjoins the premises of the East Norwalk Community Hall and may improve the newly purchased property, and may improve and enlarge the East Norwalk Community Hall and the East Norwalk Improvement Association Public Library which is housed in the community hall; provided no expenditure of more than twenty thousand ($20,000) dollars shall be made without the approval of the majority of the electors of the district who are present and voting at a special meeting of the district called for the purpose of such approval.

O. Cash surplus[780]. The purchase and such improvements may be made with the current cash surplus or accumulated cash surplus of the electric-light works owned by the district, in excess of reserve for depreciation.

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[776] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-128. Derived from Sp. Laws 1949, No. 141, §2.
[777] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-129. Derived from Sp. Laws 1949, No. 141, §3.
[778] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-130. Derived from Sp. Laws 1949, No. 141, §4.
[779] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-131. Derived from Sp. Laws 1959, No. 94, §1.
[780] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-132. Derived from Sp. Laws 1959, No. 94, §2.

P. Borrowing money[781]. For the purpose of purchasing the property and making such improvements the district is authorized to borrow money and to secure the money so borrowed by mortgage on the land, or on the land and buildings.

§12-10 Sixth Taxing District[782].

A. Boundaries of the Sixth Taxing District[783]. The territory of the City of Norwalk which is included within the following boundaries shall be the Sixth Taxing District of the City of Norwalk as follows: starting at a point on the boundary line between Darien and Norwalk; thence running east in a direct line to the westerly end of the southerly boundary of Union cemetery, so called; thence running along the southerly boundary of the Union cemetery to the westerly side of Rowayton Avenue; thence running northerly along the westerly side of Rowayton Avenue to a point that is upon a production westerly of a line drawn 200 feet, measured at right angles, northerly from the northerly side of Sheffield Road, so called; thence running easterly upon said line 200 feet, measured at right angles, northerly from the northerly side of Sheffield Road to the westerly side of Lenox Road, so called; thence running easterly across Lenox Road to the corner formed by the intersection of the easterly side of Lenox Road with the southerly side of Winter Street, so called; thence running along said southerly side of Winter Street to the westerly side of Vanderbilt Avenue, so called; thence running upon a production easterly of said southerly side of Winter Street across Vanderbilt Avenue and easterly to a point 200 feet, measured at right angles, from the easterly side of Vanderbilt Avenue; thence running southerly along a line 200 feet easterly from and parallel to said easterly side of Vanderbilt Avenue to land of the New York, New Haven and Hartford Railroad Company; thence running along said land of the New York, New Haven and Hartford Railroad Company to the easterly side of Highland Avenue at Gaynor's Bridge, so called; thence running southerly along said easterly side of Highland Avenue to the southerly boundary of land of the New York, New Haven and Hartford Railroad Company; thence running easterly along said southerly boundary of land of the New York, New Haven and Hartford Railroad Company to a point 600 feet east of the easterly side of Highland Avenue, said distance measured at right angles with the easterly side of Highland Avenue; thence running southeasterly in a straight line to a point which is 100 feet northwest of the most northwesterly side of the twenty-foot strip reserved for highway purposes, measured at right angles, and is 400 feet northeast of the northeasterly side of Witch Lane, measured at right angles; and thence continuing on a prolongation of the aforesaid line to a point 200 feet, measured at right angles, from the northerly side of Witch Lane, so called; thence running easterly along a line 200 feet, northerly from and parallel to said northerly side of Witch Lane to the westerly side of other land of the New York, New Haven and Hartford Railroad Company; thence running southerly along said westerly side of other land of the New York, New Haven and Hartford Railroad Company across said Witch Lane and across Wilson Road,

[781] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-133. Derived from Sp. Laws 1959, No. 94, §3.
[782] Historical Editor's Note: For taxing districts in general, see Art. II.
[783] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-134. Derived from Sp. Laws 1953, No. 566, §2.

so called, to the mean highwater mark of Wilson's Cove, so called; thence running along the mean high-water mark of the northerly and westerly boundary of Wilson's Cove to the mean high-water mark of Long Island Sound; thence running along said mean high-water mark of Long Island Sound to the entrance to Five Mile River; thence running westerly across said entrance to Five Mile River to the boundary line between Darien and Norwalk; thence running in a general northerly direction along said boundary line between Darien and Norwalk to the starting point or place of beginning.

B. Body politic and corporate; rights in general[784]. All electors of this state dwelling within the territorial limits of the Sixth Taxing District are hereby constituted a body politic and corporate by the name of the Sixth Taxing District of the City of Norwalk, and by that name shall be capable of suing and being sued, pleading and being impleaded, purchasing, holding, selling and conveying any property, real or personal, and having a common seal for the purpose of contracting for street lighting, sewers or any other needed civic improvement voted by such district, including Rowayton Public Library.

C. Taxation liability[785]. All inhabitants and property within the limits of the Sixth Taxing District shall be liable to taxation to defray any expenses or liability the taxing district may incur under §§1-135 to 1-141 of the Prior Charter. The Board of Estimate and Taxation may lay and collect taxes for the purpose of paying the debts of the district or any part thereof and of establishing a sinking fund for that purpose. The avails of such taxes shall be paid to the Treasurer of the Sixth Taxing District for application for the purposes only. The Board of Estimate and Taxation shall lay a tax to defray the expenses of the Rowayton Public Library to the amount appropriated by the district at any annual or special meeting of the district.

D. Meetings; fiscal year[786]. Beginning in the year 1956, the annual meeting of the electors residing in the taxing district shall be held on the first Wednesday of March, for the purpose of hearing the reports of the Commissioners of the district, and acting on such matters as may be properly brought before such meeting. Notice of the time and place of the meeting shall be given by the Board of Commissioners by publishing the same in a newspaper having a circulation in the district at least ten Days before the meeting, which notice shall set forth all matters to be considered in the meeting. Special meetings in the district may be called in like manner by the Board and shall be called upon written request of twenty-five electors of the district to consider matters as set forth in such notice or publication. Beginning in the year 1975, the fiscal year of the Sixth Taxing District of the City of Norwalk shall begin on the first Day of July and terminate on the last Day of June.

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[784]2023 recodification of current Article II, Part 3. Second Taxing District, §1-135. Derived from Sp. Laws 1921, No. 289, § 2.
[785]2023 recodification of current Article II, Part 3. Second Taxing District, §1-136. Derived from Sp. Laws 1921, No. 289, §3.
[786]2023 recodification of current Article II, Part 3. Second Taxing District, §1-137. Derived from Sp. Laws 1921, No. 289, §4; Sp. Laws 1955, No. 438, § 2; Charter Amendment 6-19-1974.

E. Tax collection[787]. The Collector of Taxes and Assessments of the City of Norwalk shall be Ex Officio Treasurer of the Sixth Taxing District[788] and all taxes levied upon property in the district shall be collected by the Collector of Taxes and Assessments, and the Collector shall whenever necessary file with the Town Clerk the Tax Collector's certificate for the continuation of any liens for taxes levied upon property located in the district, and may bring suit for the foreclosure of any such tax lien in the name of the Sixth Taxing District in the manner provided by law for the foreclosure of tax liens, and shall have the same powers and duties in relation to the collection of taxes in the Sixth Taxing District as authorized has under the provisions of this Charter, in relation to all other taxes and assessments of the City.

F. Board of Commissioners; Clerk; mechanics and laborers[789]. The district shall elect a Board of Commissioners, all of whom shall be sworn to a faithful discharge of their duties and shall hold their office as hereafter provided and shall receive such compensation as the electors of the district shall decide. The Commissioners shall appoint a Clerk who shall receive reasonable compensation as determined by the Commissioners. It shall be the duty of the Clerk to keep a record of all transactions of the district and of the Board of Commissioners and discharge such duties as the Board may prescribe. The Commissioners may employ such mechanics, experts and laborers as may be necessary in the exercise of their powers and duties.

(1) Duties of Commissioners; quorum[790].

(a) The Board of Commissioners of the Sixth Taxing District shall manage the affairs and business of the district.

(b) The duties of the Commissioners shall include, but not be limited to, the care, maintenance and repair of all the property of the district. They may lease, alter, improve or move the same, and sell personal property, and negotiate to sell, exchange or raze real property subject to elector approval. The Commissioners may execute and deliver on behalf of the district all documents which may be necessary or proper to effectuate such letting, sale, other change or exchange, delivering the income and proceeds therefrom in such manner as the electors of the district may authorize, and may exercise any other powers necessary to carry out the provisions of this act or conferred upon them by the district.

(c) A majority of the Commissioners shall constitute a quorum for the transaction of business.

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[787] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-138. Derived from Sp. Laws 1921, No. 289, §5.
[788] Historical Editor's Note: See § 1-147 for repeal provision. As to election and duties of Treasurer, see § 1-146.
[789] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-139. Derived from Sp. Laws 1921, No. 289; § 6; Sp. Laws 1967, No. 175. Historical Editor's Note: See also § 1-142.
[790] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-139.1. Derived from Sp. Laws 1967, No. 176, §§ 1-3.

(2) Commissioners[791]. There shall be held on the last Monday of June 1923, a special meeting of the qualified voters of the Sixth Taxing District of the City of Norwalk, to elect three Commissioners for the district, one to serve until a successor shall be elected at the regular biennial election of city and town officers in the year 1925, one to serve until a successor shall be elected at the regular biennial election in the year 1927 and one to serve until a successor shall be elected at the regular biennial election in the year 1929, or until their several successors shall be elected and qualified. The City Clerk of the City of Norwalk shall give due and regular Public Notice ("warning") of the special election, shall provide printed ballots bearing the names of the candidates for office of Commissioner, which names shall have been daily attested to the City Clerk as nominated at the party caucuses held prior to the special election, and shall provide a ballot box for the reception of the ballots, which shall be polled under the same Regulations as govern elector's meetings in the Town of Norwalk. Such special election shall be held at the Rowayton Hose House in the district, and the ballot box for the reception of ballots shall remain open from 2:00 p.m. until 9:00 p.m., then it shall be closed, the ballots sorted and counted and the result declared. In 1925, and biennially thereafter, at the regular election of town and city officers, there shall be elected by the electors of the Sixth Taxing District, one Commissioner who shall hold office for the term of six years and until a successor shall be elected and qualified. The term of office for each Commissioner shall begin on the Wednesday following the election. The Commissioner shall perform such duties as from time to time shall be required of or imposed upon them by vote of the district.

(3) Validation of election of Commissioners in 1923[792]. The election of three Commissioners of the Sixth Taxing District of the City of Norwalk at the election of the City of Norwalk held on the first Monday of October, 1923, is validated and confirmed.

(4) Validation of acts[793]. All meetings of the Sixth Taxing District held pursuant to call issued by the District Commissioners and all acts, votes and Resolutions passed at such meetings and all appropriation made by such meetings are validated and confirmed.

(5) Election and duties of treasurer[794]. At the election to be held in 1925 for town and city officers for the Town and City of Norwalk and the several Taxing Districts thereof, and biennially thereafter, there shall be elected by the electors of the

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[791] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-142. Derived from Sp. Laws 1923, No. 410, § 1. Historical Editor's Note: See also § 1-139

[792] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-144. Derived from Sp. Laws 1925, No. 191, § 1.

[793] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-145. Derived from Sp. Laws 1925, No. 191, §2.

[794] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-146. Derived from Sp. Laws 1925, No. 191, §3.

Sixth Taxing District a Treasurer, who shall hold office for the term of two years and until a successor shall have been elected and qualified. Such Treasurer shall, in and for the district, have the same authority given to and shall perform the same duties as are required of the Treasurer of the First Taxing District, of the Second Taxing District and of the Third Taxing District of the City of Norwalk under the provisions of the Charter of the City.

(6) Repeal of former act as to Collector of Taxes[795]. So much of §1-138, amending 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 May 19, 1921, as requires the Collector of Taxes and Assessments of the City of Norwalk to be, Ex Officio, Treasurer of the Sixth Taxing District, is repealed.

G. Appropriations toward the support of the public library[796]. The Sixth Taxing District shall annually appropriate one hundred ($100) dollars or more toward the support of Rowayton Public Library, and the Board of Estimate and Taxation of the City of Norwalk shall appropriate annually the sum of one hundred ($100) dollars toward the support of such library.

H. Effect and approval of act[797]. §§1-135 to 1-141 of the Prior Charter shall not take effect unless approved by the qualified electors residing within the limits of the Sixth Taxing District at a special meeting to be called on the last Monday of June 1921, and in the Public Notice (“ warning”) for the special meeting notice shall be given to the electors of the district that the question of the approval or disapproval of this act will be voted upon. The electors who are in favor of approving this act will give in their ballots with the word "Yes" written or printed thereon, and those opposed will give in their ballots with the word "No" written or printed thereon, and the ballots shall be furnished by the City Clerk of the City of Norwalk. If the majority of the ballots so given have the word "Yes" printed or written thereon, this act shall take effect. A ballot box for the reception of the ballots at the meeting shall be provided by the City Clerk of the City of Norwalk, and shall remain open from 2:00 p.m. until 9:00 p.m. at the Rowayton Hose House in the district, when it shall be closed and the ballots sorted and counted and the result declared. The registry list of the Fifth Ward of the City of Norwalk last made and completed shall be used to determine the electors residing in the Sixth Taxing District, and the ballots shall be polled under the same Regulations as govern elector's meetings in the Town of Norwalk. If the majority of the ballots shall be in favor of approving this act, a certificate of the approval signed by the Clerk of the City of Norwalk shall be forwarded to the Secretary of State, who shall record the same.

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[795] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-147. Derived from Sp. Laws 1925, No. 191, §4.
[796] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-140. Derived from Sp. Laws 1921, No. 289, § 7. Historical Editor's Note: As to library appropriations see Art. XIX.
[797] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-141. Derived from Sp. Laws 1921, No. 289, § 8.

I. Listing of taxable property[798]. All owners of taxable property in the Sixth Taxing District, in filing lists of taxable property in accordance with the provisions of this Charter as contained in §§1-273, 1-276 and 1-281 of the Prior Charter, shall list such property as in the Sixth Taxing District.

J. Authorization to adopt and enforce rules and Regulations as to Bayley Beach[799]. The Commissioners of the Sixth Taxing District of the City of Norwalk shall have power to formulate and to adopt and enforce rules and Regulations in the manner hereinafter provided for governing the frequenting and use of Bayley Beach, so called, the property, buildings and equipment appurtenant thereto. Any person violating any such rule or Regulation shall be fined not more than one hundred ($100) dollars or imprisoned not more than thirty Days, or both.

(1) Bayley Beach; hearing on rules and Regulations[800]. Before passing any rule or Regulation, the Commissioners shall hold a hearing thereon, notice of which shall be given by publishing the proposed rule or Regulation and the time and place of such hearing in some newspaper having a circulation in the Sixth Taxing District of the City of Norwalk, at least five Days before the time fixed for the hearing.

(2) Bayley Beach; passage of rules and Regulations[801]. If a majority of the electors of the Sixth Taxing District of the City of Norwalk present and voting at such hearing oppose the adoption of a proposed rule or Regulation, the question of its adoption shall be submitted to the electors of the Sixth Taxing District of the City of Norwalk at its next regular or special meeting, and in such event such rule or Regulation shall not become effective unless a majority of the electors voting at such meeting shall vote in favor thereof.

(3) Bayley Beach; effective dates of rules and Regulations[802]. Any rule or Regulation adopted as provided in §§1-149 to 1-150 of the Prior Charter shall become effective fifteen Days after publication thereof in some newspaper having a circulation in the Sixth Taxing District of the City of Norwalk.

(4) Bayley Beach; effective date of act[803]. §§1-148 to 1-152 of the Prior Charter shall take effect upon their approval by the legal voters of the Sixth Taxing

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[798] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-143. Derived from Sp. Laws 1923, No. 410, § 2. Historical Editor's Note: See § 1-273; § 1-276; § 1-281

[799]2023 recodification of current Article II, Part 3. Second Taxing District, §1-148. Derived from Sp. Laws 1951, No. 369, §1.

[800] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-149. Derived from Sp. Laws 1951, No. 369, §2

[801] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-150. Derived from Sp. Laws 1951, No. 369, §3.

[802] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-151. Derived from Sp. Laws 1951, No. 369, §4.

[803] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-152. Derived from Sp. Laws 1951, No. 369, §5.

District of the City of Norwalk at a special meeting of the district legally called for the purpose, to be held not later than October 1, 1951.

K. Authorization to issue bonds; Roton Point Park improvement bond issue of 1943[804]. The Commissioner of the Sixth Taxing District of the City of Norwalk are authorized, when in legal meeting assembled, by a majority of votes of the members of the Commission, to issue bonds or notes on behalf of the taxing district to an amount not exceeding in the aggregate fifty thousand ($50,000) dollars, registered or with coupons attached, or both, bearing interest at a rate not exceeding five percent per annum, payable semiannually.

(1) Roton Point park improvement bond issue of 1943; nature[805]. Such bonds or notes shall be serial in form and payable in such substantially equal annual installments that the entire amount thereof shall be paid with 10 years from the date of issue.

(2) Roton Point park improvement bond issue of 1943; proceeds[806]. The proceeds of such bonds or notes shall be used (a) for the purpose of such of Roton Point, so called, as the Commissioners see fit, for a site for a public park for the taxing district and (b) to defray the expense of improving the same for such purpose.

(3) Roton Point park improvement bond issue of 1943; details[807]. The Commissioners of the taxing district, subject to the limitations of §§1-153 to 1-156 of the Prior Charter, shall determine the form of such bonds or notes, the several and aggregate amounts thereof, the time or times and place or places of payment of both principal and interest, the manner of signing, countersigning, selling, exchanging or otherwise disposing thereof and the person or persons who shall execute, negotiate and deliver the same for the district.

(4) Roton Point park improvement bond issue of 1943; obligations[808]. The bonds or notes when so executed, issued and delivered, shall be obligatory upon the district, and upon all the inhabitants and property thereof.

L. § 1-158. Authorization to issue bonds; Bayley Beach bond improvement issue of 1955[809]. The Commissioners of the Sixth Taxing District of the City of Norwalk are authorized, when in legal meeting assembled, by a majority of votes of the members of the Commission, to issue bonds or notes on behalf of the taxing district to an amount not exceeding in the aggregate fifty thousand ($50,000) dollars, registered or with coupons

[804] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-153. Sp. Laws 1943, No. 64, §1.
[805] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-154. Sp. Laws 1943, No. 64, §2.
[806] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-155. Sp. Laws 1943, No. 64, §3.
[807] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-156. Sp. Laws 1943, No. 64, §4.
[808] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-157. Sp. Laws 1943, No. 64, §5.
[809] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-158. Sp. Laws 1955, No. 67, §1.

attached or both, bearing interest at a rate not exceeding three percent per annum, payable semi-annually.

(1) Bayley Beach bond improvement issue of 1955; nature of bonds and maturity[810]. Such bonds or notes shall be serial in form and payable in such substantially equal annual installments that the entire amount thereof shall be paid within ten years from the date of issue.

(2) Bayley Beach bond improvement issue of 1955; proceeds[811]. The proceeds of such bonds or notes shall be used to defray the expense of improvement to Bayley Beach.

(3) Bayley Beach bond improvement issue of 1955; details[812]. The Commissioners of the taxing district, subject to the limitations of §§1-158 to 1-162 of the Prior Charter, shall determine the form of such bonds or notes, the several and aggregate amounts thereof, the time or times and place or places of payment of both principal and interest, the manner of signing, countersigning, selling, exchanging or otherwise disposing thereof and the person or persons who shall execute, negotiate and deliver the same for the district.

(4) Bayley Beach bond improvement issue of 1955; obligation[813]. The bonds or notes when so executed, issued and delivered, shall be obligatory upon the district, and upon all the inhabitants and property thereof.

[810] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-159. Sp. Laws 1955, No. 67, §2.
[811] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-160. Sp. Laws 1955, No. 67, §3.
[812] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-161. Sp. Laws 1955, No. 67, §4.
[813] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-162. Sp. Laws 1955, No. 67, §5.

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

PART 3 –HISTORICAL PROVISIONS

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

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ARTICLE XIII: HISTORICAL PROVISIONS

§13-1. Norwalk Harbor.

The following provisions shall supplement the provisions of the Charter pertaining to the care, maintenance, operation and administration of the Norwalk Harbor 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. Description of Norwalk Harbor and rules and Regulations of boats, vessels and craft in the harbor; passage of ordinances[814]**.** Within the area bounded on the east by the line separating the City of Norwalk from the Town of Westport; on the south by a line commencing at the intersection of said town line with a straight line running in a southwesterly direction to number 24B off Hiding Rocks, said intersection being at Copps Rocks just east of Copps Island, thence in a due westerly direction to Green Ledge light; on the west by a line running northerly from Green Ledge light to the flashing light at the entrance of the Five Mile River, thence northerly along the line separating the City of Norwalk from the Town of Darien; and, on the north by the shore line of the City of Norwalk, the Common Council of the City of Norwalk shall have authority to pass ordinances and otherwise regulate the mooring of all vessels, boats and craft and the use of the water, so that they shall not interfere with the free use of the channels and other navigable waters included within said area hereinbefore described, and, subject to the provisions of §4768 of the General Statutes, may make such other reasonable rules, Regulations, ordinances or orders respecting the use of said waters by all vessels, boats and craft as may be necessary to protect persons and all other vessels, boats and craft in such waters and other property thereon.\

B. Norwalk Harbor; publication, filing and effective date of ordinances, rules and Regulations[815]**.** Such ordinances, rules, Regulations and orders, when determined and fixed, shall be published at least once in a newspaper having a circulation in the City of Norwalk and shall be filed in the office of the City Clerk of the City and shall become effective ten Days after such publication and filing.

C. Norwalk Harbor; penalties[816]**.** Any person who violates any such ordinance, rule, Regulation or order, when determined or fixed as provided in §§13-1.A and B, shall be fined not less than twenty-five ($25) dollars nor more than one hundred ($100) dollars or as the Council may otherwise provide for each offense.

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[814] 2023 recodification of current Article IV. The Common Council. §1-205. Derived from Sp. Laws 1957, No. 368, § 1. Historical Editor's Note: See Ch. 69, Norwalk Harbor.
[815] 2023 recodification of current Article IV. The Common Council. §1-206. Derived from Sp. Laws 1957, No. 368, §2.
[816] 2023 recodification of current Article IV. The Common Council. §1-207. Derived from Sp. Laws 1957, No. 368, §3. Charter Amendment 9-2-1980 Historical Editor's Note: Approved by the electorate at the general election held 11-4-1980.

D. Norwalk Harbor; enforcement[817]**.** Any police or peace officer of the City of Norwalk shall have authority to enforce the provisions of this act. The City Court of Norwalk shall have jurisdiction over all violations of this act.

E. Norwalk Harbor; duty of Harbormaster[818]**.** The Harbormaster of the Harbor of Norwalk, and any deputies shall, from time to time, advise the Common Council with respect to the matters hereinbefore described or provided for and shall, upon the request of the Common Council, confer with the latter and make such reports to said Common Council as they shall from time to time require with respect to any matter hereinbefore referred to.

~~**§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**[819]**.** 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**[820]**.** 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**[821]**.** The section of highway described in §13-2.A shall, when abandoned by the Highway Commissioner, revert to the City of Norwalk.~~

~~**D. Glover Avenue**[822]**.** 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.~~

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[817] 2023 recodification of current Article IV. The Common Council. §1-208. Derived from Sp. Laws 1957, No. 368, §4.
[818] 2023 recodification of current Article IV. The Common Council. §1-209. Derived from Sp. Laws 1957, No. 368, §5.
[819] ~~2023 recodification of current Article XV, Part 1. General, §1-429. Derived from Sp. Laws 1933, No. 414, §1.~~
[820] ~~2023 recodification of current Article XV, Part 1. General, §1-430. Derived from Sp. Laws 1933, No. 414, §2.~~
[821] ~~2023 recodification of current Article XV, Part 1. General, §1-431. Derived from Sp. Laws 1933, No. 414, §3.~~
[822] ~~2023 recodification of current Article XV, Part 1. General, §1-432. Derived from Sp. Laws 1955, No. 402.~~

E. Washington Street Bridge[823]. 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.(d) Cross Street[824]. 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.(e) Cross Street; Acquiring rights-of-way; cost of constructing bridges and approaches[825]. 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[826]. 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[827]. The highway bridge of the Connecticut Turnpike to be built across the Norwalk River in Norwalk is named the "Yankee Doodle Bridge."

§13-3 Pensions for Certain Retired Employees[828].

The following provisions shall supplement the provisions of the Charter pertaining to a pension for Mary E. Eldridge 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.

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[823] 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.

[824] 2023 recodification of current Article XV, Part 1. General, §1-434. Derived from Sp. Laws 1957, No. 419, §1.

[825] 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.

[826] 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.

[827] 2023 recodification of current Article XV, Part 1. General, §1-437 Derived from Sp. Laws 1957, No. 503.

[828] Historical Editor's Note I: As to pension plan for city employees see Appendix, Part II, Pension Plan.
§ 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.

A. Payment to Widows[829]. The City of Norwalk shall pay annually to Mary E. Eldridge, widow of James Eldridge, during the term of her natural life, the sum of $706.80, in equal monthly payments to commence September 1, 1955. The Board of Estimate and Taxation shall include annually in the estimate of expenditures of the City and Town of Norwalk a sum sufficient to pay such pension.

~~**§13-4 Assessment Appeals (harmonized with §4-4.C(4)[830].**~~

~~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.~~

[829] 2023 recodification of current Article XXI "Pensions for Certain Retired Employees," §1-663. Derived from Sp. Laws 1955, No. 298; Charter Amendment 9-2-1980. Historical Editor's Note: Approved by the electorate at the general election held 11-4-1980. § 1-664. (Reserved) Historical Editor's Note: Former § 1-664, Payment to John Mills, Sp. Laws 1957, No. 154, was repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

~~[830] 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.~~

ARTICLE XIV: HISTORICAL TRANSITION PROVISIONS

§14-1. Historical Council Districts[831].

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 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

[831] 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.

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 Ingelside 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 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.~~

§14-2. Historical Provisions Pertaining to the Finance Division.

FIRST DRAFT REDLINE INCLUDING ACTION ITEMS FOR 042925

The following provisions shall supplement the provisions of Article VIII, §8.4.A, above, 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 §14-2 have been addressed by the Ordinance, §14-2 shall expire and may be removed from the Charter.

A. Accounts and Forms[832]**.** Accounts shall be kept by the division of government responsible for finance showing the financial transactions for all Budgeted Entities. Forms for such accounts shall be prepared by and at the direction of the division chief.

B. Financial Reports[833]**.** Financial reports shall be prepared for each month and for each fiscal year and for such other periods as may be required by the Mayor, Common Council and Board of Estimate and Taxation, which reports shall be submitted to the Common Council, Board of Estimate and Taxation and the Mayor.

C. Governance[834]**.** The Departments responsible for finance functions shall be governed by rules and Regulations established by Ordinances now and hereafter to be enacted in accordance with the provisions of Law.

D. Authority of Finance and Operational Function Officials[835]**.** The Chief Financial Officer, and, subject to the approval of the Chief, the Comptroller, the Purchasing Agent, Tax Collector and Tax Assessor shall have full power to require each City officer to furnish all information which in their possession and to provide the Officials with all books, contracts, Resolutions, reports and other papers and documents in their possession or in within the purview of their Department, requisite in the opinion of the official to enable the discharge of duties, under this Charter and the Ordinance. All City officers shall furnish and exhibit the same in such manner and form as may be prescribed.

E. Additional Powers[836]**.** The Common Council shall have the power to delegate to the Chief Financial Officer other budgetary and governmental functions not inconsistent with other provisions of this Charter.

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[832] 2023 recodification of current Article V, Part 4 – Department of Finance §1-238.B

[833] 2023 recodification of current Article V, Part 4 – Department of Finance §1-238.B

[834] 2023 recodification and edit of current Article V, Part 4 – Department of Finance §1-238.C.

[835] 2023 edit and recodification of current Article V, Part 4 – Department of Finance, §1-245 entitled “Powers of Officials”. Added by Charter Amendment 8-29-1978, §10. Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[836] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-247 entitled “Additional Powers”. Added by Charter Amendment 8-29-1978, §12. Editor's Note: Approved by the electorate at the general election held 11-7-1978. The following provision is repealed: “This revision shall become effective upon approval, except that where the term of an officer provided for herein does not begin until after January 1, 1979, the functions of such officer shall be discharged by the city official responsible for such functions at the time of the enactment of this section” as set forth in current Article V, Part 4 – Department of Finance, §1-247 entitled “Effective Date”. Added by Charter Amendment 8-29-1978, §13. Editor's Note: Approved by the electorate at the general election held 11-7-1978. Historical Note: “Article V. Officers and Employees. Part 5. (Reserved). [1] Editor's Note: Former Part 5, City Comptroller, was replaced according to Charter Amendment 8-29-1978 as follows (a) Former § 1-239, Office of City Comptroller, was renumbered

§14-3. Historical Provisions Pertaining to the Comptroller[837].

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;

keep

B.(i) 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;

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as §1-240B; (b) Former § 1-240, Vested powers, was renumbered as § 1-240C; (c) Former § 1-241, Former duties of Auditor which are now performed by Comptroller, was renumbered as § 1-240D; (d) Former § 1-242, Accounts and reports; refusal to approve contracts unsupported by appropriations; information furnished by officers; signing orders on Treasurer; auditing (Sp. Laws 1931, No. 323, § 3), was repealed; (e) Former § 1-243, Each department shall submit budget to Comptroller; reports of estimate and taxation (Sp. Laws 1931, No. 323, § 4), was repealed."

[837] 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."

~~**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 Controller**[838]**.**~~

~~**(1)(c) 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)(d) 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.~~

§14-4. Historical Provisions pertaining to the Purchasing Agent[839]**.**

The following provisions shall supplement the provisions of Article VIII, §8.4.D 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 §14-4 have been addressed by the Ordinance, §14-4 shall expire and may be removed from the Charter.

A. Duties of the purchasing Agent. Following the certification by the Comptroller of any requisition from a department head as provided hereinabove, the Purchasing Agent shall proceed to purchase the article, commodity or thing required, including those required by the Board of Education except for items unique to the Board of Education, provided that in all purchases of one thousand ($1,000) dollars or more the Purchasing Agent shall obtain at least two (2) competitive bids before making the purchase, and further provided that in the case of all purchases of over three thousand ($3,000) dollars, including a continuing order or contract for the purchase of the same article, commodity or thing over a period of time, competitive bids on the basis of specifications prepared by the department requiring the article, commodity or thing shall be advertised for, and the order shall be awarded in conformity with such Regulations as the Common Council may establish by ordinance governing purchasing procedure[840].

~~[838] 2023 recodification of current Article V, Part 4 – Department of Finance §1-240.A (Seventh and eighth sentences).~~
[839] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-241.A entitled "Division of Purchasing First and second sentences). Added by Charter Amendment 8-29-1978, §6. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. The remainder of the historical provision has been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter.
[840] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-241.B (First sentence).

B. Multi-Departmental Purchases[841]. Where any article, commodity or thing is known to the Purchasing Agent to be required during the fiscal year by any two (2) or more departments or agencies of the city, the Purchasing Agent shall have power to require them to file their requests therefor within sixty Days from the beginning of such fiscal year.

C. Sole Source Purchases[842]. When the Purchasing Agent receives less than two (2) competitive bids or where the goods or services sought are obtainable from a single source, the Purchasing Agent may purchase from such sole bidder or single source; providing, however, that every such purchase in excess of three thousand ($3,000) dollars shall be subject to the approval of the Common Council.

D. Special Purchases Permitted by the Council[843]. The Common Council may empower special committees to obtain for the City goods or services, and the requirements for advertising and bidding shall apply to such committees.

~~§14-~~**~~5. Historical Provisions Pertaining to the Tax Collector[844].~~**

~~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 Collector[845].** Said Tax Collector shall (1) have the powers and be subject to the duties imposed by law upon Collectors of Town Taxes[846].; (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 same[847]. 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~~

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[841] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-241.B (Second sentence).
[842] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-241.B (Third sentence).
[843] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-241.B (Fourth sentence).
[844] ~~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.~~
[845] ~~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.~~
[846] ~~2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-254 (First sentence).~~
[847] ~~2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-254 (Second sentence).~~

Mayor, directed to the Collector who may collect the same in the manner in which tax warrants are collected[848].

B. Inspections of Tax Book[849]. 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 Payable[850]. 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 Payable[851]. 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.

E. Notices for Payable Taxes[852]. 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 Taxes[853]. 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 Taxes[854]. All taxes assessed by said Board of Estimate and Taxation shall become a debt due from the person or corporation against whom they are

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[848] 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.
[849] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-255 (Sp. Laws 1913, No. 352, § 96.)
[850] 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.
[851] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-257 (Sp. Laws 1913, No. 352, § 98.)
[852] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-258 (Sp. Laws 1913, No. 352, § 99.)
[853] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-259 (Sp. Laws 1913, No. 352, § 100.)
[854] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-260 (Sp. Laws 1913, No. 352, § 101.)

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 Levys[855]. 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 Liens[856]. 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 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 Liens[857]. 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.

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[855] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-261 (Sp. Laws 1913, No. 352, § 102.)
[856] 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.)
[857] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-263 (Sp. Laws 1913, No. 352, § 104.)

K. Notice of filing Certificate for Continuance of Lien[858]. 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 Lien[859]. 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 Lien[860]. Assessments of benefits, as provided in §1-439, §1-451, §1-204 and § 1-457[861], 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 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.

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[858] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-264 (Sp. Laws 1913, No. 352, § 105.)
[859] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-265 (Sp. Laws 1913, No. 352, § 106.)
[860] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-266 (Sp. Laws 1913, No. 352, § 107.)
[861] Historical Editor's Note: § 1-439; § 1-451; § 1-204; § 1-457.

N. Public Improvement Liens; Duration[862]. 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 removal[863]. 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[864],[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, as provided in § 1-266, relating to liens for benefits assessed.

P. Reserved Historical Provisions Pertaining to the Collector of Taxes and Assessments[865]. Note: Should be repealed. **Repeal of Former Provisions[866].** 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

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[862] 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.)

[863] 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.)

[864] Historical Editor's Note: See §§ 1-14 and 1-15.

[865] 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.

[866] 2023 recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-253 Added by Sp. Laws 1933, No. 363, §5)

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.

§14-6. Historical Provisions pertaining to Public Works/Operations Functions[867].

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 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.

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[867] 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.

~~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.~~

~~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.~~

DRAFT REPORT
CHARTER

OF THE

CITY OF NORWALK
Connecticut

Presented to the Common Council
Approved May __, 2025

Transmitted to the Town Clerk: May __, 2025
Pursuant to C.G.S. 7-191(b)

Tyler Fairbairn
Chair

Douglas Hempstead
Vice Chair

Jo Bennett
Ed Camacho
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PART I – THE GENERAL GOVERNMENT

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2023 CHARTER REVISION COMMISSION: SETTING THE CONTEXT[1]

What is the Norwalk City Charter? A City charter is a constitutional document that defines the organization, powers, functions and essential procedures of a city's government. Municipalities in the State of Connecticut are permitted to create and amend their charters within the scope of power granted by the legislature. Norwalk officially became a City in 1913 and has been governed by a City Charter since its inception.

Norwalk's City Charter (hereafter referred to as "Charter") serves as Norwalk's local constitution and creates the structure of Norwalk's government. The Charter includes the rules that govern Norwalk's elected and appointed officials, including the mayor, the Common Council, boards and commissions. Courts refer to the Charter as the "organic law of the city" and it has been a product of years of *Special Acts* passed by the General Assembly that empower local officials to conduct the affairs of government.

Why was the Charter revised in 2023? The Charter had not undergone a comprehensive revision since 1913. In the years since the Home Rule Act of 1957 and the Constitution of 1965, the Norwalk Common Council established charter revision commissions to replace the *Special Acts* in an attempt to align the Charter to the contemporary needs of the people of Norwalk. This 2023 revision represents the most significant effort to update and streamline the governing document of the City of Norwalk in more than 100 years.

The 2023 Charter Revision Commission (the "Commission") was appointed with a clear and simple mandate: to make the Charter easier for Norwalk residents to comprehend and, with the input of the public, reorganize the document to give residents a better sense of how their government works and enhance transparency and accountability.

The revision process was not intended to reform or restructure the current structure of Norwalk's municipal government. The process was also not intended to ignore Norwalk's rich history as embodied in the current Charter. Rather, the goal was to clearly explain Norwalk's

[1] **General Historic Note from the Town Clerk (2023):** This version of the Charter ("2023 Charter") amends the Charter that was originally enacted as a Special Act by the General Assembly in 1913 ("1913 Charter"). For one hundred-ten-years Norwalk has governed under the authority of the 1913 Charter, which was enacted over fifty years before the Home Rule Act. According to the historical annotations, the 1913 Charter was subjected to piecemeal amendments first by Special Act (at least ten times in 1913, 1915, 1921, 1927, 1929, 1931, 1933, 1947, 1951, 1969.) and, later, under the Home Rule Act through charter revision (at least thirteen times in 1970, 1971, 1972, 1974, 1976, 1978, 1980, 1981, 1989 [inexplicably by resolution], 1995, 1996, 2000, 2003, 2005, 2011, 2014). The 2023 Charter is the result of the process that was initiated and guided by then-Council President Thomas Livingston in resolutions that were approved by the Common Council on August 9, 2022 and September 6, 2022, respectively. The Charter Revision Commission members were: Patsy Brescia, Char; Hon. Richard McQuaid, Vice Chair; Carl Dickens; Tyler Fairbairn; Angela Wassuna; Benita Watford Raleigh; and, Michael Witherspoon. The Final Report of the Commission was approved by the Common Council on August 15, 2023. At that time the Common Council was comprised of the following members: Harry Rilling, Mayor and Presiding Officer; Greg Burnett, President; Darlene Young, Majority Leader; Bryan Meek, Minority Leader; Heidi Alterman; Nicol Ayers; Edwin Camacho; James Frayer; Joshua Goldstein; David Heuvelman; John Kydes; Jenn McMurrer; Nora Niedzielski-Eichner; Diana Revolus; Lisa Shanahan; and, Barbara Smyth. Attorney Steven G. Mednick served as Special Counsel to the Council and the Commission; and, Mario Coppola served as the Corporation Counsel.

complex form of government and, to the extent possible, modernize the document to reflect the natural evolution of the City since 1913.

The document was therefore revised to foster a better understanding of the government; the processes for adopting Ordinances and the budget development protocols among other topics, all with the goal of enabling greater citizen participation in the affairs of our Norwalk government.

What are the main provisions in the 2023 Charter? Norwalk is a consolidated municipal corporation where the Mayor serves as the chief executive officer and the Common Council serves as the legislative body and the Board of Estimate and Taxation as the fiscal authority. The Charter, as the governing document, is comprised of three parts:

- Part I enumerates all the entities, officials and processes for the general government of the City, including the Board of Education.
- Part II includes all the provisions of the Charter that govern Norwalk's Taxing Districts.
- Part III details special action provisions that will be replaced by Ordinance. Once that occurs, these transition provisions will be repealed and extricated from the Charter by operation of law.

What are the major changes in this 2023 revised Charter? As noted above, the changes recommended by the Commission are not intended to reform Norwalk's governance structure. On the other hand, there are some key changes that have been proposed in this revision process to bring the Charter in line with public expectations and to enhance good governance:

- Clarity in presentation and organization.
- Greater emphasis on public engagement, including a reorganized budget process and pre-budget public hearing.
- An expanded glossary of defined terms designed to increase public understanding.
- Elimination of the positions of Selectmen and City Treasurer, effectively following the 2025 mayoral election.
- Gender neutrality.
- The inclusion of a provision that requires a new charter revision commission to be established in three years to engage in a comprehensive review of the issue of government reform in addition to requiring a Commission to be established every 5 years thereafter for potential changes.
- Sunsetting/repealing a number of outdated and/or irrelevant provisions of the existing Charter.
- Expansion of Police and Fire Commissions from three to five members.
- Define division Chiefs and Department structure.

The Commission carefully considered the viewpoints of a range of stakeholders in recommending the above revisions to the existing Charter, from among the City residents,

City staff, members of the Common Council, elected/appointed City position holders and elected officials from other Connecticut municipalities. The Commission is hopeful that future administrations and Common Councils will continue to revisit the Charter periodically to provide the citizens of Norwalk with the best possible governing document.

ARTICLE I: INCORPORATION, CONSTRUCTION AND GENERAL POWERS

§1-1. Title[2].

The title of this document shall be the "Charter of the City of Norwalk" or "Charter."

§1-2. Body Politic and Corporate[3].

All the Electors of this state, inhabitants of the Town of Norwalk ("Town"), are hereby declared to be a body politic and corporate under the name of the City of Norwalk, and by that name they and their successors shall be capable of suing and being sued, pleading and being impleaded in all courts, and of purchasing, holding and conveying any estate, real or personal. The City shall have a common seal and alter the same at pleasure.

§1-3. Territorial Limits of the City of Norwalk[4].

The territorial limits of the City of Norwalk shall be the same as those of the Town of Norwalk as the same exist at the passage of Sp. Laws 1913, No. 352, and the boundaries of the Town as they so exist shall be the boundaries of the City.

§1-4. Continuance of Rights and Obligations.

Transfer of Rights and Liability from Town to City: Liability of City[5]. All property, both real and personal, and all rights of action and all securities and liens belonging to or vested in the Town of Norwalk as of the date this Charter first took effect are hereby transferred to the City, and the City thereafter was and remains liable for all debts and obligations of the Town, payable out of the treasury of the City. The City shall hereafter perform all the duties and have and exercise all the rights, powers, and privileges conferred upon the Town, and all laws imposing such duties, burdens, and expenses and conferring such rights, powers and privileges upon the Town are hereby made applicable to the City.

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[2] NEW (2023).
[3] 2023 recodification and modification of current Article I - General. §1-1. Derived from Sp. Laws 1913, No. 352, §1. Historical Editor's Note: See Ch. 7, Administration, §§ 7-9, 7-10 for designation and custody of seal.
[4] 2023 Recodification of current Article I - General. §1-2. Derived from Sp. Laws 1913, No. 352, §2.
[5] 2023 Recodification of current Article I - General. §1-4 through 1-5. Derived from Sp. Laws 1913, No. 352, §5 and 6. Note: The Special Act included the following liabilities: "All burdens and expenses imposed by law upon the Town of Norwalk for the conduct of elections, the care and support of poor, insane, and imbecile persons, the construction and maintenance of highways and bridges, the support of schools, the construction and maintenance of public buildings, the prosecution of criminal offenses, the payment of principal and interest of the town debt, the payment of state, military, and county taxes, and for all other purposes for which towns are liable." Repealed from the Charter are the following provisions: (1) Current Article IU,. General - Exclusion of Town Meetings. §1-6. Derived from Sp. Laws 1913, No. 352, §9; (2) Current Article I – Rights, privileges, and immunities vested in the Cities of Norwalk, South Norwalk, East Norwalk Fire District and the Town of Norwalk, General. §1-7. Derived from Sp. Laws 1913, No. 352, §173. Historical Editor's Note: See also § 1-433, for inclusion of bridge into the state highway system; and, (3) Current Article V, Part 1 – General. §1-210. Derived from Sp. Laws 1913, No. 352, § 174. Historical Editor's Note: For vacancies in office refer to § 1-174.

§1-5. General Grant of Powers[6].

A. In addition to all powers granted to municipalities under the State Constitution and the General Statutes, or which may hereinafter be conferred, the City shall have all powers:

(1) specifically granted by this Charter and all powers fairly implied in or incidental to the powers expressly granted to municipalities, now or hereafter, by the State Constitution or General Statutes to the management of the property, government and affairs of the City; and,

(2) conferred by the Special Acts, which the City deems to be of continued applicability.

B. The enumeration of particular powers in this and of any other chapter of this Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto. The City shall exercise all the rights, powers, privileges, functions and jurisdiction essential to a proper exercise of its corporate functions, including all that may be necessarily incident to, or may be fairly implied from, the powers specifically conferred upon this City.

[6] NEW (2023). Repealed were Historical Special; Act provisions pertaining to: (1) Building, owning, leasing and using docks, wharves, piers, bridges and property along waterfront (current Article I - General. §1-8. Derived from Sp. Laws 1921, No. 400, §8. Historical Editor's Note: For "Shorefront Property Acquisition and Improvement Boards," see §§ 1-654 to 1-658.); (2) Acquisition of public lands and buildings owned by any taxing district (current Article I - General. §1-9. Derived from Sp. Laws 1931, No. 283, §1.); (3) Acquisition of property for public use by condemnation (current Article I - General. §1-10. Derived from Sp. Laws 1931, No. 283, §2); (4) Acquisition of school property owned by taxing districts (current Article I - General. §1-11. Derived from Sp. Laws 1931, No. 283, §3.); (5) Authorization of Council to establish a building district where it shall be unlawful to construct or remove wooden buildings (current Article I - General. §1-14. Derived from Sp. Laws 1913, No. 352 §139. Historical Editor's Note: §1-268, as to provision for lien for costs); and, (6) Salaries of the Officers of the City and Town of Norwalk (current Article V, Part 1 – General. §1-224. Derived from Sp. Laws 1913, No. 352, §169; Sp. Laws 1927, No. 255; Sp. Laws 1929, No. 102; Sp. Laws 1933, No. 335, § 2; Sp. Laws 1933, No. 363, § 5; Sp. Laws 1933, No. 456, §2. Historical Editor's Note: For salary of City Clerk, see § 1-233; for salary of Selectmen, see § 1-215).

ARTICLE II: CONSTRUCTION AND STANDARDS OF GENERAL APPLICATION OF THE CHARTER OF THE CITY OF NORWALK

§2-1. Definitions and Titles Generally[7].

The definitions contained in the General Statutes of the State of Connecticut shall govern the interpretation of this Charter unless otherwise defined herein. Articles and Sections are for the purpose of ready reference and shall not be held to limit, extend or effect the interpretation and meaning of the text.

§2-2. Definitions[8].

A. Capitalized terms[9]. The following rule has been used in determining which terms in this Charter are capitalized: All references to particular City officials, as defined, below, and to particular City Departments, Boards and Commissions are capitalized, while general references are not.

B. Defined terms[10]. The following terms shall have the meanings set forth in this subsection unless otherwise specified in this Charter:

(1) Appointing Authority[11] means the Mayor or other Board or Commission (elected or appointed), Public Official or person who possess the legal authority to make appointment or removal as required under the provisions of this Charter, the Ordinances or otherwise by Law.

(2) Board or Commission[12] means, for the purposes of this Charter and except as otherwise provided by Law, all boards, agencies, commissions, authorities created by the City in accordance with Law[13] or like entities of the City, whether elected or appointed, including the Board of Education. The Common Council is not a Board or Commission.

(3) Budgeted Entity[14] means each Division, Department (including the Norwalk Public Schools under the auspices of the Board of Education), Department Head, Board, Commission, office, authority created by the City in accordance with Law

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[7] NEW (2023).
[8] NEW (2023).
[9] NEW 2023).
[10] NEW (2023).
[11] NEW (2023)
[12] NEW (2023).
[13] **Comment of the 2023 Charter Revision Commission.** There are several authorities that currently exist in Norwalk. The historical charter included reference to such authorities and in the context of our mission to reform the document did not alter. Since the authorities are by nature of their creation independent quasi-municipal entities not under the direct control of the City, it is not clear whether they should fall under the purview of the Charter. That issue was not reviewed or resolved.
[14] NEW (2023)

or any other entity of the City receiving or expending City funds, whether appropriated or otherwise, including state or federal funds or government or private grants.

(4) **Charter**[15] means the Charter of the City of Norwalk.

(5) **City**[16] means the City of Norwalk.

(6) **City Clerk**[17] is a Public Official appointed by the Mayor and serves the function set forth in in this Charter, in particular in Article V, §5-5.

(7) **Capital Budget**[18] 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 [SGM1]: CFO 021625

Commented [SGM2R1]: ACTION ITEM: 042925

(8) **Capital Budget Items**[19] 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.

(9) **Capital Improvement Plan**[20] 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 Officer. The first year of the ten-year projections is referred to as the “Capital Budget."

Commented [SGM3]: CFO 021625 and 040125

Commented [SGM4R3]: ACTION ITEM: 042925

(10) **Common Council** or **Council**[21] means the legislative body of the City,

[15] NEW (2023)
[16] NEW (2023)
[17] NEW (2023)
[18] 2025 revision of §2-2.B(7) which was adopted in 2023 and 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
[19] NEW (2023). Derived from §30-4 of the Code of Ordinances.
[20] 2025 revision and recodification of 2-2.B(17) entitled “Five-Year Program of Capital Expenditures” which was which was adopted in the 2023 Charter. The 2023 revision was derived from §30-3 of the Code of Ordinances.
[21] NEW (2023) Required by C.G.S. §7-193(a)(1)(C).

as required by the General Statutes.

(11) Confirmation by the Common Council[22] means a Majority Vote of the Council of all Mayoral appointees or those nominated by Appointing Authorities other than the Mayor. The confirmation authority as set forth in §4-4.B(5). Confirmation by the Common Council does not confer appointment or removal authority unless explicitly stated in this Charter or as otherwise required by Law.

Commented [SGM5]: Errata

(12) Day(s)[23] means calendar Days; unless, otherwise specifically set forth in this Charter. Moreover, where a Day set forth in this Charter or Ordinances falls on a weekend, holiday or day when the City is closed for business, the deadline shall be extended through the close of the next City business Day; unless otherwise required by Law. Sundays and holidays shall be included in computing such period, except that, if the last Day of such period is on a Sunday or holiday, such Day shall not be counted, and the last Day shall be the Day following such Sunday or holiday[24].

(13) Department or Administrative Departments[25] means any major functional or administrative division of the City, including any offices, agencies, bureaus or other descriptions serving the purpose as may be set forth in the Charter, the Ordinances or, budget of the City. When used within the section establishing or describing the duties of the particular department or its related Board or Commission, the term "Department" shall apply exclusively to the functional division referred to in that section.

(14) Department Head[26] means an employee who heads any Department in the City, has substantial supervisory control over other municipal employees; and, is directly accountable to the Mayor.

(15) Division Chief[27] means the Public Officials appointed by the Mayor in accordance with §8-2 who assist the Mayor in the coordination of the functions of government with the Department Heads and other City employees.

Commented [SGM6]: Errata.

(16) Elected Public Official[28] means an individual who holds an elected municipal office[29] (not including a justice of the peace or notary public) in the City. The Elected Public Officials of the City are set forth in §3-3.C; Article IV (Common Council),

[22] NEW (2023)
[23] NEW (2023).
[24] The final clause is a 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.12.b.
[25] NEW (2023).
[26] NEW (2023).
[27] NEW (2023)
[28] NEW (2023)
[29] **Comment of the 2023 Charter Revision Commission.** At the time of the adoption of the Charter "municipal office" is defined in C.G.S. §9-372(7), as may be amended from time-to-time, as follows: " an elective office for which only the electors of a single town, city, borough, or political subdivision, as defined in subdivision (10) of this section, may vote, including the office of justice of the peace."

Article V (Mayor), Article VI (Town Clerk and Registrars of Voters and Constables) and, Chapter IX (Board of Education).

(17) Elector or Elector of the City[30] has the meaning contained in the General Statutes[31].

Commented [SGM7]: Scrivener's Revision

(18) Fourth Taxing District and **Fifth Taxing District**[32] refer to two areas of Norwalk that together comprise the City, in its entirety. The areas are differentiated by the specific services provided to the residents within those districts. At the time of adoption of this Charter, residents of the Fourth Taxing District are provided with sewer service; while the residents of the Fifth Taxing District do not have sewer service. Moreover, while these two districts share the historic name "taxing district" with the First, Second, Third and Sixth Taxing Districts, the Fourth and Fifth Taxing Districts do not serve any governance functions and do not have the authority to impose taxes upon their residents.

(19) General Statutes[33] means the General Statutes of the State of Connecticut, as amended from time to time; also referred to as "C.G.S" or "G.S.".

(20) Law[34] includes, but is not limited to, decisions of courts and administrative bodies (or any agreements sanctioned by any such bodies), federal or state legislative or regulatory enactments, including all applicable rules contained therein.

(21) Majority Vote of the Council[35] means an affirmative vote of at least a majority of the members of the Council, present and voting, at a Meeting of the Council at which a quorum is present.

(22) Mayor[36] is the chief executive officer of the municipality, as required by the General Statutes. Where in this Charter or the Ordinances thereunder, reference is made to "Mayor or designee," the identity of the designee must, at all times, be determined, in the sole discretion of the Mayor.

(23) Meeting or **Public Meeting**[37] has the meaning set forth in the General

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[30] NEW (2023).
[31] **Comment of the 2023 Charter Revision Commission.** At the time of the adoption of the Charter the term "elector" is defined in C.G.S. §9-1(e) as follows: "'Elector' means any person possessing the qualifications prescribed by the Constitution and duly admitted to, and entitled to exercise, the privileges of an elector in a town". In the common parlance an "elector" may the equivalent to a "registered voter."
[32] NEW (2023).
[33] NEW (2023).
[34] NEW (2023).
[35] NEW (2023).
[36] NEW (2023). Required by C.G.S. § 7-193(a)(2)(C).
[37] NEW (2023)

Statutes[38], including Meetings by means of electronic equipment, as may be amended from time to time.

(24) Meeting (or Hearing Notice)[39] means a Public Notice, as defined in this Charter, for a regular, special or emergency Meeting and Public Hearing of the Common Council or any Boards and Commissions. Notice requirements may be further defined by established by Ordinance or the rules of the Common Council or any Board or Commission insofar as the notice requirements are in accordance with the General Statutes. A Meeting Notice (including Public Hearings) is required to state the agenda (and items or materials before the body) and time and place thereof and must be published, at a minimum, in compliance with the regulatory practices and procedures set forth in the General Statutes or by a more stringent requirement as may be set forth in this Charter or the Ordinances.

(25) Public Official[40] means an individual who holds an elected or appointed municipal office in the City; including but not limited to Elected Officials of the City, other persons appointed pursuant to Article VIII; and members of Boards and Commissions. **Appointed Public Official** includes all Public Officials who are not Elected Public Officials. When the term "officer" is used in this Charter or Ordinances (and not in connection with sworn law enforcement officers), it is synonymous with the term "Official".

(26) Operating Budget[41] means the document proposed by the Mayor and approved by the Board of Estimate and Taxation and Common Council that consists of all revenues and expenses for the ensuing fiscal year, including all requirements set forth in this Charter or by Ordinance and that the City uses to plan its operations as well as the appropriations for such expenditures as personnel services, supplies, utilities, materials, and debt service.

(27) Ordinance(s)[42] means the codes of local laws resulting from the authority vested in the Common Council and the Mayor, as set forth in this Charter, to: (A) establish rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other penalty; (B) create a permanent local law of general applicability; or (C) accomplish other objectives permitted by the General Statutes as may be enacted in accordance with the provisions of this Charter.

(28) Public Hearing[43] means a publicly noticed meeting or official proceeding held in order to receive testimony from all interested parties, including the general public, on a proposed issue, item or action; unless otherwise required by the

Commented [SGM8]: Errata.

Commented [SGM9]: RECODIFICATION RECOMMENDED BY SGM

[38] At the time of the 2025 revision the citation is C.G.S. §1-200(2).
[39] NEW (2023)
[40] 2025 recodification of §2-2.B(26) which was approved in the 2023 charter revision.
[41] 2025 recodification of §2-2.B(25) which was approved in the 2023 charter revision.
[42] NEW (2023)
[43] NEW (2023).

General Statutes. Members of the general public and other parties, within the parameters of the rules of the Common Council or a Board or Commission will be offered an opportunity to submit views and data relative to a matter on which a decision of the Board or Commission is pending. Public Hearings are required prior to the adoption of Ordinances, approval of the Operating and Capital Budgets or where otherwise required by Law, this Charter or Ordinance. Additional Public Hearing(s) may be permitted by the Chair of the Board or Commission or may be required by Ordinance.

(29) Public Notice[44] means a notice for matters other than Meetings or Public Hearings, including the public inspection, posting or availability of any documents or data, as may be required by this Charter, the Ordinances or otherwise by Law. It specifically includes matters where "publication" was required under the prior Charter or the General Statutes. Any Public Notice must be posted as specifically set forth in this Charter and in accordance with the requirements of the General Statutes. In the event the requirement of the Charter is more stringent than the requirements of the General Statutes, then the Charter provision prevails. Public Notice must be posted (A) in the Office of the Town Clerk and other public space or location in City Hall or other municipal office building designated by the Town Clerk in order to assure sufficient disclosure to and access by the public; (B) on the City web-site, through other electronic media by the Town and City Clerks, including a specific link to the item being noticed; and, (C) if otherwise required by Law, Charter or Ordinance, by publication in a newspaper of general circulation distributed in the City.

(30) Quorum[45]**.** A majority of the entire membership of the Council or any Board or Commission is required to constitute a quorum for the transaction of business, but a smaller number may adjourn.

(31) Referendum[46] means the petition process for overriding the actions of the Mayor and Council with respect to the approval of Ordinances and the Operating and/or Capital Budgets as set forth in §4-10 and as may be further defined by the General Statutes[47].

Commented [SGM10]: Errata.

(32) Regulation[48] means a statement of general applicability approved by a Department or Board or Commission (and the Council where specifically set forth herein), without regard to its designation, that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice requirements of any Department, Board or Commission or the Laws under which they operate. The term includes the amendment or repeal of a prior Regulation, but does not include

[44] NEW (2023).
[45] 2023 recodification of current Article IV. The Common Council. §1-197 (Third sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4. Historical Editor's Note: As to attendance of City Clerk, see § 1-235.
[46] NEW (2023).
[47] At the time of the adoption of the 2025 revisions the citation is C.G.S. §9-1(n).
[48] NEW (2023). Derived from C.G.S. §4-166(16).

statements concerning only the internal management of any Department and not affecting private rights or procedures available to the public, including, but not limited to intra-Departmental or inter-Departmental memoranda.

(33) Resolution[49] means a declaratory action on a given matter by the Common Council that (A) expresses the sentiment or intent of the Council; (B) governs the business of the Council; (C) expresses recognition by the Council; or (D) complies with the specific requirements of the General Statutes with regard to certain legislative enactments. Resolutions may also be adopted in a similar manner by other Boards and Commission, including the Commissioners of the various Taxing Districts.

(34) Special Acts or **Special Laws**[50] means the acts of the General Assembly of the State pertinent to the City.

(35) State or **Connecticut**[51] means the State of Connecticut.

(36) State Constitution[52] means the Constitution of the State of Connecticut.

(37) Taxing Districts[53] means First, Second, Third and Sixth Taxing Districts as set forth in Article XII of Part 2 of this Charter, all of which are quasi-municipal corporations[54], bodies politic[55] or political subdivisions of the state[56]. The First, Second and Third Taxing Districts are funded through their respective utility revenues and thereby, at the time of the adoption of this revision are not imposing a separate district tax; while the Sixth Taxing District levies a tax for the services it provides for its parks and beaches, garbage collection, library and fire service.

(38) Town Clerk[57] is an elected Public Official who serves the function set forth in the General Statutes and this Charter, in particular in Article VI, §6-1.

(39) Vacancy[58] or, in the alternative, the use of the word "Vacant" means whenever any Official of the City (or of any the Taxing Districts) is unable to complete the current term of office for any cause, including, but not limited to (a) death, (b) resignation, (c) removal or expulsion, (d) failure to remain an Elector of the City or a resident of district where the residence is required for holding the office, (e) by reason

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[49] NEW (2023).
[50] NEW (2023).
[51] NEW (2023).
[52] NEW (2023).
[53] NEW (2023)
[54] See, **Third Taxing District of the City of Norwalk v. Lyons**, 35 Conn. App. 795, 32, 33 (1994).
[55] See, **Barr v. First Taxing District of the City of Norwalk**, 11 Conn. 53, 54 (1963).
[56] See, **Maisano v. Mitchell,** 155 Conn. 256, 264 (1967)
[57] NEW (2023)
[58] NEW (2023).

of permanent mental or physical disability or infirmity, shall become incapacitated to discharge the duties of office, in accordance with the procedure set forth in §§3-6 and 3-7 and §§7-1.D and E and any Ordinance of Rules of the Common Council, (f) conviction of crimes pertaining to malfeasance in office or any infamous crime, or (g) other reason as may be defined by Ordinance.

Commented [SGM11]: Errata.

C. Use of Terms[59].

(1) Where reference is made to the word "shall" the legislative intention is to make the function a mandatory or imperative obligation for the Public Official or entity charged with an obligation under this Charter or under the Ordinances. It is recommended that to avoid any doubt the word "must" or "required" should be used in order to impose clarity on the concept of obligation.

(2) Where reference is made to a majority, two-thirds or other voting standard of the "**entire membership**" of the Common Council, Board or Commission it shall refer to the voting privileges conferred upon the duly qualified elected or appointed members of the body, including those absent and those present but not voting; however, shall not include any vacancies on the body.

§2-3. Standards of Conduct[60].

A. Statement of Purpose[61]. Public office is a public trust. The trust of the public is essential for government to function effectively. Public policy developed by Officials affects every resident of the City, and it must be based on honest and fair deliberations and decisions. This process must be free from threats, favoritism, nepotism, undue influence and all forms of impropriety so that the confidence of the public is not eroded. By setting forth this Statement of Purpose, the City seeks to articulate a policy that will continually strive to maintain and increase the confidence of the people of Norwalk in the integrity and fairness of their government. Public Officials and employees must discharge their duties impartially so as to ensure fair competitive access to government procurement by responsible contractors. In turn, those contractors must conduct themselves in such a manner as to foster public confidence in the integrity of the competitive process. In all cases, any reality or appearance of impropriety must be addressed as required by the Code of Ethics Ordinance[62].

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[59] NEW (2023)

[60] NEW (2023). In lieu of Article V, Part 1 – General. §1-225.1. Derived from Charter Amendment 9-12-2000, Historical Editor's Note: Approved by the electorate at the general election held 11-7-2000, It should be further noted that there is a very extensive ethics regimen for the Taxing Districts. 1-225.1 reads as follows: "All employees and officers of the City of Norwalk, salaried and unsalaried, including the members of all boards, agencies and commissions elected or appointed in the City of Norwalk, shall be subject to the Code of Ethics contained in Chapter 32 of the Norwalk Code, as it may be amended from time to time."

[61] NEW (2023).

[62] **Comment of the 2023 Charter Revision Commission.** At the time of the effective date of this Charter the Code of Ethics may be found in Chapter 32 of the Code of Ethics, as may be amended form time-to-time.

B. Code of Ethics Ordinance[63]**.** The Code of Ethics Ordinance covering all Public Officials and employees of the City whether elected or appointed, paid or unpaid, and individuals and entities seeking to and conducting business with the City must be periodically updated and amended. The purpose of the code is to establish suitable ethical standards by prohibiting acts or actions incompatible with the discharge of their public duties and the best interests of the City, and by directing disclosure of private financial interest or personal interest in matters affecting the City by the elected and appointed Officials or employees as well as such individuals and entities seeking to and conducting business with the City. The City Clerk is required to provide all Public Officials and employees of the City with copies of the provisions of this section and the implementing Ordinances and policies enacted hereunder, upon the commencement of their public service and/or employment.

Commented [SGM12]: Errata.

(1) Periodic Update of Ethics Ordinance[64]**.** The Council is required to enact a code of ethics by Ordinance (and has an affirmative obligation to update and amend the Ordinance) following public review and comment by the Board of Ethics, in a manner consistent with the provisions of this Charter.

(2) Recusal[65]**.** Any Public Official or employee must refrain from voting, participating or acting on matters which constitute a violation of the code of ethics or oth creates a conflict of interest. In the case of members of the Council or any Board and Commission, such recusal shall be placed in the public record. Filing of public disclosures may be addressed in accordance with the Ethics Ordinance, as may be amended from time-to-time.

(3) Violation[66]**.** In addition to any remedies or penalties set forth in the Ordinance effectuating this provision of the Charter, any finding of a violation by the Board of Ethics as authorized by Ordinance and any Regulations thereunder:

(a) shall render any action, including but not limited to any contract or agreement involved voidable, at the option of the City;

(b) may result in the discipline of Officials and employees in accordance with the provisions of this Charter and Ordinances; and,

(c) may result in disqualifying individuals or entities from engaging in business with the City for a period of time to be established by Ordinance.

C. Conflict of Interest and Corrupt Practices[67]**.** All Public Officials are required

[63] NEW (2023).
[64] NEW (2023).
[65] NEW (2023).
[66] NEW (2023).
[67] NEW (2023).

to comply with the provisions of the General Statutes[68], this Charter or Ordinances pertaining to conflicts of interest and corrupt practices. The Ordinance required by §2-3.B, above, shall define and set forth the parameters of conflicts of interest and corrupt practices.

Commented [SGM13]: Errata

§2-4. Rules of Order and Civility[69].

City Officials and employees are required to treat members of the public with respect and expect the same in return in official in-person or virtual/electronic interactions. The City is committed to maintaining orderly and fair administrative processes and in keeping City administrative offices free from disruption.

A. The Workplace and City Operations. This Charter promotes mutual respect, civility and orderly conduct among City employees, Elected Officials and the public in the workplace and other official interactions. This section is not intended to deprive any person of the right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, productive, and harassment-free workplace for City staff and a safe and non-threatening environment for the public. The City encourages all parties to engage in professional, respectful, and courteous communication and discourages hostile, intimidating, or otherwise disruptive actions.

B. Public Meeting Decorum. The City is committed to the democratic process, the rule of law, individual rights of expression, robust debate, and tolerance for disparate views and the building of better community relationships through increased empathy, greater awareness and decreased reactivity. The City's elected and appointed Boards and Commissions, the Council and any other public bodies, including, committees, task forces, or other like entities all convene public Meetings to address, from time to time, controversial issues that may engender passionate and often conflicting opinions. An atmosphere of civility and respect at Public Meetings will encourage and embolden robust participation and debate, contributing to the outcomes of decisions and strengthening local democratic process.

C. Rules of Order. In order to effectuate these provisions of the Charter, the City may adopt Ordinances generally governing the conduct of public Meetings in accordance with this Charter.

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[68] **Comment of the 2023 Charter Revision Commission.** Among the provisions is C.G.S. §7-148h(b): "Notwithstanding the provisions of any special act, municipal charter or ordinance to the contrary, an elected official of any town, city, district or borough that has established a board, commission, council, committee or other agency under subsection (a) of this section, has an interest that is in substantial conflict with the proper discharge of the official's duties or employment in the public interest and of the official's responsibilities as prescribed by the laws of this state, if the official has reason to believe or expect that the official, the official's spouse or dependent child, or a business with which he is associated, as defined in section 1-79, will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of the official's official activity. Any such elected official does not have an interest that is in substantial conflict with the proper discharge of the official's duties in the public interest and of the official's responsibilities as prescribed by the laws of this state, if any benefit or detriment accrues to the official, the official's spouse or dependent child, or a business with which he, his spouse or such dependent child is associated as a member of a profession, occupation or group to no greater extent than to any other member of such profession, occupation or group. Any such elected official who has a substantial conflict may not take official action on the matter.

[69] NEW (2023).

(1) Parliamentary Authority: The General Rule[70]. At the commencement of the term of office, the Common Council must adopt a manual of parliamentary procedures to regulate the conduct of all Meetings of the Council and all elected and appointed Boards and Commissions. Notwithstanding the Council, or any Board or Commission may specify an alternate parliamentary authority, with the written approval of the Corporation Counsel.

(2) Adoption of Rules. Notwithstanding the foregoing, the Council and each elected and appointed Board and Commission may adopt rules of order in order to conduct public Meetings and government business in a civil and orderly environment. An affirmative vote of two-thirds of the entire membership of the Council, Board or Commission is required for approval of the rule, following review by the Corporation Counsel to ensure that the rules are consistent with the open meeting requirements of the General Statutes and this Charter.

D. The Role of the Presiding Officer. The presiding officer of the Council and each elected and appointed Board and Commission are responsible for maintaining the order and decorum at Public Meeting and for the uniform enforcement of rules of order.

E. Compliance with Rules of Order and Decorum. Likewise, all persons who attend a public Meeting must comply with any lawful order of the presiding officer to enforce rules of order and decorum. In all circumstances, members of the public and all Public Officials shall be expected to follow the rules of the body and must not engage in disorderly conduct, uncivil language or actions as may be defined by Ordinance, Regulation or rules of order of the body.

F. Breach of Rules. In the event any person breaches the rules of order pertaining to civility in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of the Meeting, the presiding officer has the sole discretion to order that person to cease the conduct. The presiding officer has the authority to order a member of the public, Public Official or member of the body to leave the Public Meeting in the event of continued violations following an initial order from the presiding officer. If the initial order to cease the offending conduct is not obeyed and the conduct continues in spite of an escalation of additional orders from the presiding officer, the party may be removed from the Meeting. Removal of a person at an in-person Public Meeting may be facilitated by a law enforcement officer, upon the request of the presiding officer. At a virtual or hybrid Meeting the presiding officer may block the person from participation. Members of appointed Boards and Commissions may be subject to removal in accordance with the provisions of §7.1-E, below.

§2-5. Open Meetings and Public Records[71].

[70] NEW (2023).
[71] NEW (2023).

A. Records[72]. Each Elected and Appointed Board and Commission and committees, task forces, or other like entities, created or mandated by this Charter, must keep a complete and accurate record of its official acts, votes, Meetings, and proceedings and are required to maintain custody of its correspondence, files and other records. The minutes and recordings of Boards and Commissions are public records, in accordance with the General Statutes, and must be available for public inspection (1) at the office of the City Clerk during regular business hours; and, (2) on the City website.

B. Open and Public Meetings[73]. All Meetings of the Common Council[74] and all other Elected and Appointed Boards and Commissions and all committees, task forces or other like entities must be open to the public except for executive sessions permitted by the General Statutes. All appointed Boards and Commissions, and all committees, task forces or other like entities must comply with the State freedom of information laws unless otherwise provided by the General Statutes or Law.

§2-6. Diversity on Boards and Commissions[75].

The active, informed, inclusive, and equitable engagement of community members, both individually and collectively, is an essential element of healthy civic life and a thriving local democracy. All Public Officials who appoint members of Boards and Commissions are required to take into consideration the knowledge, expertise, experience, and, to the fullest extent possible, the diversity of residents and the geographic areas of the City when considering the composition of Boards and Commissions. Diversity on Boards and Commissions should, in its broadest sense be considered to include, but shall not be limited to[76], race, color, ethnicity, religious creed, age, sex, national origin, ancestry or culture, status as a veteran, socio-economic status, sexual orientation, gender identity or expression, familial and marital status, pregnancy, or physical and mental disability.

§2-7. Required Cooperation[77].

Each Public Official and all employees of the City must cooperate with each other, assist the Boards and Commissions, elected and appointed, and the pertinent Departments in carrying out the provisions of this Charter, advancing City objectives and policies and serving the public interest. Good faith actions by all Public Officials will encourage and embrace public engagement which, in turn, will inform public decisions.

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[72] NEW (2023).
[73] NEW (2023).
[74] NEW (2023).
[75] NEW (2023).
[76] **Comment of the 2023 Charter Revision Commission.** The listing in this Charter is not exclusive since it reflects the current state of protected classes under federal and state law. It is fully expected that as those classes are modified by Congress or the General Assembly, the new protected classes will be deemed covered as if they were specifically included in the enumeration.
[77] NEW (2023).

ARTICLE III: ELECTIONS, ELECTORS, ELECTED OFFICIALS, TERMS OF OFFICE AND OTHER PROVISIONS APPLICABLE TO CITY OFFICIALS

§3-1. Application of the General Statutes[78].

The General Statutes, as amended from time to time, relating to elections, including, without limitation, residency requirements and nomination of candidates, are applicable to all elections held in accordance with the provisions of this Charter.

A. Public Notice of Elections[79]. If required by Law or otherwise deemed necessary, the Common Council must provide by Ordinance for the manner of Public Notice of municipal elections and such additional Regulations in respect of elections, not inconsistent with the General Statutes or this Charter, as may be necessary to accomplish the intent of this chapter[80]. Public Notice of the election stating the officers to be voted for and the polling places in the several voting districts must be published by the Town Clerk at least two weeks preceding the election, as required by Law, including an Ordinance, and in compliance with the Public Notice provisions of this Charter.

B. Nominations and Elections[81]. The nomination and elections of all Federal, State and City Elected Officials must be conducted as prescribed by the General Statutes.

§3-2. Rules Pertaining to Electors.

A. Qualified Voters Entitled to Vote: Electors[82]. Every Elector of this State and resident of this City entitled and qualified to vote therein shall be an Elector of the City. All the Electors who are duly registered as hereinafter provided are entitled to vote at all elections of the City at the polling place as may be approved by the Common Council[83].

B. Prepared Lists of Electors[84]. The Registrars of Voters are required to keep and maintain records concerning Electors.

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[78] NEW (2023).
[79] 2023 recodification and modification of current Article III – Part 1. In General, §1-169. Derived from Sp. Laws, 1913, No. 352, §51.
[80] NEW (2023).
[81] NEW (2023). Current Article III – Part 1. In General, §1-163, derived from Sp. Laws 1913, No. 352, §46 is repealed, as follows: "The election of Elected Public Officials herein provided for shall be held at the polling places approved by the Common Council for the Town election". Historical Editor's Note: See § 1-180 for provision authorizing Registrars of Voters to designate polling places. Current Article IV. The Common Council. §1-189 is repealed, as follows: "The Council has the authority: to regulate and prescribe the mode of conducting all elections not regulated by this act;; to regulate the manner of warning (or notice) city elections and meetings of the Common Council, and the times and places of holding the same; and, to provide places for holding elections in said city and in the wards thereof."
[82] 2023 recodification and modification of current Article III – Part 1. In General, §1-164. Derived from Sp. Laws 1913, No. 352, §47.
[83] 2023 recodification, repeal and modification of current Article I - General. §1-2.1 (Fourth sentence). Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972.
[84] 2023 recodification and in lieu of current Article III – Part 1. In General, §1-170. Derived from Sp. Laws 1913, No. 352, § 52; Sp. Laws 1921, No. 400, § 2.

C. Eligibility[85]. No person shall be eligible for nomination or election to any City office who is not an Elector[86] of the City, and, in the case of a district council representative, a resident of that particular district. Any person ceasing to be an Elector of the City or a resident of a district where residence in the district is required for holding the office shall thereupon cease to hold elected office in the City or district.

D. Time Polls Open[87]. The polls are required to open and remain open as required by the General Statutes.

§3-3. Election of Officers and Other Elected Public Officials.

A. Date of Election[88]. On the first Tuesday after the first Monday of November in the odd-numbered years, and biennially thereafter, and in accordance with early voting laws, as prescribed by the State, there shall be held a municipal election for the choice of Elected Public Officials. The Elected Public Officials shall be elected by a plurality of ballots; unless otherwise required by Law. In the event alternate election methods are permitted by Law, the Common Council, by Ordinance, may alter the methodology utilized in the municipal elections.

B. Election of Registrar of Voters in 1952 and Thereafter[89]. On the first Tuesday after the first Monday in November 1952 and in the even-numbered years thereafter as the term of office shall fall (as set forth in §3-3.D(3)), below, the Electors of the City shall elect, in accordance with the provisions of General Statutes, Registrars of Voters, of whom no Elector shall vote for more than one and no more than one of whom shall be a member of any one political party.

Commented [SGM14]: Errata

C. Elected Public Officials. The Elected Public Officials are:

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[85] NEW (2023). See, 2023 Recodification of current Article III – Part 2. Registrars of Voters. §1-186. Derived from Sp. Laws 1951, No. 334, §4. Also, 2023 recodification of current Article III – Part 2. Registrars of Voters [Editor's Note: See § 1-172 for compensation; §§ 1-179 to 1-181 for duties with respect to voting precincts and polling places; § 1-217, for powers and duties generally. See also, Ch. 9, Administration, Art. IV]; see also, §1-183 through 1-184 (Reserved). Editor's Note: Former §§ 1-183, 1951 election, and 1-184, Term of office for Registrars of Voters, Sp. Laws 1951, No. 334, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

[85] NEW (2023). Derived from current Article III – Part 2. Registrars of Voters. §1-187. Derived from Sp. Laws 1951, No. 334, §5, which reads, as follows: " Said Registrars shall be electors of said City and their duties shall be such as are required by statute in respect to election laws."

[86] Chapter 143. ELECTORS: QUALIFICATIONS AND ADMISSION. Revised to January 1, 2010. C.G.S. §9-12 entitled "Who may be admitted".

[87] 2023 recodification and modification of current Article III – Part 1. In General, §1-170. Derived from Sp. Laws 1913, No. 352, § 52; Sp. Laws 1921, No. 400, § 2.

[88] 2023 recodification and modification of current Article III – Part 1. In General, §1-166. Derived from Sp. Laws 1947, No. 211, § 1; Charter Amendment 11-7-1972; Charter Amendment 8-17-1976;[1] Charter Amendment 8-29-1978. Historical editor's Note: (1) Editor's Note: Approved by the electorate at the general election held 11-2-1978; (2) Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[89] 2023 recodification of current Article III – Part 2. Registrars of Voters. §1-185 (First sentence). Derived from Sp. Laws 1951, No. 334, §3.

(1) The Mayor;
(2) Fifteen Members of the Common Council, as set forth in §3-4.A, below;
(3) Nine Members of the Board of Education as set forth in §3-4.B, below;
(4) Town Clerk, ex officio Registrar of Vital Statistics;
(5) Registrars of Voters;
(6) City Sheriff and,
(7) Seven Constables.

No person shall vote for more than four Constables.

Sunset Provision.

A. Selectmen and Treasurer[90]. Three Selectmen and a Treasurer shall be Elected Public Officials for a two-year term commencing on the second Tuesday following their election in November 2023. The office shall be abolished at the end of the term; or, in the event a Vacancy occurs prior to the end of the term at the time of the Vacancy. The Selectmen and Treasurer shall have duties and responsibilities as may be assigned; or, as otherwise set forth in Law.

B. Remaining Elected Public Officials. The remaining Elected Public Officials shall serve for their respective terms of office commencing on the second Tuesday following the municipal general election of November 2023. Their respective terms shall conclude at 11:59:59 P.M. on the Day prior to the first business Day of January 2026. Upon the conclusion of the events set forth in this provision, as certified by the Corporation Counsel, these provisions may be removed from the Charter.

D. Term of Office.

(1) Elected City and Town Officers: Two-year Terms[91]. With the exception of the Board of Education, all of Elected Public Officials shall hold office for the term of two years from the first business Day of January 2026 following their election and until their successors are elected and have qualified. Any provisions in the Charter which are in conflict with this change are nullified as of 11:59:59 P.M. on the Day immediately prior to the first business Day of January 2026.

[90] NEW (2023). Note: Upon the conclusion of the timelines set forth in the "Sunset Provisions," as verified in writing by the Corporation Counsel, this section may be moved from the body of the Charter.
[91] 2023 recodification of current Article III – Part 1. In General, §1-166. Derived from Sp. Laws 1947, No. 211, § 1; Charter Amendment 11-7-1972; Charter Amendment 8-17-1976 (Editor's Note: Approved by the electorate at the general election held 11-2-1976); Charter Amendment 8-29-1978 (Editor's Note: Approved by the electorate at the general election held 11-7-1078).

(2) Board of Education: Four-year Term[92]. All members of the Board of Education shall serve for terms of four years. Following the election of 2015, the members of the Board of Education shall hold office for a term of four years from the first business day of January 2026 following their election and until their successor are elected and have qualified.

(3) Registrars of Voters: Two-year Term[9394]. The terms of Registrars of Voters shall be for two years from the first Monday of the January next succeeding their election and until their successors shall be elected and shall have qualified, unless sooner removed for cause as provided by Law.

E. Transition Period[95]. Effective on the fifth Day of November 2025, each newly elected Mayor must be provided with furnished office space for the period commencing on the Day following the election of the Mayor until 11:59:59 P.M. on the Day immediately prior to the first business Day of January 2026 (and in each year thereafter when there is a newly elected Mayor). The purpose of this provision is to best effectuate, with the cooperation of the outgoing Mayor, the transition of the change of executive leadership of the City government. Members-elect of the Council and Board of Education must be provided with assistance, including public information and training materials pertaining to the budget process and other active legislative matters before the Common Council or the Board of Education by the Mayor, Corporation Counsel, Chair of the Board of Education or the President of the Council during this transition period.

F. Mayor Not Succeeding to a Subsequent Term in Office. Duties, Powers and Restrictions[96]. Notwithstanding any other provisions of this Charter, during the

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[92] 2023 recodification of current Article III – Part 1. In General, §1-167 (Third Sentence). Derived from Charter Amendment 11-3-1970; effective 7-1-1971; Charter Amendment 9-12-2000. Historical editor's Note: (1) See also Art. XVIII, Part 2; (2) Approved by the electorate at the general election held 11-7-2000.

[93] **Comment of the 2023 Charter Revision Commission.** The term of office for the Registrars of Voters is different because it is established by C.G.S. §9-190a.

[94] 2023 recodification of current Article III – Part 2. Registrars of Voters. §1-185 (Second sentence). Derived from Sp. Laws 1951, No. 334, §3.

[95] NEW (2023).

[96] 2023 recodification and modification of the portions of current Article V, Part 1 – General. §1-218, which follow. Derived from Sp. Laws 1913, No. 352, §74. Historical Editor's Note: See § 1-227 for powers and duties of appointive officers, in lieu of the following: "All officers required by law to be appointed by towns and by Selectmen of towns, not herein otherwise provided for, shall, on and after the first (1st) Monday of October, 1913, be appointed by the Mayor, subject to confirmation by the Council." The modification is in lieu of the following: (1) "Following October 1 of the year in which there is a mayoral election a Mayor shall be entitled to make appointments only for a temporary period ending no later than sixty (60) Days following the commencement of the term of office of the new Mayor. If the Mayor is re-elected this limitation shall not apply after the election. The Mayor shall have the power to initiate the removal of any appointee;" and, Following October 1 of the year in which there is a mayoral election a Mayor shall be entitled to make appointments only for a temporary period ending no later than sixty (60) Days following the commencement of the term of office of the new Mayor. If the Mayor is re-elected this limitation shall not apply after the election. The Mayor shall have power to remove any appointee, except a member of the Classified Service. The Mayor may suspend from duty for not more than thirty (30) Days any such appointee pending Final Action." This provision is also in lieu of current Article V, Part 2 – Mayor. 1-227 (Fourth sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1972, as follows: "No appointments or reappointments shall be made by

Transition Period as defined in §3-3.E, above, the outgoing Mayor must not appoint, hire, remove, terminate, discipline, promote, demote or transfer any officer, Division Chief, Department Head, Other Executive-Level Appointee, Board or Commission member, or employee of the City. Notwithstanding the foregoing, this provision should not be construed to stay, suspend or delay or terminate (1) any pending actions commenced at least sixty Days prior to the election; (2) any matter before a judicial or administrative tribunal; (3) any matter required by Law or a collective bargaining agreement. If required by Law or a collective bargaining agreement, the Mayor may be required to make appointments only for a temporary period ending no later than sixty Days following the commencement of the term of office of the new Mayor.

§3-4. Structure of the Council and Board of Education.

A. The Common Council.

(1) Five Council Districts[97]. 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, above. The districts shall be created by Ordinance following reapportionment as required by §3-4.A(3), below.

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(2) At-Large Councilmembers[98]. The number of Councilmembers-at-Large elected from the City must be equivalent in number to the number of council districts as may exist, from time to time.

(3) Periodic Revision of Common Council District Boundaries: Reapportionment. The boundaries of each Common Council District must be revised from time to time, as required by Law[99]. By Ordinance, the Common Council is

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any Mayor or Common Council and no vacancies shall be filled by any Mayor or Common Council after the seventh (7th) Day prior to a municipal election and before the Day of their taking office following the election in any municipal election year'

[97] 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**. Comment of the 2025 Chater Revision Commission: §**14-1 entitled "Historical council Districts" is repealed. §14-1 was 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.

[97] 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..

[98] 2023 recodification, repeal and replacement of current Article I - General. §1-2.1 (Third sentence). Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972.

[99] NEW (2023). Comment from the 2023 Charter Revision Commission. Decennial redistricting is required by federal and state law in order to comply with constitutional standards and requirements of the Voting Rights Act.

required to designate the council districts, by letter or number[100]. The establishment of districts by the Council must be in conformity with the requirements of Law[101].

B. The Board of Education.

(1) Five Board of Education Districts[102]. There are five members of the Board of Education, elected one each from each of the Common Council Districts established and revised as set forth in §3-4.A(3), above.

(2) Four at-Large Members of the Board of Education. There are four elected at-Large Members of the Board of Education.

(3) Party Representation Pertaining to the Board of Education[103]. The maximum number of candidates who may be endorsed by any political party and the maximum number of candidates for which an Elector may vote at the general municipal elections shall be four in years in which four terms expire, and one per Council district in years in which five terms expire, and the candidates receiving the highest numbers of votes cast shall be elected.

C. Other Districts[104]. The districts for the election of First, Second, Third and Sixth Taxing District Commissioners and other district officers shall be the same as the Taxing Districts as set forth in Article XII of this Charter[105].

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[100] 2023 recodification, repeal and replacement of current Article I - General. §1-2.1 (Second sentence). Derived from Sp. Laws 1969, No. 186, No. 283, § 1; Charter Amendment 11-7-1972.
[101] NEW (2023).
[102] 2023 recodification and modification of current Article III – Part 1. In General, §1-167. Derived from Charter Amendment 11-3-1970; effective 7-1-1971; Charter Amendment 9-12-2000. Historical editor's Note: (1) See also Art. XVIII, Part 2; (2) Approved by the electorate at the general election held 11-7-2000. Transition Provision I: See, §1-167.(Fourth through seventh sentences), as follows: "The five (5) members of the Board elected in the general municipal election in 1999 shall serve for a term of four (4) years. At the general municipal election to be held in 2001, four (4) members shall be elected to said Board at large. At the general municipal election to be held in 2003, five (5) members shall be elected to said Board, one (1) member to be elected from each Council district. Thereafter, alternately at each general municipal election, four or five (4 or 5) members, as the case may be, shall be elected to said Board, the four (4) members to be elected at-large and the five (5) members to be elected one from each Council district, in the manner set forth above." Transition Provision II: See, §1-167.(Ninth sentence), as follows: "No person now serving on the Board of Education at the effective date of this section shall have his term shortened or terminated by reason of this section." Transition Provision II: See, §1-167.(Tenth sentence), as follows: "This section shall supersede any previous or alternative version hereof, whether adopted prior to or contemporaneously herewith."
[103] 2023 Recodification of current Article III – Part 1. In General, §1-167 (Eighth sentence). Derived from Charter Amendment 11-3-1970; effective 7-1-1971; Charter Amendment 9-12-2000. Historical editor's Note: (1) See also Art. XVIII, Part 2; (2) Approved by the electorate at the general election held 11-7-2000.
[104] 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.
[105]2023 recodification of current Article III – Part 1. In General, §1-165 which was a "Reserved" provision. Derived from Sp. Laws 1913, No. 352, §48; Sp. Laws 1921, No. 400, § 1; Sp. Laws 1933, No. 363, § 5; repealed by Charter Amendment 8-29-1978. Historical editor's Note: Approved by the electorate at the general election held 11-7-1978 2023 recodification of current Article III – Part 1. In General, §1-168 which was a "Reserved" provision. Repealed by Charter Amendment 11-3-1970; effective 7-1-1971.

§3-5. Tie Votes and Elections[106].

Whenever at any election there shall be no election to any of the aforesaid offices by reason of a tie vote, the election to fill the office or offices is required to proceed in the manner set forth in the General Statutes[107].

§3-6. Vacancies[108].

A. Elected Officials Other Than Mayor[109]. Whenever any Elected Public Official, for any reason, fails to qualify or a Vacancy occurs, the Common Council must, having been called together for the purpose by the Town Clerk, upon one weeks' Public Notice, declare the office in question vacant and forthwith is required to fill the Vacancy as provided in this Article, following the posting of Public Notice.

B. Filling of Vacancies[110]. Unless otherwise set forth by Law, including the provisions of this Charter, vacancies in elected Public Officials must be conducted, as follows:

(1) Office of Mayor: Succession[111]. Whenever a Vacancy occurs in the Office of the Mayor, the President of the Council will succeed to the Office of the Mayor for a period of time, until a successor is elected and qualified following the next biennial election for the remainder of the term.

(2) Office of the Common Council[112]. Whenever a Vacancy occurs in the membership of the Common Council, it must be filled by the town committee of the political party of which the Councilmember whose office has become vacant had been

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[106] 2023 recodification of current Article III – Part 1. In General, §1-171. Derived from Sp. Laws 1913, No. 352, §53.
[107] 2023 repeal of current Article III – Part 1. In General, §1-173. Derived from Sp. Laws 1913, No. 352, §54; Sp. Laws 1921, No. 355, §1, as follows: The provision pertaining to "Tie votes and elections" (§3-5) and "Council may make ordinances and fix compensation" (§4-4.A) "….shall not take effect until they have been approved by a majority vote of the electors of said City of Norwalk, at the biennial election held the first (1st) Monday of October 1921. If said vote shall be in favor of the approval of this act, it shall thereupon take effect and a certificate of said vote, signed by the Clerk of said City, shall be filed in the office of the Secretary of State." The following clause was repealed, since it was redundant: "Provided, if a vacancy occurs in the office of Councilmember, the vacancy shall be filled by the town and City committee of the political party to which the Councilmember whose office has become vacant had been a registered member at the time of election and provided the manner of filling vacancies as described herein shall not apply to vacancies occurring in the Board of Education."
[108] 2023 recodification and amendment of current Article III – Part 1. In General, §1-174. Derived from Sp. Laws 1913, No. 352, § 55; Sp. Laws 1915, No. 367, § 2; Sp. Laws 1921, No. 334, § 3; Sp. Laws 1969, No. 186, No. 283, § 3; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: (1) This §1-174 was amended pursuant to the court decision in the First Taxing District et al v. City of Norwalk case; and, (2) Editor's Note: Approved by the electorate at the general election held 11-7-1978. The following language was eliminated from the provision; however, is a general statement of law that remains applicable: "The provisions of §9-221 of the General Statutes shall apply to the filling of vacancies occurring during the periods specified in the statute; provided, however, that nothing herein contained shall supersede the application of §9-167a of the Connecticut General Statutes."
[109] Title added 2023.
[110] Title added 2023.
[111] Title added 2023.
[112] Title added 2023.

a registered member at the time of the election and, if a district representative, the successor must be a resident of the district from which the former incumbent of the office was chosen.

(3) Board of Education[113]. Whenever a Vacancy occurs in the membership of the Board, the Vacancy must be filled by the town committee of the political party of which the Board of Education member whose office has become vacant had been a registered member at the time of the election and, if a district representative, the successor must be a resident of the district from which the former incumbent of the office was chosen.

(a) During the First Sixteen Months. If the Vacancy occurs during the first sixteen months of any four-year term of office, the person so chosen shall serve until the next municipal election following the person's appointment. At the municipal election, such Vacancy must be filled by election in accordance with the general statutes, and the member so elected shall serve for the final two years of the term.

(b) Following the First Sixteen Months. If the Vacancy occurs after the first sixteen months of any four-year term of office, the person so chosen shall serve until the completion of the four-year term.

(c) The Role of the Council. The Common Council shall not have the power to fill any Vacancy in the Board of Education.

In every case, except the office of Mayor and where there is an election to fill a Vacancy, the Vacancy must be filled by an Elector of the same political party from which the former incumbent was chosen.

C. Powers, Duties and Term of Replacement Public Official[114]. The person chosen to fill a Vacancy in accordance with the provisions of this Charter shall have all the powers and duties of the former incumbent of the vacant office and shall continue therein until the expiration of the term for which the incumbent was elected and until a successor is duly elected and qualified

§3-7. Temporary Absence or Disability of the Mayor[115].

In the event that the Mayor is temporarily absent or disabled and is, because of the absence or disability, unable to the perform the duties of the Mayor's office, the Council President, or in the President's absence or disability, the Council must designate a member

[113] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Ninth through thirteenth sentences).
[114] Title added 2023.
[115] NEW (2023).

who, shall exercise the authority and powers of the Mayor, except that until such absence or disability of the Mayor has continued for thirty Days, the acting Mayor will not have the authority to appoint or remove officers or employees. The compensation for the acting Mayor must be determined by the Council but shall in no event exceed in proportion the salary of the Mayor. The Council is required to provide, by Ordinance, a procedure for determining the absence or disability of the Mayor.

A. Notification by the Mayor[116]. In the event that the Mayor notifies the President of the Council of an inability to attend to the duties of office due to

(1) temporary absence from the City where the Mayor cannot comply with the contact requirement, set forth in §3-7.D, below or

(2) temporary disability or sickness or other cause

the President of the Council, or, in the President's absence or disability, the member as the Council is required to designate, shall exercise the authority and power of the Mayor ("Acting Mayor"), except that until the absence or disability of the Mayor has continued for thirty Days, the Acting Mayor shall not have the authority to appoint or remove officers or employees.

B. Action by the Council: Evidential Determination. In the event the Mayor fails to notify the President of the Council pursuant to §3-7.A, above, the Council may initiate proceedings to determine the Mayor's inability to attend to or perform the duties of office due to a temporary absence from the City, by reason of temporary disability or illness, or other cause, at the call of the President of the Council or upon a petition filed by ten members of the Council, at a regular or special meeting called in accordance with Public Notice for that purpose. The Council determination of the temporary disability or absence of the Mayor must be approved by the affirmative vote of twelve members of the Common Council, in accordance with the following findings.

(1) In the event of an alleged temporary disability or illness, the Council must cause the Mayor to submit to examination by two physicians licensed to practice medicine in the State of Connecticut who is required to submit written reports to the Council as to the ability of the Mayor to carry out the duties of the Office of Mayor.

(2) If the examination substantiates the Mayor's inability to carry out the duties of the Office of Mayor, the Council must consider the findings and act accordingly. In the event the Mayor fails to submit the examinations, the Council, in consultation with the Corporation Counsel or in the event of a conflict, independent counsel, is required to act upon the best evidence as presented by competent authority.

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[116] 2022 recodification and modification of current Chapter V, Sec. 4 (first sentence) derived from the election of 11-5-02

(3) In the event of temporary absence, the Council actions must be based upon the best evidence as presented by competent authority.

(4) In all cases, these procedures may be further set forth by Ordinance or the Rules of the Council, in order to ensure procedural fairness and privacy concerns, taking into account the best interests of the City and the requirements of Law.

In the event the Council determines that a temporary disability or absence exists, the Town Clerk must declare a temporary Vacancy and the President of the Council is then required to exercise the authority and powers of Acting Mayor as set forth in §3-6.B(1), above.

Commented [SGM17]: errata

C. Termination of the Temporary Vacancy. Termination of the temporary Vacancy due to absence shall be upon the Mayor's notification of a return to office to the President of the Council. With respect to temporary disability or illness, the termination of the temporary Vacancy by change of condition must be confirmed by two physicians licensed to practice medicine in the State of Connecticut that the Mayor is physically and/or mentally able to carry out the duties of the Office of Mayor. Upon the filing of the reports to the Town Clerk, the Clerk must notify the President and members of the Common Council of the Mayor's ability to resume office.

D. Absence. Defined. In the event the Mayor is not able to be or remain in contact with the Chief of Staff and President of the Council by electronic or voice communications, the Mayor shall be deemed to be absent.

Commented [SGM18]: Errata

E. Procedural Ordinance: Sustained Absence. The Council must define, by Ordinance, a procedure for determining the existence of a sustained absence or disability, consistent with the standard set forth herein. The Ordinance must define the term "sustained absence" for the purposes of initiating a removal proceeding where there is a determination of incapacity to discharge the duties of office.

F. Compensation. Upon serving for thirty Days as Acting Mayor, the compensation for serving as Acting Mayor must be tendered in an amount equal to a diem rate calculated on the basis of the Mayor's salary as set forth in the budget in effect at the time of the Acting Mayor's service.

G. Status of the Council President. There is no Vacancy in the Office of the President of the Council when the President serves as Acting Mayor under this provision of the Charter.

§3-8. Expulsion of Councilmembers from Office: Restitution[117].

[117] 2023 recodification and edit of current Article IV. The Common Council. §1-197 (Fifth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.

Any Councilmember who, while holding office, is found, after a public hearing, to have directly or indirectly taken or bargained for any fee or pecuniary consideration to influence a vote or action upon any Resolution or Ordinance pending in the Common Council, shall be ordered to pay to the City a penalty equal to the fee or pecuniary consideration received or bargained for, and shall, upon a two-thirds vote of the entire membership of the Council, be expelled from office.".

§3-9. Removal of Mayor for Misconduct or Neglect of Duty.

A. Commencement of Removal Proceedings[118]. At any meeting of the Council any member may commence a removal proceeding by giving written Public Notice, seconded in writing by a majority of the entire membership of the Common Council, stating the member's intention to propose at the next meeting a Resolution removing the Mayor from office for (1) official misconduct, (2) neglect of duty, (3) those circumstances set forth in §2-2.B(39)(d), (e) or (f) or other permitted by Law or (4) such other grounds as may be established by Ordinance.

B. Content of Public Notice[119]. The Public Notice is required to specify particularly the acts of misconduct or the neglect of duty complained of and must be entered in the records of the Council, and the City Clerk is required to serve a copy thereof upon the Mayor, mail a copy to each member of the Council and file a copy with the Town Clerk.

C. Right to Be Heard[120]. At the next meeting of the Council the Mayor must have the right to be heard and present witnesses. The meeting may be adjourned from time to time as the Council may direct.

D. Council Action[121]. A roll call vote on the Resolution is required. If the resolution fails to receive an affirmative vote of two-thirds of the entire membership of the Council, if shall have no effect. If it receives the affirmative vote of two-thirds of the entire membership of the Council, the resolution shall become operative upon the service of a copy thereof upon the Mayor personally or by leaving the same at the Mayor's residence, and the office of Mayor must be deemed vacant.

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[118] 2023 recodification and modification of current Article IV. The Common Council. §1-199 (First 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.

[119] 2023 recodification and modification of current Article IV. The Common Council. §1-199 (Second 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.

[120] 2023 recodification and edit of current Article IV. The Common Council. §1-199 (Third 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.

[121] 2023 recodification of current Article IV. The Common Council. §1-199 (Fourth, fifth and sixth sentences). 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.

E. Filling of Vacancy[122]. The Council must fill the Vacancy as provided in §3-6.B(1), above.

Commented [SGM19]: Errata.

§3-10. Removal of Appointed Public Officials and Employees[123].

Except as otherwise provided in this Charter, any Appointed Public Official or employee may be removed for malfeasance in office, neglect of duty or other just cause by the Appointing Authority in accordance with the procedure set out herein.

A. Notification[124]. The Mayor or other Appointing Authority as set forth in this Charter or the Ordinances is required to notify, in writing, the affected official or employee of the removal and of the reasons justifying the removal from office or employment.

B. Removal and Cessation of Salary[125]. An official or employee removed as aforesaid by the Mayor or other Appointing Authority as set forth in this Charter or the Ordinances must cease to discharge the functions of office and shall not receive any salary therefor unless reinstated on appeal.

C. Failure to File Appeal[126]. Thereupon, unless the affected official or employee files, in writing with the City Clerk, a request for a hearing before the Common Council within seven Days, the removal shall be final.

D. Filing of Appeal[127]. In the event a request for a hearing is filed as aforesaid, the Common Council is required to hear the appeal within thirty Days of the filing thereof.

E. Additional Reasons for Removal[128]. The Mayor or other Appointing Authority as set forth in this Charter or the Ordinances may specify additional reasons justifying the

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[122] 2023 recodification of current Article IV. The Common Council. §1-199 (Seventh 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.

[123] 2023 recodification of current Article V, Part 1 – General. §1-222 (First sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[124] 2023 recodification of current Article V, Part 1 – General. §1-222 (Second sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[125] 2023 recodification and edit of current Article V, Part 1 – General. §1-222 (Third sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[126] 2023 recodification of current Article V, Part 1 – General. §1-222 (Fourth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[127] 2023 recodification and edit of current Article V, Part 1 – General. §1-222 (Fifth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[128] 2023 recodification and edit of current Article V, Part 1 – General. §1-222 (Sixth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

removal, but the additional reasons must be filed not later than two weeks prior to a hearing before the Common Council.

F. Right to Hearing Postponement[129]. The affected officer or employee shall have the right to be granted two postponements of the hearing, not in excess of one week each, by filing a request therefor with the City Clerk not later than twenty-four hours prior to the time appointed for the hearing.

G. Right to Counsel and Presentation of Witnesses: Executive Session. At the hearing the affected officer or employee shall have the right to (1) be represented by counsel; (2) present witnesses; and (3) cross-examine any witnesses[130]. At the request of the affected officer or employee, the hearing shall be held in executive session (unless not permitted by Law); otherwise, the hearing shall be public[131].

H. Common Council Decision[132]. The decision of the Common Council must be rendered not later than two weeks after the conclusion of the hearing.

I. Appeal of Council Decision[133]. Any officer or employee whose dismissal has been confirmed by the Common Council after hearing as provided by this section may appeal from the order of dismissal to any Judge of the Superior Court.

(a) Service and Return Date. The appeal shall be made returnable not less than three nor more than six Days from the date of the confirmation of the dismissal by the Common Council and shall be served upon the City Clerk at least two Days before the time fixed for the hearing of the appeal.

(b) De Novo Hearing. The Judge, having given such further notice as may be deemed necessary, shall forthwith hear such case de novo and must dismiss or retain such appellant as deemed proper and may award costs, all in the discretion of the Judge.

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[129] 2023 recodification of current Article V, Part 1 – General. §1-222 (Seventh sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[130] 2023 recodification of current Article V, Part 1 – General. §1-222 (Eighth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[131] 2023 recodification of current Article V, Part 1 – General. §1-222 (Ninth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[132] 2023 recodification of current Article V, Part 1 – General. §1-222 (Tenth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[133] 2023 recodification and edit of current Article V, Part 1 – General. §1-222 (Twelfth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

J. Reinstatement by Judge[134]. If the appellant is reinstated by the Judge, the appellant may be paid from the date of dismissal until restored to duty as decided by the Judge, in the discretion of the court.

K. Effect of this Section on Collective Bargaining Employees[135]. Nothing contained herein providing for appeals shall be deemed applicable to employees who are members of bargaining units that are covered by the provisions of an applicable collective bargaining agreement addressing termination, removal or dismissal issues.

L. Appointees serving under the direction of the Mayor Without a Prescribed Term of Office[136]. Appointees serving coterminous with or at the will or pleasure of the Mayor may be removed from office in the sole discretion of the Mayor, as set forth in §8-2.A(1) and (2), below.

Commented [SGM20]: Errata.

M. Town Clerk, Chief of Police, Fire Chief, Fire Marshal, Building Officials and Other Officials Designated for Protection by the General Statutes[137]. The applicable provisions of the General Statutes must be taken into consideration with regard to the removal proceedings of the Town Clerk, Chief of Police, Fire Chief, Fire Marshal, Building Official and any other Officials designated for protection by the General Statutes.

§3-11. Removal of Any Other Public Official for Cause[138].

The Council may enact an Ordinance to provide for the removal of any other Public Official for cause whose removal is not otherwise provided for by this Charter.

§3-12. Oath for Elected Public Officers[139].

All Elected Public Officials shall be sworn or affirmed to the faithful discharge of their duties. The following oath shall be administered: "You _____ having been elected _____ of the City of Norwalk do solemnly swear (or affirm) that you will faithfully discharge the duties of the office, according to law." The oath may be administered by any duly constituted authority, or the Mayor may administer the same.

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[134] 2023 recodification of current Article V, Part 1 – General. §1-222 (Eleventh sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[135] 2023 recodification and modification of current Article V, Part 1 – General. §1-222 (Thirteenth sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

[136] NEW (2023).

[137] NEW (2023).

[138] 2023 recodification of current Article IV. The Common Council. §1-192 (second clause). Derived from Sp. Laws 1913, No. 352, § 82.

[139] 2023 recodification and edit of current Article III – Part 1. In General, §1-178. Derived from Sp. Laws 1913, No. 352, §59. Historical Editor's Note: See also § 1-221 for oath of officers appointed by Council.

ARTICLE IV: THE COMMON COUNCIL[140]

§4-1. Legislative Power[141].

A. The General Grant of Authority. The legislative power and authority of the City are vested in the Common Council. No enumeration of powers set forth in this Charter shall be deemed to limit the legislative authority of the Council as provided for in the General Statutes.

B. Repealed Special Act Provisions. The Charter that was in effect until the effective date of this Charter contained an enumeration of seventy-six powers, more or less, in §1-189 of the Prior Charter**.** The historical enumeration is replaced by the general grant of authority under §4-1.A, above; the provisions pertaining to additional authority and powers of the Council as set forth in §4-4; the General Statutes; and, as otherwise authorized by Law. This Charter also retains many of the Special Acts that formed the foundation of the governance of this City.

C. Powers and Authority of the Common Council with respect to the First, Second, Third, and Sixth Taxing Districts. The powers and authority of the Common Council with respect to these Taxing Districts are set forth in Article XII entitled "Taxing Districts."

§4-2. Officers of the Council.

A. Presiding Officer, Clerk, and President of the Council: Tie Vote.

(1) Role of the Mayor: Tie Vote[142]. The Mayor may preside at the meetings of the Council, and may vote only in case of a tie.

(2) Role of the City Clerk[143]. The City Clerk is the clerk of the Council.

(3) President of the Common Council[144]. At the beginning of each municipal term, the Council must elect from its members a President, for a term as

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[140] Historical editor's Note: See § 1-224 for salaries, §§ 1-219 to 1-223 for appointments by Council; § 1-220, for designation of duties for appointive officers. See also Ch. 9, Administration, Art. III.
[141] NEW (2023).
[142] 2023 recodification and edit of current Article IV. The Common Council. §1-196 (Second sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[143] 2023 recodification of current Article IV. The Common Council. §1-196 (Third sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[144] 2023 recodification of current Article IV. The Common Council. §1-196 (First clause of fourth sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.

may be established by the rules of the Council. The President must preside at meetings of the Council in the absence of the Mayor.

(4) Death, Resignation, Absence or Inability of Mayor to Perform Duties of Office. Role of the President[145]. In the event the President succeeds to the Mayoralty the provisions of §3-6.B(1) or §3-7, above, will apply.

Commented [SGM21]: Errata.

§4-3. Meetings and Procedures of the Council.

A. Rules of Procedure[146]. The Council must determine and adopt rules of its procedure at the commencement of the term of office.

(1) Quorum[147]. As defined in §2-2.B(30), above.

Commented [SGM22]: ACTION ITEM #2.2: 042925

(2) Roll Call Votes[148]. A roll-call vote of the Common Council must be taken whenever the same is requested by any member[149].

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B. First Meeting of the Council[150]. Following the election of November 2025, the Mayor and Council are required to meet on the second Tuesday in January, following the election of the Council, for the purpose of making and confirming appointments.

C. Subsequent Meetings of the Council: Regular Meetings[151]. Thereafter, the Common Council must hold at least one regular meeting each month on a date established by Resolution of the Council and such additional regular meetings as it shall, by Resolution, determine. The minutes and records of regular meetings must be filed in a timely manner as required by Law.

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[145] 2023 recodification and revision of current Article IV. The Common Council. §1-196 (Second clause of fourth sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[146] 2023 recodification of current Article IV. The Common Council. §1-197 (Second sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.
[147] 2023 recodification of current Article IV. The Common Council. §1-197 (Third sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4. Historical Editor's Note: As to attendance of City Clerk, see § 1-235.
[148] 2025 revision of 4-3.A(2) which was a 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.
[149] 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.
[150] 2023 recodification and revision of current Article IV. The Common Council. §1-196 (First sentence). Derived from Sp. Laws 1913, No. 352, § 85; Charter Amendment 9-2-1980. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980; See also, §1-198 (First sentence), as follows: "The first meeting of each newly elected Common Council shall be held on the second Tuesday following each town and city election in the Town and City of Norwalk." Derived from Sp. Laws 1947, No. 211, § 3; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[151] 2023 recodification of current Article IV. The Common Council. §1-198. (Second sentence). Derived from Sp. Laws 1947, No. 211, § 3; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

D. Special Meetings[152]. The Council may be specially convened at any time by the Mayor or Council President on notice of at least twenty-four hours. Regular Council meetings must be held at the times fixed by the Council.

E. Public Meetings[153]. The Council meetings must be open to the public and the record of its proceedings must be available for public inspection[154].

§4-4. Authority and Power of the Council.

A. The Source of Legislative Authority[155]. The Common Council shall have the authority to take such actions as may be (1) necessarily or fairly implied in or incident to the powers expressly granted by Law, including, but not limited to the General Statutes and Special Acts and (2) necessary to enable it to discharge the duties and carry into effect the declared objectives and purposes of the City.

B. Legislative Actions[156]. By a Majority Vote of the Council unless otherwise set forth herein, subject to action by the Mayor as set forth in §4-8.D(1), above, the Council is authorized, in accordance with the general grant of authority to take the following legislative actions:

Commented [SGM24]: Errata.

(1) Enact, amend, alter, repeal and establish enforcement protocols for all Ordinances, Resolutions (including those required by the General Statutes) or other legislative actions pertaining to the governance of the City and the management of its business and to implement all of the powers set forth in this Charter and within the scope of municipal authority under Law, as set forth above, including but not limited

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[152] 2023 minor edit and recodification of current Article IV. The Common Council. §1-197 (First sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4. Historical editor's Note: Regular meetings are held on the second Tuesday of each month; see §1-198.

[153] 2023 Recodification of current Article IV. The Common Council. §1-199 (Eighth 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.

[154] 2023 repeal of current Article IV. The Common Council. §1-199 (Tenth 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. The following was repealed: "the Council may elect, appoint or discharge any officer, except the Mayor, in executive session, but no business other than that relating to appointments or removals from office shall be considered in executive session."

[155] NEW (2023)

[156] 2023 recodification in lien of current Article IV. The Common Council. §1-189 (Items (1) – (76). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3. Historical editor's Note: (1) See §§ 1-200 to 1-202 for power to borrow money. (2) Editor's Note: A resolution adopted 10-10-1989 reads as follows: Whereas Article IV, § 1-189, of the Code of the City of Norwalk authorizes the Common Council "to establish building lines beyond which no building, step, stoop, veranda, billboard, advertising sign or other structure may be erected," and over time the Council has established such setbacks; and Whereas these setbacks are in conflict with those that are established by the Zoning Regulations, the following resolution is recommended: Resolved by the Common Council that all building setback lines established by the Common Council are hereby repealed and the setback lines as defined in the Zoning Regulations, as amended, be adopted; and Be it further resolved that all structures that conform to the Council setback lines as they exist on this date are declared to be conforming and may be rebuilt in accordance with the Council setback should they be damaged by accident or natural disaster. See Art. XV, Streets, Sidewalks and Building Lines; Ch. 101, Streets and Sidewalks.

to the municipal powers[157] and other statutory authority as may be amended from time-to-time[158].

[157] Drafting Note Pertaining to the Municipal Powers Act. The following provisions of the current Charter are repealed because they are unnecessary due to the enactment of the Home Rule Act, including the provisions of the Municipal Powers Act: (a) finances and appropriations, including regulation of the mode of assessment and collection of taxes, authorized by C.G.S. §7-148(c)(2); (b) the acquisition, management and disposition of real and personal property authorized by C.G.S. §7-148(c)(3), in lieu of the current Charter language ""to manage and control the finances and property, real and personal, of the city" and "to regulate the sale, conveyance and transfer of city property;" (c) provision and management of public services, including, but not limited to police as authorized by C.G.S. §7-148(c)(1), in lien of the current Charter language ""to regulate and prescribe the duties of the police force in respect to criminal matters within said district; to establish and maintain suitable prisons or lockups within the limits of said city for confinement of all persons arrested, and such prisons shall be under such rules and regulations as the Council shall ordain;" (d) fire as authorized by C.G.S. §7-148(c)(4)(A) and (B), in lieu of the current language ""to erect and keep in repair all buildings necessary for the Fire Departments of the city" and to establish fire limits;" (e) entertainment and cultural activities as authorized by C.G.S. §7-148(c)(4(C) in lieu of current language "to regulate parades, processions, public assemblages, shows, and music in the public streets;" and, "to license and regulate sports, exhibitions, public amusements, and billiard and bowling rooms;" (f) public works, sewers, drainage as authorized by C.G.S. §7-148(c(4)(H) and (6) in lieu of current language "to prohibit the depositing of any filth, garbage, or rubbish in any stream or on any highway or public or private grounds;" "to provide for public lighting of streets and to protect the same from injury;" and, "to sprinkle the streets of the city with water, oil, or other substance at the expense of the city, or by assessment as hereinafter provided;" (g) public utilities authorized by C.G.S. §7-148(c)(6)(b) in lieu of current language "to provide for public lighting of streets and to protect the same from injury; and "to regulate the erection and maintenance of lamp posts, telegraph, telephone, and electric light poles and conduits, wires, and fixtures;" (h) highways and streets authorized by C.G.S. §7-148(c)(6)(C) in lieu of current language "to regulate the width of all highways, streets, sidewalks, and gutters; to regulate excavations in streets, highways, and public grounds and the location of any work thereon, or the depositing of building materials on any sidewalk or highway, or the removal of buildings upon or through the same; to prohibit, regulate, or license the selling of wares and merchandise upon said streets, sidewalks, or public places;" "to regulate the laying of conduits, gas pipes, water pipes, and drains in the streets and highways;" "to regulate the planting, removal, care and preservation of trees in the public streets and parks; to prohibit the sale of newspapers upon the streets;" "to make, repair, clean, light, and keep open and safe for public use and travel, and free from encroachment and obstruction, the streets, highways, sidewalks, gutters, and public grounds (Editor's Note: See Art. XV, Streets, Sidewalks and Building Lines; Ch. 101, Streets and Sidewalks);" "to license and regulate public hacks, automobiles, and carriages, and the charges of hackmen, chauffeurs, public drivers, carmen and truckmen;" "to regulate the naming of public streets, the numbering of lots thereon, and the erection of banners or flags;" and, "to regulate coasting, sliding, and use of velocipedes, bicycles, and tricycles on the sidewalks;" (i) regulatory and police powers pertaining to buildings and adjuncts thereto authorized by C.G.S. §7-148(c)(7) and C.G.S. §7-148(c)(7)(A) and (C) in lieu of current language "to enforce the disuse, removal, or demolition of any such building or part thereof which may become unsafe"; "to provide safe and convenient means of egress in case of emergency from any building used by the public, and to prohibit the use of any building which may become unsafe by reason of insufficient facilities for egress or other causes;" "to regulate the use and occupation of all the city buildings;" "to regulate the mode of building, and determine materials to be used for building or altering of buildings"; "to grant permits for the moving, erection, addition to, repair, and enlargement of buildings; to regulate the heating of buildings, and cleaning of chimneys;" "to establish districts of said city within which it shall be unlawful to erect, elevate, enlarge, repair, or remove any wooden building, except by permission of said Council or a committee thereof;" "to regulate the erection, construction, repair, or use within said city of any building which by reason of its structure is or may become unsafe"; and, "to regulate or prohibit the placing of signs or awnings over sidewalks." (j) traffic as authorized by C.G.S. §7-148(c)(7)(B) in lieu of current language ""to regulate the speed of animals, vehicles, and cars in the streets." (k) public health and safety as authorized by C.G.S. §7-148(c)(7)(H) in lieu of current language "1) "to provide for raising, filling, and draining low lands and places in which mosquitoes breed, and the widening, deepening, or straightening of any streams within said city;" (2) "to provide for the health of the city; to prevent and abate every kind of nuisance;" (3) "to regulate the location, construction, and use of sinks, cesspools, pigpens, drains, sewers, and privies;" (4) " to compel the removal of nuisances injurious to health, or offensive or annoying to the public at the expense of the owners of the premises upon which said nuisances exist;" (5) "to regulate the moving of any manure, swill, night soil, or dead animals;" (6) "to regulate the carrying on of any trade, manufacture, or business prejudicial to public health or unreasonably annoying to those living or owning property within the vicinity;" (7) "to provide for the inspection of meat, vegetables, fish, produce, fruits, milk, and food of any kind

(2) (a) Adopt the Operating and Capital Budgets, as provided in Article X of the Charter; (b) approve agreements, settlements and transactions creating a present or future obligation longer than twelve months in duration or a payment in excess of one hundred thousand ($100,000) dollars or the authorized limit otherwise established by Ordinance; (c) authorize the issuance of debt as provided for under Law and in Article X[159]; and (d) engage in legislative oversight and review of the operations of government, including financial matters[160];

(3) Create, merge, consolidate or eliminate (a) Divisions or Departments, unless otherwise required by this Charter, upon the request of the Mayor, as set forth in §4-5 and §8-1.C and D, above[161]. The powers of the Council shall apply to all Departments, including but not limited to all Departments in existence at the original effective date of this section, whether established by Charter, Special Act, or Ordinance; and Ordinances enacted by the Council pursuant to this section shall

Commented [SGM25]: Errata.

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exposed for sale in said city, and to prohibit the sale thereof when in such condition as to endanger public health;" and, (8) "to compel the closing of saloons and other places where spirituous and intoxicating liquors are kept and sold at such suitable hours during the night season as said Council may designate, and at such times and on such occasions as may be required by the public good; (9) "to license and regulate peddling and auctions upon the streets and sidewalks;" (10) "to preserve and care for public burial grounds and regulate the burial of the dead;" and, (11) "to regulate bathing in places exposed to public view." (i) animals as authorized by C.G.S. §7-148(c)(7)(D) in lieu of current language "(1) "to prevent cruelty to animals and inhuman sports;" and, (2) "to regulate or prohibit the running at large of all animals in said city." (m) nuisance, loitering, trespassing and vice as authorized by C.G.S. §7-148(c)(7)(E), (F), and (G) in lieu of current language: "to compel the owners or occupants of land and buildings to remove the snow and ice from the sidewalks in front of such land and buildings;" "to regulate the blowing of whistles and horns, and the ringing of bells;" "to prevent persons loitering on the streets, sidewalks and spaces between sidewalks and buildings, and in and about the entrance of buildings to the hindrance or annoyance of the public;" and "to preserve order, to prevent and quell riots and disorderly assemblages, to suppress gambling houses, houses of ill-fame and disorderly houses." (n) human rights, including fair housing; prohibited discriminatory practices as authorized by C.G.S. §7-148(c)(9)(A) and C.G.S. §7-148(c)(9)(B) in lieu of current language ""exercise the power to make, alter and repeal ordinances and bylaws relative to the care and support of the poor." (o) establishment of fees, fines, forfeitures, penalties and enforcement protocols as authorized by C.G.S. §7-148(c)(10)(A) and C.G.S. §7-148(c)(8) in lieu of current §1-191. Derived from Sp. Laws of 1913, No. 352, §81 and language ""to prescribe fines" and "penalties, and forfeitures for the violation of any ordinances, which penalties and forfeitures may be recovered by the Corporation Counsel in an action brought for that purpose in the name of the city before the town court or any other court having jurisdiction for the use of said city." In addition, the Municipal Powers Act includes items that are not in the current charter or recited elsewhere, such as corporate powers (C.G.S. §7-148(c)(1)); personnel,(C.G.S. §7-148(c)(5)) environmental protection and regulations (C.G.S. §7-148(c)(8)); adoption of a code of ethical conduct; (j) establishing and maintain free legal aid bureaus (C.G.S. §7-148(c)(10)(C)); performing fee-based data processing and related administrative computer services to another municipality (C.G.S. §7-148(c)(10)(D)); freedom of information ordinance and board (C.G.S. §7-148(c)(10)(E)); and, provides for due execution of contract and evidence of indebtedness of the City. (C.G.S. §7-148(c)(10)(F))

[158] 2023 recodification, revision and replacement of current Article IV. The Common Council. §1-189.2.A (Third sentence) and 1-189(1) – (76). Derived from Charter Amendment 11-3-1970.

[159] 2023 recodification and modification (Subsections (b) and (c) 2023) in lieu of current Article IV. The Common Council. §1-189 (Items (1) – (76), as follows: "to provide for the due execution of contracts and of evidences of indebtedness issued by said city."

[160] NEW (2023)

[161] 2023 recodification and revision of current Article IV, The Common Council. §1-189.2.A (First sentence). Derived from Charter Amendment 11-3-1970, by eliminating the following clause: "or the preservation of good order, peace, health and safety of the City and its inhabitants."*

supersede any prior inconsistent provisions of this Charter, Special Acts or Ordinances. The functions of the following Departments, Boards and Commission are exempted from this provision:

(a) any elected departments, agencies, commissions, authorities or boards, including those elected by Taxing Districts;

(b) Police Department;

(c) Fire Department;

(d) Planning and Zoning Commission;

(e) Board of Estimate and Taxation;

(f) Chief Financial Officer; and,

(g) Corporation Counsel [162].

Notwithstanding the foregoing, an affirmative vote of two-thirds of the entire membership of the Common Council is required to take any action authorized by this sub-section (3), and shall be subject to action by the Mayor as set forth in §4-8.D(1), above[163].

Commented [SGM26]: Errata.

(4) Create, merge, consolidate or eliminate Boards or Commissions, either upon request of the Mayor or upon its own motion, in accordance with Article VII[164] Notwithstanding the foregoing, an affirmative vote of two-thirds of the entire membership of the Common Council is required to take any action authorized by this sub-section (4), and shall be subject to action by the Mayor as set forth in §4-8.D(1), above[165].

Commented [SGM27]: Errata.

[162] 2023 recodification and modification of current Article IV. The Common Council. §1-189.2.B Derived from Charter Amendment 11-3-1970.
[163] 2023 recodification and modification of current Article IV. The Common Council. §1-189.2.D. Derived from Charter Amendment 11-3-1970. The following provision is repealed: ""Protection of the Holders of Debt. In taking action under this section, the Council shall adopt appropriate provisions protecting the interests of any holders of debt which may have been issued by any administrative department affected by such action of the Council, prior to any ordinance enacted pursuant to this section, and the Council shall also adopt appropriate provisions regarding future issuance of debt instruments," derived from The Common Council. §1-189.2.C, derived from Charter Amendment 11-3-1970.
[164] 2023 recodification and revision of current Article IV, The Common Council. §1-189.2.A (First sentence). Derived from Charter Amendment 11-3-1970, by eliminating the following clause: "or the preservation of good order, peace, health and safety of the City and its inhabitants."*
[165] 2023 recodification and modification of current Article IV. The Common Council. §1-189.2.D. Derived from Charter Amendment 11-3-1970. The following provision is repealed: ""Protection of the Holders of Debt. In taking action under this section, the Council shall adopt appropriate provisions protecting the interests of any holders of debt which may have been issued by any administrative department affected by such action of the Council, prior to any ordinance enacted pursuant to this section, and the Council shall also adopt appropriate provisions regarding future issuance of debt instruments," derived from The Common Council. §1-189.2.C, derived from Charter Amendment 11-3-1970.

(5) Approve or disapprove Mayoral appointments or the nominees of other Appointing Authorities, if any, to (a) Boards and Commissions; and, (b) Department Heads and other Mayoral Executive-Level Appointees in the manner set forth in Articles VII and VIII;

(6) Remove the Mayor or other Public Official or expulsion of Councilmembers in the manner set forth in Article III;

(7) Undertake public improvements and prescribe the form of proceeding and mode of assessing benefits and appraising damages in taking land for public use as the time and manner in which the benefits assessed shall be collected[166];

(8) License, regulate, or prohibit the manufacture, keeping, sale, or use of fireworks, torpedoes, fire crackers, gun powder, petroleum, or other explosive or inflammable substances, and the conveyance thereof[167];

(9) Regulate the discharge of fire arms[168];

(10) Provide the mode for keeping and auditing the accounts of the City and adjusting claims against the City[169];

(11) To fix the salaries[170], approve the salary ranges and compensation for officers and employees of the City and to prescribe the general duties of the officers and employees[171],

(12) Provide a public seal[172];

(13) Prescribe the amount of bonds to be given by City officers or employees and to confer upon the officers of the City all proper authority to enable them to discharge their duties[173];

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[166] 2023 recodification and edit of current Article IV. The Common Council. §1-189 (thirty-first clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.
[167] 2023 recodification of current Article IV. The Common Council. §1-189 (twenty-fifth clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.
[168] 2023 recodification of current Article IV. The Common Council. §1-189 (twenty-sixth clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.
[169] 2023 recodification of current Article IV. The Common Council. §1-189 (sixth clause). Derived from Sp. Laws 1913, No. 352, §80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.
[170] 2023 recodification of current Article IV. The Common Council. §1-189 (sixth clause). Derived from Sp. Laws 1913, No. 352, §80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.
[171] 2023 recodification of current Article IV. The Common Council. §1-189 (sixth clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.
[172] 2023 recodification of current Article IV. The Common Council. §1-189 (sixtieth clause). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3.
[173] 2023 recodification of current Article IV. The Common Council. §1-189 (first clause). Derived from S Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3. Repeal of the following: (1) regulate (a) the

C. Historical Powers of the Common Council[174]. The Council retains the following historical powers:

storing and hiring of lumber (current Article IV. The Common Council. §1-189 (twenty-eighth clause) Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3); (b) weights and measures (current Article IV. The Common Council. §1-189 (fifty-fourth clause); and (c) protect public buildings, property, and structures from injury (current Article IV. The Common Council. §1-189 (Fifty-seventh clause) derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, §3)

[174] 2023 recodification of current Article IV. The Common Council. §1-189 (Items (1) – (56). Derived from Sp. Laws 1913, No. 352, § 80; Sp. Laws 1921, No. 400, § 3; Sp. Laws 1929, No. 82, § 3. Historical editor's Note: (1) See §§ 1-200 to 1-202 for power to borrow money. (2) Editor's Note: A resolution adopted 10-10-1989 reads as follows: Whereas Article IV, § 1-189, of the Code of the City of Norwalk authorizes the Common Council "to establish building lines beyond which no building, step, stoop, veranda, billboard, advertising sign or other structure may be erected," and over time the Council has established such setbacks; and Whereas these setbacks are in conflict with those that are established by the Zoning Regulations, the following resolution is recommended: Resolved by the Common Council that all building setback lines established by the Common Council are hereby repealed and the setback lines as defined in the Zoning Regulations, as amended, be adopted; and Be it further resolved that all structures that conform to the Council setback lines as they exist on this date are declared to be conforming and may be rebuilt in accordance with the Council setback should they be damaged by accident or natural disaster; and (3) See Art. XV, Streets, Sidewalks and Building Lines; Ch. 101, Streets and Sidewalks. The following provisions were repealed: "to maintain an efficient police force in the Fourth Taxing District at the expense of the district…to protect the City from fire; to maintain a Fire Department in the Fourth Taxing District and to provide apparatus therefor…to purchase necessary fire engines, hose carriages, horses, and other fire apparatus at the expense of the Fourth District; to make rules and regulations for the safekeeping and preservation of all apparatus connected with and used by the Fire Departments…to provide for the collection, removal, and disposal of garbage, ashes, and refuse in the Fourth Taxing District at the expense of the district. Also repealed are historic powers of the Council as to streams, current (1) Article IV. The Common Council., §1-203, derived from Sp. Laws 1913, No. 352, §135. Historical Editor's Note: For powers of Council see § 1-189; (2) A Article IV. The Common Council., §1-425. Derived from Sp. Laws 1913, No. 352, §8; (3) Article XV, Part 1. General. Historical Editor's Note: Refer also to Ch. 101, Streets and Sidewalks; and (4) Article IV. The Common Council. §1-204 (Second and third sentences). Derived from Sp. Laws 1913, No. 352, §136. Historical Editor's Note: For powers of Council see § 1-189. Also repealed are provisions pertaining to "street, sidewalks and building lines," as follows: (1) current Article XV, Part 1. General. Historical Editor's Note: Refer also to Ch. 101, Streets and Sidewalks; (2) current Article XV, Part 1. General, §1-424. Derived from Sp. Laws 1913, No. 352, §112; (3) current Article XV, Part 1. General, §1-425. Derived from Sp. Laws 1913, No. 352, §8; and, (4) current Article XV, Part 1. General, §1-426. Derived from Sp. Laws 1913, No. 352, §123. Historical editor's Note: See Ch. 101, Streets and Sidewalks, § 101-3. Also repealed are provisions pertaining to ice and snow, as follows: current Article XV, Part 1. General, §1-427. Derived from Sp. Laws 1913, No. 352, §124; Sp. Laws 1915, No. 367, § 8. Historical editor's Note: See Ch. 101, Streets and Sidewalks, § 101-17. Also repealed are provisions pertaining to "Laying Out, Altering, Extending or Discontinuing Streets, Sidewalks and Building Lines," as follows: (1) current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing. Historical editor's Note: See Ch. 101, Streets and Sidewalks; (2) current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing, §1-438. Derived from Sp. Laws 1913, No. 352, §113; (3) current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing, §1-439. Derived from Sp. Laws 1913, No. 352, §114; Sp. Laws 1915, No. 367, §7; (4) Editor's Note: As to building lines in the Fourth Taxing District, see § 1-15, supra; and, (5) Historical Editor's Note: See § 1-363. Also repealed are provisions pertaining to "Sewers and Sewerage Disposal," as follows: current Article XVI, 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: §§ 1-459 through 1-466, Sp. Laws 1929, No. 219, §§ 1 to 8; § 1-467, Sp. Laws 1931, No. 366; §§ 1-468 through 1-471, Sp. Laws 1931, No. 23, §§ 1 to 4; § 1-472, Sp. Laws 1931, No. 539; §§ 1-473 through 1-478, Sp. Laws 1947, No. 524, §§ 1 to 6; §§ 1-479 through 1-483, Sp. Laws 1949, No. 178, §§ 1 to 5. 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) to authorize the Mayor, upon a Majority Vote of the Council, to borrow in the name of the City, and upon the responsibility of the Fourth or Fifth Taxing District, as the case may be, for the purpose of paying the running expenses of the City, money in anticipation of the collection of taxes[175];

(2) to define, designate and specify additional territory situated in the Fourth or Fifth Wards of the City, as set forth in §12-1.B, above, to be included at any time hereafter in the Fourth Taxing District thereof; to regulate the construction, erection and maintenance of billboards, advertising signs and other structures; to establish building lines beyond which no building, step, stoop, veranda, billboard, advertising sign or other structure may be erected[176];

(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 proposes 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 derived from the Special Act as set forth in subsection (c), below[177].

Commented [SGM28]: Errata.

Commented [SGM29]: ACTION ITEM #7: 042925

Commented [SGM30]: Errata.

[175] Historical editor's Note: (1) See §§ 1-200 to 1-202 for power to borrow money.

[176] Editor's Note: A resolution adopted 10-10-1989 reads as follows: Whereas Article IV, § 1-189, of the Code of the City of Norwalk authorizes the Common Council "to establish building lines beyond which no building, step, stoop, veranda, billboard, advertising sign or other structure may be erected," and over time the Council has established such setbacks; and Whereas these setbacks are in conflict with those that are established by the Zoning Regulations, the following resolution is recommended: Resolved by the Common Council that all building setback lines established by the Common Council are hereby repealed and the setback lines as defined in the Zoning Regulations, as amended, be adopted; and Be it further resolved that all structures that conform to the Council setback lines as they exist on this date are declared to be conforming and may be rebuilt in accordance with the Council setback should they be damaged by accident or natural disaster.

[177] 2025 recodification of §4-4.C(3) in to §4-4.C(3)(a) and (b) which is derived from the 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.

(c) Appeal[178]. 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.

(4) whenever in its opinion the Health Director shall require, to compel the owners of property abutting on any street or highway wherein a public sewer is laid to connect any and all buildings on such property with such public sewer and when any order is made by the Council requiring such owner to connect the owner's building or buildings with such sewer, the Clerk of the City, if the owner is a resident of the City, shall make service of said order upon such owner by leaving with the owner or at the owners usual place of abode a true copy thereof; but if such owner is not a resident of said city service of the order shall be made upon the owner by the Clerk by leaving a true copy thereof with the agent of said owner or the person in charge of said premises; and in case such owner shall neglect or refuse to connect the building or buildings with such sewer within the time limited therefor by said order, the owner or other person shall be fined One Hundred Dollars[179].

§4-5. Reorganization Plans for Divisions and Departments[180].

A. The Mayor may initiate a divisional and departmental reorganization by proposing an Ordinance, subject to an affirmative vote of two-thirds of the entire membership

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[178] 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.
[179] 2023 recodification of current Article XVI, Part 1. General, §1-458. Derived from Sp. Laws 1913, No. 352, §1338. Historical Editor's Note: For exclusion of certain territory refer to § 1-17.
[180] NEW (2023)

of the Common Council, as set forth in §8-1.D, above[181]. The reorganization plan may include Divisions and Departments created by Charter.

Commented [SGM31]: Errata.

(1) Alteration of Divisions and Departments Created by Charter. The delineation of divisional and departmental categories in this Charter are obligatory; however, the structure of the named Divisions and Departments may be altered pursuant to a reorganization plan. In this respect, any divisional or departmental categories may be reorganized and Department Heads may be reassigned (unless otherwise prohibited by Law or agreement) to other Divisions.

(2) Limitation of Reorganization Plan: Opinion of the Corporation Counsel. The reorganization plan is subject to the limitation that all governmental functions set forth in this Charter must continue to be provided to the residents of the City; unless such function has been eliminated as the result of a repealed Federal or State mandate or not otherwise deemed not to be in the best interest of the City to continue. Moreover, any reorganization plan must include specific reference to the divisional and departmental function(s) set forth in this Charter that will be carried out in the reorganization and must include an opinion of the Corporation Counsel verifying that the functional requirements of the Charter will be maintained in the reorganization plan.

§4-6. Grants and Leases of Real Estate: Council Approval and Mayoral Signature[182].

All grants and leases of real estate belonging to the City authorized by the Council must be signed by the Mayor and sealed with the City seal.

§4-7. Additional Council Authority.

A. Council Appointments[183]. All appointments to office or to any position when the appointing power is vested with the Council, which necessarily includes all appointments not otherwise conferred upon the Mayor, must be made by a plurality of votes passed in the Council, the Mayor having a vote only in case of a tie.

B. Designation of Duties for Appointive Officers[184]. The duties of all Appointed Public Officials not in this Charter particularly designated must be prescribed by the Council.

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[181] 2023 recodification of current Article IV. The Common Council. §1-189.4 (Fifth sentence). Added by Charter Amendment 11-3-1970. New language in lieu of the following: "approval of the Mayor as set forth in §191 of the Charter (1956 Edition), §1-197 (1970 Edition). This section shall take effect on January 1, 1971."
[182] 2023 recodification of current Article IV. The Common Council. §1-195. Derived from Sp. Laws 1913, No. 352, §84.
[183] 2023 recodification and minor edit of current Article V, Part 1 – General. §1-219. Derived from Sp. Laws 1913, No. 352, §75. Historical Editor's Note: See also § 1-223.
[184] 2023 recodification of current Article V, Part 1 – General. §1-220. Derived from Sp. Laws 1913, No. 352, §76.

C. Compensation Fixed by Council. The compensation of all officers and employees of the City of Norwalk shall be fixed by the Council, in accordance with applicable collective bargaining agreeme nts, except the salary of the Councilmembers, who shall receive no less than Six Hundred ($600) Dollars per annum and such additional compensation as may be permitted by Law[185].

Commented [SGM32]: CRC Approved 01212025

§4-8. Procedure for Enacting Ordinances and Other Legislative Actions.

A. Procedure[186]. All Ordinances must be submitted to the Common Council, referred to the appropriate Committee and reported back to the Council, unless assigned by the President to the Committee of the Whole.

B. Required Public Hearing as to Ordinances[187]. Before the Common Council adopts any Ordinance, the Council or a committee thereof must hold a Public Hearing in relation thereto, at which all persons shall have an opportunity to be heard.

(1) Public Notice[188]. Public Notice of the time and place of such Public Hearings, together with a copy of the proposed Ordinance, must be posted or published as required by Ordinance, in accordance with the provisions of this Charter or as may otherwise be required by the General Statutes, not more than fifteen nor less than seven Days prior to the date of such Public Hearing.

(2) Post-Hearing Modifications of Ordinance[189]. The Common Council or any of its committee may, after the Public Hearing, make such changes or alterations in the form or content of a proposed Ordinance as seems appropriate or necessary as a result of the Public Hearing held in connection therewith. Such changes, additions or alterations does not require further Public Hearing.

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[185] 2025 revision of the 2023 recodification of then Article V, Part 1 – General. §1-225. Derived from Sp. Laws 1913, No. 352, §172; Charter Amendment 9-2-1980. Historical Editor's Note Approved by the electorate at the general election held 11-4-1980. **Comment of the 2025 Charter Revision Commission:** At the time of the adoption of this Charter the statute governing the alteration of legislative compensation is C.G.S. §7-460. There are provisionbs of the State Constitution that address the frequency of compensation adjustments

[186] NEW (2023)

[187] 2023 recodification and modification of current Article IV. The Common Council. §1-191.1.A (First sentence). Amended by Charter Amendment 9-2-1980. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.

[188] 2023 recodification and modification of current Article IV. The Common Council. §1-191.1.A (Second and third sentences). Amended by Charter Amendment 9-2-1980. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.

[189] 2023 recodification of current Article IV. The Common Council. §1-191.1.B. Amended by Charter Amendment 9-2-1980. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.

(3) Emergency Ordinances[190]. The provisions of this section do not apply to Ordinances which are designated by the Common Council as emergency in nature and requiring immediate action.

C. Procedures for Resolutions, Orders, Motions, Votes and Other Legislative Actions. The Common Council must establish rules of procedure for the adoption of Resolutions and other legislative actions, including, but not limited to, orders and motions.

D. Transmittal of Council Actions to the Mayor[191]. Every proposed Ordinance, or Resolution mandated by the General Statutes requiring executive action, must be transmitted to the Mayor ("Legislative Measure(s)"). Any legislative action pertaining to the organization of the Council, to its own officers or employees, to the removal of the Mayor or to the declaration of a Vacancy in the office of Mayor is not subject to action by the Mayor.

(1) Mayoral Action.

(a) Approval or Veto[192]. The Mayor must either: (i) approve the Legislative Measure within six Days, in which case it will become operative and effectual or, (ii) veto (disapprove) the same and return it to the Council within six Days, accompanied by specific statement of objections, in writing.

(b) Failure to Take Action[193]. If the Mayor refuses or neglects to approve or disapprove any Legislative Measure, transmitted under this section within six Days after its reception, such measure shall become operative and effectual as though approved by the Mayor, subject to the provisions of §4-10.

(2) Council Reconsideration: Override of Mayoral Veto[194]. After such statement of objections has been read, the Council must proceed to reconsider its vote on such measure. If, after such reconsideration, the Council again passes it by a recorded affirmative vote of not less than two-thirds of the entire membership of the Council, it shall become operative and effectual without the approval of the Mayor; subject to the provisions of §4-10, above.

Commented [SGM33]: Errata.

[190] 2023 recodification of current Article IV. The Common Council. §1-191.1.C. Added by Charter Amendment 8-13-1974. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-5-1974.
[191] 2023 recodification and modification of current Article IV. The Common Council. §1-197 (First clause of the sixth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.
[192] 2023 recodification and modification of current Article IV. The Common Council. §1-197 (First clause of the sixth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.
[193] 2023 recodification and edit of current Article IV. The Common Council. §1-197 (Ninth sentence). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.
[194] 2023 recodification of current Article IV. The Common Council. §1-197 (Seventh and eighth sentences). Derived from Sp. Laws 1913, No. 352, § 86; Sp. Laws 1921, No. 400, §4.

E. Publication of Ordinances; Effective Date[195]. No Ordinance will take effect until the same has been published as required by the General Statutes nor until the lapse of the time for filing a petition under the provisions of §4-10, above.

Commented [SGM34]: Errata.

§4-9. Audit of Accounts[196].

A. Appropriation of funds to defray expenses of Audit[197]. The Board of Estimate and Taxation[198] of the City of Norwalk is required to appropriate funds sufficient to defray the expense of the annual audits provided for by this provision.

B. Accounts; Reports to Council. Between August 15th and September 15th of each year, the Board of Estimate and Taxation must appoint an accountant or a firm of accountants to conduct an audit of the accounts and transactions of the City of Norwalk for the fiscal year commencing the previous July 1st. On or before the regular Council meeting in January, the accountant or accountants employed is required to report in writing to the Common Council the results of the examination. The accountant or firm of accountants may make interim reports to the Common Council and the Board of Estimate and Taxation at any time before completion of the final audit.

C. Accountant Qualifications[199]. The accountant or accountants shall be certified as may be required by the General Statutes and must have practiced accountancy in the State for at least five years immediately preceding the appointment.

§4-10. Referendum Procedure ("Petition for Overrule"): Matters Subject to Referendum; Procedure[200].

Any provision of this Charter to the contrary notwithstanding, every Ordinance hereinafter enacted and every exercise of authority of the Common Council, Board of Estimate and Taxation, or any other Board or Commission, except as otherwise prohibited by the Acts of the General Assembly, the Constitution of the State of Connecticut or the

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[195] 2023 recodification and modification of current Article IV. The Common Council. §1-193. Derived from Sp. Laws 1913, No. 352, § 83. Amended by Charter Amendment 9-2-1980. No reference to Special Act. Historical editor's Note: Approved by the electorate at the general election held 11-4-1980.
[196] 2023 recodification of current Article V, Part 8. Audit of Accounts. Historical Editor's Note: See §§ 1-239 to 1-241.
[197] 2023 recodification of current Article V, Part 8. Audit of Accounts, §1-285. Derived from Sp. Laws 1945, No. 316, §1.
[198] Historical Editor's Note: As to the Board of Estimate and Taxation in general, see Art. VI.
[199] 2023 recodification and modification of current Article V, Part 8. Audit of Accounts, §1-287. Derived from Sp. Laws 1945, No. 316, §3,
[200] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669. Derived from Charter Amendment 8-8-1974(I); Charter Amendment 8-17-1976;[2] Charter Amendment 11-5-1996.). Historical Editor's Note I: Approved by the electorate at the general election held 11-5-1974. Former §1-669, originally part of Article XXII, Extension of Fire Protection, was repealed by Charter Amendment of 11-3-1970, effective 7-1-1971. Historical Editor's Note II: Editor's Note: Approved by the electorate at the general election held 11-2-1976. § 1-670. through § 1-671. (Reserved) Editor's Note: Former §§ 1-670 and 1-671, originally part of Article XXII, Extension of Fire Protection, were repealed by Charter Amendment of 11-3-1970, effective 7-1-1971..

Constitution of the United States, or as exempted in accordance with §4-10.I(7) herein below, shall be subject to Referendum, as defined, which results shall be binding upon the Common Council, Board of Estimate and Taxation, or any other Board or Commission which enacted the Ordinance or exercised the authority which is the subject of the Referendum action[201].

A. Upon a petition of not less than four percent of the Electors of the City of Norwalk qualified to vote in the previous general election filed, in accordance with this provision of the Charter, with the City Clerk asking that any such Ordinance or exercise of authority be submitted to the voters of the City, such Ordinance or exercise of authority shall be so submitted[202].

B. No Ordinance or other exercise of authority shall be subject to referendum unless, within seven Days of the time that the Ordinance is passed or exercise of authority is taken, a written request including the particular question or proposal to be subject to referendum is filed by at least four Electors of the City of Norwalk, duly notarized, for the issuance of forms of petition for the referendum with the City Clerk, together with a fee of twenty-five dollars[203].

C. Within three Days of the receipt of a request in accordance with §4-10.B above, the City Clerk shall cause to be prepared a form of petition for referendum in at least five hundred copies, each of which shall be marked with the Seal of the City of Norwalk, and shall notify by registered mail the Electors named in the aforesaid request for petition forms that such petition forms are available in the office of the City Clerk. The petition forms shall be available at the office of the City Clerk on the Day that the notice is mailed as hereinbefore provided and shall be released by the City Clerk upon demand at that time or any time thereafter to any of the Electors referenced in §4-10.B, above[204].

D. No Ordinance or exercise of authority shall be subject to referendum unless, within twenty-five Days of the mailing of notice in accordance with §4-10.C, above, there shall be returned to the City Clerk as a lot by any of the named Electors of the aforesaid request for petition, the petition forms containing the signatures, with addresses, of four percent of the Electors of the City of Norwalk on the petition forms requesting such referendum issued by the City Clerk[205].

E. Role of the City Clerk.

(1) Question or Proposal. The City Clerk shall cause the question or proposal to be reprinted on each petition form as submitted by the Electors in their written request for the issuance of petition forms pursuant to §4-10.B above, except that the City Clerk may rephrase or remove any language which is ambiguous,

[201] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.6
[202] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.1
[203] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.2
[204] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.3
[205] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.4

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misleading, scandalous, libelous, repetitive, presents the question or proposal in an outlandish or impractical form, is inconsistent with §4-10.E(2) hereof, or is otherwise contrary to law; but in no event shall the City Clerk rephrase or remove any language in such a manner which could contravene, defeat, vary or evade the clearly expressed purpose and intent of any question or proposal so submitted which may lawfully be the subject of referendum under the provisions of this Article, the General Statutes and the Constitution of the State of Connecticut[206].

(2) Capital Budget, Operating Budget or Any Other Appropriation or Part Thereof. When the question or proposal to be reprinted concerns the Capital Budget, Operating Budget, any other appropriation, or any part thereof, the question or proposal may either (i) call for disapproval of the Capital Budget, Operating Budget, any other appropriation or any part thereof, or (ii) specifically state whether the Capital Budget, Operating Budget, any other appropriation or any part thereof is to be decreased by a specified dollar amount or percentage. If the question or proposal as submitted by the Electors in their written request for the issuance of petition forms pursuant to §4-10.B above specifically states whether the Capital Budget, Operating Budget, any other appropriation or any part thereof is to be decreased by a specified dollar amount or percentage, the City Clerk shall specifically and clearly state such dollar amount or percentage of decrease in the question or proposal reprinted on the petition forms[207].

(3) The City Clerk shall cause to be reprinted on each petition form the question or proposal in accordance with the provisions of §4-10.E(1) and (2), above, which shall be followed by sufficient lines for the signatures and addresses of twenty Electors. Below the lines the City Clerk shall cause to be reprinted on the petition forms language substantially as follows:

The undersigned Elector of the City of Norwalk hereby attests that[208]:

(a) Each person whose name appears on this page personally signed the same in my presence[209].

(ii) Each person whose name appears on this page is either personally known to me or satisfactorily identified himself or herself to me[210].

I recognize that the above statements are made by me subject to the penalties for false statement.

Signature of circulator

[206] 2023 recodification of current Article XXII. “Referendum Procedure,”. §1-669.5.a
[207] 2023 recodification of current Article XXII. “Referendum Procedure,”. §1-669.5.b.
[208] 2023 recodification of current Article XXII. “Referendum Procedure,”. §1-669.5.c.
[209] 2023 recodification of current Article XXII. “Referendum Procedure,”. §1-669.5.c.1.
[210] 2023 recodification of current Article XXII. “Referendum Procedure,”. §1-669.5.c.2.

Names and address of circulator (to be typed or printed)

F. Certification of Petitions to the City Clerk by the Town Clerk. The Town Clerk shall review all petition forms returned hereunto within five business Days of their receipt by the City Clerk and shall certify to the City Clerk[211]:

(1) The number of validated signatures necessary to equal the signatures of eight percent of the Electors of the City[212].

(2) The number of valid signatures on each page of the petition forms. The City Clerk shall then, within two Days of the receipt of the petition forms from the Town Clerk, issue a statement by registered mail addressed to the Electors named in the request for petition forms pursuant to §4-10.B above either (a) verifying the timely receipt of the petition forms in proper order containing the signatures of eight percent of the Electors of the City; or, (b) issuing a statement that such petition forms were not timely received by the City Clerk or were not in proper order or contained less than the signatures of eight percent of the Electors of the City[213].

(3) No action shall be taken pursuant to any Ordinance or exercise of authority subject to referendum under this Article until seven Days shall have passed after the adoption of such Ordinance or after the taking of the decision to exercise authority as aforesaid. In the event that a request is received by the City Clerk in accordance with §4-10.B above, no such action shall be taken until the City Clerk shall have issued a statement pursuant to §4-10.G, above. In the event that the City Clerk issues a statement verifying the timely receipt of petition forms in proper order containing the signatures of eight per cent of the Electors of the City, then no such action shall be taken until the referendum election on such Ordinance or exercise of authority is held and the Ordinance or exercise of authority is upheld; provided, however, that any Ordinance or exercise of authority designated as an emergency measure by the municipal authority so acting shall be fully and immediately effective unless and until disapproved at a referendum election[214].

G. Verification of Timely Receipt of Petition Forms.

(1) In the event that the City Clerk issues a statement verifying four percent of the Electors of the City as provided in §4-10.A , above, then within three Days of the date on which the statement verifying the petition forms is deposited in the mail, the Common Council shall meet and determine the date of the referendum and shall instruct the City Clerk to issue Public Notice[215] according to this Charter or the General

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[211] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.7
[212] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.7.a.
[213] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.7.b.
[214] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.8.
[215] In lieu of "warning."

Statutes; provided, however, in the case of a special election, such Public Notice shall be issued by the City Clerk within three Days after instruction by the Common Council[216].

(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 Notice[217] therefor in accordance with the requirements of §2-2.B(29),above._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 Notice thereof therefor in accordance with the requirements of §2-2.B(29)[218].

H. No question or proposal shall be approved unless, at the election at least twenty-five percent of the Electors of the City cast a ballot with respect to such question or proposal[219] and the majority of such Electors vote to approve the question or proposal.

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I. Effect of Referendum.

(1) Every referendum pursuant to this Article and any question or proposal approved by the Electors of the City shall be binding, final and mandatory upon the Common Council, Board of Estimate and Taxation, or any other City Board or Commission which enacted the Ordinance or exercised the authority which is the subject of the referendum action, unless the same has been exempted in accordance with §4-10.I(7), above[220].

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(2) If, upon the official determination of the result of such referendum, the question or proposal has been approved by the electors, such question or proposal shall take effect forthwith[221].

(3) Whenever the question or proposal so voted upon concerns the Capital Budget, Operating Budget, or any other appropriation or any part thereof and the

[216] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.9.a
[217] In lieu of "warning."
[218] 2025 revision of §4-10.G(2) which is derived from the 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.9.b
[219] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.10
[220] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.a.
[221] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.b.

question or proposal as submitted by the electors in their written request for the issuance of petition forms pursuant to §4-10.B, above, specifically provided whether the Capital Budget, Operating Budget, any other appropriation or any part thereof is to be decreased by a specified dollar amount or percentage, the decrease shall take effect forthwith; provided, however, that the appropriate municipal authority shall meet within three Days of the referendum to determine in what manner the mandated decrease of the dollar amount or percentage shall be effected, unless the manner of the implementation of the decrease is otherwise provided for in the question or proposal so approved, in which event no such meeting shall be required[222].

(4) Whenever the electors of the City of Norwalk approve any question or proposal at any referendum requiring the Operating Budget to be decreased, the Board of Estimate and Taxation shall meet within three Days and shall lower the mill rate in accordance with the decrease. Nothing herein shall be interpreted as requiring any action by the Board of Estimate and Taxation in order for the decrease to take effect forthwith. As to the manner of the implementation of the exercise of the decrease, the provisions of §4-10.I(3), above, shall apply[223].

(5) In the event that a referendum is held and the Capital Budget, Operating Budget, any other appropriation or any part thereof submitted to the electorate in the referendum shall be disapproved, but the question or proposal as submitted by the electors in their written request for the issuance of petition forms pursuant to §4-10.B, above did not specifically provide whether the Capital Budget, Operating Budget, any other appropriation or any part thereof is to be decreased by a specified dollar amount or percentage, then within three Days after the election the Board of Estimate and Taxation shall hold a Public Hearing on the appropriations and shall make such alterations or adjustments therein and shall decrease the tax rate to correspond to such changes as are appropriate to reflect the wishes of the electors; provided, however, that the Board of Estimate at such meeting shall not approve any increase in total appropriations above the amount provided for in the disapproved budget, appropriation or part thereof[224].

(6) Notwithstanding any other provision hereof, if two or more conflicting questions or proposals shall be approved by the electors at the same referendum election, the question or proposal receiving the greatest number of affirmative votes shall prevail in all particulars as to which there is a conflict, so long as such question or proposal has met the requirements of §4-10.G,above[225].

(7) Notwithstanding any other provision hereof, any appropriations fixed by the Board of Estimate and Taxation pursuant to §4-10.I (3) – (5), above, shall be final,

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[222] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.c.
[223] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.d
[224] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.e.
[225] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.f.

and the actions taken by the Board of Estimate and Taxation pursuant to those sections shall be exempt from any further referendum as to the actions[226].

J. Miscellaneous.

(1) Each paragraph, subparagraph and each provision of each paragraph and subparagraph of this Article shall be separable, and the invalidity of any portion of any paragraph, subparagraph or any provision of any paragraph or subparagraph shall not affect the validity or enforcement of any other portion. Should any provision be found to be invalid as to any circumstance, such provision shall apply to all other circumstances to which such provision may lawfully apply[227].

(2) Should any provision of this §4-10 conflict with any other provision of any other section of this Article, or any other Article of this Charter, the provision of §4-10 shall apply, be considered supreme, and supersede such other provision, unless such other provision specifically states that it is exempt from the application of this §4-10[228].

[226] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.11.g
[227] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.12.a.
[228] 2023 recodification of current Article XXII. "Referendum Procedure,". §1-669.12.c.

ARTICLE V: THE MAYOR

§5-1. Authority of the Chief Executive Officer[229].

At each general municipal election, a Mayor shall be chosen by the Electors of the City. The Mayor shall be the chief executive officer of the City and, as such, the executive and administrative powers of the City are vested in the Mayor[230]. The Mayor shall receive compensation as set by the Council and must devote full time to the duties of the office.

§5-2. Powers and Duties of the Mayor.

The Mayor shall have the authority to take such actions (1) necessarily or fairly implied in or incident to the powers expressly granted by Law, including, but not limited to, the General Statutes and Special Acts; and, (2) essential to the declared objects and purposes of the City, not simply convenient, but indispensable[231]. In addition to those powers and duties and as further specified elsewhere in this Charter, the Mayor shall:

A. Take care that the Laws, including the Ordinances, be faithfully and vigilantly executed and enforced[232].

B. (1) Preside at all meetings of the Council following notice of the time and place of holding of meetings and may attend the Council Committee meetings, but shall have no vote therein, except in the case of a tie as set forth in §4-2.A(1)[233]; (2) Recommend the adoption of such measures connected with the peace, security, health, cleanliness, and general well-being of the City, and the improvement of its government and finances as the

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[229] 2023 recodification and modification of current Article V, Part 2 – Mayor. 1-226 (First sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.

[230]2023 modification of current Article V, Part 2 – Mayor. 1-229, Derived from Sp. Laws 1913, No. 352, §64. Historical Editor's Note: See § 1-216 for powers and duties of Selectmen. In lieu of the following: "All duties required by law of Selectmen of towns, except such as are imposed upon them by the constitution of the state, shall be performed by the Mayor except as otherwise herein provided.'.

[231] Among the duties and powers of the Mayor in the current charter that are repealed are the following: (1) the ability to exercise the powers of Sheriffs and to call out military forces of the state to enforce the laws of the City as set forth in current Article V, Part 2 – Mayor. 1-226 (Ninth sentence), derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201; (2) power to issue warrants for the collection of taxes, etc… as set forth in current Article V, Part 2 – Mayor. 1-226 (Fifth sentences), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201: (3) serve as Superintendent of Police Forces and conservator fo the peace of the City as set forth in current Article V, Part 2 – Mayor. 1-226 (Sixth and seventh sentences), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201; (4) the ability to enter any house, building, place or enclosures for assorted reasons as set forth in current Article V, Part 2 – Mayor. 1-226 (Eighth sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.

[232] 2023 recodification and modification of current Article V, Part 2 – Mayor. 1-226 (First sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.

[233] 2023 recodification of current Article V, Part 2 – Mayor. 1-226 (Second sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.

Mayor deems expedient, and, (3) Communicate to the Council at the end of each fiscal year a statement of the condition of the City in relation to its government, expenditures, finances, and improvements, which statement must be entered upon the records of the City within five Days after its reception, and published in such manner as the Council shall order[234].

C. Execute contracts and other papers on behalf of the City[235].

D. Administer oaths and take acknowledgments of deeds and other instruments[236].

E. Employ attorneys, other than the Corporation Counsel, in matters affecting the interest of the City, and all services rendered to the City by such attorneys shall be paid for in the same manner as other claims against the City, in the event the Mayor deems it necessary, subject to the consent of a Majority Vote of the Council[237].

F. Assign members of the clerical staff of any department, except that of the Board of Education, to work temporarily in any other department under the direction of the head thereof, when in the judgment of the Mayor needs of the City service require such assignment[238].

G. Serve as an ex officio voting member of the Board of Estimate and Taxation, Police Commission, and Fire Commission as set forth in §7-2.A, B and C[239].

§5-3. Mayoral Appointments[240].

A. The Mayor upon the commencement of the term of office shall, except as

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[234] 2023 recodification of current Article V, Part 2 – Mayor. 1-226 (Tenth sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.
[235] 2023 recodification and edit of current Article V, Part 2 – Mayor. 1-226 (Third sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.
[236] 2023 recodification and edit of current Article V, Part 2 – Mayor. 1-226 (Fourth sentence), Derived from Sp. Laws 1913, No. 352, §63. Historical Editor's Note: For authority of Mayor to borrow money see Ch. 9, Administration, and § 1-201.
[237] 2023 recodification and modification of current Article V, Part 2 – Mayor. 1-230, Derived from Sp. Laws 1913, No. 352, §66.
[238] 2023 recodification of current Article V, Part 2 – Mayor. 1-232, Derived from Sp. Laws 1945, No. 269.
[239] NEW (2023).
[240] 2023 recodification and modification of (1) current Article V, Part 1 – General. §1-218. Derived from Sp. Laws 1913, No. 352, §74. Historical Editor's Note: See § 1-227 for powers and duties of appointive officers, in lieu of the following: "All officers required by law to be appointed by towns and by Selectmen of towns, not herein otherwise provided for, shall, on and after the first (1st) Monday of October, 1913, be appointed by the Mayor, subject to confirmation by the Council;" and (2) current Article V, Part 2 – Mayor. 1-227 (First sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978, in lieu of the following: "The Mayor of the City of Norwalk to be elected at the city election to be held on the Tuesday after the first (1st) Monday in November 1979, and each Mayor elected biennially thereafter, shall make all appointments to city offices as provided by this Charter on the Day of his taking office as Mayor."

otherwise provided in this Charter:

(1) Appoint, subject to §7-1.B, all members of all vacancies on Boards and Commissions created pursuant to the General Statutes, this Charter or Ordinance.

(2) Appoint, subject to §8-2.A(1) – (4), the Division Chiefs, Department Heads and Other Mayoral Executive-Level Appointees, except as otherwise provided in this Charter or collective bargaining agreement, and such other officers and employees of the City as this Charter or an Ordinance of the Council consistent therewith may provide.

B. This provision shall not apply to Elected Officials who are Department Heads[241]. Nothing in this section shall deprive the Council of the power of confirming any appointments for offices when Confirmation by the Common Council is required by the Charter or Ordinances[242].

§5-4. Organization of the Office of the Mayor[243].

A. Appropriations. The Mayor may appoint a Chief of Staff (or equivalent position) in accordance with §8-2.A(1), and such other clerical staff and assistants for which sufficient funds must be appropriated in the Operating Budget.

B. Division Chiefs. The Mayor may appoint as employees of the City, except as otherwise provided by this Charter, Division Chiefs as set forth herein. The Division Chiefs must have professional qualifications in their applicable field, including, but not limited to, economic and community development, community and human services, public administration and operations, infrastructure and public works, public safety or public finance. The Division Chiefs are required to aid the Mayor in the carrying out of the Mayor's duties as chief executive and administrative officer of the City. The qualifications for the Division Chiefs must be prepared in accordance with nationally accepted professional standards and best practices in the applicable field and must be updated prior to the appointment of a new Chief.

§5-5. City Clerk.

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[241] NEW (2023).
[242] 2023 recodification of current Article V, Part 2 – Mayor. 1-227 (Fifth sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. The following language from current Article V, Part 2 – Mayor. 1-228, derived from Sp. Laws 1933, No. 255, has been repealed: "The Mayor of the City of Norwalk may, with the approval of any appointive or elective officer of said City, appoint a person to perform all the duties and exercise all the powers of such office during such time as such officer shall be incapacitated by illness or absence from said City. Such appointee shall furnish an adequate bond for the performance of such duties. The Mayor shall notify such appointee of his release from such appointment upon notice from such officer of his ability to resume his duties."
[243] NEW (2023).

A. Appointment, Term, and Salary of City Clerk[244]. Upon the commencement of the term of office, the Mayor shall appoint the City Clerk, subject to the approval of the Common Council, §8-2.A(1). The salary of the City Clerk must be set by Ordinance.

B. Duties of the City Clerk[245]. The Clerk of the City shall also be Clerk of the Council, and must keep and maintain records of all the votes and proceedings of the City, and of the Council. Moreover, the Clerk is required to:

(1) cause the Ordinances to be published as required by the General Statutes;

(2) cause to be served by the City Sheriff or other proper officer all Public Notices or orders of the Council and enter upon the records the return of such service;

(3) issue over the signature of the Clerk such licenses and permits as may be granted by the Council or prescribed by this Charter and the Ordinances, and keep a record of the licenses and permits;

(4) collect the money due for such licenses or permits and pay the same to the City, in accordance with the financial procedures of the City;

(5) collect all such bills as the Council may order, and account for the same to the Mayor and other Public Officials, as directed by the Mayor;

(6) perform all such duties as may be required by this Charter or by any vote or Ordinance of the Council;

(7) maintain a record of all amendments to this Charter and all Ordinances;

(8) keep the Office of the Clerk open at such hours as directed by the Mayor and/or the Council;

(9) serve as Clerk of the Board of Estimate and Taxation; thereby responsible for keeping true records of all the votes and proceedings of the Board, which records must be, at all times, open to public inspection and preserved in the records of the City[246]; and,

(10) serve as the Clerk of the Board of Assessment Appeals.

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[244] 2023 recodification of current Article V, Part 3 – City Clerk §1-233. Derived from Sp. Laws 1947, No. 208, §1; Charter Amendment 9-2-1980. Historical Editor's Note: Approved by the electorate at the general election held 11-4-1980.
[245] 2023 recodification and edit of current Article V, Part 3 – City Clerk §1-234. Derived from Sp. Laws 1913, No. 352, § 67. Historical Editor's Note: See also § 1-217
[246] Historical Editor's Note: See § 1-289, Mayor as ex officio member of Board of Estimate and Taxation; Board in general.

All records of the Clerk shall have the same validity as records of Town Clerks and shall be treated in all courts as evidence of the truth of the matters therein contained, and a duly certified copy of any such records shall be received in all courts as evidence of the same validity as the original record[247].

C. Assignment of City Clerk Duties by Mayor[248]. In addition to the duties prescribed in the existing provisions of the Charter, the City Clerk shall perform such duties as are assigned by the Mayor. In the absence of the Mayor and President of the Council, the City Clerk must attend all meetings of all Boards and Commissions of which the Mayor is a member or an ex officio member, but at such meetings the Mayor or any Public Official attending in the absence of the Mayor shall have no vote.

D. Appointment of Assistant City Clerk[249]. The Council may at any time appoint an Assistant Clerk who shall provide administrative assistance to the Council under the direction of the President, and shall, in the absence or in case of the disability or death of the Clerk, perform all the duties of the Clerk. All records and acts of the assistant shall have the same validity as the records of the Clerk.

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[247]Historical Editor's Note: For custody of City Seal, see Ch. 7, General Provisions, § 7-10.
[248] 2023 recodification of current Article V, Part 3 – City Clerk §1-235. Derived from Sp. Laws 1947, No. 208, §2.
[249] 2023 recodification of current Article V, Part 3 – City Clerk §1-236. Derived from Sp. Laws 1913, No. 352, §68.

ARTICLE VI: OTHER ELECTED OFFICIALS

§6-1. Town Clerk.

A. There shall be a Town Clerk as required by the General Statutes and as set forth in this Charter[250].

B. Powers and Duties[251] The Town Clerk shall have all the powers and duties[252] prescribed by the General Statutes and this Charter and such other powers and duties as may be prescribed by the Council.

(1) Registrar of Vital Statistics[253]. The Town Clerk also serves as Registrar of Vital Statistics, unless otherwise set forth by the General Statutes[254].

(2) General Responsibilities. The Town Clerk supervises the processing, interpreting, indexing and recording of all land transactions, vital statistics, and official documents. The Clerk is also custodian of the Town Seal and Registrar of Vital Statistics Seal. Moreover, the Town Clerk is responsible for the following services and functions, unless otherwise specified by Law.

(a) Public Information. Creating procedures for the public to review public records and documents and providing technical information and assistance to title searchers, attorneys, and members of the public. Moreover, the Clerk is responsible for responding to general inquiries of the public.

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[250] NEW (2023).
[251] 2023 recodification and restatement of current Article V, Part 1 – General. §1-217. Derived from Sp. Laws 1913, No. 352, §73.
[252] NEW (2023). Some of the responsibilities of the Town Clerk are set forth in C.G.S. Title 7, Chapter 92. This is not the exhaustive list. (1) § 7-16. Bond (Repealed); (2) § 7-16a. Notice to Secretary of the State of appointment of town clerk, vacancy in appointed office of town clerk; (3) § 7-17. Oath of town clerks; (4) § 7-18. Neglect of duty (Repealed); (5) § 7-19. Assistant town clerks. Notice to Secretary of the State of appointment, vacancy; (6) § 7-20. Acting town clerk; (7) § 7-21. Town clerk pro tempore; (8) § 7-22. Removal of town clerks; (9) § 7-22a. Certification program for town clerks; (10) § 7-23. Records and copies; (11) § 7-24. Recording of instruments; safekeeping of records; recording of illegible instruments; (12) § 7-25. Index; (13) § 7-25a. Electronic indexing system; (14) § 7-26. Errors to be corrected; (15) § 7-26a. Indemnification of clerk with respect to claims arising out of land record errors; (16) § 7-27. Municipal records to be kept in fire-resistive vaults or safes; (17) § 7-27a. Destruction of original land records or instruments; (18) § 7-27b. Removal of Social Security number from document prior to recording on land records; (19) § 7-28. Indexing of mechanic's lien; (20) § 7-29. Release or assignment of mortgage or lien; (21) § 7-30. Attachment of real estate; (22) § 7-31. Maps of surveys and plots, filing requirements, copies; (23) § 7-32. Index of surveys and maps; (24) § 7-32a to 7-32j. Reserved for future use; (25) § 7-32k. Property upon which hunting or shooting sports regularly take place. Placement of property location on list maintained by town clerk. Notice. Liability not imposed by section; (26) § 7-33. Lists of transfers of taxable property; (27) § 7-33a. Issuance of certificates of authority of justices of peace, notaries and Superior Court Commissioners; (28) § 7-34. Fees; (29) § 7-34a. Fees; (30) § 7-34b. Accounting of fees required. Salary in lieu of fees; (31) § 7-35. Preservation by town clerks of statutes, special acts and Register and Manual; (32) § 7-35a. Off-site storage of original documents. Requirements; (33) § 7-35b to 7-35z.
[253] NEW (2023).
[254] C.G.S. §7-37 entitled “Town clerk, ex-officio registrar. Notice to Secretary of the State of appointment of registrar, vacancy in appointed office of registrar”.

(b) Election Activities. Coordinating election activities with the moderators of General and Special elections; including the supervision of the preparation, issuance, receipt, and processing of absentee ballots.

(c) Licensing and Permits. Managing the issuance of various licenses and permits.

(d) Record and Reporting Functions. Maintaining financial records for receiving fees in order to track or index and calculate recording fees, conveyance taxes for deed transfers, land maps and, trade name certificates. The Clerk is also responsible for preparing daily, monthly, and annual reports to State Departments of Environmental Protection, Health, and Revenue Services and required reports for the Secretary of the State.

(e) Administration. Preparing and administering the budget as well as the collective bargaining agreement and personnel rules for members of office staff.

(f) Oath of Office. Administering oath of office to elected and appointed officials.

(3) Assistants and Employees[255]. The Town Clerk shall appoint and may remove all assistants[256] and employees of this office.

(4) Compensation[257]. The Town Clerk's compensation and benefits shall be determined by the Common Council from time-to-time.

(5) Fees[258]. All fees collected by the Town Clerk must be paid to the City, except as otherwise provided by the General Statutes.

(6) Certification[259]. For the purpose of achieving best practices and the highest professional standards in the conduct of Public Meetings, the Town Clerk is required, upon eligibility, to participate in the certification program for town clerks, as set forth in the General Statutes.

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[255] NEW (2023).
[256] The appointment and vacancies in the office of such assistants shall be subject to notification as required by the General Statutes. (C.G.S. Sec. 7-19).
[257] NEW (2023).
[258] NEW (2023).
[259] NEW (2023). See, C.G.S. §7-22a entitled "Certification program for town clerks" is not mandatory: "(b) any person may participate in the course of training….and upon successfully completing any examination…. shall be recommended to the secretary of the state as a candidate for certification as a certified Connecticut town clerk".

§6-2. Registrars of Voters[260].

A. Powers and Duties[261]. There shall be Registrars of Voters who shall have the powers and duties as are conferred or imposed on them by the General Statutes and the provisions of this Charter. Among other duties, the Registrars of Voters are responsible for the following:

(1) Creating and maintaining the official Voter Registry List, lists of enrolled party members and voting records documenting who voted.

(2) Preparing maps showing voting locations and state and local district and precinct boundaries and updating the maps following redistricting and reapportionment.

(3) Acting together to conduct all elections, prepare official checklists of voters, obtain ballots, test tabulating and other equipment, hiring and appointing poll workers, training election officials and poll workers, overseeing accurate counts and submitting accurate results.

(4) Storing and maintaining all election equipment and supplies, used ballots, and archival records; setting-up of the polling places; ensuring proper reporting of voting totals during the election period; conducting post-election audits and recounts as required.

(5) All other duties imposed upon Registrars by Law or this Charter.

B. Council May Make Ordinances and Fix Compensation[262]. The Common Council may make Ordinances to regulate the meetings and elections and to provide for holding and conducting the same.

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[260] 2023 recodification of current Article III – Part 2. Registrars of Voters. §1-186. Derived from Sp. Laws 1951, No. 334, §4. Also, 2023 recodification of current Article III – Part 2. Registrars of Voters [Editor's Note: See § 1-172 for compensation; §§ 1-179 to 1-181 for duties with respect to voting precincts and polling places; § 1-217, for powers and duties generally. See also, Ch. 9, Administration, Art. IV]; see also, §1-183 through 1-184 (Reserved). Editor's Note: Former §§ 1-183, 1951 election, and 1-184, Term of office for Registrars of Voters, Sp. Laws 1951, No. 334, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

[261] 2023 recodification of current Article III – Part 2. Registrars of Voters. §1-187. Derived from Sp. Laws 1951, No. 334, §5. See also, See, C.G.S. §9-190 entitled "Registrars of voters". See also, C.G.S. §9-189a entitled "Four-year terms for town clerks, registrars and treasurers"

[262] 2023 recodification and edit of current Article III – Part 1. In General, §1-172. Derived from Sp. Laws 1913, No. 352, §54; Sp. Laws 1921, No. 355, §1. Historical editor's Note: See also § 1-185

C. Compensation [263]. The Common Council shall fix the compensation of the Registrars and their assistants and of the Presiding Officers, box tenders, check clerks and counters.

D. Operational Standards[264]. The Registrars of Voters shall operate in accordance with nationally accepted professional standards as they aspire to best practices and provide the Electors of the City with assistance on a non-partisan basis.

E. Establishment of Precincts and Voting Places.

(3) Voting Precincts[265]. The Registrars of Voters shall, subject to approval by the Common Council, at least one hundred and twenty Days prior to any general election, establish and designate suitable voting precincts, if practicable, within the established Council Districts. Each Council District shall be entitled to at least one such voting precinct and each voting precinct shall have a separate voting place.

(4) Voting Places[266]. The Registrars of Voters shall have the authority to designate the voting places (and set up voting accommodations at public buildings (including any and all public schools). All public buildings used as polling places shall include electrical power for lighting and use of electronic equipment, internet access, water, HVAC, and parking necessary to make the building useable for voting.

(5) Precinct Voting Lists[267]. The Registrars shall compile separate voting lists for each precinct so established and designated.

§6-3. Powers and Duties of Constables[268].

Commented [SGM54]: ACTION ITEM #2.3: THE CRC WILL RETAIN THIS PROVISION.

The powers and duties of the Constables shall be those conferred and imposed upon such officers of towns under the General Statutes.

§6-4. Sheriff: Authority and Duties[269].

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[263] 2023 recodification and revision of current Article III – Part 1. In General, §1-172. Derived from Sp. Laws 1913, No. 352, §54; Sp. Laws 1921, No. 355, §1. Historical editor's Note: See also § 1-185. The following language was repealed: "provided each Registrar of the First and Second Voting Districts shall receive not less than $2,000 annually and each Registrar of the Third Voting District not less than $125 annually as compensation for their services as the Registrars."
[264] NEW (2023)
[265] 2023 recodification and edit of current Article III – Part 1. In General, §1-179. Derived from Sp. Laws 1945, No. 134, §1. Historical Editor's Note: See also §1-3 for earlier provision.
[266] 2023 recodification and edit of current Article III – Part 1. In General, §1-180. Derived from Sp. Laws 1945, No. 134, §2.
[267] 2023 recodification of current Article III – Part 1. In General, §1-181. Derived from Sp. Laws 1945, No. 134, §3.
[268] 2023 recodification and modification of current Article V, Part 1 – General. §1-217. Derived from Sp. Laws 1913, No. 352, §73. Note: City and Clerk and Registrars of Voters were deleted from this provision.
[269] 2023 recodification of current Article V, Part 1 – General. §1-214. Derived from Sp. Laws 1913, No. 352, §71. Historical Editor's Note: For election provision refer to § 1-166.

The Sheriff shall, within the limits of the City, have the same authority, both criminal and civil, and be subjected to the same liabilities and penalties as Constables of towns. The Sheriff shall serve Public Notices of the Council when directed by the Clerk, and shall collect such bills and assessments as the Council may order, and shall receive for all services rendered the legal fees provided by the General Statutes for Constables of towns[270].

[270] 2023 recodification of current Article V, Part 1 – General. (1) The Selectmen: §1-215 derived from Sp. Laws 1947, No. 215, Historical Editor's Note: For election provision refer to § 1-166 and §1-216 derived from Sp. Laws 1913, No. 352, §72; and (2) The Treasurer, Article V, Part 4 – Department of Finance, §1-246 entitled "City Treasurer". Added by Charter Amendment 8-29-1978, §11. Editor's Note: Approved by the electorate at the general election held 11-7-1978.

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ARTICLE VII: BOARDS AND COMMISSIONS

§7-1. General Requirements for Appointed Boards and Commissions.

A. Creation of Boards and Commissions[271]. In addition to those Boards and Commissions established by this Charter, the Common Council shall by Ordinance establish the Boards and Commissions of the City.

(1) The Role of Boards and Commissions[272]. The primary purpose of a Board or Commission is to serve the residents of the City in carrying out the policy, advisory and/or quasi-judicial or regulatory functions under its charge. Boards and Commissions serve as a conduit for citizen participation and input by gathering, analyzing and acting upon such information in order to meet the specific objectives as set forth under this Charter, Ordinances, or other source of legal authority.

(2) The Public Interest[273]. Members of Boards and Commissions are required to understand the role and scope of responsibility and be informed of the objectives and operating procedures of the Board of Commission to which they are appointed. Members should represent the public interest and not personal interests or special interest groups and seek to render decisions on the basis of what is best for the residents of the City. Furthermore, members should take care that deliberations include thorough research and review of all alternatives on an issue prior to making a recommendation.

(a) Regulatory Functions. In the case of members of regulatory Boards and Commissions, decisions should be evidence-based taking into account the interests of the public and fairness to the parties based upon application of the Law and any other pertinent documents.

(b) Departmental Policy and Administrative Functions. In the case of members of Boards and Commissions aligned with a Division or Department**,** members serve as a communication link between the community, staff, and City regarding programs and recommendations and provide a channel for citizen expression. Members should establish a strong working relationship with Department Heads and other executives; however, at all times, members represent the public interest as opposed to the specific department interests under their jurisdiction. This is particularly true when a Board or Commission has an oversight function.

(3) Open Meetings[274]. The objective of Norwalk's open government policy

[271] NEW (2023).
[272] NEW (2023).
[273] NEW (2023).
[274] NEW (2023).

is to achieve optimal public accessibility at all Meetings, while continuing to evolve as State policies and laws advance. All Meetings of Boards and Commissions must be held in public and conducted in strict compliance with the requirements of the General Statutes; unless otherwise permitted or required by Law[275]. In furtherance of this objective, all Boards and Commissions are required to utilize all technology provided by the City so that in-person, remote[276] or hybrid interactions[277] may be offered to the public at every meeting, wherever practicable. The City must continue to migrate toward ensuring that optimal technologies are available to all Boards and Commissions to achieve the objective of public accessibility.

B. Administrative Requirements of Boards and Commissions[278]. All Boards and Commissions established by this Charter or by Ordinance are required to comply with the following requirements:

(1) Number of Members and Terms[279]. 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 be less than two years nor exceed a term of four years, that latter of which may be staggered[280].

Commented [SGM55]: APPROVED BY CRC (0415254)

(2) Required Provisions Applicable to all Boards and Commissions[281]. All Boards and Commissions must make provisions for:

Commented [SGM56]: ACTION ITEM #2.4: 042925

(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;

(b) The keeping of records and posting of agendas as required by Law[282];

Commented [SGM57]: ACTION ITEM #2.4: 042925 (REPEAL §7-1.B(2)(c) PERTAINING TO MINORITY PARTY REPRESENTATION SINCE IT IS ADDRESSED IN §7-1.B(7).

(c) 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,

(d) Frequency of regular Meetings of all Boards and Commissions,

[275] At the time of adoption of this Charter amendment the applicable provision was C.G.S. §1-200(2) and (6).
[276] **Comment of the 2023 Charter Revision Commission:** Remote meetings are entirely "virtual." There is no in-person component. At the time of the adoption of this Charter state law requires an accommodation for "remote" meetings; seem, P.A. 22-3.
[277] **Comment of the 2023 Charter Revision Commission:** A "hybrid meeting" is one which utilizes electronic or telephonic equipment in conjunction with an in-person meeting. These meetings are governed by C.G.S. §1-225a.
[278] NEW (2023).
[279] NEW (2023).
[280] NEW (2025)
[281] 2025 revision of §7-1.B(2) which was approved in 2023.
[282] 2025 repeal of §7-1.b(2)(c) pertaining to minority party representation since it is addressed in §7-1.b(7).

for the purpose of establishing a standard as required by §7-1E(2), unless otherwise set forth by Ordinance[283].

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(3) Quorum. As defined in §2-2.B(30). .

(4) Meeting Frequency and Public Notice[284]. Each Board or Commission is required to meet as frequently as necessary to perform its duties, however, not less than monthly; unless otherwise permitted by Ordinance. Meetings may be cancelled by disclosing to the public the reason for the cancellation through Public Notice; notwithstanding the foregoing, Boards or Commissions must not cancel Meetings for two consecutive months. Failure to obtain a quorum is not deemed a violation of this provision of the Charter[285]. The Chair, any two members or the Mayor may call a Meeting of any appointive Board or Commission, provided each member and the public is given Public Notice of not less than twenty-four hours thereof, unless otherwise required by Law.

(5) Clerical Assistance[286]. The Mayor must make certain that each Board or Commission has staff assigned to assist the members in the conduct of their meetings and public business.

(6) Public Records[287]. Each clerk is required to (a) keep a complete record of the Resolutions and other proceedings of the Board or Commission; and, (b) maintain custody of its correspondence, files and other records. All minutes and recordings of Meetings must be filed and preserved with the City Clerk, in accordance with the requirements of the General Statutes, this Charter and any applicable Ordinances. All the records must be open for public inspection at reasonable hours; and available for public review and inspection, in formats that will be accessible and durable, including on the City website, if practicable or if required by Law.

(7) Political Composition: Minority Party Representation[288]. Unless otherwise required by the General Statutes or as otherwise set forth in this Charter, the political affiliation of the members and alternate members of all appointed Boards or Commissions must comply with the requirements of the General Statutes with respect to minority party representation. This provision applies to all Boards or

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[283] 2025 recodification and revision of §7-1.B(2)(e).
[284] NEW (2023).
[285] NEW (2023).
[286] 2023 recodification and modification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-300 (Derived from Sp. Laws 1935, No. 455, §4.) pertinent to all Boards and Commissions and in lieu of the following: "The Commission may employ clerks for its own work and the clerical work of the Police Department, and may pay their salaries."
[287] NEW (2023).
[288] NEW (2023). Note: This provision memorializes the applicable state law: C.G.S. § 9-167a entitled "Minority representation".

Commissions established or required by this Charter or established by Ordinance.

(8) Compensation Prohibited[289]. Except as otherwise set forth in this Charter or by Ordinance, members of any appointed Board or Commission are not entitled to receive compensation for services as a member.

C. Appointment[290]. Except as otherwise provided by the General Statutes or this Charter, all members or alternate members of Boards or Commissions are to be appointed by the Mayor as set forth in this Charter, subject to approval by a Majority Vote of the Council. All Board or Commission members shall serve until the completion of their respective terms or until their successors have been appointed and qualified.

D. Vacancy[291]. Unless otherwise set forth in the General Statutes or in this Charter, in the event of a Vacancy on any Board or Commission, whether established by Charter or Ordinance, a successor must be appointed by the Mayor, subject to approval by the Common Council as set forth in §7-1.C, for the balance of the unexpired term.

(1) Resignation: Effective Date[292]. The effective date of a Vacancy caused by resignation is the date the City Clerk notifies the Mayor or other Appointing Authority of the resignation and Vacancy. The date must be filed and recorded in the records of the City Clerk's office. A resignation may be effectuated if an oral statement is made on the record of the Board or Commission and the approved minutes of the Meeting in question are transmitted to the City Clerk by the Chair.

(2) Notice to the Mayor of Vacancy Due to Resignation. The City Clerk is required to send notice of any Vacancy to the Mayor (or other Appointing Authority) and the President of the Common Council within four business days of receipt or knowledge. The Clerk must record the date of the notice as set forth in this section.

E. Removal[293]. 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;

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[289] NEW (2023).
[290] 2023 recodification of current Article V, Part 2 – Mayor. 1-227 (Second sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[291] 2023 restatement and recodification of (1) current Article VI pertaining to the Board of Estimate and Taxation §1-288 (Third and fourth sentences); (2) current Article V, Part 7 pertaining to the Tax Commissioners and Board of Relief §1-271 (Fourth sentence); and (3) 2023 recodification of current Article V, Part 2 – Mayor. 1-227 (Third sentence), Derived from Sp. Laws Sp. Laws 1947, No. 206; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[292] NEW (2023).
[293] NEW (2023)

(2) persistent absence, as defined by (a) Ordinance or, (b) in the absence of an Ordinance by the rules of the Board or Commission[294];

(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.

F. Elector Requirement: General Rule[295]. Except as otherwise provided by Ordinance, no person may serve on a Board or Commission unless the person is an Elector of the City. If any person who is a member of a Board or Commission ceases to be an Elector of the City, the person shall thereupon cease to hold appointive office in the City. Failure to resign shall be grounds for removal under §7-1.E(5).

G. Representation on Boards and Commissions[296]. The Mayor and other appointing authorities are required to consider appointments to ensure that, to the fullest extent possible, the composition of Boards and Commissions reflect the diversity of the residents and the geographic areas of the City.

K. **Administration of Boards and Commissions[297].** The Mayor must, with the assistance of the City Clerk, develop policies governing the general administration of Boards and Commissions. The following issues must be addressed by the policies: (1) assignment of an administrator responsible for retaining and organizing the records pertaining to the appointment of Board and Commission members and maintaining a public applicant pool for Board and Commission membership; (2) organizing swearing-in ceremonies; (3) providing Board and Commission members with background materials regarding the procedures and legal issues associated with service as a member, including, but not limited to, parliamentary procedure and home rule, freedom of information and open government laws; (4) the assignment of clerks, as set forth in §7-1.B(5), above; (5) the keeping of records to comply with the General Statutes and for public review, as set forth in §7-1.B(6), above; (6) posting of all agendas and minutes of Boards and Commissions, as set forth in §2-2(24) and (29), above; (7) maintaining records of incumbency of Boards and Commission by list; (8) coordinating the list with the City Clerk on a quarterly basis; and (9) public outreach plans.

Commented [SGM59]: ACTION ITEM #2.5: 042925

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Commented [SGM61]: Errata/

[294] NEW (2023)
[295] NEW (2023).
[296] NEW (2023)
[297] NEW (2023).

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

A. Board of Estimate and Taxation[298].

(1) Established[299]: Mayor as ex officio member of Board of Estimate and Taxation; Board in General[300]. 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.

(a) Mayor as Presiding Officer[301]. The Mayor shall preside at all meetings of the Board when present.

(b) Quorum[302]. 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 business[303].

(2) Appointment, Term of Office, Approval, Qualification, and Political Balance[304]. The members shall be appointed by the Mayor, for a term of four years[305], subject to approval by the Common Council as set forth in §7-1.C. The terms shall commence on the 1st Day of February of the year of appointment, which dates shall be staggered as set forth in §7-2.A(3), below.

Commented [SGM62]: APPROVED BY CRC 04152025.

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[298] 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].

[299] 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (First sentence).

[300] 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.

[301] 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

[302] 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

[303] 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."

[304] 2025 revision of §7-2.A(2) which is derived from the 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (Second sentence).

[305] 2023 edit and recodification of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences).

(3) Political and Geographic Balance[306]. 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; provided there shall be at least one member from each Council District, as follows:.

Commented [SGM63]: APPROVED BY CRC 04152025.

(a) One member from Districts B, E and D to a term of four years commenced in the 1st Day of February 2026.

(b) One member from Districts A, C and any other district to a term of fours years commencing on the at Day of February 2028.

(4) Vacancy - Balance of Term[307]. As set forth in §7-1.D[308].

(5) Powers[309]. The Board of Estimate and Taxation 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 responsibility[310].

(a) Open Meetings; Public Notice[311]. 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[312]. 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.

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306 2025 revision of §7-2.A(2(a)) which is derived from the 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (Second sentence).
307 2025 recodification of §7-2.A(2)(b) 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.
308 2023 repeal of current Article VI – Board of Estimate and Taxation §1-288 entitled "1983 Transition Provision" (Fifth and sixth sentences).
309 NEW (2023).
310 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.
311 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Fifth sentence).
312 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Sixth and seventh sentences).

(c) Special Meetings of the Board of Estimate and Taxation[313]. 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.

(6) 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 and Taxation with respect to the budget process and deliberations is set forth in Article X.

(b) Furnishing of Information[314]. 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 Year[315]. 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.

(7) The Annual Report[316]. All administrative City officers and Budgeted Entities are required by this Charter to make annual reports to the Mayor, Board or

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[313] 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

[314] 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

[315] 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

[316] 2025 revision of §7-2.A(7) which is derived from the 2023 recodification and revision of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-third sentences).

Estimate and Taxation and the Common Council on or before the first Day of August in each year.

(8) Election Expenses[317]. 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 [318].

B. The Police Commission[319].

(1) Creation, Composition, Powers and Duties[320].

(a) Established[321]. There shall be a five-member Police Commission, consisting of four Electors appointed by the Mayor, to serve conterminously with the Mayor[322], subject to approval by the Common Council as set forth in §7-1.C. The members shall serve without compensation. Not more than one-half of the members of the Commission, with the exception of the Mayor, shall be members of any one political party. In addition to the four Electors, the Mayor shall be, ex officio, a voting member and Chair of the Commission[323].

Commented [SGM64]: Approved by CRC (041525)

(b) Transaction of Business - Quorum[324]. Three members of the Commission shall constitute a quorum, and a concurrence of three votes shall be necessary for the transaction of business.

(c) Meetings[325]. The Commission shall hold meetings at least once each month and at such other times as it may determine, or as otherwise modified by Ordinance, in accordance with §7-1.B(4). Special meetings of the

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[317] 2023 recodification of current Article III – Part 1. In General, §1-182. Derived from Sp. Laws 1945, No. 134, §4.
[318] 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.
[319] Editor's Note: See § 1-12. See also Ch. 111, Vehicle and Traffic.
[320] 2023 recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297. Derived from Sp. Laws 1935, No. 455, §1.
[321] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (First – third sentences). Note: there are two additional citizen members.
[322] NEW (2025)
[323] 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Fourth sentence) which addresses "transition provision: Term of Office."
[324] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Fifth and sixth sentences). Quorum was raised from two to three with the increase in the membership. The following language was repealed: "The Police Commission shall annually elect a Secretary from its members."
[325] 2023 Recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Fifth and sixth sentences).

Board may be called by the Mayor or by two members upon reasonable Public Notice to the Mayor, the other members and the public.

(2) Function of the Commission. The Commission shall:

(a) have control, management and supervision of the police force of the City and all property belonging to or used in the Police Department[326].

(b) have the power to appoint, remove, suspend, discipline and punish and prescribe the duties of all officers and members[327] of the Police Department, including the Chief of Police, and to fix their salaries and compensation unless otherwise set forth in a collective bargaining agreement[328] to make rules and Regulations as it may deem necessary, consistent with the provisions hereof, Law and any applicable provisions of a collective bargaining agreement, for the Regulation and government of the Department[329].

(c) enforce and carry into effect all Ordinances, and the General Statutes, including, but not limited to those referring to the safety of the City[330].

(d) keep and preserve detailed records, files and minutes of all its proceedings and of all work, property and expenditures of the Police Department, and the files, records and minutes, or certified copies thereof, shall be accepted as evidence in all courts and proceedings[331].

(e) have power to summon and examine witnesses and compel the production of books and papers, as in civil actions, and administer oaths to such witnesses, and may require of any officer or board of the City all

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[326] 2023 Recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Seventh sentence). Repeal of the following language: "have the power to purchase all supplies and equipment necessary for the management of the Department."
[327] Repealed the following: "whether regular, supernumerary or call."
[328] **Comment of the 2023 Charter Revision Commission.** At the time of the adoption of this Charter C.G.S §7-474(f) remained in full force and effect. That statute addresses the relationship between local laws, including the Charter and Ordinances and any municipal collective bargaining agreement. As you review the Charter it is important to understand that many of the provisions dealing with the rights of employees, including, but not limited to discipline, dismissal, may be impacted by the specific terms of collective bargaining agreements approved by the City or the subject of binding arbitration.
[329] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Seventh sentence).
[330] 2023 recodification and modification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Eighth sentence). Repealed "…and by-laws of the Common Council."
[331] 2023 recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Ninth sentence).

information and copies of records, books and papers relative to the public business in connection with the Police Department[332].

(3) Powers of the Police Commission[333].

(a) Abolishing Officers in the Police Department; Removal and Expulsion. The Police Commission shall not abolish any office in the Police Department during the incumbency thereof of any appointee to such office, nor shall it remove, expel, or reduce in rank any officer or regular or permanent member of the Police Department except for cause found after hearing; unless otherwise set forth under Law or in a collective bargaining agreement. Notice of any removal, expulsion, or reduction in rank shall be given by the Commission in writing to the officer or permanent member concerned, and any officer or permanent member aggrieved by such removal, expulsion, or reduction may, within ten Days after receiving notice of the action by the Commission, appeal therefrom to the Superior Court in and for the County of Fairfield, which shall hear the appeal and render judgment thereon[334]; or, such provisions of Law[335].

(b) Number and Designation of Officers. The power to fix the number and designation of all the officers and members of the Police Department shall be in and exercised only by the Police Commission and the number and designation of all officers of the Department shall continue as at present until the Commission shall take action[336].

(c) Retired List. The Commission shall have the power to retire any member of the Police Department for mental or physical disability and place the name of the member on the retired list and the member shall not thereafter be entitled to pay or compensation from the City unless assigned to duty by the

[332] 2023 recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Tenth sentence). Repeal the fo0llowing: (1) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-297 (Eleventh sentence), as follows: "render monthly detailed statements and reports to the Common Council of its proceedings and of all disbursements and contracts made in the Department during the preceding month;" (2) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-298 (Sp. Laws 1935, No. 455, §2," as follows: "render annually to the Common Council and to the Board of Estimate and Taxation (Editor's Note: See also, Art. VI, for Board of Estimate and Taxation.), a full statement of its disbursements and expenditures in the Police Department during the preceding year, with a report of the condition of the Department, and an estimate of the necessary expenditures for the ensuing fiscal year."

[333] 2023 modification and recodification of

[334] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-298 (First and second sentences).

[335] NEW (2023).

[336] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-298 (Third sentence).

Chief of Police of the Police Department. The member's pay for the time so assigned to duty shall be that of a regular member of the force[337].

(d) Appointments and Promotions[338]. All appointments to be made by the Commission shall be based upon merit and fitness for the duties pertaining thereto, and, in no degree, upon political affiliations or considerations. All promotions shall be made in accordance with the provisions of the Law and any applicable collective bargaining agreement[339].

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[337] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-298 (Fourth and fifth sentences). 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-299 (Derived from Sp. Laws 1935, No. 455, §3, including Historical Editor's Note: See §§ 1-319 to 1-332, as follows: "The Commission shall administer the Policemen's Benefit Fund established under the provisions of an act approved April 30, 1925, as amended by §3 of an act approved June 16, 1927." Repeal of (1) Editor's Note: Refer to § 1-299 for administration of fund; (2) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-319. Derived from Sp. Laws 1931, No. 518, § 1; Sp. Laws 1945, No. 235; (3) .current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-320. Derived from Sp. Laws 1931, No. 518, §2; (3) .current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-321. Derived from Sp. Laws 1931, No. 518, §3; (4) .current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-322. Derived from Sp. Laws 1931, No. 518, §4; (5) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-323. Derived from Sp. Laws 1931, No. 518, §5; (5) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-324. Derived from Sp. Laws 1931, No. 518, § 6; Sp. Laws 1939, No. 255, §1; (6) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-325. Historical Editor's Note: Editor's Note: Former § 1-325, Retirement at 60, Sp. Laws 1931, No. 518, § 7; Sp. Laws 1933, No. 333, § 1, was repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980; (7) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-326. Derived from Sp. Laws 1931, No. 518, § 8; (7) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-327. Derived from Sp. Laws 1931, No. 518, §9; (8) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-328. Derived from Sp. Laws 1931, No. 518, 10; (9) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-329. Derived from Sp. Laws 1931, No. 518, §11; (10) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-330. Derived from Sp. Laws 1931, No. 518, §12; Sp. Laws 1933, No. 333, § 2; (11) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-327. Derived from Sp. Laws 1931, No. 518, §13; (12) current Article VIII – Police Department and Police Fund, Part 2 – Police Benefit Fund, §1-332. Derived from Sp. Laws 939, No. 255, §2.

[338] 2023 recodification and modification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-301 (Derived from Sp. Laws 1935, No. 455, §5.). The following language is repealed: "In carrying out the provisions of this section, the Commission may adopt the provisions of Chapter 105 of the General Statutes as it may deem advisable and, on or before September 1, 1935, the merit system shall be in effect in the City."

[339] 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-302 (Derived from Sp. Laws 1935, No. 455, §6.), as follows: "An act creating a Board of Public Safety in the City of Norwalk, approved June 16, 1927, as amended by an act amending an act creating a Board of Public Safety in the City of Norwalk, approved March 27, 1929, and all acts or parts of acts inconsistent herewith are repealed." The following footnotes attached to "repealed Provisions in the current Charter are hereby preserved as follows: (1) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-304-305. Historical Editor's Note: Former §§ 1-304, Supernumerary Police Force; members; appointment; control; duties; powers, Sp. Laws 1913, No. 352, § 144; Sp. Laws 1915, No. 367, § 10; Sp. Laws 1925, No. 225, § 2; Sp. Laws 1969, No. 149, and 1-305, Appointments to regular force, Sp. Laws 1913, No. 352, § 146, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980; (2) Current Article VIII – Police Department and Police Fund, Part 1 – General, §1-307-310. Historical Editor's Note: Former §§ 1-307, Appointment of Women Probation Officer, 1-308, Powers of Woman Probation Officer, 1-309, Removal of Woman Probation Officer, and 1-310, Salary of Probation Officer, Sp. Laws 1927, No. 371, §§ 1 to 4, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980; (3) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-314-316. Historical Editor's Note: Repealed by Charter Amendment 11-3-1970; effective 7-1-1971.; and (4) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-317-318. Historical Editor's Note: Editor's Note: Former §§ 1-317, Workweek for

C. The Fire Commission[340].

(1) Creation and Composition; General Powers[341].

(a) Established[342]. There shall be a five-member Fire Commission, consisting of four Electors appointed by the Mayor, to serve conterminously with the Mayor[343], subject to approval by the Common Council as set forth in §7-1.C. The Board shall serve without compensation. Not more than one-half of the members of the Commission, with the exception of the Mayor, shall be members of any one political party. In addition to the four Electors, the Mayor shall be, ex officio, a voting member and chair of the Commission[344]. The Fire Commission may employ clerks for its own work and the clerical work of the Fire Department, and may fix and pay their salaries[345].

Commented [SGM65]: Approved by CRC (041525)

(b) Transaction of Business - Quorum[346]. Three members of the Commission shall constitute a quorum and a concurrence of three votes shall be necessary for the transaction of business.

(c) Meetings[347]. The Commission shall hold meetings at least once each month and at such other times as it may determine or, as otherwise modified by Ordinance, in accordance with §7-1.B(4). Special meetings of the Commission may be called by the Mayor or by two members upon reasonable Public Notice to the Mayor, the other members and the public.

(2) Functions of the Fire Commission. The Commission shall:

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policemen, and 1-318, Approval of workweek, Sp. Laws 1951, No. 293, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

[340] Historical Editor's Note: See § 1-12, of Charter, and Ch. 41, Fire Department. For extension of fire protection see, Art. XXII.

[341] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. Derived from Sp. Laws 1935, No. 454, §1.

[342] 2023 modification and recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (First - third sentences).

[343] NEW (2025)

[344] 2023 repeal of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333 (Fourth sentence) which addressed the term of office during a transition in 1937.

[345] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-336. (Derived from Sp. Laws 1935, No. 454, §4).

[346] 2023 edit and recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Fifth and sixth sentences). The following language was repealed: "The Commission shall annually elect a Secretary from its members."

[347] 2023 edit and recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Seventh and eighth sentences).

(a) have control, management and supervision of the fire-fighters of the City and all property belonging to or used in the Fire Department; except as otherwise set forth in this Charter[348].

(b) have the power to purchase all supplies and equipment necessary for the management of the Department[349];

(c) have the power to appoint, remove, suspend, discipline and punish and prescribe the duties of all officers and members (including the Chief), of the Fire Department and fix their salaries and compensation and to make rules and Regulations as it may deem necessary, consistent with the provisions hereof, for the Regulation and government of the Department unless otherwise set forth in a collective bargaining agreement[350].

(d) enforce and carry into effect all Ordinances and the General Statutes including, but not limited to, those referring to the safety of the City[351].

(e) keep and preserve detailed records, files and minutes of all its proceedings and of all work, property and expenditures of the Fire Department and the files, records and minutes, or certified copies thereof, shall be accepted as evidence in all courts and proceedings[352].

(f) have the power to summon and examine witnesses and compel the production of books and papers, as in civil actions, and administer oaths to such witnesses, and may require of any officer or board of the City all information and copies of records, books and papers relative to the public business in connection with the Department[353].

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[348] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Ninth sentence).
[349] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Tenth sentence).
[350] 2023 modification and recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Eleventh sentence). The following are repealed: "whether regular, supernumerary or call."
[351] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Twelfth sentence).
[352] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Thirteenth sentence).
[353] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Fourteenth sentence). Repeal of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-333. (Fifteenth sentence), as follows: "render monthly detailed statements and reports to the Common Council of its proceedings and of all disbursements and contracts made in the Fire Department during the preceding month; shall render annually to the Common Council and to the Board of Estimate and Taxation a full statement of its disbursements and expenditures in the Department during the preceding year, with a report of the condition of the Department, and an estimate of the necessary expenditures for the ensuing fiscal year." 2023 repeal of (1) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-338. Derived from Sp. Laws 1931, No. 37, § 1; Sp. Laws 1945, No. 242; (2) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-339. Derived from Sp. Laws 1931, No. 37, §2; (3) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-340. Derived from Sp. Laws 1931, No. 37, §3; (4) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's

(3) Powers of the Fire Department.; Number and Designation of Officers; Retired List[354].

(a) Abolishing Officers in the Fire Department; Removal and Expulsion. The Fire Commission shall not abolish any office in the Fire Department during the incumbency thereof of any appointee to such office, nor shall it remove, expel or reduce in rank any officer or regular or permanent member of the Fire Department except for cause found after hearing. Notice of any removal, expulsion or reduction in rank shall be given by the Commission in writing to the officer or permanent member concerned, and any officer or permanent member aggrieved by the removal, expulsion or reduction may, within ten Days after receiving notice of the action by the Commission, appeal therefrom to the Superior Court in and for the County of Fairfield, which shall hear the appeal and render judgment thereon[355].

(b) Number and Designation of Officers. The power to fix the number and designation of all officers and members of the Fire Department shall be in and exercised only by the Fire Commission, and the number and designation of all officers of the Department shall continue as at present until the Commission shall take action[356].

(c) Retired List. The Fire Commission shall have the power to retire any member of the Fire Department for mental or physical disability and place the name of the member on the retired list and such member shall not thereafter be entitled to pay or compensation from the City unless assigned to

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Benefit Fund, §1-341. Derived from Sp. Laws 1931, No. 37, §4; (5) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-342. Derived from Sp. Laws 1931, No. 37, §5; (6) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-343. Derived from Sp. Laws 1931, No. 37, §6; (7) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-345. Derived from Sp. Laws 1931, No. 37, §7; Sp. Laws 1941, No. 419, §1; (8) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-345. Derived from Sp. Laws 1931, No. 37, §8; Sp. Laws 1933, No. 329, §1; (9) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-346. Derived from Sp. Laws 1931, No. 37, §9; (10) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-347. Derived from Sp. Laws 1931, No. 37, §10; (11) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-348. Derived from Sp. Laws 1931, No. 37, §11; (12) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-349. Derived from Sp. Laws 1931, No. 37, §12; (13) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-350. Derived from Sp. Laws 1931, No. 37, § 13; Sp. Laws 1933, No. 329, § 2; (14) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-351. Derived from Sp. Laws 1931, No. 37, §14; (15) current Article IX – Fire Department and Fire Fund, Part 2 – Firemen's Benefit Fund, §1-352. Derived from Sp. Laws 1941, No. 419, §2).

[354] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-334. (Derived from Sp. Laws 1935, No. 454, §2.

[355] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-334. (First and second sentences).

[356] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-334. (Third sentence).

duty by the Fire Chief of the Fire Department. The pay for the time so assigned to duty shall be that of a regular member of the force[357].

(4) Appointments by Fire Commission[358]. All appointments to be made by the Fire Commission shall be based upon merit and fitness for the duties pertaining thereto and, in no degree, upon political affiliations or consideration. In carrying out the provisions of this section, the Commission may adopt the provisions of Chapter 105 of the General Statutes as it may deem advisable and, on or before September 1, 1935, the merit system shall be in effect in the City[359].

§7-3. Boards and Commissions Required by the Charter.

The Common Council shall adopt Ordinances setting forth the organizational structures, powers, duties, and responsibilities of the following Boards and Commissions, subject to the requirements of Law, including but not limited to §7-1:

A. Board of Assessment Appeals[360];
B. Planning and Zoning Commission[361];

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[357] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-338. (Fourth and fifth sentences).
[358] 2023 recodification of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-337. (Derived from Sp. Laws 1935, No. 454, §5).
[359] 2023 repeal of current Article IX – Fire Department and Fire Fund, Part 1 – General, §1-335. (Derived from Sp. Laws 1935, No. 454, §3), including, Historical Editor's Note: See §§ 1-338 to 1-352, amended, as follows: "The Fire Commission shall administer the Firemen's Benefit Fund established under the provisions of an act approved May 21, 1925, as amended by §4 of an act approved June 16, 1927."
[360] 2023 recodification mandates the Board of Assessment Appeals, current Ord. §103-14. Repeals current Article V, Part 7 – Tax Commissioners and Board of Relief §1-271. Derived from (Sp. Laws 1913, No. 352, § 49; Sp. Laws 1933, No. 456, § 1; Charter Amendment 8-29-1978 [Historical Editor's Note: Editor's Note: Approved by the electorate at the general election held 11-7-1978]. In addition, repeals (1) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-272. Derived from (Sp. Laws 1913, No. 352, §49; Sp. Laws 1933, No. 456, §1; and, (2) .current Article V, Part 7 – Tax Commissioners and Board of Relief §1-273. Derived from Sp. Laws 1913, No. 352, § 90; Sp. Laws 1915, No. 367, § 4; Sp. Laws 1967, No. 197, §2. Historical Editor's Note: See § 1-284 for later provision; (3) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-274. Derived from Sp. Laws 1913, No. 352, § 91; Sp. Laws 1915, No. 367, § 5; Sp. Laws 1967, No. 197, § 3; Sp. Laws 1969, No. 264, §1. (4) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-275. Derived from Sp. Laws 1913, No. 352, §92. (5) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-276. Derived from Sp. Laws 1913, No. 352, §93; (6) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-277. Derived from Sp. Laws 1937, No. 539, §1; (7) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-278. Derived from Sp. Laws 1937, No. 539, §2; (8) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-279. Derived from Sp. Laws 1937, No. 539, §3.(9) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-280. Derived from Sp. Laws 1937, No. 539, §4; (10) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-281. Derived from Sp. Laws 1913, No. 352, §94; (11) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-282. Derived from Sp. Laws 1935, No. 363; Sp. Laws 1967, No. 197, §4; Sp. Laws 1969, No. 264, §2. Editor's Note: See also § 1-283 and Editor's Note: See also § 1-289; (12) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-283. Derived from Sp. Laws 1947, No. 486; (13) current Article V, Part 7 – Tax Commissioners and Board of Relief §1-284. Derived from Sp. Laws 1935, No. 126.
[361] 2023 repeal of current Article XII entitled "Planning Commission" (replaced by current Chapter 79 of the Ordinances): (1) §1-367. Derived from Charter Amendment 11-3-1970; effective 1-1-1971). Editor's Note: See Land Subdivision Regulations, Appendix, Part I.\ Editor's Note: As of July 1974, it was the opinion of the Corporation Counsel that § 1-367 should be interpreted as referring to the Norwalk Planning and Zoning Commission rather than the Norwalk City

C. Conservation Commission[362];
D. The Pension Board[363];
E. Food Services Pension Board[364];
F. Zoning Board of Appeals[365];
G. Board of Ethics (appointed by Common Council)[366]; and
H. Public Library Board[367].

§7-4. Appointed Boards and Commission Established by Ordinance or as Otherwise May Be Prescribed by the General Statutes[368].

The Common Council may establish, by Ordinance or as otherwise may be prescribed by the General Statutes, such additional Boards and Commissions as are necessary to effectuate the powers and purposes of the City as enumerated in the General Statutes, Special Acts, and this Charter.

§7-5. Consolidation or Merger[369].

The functions of any Board or Commission required under this Article may be merged or consolidated with another by Ordinance.

Planning Commission. See Ch. 79, Planning and Zoning Commission; (2) §1-368. Derived from Sp. Laws 1947, No. 214, § 2; Sp. Laws 1955, No. 400, § 1. Editor's Note: As of July 1974, it was the opinion of the Corporation Counsel that § 1-368 had been superseded by §§ 79-2, Powers; 79-3, Composition and appointment; 79-4, Alternate members; and 79-5, Terms of office, of Ch. 79, Planning and Zoning Commission; (3) §1-368.1. Derived from Charter Amendment 11-3-1970; effective 1-1-1971; (4) §1-368.2. Derived from Charter Amendment 11-3-1970; effective 1-1-1971; (5) §1-369. Derived from Sp. Laws 1947, No. 214, §3; (5) §1-370. Derived from Sp. Laws 1947, No. 214, § 4; Sp. Laws 1955, No. 400, § 2; Charter Amendment 8-17-1976. Historical Editor's Note: Approved by the electorate at the general election held 11-2-1976; (6) §1-371. Derived from Sp. Laws 1947, No. 214, § 5. Historical Editor's Note: See Appendix, Part I, Land Subdivision Regulations, § 6; (7) §1-372. Derived from Sp. Laws 1947, No. 214, §6; (8) §1-373 A + B. Derived from Added by Charter Amendment 11-3-1970; effective 1-1-1971; (9) §1-374. Derived from Sp. Laws 1947, No. 214, §8; (10) §1-375. Derived from Sp. Laws 1947, No. 214, §9; (11) current Article XII – Planning Commission §1-375. Derived from Sp. Laws 1947, No. 214, §9; (12) current Article XII – Planning Commission §1-376. Derived from Sp. Laws 1947, No. 214, §10; (13) current Article XII – Planning Commission §1-377. Derived from Charter Amendment 11-3-1970, effective § 1-1-1971; and (14) current Article XII – Planning Commission §1-377.1. Derived from Charter Amendment 11-3-1970, effective § 1-1-1971.

[362] NEW (2023). **Comment of the 2023 Charter Revision Commission. At** the time of the adoption of tis Charter Ord. §35-2 established a Conservation Commission comprised of 7 members appointed by Mayor and confirmed by Council for a term of 5-years (stagger). The Commission serves inland wetland functions, in accord with Ord. §35-07 et seq. as well as the administration of the open space fund in accord with Ord. §35-7 et seq. and -9, respectively.

[363] NEW (2024). See, Chapter 126 entitled "Pension Plan." Adopted by Common Council 9-24-1963. Amendments noted where applicable. 5 members appointed by Mayor and confirmed by "a majority of the Norwalk Common Council."

[364] NEW (2023). See, Ord. Chapter 132 (Appendix Part VIII)

[365] NEW (2023) mandates current Ord. §118-1410.

[366] Ord. §32-12 – 5 members and 2 alternates appointed by and approved by 11 members of the Common Council.

[367] NEW (2023)

[368] NEW (2023)

[369] NEW (2023)

ARTICLE VIII: DEPARTMENTS AND DEPARTMENT HEADS

§8-1. The Authority to Establish the Divisions and Departments of the City.

A. Powers and Duties[370]. In addition to the Divisions and Departments specifically set forth in this Charter and, as further delineated in §8-1.C, below, the City, acting within the authority, powers and duties enumerated in the General Statutes, Special Acts and this Charter, may establish such Divisions and Departments thereunder necessary to carry out and organize the functions of government as set forth in this Charter.

(1) Intent. The express intent of this Charter is to allow the Mayor and the Council the ability to organize the government in order to achieve a balance of efficiency and service to the people of the City. The delineation of departmental categories in this Charter is to mandate services to be provided and functions to be served; in that regard, the structures set forth in this Charter may be altered pursuant to a reorganization plan adopted in accordance with the provisions of this Charter. However, the powers, duties, and functions defined in this Charter must be assigned to Officials of the City.

(2) Objective. The system of government administration set forth in this Charter is specifically designed to reduce duplication of services and efficiently foster the delivery of services to the City.

B. Creation of Divisions and Departments[371]. The Common Council by an affirmative vote of two-thirds of its entire membership shall, by Ordinance proposed by the Mayor, establish the Divisions and Departments of the City required to carry out the City's functions and to meet public need. The Council is authorized to prescribe by Ordinance the powers, duties, and privileges of each Division and Department, not inconsistent with any of the provisions contained herein. Each of these Divisions and Departments must be constituted to perform such functions and have such powers and duties as are imposed by the General Statutes, this Charter and Ordinance.

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[370] NEW (2023)

[371] 2023 replacement of current Article IV. The Common Council. §1-190. Derived from Sp. Laws 1913, No. 352, §124; Sp. Laws 1915, No. 367, §8. Historical editor's Note: See Ch. 81, Plumbing; Ch. 36, Electrical Code; Ch. 66, Milk; Ch. 57, Health and Sanitation. The repealed language follows: "Authorization of Council to enact ordinances covering plumbing, sanitation, electrical work, licensing of workers, licensing and regulations of dealers in milk. The Council is also hereby authorized to enact ordinances or bylaws concerning plumbing, sanitation, and electrical work, and to provide for the examination and licensing of master or journeymen plumbers or electricians by such committee of persons as the Council shall designate, and for the revocation of such licenses with power to forbid any unlicensed person doing any plumbing or repairing of plumbing, or doing any electrical work, under such penalties as the Council shall prescribe; to provide for a Building, Plumbing, and Electrical Inspector, define his powers and duties, and determine the fees to be paid for permits; to provide for the licensing of dealers in milk, fix the fees for such licenses, prescribe the conditions under which milk shall be kept, offered for sale, and sold in the City, and prohibit the bringing into the City of milk which is not pure, or which has been exposed to contamination, and to provide penalties for the violation of any of the ordinances of the City."

C. Division Chiefs and Department Heads[372]. The executive leaders of each Division established by Ordinance are (1) subject to the provisions of this Charter generally applicable to Division Chiefs; and (2) serve at the will of the Mayor (however, may continue to serve until a successor is appointed and qualified to serve), unless otherwise provided by the General Statutes, this Charter or any applicable collective bargaining agreement. All Divisions and Departments must be assigned office space provided by the City, which shall remain open during such hours as the Mayor may direct.

D. Reorganization Plans for Divisions and Departments. As set forth in §4-5[373], an affirmative vote of two-thirds of the entire membership of the Common Council is necessary to effectuate any action authorized by this section, and the legislative action is also subject to the action of the Mayor as set forth in §4-8.D(1)[374].

§8-2. Appointment of Division Chiefs, Department Heads and Other Mayoral Executive-Level Appointees; General Requirements.

A. Appointment. Except as otherwise provided by the General Statutes or this Charter, all Division Chiefs, Department Heads and Other Mayoral Executive-Level Appointees, are subject to the authority and serve under the direction of the Mayor, as follows:

(1) Appointment and Removal in the Sole Discretion of the Mayor[375]. The Chief of Staff, Corporation Counsel[376] and City Clerk shall be appointed by the Mayor. They shall each serve coterminous with the Mayor and may be removed in the sole discretion of the Mayor[377].

(2) Appointed by Mayor and Confirmation by the Common Council: Service Under the Direction of the Mayor[378]. Unless otherwise set forth in this Charter or by written agreement, the Mayor is responsible for appointing the following employees, who serve at the direction of and with the pleasure of the Mayor[379], subject to Confirmation by the Common Council. The term of service of

Commented [SGM66]: ACTION ITEM #2.6: 042925 ("Classified" employees is not a term used in Norwalk.)

[372] NEW (2023)
[373] NEW (2023)
[374] 2023 modification and recodification of current Article IV. The Common Council. §1-189.4 (Fifth sentence). Added by Charter Amendment 11-3-1970. New language in lieu of the following: "approval of the Mayor as set forth in §191 of the Charter (1956 Edition), §1-197 (1970 Edition). This section shall take effect on January 1, 1971."
[375] NEW (2023). Restatement of current practices as set forth in Charter and/or Ordinance: (1) Chief of Staff _____; and (2) Corporation Counsel, as set forth in current §1-223.
[376] Comment of the 2023 Charter Revision Commission. The Corporation Counsel is addressed in Ord. §63-4. Corporation Counsel and appointed as set forth in Charter and the Ordinances.
[377] 2023 modification and recodification of current Article V, Part 1 – General. §1-223. Derived from Sp. Laws 1913, No. 352, § 79; Sp. Laws 1931, No. 323; Chapter Amendment 9-2-1980. Historical Editor's Note: Approved by the electorate at the general election held 11-4-1980.
[378] NEW (2023). Restatement of current practices as set forth in Charter and/or Ordinance:
[379] 2025 revision of §8-2.A(2) which is derived from the 2023 recodification and modification of current Article V, Part 4 – Department of Finance §1-239.A. Under the current charter this provision applies to the Director of Finance a/k/a Chief Financial Officer.

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:

(a) Chief Financial Officer[380];
(b) Chief of Economic and Community Development[381];
(c) Chief of Human Resources and Personnel[382];
(d) Chief of Operations and Public Works[383]; and
(e) Chief of Community Services[384].

(3) Appointed by Mayor and Confirmation by the Common Council. The Mayor is responsible for appointing the following Department Heads, subject to Confirmation by the Common Council, and to serve as specified by this Charter or Ordinance and until a successor is duly appointed and qualified to serve, unless otherwise terminated in accordance with this Charter or as otherwise set forth in Law as follows:

(a) The Comptroller[385];
(b) The Purchasing Agent[386];
(c) Tax Collector[387];

Commented [SGM67]: Errata.

[380] Note: The Chief Financial Officer is addressed in §8-4 of this Charter and in Ord, 1-239 et. seq with respect to the duties and authority of the Director of Finance.
[381] Note: At the time of the adoption of the 2023 Revision the Chief of Economic and Community Development is governed by current Ord. 35B-1 – 2. The Division Chief is appointed by Mayor subject to confirmation by Council to serve at the pleasure of the Mayor.
[382] Note: At the time of the adoption of this Revision the Chief of HR and Personnel): Personnel Director is governed by current Ord. §1-287.2. The Chief is appointed by Mayor subject to confirmation by council sat the pleasure of the Mayor and may be removed at the will of the Mayor.
[383] Note: At the time of the adoption of the 2023 Revision the Chief of Operations and Public Works is governed by current Ord. §90-2. The Chief is appointed by Mayor and confirmed by Council subject to removal at the discretion of the Mayor.
[384] Note: At the time of the adoption of the 2023 Revision the Chief of Community Services is governed by current Ord. §33-2. The Chief is appointed by Mayor and confirmed by Council serve at the pleasure of the Mayor.
[385] 2023 recodification and modification of 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. Repealed the following language: "The Mayor elected in November 1979, subject to confirmation by the City Council, shall appoint a City Comptroller to hold office for a term of four (4) years beginning July 1, 1980, and until his or her successor shall be duly appointed and shall have qualified." Comptroller current Art. V – Part 4, §1-240.A appointed by Mayor subject to confirmation by the Council for a term of 4 years.
[386] 2023 Recodification of current Article V, Part 4 – Department of Finance, §1-241.A entitled "Division of Purchasing First and second sentences). Added by Charter Amendment 8-29-1978, §6. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. Repealed the following language: "The Mayor elected in November 1977, subject to confirmation by the City Council, shall appoint a Purchasing Agent to hold office for an initial term from the date of his appointment to June 30, 1981, and thereafter the Mayor, subject to confirmation by the City Council, shall appoint a Purchasing Agent to hold office for a term of four (4) years beginning July 1, 1981, and until his or her successor shall be duly appointed and shall have qualified." Note: At the time of the adoption of the 2023 Revision the Purchasing Agent is appointed by Mayor and confirmed by Council for a term of 4-years.
[387] 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. Repealed the following language: "The Mayor

(d) Assistant Tax Collectors[388];
(e) Tax Assessor[389];
(f) Assistant Tax Assessor[390];
(g) Health Director[391];
(h) Deputy and Assistant Corporation Counsels[392];
(i) Building Official[393];
(j) Director of Code Enforcement[394];
(k) Municipal Historian[395];
(l) Director of Recreation and Parks[396]; and,
(m) Library Director[397].

(4) Appointed by a Board or Commission for an Indeterminate Term. The following Department Heads must be appointed as follows, for an indeterminate term of office until a successor is duly appointed and qualified to serve, subject to removal in accordance with the provisions of the General Statutes:

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elected in November 1981, subject to confirmation by the City Council, shall appoint a Tax Collector to hold office for a term of four (4) years beginning July 1, 1982, and until his or her successor shall be duly appointed and shall have qualified.' Note: At the time of the adoption of the 2023 Charter the Tax Collector is appointed by Mayor and confirmed by Council for a term of 4-years.

[388] Note: At the time of the adopt of the 2023 Charter, the Assistant Tax Collectors are governed by Ord. Art. V, §9-13 + -14. They are appointed by Mayor and Confirmed by Council.

[389] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-243.A entitled "Division of Tax Assessment" (First and second sentences). Added by Charter Amendment 8-29-1978, §8. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. Repealed the following language: "There shall be a Division of Tax Assessment headed by the Tax Assessor, who shall be appointed for a term of four (4) years. The Mayor elected in November 1977, subject to confirmation by the City Council, shall appoint a Tax Assessor to hold office for a term of four (4) years beginning July 1, 1979, and until his or her successor shall be duly appointed and shall have qualified." Note: At the time of the adoption of the 2023 Revision, the Tax Assessor is appointed by Mayor and confirmed by Council for a term of 4-years

[390] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-243.B entitled "Division of Tax Assessment". Repealed the following language: "the Mayor elected in November 1981, subject to confirmation by the City Council, shall appoint an Assistant Tax Assessor to hold office for a term of four (4) years beginning July 1, 1982, and until his or her successor shall be duly appointed and shall have qualified." Note: At the time of the adoption of the 2023 Revision the Assistant Tax Assessor is appointed by Mayor and confirmed by Council for a term of 4-years

[391] Note: At the time of the adoption of the 2023 Revision the Director of Health (Health Department) is governed by current Ord. §57-2 and -3. Under that provisions the Director is appointed by Mayor and confirmed by Council for a term of 4 years, removal for cause. The position is subject to a probationary period and the powers and duties by ordinance.

[392] Note: At the time of the adoption of the 2023 Revision the Deputy and Assistant Corporation Counsels are governed by current Ord. §63-5. They are appointed by Mayor and confirmed by Council. §63-6. Qualifications of Deputy CC.

[393] Note: At the time of the adoption of the 2023 Revision the Building Official is governed by current Ord. §26-5. The official is appointed by Mayor and confirmed by Council for a term of 4-years.

[394] Note: At the time of the adoption of the 2023 Revision the Director of Code Enforcement is governed by current Ord. §35A-3.A + B. The Director is appointed by Mayor and confirmed by Council for a term of 4 years. The job description is set forth in the Code of Ordinances

[395] Note: At the time of the adoption of the 2023 Revision, the Municipal Historian is governed by current Ord. §57A-6. The Municipal Historian appointed by Mayor and confirmed by Council, removal for cause. There is no term set forth in the ordinances.

[396] Note: At the time of the adoption of the 2023 Revision the Director of Recreation and Parks is governed by current Ord. 74-24. The Director is appointed by the Mayor and confirmed by Council for a term 4 years.

[397] NEW (2023). Note: Based upon past practice and custom.

(a) Police Chief, by the Police Commission; and
(b) Fire Chief, by the Fire Commission.

Commented [SGM68]: Errata.

B. Removal of Appointive Officers and Employees[398]**.** Except as otherwise provided in this Charter, any officer or employee may be removed for malfeasance in office, neglect of duty, or other just cause by the Mayor or other authority in accordance with the procedures set forth in §3-10 and any Ordinances or Regulations enacted hereunder; or the provisions of any applicable collective bargaining agreement.

Commented [SGM69]: Errata

C. Compensation[399]**.** The salaries and compensation of all Division Chiefs, Department Heads and employees of the City must be established by Ordinance or through the budget or as otherwise covered by the personnel and civil service rules, collective bargaining agreement(s) or other agreement.

D. Liability.

(1) Unlawful Disbursement of Money[400]**.** No officer or employee of the City is entitled to receive or disburse money belonging to the City unless authorized to so do by the provisions of this Charter, by Ordinance, or by a Resolution regularly adopted by the Council.

(2) Unlawful Incurring of Debts and Obligations: Authority of the Corporation Counsel to Commence Legal Process[401]**.** Any officer or employee of the City, who (a) willfully or knowingly incurs in the name of the City any debt or other obligation that the City may be compelled to pay without any appropriation having been made for the benefit of the same or (b) willfully or knowingly incurs any such debt or obligation in excess of any appropriation that may have been made therefor, is deemed personally liable for the payment and reimbursement of such debt or obligation. The Corporation Counsel is hereby authorized to sue for the same, in the name and for the benefit of the City, before any court of competent jurisdiction.

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[398] 2023 recodification of current Article V, Part 1 – General. §1-222 (First sentence). Derived from Sp. Laws 1913, No. 352, §78; Charter Amendment 8-29-1978. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[399] NEW (2023). The following provisions are repealed (1) pertaining to the Purchasing Agent is repealed: "current Article V, Part 4 – Department of Finance, §1-241.A entitled "Division of Purchasing (Third sentence);" (2) pertaining to the Tax Collector: "current Article V, Part 4 – Department of Finance, §1-242.A entitled "Division of Tax Collection" (Third sentence); (3) pertaining to the Tax Assessor and Assistant Tax Assessor; "current Article V, Part 4 – Department of Finance, §1-243.E entitled "Division of Tax Assessment."

[400] 2023 recodification and modification of current Article V, Part 1 – General. §1-212. Derived from Sp. Laws 1913, No. 352, §61. Added the term "by Ordinance").

[401] 2023 recodification and edit of current Article V, Part 1 – General. §1-213. Derived from Sp. Laws 1913, No. 352, §62.

(3) Surety Bond and Other Risk Management Considerations[402]. The City may require surety bond or other forms of insurance for certain Public Officials in accordance with the requirements of an Ordinance, consistent with best practices in the risk management field.

E. Full Time Positions[403]. All Division Chiefs, Department Heads, with the exception of the Corporation Counsel, and other Mayoral Executive-Level Appointees[404], are prohibited from (1) engaging in any commercial business or (2) holding any other office, public or private, for which a salary or emolument is paid; or, (3) having any substantial interest or owning any substantial stock interest in any corporation, partnership or concern having any business relations with the City.

F. Delivery of Records to Successor[405]. Upon expiration of the term of office, all Division Chiefs, Department Heads, and other Executive-Level Mayoral Appointees are required to deliver all records to the successor in office.

G. Appointive Officer Oath[406]. Every appointee of 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.

Commented [SGM70]: ACTION ITEM #2.7: 042925

H. Position Titles[407]. The position titles of the Division Chiefs and Department Heads set forth in this Charter reflect the title at the time of the adoption of this Charter. Titles

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[402] 2023 revision and recodification of current Article V, Part 4 – Department of Finance (1) §1-239.C (Second sentence) and in lieu of the following: "The Director of Finance shall give a bond in an amount to be determined by the Common Council to the City conditioned against defalcation or malfeasance in office, with a surety company as surety;" (2) §1-242.A entitled "Division of Tax Collection" (Fourth sentence), in lieu fo the following: "The Tax Collector (He or she) shall give a surety bond as required by the General Statutes of the State of Connecticut in an amount prescribed by the Common Council; " and, (3) §1-243.D entitled "Division of Tax Assessment," in lieu of the following: "The Tax Assessor and the Assistant Tax Assessor shall each give a bond in an amount to be determined by the Common Council to the city conditioned against defalcation or malfeasance in office, with a surety company as surety."

[403] 2023 modification and recodification of current Article V, Part 4 – Department of Finance, §1-244.A entitled "Requirements for certain Department officers". Added by Charter Amendment 8-29-1978, §9. Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[404] In lieu of the following: "The Director of Finance, Comptroller, Purchasing Agent, Tax Collector, Tax Assessor and Assistant Tax Assessor."

[405] 2023 modification and recodification of current Article V, Part 6 entitled Collector of Taxes and Assessments," §1-254 (Fourth sentence).

[406] 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

[407] NEW (2023).

may be changed; however, the functions and fiduciary obligations specifically set forth in this Charter must not be altered[408].

I. Reporting Requirements of the Division Chiefs[409]. The Division Chiefs are each required to prepare for the Board of Estimate and Taxation, the Common Council, and the Mayor any special reports which any of them may desire.

§8-3. The Corporation Counsel: The Law Department.

A. Law Department; Department Head[410]. The Corporation Counsel is the administrative head of the Law Department[411].

B. Structure of Office[412]. 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.

Commented [SGM71]: ACTION ITEM #2.8: 042925

C. Codification[413]. The City of Norwalk will cause to be prepared, under the direction of its Corporation Counsel, a codification of all Ordinances in force and effect.

§8-4. Finance Functions[414].

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[408] 2023 repeal of current Article V, Part 1 – General. §1-220.1 pertaining to "Disposal of Surplus or Obsolete Equipment," derived from Charter Amendment 8-23-1977. Historical Editor's Note: Approved by the electorate at the general election held 11-8-1977.

[409] 2023 recodification and modification of current Article V, Part 4 – Department of Finance §1-239.F, by requiring this function for all Division Chiefs.

[410] 2023 modification and recodification of current Article IV. The Common Council. §1-189.4 (First sentence). Added by Charter Amendment 11-3-1970. The following is repealed: "Authorization of Council to Establish Law Department. The Council shall have the power to establish a Law Department."

[411] 2023 recodification of current Article IV. The Common Council. §1-189.4 (Second sentence). Added by Charter Amendment 11-3-1970.

[412] 2025 revision of §8-3.B adopted in 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."

[413] 2023 modification and recodification of current Article IV. The Common Council. §1-194. Derived from Sp. Laws 1957, No. 111; Charter Amendment 9-2-1. Historical editor's Note: Approved by the electorate at the general election held 11-5-1974. Editor's Note: Approved by the electorate at the general election held 11-4-1980. The following language was repealed: "A competent legal publishing company may be employed by the city for that purpose and said codification may rephrase, alter, repeal or eliminate all obsolete and conflicting ordinances. Said codification shall be published in book form and any ordinances contained therein shall not require publication in a newspaper. The city shall provide sufficient quantities of said codification in book form to make available copies for the use of members of the Common Council, the office of the Corporation Counsel, all other city offices, including the Norwalk Public Libraries, the members of the Charter Revision Commission, and sufficient additional quantities for sale to the public.", including the reference to Editor's Note: See Ch. 7, General Provisions, Article I, General

[414] 2023 title change and recodification of current Article V, Part 4 – Department of Finance. Derived from Sp. Laws 1913, No. 352, §69; Sp. Laws 1921, No. 334, § 2; Sp. Laws 1933, No. 335, §1; and, §1-238, Payments to Treasurer. (Sp. Laws 1913, No. 352, § 7), was repealed by Charter Amendment 8-29-1978. Historical Editor's Note: Editor's Note: Former Part 4, City Treasurer, consisting of § 1-237, Duties of the City Treasurer.

A. Generally[415]**.** This division of government is responsible for the administration of the fiscal policies of the City and for keeping of accounts and financial records of the City; for the assessment and collection of taxes, special assessments and other revenues; for the custody and disbursement of City funds and money; for the control over expenditures; for the purchase of services and materials, including insurance; for the preparation of the Operating and Capital Budgets for submission to the Mayor, Board of Estimate and Taxation, Common Council and other authorities otherwise provided in this Charter for the adoption of such budgets and for advising each of the authorities when requested as to fiscal matters[416]; and such other powers and duties as may be required by the General Statutes, this Charter, Ordinance, or Order or Motion of the Council[417].

Historical Transition Provisions. The historical powers and duties of the Finance Division as set forth in §14-2 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 §14-2 have been addressed by the Ordinance, §14-2 shall expire and may be removed from the Charter.

B. Chief Financial Officer[418]**.** At the time of the adoption of this provision of the Charter the Division Chief is the Chief Financial Officer. The Chief Financial Officer is responsible for the administration of the financial management of the City.

(1) Departments and Direct Reports to the Division Chief[419]**.** 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 responsible for the financial functions of the City: (a) The Comptroller; (b) The Purchasing Agent; (c) The Tax Collector; (d) The Tax Assessor; (e) The Assistant Tax Assessor; and (f) any other Departments that may be assigned.

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[415] 2023 modification and recodification of current Article V, Part 4 – Department of Finance §1-238. Added by Charter Amendment 8-29-1978, §3. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[416] 2023 recodification of current Article V, Part 4 – Department of Finance §1-238.A
[417] NEW (2023)
[418] 2023 revision (f/k/a "Director of Finance") and recodification of (1) current Article V, Part 4 – Department of Finance §1-239. 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; and (2) current Article V, Part 4 – Department of Finance §1-239.B, in lieu of the following: "The Director of Finance shall have experience in finance and possess appropriate professional qualifications for the discharge of his or her office." The following provisions pertaining to the designation of an Assistant Director of Finance and assumption of certain powers and duties of the Comptroller with respect to the capital budget and capital projects program are repealed, as follows (1) current Article V, Part 4 – Department of Finance §1-239.C (Fourth sentence); and (2) current Article V, Part 4 – Department of Finance §1-239.E.
[419] 2023 modification and recodification of current Article V, Part 4 – Department of Finance §1-237 and §1-239.C (First sentence). Added by Charter Amendment 8-29-1978, §2. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978, in lieu of "there shall be a Department of Finance which shall be composed of the Divisions of Accounting and Treasury, Purchasing, Tax Assessment, and Tax Collection."

(2) Audit Functions[420]. The Chief Financial Officer or a designee is required to audit or cause to be audited such accounts, as determined in the discretion of the Chief Financial Officer. The Chief is also responsible for performing those duties historically performed by the Auditor and the Comptroller[421] .

(3) Annual Report[422]. At the end of each Fiscal Year the Chief Financial Officer is required to examine the yearly statement of accounts of all City officers and report the result to the Mayor, Council, and Board of Estimate and Taxation, which report must be entered by the City Clerk upon the records of the City and published in such manner as the Council may order[423].

C. The Comptroller.

Commented [SGM72]: ACTION ITEM #4: 042925.

(1) Duties and Responsibilities[424]. 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.

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[420] 2023 modification and recodification of current Article V, Part 4 – Department of Finance, §1-240.A. Added by Charter Amendment 8-29-1978, § 5. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

[421] 2023 recodification and edit of current Article V, Part 4 – Department of Finance §1-239.G (First sentence), language replaced: "set forth in §1-240D of the Charter."

[422] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-239.G (Second sentence).

[423] 2023 repeal of the following provisions: (1) current Article V, Part 4 – Department of Finance, §1-240.B entitled "Office of City Comptroller." Added by Sp. Laws 1931, No. 323, §1: "On and after September 1, 1931, the office of City Auditor shall be abolished, and in lieu thereof there is created the office of City Comptroller;" (2) current Article V, Part 4 – Department of Finance, §1-240.C entitled "Vested Powers." Added by Sp. Laws 1931, No. 323, §2: "All powers and duties vested in said City Auditor by statute or by the Charter of the City of Norwalk shall be vested in the City Comptroller;" (3) c current Article V, Part 4 – Department of Finance, §1-240.D entitled "Former duties of Auditor which are now performed by Comptroller". Added by Sp. Laws Sp. Laws 1913, No. 352, §70.7: "The Auditor shall quarterly and oftener when required by the ordinances of said city examine and audit the accounts of all appointed or elected officers of said city, including like officers of the First, Second and Third Taxing Districts, who are authorized to receive or disburse money belonging to said city, or said districts, and shall compare the items of such accounts with the vouchers therefor, and shall report the result of such examination to the Council, and at the end of the current year, he shall examine the yearly statement of accounts of all such officers and report the result to the Council, which report shall be entered by the City Clerk upon the records of said city and published in such manner as the Council may order;" (4) current Article V, Part 4 – Department of Finance, §1-240.E entitled "Checks or orders to be countersigned by City Comptroller." Added by Sp. Laws 1931, No. 323, §7: "No funds may be withdrawn by the City Treasurer unless such checks or orders shall be countersigned by the City Comptroller;" and, (5) current Article V, Part 4 – Department of Finance, §1-240.F entitled "Repeal of inconsistent sections that deal with Treasurer." Added by Sp. Laws 1931, No. 323, §8: "So much of the Charter of the City of Norwalk, concerning the duties of the City Treasurer, as is inconsistent herewith is repealed."

[424] 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 Divison 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).

(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.

(2) Historical Provisions Pertaining to the Comptroller[425]. The Controller is also required to perform the following functions:

(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;

[425] 2025 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."

(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[426]. 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.

D. The Purchasing Agent[427]. The Purchasing Agent is responsible for 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.

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[426] 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).

[427] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-241.A entitled "Division of Purchasing First and second sentences). Added by Charter Amendment 8-29-1978, §6. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. The remainder of the historical provision has been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter.

(1) General Duties[428]. The City Purchasing Agent is required to (a) make all purchases of supplies, materials, equipment and contractual services for all Budgeted Entities of the City and (b) administer the central purchasing system for the City covering the purchase of all supplies, materials, equipment. and other commodities for the use and needs of all Departments, Budgeted Entities, Boards and Commissions and Public Officials, including the Board of Education. With regard to the Board of Education, the City Purchasing Agent is required to take advantage of incentives, cooperative agreements, and consortiums generally available to boards of education in order to expedite the acquisition of goods and services for the Board to meet the curriculum and scheduling requirements of the Board.

Historical Transition Provision. The historical powers and duties of the Purchasing Agent as set forth in §14-4 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 §14-4 have been addressed by the Ordinance, §14-4 shall expire and may be removed from the Charter.

(2) Purchasing Ordinance[429]. The Common Council is authorized to establish and amend by Ordinance such rules, Regulations, policies and procedures as it may deem necessary or appropriate to define and govern the powers, duties, responsibilities, and operations of such Purchasing Division.

(3) Centralized Purchasing System: Purchasing Ordinance[430]. There must be a centralized purchasing system for the City (including, where practicable, the Board of Education) covering the purchase of all services, supplies, materials, equipment, and other commodities required. In order to advance the provisions of this Charter, the Common Council is authorized, upon recommendation of the Purchasing Agent, to establish and amend, by Ordinance, the local laws governing the operation of a central purchasing system in a manner consistent with the General Statutes, this Charter, Ordinance and standards established by organizations such as the National Institute of Governmental Purchasing and the National Association of State Purchasing Officials as well as the Model Procurement Code and Ordinances prepared by the American Bar Association. The Ordinance must include, but not be limited to, provisions governing: (a) additional roles and responsibilities of the Purchasing Agent; (b) competitive procurement[431] and solicitation requirements, including local business preference; (c) specifications, requisition standards and

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[428] NEW (2023).
[429] 2023 modification and recodification of current Article V, Part 4 – Department of Finance, §1-241.B (Fifth sentence). Editor's Note: Procurement Guidelines were adopted 2-8-2005 by the Common Council of the City of Norwalk and last amended 7-8-2014. A complete copy of these guidelines and any amendments thereto are on file in the City offices. See also § 19-1, Threshold for bidding, of this Code.
[430] NEW (2023).
[431] See, C.G.S. §7-148v entitled "Requirements for competitive bidding". See also, C.G.S. §7-148w entitled "Disqualification of contractors from bidding on municipal contracts".

inspection and testing methodologies, following consultation with the Mayor, Chief Financial Officer and appropriate City Officials, designated by the Mayor; (d) storage; (e) recycled and recyclable products; (f) transfer or sale of surplus property; and (g) appropriate reporting standards and inventory control.

The Purchasing Agent is required to review the Ordinance every two years and make recommendations for amendment or revision pertaining to the purchase of all services, supplies, materials, equipment, and other commodities required as well as the factors, including, but not limited to, cost, competition and processes, that assure compliance with the provisions of this Charter.

E. The Tax Collector[432]. 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.

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(1) Public Improvement Liens; Duration[433]. 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[434]. 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 this Charter or Ordinances[435],[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

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[432] 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.

[433] 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.)

[434] 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.)

[435] Historical Editor's Note: See §§ 1-14 and 1-15.

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.

F. The Tax Assessor[436]. The Tax Assessor is responsible for the following:

(1) Appointment of Assistant Tax Assessor[437]. There shall be an appointed Assistant Tax Assessor.

(2) Duties and Powers[438]. All of the duties and powers entrusted to and vested in the Assessors and Board of Assessors under the General Statutes and this Charter, as amended, are entrusted to and vested in the Tax Assessor and Assistant Tax Assessor as constituted herein.

§8-5. Economic and Community Development Functions.

A. Generally[439]. The functions of this division relate to neighborhood, community, and economic development planning and programs, planning and zoning, code enforcement, blight enforcement, business development and tourism, transportation, mobility and parking, and such other related activities as may be assigned to the Chief from time to time by the Mayor or by Ordinance[440].

B. Chief of Economic and Community Development[441]. At the time of the adoption of this provision of the Charter, the Division Chief is the Chief of Economic and Community Development. The Chief is 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 Chief[442]. 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)

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[436] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-243.A entitled "Division of Tax Assessment" (First and second sentences). Added by Charter Amendment 8-29-1978, §8. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[437] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-243.B entitled "Division of Tax Assessment".
[438] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-243.F entitled "Division of Tax Assessment".
[439] NEW (2023)
[440] Last sentence derived from Ord. §35B-3.A.
[441] NEW (2023)'s Note: Approved by the electorate at the general election held 11-7-1978; and (2) current Article V, Part 4 – Department of Finance §1-239.B, in lieu of the following: "The Director of Finance shall have experience in finance and possess appropriate professional qualifications for the discharge of his or her office."
[442] NEW (2023).

Business Development and Tourism; (b) Code Enforcement[443]; (c) Planning and Zoning; and (4) Transportation, Mobility and Parking[444].

§8-6. Human Resources and Personnel Functions.

A. Generally[445]. The functions of this division of government involve the administration of the City's compensation plans and employee benefit programs, assistance to all Departments and other Budgeted Entities in the recruitment, selection, and training of new employees; conducting analyses of job classifications, developing and running periodic employee training and safety programs as well as training and establishing policies pertaining to the scope of federal and state laws addressing discrimination and harassment, maintaining employee records, providing personnel and labor relations services to all Departments and other Budgeted Entities, representing the City's interest in collective bargaining, grievance, and arbitration matters and such other related activities as may be assigned to the Chief from time to time by the Mayor or by Ordinance.

B. Chief of Human Resources and Personnel[446]. At the time of the adoption of this provision of the Charter, the Division Chief is the Chief of Human Resources and Personnel. The Chief is responsible for the administration of the functions set forth in this

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[443] 2023 replacement of current Article IV. The Common Council. §1-190. Derived from Sp. Laws 1913, No. 352, §124; Sp. Laws 1915, No. 367, §8. Historical editor's Note: See Ch. 81, Plumbing; Ch. 36, Electrical Code; Ch. 66, Milk; Ch. 57, Health and Sanitation. The repealed language follows: "Authorization of Council to enact ordinances covering plumbing, sanitation, electrical work, licensing of workers, licensing and regulations of dealers in milk. The Council is also hereby authorized to enact ordinances or bylaws concerning plumbing, sanitation, and electrical work, and to provide for the examination and licensing of master or journeymen plumbers or electricians by such committee of persons as the Council shall designate, and for the revocation of such licenses with power to forbid any unlicensed person doing any plumbing or repairing of plumbing, or doing any electrical work, under such penalties as the Council shall prescribe; to provide for a Building, Plumbing, and Electrical Inspector, define his powers and duties, and determine the fees to be paid for permits; to provide for the licensing of dealers in milk, fix the fees for such licenses, prescribe the conditions under which milk shall be kept, offered for sale, and sold in the City, and prohibit the bringing into the City of milk which is not pure, or which has been exposed to contamination, and to provide penalties for the violation of any of the ordinances of the City."

[444] The following provision pertaining to the parking department, in lieu of the Parking Authority is repealed: current Article XIII, §1-378 derived from Charter Amendment 8-17-1976. Historical Editor's Note I: Former Article XIII, Parking Authority, was repealed 8-17-1976 by the Charter Amendment which established the Parking Department. Historical Editor's Note II: Approved by the electorate at the general election held 11-2-1976. Historical Editor's Note III: Former Article XIV, City Court, was deleted in its entirety, as the city court system was abolished by state statute.

[445] NEW (2023).

[446] NEW (2023). In lieu of current Article V, Part 9 – Personnel Department, 1-287.2. Derived from Sp. Laws 1969, No. 151, §2; Charter Amendment 8-13-1974. Historical Editor's Note: Approved by the electorate at the general election held 11-5-1974, which is repealed as follows: "On the first (1st) Monday after the first (1st) Tuesday in December 1977, the Mayor then in office shall appoint a Personnel Director, subject to confirmation of the Council of the City, who shall hold office at the pleasure of the Mayor and who may be removed at any time at the will of the Mayor. Such removal for all purposes shall be treated as a resignation. If the Mayor shall so remove his appointee, he shall forthwith appoint a successor, which appointment shall require confirmation by the Council. The Mayor shall fill any vacancy in the office of Personnel Director, subject to confirmation by the Council." Also, in lieu of current Article V, Part 9 – Personnel Department, 1-287.1. Derived from Sp. Laws 1969, No. 151, §1.

Charter and the Ordinances on the basis of experience and qualifications established by Ordinance[447].

§8-7. Operations Functions.

A. Generally[448]. 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 Chief[449]. 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 Works[450], (d) Recreation and Parks[451] and (e) others as may be directed by Ordinance.

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[447] 2023 repeal of current Article V, Part 9 – Personnel Department, 1-287.3. Derived from Sp. Laws 1969, No. 151, §3, as follows: "The Common Council shall establish by ordinance rules, regulations, policies and procedures which shall govern the operation of said Personnel Department and the administration of personnel matters in the City of Norwalk, including the duties of the Personnel Director. Such ordinance may be amended from time to time by the Common Council in such manner as it may deem necessary for the proper operation of said Personnel Department and the proper administration of personnel matters in the City of Norwalk."

[448] 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.

[449] NEW (2023).

[450] 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.

[451] 2023 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

(2) Functions of the Chief and Department Heads of the Division of Operations and Public Works[452]. The Division Chief and the Department Heads thereunder are responsible for the following:

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(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.

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.

[452] 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.

(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.

(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 Street[453]**.** The Division Chief 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.

(b) Cross Street; Acquiring rights-of-way; cost of constructing bridges and approaches[454]**.** The City of Norwalk shall acquire all rights-of-way required for the purposes of §8-7.B(2)(a), 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[455]**.** 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), and the Highway Commissioner shall have no obligation or liability therefor.

§8-8. Community Service Functions[456].

A. Generally[457]**.** The functions under this division of government pertain to the administration and management of policies and programs designed to (1) increase and sustain the social well-being and health of all residents of the City, by consolidating initiatives and programs that directly affect the social well-being and health of the residents of the City; (2) provide oversight and administrative support to departments under its supervision; and (3) such other related activities as may be assigned to the Chief from time to time by the Mayor or by Ordinance. The Chief serves as the liaison to state and federal agencies within the purview of the division.

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[453] 2025 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.

[454] 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.

[455] 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.

[456] 2023 repeal of the following provisions pertaining to Social Services and Public Welfare: from current Article X – Department of Social Services, (1) §1-353. Derived from Charter Amendment 2-10-1981.) Historical Editor's Note: The Charter Amendment adopted 2-10-1981 also provided for the repeal of former §§ 1-353 through 1-361, which comprised former Art. X, Department of Public Welfare (Sp. Laws 1913, No. 352, § 171; Sp. Laws 1933, No. 331, §§ 1 and 2; Sp. Laws 1935, No. 505, §§ 1, 2, 3, 4, 5, 6 and 7.); (2) §1-354. Derived from Charter Amendment 2-10-1981; (3) §1-356. Derived from Charter Amendment 2-10-1981; (4) §1-356. Derived from Charter Amendment 2-10-1981; (5) §1-358. Derived from Charter Amendment 2-10-1981; and (5) §1-357. Derived from Charter Amendment 2-10-1981.

[457] NEW (2023)

B. Chief of Community Services[458]**.** At the time of the adoption of this provision of the Charter, the Division Chief is the Chief of Community Services. 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.

C. Departments and Direct Reports to the Division Chief[459]**.** 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) Health, (b) Public Library[460], (c) Human Services and (d) others as may be directed by Ordinance or assigned by the Mayor.

§8-9. Public Safety Functions.

A. The Police Department[461]**.** The Police Department is responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of the rights of persons and property and enforcement of Laws and Ordinances and all rules and Regulations made in accordance therewith[462]. The City must maintain an adequate police force and provide all services as may be required by Law, Charter or Ordinance.

Commented [SGM76]: Errata.

(1) All sworn members of the Department possess and are authorized to exercise the authority and duties pertaining to the service of criminal process and enforcement of criminal laws as are vested in police officers by Law, this Charter and Ordinances[463].

(2) The Chief of Police - Powers and Duties[464]**.** The head of the Police Department is the Chief of Police who is responsible for the general management and operations of the Police Department. In this regard, the Chief is required to propose, in writing, policies, rules, and Regulations concerning the general management and operations of the Department and the conduct of all its members, in accordance with Law, this Charter and Ordinance.

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[458] NEW (2023).
[459] NEW (2023).
[460] Note: At the time of the adoption of this Charter the Public Library consists of the libraries in the First Taxing District and the Second Taxing District of the City. The Rowayton Library and East Norwalk Library are not governed by the Charter and Ordinances.
[461] 2023 modification and recodification of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-312 (Derived from Charter Amendment 11-3-1970), in lieu of the following: "The Norwalk Police Department shall maintain an adequate police force and shall provide all services as they may be required in the entire City of Norwalk. This section shall apply to the fiscal year beginning July 1, 1971, and shall be effective as of that date."
[462] NEW (2023).
[463] NEW (2023). 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-303 (Derived from Sp. Laws 1913, No. 352, § 141; Sp. Laws 1925, No. 225, § 17.) Historical Editor's Note: Refer to § 1-217 for powers of Constables; See also, 2023 repeal of current Article VIII – Police Department and Police Fund, Part 1 – General, §1-311 (Derived from Sp. Laws 1953, No. 590, §1, as follows: "The police shall have the powers of Constables of towns in the apprehension and arrest of criminals and the service of process within the limits of the City."
[464] NEW (2023).

(a) Appointment[465]. The Police Commission is required to appoint the Chief of Police as set forth in §7-2.B(2)(b); however, the Chief may be removed from office in accordance with the provisions of this Charter, the Ordinances and the General Statutes[466]. The Chief of Police may hold office until completion of service or until a successor shall be appointed and shall have qualified.

(b) Qualifications[467]. The Chief of Police must meet the requirements, qualifications and certifications as may be set forth in the General Statutes and required by the City in accordance with nationally accepted professional standards and best practices in the applicable field as developed pursuant to §8-2.E[468].

B. The Fire Department. The Fire Department is responsible for the protection of life and property in the City from fire and other like disasters and emergencies, and for the enforcement of all Laws, Ordinances and Regulations relating to fire prevention and fire safety[469]. The jurisdiction of the Norwalk Fire Department extends to the entire City of Norwalk except to the Sixth Taxing District[470]. The Department is required to maintain an adequate

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[465] NEW (2023).
[466] C.G.S. §7-278 entitled "Hearing prior to dismissal of municipal police head. Just cause requirement. Appeal".
[467] Charter Revision of 2011.
[468] 2023 repeal of (1) current Article VIII – Police Department and Police Fund, Part 1 – General, §1-305.1 (Derived from Sp. Laws 1967, No. 403), as follows: "here shall be a special police force or call force in the City of Norwalk consisting of not more than two hundred (200) members. The members of said special police or call force shall be appointed by the Board of Police Commissioners for terms not exceeding two (2) years. No person shall be appointed a member of the special police or call force unless he is an elector of the City of Norwalk, of good moral character and habits, in good health, and shall have passed such examination, mental and physical, as may be required by the Board of Police Commissioners. Such special police force or call force shall, at all times, be under the direction and control of the Chief of Police and shall perform such duties as may be assigned or designated by said Chief of Police. Members of the special police or call force shall have the power of regular policemen in the apprehension and arrest of criminals, in maintaining public order, and in the service of process within the limits of the City of Norwalk, and shall be paid for their services by said city;" (2) current Article VIII – Police Department and Police Fund, Part 1 – General (arrest without warrant), §1-306 (Derived from Sp. Laws 1913, No. 352, §148), as follows: "It shall be the duty of any police officer of the City to arrest, without previous complaint or warrant, any person guilty of drunkenness, vagrancy, disorderly conduct, breach of the peace, common assault, or any other offense committed within the City, when such offender may be taken or apprehended in the act, or on the speedy information of others, or when such officer has reasonable grounds to believe that an offense has been committed, and all persons so arrested shall be immediately presented before the Superior Court for trial; and, (3) current Article VIII – Police Department and Police Fund, Part 1 – General, (1) §1-303 (Derived from Sp. Laws 1913, No. 352, § 141; Sp. Laws 1925, No. 225, § 17.) Historical Editor's Note: Refer to § 1-217 for powers of Constables, as follows: ".The police shall have the powers of Constables of towns in the apprehension and arrest of criminals and the service of process within the limits of the City; and (2) §1-313 (Derived from Charter Amendment 11-3-1970), as follows: "All the inhabitants and real and personal property within the limits of the Fifth Taxing District shall be liable to taxation to defray the expenses of the Police Department, and an appropriation for the Police Department shall be included in the annual budget of the City. This section shall apply to the fiscal year beginning July 1, 1971, and shall be effective as of that date." .
[469] NEW (2023).
[470] 2023 recodification of current Article XXII "Extension of Fire Protections," §1-665. Derived from Charter Amendment 11-3-1970; effective 7-1-1971. See also, current Article XXII "Extension of Fire Protection." [Adopted 6-14-1961] Historical Editor's Note: See also, Art. IX and Ch. 41, Fire Department.

fire-fighting force; provide all services as may be required; and maintain all necessary fire houses and fire-fighting equipment within the boundaries of the Fifth Taxing District, except the Sixth Taxing District[471]. Notwithstanding the foregoing, the Norwalk Fire Department is required to make available the services of its entire department to the entire City whenever they may be required[472].

(1) The Fire Chief – Powers and Duties[473]. The head of the Fire Department is the Fire Chief, who is responsible for the general management and operations of the Fire Department. In this regard, the Chief is required to propose, in writing, policies, rules and Regulations concerning the general management and operations of the Department and the conduct of all its members, in accordance with Law.

(2) Appointment[474]. The Fire Commission is required to appoint the Fire Chief as set forth in §7-2.C(2)(c); however, the Chief may be removed from office in accordance with the provisions of this Charter, the Ordinances and the General Statutes[475]. The Fire Chief may hold office until Completion of Service or until a successor shall be appointed and shall have qualified.

Commented [SGM78]:

(3) Qualifications[476]. The Fire Chief must meet the requirements, qualifications and certifications as may be set forth in the General Statutes and required by the City in accordance with nationally accepted professional standards and best practices in the applicable field as developed pursuant to §8-2.E.

(4) Taxation[477]. All of the inhabitants and the real and personal property within the limits of the Fifth Taxing District, with the exception of the Sixth Taxing District, shall be liable to taxation in order to defray the expenses of the Norwalk Fire Department. An appropriation to cover the operation of the Norwalk Fire Department shall be included in the annual budget of the City.

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[471] 2023 modification and recodification of current Article XXII "Extension of Fire Protections," §1-666. Derived from Charter Amendment 11-3-1970, effective 7-1-1971, in lieu of the following: "(i) The Norwalk Fire Department shall maintain adequate fire-fighting force within the Fifth Taxing District of the City of Norwalk and in addition thereto shall maintain all necessary fire houses and fire-fighting equipment within the boundaries of the Fifth Taxing District of the City of Norwalk, except the Sixth Taxing District. (ii) The Norwalk Fire Department shall make available the services of its entire department to the entire city whenever they may be required."

[472] 2023 modification and recodification of current Article XXII "Extension of Fire Protections," §1-666. Derived from Charter Amendment 11-3-1970, effective 7-1-1971.

[473] NEW (2023).

[474] NEW (2023).

[475] See, C.G.S. §7-302 entitled "Hearing prior to dismissal of fire department head. Appeal".

[476] Charter Revision of 2011.

[477] 2023 Recodification of current Article XXII "Extension of Fire Protections," §1-667. Derived from Charter Amendment 11-3-1970; effective 7-1-1971.

(5) Termination of Sixth Taxing District Exception[478]. At such time as the Sixth Taxing District shall cease to maintain its own Fire Department, the Sixth Taxing District shall no longer be excepted from the provisions of §8-9.B, hereinabove, and all of the inhabitants and real and personal property within the Fifth Taxing District are liable to taxation to defray the expenses of the Department.

[478] 2023 recodification of current Article XXII "Extension of Fire Protections," §1-668. Derived from Charter Amendment 11-3-1970; effective 7-1-1971.

ARTICLE IX: EDUCATION[479]

§9-1. Board of Education[480].

A. Creation and Composition of the Board of Education[481].

(1) Composition[482]. The Department of Education which shall be under the control of nine members, who shall be Electors of the City of Norwalk, and shall be known as the Board of Education. Its members are elected as hereinbefore provided.

(2) Duties[483]. The Board shall perform the duties and have the powers provided by the General Statutes for boards of education.

(3) Meetings[484]. The Board is required to hold a regular meeting each month.

(4) Mayor Ex-Officio Non-Voting Chair of the Board[485]. The Mayor is, ex officio, the Chair of the Board of Education and may preside at all meetings of the

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[479] 2023 recodification of current Article XVIII, entitled "Schools", Part 1. General. §1-507 through 1-509 (Reserved). Historical Editor's Note I: Editor's Note: See also Part 2, Board of Education, §§ 1-516 through 1-520. Historical Editor's Note II: Former §§ 1-507, Control of School Committee, 1-508, Term of School Committee, and 1-509, Retention of positions, Sp. Laws 1913, No. 352, §§ 162 through 164, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980. §1-509. through § 1-515. (Reserved). Historical Editor's Note III: Former §§ 1-511, Expansion of technical and vocational training, 1-512, Appropriation for expansion of technical and vocational training, and 1-513 Appropriations not subject to certain statutory limitations, Sp. Laws of 1943, No. 478, §§ 1 to 3, and §§ 1-514, Transfer to city of funds of South Norwalk Union School District, and 1-515, Transfer to city of funds of South Norwalk and Brookside School Districts, Sp. Laws 1937, No. 39, §§ 1 and 2, were repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

[480] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education.

[481] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516. Derived from Sp. Laws 1913, No. 352, § 166; Sp. Laws 1915, No. 198, § 1; Sp. Laws 1921, No. 189, § 6; Sp. Laws 1929, No. 103; Sp. Laws 1967, No. 197, § 7; Charter Amendment 11-3-1970, effective 7-1-1971; Charter Amendment 9-12-2000. Historical Editor's Note: Approved by the electorate at the general election held 11-7-2000.

[482] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (First sentence). Editor's Note: For election of Board of Education members refer to § 1-167b Note: Replaces of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-518. Derived from Sp. Laws 1931, No. 315, § 2; Sp. Laws 1933, No. 174; Sp. Laws 1967, No. 197, § 8; Sp. Laws 1969, No. 264, §3; Charter Amendment 8-17-1976 (I); Charter Amendment 8-29-1978 (II). Historical Editor's Note I: Approved by the electorate at the general election held 11-2-1976. Historical Editor's Note II: Approved by the electorate at the general election held 11-7-1978. Historical Editor's Note I: This date was corrected by resolution of the Common Council 3-8-1977. Historical Editor's Note II: See also, Art. VI, § 1-289, for appropriations in general. Also replaces current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-519. Derived from Sp. Laws 1931, No. 315, §3.

[483] 2023 recodification and modification of current Article III – Part 1. In General, §1-167. Derived from Charter Amendment 11-3-1970; effective 7-1-1971; Charter Amendment 9-12-2000. Historical editor's Note: (1) See also Art. XVIII, Part 2; (2) Approved by the electorate at the general election held 11-7-2000..

[484] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Second sentence).

[485] 2023 recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Third and fourth sentences).

Board. The Mayor has no vote in any meeting of the Board except in case of a tie vote among the regular members of the Board.

(5) Election of Officers[486]. The Board is required to elect, from among its members, a (a) Chair pro tempore, who presides at all meetings of the Board in the absence of the Mayor, (b) Vice Chair and (c) Secretary, who shall keep a record of all votes, acts and transactions of the Board. The Chair, Vice Chair and Secretary shall perform all duties imposed by the Board or by Law, this Charter or Ordinances.

(6) Election of Superintendent[487]. The Board is required to elect a Superintendent of Schools, in accordance with the General Statutes.

(7) Other Appointments. Acting through the Superintendent of Schools or otherwise, the Board is authorized to employ such number of assistants, principals and teachers as it may deem necessary and prescribe their respective terms of office and duties, in accordance with the education appropriation and such other funds as may be available to the Board[488]. The Board may make such appointments before any appropriation has been made to cover the salaries of the persons appointed and §8-2.D(2) shall not apply to such obligations[489].

(8) Duties of Board[490]. The Board of Education is responsible for the control, charge, and direction of the public schools in the City and for the expenditure of moneys appropriated for the support of the same strictly in accordance with the provision of the applicable General Statutes[491]. This authority does not include erection of new schools or additions to the present buildings. The Board is authorized to:

(a) Keep all the school buildings and apparatus used therein in good condition and repair and

(b) Exercise the powers conferred by the General Statutes, subject to the general duties and limitations of Boards of Education, in accordance with the applicable General Statutes[492].

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[486] 2023 modification and recodification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-516 (Fifth and sixth sentences).
[487] 2023 recodification and modification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-516 (Seventh sentence).
[488] 2023 recodification and modification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-516 (Seventh sentence).
[489] 2023 recodification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-516 (Eighth sentence).
[490] 2023 recodification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-517. Derived from Sp. Laws 1931, No. 315, § 1.
[491] Editor's Note: See also § 1-248, for purchase of commodities by Comptroller.
[492] In lieu of current §§1-517 to 1-519.

The Board is further authorized to make its by-laws, define the duties of its officers and committees and prescribe rules and Regulations for discipline in the public schools.

(9) Board Reports[493]**.** The Board is required, at the end of each fiscal year, to transmit to the Mayor a full report of its proceedings during the year with a statement showing the total amount of money received and expended for the support of the schools, and, at least once in each month, shall transmit to the Mayor a detailed statement of expenses incurred during the preceding month and the expenses shall be paid in the same manner as other expenses of the City[494].

§9-2. School Districts[495].

The territorial limits of the City as herein described shall be one school district, but the Board of Education may divide the same into subdistricts for the purpose of control of attendance of pupils of certain schools.

§9-3. Budget[496].

The Board of Education and Superintendent is required to submit its budget to the Chief Financial Officer and the Mayor at the same time as other Departments, as set forth in this Charter. If the Board receives an appropriation greater or less than its original request, it must, forthwith, revise its estimates of expenditure in accordance therewith and file a copy thereof with the Mayor, Board of Estimate and Taxation and the Common Council. The Board is further required to report monthly to the Mayor, Chief Financial Officer, Board of Estimate and Taxation, and the Council a comparison of actual and estimated expenditures.

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[493] 2023 recodification of current Article XVIII, entitled “Schools”, Part 2. Board of Education. §1-520. Derived from Sp. Laws 1913, No. 352, §168; Sp. Laws 1921, No. 189, §5.

[494] 2023 Repeal of (1) Current Article XVIII, entitled “Schools”, Part 3. Bonds and Notes. §1-521 through 1-613 (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 the following sections relating to terminated bond issues: §§ 1-521 through 1-525 (Sp. Laws 1923, No. 137, §§ 1 to 5); 1-526 through 1-530 (Sp. Laws 1925, No. 451, §§ 1 to 5); 1-531 through 1-535 (Sp. Laws 1927, No. 97, §§ 1 to 5); 1-536 through 1-539 (Sp. Laws 1929, No. 192, §§ 1 to 4); 1-540 through 1-543 (Sp. Laws 1929, No. 215, §§ 1 to 4); 1-544 through 1-551 (Sp. Laws 1935, No. 359, §§ 1 to 8); 1-552 through 1-558 (Sp. Laws 1937, No. 74, §§ 1 to 7); 1-559 through 1-565 (Sp. Laws 1939, No. 19, §§ 1 to 7); 1-566 through 1-570 (Sp. Laws 1943, No. 206, §§ 1 to 5); 1-571 through 1-575 (Sp. Laws 1945, No. 165, §§ 1 to 5); 1-576 through 1-581 (Sp. Laws 1947, No. 347, §§ 1 to 6); 1-582 through 1-587 (Sp. Laws 1947, No. 370, §§ 1 to 6); 1-588 through 1-593 (Sp. Laws 1949, No. 206, §§ 1 to 6; Sp. Laws 1951, No. 161, §§ 1 and 2); 1-594 through 1-599, (Sp. Laws 1949, No. 306, §§ 1 to 6); 1-600 through 1-603 (Sp. Laws 1951, No. 536, §§ 1 to 4); 1-604 through 1-608 (Sp. Laws 1953, No. 299, §§ 1 to 5); 1-609 through 1-613 (Sp. Laws 1957, No. 665, §§ 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. Also Repeal of current Article XVIII, entitled “Schools”, Part 3. Bonds and Notes. §1-614. Derived from Sp. Laws 1957, No. 665, §§ 6, 7.

[495] 2023 recodification of current Article XVIII, entitled “Schools”, Part 1. General. §1-508. Derived from Sp. Laws 1913, No. 352, § 165.

[496] NEW (2023)

§9-4. Reporting Requirements[497].

Unless otherwise specifically prohibited by the General Statutes, commencing on the first business day of July and every quarter thereafter, the Board of Education shall file with the Mayor, Board of Estimate and Taxation and Common Council, a report pertaining to all contracts (including, but not limited to, agreements, memoranda, letters of understanding, side letters, and other agreements) with a multi-year term; or which were procured by means of a competitive process for a multiple year term or option for extension; or, which otherwise contains an extension, option or renewal provision. This provision does not apply to contracts exempted from public disclosure by Law or otherwise not capable of redaction in order to protect statutory privacy rights of individuals. The exemption from this provision should not be construed to prevent the City or their officials from obtaining such documents, where permitted under Law.

[497] NEW (2023)

ARTICLE X: BUDGET, PUBLIC FUNDS AND FINANCE

§10-1. The Budget Process[498].

A. Cooperation of City Officials and Employees[499]. 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 Budget[500]. 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.

Commented [SGM79]: CFO 031425

Commented [SGM80R79]: ACTION ITEM: 042925

(2) Capital Budget and Capital Improvement Plan[501]. The Capital 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 over a 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 [SGM82R81]: ACTION ITEM: 042925

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 Year[502]. The fiscal year of the City begins on July 1st and ends on June

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[498] NEW (2023)
[499] NEW (2023).
[500] 2025 revision of §10-1.A(1) which was adopted in the 2023 Charter.
[501] 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.
[502] 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.

30th of the succeeding year.

C. The Budget: A Public Record.

(1) Public Inspection[503]. 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[504]. 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[505]. 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[506]. 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

D. Authority to Require Operating Budget and Capital Budget Information[507].

Commented [SGM83]: CFO 021625

Commented [SGM84R83]: ACTION ITEM: 042925

Commented [SGM85]: SGM consolidation based upon CFO 021625

Commented [SGM86R85]: ACTION ITEM: 042925

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

[503] NEW (2023)

[504] NEW (2023)

[505] NEW (2023).

[506] 2025 revision of §10-1.C(4) which was adopted in the 2023 Charter.

[507] 2025 recodification and revision of §10-2.A which was new provision added to the Charter in 2023.

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 the Mayor's designee the following:

(1) estimates of revenue and requests for expenditures for the Operating Budget in the ensuing fiscal year[508];

(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 in 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 Mayor[509];

(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 Charter[510]; and,

(4) all special revenue, equity assistance and enterprise funds, if any[511].

E. Submission of Operating Budget and Capital Budget Estimates[512]. 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 Public Schools, on or before December 31st), to submit and report to the Mayor or designee, the following:

(1) Operating Budget Estimate[513]. 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 Officer[514]; and,

Commented [SGM87]: SGM consolidation based upon CFO 021625.

Commented [SGM88R87]: ACTION ITEM: 042925

Commented [SGM89]: RECOMMENDED BY COUNSEL.

Commented [SGM90R89]: ACTION ITEM: 042925

Commented [SGM91]: CFO FOLLOWING CONSULTATION WITH PUBLIC SCHOOL CFO) 042925: ACTION ITEM

Commented [SGM92R91]: ACTION ITEM: 042925

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508 2025 recodification of §10-2.A(1)
509 NEW (2025)
510 2025 recodification of §10-2.A(2).
511 NEW (2025)
512 2025 recodification of §10-2.B and 10-11.
513 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.
514 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

(2) Capital Budget Items Estimate[515]. 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 Improvement Plan, including the proposed Capital Budget for the ensuing year.

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.

Commented [SGM93]: RECLOMMENDED BY COUNSEL.

Commented [SGM94R93]: ACTION ITEM: 042925

Commented [SGM95]: CFO 031525

Commented [SGM96R95]: ACTION ITEM: 042925

Annual Operating Budget

§10-2. Operating Budget Estimates.

A. Submission of Operating Budget Estimates[516]. The Operating Budget Estimates shall be submitted to the Mayor or the Mayor's designee, in accordance with §10-1.E(1), above.

Commented [SGM97]: SGM consolidation in Sec. 10-1.D(1) based upon CFO 021625.

Commented [SGM98R97]: ACTION ITEM: 042925

B. Budget Preview: Joint Committees[517]. 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 of all Budgeted Entities ("Joint Committees"). The Joint Committees shall elicit comments and ideas from members of the public during this meeting.

Commented [SGM99]: CFO 021625

Commented [SGM100R99]: ACTION ITEM: 042925

The Proposed Mayor's Operating Budget

§10-3. Submission of the Mayor's Proposed Operating Budget to the Board of Estimate and Taxation[518] and Common Council[519].

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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

[515] 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

[516] 2025 revision and merger in §10-1.D(1).

[517] NEW (2025)

[518] 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.

[519] 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

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 [SGM101]: CFO 021625

Commented [SGM102R101]: ACTION ITEM: 042925

A. Narrative and Recommendations[520]**.** 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[521]**.** 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 total Board of Education appropriation) and recommending an estimated 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 Budget[522]**.**

. 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 Appropriations[523]**.** 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

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[520] 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. See, derivations in fn #17, above.

[521] 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.

[522] 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

[523] 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

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 Charter[524]. The Common Council resolution is exempted from the application of §4-10.

C. Exemption of Grants from Maximum Limit on Total Appropriations[525]. Any grants from private, state, or federal sources received after the adoption of any maximum limit on total appropriations by the Common Council under this section are exempted from such maximum limit.

Commented [SGM103]: ACTION ITEM: 042825

§10-6. Board of Estimate and Taxation Deliberations on the Mayor's Proposed Operating Budget[526].

Commented [SGM104]: ACTION ITEM: 042825

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 proposed changes in the estimates. Thereafter the Board may make any alterations, increases and decreases in the Mayor's Proposed Operating Budget 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 Council[527]. The Board of Estimate and Taxation, having made alterations, increases, and

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[524] 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

[525] 2025 revision derived from the 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

[526] 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

[527] 2025 revision of §10-7.A, derived from the 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

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 Council[528]. 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 Charter[529]. The Common Council vote is exempted from the application of §4-10.

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

A. Alteration to Common Council Limits[530]. 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 Publication[531]. 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.

Amendment 11-5-1996; Charter

[528] 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

[529] 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

[530] 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

[531] 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). See, derivations in fn #31.

C. Final Alterations of Proposed Operating Budget, including Tax Rates[532]. 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 Statutes[533].

Commented [SGM105]: ACTION ITEM: 042925

D. No Further Action by Common Council[534]. 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 Charter[535]. 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 Revenues[536].

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.

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[532] 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

[533] **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.

[534] 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fourth sentence). See derivations in fn #33.

[535] 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fifth sentence). See derivations in fn. #33.

[536] 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

A. Limits on Expenditures; Special Appropriations and Exemption from Maximum Limit[537]. 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.

B. Special Appropriations[538]**.** 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.

C. Specific Purpose Appropriations[539]**.** 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 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 Estimates[540]**.** The Estimates of Capital Budget Items shall be submitted to the Mayor or a designee in accordance with §10-1.E(2), above.

Commented [SGM106]: ACTION ITEM: 042925

Commented [SGM107]: ACTION ITEM: 042925

Commented [SGM108]: CFO 031425.

Commented [SGM109]: SGM consolidation in Sec. 10-1.D(2) based upon CFO 021625.

Commented [SGM110R109]: ACTION ITEM: 042925

[537] 2025 revision of §10-10.A, derived from the 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-seventh and twenty-eighth sentences).

[538] 2025 revision of §10-7.B, derived from the 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

[539] 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

[540] 2025 revision and merger into §10-1.D(2).

B. Submission of Mayor's Proposed Capital Budget and Capital Improvement Plan[541]. 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

(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.

C. Notice and Publication of the Mayor's Proposed Operating Budget[542]. The Chief Financial Officer or other designee of the Mayor must post the Mayor's Proposed Capital Budget and Capital Improvement Plant, 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.

D. Public Hearing Requirements[543]. 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 any 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 related to a matter on which a decision of each of the entities is pending.

§10-12. Chief Financial Officer's Report[544].

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

[541] NEW (2025).
[542] NEW (2025)
[543] 2025 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.
[544] 2025 revision of §10-12 which was new in 2023, derived from §30-6 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

Commented [SGM111]: CFO 021625 and 041525
Commented [SGM112R111]: ACTION ITEM: 042925
Commented [SGM113]: ACTION ITEM: 042925
Commented [SGM114]: CFO 031425
Commented [SGM115R114]: ACTION ITEM: 042925
Commented [SGM116]: CFO 031425
Commented [SGM117R116]: ACTION ITEM: 042925
Commented [SGM118]: TL QUERY: THE WHOLE THING?
Commented [SGM119R118]: ACTION ITEM: 042925

Planning and Zoning Commission of the amount of the expenditures requested and the Chief Financial Officer's:

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

B. Recommendations related thereto.

The Chief Financial Officer must also 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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Commented [SGM121R120]: ACTION ITEM: 042925

§10-13. Review by the Planning and Zoning Commission[545].

A. Public Hearing. 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 purpose set forthin §10-13.B, below. The hearing may be continued in order to ensure maximum public participation.

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Commented [SGM124]: TL QUERY: THE WHOLE THING OR JUST THE CAPITAL BUDGET (YEAR 1)?

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.

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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 ascertain whether the proposed estimates are consistent 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.

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E. Transmittal of the Report[546]. The proposed Capital Budget, including the

Commented [SGM129]: CFO 021625

Commented [SGM130R129]: ACTION ITEM: 042925

[545] 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.

[546] 2025 recodification and edit of §10-14 (first sentence) which was adopted in 2023 and derived from §30-8 of 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.

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

A. Mayoral Review[547]. 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 Council[548]. 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.

§10-15. Transmittal of Recommendations by the Board of Estimate and Taxation[549].

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 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 below[550].

(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 City[551].

(2).....Further Recommendations.. Said transmittal shall incorporate therein recommendations as the Mayor, the Planning and Zoning Commission and the

Commented [SGM131]: 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?"

Commented [SGM132R131]: ACTION ITEM: 042925

Commented [SGM133]: CFO 021625

Commented [SGM134R133]: ACTION ITEM: 042925

Commented [SGM135]: CFO 021625

Commented [SGM136R135]: ACTION ITEM: 042925

Code of Ordinances. Amended 11-27-1968; 9-28-2021.

[547] 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.

[548] 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.

[549] 2025 recodification of §10-15 which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

[550] NEW (2025).

[551] 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.

Chief Financial Officer may make[552].

B. Public Hearings[553]**.** The Board of Estimate and Taxation 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.

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 year[554]. The Council is not required to consider any recommendations of the Board of Estimate and Taxation if not in writing or transmitted on or before April 1st of each year[555].

D. Transfers to Operating Budget[556]**.** 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 Charter[557]**.** The Resolution of the Board of Estimate and Taxation is exempted from the application of §4-10, above.

§10-16. Adoption of Capital Budget.

A. Actions of the Common Council[558]**. 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.D, above, by a Majority Vote of the Council within the maximum limits of the total Capital Budget established by the Mayor.**

B. Deadline for Approval[559]**. 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.**

C. Items Deemed Inconsistent with the Plan of Conservation and

[552] 2025 recodification of the last clause of the second sentence of §10-15.A.
[553] NEW (2025).
[554] 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).
[555] NEW (2025).
[556] NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.
[557] NEW (2025).
[558] 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.
[559] NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

Commented [SGM137]: IS THIS NECESSARY? (031925)
Commented [SGM138]: ACTION ITEM: 042925
Commented [SGM139]: CFO 021625
Commented [SGM140R139]: ACTION ITEM: 042925
Commented [SGM141]: TL QUERY: IS THIE NECESSARY? COUNCIL CAN IGNORE EVEN IF TRANSMITTED IN A TIMELY FASHION.
Commented [SGM142R141]: ACTION ITEM: 042925
Commented [SGM143]: ACTION ITEM: 042925
Commented [SGM144]: CFO 021625

"REINSTATEMENT" LIMITED TO BET §10-15.D TRANSFERS
Commented [SGM145R144]: ACTION ITEM: 042925

Development[560]. 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.

D. Public Hearings[561]. 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 the Mayor's Proposed Capital Budget. Thereafter the Council may take such actions as set forth in §10-15.A, above.

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Commented [SGM147R146]: ACTION ITEM: 042925

Commented [SGM148]: CFO 031425

Commented [SGM149R148]: ACTION ITEM: 042925

§10-17. Allotments and Recommendations for Termination or Abandonment of Capital Budget Items[562].

A. Allotments[563]. 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 Council[564]. Any Capital Budget Item shall lapse if not implemented within 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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Commented [SGM151R150]: ACTION ITEM: 042925

Commented [SGM152]: CFO 031425

Commented [SGM153R152]: ACTION ITEM: 042925

Commented [SGM154]: P&Z?

C. Unencumbered Funds[565]. 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 §10-19, below.

Commented [SGM155]: ACTION ITEM: 042925

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[560] NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.
[561] NEW (2025).
[562] NEW (2023). Derived from §30-10.1 of the Code of Ordinances. Added 1-24-1961; amended 5-13-2003; 9-28-2021.
[563] NEW (2023). Derived from §30-10.1.B (First sentence) of the Code of Ordinances
[564] 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
[565] Revision of §10-17.C which was adopted in 2023. Derived from §30-10.1.C of the Code of Ordinances

§10-18. Restrictions[566].

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 Obligations[567].

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 Council[568].. 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 Recommendations[569].

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

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[566] NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.
[567] NEW (2023). Derived from §30-11.1 of the Code of Ordinances. Added 1-24-1961; amended 9-28-2021.
[568] NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.
[569] NEW (2023). Derived from §30-12 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

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[570].

Capital Budget Administration

§10-22. Implementation and Oversight of the Capital Budget Projects[571].

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

Borrowing

§10-23. Issuance Authorized: Procedures[572].

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.

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[570] §10-21 was recodified as §10-11.D.
[571] NEW (2023).
[572] 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)

See §4-10 of this Charter.

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ARTCLE XI: TRANSITION AND MISCELLANEOUS PROVISIONS

§11-1. Existing Laws and Ordinances[573].

All special acts of the legislature and Ordinances of the City, except as the same are in conflict with this Charter, shall continue in full force and effect until amended or repealed.

§11-2. Savings Clause[574].

If any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which a section or part of a section so held invalid may appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holding shall directly apply.

§11-3. Transition Provisions[575].

All Departments, Boards, Commissions and other units of the City government previously provided for in the Charter but not provided for in this amended Charter and in existence as of the effective date of this amended Charter, and the positions associated therewith, shall remain in existence unless and until they are altered or abolished by Ordinance. The Department Heads, deputies, and assistants of the Departments shall continue until replaced by the Mayor, in accordance with Law and any applicable collective bargaining agreements.

§11-4. Periodic Review of the Charter and Amendment of Charter[576].

Commented [SGM156]: ACTION ITEM #2.9: 042925

A. No later than September of 2035 and no later than every ten 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.

B. This Charter may be amended in the manner prescribed by Law and shall take effect as set forth by the General Statutes.

§11-5. Effective Date.

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[573] NEW (2023)
[574] NEW (2023)
[575] NEW (2023)
[576] Revision of §11-4 which was adopted in 2023.

The provisions of this Charter and amendments thereto, as to the administration of the City shall become effective on January 1, 2026; unless otherwise set forth in the Charter.

Commented [SGM157]: Scrivener's Edit.

PART 2 – THE TAXING DISTRICTS[577]

[577] **Comment of the 2023 Charter Revision Commission.** Part 2 of this Charter recodifies all the current charter provision pertaining to the First, Second, Third and Sixth Taxing Districts. The First, Second, Third and Sixth Taxing Districts, as defined in §2-2.B((35), above, and as further set forth in Article XII of Part 2 of this Charter, are quasi-municipal corporations, bodies politic or political subdivisions of the state. The First, Second and Third Taxing Districts are funded through their respective utility revenues and thereby, impose no separate district tax; while the Sixth Taxing District levies a tax for the services it provided for its parks and beaches, garbage collection, library and fire service. The 2023 charter revision did not embark on any changes in the provisions of this Charter other than some minor edits, including the effort to engage in gender neutrality, capitalization of defined terms and placement of provisions that were in the body of the Charter and were more aptly placed in the provisions dealing with the Taxing Districts. The Commission believes that Part 2 should be thoroughly reviewed by the governing bodies of the Taxing Districts. As the reader can see by reviewing the annotations, the Commission itself did not make any changes other than gender neutralization and to capitalization of defined terms. In this section of the Charter, we will retain the internal references to the Charter in effect prior to the effective date of the 2023 revision hereinafter referred to as the "Prior Charter." The provisions of the Prior Charter are referenced in the endnotes.

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ARTICLE XII: TAXING DISTRICTS

§12-1. General.

A. Division into six Taxing Districts[578]. The City is divided into six Taxing Districts. The First and Second Wards[579] shall be the First and Second Taxing Districts[580]. So much of the territory of the City as is included within the boundaries of the East Norwalk Fire District, as the same existed at the passage of the consolidation act, shall be the Third Taxing District[581]. So much of the territory of the City as is included in the First, Second and Third Wards, together with such additional territory situated in the Fourth or Fifth Wards as may at any time hereafter be designated, defined and specified by the Common Council, as provided in §1-17 of the Prior Charter shall be the Fourth Taxing District. The Fifth Taxing District shall be the entire City.

B. Division of City into Wards[582]. For the purposes of the Taxing Districts and other reason as may be stated by Law, the City is divided into five wards: So much of the territory of said city as is included within the boundaries of the former City of Norwalk as the same existed prior to its consolidation with the City of South Norwalk and the East Norwalk Fire District in 1913 shall be the First Ward. So much of the territory of said City as is included within the boundaries of the former City of South Norwalk as the same existed at its consolidation with the City of Norwalk and the East Norwalk Fire District in 1913 shall be the Second Ward. So much of the territory of said City as is included within the following boundaries: Commencing at a point on the boundary line between said City and the Town of Westport where the center line of the New York, New Haven and Hartford Railroad intersects the same, thence southerly along said boundary line to the southeast corner of said city, thence westerly along the southerly line of said city to the southeast corner of the Fifth Ward, thence northerly along the easterly line of said Fifth Ward to the intersection of the same with the southerly line of the Second Ward, thence northerly along the easterly line of said Second Ward to the intersection of the same with the southerly line of the First Ward, thence easterly along the southerly line of the First Ward to the southeast corner of said First Ward, and thence easterly in a straight line to the point or place of beginning, shall be the Third Ward. So much of the territory of said city as lies southerly and westerly of a line commencing at the intersection of the center line of Connecticut Avenue and the boundary line between said city and the Town of Darien, thence running easterly along the center line of said Connecticut Avenue to the westerly line of said Second Ward, thence running southerly along the westerly line of said Second Ward and easterly along the southerly line of said Second Ward to the intersection of the same with the westerly line of the former East Norwalk Fire District, and

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[578] 2023 recodification of current Article II, Part 1. General, §1-16. Derived from Sp. Laws 1913, No. 352, §4; Sp. Laws 1929, No. 82, §1.
[579] Editor's Note: For descriptions of Wards refer to Art. I, § 1-3
[580] Editor's Note: For First Taxing District see Art. II, Part 2. For Second Taxing District see, Art. II, Part 3.
[581] Editor's Note: For Third Taxing District see Art. II, Part 4.
[582] 2023 recodification of current Article I - General. §1-3. Derived from Sp. Laws 1969, No. 186, §2. Historical Editor's Note 1: Editor's Note: See Art. II, § 1-16, for division of city into taxing districts. Historical Editor's Note #2.: Former § 1-3 adopted as § 55 of Sp. Laws 1913, No. 352, as amended, was repealed by Sp. Laws 1969, No. 186, §3.

thence southerly in a direct north and south line along the westerly line of the former East Norwalk Fire District to the southerly line of said city, shall be the Fifth Ward. All the remaining portion of the present City of Norwalk not included in the description of the First, Second, Third and Fifth Wards shall be the Fourth Ward.

C. Taxing District Officers.

(1) Board of Commissioners and Treasurer in First Taxing District[583]. At the election for the choice of City and town officers in 1913, there shall be elected in the First Ward by the electors of the First Taxing District three Commissioners for the terms of office of two, four and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified and there shall be elected a Treasurer of the First Taxing District who shall hold office for the term of two years and until successor is elected and qualified. Biennially thereafter there shall be elected in the First Ward by the electors of the First Taxing District one Commissioner who shall hold office for the term of six years and until A successor is elected and qualified, and a Treasurer of the First Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

(2) Board of Commissioners, Board of Electrical Commissioners and Treasurer in Second Taxing District[584]. At the election for the choice of City and town officers in 1913, there shall be elected in the Second Ward by the electors of the Second Taxing District three Commissioners for the terms of office of two, four, and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified, and there shall be elected in the Second Ward by the electors of the Second Taxing District three members of the Board of Electrical Commissioners, which members shall hold office for the terms of two, four and six years, respectively, and until their successors are elected and qualified, and there shall be elected a Treasurer of the Second Taxing District who shall hold office for a term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the Second Taxing District one Commissioner and one member of the Board of Electrical Commissioners, each of whom shall hold office for the term of six years and until a successor is elected and qualified, and a Treasurer of the Second Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

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[583] 2023 recodification of current Article III – Part 1. In General, §1-175. Derived from Sp. Laws 1913, No. 352, §56. Historical editor's Note: See § 1-24.
[584] 2023 recodification of current Article III – Part 1. In General, §1-176. Derived from Sp. Laws 1913, No. 352, §57. Historical Editor's Note: See also § 1-78.

(3) Board of Commissioners and Treasurer in Third Taxing District[585]. At the election for the choice of City and town officers in 1913, there shall be elected in the Third Ward by the electors of the Third Taxing District three Commissioners for the terms of office of two, four, and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified, and there shall be elected a Treasurer of the Taxing District[586] who shall hold office for the term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the Third Taxing District by the electors of the district, a Commissioner who shall hold office for the term of six years and until a successor is elected and qualified, and a Treasurer of the Third Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

D. Vacancies in Elected Offices of the First, Second, Third or Sixth Taxing Districts[587]. If a Vacancy occurs in any elected office of the First, Second, Third or Sixth Taxing District of the City, the Vacancy shall be filled by the Commissioners of the district in which the same occurs.

E. Extensions and exclusions of Taxing Districts[588].

(1) Authority of the Council to Extend Limits of the Fourth Taxing District[589]. The Common Council is empowered to extend the limits of the Fourth Taxing District to include any part or parts of the Fourth or Fifth Wards of the City. Notice of such proposed action by the Council shall be given by publication thereof, at least ten Days prior to any such meeting, in a newspaper published in the City, which notice shall describe the territory so to be included. If the territory of the Fourth or Fifth Wards to be included in the extension of the limits of the Fourth Taxing District shall be connected by sewer or sewers with the Fourth Taxing District, such extension may be made at the will of the Council after notice as aforesaid. In case the territory so to be included shall not be connected by sewer or sewers with the Fourth Taxing District, the limits of the Fourth Taxing District shall not be extended by the Council to include such proposed additional territory unless a petition for such extension and inclusion, signed by a majority of the electors of the City residing in the territory so to be included, shall be filed with the City Clerk of the City .

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[585] 2023 recodification of current Article III – Part 1. In General, §1-177. Derived from Sp. Laws 1913, No. 352, §58. Historical Editor's Note: For further provisions see § 1-117 supra.
[586] Historical Editor's Note: The Third Taxing District is meant.
[587] 2023 recodification of current Article III – Part 1. In General, §1-174. Derived from Sp. Laws 1913, No. 352, § 55; Sp. Laws 1915, No. 367, § 2; Sp. Laws 1921, No. 334, § 3; Sp. Laws 1969, No. 186, No. 283, § 3; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: (1) This §1-174 was amended pursuant to the court decision in the First Taxing District et al v. City of Norwalk case; and, (2) Editor's Note: Approved by the electorate at the general election held 11-7-1978..
[588] 2023 recodification of current Article II, Part 1. General, §1-17. Derived from Sp. Laws 1913, No. 352, § 4; Sp. Laws 1929, No. 82, § 2; Sp. Laws 1949, No. 399.
[589] 2023 recodification of current Article II, Part 1. General, §1-17 (First paragraph).

(2) Authority of the Council to Exclude Territory from the Fourth Taxing District[590]. The Common Council is empowered to exclude from the Fourth Taxing District any territory of the Fourth and Fifth Wards of the City , if such territory shall not be connected by sewer or sewers of the Fourth Taxing District. Notice of such proposed action by the Council shall be given by publication thereof, at least ten (10) Days prior to such meeting, in a newspaper published in the City , which notice shall describe the territory so to be excluded.

F. Proportioning of former expenses and burdens[591]. All inhabitants and property within the limits of the Fifth Taxing District shall be liable to the burdens and expenses heretofore borne by the Town of Norwalk and herein imposed upon the City by this act to the same extent as they would be liable if the burdens, expenses, duties, and powers had not been transferred from the Town of Norwalk to the City, and in addition thereto, for the expenses of the Board of Health, and the salaries of all elective officials of the City, and the clerical and incidental expenses of their respective offices, except the Commissioners and Treasurer elected in the First, Second, and Third Taxing Districts of the City. All expense of permanent improvement of the highways in the Fourth Taxing District, including paving and the care of the same, shall be borne by the Fourth Taxing District. All other burdens and expenses of the City shall be met by taxes levied upon the inhabitants and property within the limits of the Fourth Taxing District, and it shall be the duty of the assessors to indicate in the completed list of the City, and by separate lists, the property and amount thereof taxable in each of the several Taxing Districts herein created, and the money derived from the taxation of the inhabitants and property of each of the aforesaid Taxing Districts shall not be used for any other purpose than to defray the burdens and expenses of such Taxing Districts as herein imposed.

G. Fiscal year and annual meeting of First, Second and Third Taxing Districts[592]. The fiscal year[593] of the First Taxing District, of the Second Taxing District and of the Third Taxing District, respectively, of the City of Norwalk shall begin on the first Day of January and terminate on the last Day of December. Beginning in the year 1956, the annual meeting of each of the districts shall be held on the first Wednesday of March, and Public Notice of each such meeting shall be given in the same manner as is provided in the Charter of the City.

H. Repeal of inconsistent, former provisions[594]. Any provisions of §§1-23, 1-77 or 1-116[595] of an act, approved June 6, 1913, entitled "An Act consolidating the Town of

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[590] 2023 recodification of current Article II, Part 1. General, §1-17 (Second paragraph).
[591] 2023 recodification of current Article II, Part 1. General, §1-18. Derived from Sp. Laws 1913, No. 352, §10; Sp. Laws 1915, No. 367, §1.
[592] 2023 recodification of current Article II, Part 1. General, §1-19. Derived from Sp. Laws 1937, No. 283, §1; Sp. Laws 1939, No. 183; Sp. Laws 1945, No. 265, §§ 1, 2; Sp. Laws 1955, No. 438, §1.
[593] Historical Editor's Note: See also, § 1-289.
[594] 2023 recodification of current Article II, Part 1. General, §1-20. Derived from Sp. Laws 1937, No. 283, §2.
[595] Editor's Note: See § 1-23; § 1-77; § 1-116.

Norwalk with the Cities of Norwalk and South Norwalk and the East Norwalk Fire District, and incorporating the City of Norwalk," inconsistent with the provisions of this act, is [are] repealed.

I. Appropriation and acquisition of land for parking[596]. To relieve congestion on the highways of the First, Second and Third Taxing Districts of the City of Norwalk, the Taxing Districts are authorized to acquire, by lease, deed or gift, such real estate in the districts as to the Commissioners of the districts shall appear necessary to provide suitable spaces or places for the parking of automobiles and other vehicles, and12- to make any necessary appropriation of funds for such purposes. In the event that the districts, acting through their the Commissioners, shall be unable to agree with any property owners whose land shall be deemed necessary for such parking spaces or places, on the price to be paid therefor, the Commissioners, for and in the name of the districts, may acquire the same by condemnation proceedings, in which case the districts shall follow the same procedure for acquiring the land as is prescribed and set forth in this Charter to be followed by the First and Second Districts for the acquisition of land for the uses of the water department of the First and Second Districts.

J. Vacancies in Elective Offices of the First, Second, Third or Sixth Taxing Districts[597]. If a Vacancy occurs in any elective office of the First, Second, Third or Sixth Taxing District of the City , such Vacancy shall be filled by the Commissioners of the district in which the same occurs.

§12-2. Powers of the Council: Public Lighting[598].

The Common Council shall have and exercise general supervision over the public lighting of streets, highways, sidewalks and public grounds within the limits of the entire City. The schedule of public lighting hours and the kind, size and capacity of lamps to be used for supplying such public lighting in the First, Second, Third and Sixth Districts shall be arranged or contracted for, as may be required, by the District Commissioners of such several districts, subject to the approval of the Council. The cost of public lighting shall be met by taxes levied upon the inhabitants and property within the limits of the Fifth Taxing District in the following manner: the inhabitants and property within the limits of the First Taxing District shall be taxed for and such First Taxing District shall pay the cost of the public lighting within such First District; the inhabitants and property within the limits of the Second Taxing District shall be taxed for and such Second Taxing District shall pay the cost of the public lighting within such

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[596] 2023 recodification of current Article II, Part 1. General, §1-21. Derived from Sp. Laws 1941, No. 445; Sp. Laws 1959, No. 93.

[597] 2023 recodification of current Article III – Part 1. In General, §1-174. Derived from Sp. Laws 1913, No. 352, § 55; Sp. Laws 1915, No. 367, § 2; Sp. Laws 1921, No. 334, § 3; Sp. Laws 1969, No. 186, No. 283, § 3; Charter Amendment 11-7-1972; Charter Amendment 8-29-1978. Historical Editor's Note: (1) This §1-174 was amended pursuant to the court decision in the First Taxing District et al v. City of Norwalk case; and, (2) Editor's Note: Approved by the electorate at the general election held 11-7-1978..

[598] 2023 recodification of current Article XV, Part 1. General, §1-428. Derived from Sp. Laws 1957, No. 527. Historical editor's Note: See Ch. 86, Public Lighting, supra..

Second Taxing District; the inhabitants within the limits of the Third Taxing District shall be taxed for and such Third Taxing District shall pay the cost of the public lighting within such Third Taxing District, and the inhabitants within the limits of the Sixth Taxing District shall be taxed for and such Sixth Taxing District shall pay the cost of the public lighting within such Sixth Taxing District. In the event that the First Taxing District or Sixth Taxing District shall, at any time, neglect or fail to light the streets, highways, sidewalks and public grounds within the limits of such respective districts, the Council shall arrange and contract for the lighting thereof, and the expense of such lighting shall be borne by the district within which the Council shall furnish such public lighting and shall be paid for by taxes levied for such purpose on the inhabitants and property within the limits of such district. The inhabitants and property outside the limits of the First Taxing District, the Second Taxing District, the Third Taxing District and the Sixth Taxing District shall pay the cost of the public lighting outside the Taxing Districts[599].

§12-3. Care and Maintenance of Sewer Systems; continuance of former Municipality Police and Fire Departments[600].

The City at the expense of the Fourth Taxing District shall care for and maintain the sewer systems of the First, Second, and Third Districts, and the Ordinances, by-laws, rules, and Regulations of the several districts respecting the sewers shall continue in force until the City shall repeal or alter the same. The City shall maintain the Police and Fire Departments existing at the passage of this provision of the Charter the Cities of Norwalk and South Norwalk, and the Fire Department of the East Norwalk Fire District, as provided by the charters of the cities, and under the Ordinances, by-laws, rules, and Regulations of the former

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[599] 2023 repeal of current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing, §1-442. Derived from Sp. Laws 1913, No. 352, §126. Historical Editor's Note: See §1-363.. Historical editor's Note: See Ch. 101, Streets and Sidewalks, as follows: "The Council shall have power, as public necessity and convenience may require, to designate the course, width, height, and level of all sidewalks and gutters in and upon the streets and highways of the Fourth Taxing District of the City , and may, at the expense of the City, lay out, construct, raise, flag, or make in a suitable manner any crosswalk in the Fourth Taxing District of the City. The Council may order the owner or owners of the lands and buildings fronting on sidewalks to repair or make such sidewalks on their several frontages according to the course, width, height, and level designated as aforesaid, to flag, concrete, or pave the same in such manner as the Council shall direct, and to provide such safeguards thereon as public safety shall require, and may limit such time as may be deemed reasonable for the carrying out of any such order, notice of which shall be given by leaving a true and attested copy of such order personally with or at the place of abode of such owner within five Days after the passage of same; and if such owner be a nonresident of the City, a true and attested copy of the order deposited in the post office in the City, postage paid, addressed to owner at the owner's place of residence, if the same be known, and a like true and attested copy left with the owner's agent or the person having charge of such property or occupying the same shall be a legal notice to such owner. A statement of the width height, courses, and levels, certified to by the City Engineer,[1] shall be kept on file in the office of the Clerk, and whenever any sidewalk has been laid by order of the Council, in accordance with the grade established and recorded as prescribed and it is deemed necessary by the Council at any time within ten (10) years thereafter, to alter the grade or relay the sidewalk, such alteration or relaying shall be done at the expense of the City, provided, where such an alteration, change of grade, or relaying of any sidewalk is made necessary by the alterations of any street line, the expense thereof shall be borne by the City , and provided the provisions of this section shall extend and apply to sidewalks already made, paved, concreted, and flagged in accordance with the orders of the Council.".

[600] 2023 recodification of current Article I - General. §1-12. Derived from Sp. Laws 1913, No. 352, §44. Historical Editor's Note: For sewers and sewage disposal see Art. XVI, of Charter; and Ch. 94. As to sewer assessments refer to the appendix, Part III. For Police Department, see also, Art. VIII. For Fire Department, see also, Art. IX, and Ch. 41, Fire Department.

municipalities, until the same are modified or revoked by the Council and until under authority of this act the City shall establish and maintain a police force and a fire department for the Fourth District. The members of the Police and Fire Departments at the passage of this provision of the Charter shall remain members of the respective Police and Fire Departments as the same are maintained by the City under the provisions of this section and shall hold office until removed by the Council[601].

§12-4. Maintenance of Garbage Disposal Plant[602].

The City shall maintain the garbage-disposal plant of the Second Taxing District at the expense of the district until the City shall establish and maintain a like plant for the Fourth District.

§12-5. Building Lines in Fourth Taxing District; and removal of buildings[603].

The Council shall have power to designate a line or lines on the land adjoining any highway or street in the Fourth Taxing District of the City between which line or lines and the highway or street no building or part thereof, not any stoop or part thereof, shall be erected.[1] Any person violating either provision of this section shall be fined nor more than $100. Any building erected in violation of the provisions of this section may be removed by order of the Council at the owner's expense.

§12-6. The Library.

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[601] 2023 repeal of current Article XV, Part 2. Laying Out, Altering, Extending or Discontinuing, §1-441. Derived from Sp. Laws 1913, No. 352, §116. Historical Editor's Note: For Fourth Taxing District see Art. II. Historical editor's Note: See Ch. 101, Streets and Sidewalks, as follows: "The Council shall have power, whenever specific appropriations are made therefor, to pave any street or highway in the Fourth Taxing District of the City at the expense of the district, or may assess not to exceed 1/4 of such expense of paving each of the streets, except the intersections thereof with other streets or parts of streets so paved, upon the persons whose property abuts upon such street or part of street upon one side thereof, and 1/4 of such expense upon the persons whose property abuts upon such street or part of street upon the other side thereof, in such amounts as shall, in the judgment of the Council, be proportionate to the benefits accruing to the property from the work, and the Council shall estimate and assess, in the manner herein provided, the particular amount of such expense to be paid by every person, designating the land belonging to each person assessed which will be so benefited. Before the Council shall undertake any such improvement to be followed by an assessment of benefits it shall give notice to all persons in interest, as provided in §1-439, in cases of layouts or highways, of a hearing as to the public necessity of such proposed improvement, and at such hearing shall submit an estimate of the cost of such work. If after such hearing the Council shall determine to proceed with the contemplated work and to make thereon assessment of benefits and damages such assessment shall be made in the manner provided in §1-439, so far as the same shall apply. All persons aggrieved by the assessment so made by the Council shall have the right to appeal in the manner provided by §1-440, provided no property assessed under this section shall be again assessed for a similar purpose for a period of ten (10) years from the date of the first (1st) assessment.".

[602] 2023 recodification of current Article I - General. §1-13. Derived from Sp. Laws 1913, No. 352, §45. Historical Editor's Note: See §§ 1-625 through 631 of the "Bond Issues of the City of Norwalk, the First, the Second, the Third and the Sixth Taxing Districts" book.o Copies kept in the offices of the City Clerk and Town Clerk and in the Finance Department.

[603] 2023 recodification of current Article I - General. §1-15. Derived Sp. Laws 1913, No. 352, § 140. Historical Editor's Note: See § 1-439, for Council procedure in designating building lines.

A. Special Meeting of Electors[604]. A special meeting of the electors of the First, Second, Third, and Sixth Taxing Districts, respectively, of the City of Norwalk shall be held at least thirty Days prior to the first regular meeting, in each year, of the Board of Estimate and Taxation of the City, for the purpose of making in each district an appropriation for the ensuing fiscal year for the library maintained within the particular district. The Board of Estimate and Taxation shall annually lay a tax based on the assessment list of the district last completed to defray the expenses of the library of such district to the amount appropriated by the district as hereinbefore provided.

§12-7. First Taxing District.

A. Body Politic and Corporate; Rights and Liabilities[605]. All electors of this state dwelling within the territorial limits of the First Taxing District are hereby constituted a body politic and corporate by the name of the First Taxing District of the City of Norwalk, and by that name shall be capable of suing and being sued, pleading and being impleaded, purchasing, holding, selling and conveying any estate, real or personal, and of having a common seal, and as such corporation shall succeed to and possess all the property, both real and personal, of the City of Norwalk and all the rights, powers, franchises, privileges and immunities heretofore granted to the City of Norwalk and the Water Commissioners of the City in relation to the taking of water, the construction, maintenance and operation of waterworks, and supplying water for the use of the City of Norwalk and the inhabitants thereof, and any other persons or corporations, and all property, rights and interests heretofore acquired by the City of Norwalk or the Water Commissioners of the City for the purpose of supplying water as aforesaid, and the same are hereby vested and confirmed in the First Taxing District. The First Taxing District is hereby authorized to manage, operate and control the water system, with the same authority, rights and liabilities, and in the same manner as the former City of Norwalk, and, except as herein otherwise provided, to care for, maintain and keep in repair all estate, both real and personal, which the district may acquire, to sell and convey any of the property, and property held by the former city in trust excepted, and apply the proceeds to the reduction of the indebtedness of the district. The First Taxing District shall succeed to and possess all the rights and privileges heretofore possessed by the City of Norwalk in respect to the public library of the City, and shall continue to support and maintain the same. All the inhabitants and property within the limits of the First Taxing District shall be liable to taxation to defray any burdens, expenses and liabilities of the former City of Norwalk at the passage of this act and such other liabilities as the taxing district may incur under the provisions of this act. The First Taxing District is hereby authorized to use the water of any stream, lake or pond in whole or in part within the limits of the Towns of Norwalk, Weston, New Canaan, Wilton and Ridgefield, to hold, convey and distribute such water to the

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[604] 2023 Recodification of current Article XIX "Library Appropriations" §1-615. Derived from Sp. Laws 1925, No. 18. Historical Editor's Note: Editor's Note: See First Taxing District, § 1-28; Second Taxing District, § 1-82; Third Taxing District, § 1-118; Sixth Taxing District, §§ 1-136 and 1-140.

[605] 2023 recodification of current Article II, Part 2. First Taxing District, §1-22. Derived from Sp. Laws 1913, No. 352, § 11; Public Act 1972, No. 277, § 1; amendment approved 11-5-1985. Historical Editor's Note: For authority of First Taxing District as to the acquisition of land for parking purposes, refer to § 1-21. As to taxing districts in general, see Art. II. See also Ch. 5, Special Acts.

persons and corporations whom it may supply by means of any necessary reservoirs, pipes, aqueducts, pumps and other suitable works, in such quantities as the necessities of the district may require, to take and hold any lands, property or privileges, and to exercise any powers that may be necessary or convenient for the district in order that a satisfactory supply of water may be obtained, and the same stored and distributed to the persons and corporations the district may supply. To the extent not already provided by law, the First Taxing District is authorized to use the water from any subsurface body of water within the limits of the towns in order that a satisfactory supply of water may be obtained. In addition to any rights, franchises, privileges and immunities granted hereunder, the First Taxing District is hereby authorized to supply water to any person or corporation within or without the geographical limits of the district.

B. Purpose and holding of annual and special meetings[606]. The annual meeting of the electors residing in the taxing district shall be held on the third Wednesday of November[607] for the purpose of hearing the reports of the Commissioners of the district, making annual appropriations, and action on such matters as may be properly brought before the meeting. Public Notice of the time and place of the meeting shall be given by the Board of Commissioners by publishing in a newspaper having a circulation in the district at least ten Days before the meeting, which notice shall set forth all matters to be considered at such meeting. The Commissioners shall deliver the proposed budgets for the district and the Water Department to the office of the District Clerk and make them available for public inspection at least one week before the annual meeting. Special meetings of the district may be called in like manner by the Board, and shall be called upon written petition of twenty-five electors of the district, to consider and act upon the matters set forth in the notice and petition. No appropriation or expenditure of money may be authorized at a special meeting unless announcement of the proposed appropriation or expenditure is made in the published notice of the meeting and the amount authorized is equal to or less than the amount appearing in the notice. In addition, no authorization at a special meeting to appropriate or expend more than $25,000 shall be valid or final until ratified by a majority of electors present at a second special meeting called for the purpose of ratifying the authorization. The second (2nd) special meeting shall be called by the Board of Commissioners and held within thirty Days of the meeting at which the authorization was first made.

C. Board of Commissioners and Treasurer in First Taxing District[608]. At the election for the choice of City and town officers in 1913, there shall be elected in the First Ward by the electors of the First Taxing District three Commissioners for the terms of office of two, four and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified and there shall be elected a Treasurer of the First Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the First Ward by the electors of the

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[606] 2023 recodification of current Article II, Part 2. First Taxing District, §1-23. Derived from Sp. Laws 1913, No. 352, §12; amendment approved 11-5-1985.
[607] Historical Editor's Note: See also § 1-19.
[608] 2023 recodification of current Article III – Part 1. In General, §1-175. Derived from Sp. Laws 1913, No. 352, §56. Historical editor's Note: See § 1-24.

First Taxing District one Commissioner who shall hold office for the term of six years and until a successor is elected and qualified, and a Treasurer of the First Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

D. Board of Commissioners.

(1) Treasurer, Clerk, Mechanics and Laborers[609]. The district shall elect a Board of Commissioners and a Treasurer of the district, all of whom shall be, at the time of their election and throughout their term, electors of the district and domiciled therein, and all of whom shall be sworn to a faithful discharge of their duties, shall hold office as hereinafter provided and shall receive such compensation as the district shall determine. The Commissioners shall appoint a Clerk, who shall receive reasonable compensation as determined by the Commissioners[610].[1] It shall be the duty of the Clerk to keep a record of all transactions of the district and of the Board of Commissioners and discharge such duties as such Board may prescribe. The Commissioners may employ such mechanics and laborers as may be necessary to operate, manage, control and keep in repair the real, personal and mixed estate of the district.

(2) Authorization and Powers of Board of Commissioners[611]. The Commissioners are authorized to purchase and take conveyances in the name of the First Taxing District of all lands, property and privileges necessary or convenient for the purpose of the waterworks of the district; to hold in sufficient quantities the water of any stream, either within or without the district, and in either of the towns as set out in §1-22 of the prior Charter by the construction of suitable dams; to enter upon any lands near such proposed dams and procure earth, stone or other materials for the construction and maintenance thereof, to make suitable wasteways for the surplus water of such streams; to change the location of any road or passway which may be covered by the waters of any reservoirs so formed and take land thereof; to enter upon and use the ground or soil under any railroad, street, private way or public or private grounds; to lay, construct and maintain all necessary pipes, pumps and aqueducts in such manner as least to damage or impede travel thereon; to make contracts for labor and materials for the general purpose of the waterworks; to establish public reservoirs; to erect and maintain hydrants under the direction of the Council of the city; to make rules and Regulations regarding the use and distribution of the water and establish the prices to be paid therefor; to collect all water rents and pay the same to the Treasurer of the district; to admit, allow and draw orders on the Treasurer for the payment of all

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[609] 2023 recodification of current Article II, Part 2. First Taxing District, §1-24. Derived from Sp. Laws 1913, No. 352, §13; amendment approved 11-5-1985.
[610] Historical Editor's Note: See also § 1-175.
[611] 2023 recodification of current Article II, Part 2. First Taxing District, §1-25. Derived from Sp. Laws 1913, No. 352, §14; Sp. Laws 1931, No. 292, §1.

claims against the district on account of the waterworks, including payment of interest on notes issued on account of the works; to attend to the construction, care, supervision and management of the waterworks; to appoint Directors of the public library of the district as vacancies shall occur; to care for, maintain and keep in repair, except as herein otherwise provided, all the property of the district, with power to lease or sell the same or exchange the same for other property; and to execute and deliver on behalf of the district all documents which may be necessary or proper to effectuate any such letting, sale or exchange, delivering the income and proceeds therefrom to the Treasurer of the district and to apply the proceeds therefrom in such manner as the Board may be authorized by the district; and to exercise any powers that may, from time to time, be conferred on them by the district, a majority of the Commissioners shall constitute a quorum for the transaction of business.

(3) Vacancies[612]. If a Vacancy occurs in any elective office of the First Taxing District, such Vacancy shall be filled by the Commissioners within sixty Days following the occurrence of the Vacancy. The Commissioners shall fill the Vacancy with an elector of the same political party with which the former incumbent was registered. If the former incumbent was not registered with a political party, then the Commissioners shall fill the Vacancy with an unaffiliated elector. Upon failure of the Commissioners to fill the Vacancy within the sixty Days, the position may be filled with an elector selected by Town Committee members of the party of the former incumbent who reside in the district. If the former incumbent was registered with a party not having a Town Committee, then the position may be filled with an elector selected by a caucus of the registered members of the party who reside in the district. Such appointee shall serve through the remainder of the term of the office left vacant. No Commissioner serving in office may be appointed to fill any Vacancy on the Board of Commissioners. The procedure provided under this section shall supersede any Vacancy-filling procedure heretofore existing under any special act. The term "political party" or "party," as used in this section, shall mean any political organization whose members appear on the current list or last official list required to be maintained under §9-66 of the Connecticut General Statutes.

(4) Removal of Officials[613].

(a) Definitions.

(i) The phrase "formal notice," as used in this section, shall mean receipt by the District Clerk of a written instrument issued by any

[612] 2023 recodification of current Article II, Part 2. First Taxing District, §1-25.1. Derived from added approved 11-5-1985.
[613] 2023 recodification of current Article II, Part 2. First Taxing District, §1-25.2. Derived from added approved 11-5-1985.

person having knowledge of the appropriate events attesting to the occurrence of that event.

(ii) The term "official," as used in this section, shall mean any Commissioners or Treasurer of the First Taxing District.

(b) Grounds for removal from office. Any official of the district shall be subject to removal from office upon any of the following grounds:

(i) Conviction of a felony while the official is an official of the district.

(ii) Conviction of a misdemeanor involving misconduct in office while the official holds office in the district.

(iii) A finding of incapability according to Connecticut General Statutes §45a-650.

(iv) Removal of domicile from the First Taxing District of the City of Norwalk.

(c) Removal Committee; creation and action.

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(i) The Removal Committee shall consist of five electors, excluding Commissioners and the Treasurer of the district, chosen at the annual meeting of the electors. Within thirty Days of its election, the Removal Committee shall meet to organize and to elect a Chair, Vice Chair and such other officers as it deems appropriate. The District Clerk shall act as Secretary to the Committee but shall have no vote.

(ii) Within thirty Days after receipt of formal notice of the indictment or arrest for a felony, or a misdemeanor involving misconduct in office, or an application for involuntary representation pursuant to C.G.S. §45a-649, or removal of the official's domicile from the First Taxing District of the City of Norwalk of an official of the district, the Committee shall hold a meeting to discuss grounds for suspension or removal as set forth in this section.

(iii) Public Notice of all meetings held under this section shall be published in a newspaper having general circulation within the First Taxing District no more than fifteen nor less than five Days before the date of each meeting.

(iv) Should the Committee determine that grounds for suspension or removal should be considered or examined, it shall hold a second meeting for purposes of such consideration or examination. Written notice of the second meeting shall be sent by certified mail to the official who is the subject of the examination to the official's address in the First Taxing District by the Committee not less than five Days before the meeting date. The notice shall specify the grounds for suspension and removal; the legal consequences thereof; and the time and place of the meeting. The notice shall further state that the official has a right to be present at the meeting and has a right to be represented by an attorney at the officials own expense.

(v) The Committee shall consider the allegations involving each official so indicted, arrested, subject to incapability hearing or accused of removing their domicile, separate and apart from the allegations involving any other official. The Committee shall decide whether there is sufficient evidence based on the facts adduced at the hearing to require suspension of the official: the length of the suspension, if required; and the terms of reinstatement to office. These matters shall be determined by a simple majority vote of the entire Committee.

(vi) Upon a decision by the Committee to suspend an official, the official shall be forthwith suspended from all duties, authority and compensation relating to the official's office until reinstatement. Upon reinstatement, all compensation due the official that would have earned had the official had not been suspended shall become due and payable. No term of office shall be extended by any action of the Committee.

(vii) Within ten Days of receipt of formal notice of a plea of guilty, an entry of a plea of nolo contendere or verdict finding the official guilty of a felony or misdemeanor involving misconduct in office or upon a finding by court of competent jurisdiction that the official is incapable of managing affairs of office or is deemed a protected person pursuant to C.G.S. §45a-650 or upon a finding by the Special Committee that the official has removed their domicile from the First Taxing District of the City of Norwalk, the Committee shall declare the office of the official vacant and so notify the official. After the Vacancy has been declared, it shall be filled as provided in this Charter.

(viii) Within seven Days of receipt of notice of a verdict finding the official not guilty or upon the entering of a nolle prosequi by the state's Attorney or dismissal of a felony or misdemeanor involving misconduct in office or upon the dismissal of the application to appoint

a conservator or similar petition or upon a finding that the official has not removed their domicile from the First Taxing District of the City of Norwalk, the Special Committee shall be reconvened by its Chair for the purpose of declaring the suspension revoked and the official reinstated to office.

(ix) The Committee may hold as many meetings is it deems appropriate during its consideration of grounds for suspension or removal. The Committee may employ an attorney of its choice, whose reasonable fee shall be paid out of district funds.

(d) Each paragraph, subparagraph and each provision of each paragraph and subparagraph of this section shall be separable, and the invalidity of any portion of any paragraph or subparagraph shall not affect the validity or enforcement of any other portion. Should any provision be found to be invalid as to any circumstance, such provision shall apply to all other circumstances to which such provision may lawfully apply.

(5) Code of Ethics[614]. Disclosure and use of confidential material. No member of the Board of Commissioners, Treasurer or employee of the district shall improperly disclose confidential information concerning the property, government or affairs of the district, nor shall be knowingly use such information to advance the financial or other private interests of himself or others.

(a) Conflict of interest.

(i) No member of the Board of Commissioners, Treasurer or employee of the district shall participate in hearings, deliberations or decisions connected with holding office, commission or department upon any matter in which the official is directly or indirectly interested in a personal or financial sense.

(ii) No member of the Board of Commissioners, Treasurer or employee of the district shall have any financial interest, direct or indirect, in any contract with the district or in the sale to the district of any supplies, materials, services, land, buildings or equipment unless the official shall have filed with the District Clerk, at least seven Days prior to entering upon such contract or selling such item, a written statement setting forth fully the nature and extent of the official's interest therein. To comply with this provision, it shall be the duty of any member of the Board of Commissioners, Treasurer or employee of the district

[614] 2023 recodification of current Article II, Part 2. First Taxing District, §1-25.3. Derived from added approved 11-5-1985.

owning stock in a corporation engaged or seeking to be engaged in any financial transaction between such corporation and the district to make a full disclosure of the amount of stock owned by the member by filing a written statement thereof with the District Clerk at least seven Days prior to the commencement of the financial transaction; provided, however, that such filing shall be unnecessary for shareholders of a publicly held corporation engaged in any of the aforementioned transactions within the district in the usual course of the corporation's business. It shall also be the duty of any member of the Board of Commissioners, Treasurer or employee of the district having any interest in a proprietorship or partnership engaged or seeking to be engaged in any financial transaction between such entity and the district to make a full disclosure of the nature and degree of the official's interest in such entity by filing a written statement thereof with the District Clerk at least seven Days prior to the commencement of the financial transaction.

(b) Committee of Ethics. The administration of this code shall be charged to the members of the Removal Committee elected at the annual meeting, who shall act as a Committee of Ethics for purposes of this section. Any member of the Committee shall disqualify himself and not participate in Committee functions where a complaint or investigation under this section pertains to any employee or official who is a relative of such Committee member. The principal duties of the Committee of Ethics shall be as follows:

(i) To receive and initiate complaints regarding violations of the code of ethics.

(ii) To conduct investigations and/or hearings regarding alleged violations of this code. In conducting its investigation, the Commission shall have complete access to all necessary and relevant district agencies, officers, officials and employees.

(iii) To transmit the findings of such investigations and/or hearings to the Board of Commissioners, to the district and/or to individuals directly involved.

(iv) To render advisory opinions to the officers, employees, officials and Board of Commissioners or any of its committees pursuant to written request or upon its own initiative.

(c) Responses to the Committee of Ethics. The Board of Commissioners, upon receiving any finding indicating a violation of the code of ethics by the Committee of Ethics, shall, within thirty Days, take action on the

finding of the Committee and give written notification of such action to the Committee of Ethics.

E. The Waterworks.

(1) Liability for damages of injuries incurred in construction or maintenance of waterworks[615]. The district shall be liable to pay all damages that shall be sustained by any person or corporation by the taking of any land or estate as aforesaid or by the construction or laying of any reservoirs, pipes, pumps, aqueducts or other works for the purposes of the waterworks. If at any time it shall appear that any damage has occurred or may be likely to occur to any person or corporation by reason of taking or using their land or estate for the purposes of the waterworks or in the construction of the waterworks, and the Board or Commissioners cannot agree with the owners of such property or privileges as to the amount of compensation or damages to be paid to them, such compensation or damages may be assessed by three disinterested persons under oath, to be appointed by a Judge of the Superior Court, on application by either party, upon such notice as the Judge shall prescribe. The appraisers shall report their doings and the amount of their assessments to the Superior Court for Fairfield County. The court may set aside such report for any irregular or improper conduct and may appoint another committee, but, if the report is accepted, it shall be recorded, and such assessments shall be a final adjustment of the compensation and damages between the parties, and payment thereof or a deposit of the amount thereof with the Treasurer of the county for the use of such owner shall release the district from liability to further claims for compensation or damages.

(2) Water-rent income and disposal thereof[616]. All income from water rents shall be applied to defraying the current expenses of the waterworks and to paying the principal of and interest on notes, bonds or certificates of indebtedness incurred in relation to the waterworks. If there shall be a surplus, the Commission shall make report thereof to the next annual or special meeting of the district, which may direct the same to be applied to the payment of the principal of or interest on bonds, notes, certificates or other indebtedness of the district or to any other lawful purpose for which the district is authorized to appropriate money.

(3) Taxation[617]. In case the income from water rents is inadequate to meet the current expenses of the waterworks and the interest of the notes, bonds, or certificates, a tax on all property and persons liable to taxation in the district shall be

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[615] 2023 recodification of current Article II, Part 2. First Taxing District, §1-26. Derived from Sp. Laws 1913, No. 352, §15.

[616] 2023 recodification of current Article II, Part 2. First Taxing District, §1-27. Derived from Sp. Laws 1913, No. 352, §16; Sp. Laws 1957, No. 362.

[617] 2023 recodification of current Article II, Part 2. First Taxing District, §1-28. Derived from Sp. Laws 1913, No. 352, §17; Sp. Laws 1921, No. 189, §1.

laid to supply such deficiency by the Board of Estimate and Taxation of the City at any meeting called for that purpose upon application of the Board of Commissioners, and the tax shall be collected in the same manner as other City taxes. The Board of Estimate and Taxation may lay and collect taxes for the purpose of paying the debts of the district or any part thereof and of establishing a sinking fund for that purpose. The avails of such taxes shall be paid to the Treasurer of the district for application for the purposes only. The Board of Estimate and Taxation shall lay a tax to defray the expenses of the public library of the district to the amount appropriated by the district at any annual or special meeting[618].

(4) Liens and warrants for water rents[619]. Any claim of the district for the use of water, or for rent of hydrants, shall be a lien upon the real estate or property wherein or in connection with which such water was used, or on which such rent was assessed and such lien shall have the same effect as a lien for taxes under the provisions of the general statutes and shall have precedence over any prior encumbrance on such property except a tax lien. Such lien may be foreclosed by the district before any court having jurisdiction in the same manner as a mortgage may be foreclosed. The Board of District Commissioners shall have power to issue warrants for the collection of all such claims in the form prescribed by law for the collection of taxes, which warrants shall be signed by the Commissioners and directed to the Collector of City taxes, or to some indifferent person named therein, who shall have the same power to levy and collect as have Collectors of town taxes.

(5) Accounts and reports of the Board of Commissioners[620]. It shall be the duty of the Board of Commissioners to keep a record of its proceedings and an accurate account of its receipts and disbursements appertaining to the waterworks, and a like account of its receipts and disbursements in connection with all other properties of the district, verified by proper vouchers, which accounts shall be open at all reasonable times to inspection by any taxpayer of the district. The Board shall annually render to the district a statement of the accounts, which shall be sworn to by a majority of the Commissioners and recorded in the records of the district. The Board shall include in its annual report a statement of its doings, and a general statement of the condition of the waterworks and the property of the district, with an estimate of all sums required for the works and other purposes of the district, and a detailed statement of all claims outstanding against the district. The Treasurer of the district shall render annually to the district a statement of the Treasurer's account as a part of the report of the Board of Commissioners, and the Treasurer shall render at all times such statements and reports as the district may require.

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[618] Historical Editor's Note: As to appropriations for libraries see Art. XIX.
[619] 2023 recodification of current Article II, Part 2. First Taxing District, §1-29. Derived from Sp. Laws 1913, No. 352, §18; Sp. Laws 1933, No. 340, §1.
[620] 2023 recodification of current Article II, Part 2. First Taxing District, §1-30. Derived from Sp. Laws 1913, No. 352, §19.

(6) Supplying water to any person or corporation[621]. The Board of Commissioners may, with the consent of the district, supply water from the waterworks of the district to person or corporation.

(7) Unlawful destruction of waterwork property; violations and penalties[622]. Any person who shall willfully injure the water of any reservoir, aqueduct, hydrant, pipe, pump, or other portion of the waterworks, or destroy or injure any portion of such works, or any material or property used in connection therewith, shall be fined not more than $500 or imprisoned not more than one year, or both. Such district shall have power to enact by-laws at any annual or special meeting imposing penalties and forfeitures for the violation of any of the rules and Regulations of the Board of Commissioners of the district, provided such penalties or forfeitures shall not exceed $20 for each offense. The by-laws shall not become effective until published in a newspaper having a circulation in the district.

(8) Authorization of New Canaan Water Company and First Taxing District as to the purchase and selling of water[623]. The New Canaan Water Company is authorized to purchase water from or to sell water to the First Taxing District of the City of Norwalk. The First Taxing District of the City of Norwalk is authorized to purchase water from or sell water to the New Canaan Water Company.

(9) Federal Social Security System[624]. Section 3 Number 408 of the Public Acts of 1955 is inapplicable to the First Taxing District of the City of Norwalk so far as the section may prevent the taxing district from participating in the Federal Old Age and Survivor's Insurance System while the taxing district is participating in the Connecticut Municipal Employees' Retirement Fund.

F. Authorization to Issue Bonds: The Waterworks.

(1) Authorization to issue bonds, notes and other certificates of indebtedness and purpose; funding and refunding bond issue of 1917[625]. The First Taxing District of the City of Norwalk is authorized to issue bonds, notes or other certificates of indebtedness, to an amount not exceeding two hundred fifty thousand ($250,000) dollars for the purpose of funding any floating debt of the district, refunding at their maturity any bonds, notes or other certificates of indebtedness issued by the

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[621] 2023 recodification of current Article II, Part 2. First Taxing District, §1-31. Derived from Sp. Laws 1913, No. 352, §20.
[622] 2023 recodification of current Article II, Part 2. First Taxing District, §1-32. Derived from Sp. Laws 1913, No. 352, §21.
[623] 2023 recodification of current Article II, Part 2. First Taxing District, §1-33. Derived from Sp. Laws 1947, No. 432, §§ 1, 2.
[624] 2023 recodification of current Article II, Part 2. First Taxing District, §1-34. Derived from Sp. Laws 1955, No. 40.
[625] 2023 recodification of current Article II, Part 2. First Taxing District, §1-35. Derived from Sp. Laws 1917, No. 337, §1.

district or by the former City of Norwalk or providing moneys to pay any expenses incurred in increasing and extending the water supply or system of the district.

(a) Funding and refunding bond issue of 1917; details[626]. The district, at a special meeting called for that purpose, shall determine the several and aggregate amounts of such bonds, notes or other certificates which may be issued for any of the foregoing purposes, the annual rate of interest, the time and place of payment of the principal and interest, the dates and times of issue and maturity of the same, the manner in which such bonds, notes or other certificates shall be issued and the person or persons by whom such bonds, notes or other certificates shall be executed, sold and delivered for and in behalf of the district.

(b) Funding and refunding bond issue of 1917; obligation[627]. Such bonds, notes or other certificates, when executed and delivered by the district, or its officers duly authorized, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same, provided the bonds, notes or other certificates issued to provide moneys for the increase of the water supply or system shall not exceed in amount $250,000.

(c) Funding and refunding bond issue of 1917; limitation[628]. No bonds shall be so issued under the provisions of this act[1] as to permit the net bonded indebtedness of the district at any time to exceed 5% of the grand list of the district as the same may be compiled for the year of such issue, provided in computing the debt limitation, bonds issued or to be issued for the construction or maintenance of municipal waterworks or lighting plants shall not be included.

(2) Authorization to issue bonds, notes or certificates of indebtedness; water refunding bond issue of 1929[629]. The First Taxing District of the City of Norwalk is authorized to issue bonds, notes or certificates of indebtedness to an amount not exceeding three hundred-fifty thousand ($350,000) dollars, in coupon form or otherwise and registered or not registered, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at not less than par and accrued interest, and shall be serial in form, payable in substantially equal annual installments, beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period

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[626] 2023 recodification of current Article II, Part 2. First Taxing District, §1-36. Derived from Sp. Laws 1917, No. 337, §2.
[627] 2023 recodification of current Article II, Part 2. First Taxing District, §1-37. Derived from Sp. Laws 1917, No. 337, §3.
[628] 2023 recodification of current Article II, Part 2. First Taxing District, §1-38. Derived from Sp. Laws 1917, No. 337, §4. Historical Editor's Note: §§ 1-35 to 1-38.
[629] 2023 recodification of current Article II, Part 2. First Taxing District, §1-39. Derived from Sp. Laws 1929, No. 220, §1.

not more than forty years from their date. It may be stipulated therein that the principal and interest shall be payable in gold coin of the present standard of weight and fineness. The proceeds of such bonds shall be used for refunding two hundred thousand ($200,000) dollars of City of Norwalk refunding gold bonds maturing July 1, 1929, for reimbursing the district sinking fund, the sum of forty-six thousand ($46,000) dollars advanced therefrom for the payment of forty-six thousand ($46,000) dollars of City of Norwalk water bonds which matured June 1, 1928, and one hundred four thousand ($104,000) dollars for payment of water department floating debt and extensions, enlargements and improvements of the water system of the district.

(a) Water refunding bond issue of 1929; details[630]. The district, at any meeting called for that purpose, shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the maximum annual rate of interest. Other particulars of the form of such bonds and the manner of issuance not determined hereby or by district vote may be determined by the District Commissioners and the Treasurer.

(b) Water refunding bond issue of 1929; payment provisions[631]. The district shall, at the time of authorizing such bonds, provide for the payment thereof in accordance with the provisions of §1-39 of the Prior Charter and, when a vote to that effect shall have been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating the waterworks and interest as it accrues on such bonds and other water debt of the district and to make such payments on the principal as may be required under §1-39 to §1-43 of the Prior Charter, shall be assessed upon the district annually until the debt incurred by such bonds shall be paid.

(c) §1-42 of the Prior Charter. Water refunding bond issue of 1929; obligations of district[632]. Such bonds, when executed and delivered, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) § 1-43 of the Prior Charter. Water refunding bond issue of 1929; issuance for water purposes[633]. Such bonds shall be deemed to be issued for water purposes and to be outside all statutory debt limits.

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[630] 2023 recodification of current Article II, Part 2. First Taxing District, §1-40. Derived from Sp. Laws 1929, No. 220, §2.
[631] 2023 recodification of current Article II, Part 2. First Taxing District, §1-41. Derived from Sp. Laws 1929, No. 220, §3.
[632] 2023 recodification of current Article II, Part 2. First Taxing District, §1-42. Derived from Sp. Laws 1929, No. 220, §4.
[633] 2023 recodification of current Article II, Part 2. First Taxing District, §1-43. Derived from Sp. Laws 1929, No. 220, §6.

(3) Authorization to issue bonds, notes or certificates of indebtedness; water bond issue of 1931[634]. The First Taxing District of the City of Norwalk is authorized to issue bonds, notes or certificates of indebtedness to an amount not exceeding forty thousand ($40,000) dollars in coupon form or otherwise, and registered or not registered, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at not less than per and accrued interest, and shall be in serial form, payable in substantially equal annual installments, beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than twenty years from their date. It may be stipulated therein that the principal and interest may be payable in gold coin of the present standard of weight and fineness. The proceeds of such bonds shall be used for the payment of lands acquired by the First Taxing District, in condemnation proceedings for water purposes, and for extensions, enlargements and improvements of the water system of the district.

(a) Water bond issue of 1931; details[635]. The district, at any meeting called for that purpose, shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the maximum annual rate of interest. Other particulars of the form of such bonds and the manner of issuance not determined hereby or by district vote may be determined by the District Commissioners and the Treasurer.

(b) Water bond issue of 1931; obligations[636]. Such bonds, notes or certificates of indebtedness, when executed and delivered, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(4) Authorization to issue bonds, notes or certificates of indebtedness; water bond issue of 1933[637]. The First Taxing District of the City of Norwalk is authorized to issue, without vote of its electors, but by and through the action of the Commissioners and the Treasurer of the district, bonds, notes or certificates of indebtedness to an amount not exceeding one hundred forty thousand ($140,000) dollars, in coupon form or otherwise, and registered or not registered, bearing interest at a rate not greater than six percent per annum, payable semiannually, which bonds shall be sold at not less than par and accrued interest, and shall be in serial form, payable in substantially equal annual installments, beginning not more than two years from date of issue, in such sums that the entire amount

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[634] 2023 recodification of current Article II, Part 2. First Taxing District, §1-44. Derived from Sp. Laws 1931, No. 237, §1.
[635] 2023 recodification of current Article II, Part 2. First Taxing District, §1-45. Derived from Sp. Laws 1931, No. 237, §2.
[636] 2023 recodification of current Article II, Part 2. First Taxing District, §1-46. Derived from Sp. Laws 1931, No. 237, §3.
[637] 2023 recodification of current Article II, Part 2. First Taxing District, §1-54. Derived from Sp. Laws 1933, No. 383, §1.

thereof shall be paid within a period of not more than twenty years from their date. The proceeds of such bonds shall be used for the payment for lands and rights-of-way to be acquired by the district for water purposes, by condemnation proceedings or otherwise, and for extensions, reinforcements, enlargements and improvements of the water system of the district. Such bonds may be issued from time to time and nothing herein contained shall require the whole amount of such bonds to be issued or prevent their issuance in amount less than the total authorized issue as may be deemed expedient, in which case each authorized issue shall constitute a separate loan and each such loan shall be payable in annual installments and within the period of time specified herein from its date.

(a) Water bond issue of 1933; details[638]**.** The Commissioners and Treasurer of the district shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the annual rate of interest and other particulars of the form of such bonds and the manner of issuance not determined hereby.

(b) Water bond issue of 1933; payment provisions[639]**.** The district, by its Commissioners, shall, at the time of authorizing such bonds, provide for the payment thereof in accordance with the provisions of §1-54 of the Prior Charter, and, when a vote to that effect shall have been passed, a sum which, with income derived from water rates, will be sufficient to pay the annual expense of operating the waterworks and interest as it accrues on such bonds and other water debt of the district and to make such payments on the principal as may be required under §1-54 to §1-58 of the Prior Charter, shall be assessed upon the district annually until the debt incurred by such bonds shall be paid.

(c) Water bond issue of 1933; obligations[640]**.** Such bonds, when executed and delivered, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) Water bond issue of 1933; issuance[641]**.** Such bonds shall be deemed to be issued for water purposes and to be exempt from any limitations imposed by Statute.

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[638] 2023 recodification of current Article II, Part 2. First Taxing District, §1-55. Derived from Sp. Laws 1933, No. 383, §2.
[639] 2023 recodification of current Article II, Part 2. First Taxing District, §1-56. Derived from Sp. Laws 1933, No. 383, §3.
[640] 2023 recodification of current Article II, Part 2. First Taxing District, §1-57. Derived from Sp. Laws 1933, No. 383, §4.
[641] 2023 recodification of current Article II, Part 2. First Taxing District, §1-58. Derived from Sp. Laws 1933, No. 383, §5.

(5) Bond issue of 1945 for extending and enlarging waterworks system; authorization[642]. The electors of the First Taxing District of the City of Norwalk having, on September 19, 1944, authorized the issuance of bonds in an amount not to exceed $750,000 for the purpose of financing the construction of a dam and reservoir in the Town of New Canaan, and suitable connections to the dam and reservoir, as a part of the waterworks system of the district, the district is authorized to issue, without a further vote of its electors, bonds of the district in an amount not exceeding seven hundred fifty thousand ($750,000) dollars for the purpose of extending and enlarging the waterworks system of the district by constructing, installing, erecting and completing a dam and reservoir in the Town of New Canaan, and suitable connections to the dam and reservoir as part of the waterworks system of the district, including the acquisition of any and all real estate and flowage or other rights therein necessary or suitable for such purpose. The bonds shall be issued in the name of the First Taxing District of the City of Norwalk and shall be signed by the Commissioners of the district and by the Treasurer of the district. The bonds shall bear interest at a rate not exceeding four percent per annum, and shall be payable, as to principal, serially in annual installments commencing four years from the date of the bonds in amounts as follows: five thousand ($5,000) dollar bonds in each of the first three years, fifteen thousand ($15,000) dollar bonds in the fourth year, twenty thousand ($20,000) dollar bonds in each of the fifth and sixth years, twenty-five thousand ($25,000) dollar bonds in each of the seventh and eighth years, thirty thousand ($30,000) dollar bonds in each of the ninth through fourteenth years, thirty-five thousand ($35,000) dollar bonds in each of the fifteenth through eighteenth years, forty thousand ($40,000) dollar bonds in each of the nineteenth through twenty-second years and fifty thousand ($50,000) dollar bonds in each of the twenty-third through twenty-fifth years, of such maturities. The bonds shall be authorized by a Resolution to be adopted by the Commissioners of the district and shall be sold in such manner as the Commissioners shall determine, at either public or private sale, but none of the bonds shall be sold for less than the par value thereof and accrued interest to date of delivery. In the event that less than the total amount of bonds authorized to be issued shall be sold at any one time, the Commissioners shall, by Resolution, designate the particular bonds of the maturities aforesaid which shall be sold at any one time.

(a) Bond issue of 1945; payment provisions[643]. The bonds shall be payable, both principal and interest, from the revenues derived from the operation of the waterworks system of the district, and if such revenues are insufficient for that purpose, taxes shall be levied upon all the taxable property of the district without limitation as to rate or amount, sufficient for the payment of the principal of and interest on the bonds.

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[642] 2023 recodification of current Article II, Part 2. First Taxing District, §1-59. Derived from Sp. Laws 1945, No. 91, §1.
[643] 2023 recodification of current Article II, Part 2. First Taxing District, §1-60. Derived from Sp. Laws 1945, No. 91, §2.

(b) Bond issue of 1945; fixing water rates[644]. The Commissioners of the district are authorized to fix rates for water which shall be sufficient for the maintenance and operation of the water system of the district and the payment of the principal of and interest on the indebtedness of the district, including the bonds.

(c) Bond issue of 1945; obligations of district[645]. The bonds when executed and delivered, shall be the general obligations of the district and obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) Bond issue of 1945; issuance for water purposes[646]. The bonds shall be deemed to be issued for water purposes and shall be exempt from any limitation of indebtedness imposed by statute.

(e) Bond issue of 1945; authority and repeal of conflicts[647]. §§1-59 to 1-64 of the Prior Charter shall constitute full and complete authority for the issuance of the bonds, and all acts or parts of acts in conflict herewith are hereby declared inoperative so far as in conflict herewith.

(6) Authorization to issue bonds, notes or certificates of indebtedness; water bond issue of 1951[648]. The First Taxing District of the City of Norwalk, acting through the Commissioners and Treasurer of the district, is authorized to issue, upon approval by the electors of the district at a meeting of the district, bonds, notes or certificates of indebtedness of the district to an amount not exceeding one hundred seventy-five thousand ($175,000) dollars, in coupon form, or otherwise, with privilege of registration and reconversion into coupon form, bearing interest at a rate or rates not greater than six percent per annum, payable semiannually, which bonds, notes or certificates of indebtedness shall be sold at not less than par and accrued interest and shall be in serial form payable in substantially equal installments, beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than fifteen years from their date. The proceeds of such bonds, notes, or certificates of indebtedness shall be used for the cost of lands and rights-of-way to be acquired by the district for water purposes, by condemnation proceedings or otherwise and for extensions, additional installations, reinforcements, enlargements and improvements of the water system of the district. Such bonds, notes, or certificates of indebtedness may be issued from time to time, and nothing herein contained shall require the whole amount of such bonds, notes or certificates of indebtedness to be issued or prevent their issuance in amounts less

[644] 2023 recodification of current Article II, Part 2. First Taxing District, §1-61. Derived from Sp. Laws 1945, No. 91, §3.
[645] 2023 recodification of current Article II, Part 2. First Taxing District, §1-62. Derived from Sp. Laws 1945, No. 91, §4.
[646] 2023 recodification of current Article II, Part 2. First Taxing District, §1-63. Derived from Sp. Laws 1945, No. 91, §5.
[647] 2023 recodification of current Article II, Part 2. First Taxing District, §1-64. Derived from Sp. Laws 1945, No. 91, §6.
[648] 2023 recodification of current Article II, Part 2. First Taxing District, §1-65. Derived from Sp. Laws 1951, No. 108, §1.

than the total authorized issue as may be deemed expedient, in which case each authorized issue shall constitute a separate loan and each loan shall be payable in annual installments and within the period of time specified from the date of issue.

(a) Water bond issue of 1951; details[649]. The Commissioners and Treasurer of the district shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds, notes or certificates of indebtedness, and the annual rate of interest and other particulars of the form of such bonds, notes or certificates of indebtedness and the manner of issuance not determined hereby.

(b) § 1-67. Water bond issue of 1951; notes for water; payment provisions[650]. The Commissioners of the district are authorized to fix rates for water which shall be sufficient for the maintenance and operation of the water system of the district and the payment of the principal of and interest on the indebtedness of the district, including the obligations authorized hereby. The bonds, notes or certificates of indebtedness authorized shall be general obligations of the district, and for the payment of principal of and interest on the bonds, notes or certificates of indebtedness, taxes may be levied upon all of the taxable property in the district without limitation as to rate or amount; provided, to the extent revenues derived from the operation of the water system of the district are available, sufficient for the payment of the principal of and interest on the bonds, notes or certificates of indebtedness when the same become due, it shall not be necessary that taxes be levied for that purpose.

(c) § 1-68 of the Prior Charter. Water bond issue of 1951; obligations[651]. Such bonds, notes or certificates of indebtedness, when executed and delivered shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) § 1-69 of the Prior Charter. Water bond issue of 1951; issuance for water purposes[652]. Such bonds, notes or certificates of indebtedness shall be deemed to be issued for water purposes and to be exempt from any limitations imposed by statute.

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[649] 2023 recodification of current Article II, Part 2. First Taxing District, §1-66. Derived from Sp. Laws 1951, No. 108, §2.
[650] 2023 recodification of current Article II, Part 2. First Taxing District, §1-67. Derived from Sp. Laws 1951, No. 108, §3.
[651] 2023 recodification of current Article II, Part 2. First Taxing District, §1-68. Derived from Sp. Laws 1951, No. 108, §4.
[652] 2023 recodification of current Article II, Part 2. First Taxing District, §1-69. Derived from Sp. Laws 1951, No. 108, §5.

(7) Authorization to issue bonds, notes or certificates of indebtedness; water bond issue of 1955[653]**.** The First Taxing District of the City of Norwalk, acting through the Commissioners and Treasurer of the district, is authorized to issue, upon approval by the electors of the district at a meeting of the district, bonds, notes or certificates of indebtedness of the district, to an amount not exceeding two hundred fifty thousand ($250,000) dollars, in coupon form, or otherwise, with privilege of registration and reconversion into coupon form, bearing interest at a rate or rates not greater than six (6%) percent per annum, payable semiannually, which bonds, notes or certificates of indebtedness shall be sold at not less than par and accrued interest and shall be in serial form payable in substantially equal installments beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than fifteen years from their date. The proceeds of such bonds, notes or certificates of indebtedness shall be used for the cost of lands and rights-of-way to be acquired by the district for water purposes, by condemnation proceedings or otherwise and for extensions, additional installations, reinforcements, enlargements and improvements of the water system of the district. Such bonds, notes or certificates of indebtedness may be issued from time to time, and nothing herein contained shall require the whole amount of such bonds, notes or certificates of indebtedness to be issued or prevent their issuance in amounts less than the total authorized issue as may be deemed expedient, in which case each authorized issue shall constitute a separate loan and each loan shall be payable in annual installments and within the period of time specified from the date of issue.

(a) Water bond issue of 1955; details[654]**.** The Commissioners and Treasurer of the district shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds, notes or certificates of indebtedness, and the annual rate of interest and other particulars of the form of such bonds, notes or certificates of indebtedness and the manner of issuance not determined thereby.

(b) Water bond issue of 1955; notes; payment provisions[655]**.** The Commissioners of the district are authorized to fix rates for water which shall be sufficient for the maintenance and operation of the water system of the district and the payment of the principal of and interest on the indebtedness of the district, including the obligations authorized hereby. The bonds, notes or certificates of indebtedness authorized hereby shall be general obligations of the district, and for the payment of principal of and interest on the bonds, notes or certificates of indebtedness, taxes may be levied upon all of the taxable property in the district without limitation as to rate or amount, provided, to the

[653] 2023 recodification of current Article II, Part 2. First Taxing District, §1-70. Derived from Sp. Laws 1955, No. 136, §1.
[654] 2023 recodification of current Article II, Part 2. First Taxing District, §1-71. Derived from Sp. Laws 1955, No. 136, §2.
[655] 2023 recodification of current Article II, Part 2. First Taxing District, §1-72. Derived from Sp. Laws 1955, No. 136, §3.

extent revenues derived from the operation of the water system of the district are available, sufficient for the payment of the principal of and interest on the bonds, notes or certificates of indebtedness when the same become due, it shall not be necessary that taxes be levied for that purpose.

(c) Water bond issue of 1955; obligations[656]. Such bonds, notes or certificates of indebtedness when executed and delivered shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(d) Water bond issue of 1955; issuance for water purposes[657]. Such bonds, notes or certificates of indebtedness shall be deemed to be issued for water purposes and to be exempt from any limitations imposed by statute.

G. Authorization to Issue Bonds: Paving Refunding.

(1) Authorization to issue bonds, notes or certificates of indebtedness; paving refunding bond issue of 1931[658]. The First Taxing District of the City of Norwalk is authorized to issue bonds, notes or certificates of indebtedness to an amount not exceeding forty thousand ($40,000) dollars, in coupon form or otherwise and registered or not registered, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at not less than par and accrued interest, and shall be in serial form, payable in substantially equal annual installments, beginning not more taken two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than fifteen years from their date. It may be stipulated therein that the principal and interest may be payable in gold coin of the present standard of weight and fineness. The proceeds of such bonds shall be used for refunding paving bonds in the amount of forty thousand ($40,000) dollars, due July 1, 1931.

(a) Paving refunding bond issue of 1931; details[659]. The district, at any meeting called for that purpose, shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the maximum annual rate of interest. Other particulars of the form of such bonds and the manner of issuance not determined hereby or by district vote may be determined by the District Commissioners and the Treasurer.

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[656] 2023 recodification of current Article II, Part 2. First Taxing District, §1-73. Derived from Sp. Laws 1955, No. 136, §4.
[657] 2023 recodification of current Article II, Part 2. First Taxing District, §1-74. Derived from Sp. Laws 1955, No. 136, §5.
[658] 2023 recodification of current Article II, Part 2. First Taxing District, §1-47. Derived from Sp. Laws 1931, No. 238, §1.
[659] 2023 recodification of current Article II, Part 2. First Taxing District, §1-48. Derived from Sp. Laws 1931, No. 238, §2.

(b) Paving refunding bond issue of 1931; obligations[660]. Such bonds, notes or certificates of indebtedness, when executed and delivered, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(c) Paving refunding bond issue of 1931; limitations[661]. The amount of bonds issued the provisions of §1-47 to § 1-50 of the Prior Charter, together with the amount of the aggregate outstanding indebtedness of the consolidated town and city, the area of which consolidated town and city is occupied in part by the First Taxing District and of each independent and dependent political or territorial division or subdivision coterminous with or within the consolidated town and city, shall not exceed, exclusive of the amount of bonds issued for the supply of water, gas or electricity or the construction of subways or underground conduits for cables, wires and pipes and exclusive of the value of bonds, notes and other intangible assets placed in the sinking fund of the consolidated town and city and placed in the sinking fund of each such political or territorial division or subdivision, 5% of the last completed grand list of the consolidated town and city as "grand list" is defined in §470 of the General Statutes.

H. Authorization to Issue Bonds: Firehouse Bond Issue.

(1) Fire house bond issue of 1933; purpose[662]. A new fire house and appurtenances in the First Taxing District of the City of Norwalk in substitution for the present leased buildings of the former City of Norwalk used as fire houses by the present City of Norwalk is declared to be of public convenience and necessity.

(a) Authority to erect and construct firehouse[663]. The Commissioners of the First Taxing District of the City of Norwalk are authorized to erect and construct a fire house and appurtenances in the district, and the powers of the former City of Norwalk for that purpose are continued and vested in the First Taxing District and its Commissioners, any provisions in the laws or charter of the present City of Norwalk notwithstanding, until the fire house and appurtenances herein provided for shall be acquired and taken over by the City of Norwalk or a Fourth Taxing District thereof, if the same shall be authorized.

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[660] 2023 recodification of current Article II, Part 2. First Taxing District, §1-49. Derived from Sp. Laws 1931, No. 238, §3.
[661] 2023 recodification of current Article II, Part 2. First Taxing District, §1-50. Derived from Sp. Laws 1931, No. 238, §4.
[662] 2023 recodification of current Article II, Part 2. First Taxing District, §1-51. Derived from Sp. Laws 1933, No. 382, §1.
[663] 2023 recodification of current Article II, Part 2. First Taxing District, §1-52. Derived from Sp. Laws 1933, No. 382, §2.

(b) Fire house bond issue of 1933; authorization and details[664]. For the purposes aforesaid, the First Taxing District of the City of Norwalk by its Commissioners is authorized to borrow in the name of the district not exceeding the sum of sixty-five thousand ($65,000) dollars and to issue bonds or other evidences of indebtedness therefor. Such bonds shall be designated "Fire House Bonds," shall be in coupon form or otherwise and registered or not registered, bearing interest at a rate not greater than six (6%) percent per annum, payable semiannually, which bonds shall be sold at not less than par and accrued interest, and shall be in serial form, payable in substantially equal annual installments, beginning not more than two (2) years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than fifteen (15) years from their date. The district, at any meeting called for that purpose, shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds and the maximum annual rate of interest. Other particulars of the form of such bonds and the manner of issuance not determined hereby or by district vote may be determined by the District Commissioners and the Treasurer.

§12-8. Second Taxing District[665].

A. Body Politic and Corporation; Rights and Liabilities[666]. All electors of this state dwelling within the territorial limits of the Second Taxing District are hereby constituted a body politic and corporate by the name of the "Second Taxing District of the City of Norwalk" and, by that name, shall be capable of suing and being sued, pleading and being impleaded, purchasing, holding, selling and conveying any estate, real or personal, and of having a common seal, and as such corporation shall succeed to and possess all the property, both real and personal, of the City of South Norwalk, together with all the rights, powers, franchises, privileges and immunities heretofore granted to the City of South Norwalk and to the Water Commissioners of the City in relation to the taking of water, the construction, maintenance and operation of waterworks and supplying water for the use of the City of South Norwalk and the inhabitants thereof and any other persons or corporation as the Second Taxing District shall determine, together with all property, rights and interest hereto acquired by the City or the Water Commissioners of the City for the purpose of supplying water as aforesaid and all the rights, privileges and powers the City has acquired by virtue of having complied with the requirements of §2 of Chapter CCXXXI of the Public Acts of 1893 and all property acquired by the City as a part of its electric light and power plant and all of the property, rights, powers, franchises, privileges and immunities are hereby vested in and confirmed to the Second Taxing District. The Second Taxing District is hereby authorized to manage, operate and control the water system and electric light plant with the same authority,

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[664] 2023 recodification of current Article II, Part 2. First Taxing District, §1-53. Derived from Sp. Laws 1933, No. 382, §3.

[665] Editor's Note: See § 121 for authority of Second Taxing District as to appropriations for parking purposes. For taxing districts in general, see Art. II.

[666] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-75. Derived from Sp. Laws 1913, No. 352, § 22; Charter Amendment 11-8-1983; Charter Amendment 11-4-2003, effective 12-4-2003.

rights and liabilities and in the same manner as the City of South Norwalk, whether within the limits of the Second Taxing District or beyond, and, except as herein otherwise provided, to care for, maintain and to keep in repair all estate, both real and personal, which the district may possess wherever located and to sell and convey any of the property, any property held by the City in trust excepted, and apply the proceeds to the reduction of the indebtedness of the district only. The Second Taxing District shall succeed to and possess all the rights and privileges heretofore possessed by the City of South Norwalk in respect to the public library of the City and shall continue to support and maintain the same. The District Commissioners shall have the authority to provide for public library services by the lease of District property and/or by contracting with the City of Norwalk or other qualified library service entity; provided no lease or contract shall be executed unless the District Commissioners conduct a duly noticed Public Hearing prior to the execution of any such lease or contract.

B. Expenses, liabilities, powers, privileges, duties with regard to the supply and distribution of water and electricity[667]. All the inhabitants and property within the limits of the Second Taxing District shall be liable to taxation by the city to defray the burdens, expenses and liabilities of all kinds existing against the former City of South Norwalk at the passage of this act and such liabilities as the taxing district may become liable for under the provisions of this act.

The Second Taxing District is hereby authorized to use the water of any stream, lake or pond, either surface or subsurface, in whole or in part, within the limits of the towns named in an act entitled "An Act to Provide a Supply of Pure and Wholesome Water to the City of South Norwalk," approved July 22, 1874, and, with the restrictions expressed in the act, to hold, convey and distribute such water to the persons and corporations whom it may supply by means of any necessary reservoirs, pipes, aqueducts, pumps and other suitable works, in such quantities as the necessities of the district may require; to purchase water from, sell water to or exchange water with any other community, public or private water company, as may be necessary or advisable; to take and hold any lands, property or privileges; and to exercise any powers, including the power of eminent domain, that may be necessary or convenient for the district in order that a satisfactory supply of water may be obtained and the same stored and distributed to the persons and corporations the district may supply; and in like manner, the district may take and hold any lands, property or privileges and to exercise any power, including the power of eminent domain, necessary for the district in order to maintain an adequate supply and for appropriate installations for and transmission of electric power to the persons and corporations the district may supply.

C. Board of Commissioners, Board of Electrical Commissioners and Treasurer in Second Taxing District[668]. At the election for the choice of City and town officers in 1913, there shall be elected in the Second Ward by the electors of the Second

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[667] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-76. Derived from Sp. Laws 1913, No. 352, §23; Charter Amendment 11-8-1983.
[668] 2023 recodification of current Article III – Part 1. In General, §1-176. Derived from Sp. Laws 1913, No. 352, §57. Historical Editor's Note: See also § 1-78.

Taxing District three Commissioners for the terms of office of two, four, and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified, and there shall be elected in the Second Ward by the electors of the Second Taxing District three members of the Board of Electrical Commissioners, which members shall hold office for the terms of two, four and six years, respectively, and until their successors are elected and qualified, and there shall be elected a Treasurer of the Second Taxing District who shall hold office for a term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the Second Taxing District one Commissioner and one member of the Board of Electrical Commissioners, each of whom shall hold office for the term of six years and until a successor is elected and qualified, and a Treasurer of the Second Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

D. Authorization of the Board of Commissioners[669]. The District Commissioners are hereby authorized to purchase and take conveyances in the name of the Second Taxing District of all lands, property and privileges necessary or convenient for the purposes of this act; to hold in sufficient quantities the water of any stream, either within or without the district, and in either of the towns as set out in §1-76 of the Prior Charter, by the construction of suitable dams; to enter upon any lands near such proposed dams and procure earth, stone or other material for the construction and maintenance thereof and to make suitable wasteways for the surplus water of such streams; to change the location of any road or pathway which may be covered by the waters of any reservoirs so formed and to take land therefor; to enter upon and make use of the ground or soil under any railroad, street, private way or public or private grounds; to lay, construct and maintain all necessary pipes, pumps and aqueducts in such manner as least to damage or impede travel thereon; to make contracts for labor and materials for the general purpose of the waterworks; to establish public reservoirs; to erect and maintain hydrants under the direction of the Council of the city; to make rules and Regulations regarding the use and distribution of the water and establish the prices to be paid therefor; to collect all water rents and pay the same to the Treasurer of the district; to admit, allow and draw orders on the Treasurer for the payment of all claims against the district on account of the waterworks, including payment of interest on notes and bonds issued on account of such works; to attend to the construction, care, supervision and management of the waterworks; to appoint Directors of the public library of the district as vacancies in the Board shall occur; to care for, maintain and keep in repair, except as herein otherwise provided, all the property of the district, with the power to lease or sell the same, delivering the income and proceeds of such sales to the Treasurer of the district and to apply the proceeds therefrom in such manner as the District Commissioners may be authorized by the district; and to exercise any powers that may from time to time be conferred upon them by the district. A majority of the Commissioners shall constitute a quorum for the transaction of any of the business of the Board.

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[669] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79. Derived from Sp. Laws 1913, No. 352, §26.

E. Ordinance procedure[670]. The Second Taxing District may enact, modify, amend or repeal ordinances which it deems necessary to operate the district, including such rules, Regulations, policies and procedures it deems necessary to define and govern the powers, duties, responsibilities, administration and operations of the district; provided, however, no ordinance, inconsistent with the scope of the district's power, duties and responsibilities, as specified in the District Charter, Special Acts of the Legislature or the Connecticut General Statutes shall be enacted.

Ordinances shall be enacted, altered or repealed, by a majority vote of the electors present and voting, at a special, regular or annual meeting of the district electors, duly noticed and warned for that purpose. Ordinances so enacted shall become effective fifteen Days after publication in a daily paper of circulation in the City of Norwalk.

Ordinances shall be proposed by a majority vote of the District Commissioners, at a regular or special meeting of the Commission, or by written petition of at least ten percent of the electors of the district, as determined by the then current list of electors. A petition for ordinance shall include the proposed ordinance, or a summary of the proposed ordinance, prepared by the District Clerk, where the full text of the proposed ordinance has been filed with the Clerk, by an elector of the district, in which case the Clerk shall make available the full text of the proposed ordinance to any person requesting a copy. The District Clerk shall, upon receipt of a petition, verify that each petitioner is an elector and that ten percent of the electors have signed a valid petition. After certification of a valid petition, the district clerk shall forward the petition for ordinance to the District Commissioners.

When a valid proposed ordinance is before the district either through electors' petition or an action of the District Commission, the Commissioners will schedule an electors' meeting to act on the proposed ordinance within thirty Days. The electors' meeting shall be noticed and warned in a daily paper of circulation in the City of Norwalk at least ten Days before the meeting.

F. Meetings[671]. The notice of the time, place and agenda of all meetings of the electors residing in the taxing district shall be given by the Board of Commissioners by publishing in a newspaper having a circulation in the district at least ten Days before the meeting.

The notice of the time, place and agenda of all regular and special meetings of commissions, boards or committees of the district shall be published in a newspaper having a circulation in the district at least twenty-four hours before the meeting. In the case of an emergency, a special meeting may be held without the notice specified by this section, provided the minutes of such emergency meeting adequately sets forth the nature of the

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[670] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-76.A. No citation re – derivation.
[671] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-77. Derived from Sp. Laws 1913, No. 352, § 24; Charter Amendment 11-8-1983; Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.

emergency and the business transacted at such meeting, and the minutes shall be filed with the District Clerk not later than seventy-two hours following the holding of the emergency meeting.

The Board of District Commissioners shall file with the Clerk of the district, by December 31, a schedule of the regular meeting of the Board for the ensuing year. All meetings of the Board not filed as a regular meeting shall be considered a special meeting.

All meetings, notices, agendas, record of meetings and procedures shall comply with the requirements and provisions of the Connecticut General Statutes, as amended, in addition to the requirements included herein.

The annual meeting of the electors residing in the taxing district shall be held on the third (3rd) Tuesday of November for the purpose of hearing the reports of the Commissioners of the district and acting on such matters as may properly be brought before the meeting. Special meetings of the electors of the district may be called by the Board and shall be called upon written petition of at least ten percent of the electors of the district as determined by the then current list of electors maintained by the Registrar of Voters of the City of Norwalk to consider and act upon the matters set forth in such notice of petition. The right of electors to vote at all district meetings shall be determined by the then current voting list so maintained. The notice and agenda of all meetings of the district and its commissions, boards and committees and all notifications and postings of the District Clerk shall be posted on a public meeting board outside the office of the district.

Not fewer than fifteen electors of the district shall constitute a quorum for the transaction of business at any meeting of the district, and, if fifteen electors are not present at such meeting, any District Commissioner, or the District Clerk, shall adjourn the meeting to a time and place certain. At any meeting of the district where a quorum is present, the meeting may be adjourned to a time and place certain by a majority vote of the electors present and voting. Any such adjourned meeting, which is rescheduled shall be warned and noticed in a newspaper having circulation in the district, at least five Days before the rescheduled meeting. A copy of the notice of adjournment, including the time, date and place of the adjourned meeting, shall be conspicuously posted on or near the door of the place where the regular or special meeting was held, within twenty-four hours after the time of adjournment.

G. Board of Commissioners and Treasurer. The district shall elect a seven-member Board of District Commissioners, who shall also serve as Water Commissioners and Electrical Commissioners, and a Treasurer of the district, all of whom shall be, at the time of their election and throughout their term, electors of the district and domiciled therein; and all of whom shall be sworn to a faithful discharge of their duties, shall hold their office as hereinafter provided and shall receive such compensation as the district determine at each annual meeting.

(1) Clerk; Personnel[672]. The Commissioners shall appoint a Clerk, who shall receive reasonable compensation as determined by the Commissioners. It shall be the duty of the Clerk to keep a record of all the transactions and meetings of the district and all of its commissions, boards and committees and discharge such duties as the Commission may prescribe or as prescribed by ordinances of the district. The District Clerk shall perform all duties as prescribed in the General Statutes to be performed by the Clerk of the municipality, or the Clerk of the district, or the Clerk as to the extent such specific statutes are applicable to the district. The District Clerk, for the purpose of keeping a record of meetings, may designate assistant(s) to assist with the discharge of the duties of the Clerk.

(2) Meetings[673]. All meetings of the district shall be electronically recorded, and suitable means to electronically record all meetings shall be provided by the clerk.

(3) Legal Counsel[674]. The Commissioners shall appoint District Legal Counsel, who shall serve as sole legal counsel to the district and all of its commissions, elected officials, district officers, agencies, boards, water and electric utilities and other operations. District Legal Counsel shall be appointed for a one-year term commencing each July 1. However, the Commissioners may replace District Legal Counsel at their discretion during a term. District Legal Counsel shall advise the district and all of its commissions, elected officials, district officers, agencies boards, water and electric utilities and other operations, on all matters of law, pertaining to their respective offices and/or duties. The Commissioners may also make specific appointments of special legal counsel as necessary, to provide specialized legal counsel at the recommendation of District Legal Counsel or on their own motion.

(4) Personnel[675]. The, Commissioners may employ such personnel as may be reasonably necessary to manage, operate, control and keep in repair the real, personal and mixed estate of the district.

(5) Power Akin to Selectmen[676]. The Commissioners, with regard to all of the affairs of the district shall have all the powers and discharge all the duties as given to and required of Selectmen of towns as set forth in §7-12 of the General Statutes, as amended, and shall be generally responsible for the conduct of the affairs of the district.

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[672] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(a). Derived from Sp. Laws 1913, No. 352, § 25; Charter Amendment 11-8-1983; Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.
[673] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(b).
[674] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(c).
[675] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(d).
[676] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(e).

(6) Duties Akin to the Board of Electrical Commissioners[677]. The Board of Commissioners shall have all the powers and the duties of the Board of Electrical Commissioners as set forth in Connecticut General Statutes Chapter 101, §§7-213 through and including 7-233hh and with respect to the Waste Department Chapter 102, §§7-234 through and including 7-244a, as amended, except where those sections are inconsistent with this Charter.

(7) Term of Office[678]. The Board of District Commissions shall appoint for terms of three years each two (2) members of the Norwalk Public Library Board, in accordance with Chapter 87 of the Code of the City of Norwalk, Connecticut. The members shall, at the time of their appointment and throughout their terms be electors of the Second Taxing District and be domiciled therein.

(8) Chairperson and Vice Chairperson[679]. The Board of District Commissioners shall elect from their members a Chairperson and a Vice Chairperson who will serve for a period of two years from the date of election by the Board of Commissioners at the first meeting after each regular biennial municipal election in November of the odd numbered years, in the following manner:

(a) At the first meeting of the Board of District Commissioners, after the combination of the Board of Electrical Commissioners and the Board of District Commissioners, and the election of a seventh commissioner, as provided in §1-78A of the Prior Charter, on or before January 31, 2004, the Board of District Commissioners shall elect from its members one person to serve as Chairperson and one person to serve as Vice Chairperson until the first meeting of the District Commissioners after the regular biennial municipal election in November, 2005 or until successors have been duly elected and qualified.

(b) Thereafter, at the first meeting of the Board of District Commissioners after the regular biennial municipal election, the Board shall select a person to act as Chairperson and one person to serve as Vice Chairperson from among its members for a term of two years or until successors have been duly elected and qualified.

The Chairperson shall preside at all meetings of the electors and Board of District Commissioners; present a report of the condition and operations of the District at the annual meeting; present a report on the proposed budget at the annual budget meeting; cause to be called all regular and special meetings of the electors and Board of District Commissioners; set the agenda for all

[677] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(f).
[678] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(g). Derived from Sp. Laws 1913, No. 352, § 25; Charter Amendment 11-8-1983; Charter Amendment 11-7-1995, effective 12-7-1995
[679] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78(h).

meetings of the electors and Board of District Commissioners after the consultation with the Vice Chairperson; appoint such committees and/or subcommittees of the Board of District Commissioners as may be required or desirable from time to time; perform all of the duties incident to the office and which are required by law; and perform such duties and functions as the electors or Board of District Commissioners may assign from time to time. The Chairperson shall call a special meeting of the electors or Commissioners upon written petition by a majority of the Board of Commissioners, which petition shall include the agenda for such meeting. During the absence or incapacity of the Chairperson, the Vice Chairperson shall preside over meetings and shall perform the duties of the Chairperson.

(9) Election of District Commissioners[680].

(a) The members of the Board of Electrical Commissioners in office on December 1, 2003, shall be combined with the members of Board of District Commissioner in office on December 1, 2003, to form a six-member Board of District Commissioners. Each Commissioner shall remain in office for the remainder of their current six-year elected term and until their successor is elected at a regular biennial municipal election. The six-member Board of Commissioners shall call on or before January 31, 2004, a special elector's meeting for the purpose of electing a seventh Commissioner. The seventh Commissioner shall be elected by the electors of the District at duly warned and noticed meeting with due regard for §9-167a of the Connecticut General Statutes, Minority Representation, until a successor is elected for a six-year term at the regular biennial municipal election of city and town officers of 2005[681].

(b) Method of election: 2005[682]. At the regular biennial municipal election in 2005, three persons shall be elected as members of the Board of District Commissioners for a term of six years, or until their successors are duly elected and qualified. Thereafter, three members of the Board will be elected every six years.

(c) Method of Election: 2007 and 2009[683]. At the regular biennial municipal election in 2007 and 2009, two persons shall be elected as members of the Board of District Commissioners for a term of six years, or until their successors are duly elected and qualified. Thereafter, two members of the Board will be elected every six years.

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[680] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78A. Derived from Charter Amendment 11-4-2003, effective 12-4-2003.
[681] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78A.1.
[682] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78A.2(a).
[683] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78A.2(b).

H. Duties of the Treasurer[684]. The Second Taxing District shall elect a District Treasurer, who shall perform the following duties:

(1) Maintain the financial records and accounts of the General Second Taxing District Government, and approve all payments from the General Second Taxing District accounts to be made by the District Commissioners[685].

(2) Periodically, but not less than annually, review records and accounts of the Second Taxing District General Government, including the cash receipts and disbursements of each, and report to the electors at the annual meeting the results of such examination[686].

(3) Periodically, but not less than annually, review records and accounts of the Second Taxing District Electric Water Departments, including the cash receipts and disbursements of each, and report to the electors at the annual meeting the results of such examination[687].

(4) Coordinate with the auditors during the auditing process, and review the final audit report, prior to its presentation to the electors, at the annual meeting of the Second Taxing District. At the annual meeting, report on the financial condition of the Second Taxing District; and make any recommendations to the electors concerning the accounts and operations of the finances of the district deemed appropriate by the Treasurer[688].

(5) Perform such other duties customarily performed by the Treasurers of municipalities in appropriate cases, and as may be assigned from time to time by the electors at the annual meeting or at a special meeting called for that purpose[689].

(6) In the event that a district tax shall be necessary, the Treasurer shall certify the financial condition of the district and the amount to be raised by taxation to the District Commissioners and to the Norwalk Board of Estimate and Taxation[690].

(7) Execute such certifications as may be required by law or for the management of the financial affairs of the Second Taxing District[691].

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[684] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B. Derived from Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.
[685] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.1
[686] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.2
[687] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.3
[688] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.4
[689] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.5
[690] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.6
[691] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-78B.7

Any provisions of the Charter of the Second District which require the Treasurer to directly and personally receive the funds raised by taxation or otherwise by the district, or to receive monies collected by the Water Department or the Electric Department are superseded by this section.

I. Removal of Elected Officials[692].

(1) Grounds for Removal[693]. Grounds for removal from elected office. Any elected official of the district shall be subject to removal from office upon any of the following grounds:

(a) Conviction of a felony;

(b) Conviction of a misdemeanor involving misconduct in office;

(c) A finding of incompetency according to Connecticut General Statutes §45a-650;

(d) Removal of or vacating their domicile from the Second Taxing District of the City of Norwalk.

(2) Special Committee; creation and action[694]. Within ten Days after receipt of formal notice of the indictment or arrest for a felony or a misdemeanor involving misconduct in office or of competency hearing pursuant to C.G.S. §45a-649 or removal of or vacating their domicile from the Second Taxing District of the City of Norwalk of an elected official of the district, a Special Committee shall be selected by the District Commissioners. The purpose of the Special Committee shall be to consider those matters set forth in Subpart (e) of this Article. In the event the District Commissioners fail to select those electors as members of the Special Committee within the ten Day period, the electors, at a special meeting called for that purpose in accordance with §1-77 of the Prior Charter, shall elect three persons to be members of the Committee.

(a) The Special Committee shall consist of the following: (i) all elected officials of the District serving in office at the time of formal notice, excluding those elected officials who are the subject of the Special Committee's

[692] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79A. Derived from Charter Amendment 11-8-1983.
[693] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79A.1a-d.
[694] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79A.2a-i.

examination; and (ii) three electors of the district chosen by those District Commissioners serving in office at the time of formal notice, excluding those subject to the Special Committee review. The Special Committee shall continue as so constituted until it takes final action notwithstanding intervening elections.

(b) A meeting of the Special Committee shall be held within thirty Days following receipt of the formal notice of indictment, arrest or application for a hearing to determine competency or removal of their domicile all as set forth in the opening paragraph of this section. The senior District Commissioner, and, if there be none, the senior Electrical Commissioner, shall preside over the meetings of the Committee. If there are no elected officials eligible to sit on the Committee, a Chair shall be elected from among the members of the Committee. The District Clerk shall act as secretary to the Committee, but shall have no vote.

(c) The phrase "formal notice," as used in this Article, shall mean receipt by the District Clerk of a written instrument issued by any public official having knowledge of the appropriate events attesting to the occurrence of that event.

(d) Written notice of the meeting of the Special Committee shall be sent by certified mail to the elected official who is the subject of the examination of the official's address in the Second Taxing District or last known address by the Committee not less than fifteen Days before the meeting date. The notice shall specify (i) the nature of the grounds for suspension and removal; (ii) the legal consequences thereof; (iii) the time and place of the meeting. The notice shall further state that the elected official has a right to be present at the meeting and has a right to be represented by an attorney at the official's expense.

Notice of the meeting shall also be given by publication thereof in a newspaper having a general circulation within the Second Taxing District no more than) nor less than seven Days before the date of the meeting

(e) The Special Committee shall consider the allegations involving each elected official so indicted, arrested, subject to competency hearing or accused of removing their domicile, separate and apart from the allegations involving any other elected official. The Special Committee shall decide (i) whether there is sufficient evidence based on the facts adduced at the hearing to require suspension of the elected official; (ii) the length of the suspension if required; and (iii) the terms of reinstatement to office. These matters shall be determined by a simple majority vote of the entire Special Committee.

(f) Upon a decision by the Special Committee to suspend an elected official, the elected official shall be forthwith suspended from all duties, authority and compensation relating to the official's office until reinstatement. Upon reinstatement, all compensation due the elected official that would have been earned had the official not been suspended shall become due and payable. No term of office shall be extended by any action of the Special Committee.

(g) Within ten Days of receipt of formal notice of a plea of guilty, an entry of a plea of nolo contendere or verdict finding the elected official guilty of a felony or misdemeanor involving misconduct in office or upon a finding by court of competent jurisdiction that the official is incapable of managing one's affairs or deemed to be a protected person pursuant to C.G.S. §45a-650 or upon a finding by the Special Committee that the official has removed their domicile from the Second Taxing District of the City of Norwalk, the Special Committee shall declare the office of the official vacant and so notify the District Commission. The District Commission shall, after receiving the notice, fill the Vacancy as provided in this Charter unless within a ten-Day period after the action of the Special Committee a referendum is requested pursuant to this Charter.

(h) Within seven Days of a receipt of formal notice of a verdict finding the elected official not guilty or upon the entering of a nolle prosequi by the State's Attorney or dismissal of a felony or misdemeanor involving misconduct in office or upon the dismissal of the application to appoint a conservator or similar petition or upon a finding that the official has not removed their domicile in the Second Taxing District of the City of Norwalk, the Special Committee shall be reconvened by its Chair for the purpose of declaring the suspension revoked and the official reinstated to office; the reinstatement to be in accordance with the provisions of Section A.2 of this provision in the Prior Charter.

(3) Electors' right to referendum[695]. Any provision of the Charter of the Second Taxing District of Norwalk to the contrary notwithstanding, the final action of the Special Committee in declaring an elected official suspended pursuant to Section A.2h of this provision in the Prior Charter or an office vacant pursuant to Section A.2g of this provision of the Prior Charter, unless otherwise provided by the Acts of the General Assembly or Constitution of the State of Connecticut, shall be subject to referendum as set out herein.

(a) The electors of the Second Taxing District may petition for a referendum on any action taken by the Special Committee. The action of the Special Committee shall not be subject to referendum unless a petition in a

[695] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79A.3a-j.

form similar to that set out in A.3b of this provision of the Prior Charter and signed by not less than a number of electors equal to ten (10%) percent of the total number of persons entitled to vote at the previous election is filed with the District Clerk within thirty Days of the action of the Special Committee. Failure to so file will result in the action of the Special Committee being final for all purposes.

(b) The form of petition shall be substantially as follows:

The undersigned electors of the Second Taxing District of the City of Norwalk hereby request that action of the Special Committee (removing) (suspending) (not removing) (not suspending) (failing to remove/suspend) from the office of be disapproved by means of a referendum election to be held thereon. (Lines for the signature and addresses of twenty electors shall follow the above)

The undersigned circulator hereby attests that:

1. Each person whose name appears on this page personally signed the same in my presence.
2. Each person whose name appears on this page is either personally known to me or has satisfactorily identified himself to me.
3. I the signatures on this page were obtained no earlier than six (6) months prior to the filing of this petition with the District Clerk for the Second Taxing District of the City of Norwalk

I recognize that the above statement is made by me subject to the penalties of false statement

_____
Signature of Circulator
Date
Name of Circulator
(to be typed or printed)

(c) The District Clerk shall review all petitions returned hereunder within five Days of their receipt by said Clerk and shall certify to the District Commissioners:

(i) The number of validated signatures necessary to equal the signatures of ten percent of the electors of the district entitled to vote at the last election.

(ii) On each page of the petitions the number of valid signatures.

(iii) The total number of valid signatures.

(iv) Either (a) verifying the timely receipt of petitions and that they are in proper order and contain the necessary number of signatures; or (b) shall so issue a statement that such petitions were not timely received by said Clerk or were not in proper order or contained less than the necessary number of signatures.

(d) No action upon the decision of the Special Committee shall be implemented regarding any matter which is subject to referendum until thirty Days shall have passed after the date of the action by the Special Committee. In the event that the District Clerk issues a statement verifying the timely receipt of petitions in proper order containing the signatures of ten percent of the electors of the district, then no such suspension or Vacancy shall be effective until the referendum election on such action is held and the action is upheld.

(e) The referendum election shall be held not earlier than thirty Days nor later than forty-five Days after the aforesaid verification.

(f) No decision of the Special Committee as set forth above shall be invalidated unless at the election thereon at least twenty-five (25%) percent of the electors of the Second Taxing District of the City of Norwalk cast a written ballot at a special meeting of electors called for that purpose with respect to such action, and a majority thereof disapprove the action. A majority of the vote cast shall decide the referendum.

(g) Every referendum pursuant to this Article and the removal from office of any elected official of the Second Taxing District of the City of Norwalk pursuant thereto shall be binding upon the District Commissioners, the Electrical Commissioners and the Treasurer of the district.

(h) If upon the official determination of the result of the referendum, the suspension or removal of an elected official from office is affirmed by the electors, the District Commission shall forthwith continue the suspension or fill the Vacancy created by the action of the Special Committee.

(i) If upon the official determination of the result of the referendum, the suspension or removal of the elected official is disapproved by the electors, then the elected official shall immediately resume the duties and emoluments of office, including compensation for such period of time as has been withheld by reason of the official's suspension. In no way shall any suspension extend the original term of office.

(i) Each paragraph, subparagraph and each provision of each paragraph and subparagraph of this Article shall be separable, and the invalidity of any portion of any paragraph or subparagraph shall not affect the validity or enforcement of any other portion. Should any provision be found to be invalid as to any circumstance, such provision shall apply to all other circumstances to which such provision may lawfully apply.

(ii) Should any provision of this Article conflict with any other provision of any other section of this Article or any other Article of this Charter, the provision of this Section A.3 of this provision of the Prior Charter shall apply, take precedence over and supersede such other provision.

J. Code of Ethics[696]. The following Code of Ethics shall apply to all elected officials, appointed members of committees ("public officials") and all employees of the Second Taxing District.

(1) A public official or employee shall not participate in any matter in which the public official or employee has a personal or financial interest, nor shall such person participate in any matter in which a business that the person is associated with, or in which a member of the person's immediate family has a personal or financial interest. If the matter is within the public official's or employee's duties and responsibilities, the public official or employee shall disclose the nature of the personal and financial interest, and shall be disqualified from participation in such matter.

(2) A public official or employee shall not participate in any business or transaction, including employment with a private or public business, which is incompatible with the proper discharge of the public official's or employee's duties and responsibilities.

(3) A public official or employee shall not use, directly or indirectly, for personal gain, any confidential information concerning the business of the Second Taxing District, which is obtained solely by virtue of the public position or employment held by such person, and is of such nature that it is not, at the time of the use of such

[696] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79B. Derived from Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.

information, a matter of public knowledge or public record, or required to be disclosed to the public by law.

(4) A public official or employee shall not seek, solicit or accept any compensation from any person, firm or corporation which transacts business with the Second Taxing District, or from any person, firm or corporation which has a direct personal or financial interest in any matter pending before any commission, committee or department of the Second Taxing District, or concerning a matter within the official responsibility of the public official or employee.

K. **Ethics Commission[697].**

(1) Election:

(a) An Ethics Commission consisting of seven electors, no more than four of whom shall be members of the same political party, shall be elected at the annual meeting of the Second Taxing District, each member to serve for a term of one year, commencing upon election at the annual meeting and serving until the next annual meeting. If a Vacancy occurs during the one-year term, the Vacancy shall be filled by the District Commission at a regular or special meeting called for that purpose. The Vacancy shall be filled with an elector from the same political party of the vacating member. If the vacating member was not registered with a political party, the Vacancy shall be filled with an unaffiliated elector.

(b) The Moderator of the annual meeting shall accept nominations for candidates from the electors of the District, which nominations will not require a second. Each elector so nominated shall affirm on the record their willingness to serve or a written statement signed by the elector of willingness to serve may be provided to the Clerk prior to the nomination. The District Clerk shall prepare a list of the candidates including their official political party affiliation ranked from the highest to the lowest according to the number of votes each receives; when the number of any one political party exceeds four, only candidates of such political party with the highest number of votes up to the limit of four shall be elected, and the names of the remaining candidates of such political party shall be stricken from the list. The next highest-ranking candidates shall be elected up to the number of seven.

(2) **Duties of Commission:** The principal duties of the Ethics Commission shall be:

[697] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79C. Derived from Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.

(a) To receive and/or initiate complaints of violations of the Code of Ethics.

(b) To conduct investigations and private hearings on alleged violations with complete access to all necessary and relevant district records, and to obtain the full cooperation of all district agencies, officers, officials and employees in connection therewith.

(c) To transmit the written findings of such hearings and/or investigations to the District Commissioners, the electors and the individual(s) directly involved.

(d) To render advisory opinions to the officer, employees, officials and Commissioners of the district, or any of its committees pursuant to written request or upon its own initiative.

(e) To make recommendations to the district for changes to the Code of Ethics by ordinance.

(3) Procedures: The following procedures shall be followed by the Ethics Commission:

(a) The Commission shall convene only upon:

(i) Written notice from the District Clerk of the receipt of a written ethics complaint by an elector of the district.

(ii) A request for a meeting, containing a statement for the purpose of the meeting, submitted to the District Clerk by at least four members of the Commission.

(iii) Upon the request of the District Commissioners for a specific purpose.

(b) A meeting of the Commission shall convene within seven Days after the receipt of the request for a meeting. The Commission shall provide written notice of the date, time and place of the meeting and the nature of the complaint to any person who is the subject of an ethics complaint, or concerning whom an ethics investigation has been requested.

(c) The Commission may interview any persons who have any relevant information, may receive any written documents, including financial information, and may receive any information which they deem appropriate.

(d) Any person who appears before the Commission shall have the right to be represented by an attorney. The Commission shall have the right to seek legal advice from the District Counsel.

(e) All meetings of the Ethics Commission concerning the investigation of a complaint shall be conducted in executive session, convened by two-third (2/3rd) vote of the Commission, for the purpose of a discussion concerning the employment, performance or dismissal of a public officer, or an employee, provided that the individual who is the subject of the investigation may require that the discussion be held at an open meeting.

(f) At the conclusion of each investigation, the Commission shall issue a written report setting forth the purpose of the investigation, its findings and recommendations. If the Commission shall find probable cause of a violation of the Code of Ethics, the Commission shall:

(i) In the case of an elected official, refer the written report to the District Clerk for the initiation of appropriate action in accordance with § 1-79a of the Charter.

(ii) In the case of any other public official, such as a member of a committee, the written report shall be sent to the Appointing Authority for appropriate action.

(iii) If the person involved is an employee, the written report shall be delivered to the District Commission.

(iv) The individual concerned with the investigation shall be given written notice of the findings and recommendations of the Commission.

(g) A quorum of the Commission shall consist of not less than five (5) members. No finding of probable cause shall be made except upon clear and convincing evidence of a violation of the Code of Ethics, or other relevant law, and upon the vote of at least five (5) members of the Commission.

L. Vacancies[698]. Whenever any elective officer of the Second Taxing District shall die, resign or remove their residence from the district or, by reason of permanent mental or physical disability or infirmity, shall become incapacitated to discharge the duties of the office or shall be convicted of malfeasance in office or any infamous crime, or is removed from office as provided in §1-79A of the Prior Charter, or when any Vacancy shall occur in any elective office from any cause, the Clerk of the district shall give notice of the Vacancy

[698] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-79D. Derived from Charter Amendment 11-7-1995, effective 12-7-1995.

and convene a special meeting of the District Commissioners, upon at least ten Days' notice of such Vacancy.

(1) At the special meeting, the District Commissioners shall declare such office vacant and shall give written notice within seven Days of the meeting to the chair of the Town and City Committee of the political party from which the former incumbent was chosen of the existence of the Vacancy and that the Vacancy is to be filled by an elector selected by the members of the Town and City Committee of the political party of the former incumbent who resides in the Second Taxing District. The members of the Town and City Committee residing in the Second Taxing District shall fill the Vacancy with an eligible elector within sixty Days of the date on which the District Commissioners declared the office vacant. If the former incumbent was registered with a political party not having a Town Committee, the position may be filled by an elector selected by a caucus of the registered members of the political party, who resides in the district, within sixty Days of the date on which the position was declared vacant by the District Commissioners. Written notice of such appointment shall be given by the political party to the District Commissioners, who shall declare such Vacancy filled at the next regular or special meeting of the District Commissioners. The appointee, so designated, shall serve through the remainder of the term of the office left vacant.

(2) Upon the failure of the appropriate Town and City Committee or political party caucus to fill the Vacancy with a qualified elector within sixty Days of the date on which the position was declared vacant by the District Commissioners, the position shall be filled by the District Commissioners with an eligible elector who is a member of the same political party of the former incumbent and who resides in the Second Taxing District and meets all qualifications for office as set forth below.

(3) If the former incumbent was not registered with a political party, the District Commissioners shall fill the Vacancy with an unaffiliated elector, who shall serve until the next municipal election, at which time a person shall be elected to serve through the remainder of the term of the office left vacant.

(4) The Vacancy shall be filled by an elector residing in the Second Taxing District. No Commissioner serving in office may be appointed to fill any Vacancy. If the Vacancy is filled by the District Commission, no elector who is related by blood or marriage, to wit: spouse, parent, child, sibling or in-law of these degrees of relationship, to a District Commissioner shall be appointed to fill a Vacancy on the District Commission.

(5) The term "political party" or "party," as used in this section, shall mean any political organization whose members appear on the current list or last official list required to be maintained under §9-66 of the Connecticut General Statutes.

I. The Waterworks and Electrical Power.

(1) Liability for waterwork construction and maintenance[699]. The district shall be liable to pay all damages that shall be sustained by any person or corporation by the taking of any land or estate as aforesaid or by the construction or laying of any reservoirs, pipes, pumps, aqueducts or other works for the purposes of the waterworks. If at any time it shall appear that any damage has occurred or may be likely to occur to any person or corporation by reason of taking or using their land or estate for the purposes of this act or in the construction of the waterworks, and the Board of District Commissioners cannot agree with the owners of such property or privilege as to the amount of compensation or damages to be paid to them, such compensation or damages may be assessed by three disinterested persons under oath, to be appointed by a Judge of the Superior Court on application by either party, upon such notice as the Judge shall prescribe. The appraisers shall report their doings and the amount of their assessments to the Superior Court for Fairfield County. The Court may set aside such report for any irregular or improper conduct and may appoint another committee, but if the report is accepted, it shall be recorded, and such assessments shall be a final adjustment of the compensation and damages between the parties, and payment thereof or a deposit of the amount thereof with the Treasurer of the county for the use of such owners shall release the district from liability to further claims for compensation or damages.

(2) Obligation of the Commissioners[700]. The Commissioners shall recognize at all times, as their primary obligation, the duty to provide a supply of pure and wholesome water to the inhabitants of the Second Taxing District and to provide an adequate supply of electrical power to the inhabitants of the Second Taxing District, both at the lowest, reasonable cost, always considering the long-term needs of the utilities. Any expansion outside the district should be undertaken only if it is calculated to benefit the inhabitants of the Second Taxing District and without putting them at unneeded risk or expense.

(3) Budgets and Finance[701].

(a) Fiscal year: The fiscal year for the Second Taxing District shall be for a period commencing on July 1 of each year and ending on June 30 of the following year.

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[699] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-80. Derived from Sp. Laws Sp. Laws 1913, No. 352, §27.

[700] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-80A. Derived from Charter Amendment 11-8-1983.

[701] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-81. Derived from Charter Amendment 11-4-2003, effective 12-4-2003.

(b) Accounts and procedure: The accounting for the funds and operations of the district shall consist of three components: General District Government, Water Department and Electric Department.

The accounting and bookkeeping for each utility shall be maintained separately and distinctly from the accounting and bookkeeping of the taxing district.

(c) General District Government: The General District Government accounts shall be used to manage, operate and control the taxing district, to maintain and keep in repair all property, both real and personal, which the district may possess and to perform all such duties as directed by the electors of the district at a regular or special meeting of the district, except the general accounts shall not include funds used for the purpose of managing, operating, controlling or maintaining and keeping in repair all property, both real and personal, utilized for the purposes of supplying electricity or water. Separate accounts shall be maintained in the budget for each utility.

(d) Water Department: All income from water service rates and charges shall be applied to defray the current expenses of the Water Department and to pay the current interest on notes, bonds or certificates of indebtedness incurred in relation to the Water Department and to the extinction of principal on the notes, bonds and certificates of indebtedness, as required by holders. After the payment of current expenses, interest and debt principal, funds shall be used for the purpose of funding current capital projects, including replacement of facilities or the purchase of new facilities, all for the purposes of constructing appropriate facilities necessary for the Water Department. If a surplus exists for the current year, funds shall be transferred to the Water Department reserve fund for future use by the Water Department or, if a deficit exists, funds shall be transferred from the Water Reserve Fund to provide for current operating or capital expenses. Transfers to or from the district account shall be made to or from the Water Reserve Fund, as recommended by the District Commission and approved by the electors at the annual budget meeting, or any regular or special meeting noticed and warned for that purpose.

The District Commissioners, acting as Water Commissioners, shall adopt the budget of the Water Department, consisting of income from water service, expenses, capital appropriations and the changes to the Water Department Reserve Fund for the ensuing year no later than the third (3rd) Wednesday in February, which budget shall be approved by a majority of the District Commissioners. The budget shall then be provided to the district for the purpose of inclusion in the annual district budget. Any request by the District Commission for transfer of funds from the district reserve account to the Water Department Reserve Fund, for use in the operating or Capital Budget of the Water Department, shall be submitted as part of the district budget.

(e) Electric Department. All income from electric service, rates and charges shall be applied to defray the current expenses of the Electric Department and to pay the current interest on notes, bonds or certificates of indebtedness incurred in relation to the Electric Department and to the extinction of principal on the notes, bonds and certificates of indebtedness, as required by holders. After payment of current expenses, interest and debt principal, funds shall be used for the purpose of funding current capital projects, including replacement of facilities or the purchase of new facilities, all for the purposes of constructing appropriate facilities necessary for the Electric Department. If a surplus exists for the current year, funds shall be transferred to the Electric Department Reserve Fund for future use by the electric Department or, if a deficit exists, from the Electric Reserve Fund to provide for current operating or capital expenses. Transfers to or from the district account shall be made to or from the Electric Reserve Fund, as recommended by the District Commissioners, and approved by the electors at the annual budget meeting, or any regular or special meeting noticed and warned for that purpose.

The District Commissioners shall adopt the budget of the Electric Department, consisting of income from electric service, expenses, capital appropriations and the changes to Electric Department Reserve Fund for the ensuing year, no later than the third Wednesday in February, which budget shall be approved by a majority of the District Commissioners. The budget shall then be provided to the district for the purpose of inclusion in the annual district budget. Any request by the District Commission for transfer of funds from the district to the Electric Department Reserve Fund, for use in the Operating or Capital Budget of the Electric Department, shall be submitted as part of the district budget.

(f) Procedure for adoption of budget. On or before the first Wednesday in March, the District Commissioners shall prepare a general district government budget, which shall include all sources of revenue to the district, the transfer of funds between the Water or Electric Reserve Fund and the District Reserve Fund, all expenses of the district, including the interest and principal due on notes, bonds or certificates of indebtedness of the district, not related to the Water Department or Electric Department, any capital appropriations of the district, not related to the Water Department or Electric Department, any amount to be transferred to a special reserve fund and any amount necessary to be collected through a tax and the application of any surplus or deficit to the General Fund Reserve. The general water and electric budgets shall be combined into a single district budget, for adoption by the District Commission. The district budget shall be submitted for the approval of the electors of the district at the annual budget meeting.

The Clerk of the district shall publish a summary of the district budget as adopted by the District Commission in a newspaper of general circulation in the City of Norwalk no later than the second Wednesday in March, which notice shall inform the electors of the district that the entire budget document is available for inspection at the district office.

(g) Annual budget meeting. The annual budget meeting of the electors of the Second Taxing District shall be held on the third Tuesday in March of each year. At which meeting, the District Commissioners shall present the annual budget for the ensuing fiscal year to the electors for approval. The electors may approve, reject or reject with comment the proposed budget as adopted by the District Commissioners by a majority vote of the electors present and voting at the meeting. If the budget is rejected by the electors, it shall be sent back to the District Commissioners who shall modify the budget as they deem appropriate by reconsidering the general district budget, the Electric Department and the Water Department budget. The District Commissioners, after making alterations to the general fund, Electric Department and Water Department budgets as they deem appropriate, shall adopt a revised budget for presentation to the electors for approval. The District Commission shall call a special meeting of the electors for approval of the budget as revised or resubmitted. In the event that the electors have not approved an annual budget by July 1, the start of the fiscal year, the prior year's budget shall be used for a period of up to ninety Days for the purpose of continuing the business of the taxing district and its utilities. If after ninety Days a budget is not approved by the electors, the prior year's budget well be used on a month-to-month basis for the purpose of continuing the operations of the district and the Water Department and Electric Department, until such time as a budget is approved by the electors.

(h) Reserve fund: The district is empowered to establish special district reserve funds, to be set aside in special reserve accounts, which shall be used only for the purpose for which the fund was approved. The reserve funds shall be approved by a majority of the electors present and voting at the annual budget meeting, the annual meeting or a special meeting of the electors, duly warned and noticed for that purpose. Transfers from a special district reserve fund for other purposes may be made only by a two-thirds majority of the electors present at the annual budget meeting, the annual meeting or any special meeting of the electors called for that purpose.

(4) Taxation[702]. In case the income from water rents is inadequate to meet the current expense of the waterworks and the interest of the notes, bonds or certificates, or the income from the electric light and power plant is at any time

[702] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-82. Derived from Sp. Laws 1913, No. 352, §29; Sp. Laws 1921, No. 189, §2.

inadequate to meet the current expenses of the electric light and power plant and the interest of all indebtedness incurred on account of the electric light and power plant, a tax on all property and persons liable to taxation in the district shall be laid to supply such deficiency by the Board of Estimate and Taxation of the city at any meeting called for that purpose upon application of the Board of District Commissioners, and the tax shall be collected in the same manner as other city taxes. The Board of Estimate and Taxation may lay and collect taxes for the purpose of paying any and all debts of the district and establishing a sinking fund for that purpose. The avails of such taxes shall be paid to the Treasurer of the district for the purposes only. The Board of Estimate and Taxation shall lay a tax to defray the expenses of the public library of the district to the amount appropriated by the district at any annual or special meeting[703].

(5) Liens and warrants for water rents[704]. Any claim of the district for use of water or for rent of hydrants shall be a lien upon the real estate or property wherein or in connection with which water was used or on which such rent was assessed, and such lien shall have the same effect as a lien for taxes under the provisions of the General Statutes and shall have precedence over any prior encumbrance on such property except a tax lien. Such lien may be foreclosed by the district before any court having jurisdiction in the same manner as a mortgage may be foreclosed. The Board of District Commissioners shall have power to issue warrants for the collection of all such claims in the form prescribed by law for the collection of taxes, or to some indifferent person named therein, who shall have the same power to levy and collect the same as have collectors of town taxes.

(6) Accounts and reports of the Board of Commissioners[705]. The Board of District Commissioners shall keep a record of its proceedings and an accurate account of its receipts and disbursements appertaining to the Water and Electric Department and a like account of its receipts and disbursements in connection with all other properties of the district, verified by proper vouchers, which accounts shall be open at all reasonable time to inspection by any taxpayer of the district. The Board shall annually render to the district a statement of the accounts, and which statement shall be approved by a majority of the District Commissioners and recorded in the records of the district. The Board shall include in its annual report a statement of its doings and a general statement of the condition of the Water Department, the Electric Department and the property of the district, with an estimate of all sums required for the Water Department, the Electric Department and other purposes of the district, a detailed estimate of all income expected to be received and an estimate of the surplus or deficit, the amount needed to be raised by taxation and a detailed statement of all claims outstanding against the district.

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[703] Historical Editor's Note: See Art. XIX, Library Appropriations.
[704] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-83. Derived from Sp. Laws 1913, No. 352, § 30; Sp. Laws 1933, No. 340, § 2; Sp. Laws 1951, No. 572.
[705] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-82. Derived from Sp. Laws 1913, No. 352, § 31; Charter Amendment 11-8-1983; Charter Amendment 11-7-1995, effective 12-7-1995; Charter Amendment 11-4-2003, effective 12-4-2003.

The Treasurer of the district shall keep a record of proceedings and an accurate account of receipts and disbursements, verified by proper vouchers, which accounts shall be open at all reasonable time to inspection by any taxpayer of the district. The Treasurer shall render annually to the district a statement of the accounts, and which statement shall be sworn to by the Treasurer and recorded in the records of the district.

All financial reports, statements and accounts of the district and its Treasurer, commissions, boards and committees shall be audited at least annually by an independent auditor who shall be a public accountant, certified as such, by the State of Connecticut. The independent auditor shall be appointed by the Board of District Commissioners; which appointment shall be ratified by the electors of the district at the annual budget meeting.

(7) Supplying water or electricity to any person or corporation[706]. The Board of District Commissioners may, with the consent of the electors of the district, supply water from the Water Department or electricity from the Electric Department of the district to any person or corporation within or without the geographical limits of the district.

(8) Unlawful destruction of waterwork property; violations and penalties[707]. Any person who shall willfully injure the water in any reservoir, aqueduct, hydrant, pipe or pump or destroy or injure any portion of the works or any material or property used in connection therewith shall be fined not more than $500 or imprisoned not more than one year, or both. The district shall have power to enact bylaws at any annual or special meeting imposing penalties and forfeiture for the violation of any of the rules and Regulations of the Board of Commissioners of the district, provided such penalties or forfeitures shall be in accordance with those prescribed for Class C misdemeanors in the State of Connecticut for each offense. The bylaws shall not become effective until ten Days after the date of publication in a newspaper having a circulation in the district.

(9) Brooks and streams[708]. The Second Taxing District of the City of Norwalk, successor to the City of South Norwalk, shall have the full and exclusive right, privilege and power to take, acquire and use the waters of the "Wilton Branch," so-called, of the Silvermine Stream, emptying into the Norwalk River and of the North Wilton Brook, Barrett's Brook or Comstock's Brook, as the brook is locally known, also emptying into the Norwalk River, to and including the headwaters of the stream and brook and the tributaries thereof, all to be used and employed by the district in

[706] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-85. Derived from Sp. Laws 1913, No. 352, § 32; Charter Amendment 11-8-1983; Charter Amendment 11-4-2003, effective 12-4-2003.
[707] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-86. Derived from Sp. Laws 1913, No. 352, § 33; Charter Amendment 11-8-1983.
[708] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-87. Derived from Sp. Laws 1929, No. 471, § 1.

accordance with the provisions of An Act to Provide a Supply of Pure and Wholesome Water to the City of South Norwalk, approved July 22, 1874, and any and all acts amendatory thereof.

(10) Providing and selling water[709]. The exclusive right and privilege to provide and sell water by means of reservoirs, conduits and pipes within the limits of the City of Norwalk is granted to the First Taxing District of the City and to the Second Taxing District of the City; the area to be supplied by the districts, respectively, to be as agreed upon by and between the respective Boards of Commissioners of the districts.

(11) Authorization to erect loft or factory building[710]. The Second Taxing District of the City of Norwalk is authorized to erect on land now owned by the district, or on land contiguous thereto which shall hereafter be acquired by the district, a suitable loft or factory building, or buildings, and to rent or lease the same to manufacturers who shall desire to locate and conduct business therein. Any loft or factory building erected by the district shall be managed and rented or leased on behalf of the district by its District Commissioners.

(12) Obtaining land for factory building[711]. For the purpose of erecting such building or buildings the district is authorized to obtain such additional land by gift or purchase as shall be necessary therefor, and to borrow money for the purchase of such land and the erection of such building or buildings, and to secure the money so borrowed by mortgage on the land, or on the land and building or buildings.

(13) District meeting for proposed factory building[712]. Before purchasing any additional land or erecting any loft or factory building, the District Commissioners shall submit the proposition to purchase any land or to erect any such building at a regular or special meeting of the district; and such meeting shall determine the advisability of such proposed purchase of land or erection of building or buildings, the amount of money to be expended and the amount to be borrowed therefor, the amount of mortgage to be executed and delivered to secure such borrowed money, and the terms of such mortgage; and the District Commissioners shall not purchase any land, erect any loft or factory building or buildings or borrow any money for such purpose or purposes unless instructed by the district so to do.

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[709] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-88. Derived from Sp. Laws 1929, No. 471, § 2.
[710] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-89. Derived from Sp. Laws 1919, No. 306, § 1.
[711] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-90. Derived from Sp. Laws 1919, No. 306, § 2.
[712] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-91. Derived from Sp. Laws 1919, No. 306, § 3.

(14) Sale of land[713]. The Second Taxing District is authorized to sell and convey any land owned or which shall hereafter be owned by the district which is not or at any time shall not be required for the purposes of the district, but no such sale or conveyance shall be made unless the District Commissioners have been authorized by regular or special meeting of the district to sell and convey the same.

(15) Pensions for employees of Board of Electrical Commissioners; repeal of 1937 act[714]. Number 244 of the Special Acts of 1937 is repealed.

(16) Fund distribution and liquidation[715]. The Board of Electrical Commissioners of the Second Taxing District of the City of Norwalk is authorized to provide suitably for any persons now receiving the benefits of the act out of monies now in the pension fund therein provided for in the same manner and the same amount as provided under the act, and, after making provision for the persons, to administer and liquidate the balance of any monies remaining in the fund in a manner fair and equitable to those contributing thereto.

J. Authorization to Issue Bonds: Water or Electric Works.

(1) Authorization to issue bonds; Water or Electric Works bond issue of 1917[716]. The Second Taxing District of the City of Norwalk is authorized to issue serial bonds to an amount not exceeding four hundred thousand ($400,000) dollars registered or with coupons attached, bearing interest at a rate not greater than four and one-quarter percent per annum, payable semiannually, the first installment of such bonds to mature within three years from the date of issue and the remainder of the principal thereof to be payable at some certain time or times not later than thirty years from the date thereof. Such bonds shall be sold at not less than par and the avails thereof used only for the extension, improvement and enlargement of the water or electric works, or both, of the district, including the building and equipping of a new plant.

(a) Water or Electric Works bond issue of 1917; details[717]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the

[713] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-92. Derived from Sp. Laws 1919, No. 306, § 4.).
[714] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-93. Derived from Sp. Laws 1949, No. 19, § 1.
[715] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-94. Derived from Sp. Laws 1949, No. 19, § 2.
[716] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-95. Derived from Sp. Laws 1917, No. 176, §1.
[717] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-96. Derived from Sp. Laws 1917, No. 176, §2.

dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued, and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district; and such bonds, when so signed, executed, issued and delivered, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor of the same.

(2) Authorization to issue bonds; Water Bond Issue of 1923[718]. The Second Taxing District of the City of Norwalk is authorized to issue bonds to an amount not exceeding three hundred thousand ($300,000) dollars, registered or with coupons attached, bearing interest at a rate not greater than five (5%) percent per annum, payable semiannually. Such bonds shall be issued in serial form, payable, as consecutively numbered, in such equal amounts each year, beginning five (5) years after their date, that the whole amount thereof shall be paid within a time not exceeding forty (40) years from their date. Such bonds shall be sold at not less than par and the avails thereof used only for the extension, improvement and enlargement of the waterworks of the district including a new or additional filtration plant.

(a) Water Bond issue of 1923; details[719]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued, and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district; and such bonds, when so signed, executed and delivered, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor and purport of the same.

(b) Water Bond issue of 1923; payment provisions[720]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall annually make an appropriation and levy taxes to pay the interest on such bonds, and shall also annually appropriate, and levy taxes to raise, such sum or sums of money as shall be requested by the Commissioners of the district for the purpose of paying such bonds at maturity, which money, when so raised, shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for the payment of such bonds.

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[718] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-101. Derived from Sp. Laws 1923, No. 126, §1.
[719] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-102. Derived from Sp. Laws 1923, No. 126, §2.
[720] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-103. Derived from Sp. Laws 1923, No. 126, §3.

K. Authorization to Issue Bonds: Street Paving Bonds.

(1) Authorization to issue bonds; Street Paving Bonds of 1923[721]. The Second Taxing District of the City of Norwalk is authorized to issue serial bonds to an amount not exceeding seventy-eight thousand ($78,000) dollars registered or with coupons attached, bearing interest at a rate not greater than five percent per annum, payable semiannually, the first installment of such bonds to mature four years from the date of issue, the second installment of such bonds to mature seven years from the date of issue and the third installment of such bonds to mature ten years from the date of issue. Such bonds shall be sold at not less than par and the avails thereof used only for the purpose of paying, canceling and retiring notes in equal amount issued by the district for the purpose of paying and retiring certain street paving bonds which matured August 1, 1922.

(a) Street paving bonds of 1923; details[722]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district; and such bonds, when so signed, executed, issued and delivered, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor and purport of the same.

(b) Street paving bonds of 1923; payment provisions[723]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall annually make an appropriation and levy taxes to pay the interest on such bonds, and shall also annually appropriate and levy taxes to raise such sum or sums of money as shall be required to pay such bonds at maturity, which money, when so raised, shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for the payment of such bonds.

(c) Street paving bonds of 1923; limitation on amount[724]. The amount of the bonds issued under §§1-97 to 1-100 of the Prior Charter with the

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[721] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-97. Derived from Sp. Laws 1923, No. 157, §1.
[722] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-98. Derived from Sp. Laws 1923, No. 157, §2.
[723] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-99. Derived from Sp. Laws 1923, No. 157, §3.
[724] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-100. Derived from Sp. Laws 1923, No. 157, §4.

amount of the outstanding indebtedness of the City, shall not exceed, exclusive of the amount of bonds issued for water supply and of notes or other evidences of indebtedness placed in the sinking fund, five percent of the grand list of the City.

L. Authorization to Issue Bonds: Public Improvement Bonds.

(1) Authorization to issue bonds; Public Refunding of Bonds of 1925[725]. The Second Taxing District of the City of Norwalk is authorized to issue bonds to an amount not exceeding thirty thousand ($30,000) dollars registered or with coupons attached, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at less than par and shall be serial in form, payable, as consecutively numbered, so that the whole amount shall be paid within a time not exceeding thirty (30) years from their date. The avails of such bonds shall be used only to refund certain public improvement bonds issued by the district under its former name of the City of South Norwalk which are to mature July 1, 1925.

(a) Public refunding bonds of 1925; details[726]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district.

(b) Public refunding bonds of 1925; payment provisions[727]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall annually make an appropriation and levy taxes to pay the interest on such bonds, and shall also annually appropriate and levy taxes to raise such sum or sums of money as shall be determined by the district, which money shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for the partial or complete payment of such bonds at maturity.

(c) Public refunding bonds of 1925; limitations[728]. The amount of the bonds issued under the provisions of this act, with the amount of the

[725] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-104. Derived from Sp. Laws 1925, No. 447, §1.
[726] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-105. Derived from Sp. Laws 1925, No. 447, §2.
[727] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-106. Derived from Sp. Laws 1925, No. 447, §3.
[728] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-107. Derived from Sp. Laws 1925, No. 447, §4.

outstanding indebtedness of the district and the City, shall not exceed, exclusive of the amount of bonds issued for water supply and of notes or other evidences of indebtedness placed in the sinking fund, five percent of the grand list of the City.

M. Authorization to Issue Bonds: Water Refunding Bonds.

(1) Authorization to issue bonds; Water Refunding Bond Issue of 1925[729]. The Second Taxing District of the City of Norwalk is authorized to issue bonds to an amount not exceeding ninety thousand ($90,000) dollars, registered or with coupons attached, bearing interest at a rate not greater than five percent per annum, payable semiannually, which bonds shall be sold at not less than par and shall be in serial in form, payable, as consecutively numbered, so that the whole amount shall be paid within a time not exceeding thirty years from their date. The avails of such bonds shall be used only to refund certain water bonds issued by the district under its former name of the City of South Norwalk which are to mature July 1, 1925.

(a) Water refunding bond issue of 1925; details[730]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district.

(b) Water refunding bond issue of 1925; payment provisions[731]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall annually make an appropriation and levy taxes to pay the interest on such bonds, and shall also annually appropriate and levy taxes to raise such sum or sums of money as shall be determined by the district, which money shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for the partial or complete payment of such bonds at maturity.

N. Authorization to Issue Bonds: Water Bond Issue of 1953[732]. The Second Taxing District of the City of Norwalk is hereby authorized to issue bonds to an amount not

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[729] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-108. Derived from Sp. Laws 1925, No. 471, §1.
[730] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-109. Derived from Sp. Laws 1925, No. 471, §2.
[731] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-110. Derived from Sp. Laws 1925, No. 471, §3.
[732] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-111. Derived from Sp. Laws 1953, No. 179, §1.

exceeding five hundred thousand ($500,000) dollars, registered or with coupons attached, bearing interest at a rate not greater than five percent per annum, payable semiannually. Such bonds shall be issued in serial form, payable as consecutively numbered, in such approximately equal amounts each year, beginning two years after their date, that the whole amount thereof shall be paid within a time not exceeding twenty years from their date. Such bonds shall be sold at not less than par and the avails thereof used only for the extension, improvement and enlargement of the waterworks of the district, including a new or additional filtration plant.

(1) Water bond issue of 1953; details[733]. The district, at any special meeting of the legal voters thereof, duly warned and held, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued, and the person or person by whom such bonds shall be signed, executed, negotiated, sold and delivered on behalf of the district; and such bonds, when so signed, executed, issued and delivered, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor of the same.

(2) Water bond issue of 1953; payment provisions[734]. After the issue of the bonds hereby authorized, or of any part thereof, the Board of Estimate and Taxation of the City of Norwalk shall, if requested by the Commissioners of the district, annually make an appropriation and levy taxes to pay the interest on the bonds, and shall also annually appropriate and levy taxes to raise such sum or sums of money as shall be requested by the Commissioners of the district for the purpose of paying such bonds at maturity and the money shall be deposited at interest in the sinking fund of the Second Taxing District and, with its increase, shall be used and expended only for and in the payment of such bonds.

§12-9. Third Taxing District[735].

A. Body politic and corporate; rights in general[736]. All the electors of this state dwelling within the territorial limits of the Third Taxing District as hereinbefore established are hereby constituted a body politic and corporate by the name of the Third Taxing District of the City of Norwalk, and by that name shall be capable of suing and being sued, pleading and being impleaded, purchasing, holding, selling, and conveying any property, real or personal, and of having a common seal, and as such corporation shall succeed to and possess all the property, both real and personal, of the East Norwalk Fire District of the Town of Norwalk,

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[733] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-112. Derived from Sp. Laws 1953, No. 179, §2.
[734] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-113. Derived from Sp. Laws 1953, No. 179, §3.
[735] Historical Editor's Note: For taxing districts, in general, see Art. II.
[736] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-114. Derived from Sp. Laws 1913, No. 352, § 34; Sp. Laws 1921, No. 189, §3.

and all the rights, powers, franchises, privileges, and immunities heretofore granted to the East Norwalk Fire District in relation to the construction of electric light works, and the generation and purchase of electricity for the use of the district and the inhabitants thereof, and the erection, placing, and maintenance of poles, wires, and all other necessary fixtures within the district for receiving and distributing electricity, and the same are hereby vested in the Third Taxing District, and the Third Taxing District is hereby authorized to manage, operate, and control its electric light works with the same authority, rights and liabilities, and in the same manner as the East Norwalk Fire District and except as herein otherwise provided, to care for, maintain, and keep in repair, all estate, both real and personal, which the district may acquire, to sell and convey any of the property, any property held in trust excepted, and apply the proceeds in the reduction of the indebtedness of the district. The district shall pay $100 or more yearly toward the support of the East Norwalk Improvement Association, Incorporated, Public Library.

B. Taxation liability[737]. All the inhabitants and property within the limits of the Third Taxing District shall be liable to taxation to defray any burdens, expenses, and liabilities of the former East Norwalk Fire District at the time of the passage of this act and such other liabilities as the taxing district may incur under the provisions of this act.

C. Meetings[738]. The annual meeting of the electors residing in the taxing district shall be held on the third Wednesday of September[739][1] for the purpose of hearing the reports of the Commissioners of the district, and acting on such matters as may be properly brought before the meeting. Public Notice of time and place of the meeting shall be given by the Board of Commissioners by publishing in a newspaper having a circulation in the district at least ten Days before the meeting, which notice shall set forth all matters to be considered at the meeting. Special meetings of the district may be called in like manner by the Board, and shall be called upon written petition of twenty-five electors of the district, to consider and act upon the matters set forth in such notice or petition.

D. Board of Commissioners and Treasurer in Third Taxing District[740]. At the election for the choice of City and town officers in 1913, there shall be elected in the Third Ward by the electors of the Third Taxing District three Commissioners for the terms of office of two, four, and six years, respectively, who shall hold office for the terms and until their successors are elected and qualified, and there shall be elected a Treasurer of the Taxing District[741] who shall hold office for the term of two years and until a successor is elected and qualified. Biennially thereafter there shall be elected in the Third Taxing District by the electors of the district, a Commissioner who shall hold office for the term of six years and until a

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[737] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-115. Derived from Sp. Laws 1913, No. 352, §35.
[738] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-116. Derived from Sp. Laws 1913, No. 352, §36.
[739] Historical Editor's Note: See also § 1-19.
[740] 2023 recodification of current Article III – Part 1. In General, §1-177. Derived from Sp. Laws 1913, No. 352, §58. Historical Editor's Note: For further provisions see § 1-117 supra.
[741] Historical Editor's Note: The Third Taxing District is meant.

successor is elected and qualified, and a Treasurer of the Third Taxing District who shall hold office for the term of two years and until a successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

E. Board of Commissioners, Treasurer, Clerk; mechanics and laborers[742]. The district shall elect a Board of Commissioners and a Treasurer of the district, all of whom shall be sworn to a faithful discharge of their duties, and shall hold their office as hereinafter provided, and shall receive such compensation as the district shall determine[743]. The Commissioners shall appoint a Clerk who shall receive reasonable compensation as determined by the Commissioners. It shall be the duty of the Clerk to keep a record of all transactions of the district and of the Board of Commissioners and discharge such duties as the Board may prescribe. The Commissioners may employ such mechanics, experts, and laborers as may be necessary in the exercise of their powers and duties.

F. Authority and duties of Commissioners[744]. The Commissioners are hereby authorized in all matters pertaining to the electric-light plant of the district to exercise all the authority and discharge all the duties that are granted to Electrical Commissioners by Chapter 122 of the General Statutes, except as the powers and duties may be herein limited, and to care for and keep in repair all the property of the district, with power to lease or sell the same, delivering the income and proceeds of such sales to the Treasurer of the district, and apply the proceeds as the Board may be authorized by the district, and to exercise any additional powers that may, from time to time, be conferred upon them by the district. A majority of the Commissioners shall constitute a quorum for the transaction of any of the business of the Board.

G. Taxation[745]. In case the income from the sales of electricity is inadequate to meet the current expenses of the electric-light plant and the interest on the indebtedness of the district, a tax on all property and persons liable to taxation in the district shall be laid to supply such deficiency by the Board of Estimate and Taxation of the city at any meeting of the Board called for that purpose upon the application of the Board of Commissioners of the district, and the tax shall be collected in the same manner as other city taxes. The Board of Estimate and Taxation may lay and collect taxes for the purpose of paying the debts of the district or any part thereof, and of establishing a sinking fund for that purpose. The avails of such taxes shall be paid to the Treasurer of the district for application for the purposes only. The Board of Estimate and Taxation shall lay a tax to defray the expenses of the public library

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[742] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-117. Derived from Sp. Laws 1913, No. 352, §37

[743] Historical Editor's Note: For further election provisions refer to § 1-177.

[744] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-122. Derived from Sp. Laws 1913, No. 352, §38.

[745] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-118. Derived from Sp. Laws 1913, No. 352, §40; Sp. Laws 1921, No. 189, §4

of the East Norwalk Improvement Association, Incorporated, of the district to the amount appropriated by the district at any annual or special meeting[746].

H. Use-of-electricity liens[747]. Any claim of the district for the use of electricity or for the rent of fixtures shall be a lien upon the real estate or property in connection with which such electricity was furnished or such fixtures used, and the lien may be foreclosed by the district before any court having jurisdiction in the same manner as mortgages.

I. Records and accounts of the Board of Commissioners[748]. It shall be the duty of the Board of Commissioners to keep a record of its proceedings and an accurate account of its receipts and disbursements appertaining to the electric-light plant, and a like account of its receipts and disbursements in connection with all other property of the district, verified by proper vouchers, which accounts shall be open at all reasonable times to inspection by any taxpayer of the district.

J. Violations, penalties, and forfeitures[749]. The district shall have power to enact by-laws at any annual or special meeting imposing penalties and forfeitures for the violation of any of the rules and Regulations of the Board of Commissioners of the district, providing such penalties or forfeitures shall not exceed $20 for each offense. The by-laws shall not become effective until published in a newspaper having a circulation in the district.

K. Income from electricity[750]. All income from the sales of electricity shall first be applied to defraying the current expenses of the electric-light plant, and to paying the interest on notes, bonds, or certificates of indebtedness incurred in relation to the electric-light plant. If there are retained earnings of cash or negotiable securities or an accumulated surplus of cash or negotiable securities, in excess of retirement reserve, the Commissioners shall make report thereof to the next annual or special meeting of the district, which shall direct the same to be applied to the extinction of the principal debt of the district, or to any purpose in connection with the works, and, if there is no such debt or need in connection with the works, the meeting may direct such retained earnings or any portion thereof in excess of a proper retirement reserve to be applied to the district general account for current expenses of the district, including public street lighting, care of parks owned by the district, care of the East Norwalk Cemetery, salaries of district officials, support of the East Norwalk Improvement Association Public Library, and improvements to the library and the building and premises where it is housed and adjoining premises owned by the district.

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[746] Historical Editor's Note: For appropriations for libraries, see Art. XIX.
[747] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-119. Derived from Sp. Laws 1913, No. 352, §41.
[748] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-120. Derived from Sp. Laws 1913, No. 352, §42.
[749] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-121. Derived from Sp. Laws 1913, No. 352, §43
[750] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-123. Derived Sp. Laws 1913, No. 352, § 39; Sp. Laws 1959, No. 282.

L. Authorization to issue bonds; funding bond issue of 1917[751]. The Third Taxing District of the City of Norwalk is authorized to issue serial bonds, to an amount not exceeding eighty-five thousand ($85,000) dollars, registered or with coupons attached, bearing interest at a rate not greater than four and one-half percent per annum, payable semiannually, the first installment of the principal thereof to be payable within three years from the date of issue and the remainder at some certain time or times not later than thirty years after the date thereof. Such bonds shall be sold at not less than par and the avails thereof used only for the funding of the debt of the district and for the extension, improvement and enlargement of the electric-power plant of the district.

(1) Funding bond issue of 1917; details[752]. The district, at a special meeting of its electors, duly warned, shall determine, subject to the foregoing limitations, the several and aggregate amounts of such bonds, the annual rate of interest thereon, the dates and times of the issue and maturity of the same, the manner in which such bonds shall be issued and the person or persons by whom such bonds shall be signed, executed, negotiated, sold and delivered in behalf of the district. Such bonds, when so signed, executed, issued and delivered, shall be obligatory upon the district and upon the inhabitants thereof, according to the tenor and purport of the same.

(2) Funding bond issue of 1917; limitations[753]. No bonds shall be issued under §§1-124 to 1-126 of the Prior Charter as to permit the net bonded indebtedness of the district at any time to exceed five (5%) percent of the grand list of the district as the same may be compiled for the year of such issue, provided, in computing the debt limitation, bonds issued or to be issued for the construction or maintenance of municipal waterworks or lighting plants shall not be included.

M. Authorization to issue bonds; bond issue of 1949[754]. The Third Taxing District of the City of Norwalk is authorized to issue, by and through the action of the Commissioners and the Treasurer of the district, bonds, notes or other certificates of indebtedness to an amount not exceeding two hundred fifty thousand ($250,000) dollars, in coupon form or otherwise and registered or not registered, hearing interest to a rate not greater than five percent per annum, payable in substantially equal monthly or annual installments, beginning not more than two years from the date of issue, in such sums that the entire amount thereof shall be paid within a period of not more than twenty (20) years from their date. The proceeds of such bonds, notes, or other certificates shall be used for the extension, improve and facilities of the district. Such bonds, notes or other certificates may

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[751] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-124. Derived from Sp. Laws 1917, No. 259, §1.
[752] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-125. Derived from Sp. Laws 1917, No. 259, §2.
[753] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-126. Derived from Sp. Laws 1917, No. 259, §3.
[754] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-127. Derived from Sp. Laws 1949, No. 141, §1.

be issued from time to time, and nothing herein contained shall require the whole amount of such bonds, notes or other certificates to be issued or prevent their issuance in amounts less than the total authorized issue as may be deemed expedient, in which case each authorized issue shall constitute a separate loan and each such loan shall be payable in monthly or annual installments and within the period of time specified herein from its date. Such Commissioners and Treasurer may borrow on short-term notes within the limitations of this section and for the purpose herein set forth and may renew the notes from time to time if this manner of borrowing shall be deemed expedient.

(1) Bond issue of 1949; details[755]. The Commissioners and Treasurer of the district shall determine, subject to the foregoing limitations, the amount and date of maturity of such bonds, notes or other certificates and the annual rate of interest and other particulars of the form of such bonds, notes or other certificates and the manner of issuance.

(2) Bond issue of 1949; obligations[756]. Such bonds, notes or other certificates, when executed, and delivered by the Commissioners and Treasurer of the district, shall be obligatory upon the district and the inhabitants thereof according to the tenor and purport of the same.

(3) Bond issue of 1949; effective date[757]. §§1-127 to 1-130 of the Prior Charter shall be effective upon its ratification by a special meeting of the district called for this purpose.

N. Purchase of Taylor property; maximum expenditures[758]. The Third Taxing District of the City of Norwalk may purchase the property, known as the Taylor property, which adjoins the premises of the East Norwalk Community Hall and may improve the newly purchased property, and may improve and enlarge the East Norwalk Community Hall and the East Norwalk Improvement Association Public Library which is housed in the community hall; provided no expenditure of more than twenty thousand ($20,000) dollars shall be made without the approval of the majority of the electors of the district who are present and voting at a special meeting of the district called for the purpose of such approval.

O. Cash surplus[759]. The purchase and such improvements may be made with the current cash surplus or accumulated cash surplus of the electric-light works owned by the district, in excess of reserve for depreciation.

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[755] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-128. Derived from Sp. Laws 1949, No. 141, §2.
[756] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-129. Derived from Sp. Laws 1949, No. 141, §3.
[757] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-130. Derived from Sp. Laws 1949, No. 141, §4.
[758] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-131. Derived from Sp. Laws 1959, No. 94, §1.
[759] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-132. Derived from Sp. Laws 1959, No. 94, §2.

P. Borrowing money[760]. For the purpose of purchasing the property and making such improvements the district is authorized to borrow money and to secure the money so borrowed by mortgage on the land, or on the land and buildings.

§12-10 Sixth Taxing District[761].

A. Boundaries of the Sixth Taxing District[762]. The territory of the City of Norwalk which is included within the following boundaries shall be the Sixth Taxing District of the City of Norwalk as follows: starting at a point on the boundary line between Darien and Norwalk; thence running east in a direct line to the westerly end of the southerly boundary of Union cemetery, so called; thence running along the southerly boundary of the Union cemetery to the westerly side of Rowayton Avenue; thence running northerly along the westerly side of Rowayton Avenue to a point that is upon a production westerly of a line drawn 200 feet, measured at right angles, northerly from the northerly side of Sheffield Road, so called; thence running easterly upon said line 200 feet, measured at right angles, northerly from the northerly side of Sheffield Road to the westerly side of Lenox Road, so called; thence running easterly across Lenox Road to the corner formed by the intersection of the easterly side of Lenox Road with the southerly side of Winter Street, so called; thence running along said southerly side of Winter Street to the westerly side of Vanderbilt Avenue, so called; thence running upon a production easterly of said southerly side of Winter Street across Vanderbilt Avenue and easterly to a point 200 feet, measured at right angles, from the easterly side of Vanderbilt Avenue; thence running southerly along a line 200 feet easterly from and parallel to said easterly side of Vanderbilt Avenue to land of the New York, New Haven and Hartford Railroad Company; thence running along said land of the New York, New Haven and Hartford Railroad Company to the easterly side of Highland Avenue at Gaynor's Bridge, so called; thence running southerly along said easterly side of Highland Avenue to the southerly boundary of land of the New York, New Haven and Hartford Railroad Company; thence running easterly along said southerly boundary of land of the New York, New Haven and Hartford Railroad Company to a point 600 feet east of the easterly side of Highland Avenue, said distance measured at right angles with the easterly side of Highland Avenue; thence running southeasterly in a straight line to a point which is 100 feet northwest of the most northwesterly side of the twenty-foot strip reserved for highway purposes, measured at right angles, and is 400 feet northeast of the northeasterly side of Witch Lane, measured at right angles; and thence continuing on a prolongation of the aforesaid line to a point 200 feet, measured at right angles, from the northerly side of Witch Lane, so called; thence running easterly along a line 200 feet, northerly from and parallel to said northerly side of Witch Lane to the westerly side of other land of the New York, New Haven and Hartford Railroad Company; thence running southerly along said westerly side of other land of the New York, New Haven and Hartford Railroad Company across said Witch Lane and across Wilson Road,

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[760] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-133. Derived from Sp. Laws 1959, No. 94, §3.
[761] Historical Editor's Note: For taxing districts in general, see Art. II.
[762] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-134. Derived from Sp. Laws 1953, No. 566, §2.

so called, to the mean highwater mark of Wilson's Cove, so called; thence running along the mean high-water mark of the northerly and westerly boundary of Wilson's Cove to the mean high-water mark of Long Island Sound; thence running along said mean high-water mark of Long Island Sound to the entrance to Five Mile River; thence running westerly across said entrance to Five Mile River to the boundary line between Darien and Norwalk; thence running in a general northerly direction along said boundary line between Darien and Norwalk to the starting point or place of beginning.

B. Body politic and corporate; rights in general[763]. All electors of this state dwelling within the territorial limits of the Sixth Taxing District are hereby constituted a body politic and corporate by the name of the Sixth Taxing District of the City of Norwalk, and by that name shall be capable of suing and being sued, pleading and being impleaded, purchasing, holding, selling and conveying any property, real or personal, and having a common seal for the purpose of contracting for street lighting, sewers or any other needed civic improvement voted by such district, including Rowayton Public Library.

C. Taxation liability[764]. All inhabitants and property within the limits of the Sixth Taxing District shall be liable to taxation to defray any expenses or liability the taxing district may incur under §§1-135 to 1-141 of the Prior Charter. The Board of Estimate and Taxation may lay and collect taxes for the purpose of paying the debts of the district or any part thereof and of establishing a sinking fund for that purpose. The avails of such taxes shall be paid to the Treasurer of the Sixth Taxing District for application for the purposes only. The Board of Estimate and Taxation shall lay a tax to defray the expenses of the Rowayton Public Library to the amount appropriated by the district at any annual or special meeting of the district.

D. Meetings; fiscal year[765]. Beginning in the year 1956, the annual meeting of the electors residing in the taxing district shall be held on the first Wednesday of March, for the purpose of hearing the reports of the Commissioners of the district, and acting on such matters as may be properly brought before such meeting. Notice of the time and place of the meeting shall be given by the Board of Commissioners by publishing the same in a newspaper having a circulation in the district at least ten Days before the meeting, which notice shall set forth all matters to be considered in the meeting. Special meetings in the district may be called in like manner by the Board and shall be called upon written request of twenty-five electors of the district to consider matters as set forth in such notice or publication. Beginning in the year 1975, the fiscal year of the Sixth Taxing District of the City of Norwalk shall begin on the first Day of July and terminate on the last Day of June.

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[763]2023 recodification of current Article II, Part 3. Second Taxing District, §1-135. Derived from Sp. Laws 1921, No. 289, § 2.
[764]2023 recodification of current Article II, Part 3. Second Taxing District, §1-136. Derived from Sp. Laws 1921, No. 289, §3.
[765]2023 recodification of current Article II, Part 3. Second Taxing District, §1-137. Derived from Sp. Laws 1921, No. 289, §4; Sp. Laws 1955, No. 438, § 2; Charter Amendment 6-19-1974.

E. Tax collection[766]. The Collector of Taxes and Assessments of the City of Norwalk shall be Ex Officio Treasurer of the Sixth Taxing District[767] and all taxes levied upon property in the district shall be collected by the Collector of Taxes and Assessments, and the Collector shall whenever necessary file with the Town Clerk the Tax Collector's certificate for the continuation of any liens for taxes levied upon property located in the district, and may bring suit for the foreclosure of any such tax lien in the name of the Sixth Taxing District in the manner provided by law for the foreclosure of tax liens, and shall have the same powers and duties in relation to the collection of taxes in the Sixth Taxing District as authorized has under the provisions of this Charter, in relation to all other taxes and assessments of the City.

F. Board of Commissioners; Clerk; mechanics and laborers[768]. The district shall elect a Board of Commissioners, all of whom shall be sworn to a faithful discharge of their duties and shall hold their office as hereafter provided and shall receive such compensation as the electors of the district shall decide. The Commissioners shall appoint a Clerk who shall receive reasonable compensation as determined by the Commissioners. It shall be the duty of the Clerk to keep a record of all transactions of the district and of the Board of Commissioners and discharge such duties as the Board may prescribe. The Commissioners may employ such mechanics, experts and laborers as may be necessary in the exercise of their powers and duties.

(1) Duties of Commissioners; quorum[769].

(a) The Board of Commissioners of the Sixth Taxing District shall manage the affairs and business of the district.

(b) The duties of the Commissioners shall include, but not be limited to, the care, maintenance and repair of all the property of the district. They may lease, alter, improve or move the same, and sell personal property, and negotiate to sell, exchange or raze real property subject to elector approval. The Commissioners may execute and deliver on behalf of the district all documents which may be necessary or proper to effectuate such letting, sale, other change or exchange, delivering the income and proceeds therefrom in such manner as the electors of the district may authorize, and may exercise any other powers necessary to carry out the provisions of this act or conferred upon them by the district.

(c) A majority of the Commissioners shall constitute a quorum for the transaction of business.

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[766] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-138. Derived from Sp. Laws 1921, No. 289, §5.
[767] Historical Editor's Note: See § 1-147 for repeal provision. As to election and duties of Treasurer, see § 1-146.
[768] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-139. Derived from Sp. Laws 1921, No. 289; § 6; Sp. Laws 1967, No. 175. Historical Editor's Note: See also § 1-142.
[769] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-139.1. Derived from Sp. Laws 1967, No. 176, §§ 1-3.

(2) Commissioners[770]. There shall be held on the last Monday of June 1923, a special meeting of the qualified voters of the Sixth Taxing District of the City of Norwalk, to elect three Commissioners for the district, one to serve until a successor shall be elected at the regular biennial election of city and town officers in the year 1925, one to serve until a successor shall be elected at the regular biennial election in the year 1927 and one to serve until a successor shall be elected at the regular biennial election in the year 1929, or until their several successors shall be elected and qualified. The City Clerk of the City of Norwalk shall give due and regular Public Notice ("warning") of the special election, shall provide printed ballots bearing the names of the candidates for office of Commissioner, which names shall have been daily attested to the City Clerk as nominated at the party caucuses held prior to the special election, and shall provide a ballot box for the reception of the ballots, which shall be polled under the same Regulations as govern elector's meetings in the Town of Norwalk. Such special election shall be held at the Rowayton Hose House in the district, and the ballot box for the reception of ballots shall remain open from 2:00 p.m. until 9:00 p.m., then it shall be closed, the ballots sorted and counted and the result declared. In 1925, and biennially thereafter, at the regular election of town and city officers, there shall be elected by the electors of the Sixth Taxing District, one Commissioner who shall hold office for the term of six years and until a successor shall be elected and qualified. The term of office for each Commissioner shall begin on the Wednesday following the election. The Commissioner shall perform such duties as from time to time shall be required of or imposed upon them by vote of the district.

(3) Validation of election of Commissioners in 1923[771]. The election of three Commissioners of the Sixth Taxing District of the City of Norwalk at the election of the City of Norwalk held on the first Monday of October, 1923, is validated and confirmed.

(4) Validation of acts[772]. All meetings of the Sixth Taxing District held pursuant to call issued by the District Commissioners and all acts, votes and Resolutions passed at such meetings and all appropriation made by such meetings are validated and confirmed.

(5) Election and duties of treasurer[773]. At the election to be held in 1925 for town and city officers for the Town and City of Norwalk and the several Taxing Districts thereof, and biennially thereafter, there shall be elected by the electors of the

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[770] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-142. Derived from Sp. Laws 1923, No. 410, § 1. Historical Editor's Note: See also § 1-139

[771] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-144. Derived from Sp. Laws 1925, No. 191, § 1.

[772] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-145. Derived from Sp. Laws 1925, No. 191, §2.

[773] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-146. Derived from Sp. Laws 1925, No. 191, §3.

Sixth Taxing District a Treasurer, who shall hold office for the term of two years and until a successor shall have been elected and qualified. Such Treasurer shall, in and for the district, have the same authority given to and shall perform the same duties as are required of the Treasurer of the First Taxing District, of the Second Taxing District and of the Third Taxing District of the City of Norwalk under the provisions of the Charter of the City.

(6) Repeal of former act as to Collector of Taxes[774]. So much of §1-138, amending 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 May 19, 1921, as requires the Collector of Taxes and Assessments of the City of Norwalk to be, Ex Officio, Treasurer of the Sixth Taxing District, is repealed.

G. Appropriations toward the support of the public library[775]. The Sixth Taxing District shall annually appropriate one hundred ($100) dollars or more toward the support of Rowayton Public Library, and the Board of Estimate and Taxation of the City of Norwalk shall appropriate annually the sum of one hundred ($100) dollars toward the support of such library.

H. Effect and approval of act[776]. §§1-135 to 1-141 of the Prior Charter shall not take effect unless approved by the qualified electors residing within the limits of the Sixth Taxing District at a special meeting to be called on the last Monday of June 1921, and in the Public Notice (“ warning”) for the special meeting notice shall be given to the electors of the district that the question of the approval or disapproval of this act will be voted upon. The electors who are in favor of approving this act will give in their ballots with the word "Yes" written or printed thereon, and those opposed will give in their ballots with the word "No" written or printed thereon, and the ballots shall be furnished by the City Clerk of the City of Norwalk. If the majority of the ballots so given have the word "Yes" printed or written thereon, this act shall take effect. A ballot box for the reception of the ballots at the meeting shall be provided by the City Clerk of the City of Norwalk, and shall remain open from 2:00 p.m. until 9:00 p.m. at the Rowayton Hose House in the district, when it shall be closed and the ballots sorted and counted and the result declared. The registry list of the Fifth Ward of the City of Norwalk last made and completed shall be used to determine the electors residing in the Sixth Taxing District, and the ballots shall be polled under the same Regulations as govern elector's meetings in the Town of Norwalk. If the majority of the ballots shall be in favor of approving this act, a certificate of the approval signed by the Clerk of the City of Norwalk shall be forwarded to the Secretary of State, who shall record the same.

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[774] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-147. Derived from Sp. Laws 1925, No. 191, §4.
[775] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-140. Derived from Sp. Laws 1921, No. 289, § 7. Historical Editor's Note: As to library appropriations see Art. XIX.
[776] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-141. Derived from Sp. Laws 1921, No. 289, § 8.

I. Listing of taxable property[777]. All owners of taxable property in the Sixth Taxing District, in filing lists of taxable property in accordance with the provisions of this Charter as contained in §§1-273, 1-276 and 1-281 of the Prior Charter, shall list such property as in the Sixth Taxing District.

J. Authorization to adopt and enforce rules and Regulations as to Bayley Beach[778]. The Commissioners of the Sixth Taxing District of the City of Norwalk shall have power to formulate and to adopt and enforce rules and Regulations in the manner hereinafter provided for governing the frequenting and use of Bayley Beach, so called, the property, buildings and equipment appurtenant thereto. Any person violating any such rule or Regulation shall be fined not more than one hundred ($100) dollars or imprisoned not more than thirty Days, or both.

(1) Bayley Beach; hearing on rules and Regulations[779]. Before passing any rule or Regulation, the Commissioners shall hold a hearing thereon, notice of which shall be given by publishing the proposed rule or Regulation and the time and place of such hearing in some newspaper having a circulation in the Sixth Taxing District of the City of Norwalk, at least five Days before the time fixed for the hearing.

(2) Bayley Beach; passage of rules and Regulations[780]. If a majority of the electors of the Sixth Taxing District of the City of Norwalk present and voting at such hearing oppose the adoption of a proposed rule or Regulation, the question of its adoption shall be submitted to the electors of the Sixth Taxing District of the City of Norwalk at its next regular or special meeting, and in such event such rule or Regulation shall not become effective unless a majority of the electors voting at such meeting shall vote in favor thereof.

(3) Bayley Beach; effective dates of rules and Regulations[781]. Any rule or Regulation adopted as provided in §§1-149 to 1-150 of the Prior Charter shall become effective fifteen Days after publication thereof in some newspaper having a circulation in the Sixth Taxing District of the City of Norwalk.

(4) Bayley Beach; effective date of act[782]. §§1-148 to 1-152 of the Prior Charter shall take effect upon their approval by the legal voters of the Sixth Taxing

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[777] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-143. Derived from Sp. Laws 1923, No. 410, § 2. Historical Editor's Note: See § 1-273; § 1-276; § 1-281

[778]2023 recodification of current Article II, Part 3. Second Taxing District, §1-148. Derived from Sp. Laws 1951, No. 369, §1.

[779] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-149. Derived from Sp. Laws 1951, No. 369, §2

[780] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-150. Derived from Sp. Laws 1951, No. 369, §3.

[781] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-151. Derived from Sp. Laws 1951, No. 369, §4.

[782] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-152. Derived from Sp. Laws 1951, No. 369, §5.

District of the City of Norwalk at a special meeting of the district legally called for the purpose, to be held not later than October 1, 1951.

K. Authorization to issue bonds; Roton Point Park improvement bond issue of 1943[783]. The Commissioner of the Sixth Taxing District of the City of Norwalk are authorized, when in legal meeting assembled, by a majority of votes of the members of the Commission, to issue bonds or notes on behalf of the taxing district to an amount not exceeding in the aggregate fifty thousand ($50,000) dollars, registered or with coupons attached, or both, bearing interest at a rate not exceeding five percent per annum, payable semiannually.

(1) Roton Point park improvement bond issue of 1943; nature[784]. Such bonds or notes shall be serial in form and payable in such substantially equal annual installments that the entire amount thereof shall be paid with 10 years from the date of issue.

(2) Roton Point park improvement bond issue of 1943; proceeds[785]. The proceeds of such bonds or notes shall be used (a) for the purpose of such of Roton Point, so called, as the Commissioners see fit, for a site for a public park for the taxing district and (b) to defray the expense of improving the same for such purpose.

(3) Roton Point park improvement bond issue of 1943; details[786]. The Commissioners of the taxing district, subject to the limitations of §§1-153 to 1-156 of the Prior Charter, shall determine the form of such bonds or notes, the several and aggregate amounts thereof, the time or times and place or places of payment of both principal and interest, the manner of signing, countersigning, selling, exchanging or otherwise disposing thereof and the person or persons who shall execute, negotiate and deliver the same for the district.

(4) Roton Point park improvement bond issue of 1943; obligations[787]. The bonds or notes when so executed, issued and delivered, shall be obligatory upon the district, and upon all the inhabitants and property thereof.

L. § 1-158. Authorization to issue bonds; Bayley Beach bond improvement issue of 1955[788]. The Commissioners of the Sixth Taxing District of the City of Norwalk are authorized, when in legal meeting assembled, by a majority of votes of the members of the Commission, to issue bonds or notes on behalf of the taxing district to an amount not exceeding in the aggregate fifty thousand ($50,000) dollars, registered or with coupons

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[783] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-153. Sp. Laws 1943, No. 64, §1.
[784] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-154. Sp. Laws 1943, No. 64, §2.
[785] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-155. Sp. Laws 1943, No. 64, §3.
[786] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-156. Sp. Laws 1943, No. 64, §4.
[787] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-157. Sp. Laws 1943, No. 64, §5.
[788] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-158. Sp. Laws 1955, No. 67, §1.

attached or both, bearing interest at a rate not exceeding three percent per annum, payable semi-annually.

(1) Bayley Beach bond improvement issue of 1955; nature of bonds and maturity[789]. Such bonds or notes shall be serial in form and payable in such substantially equal annual installments that the entire amount thereof shall be paid within ten years from the date of issue.

(2) Bayley Beach bond improvement issue of 1955; proceeds[790]. The proceeds of such bonds or notes shall be used to defray the expense of improvement to Bayley Beach.

(3) Bayley Beach bond improvement issue of 1955; details[791]. The Commissioners of the taxing district, subject to the limitations of §§1-158 to 1-162 of the Prior Charter, shall determine the form of such bonds or notes, the several and aggregate amounts thereof, the time or times and place or places of payment of both principal and interest, the manner of signing, countersigning, selling, exchanging or otherwise disposing thereof and the person or persons who shall execute, negotiate and deliver the same for the district.

(4) Bayley Beach bond improvement issue of 1955; obligation[792]. The bonds or notes when so executed, issued and delivered, shall be obligatory upon the district, and upon all the inhabitants and property thereof.

[789] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-159. Sp. Laws 1955, No. 67, §2.
[790] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-160. Sp. Laws 1955, No. 67, §3.
[791] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-161. Sp. Laws 1955, No. 67, §4.
[792] 2023 recodification of current Article II, Part 3. Second Taxing District, §1-162. Sp. Laws 1955, No. 67, §5.

PART 3 –HISTORICAL PROVISIONS

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ARTICLE XIII: HISTORICAL PROVISIONS

§13-1. Norwalk Harbor.

The following provisions shall supplement the provisions of the Charter pertaining to the care, maintenance, operation and administration of the Norwalk Harbor 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. Description of Norwalk Harbor and rules and Regulations of boats, vessels and craft in the harbor; passage of ordinances[793]**.** Within the area bounded on the east by the line separating the City of Norwalk from the Town of Westport; on the south by a line commencing at the intersection of said town line with a straight line running in a southwesterly direction to number 24B off Hiding Rocks, said intersection being at Copps Rocks just east of Copps Island, thence in a due westerly direction to Green Ledge light; on the west by a line running northerly from Green Ledge light to the flashing light at the entrance of the Five Mile River, thence northerly along the line separating the City of Norwalk from the Town of Darien; and, on the north by the shore line of the City of Norwalk, the Common Council of the City of Norwalk shall have authority to pass ordinances and otherwise regulate the mooring of all vessels, boats and craft and the use of the water, so that they shall not interfere with the free use of the channels and other navigable waters included within said area hereinbefore described, and, subject to the provisions of §4768 of the General Statutes, may make such other reasonable rules, Regulations, ordinances or orders respecting the use of said waters by all vessels, boats and craft as may be necessary to protect persons and all other vessels, boats and craft in such waters and other property thereon.\

B. Norwalk Harbor; publication, filing and effective date of ordinances, rules and Regulations[794]**.** Such ordinances, rules, Regulations and orders, when determined and fixed, shall be published at least once in a newspaper having a circulation in the City of Norwalk and shall be filed in the office of the City Clerk of the City and shall become effective ten Days after such publication and filing.

C. Norwalk Harbor; penalties[795]**.** Any person who violates any such ordinance, rule, Regulation or order, when determined or fixed as provided in §§13-1.A and B, shall be fined not less than twenty-five ($25) dollars nor more than one hundred ($100) dollars or as the Council may otherwise provide for each offense.

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[793] 2023 recodification of current Article IV. The Common Council. §1-205. Derived from Sp. Laws 1957, No. 368, § 1. Historical Editor's Note: See Ch. 69, Norwalk Harbor.
[794] 2023 recodification of current Article IV. The Common Council. §1-206. Derived from Sp. Laws 1957, No. 368, §2.
[795] 2023 recodification of current Article IV. The Common Council. §1-207. Derived from Sp. Laws 1957, No. 368, §3. Charter Amendment 9-2-1980 Historical Editor's Note: Approved by the electorate at the general election held 11-4-1980.

D. Norwalk Harbor; enforcement[796]**.** Any police or peace officer of the City of Norwalk shall have authority to enforce the provisions of this act. The City Court of Norwalk shall have jurisdiction over all violations of this act.

E. Norwalk Harbor; duty of Harbormaster[797]**.** The Harbormaster of the Harbor of Norwalk, and any deputies shall, from time to time, advise the Common Council with respect to the matters hereinbefore described or provided for and shall, upon the request of the Common Council, confer with the latter and make such reports to said Common Council as they shall from time to time require with respect to any matter hereinbefore referred to.

§13-3 Pensions for Certain Retired Employees[798]**.**

The following provisions shall supplement the provisions of the Charter pertaining to a pension for Mary E. Eldridge 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. Payment to Widows[799]**.** The City of Norwalk shall pay annually to Mary E. Eldridge, widow of James Eldridge, during the term of her natural life, the sum of $706.80, in equal monthly payments to commence September 1, 1955. The Board of Estimate and Taxation shall include annually in the estimate of expenditures of the City and Town of Norwalk a sum sufficient to pay such pension.

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[796] 2023 recodification of current Article IV. The Common Council. §1-208. Derived from Sp. Laws 1957, No. 368, §4.
[797] 2023 recodification of current Article IV. The Common Council. §1-209. Derived from Sp. Laws 1957, No. 368, §5.
[798] Historical Editor's Note I: As to pension plan for city employees see Appendix, Part II, Pension Plan.
§ 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.
[799] 2023 recodification of current Article XXI "Pensions for Certain Retired Employees," §1-663. Derived from Sp. Laws 1955, No. 298; Charter Amendment 9-2-1980. Historical Editor's Note: Approved by the electorate at the general election held 11-4-1980. § 1-664. (Reserved) Historical Editor's Note: Former § 1-664, Payment to John Mills, Sp. Laws 1957, No. 154, was repealed 9-2-1980 by Charter Amendment, approved by the electorate at the general election held 11-4-1980.

ARTICLE XIV: HISTORICAL TRANSITION PROVISIONS

§14-2. Historical Provisions Pertaining to the Finance Division.
The following provisions shall supplement the provisions of Article VIII, §8.4.A, above, 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 §14-2 have been addressed by the Ordinance, §14-2 shall expire and may be removed from the Charter.

A. Accounts and Forms[800]**.** Accounts shall be kept by the division of government responsible for finance showing the financial transactions for all Budgeted Entities. Forms for such accounts shall be prepared by and at the direction of the division chief.

B. Financial Reports[801]**.** Financial reports shall be prepared for each month and for each fiscal year and for such other periods as may be required by the Mayor, Common Council and Board of Estimate and Taxation, which reports shall be submitted to the Common Council, Board of Estimate and Taxation and the Mayor.

C. Governance[802]**.** The Departments responsible for finance functions shall be governed by rules and Regulations established by Ordinances now and hereafter to be enacted in accordance with the provisions of Law.

D. Authority of Finance and Operational Function Officials[803]**.** The Chief Financial Officer, and, subject to the approval of the Chief, the Comptroller, the Purchasing Agent, Tax Collector and Tax Assessor shall have full power to require each City officer to furnish all information which in their possession and to provide the Officials with all books, contracts, Resolutions, reports and other papers and documents in their possession or in within the purview of their Department, requisite in the opinion of the official to enable the discharge of duties, under this Charter and the Ordinance. All City officers shall furnish and exhibit the same in such manner and form as may be prescribed.

E. Additional Powers[804]**.** The Common Council shall have the power to delegate to the Chief Financial Officer other budgetary and governmental functions not inconsistent with other provisions of this Charter.

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[800] 2023 recodification of current Article V, Part 4 – Department of Finance §1-238.B
[801] 2023 recodification of current Article V, Part 4 – Department of Finance §1-238.B
[802] 2023 recodification and edit of current Article V, Part 4 – Department of Finance §1-238.C.
[803] 2023 edit and recodification of current Article V, Part 4 – Department of Finance, §1-245 entitled "Powers of Officials". Added by Charter Amendment 8-29-1978, §10. Editor's Note: Approved by the electorate at the general election held 11-7-1978.
[804] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-247 entitled "Additional Powers". Added by Charter Amendment 8-29-1978, §12. Editor's Note: Approved by the electorate at the general election held 11-7-1978. The following provision is repealed: "This revision shall become effective upon approval, except that where the term of an officer provided for herein does not begin until after January 1, 1979, the functions of such officer shall be discharged by the city official responsible for such functions at the time of the enactment of this section" as set forth in

§14-4. Historical Provisions pertaining to the Purchasing Agent[805].

The following provisions shall supplement the provisions of Article VIII, §8.4.D 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 §14-4 have been addressed by the Ordinance, §14-4 shall expire and may be removed from the Charter.

A. Duties of the purchasing Agent. Following the certification by the Comptroller of any requisition from a department head as provided hereinabove, the Purchasing Agent shall proceed to purchase the article, commodity or thing required, including those required by the Board of Education except for items unique to the Board of Education, provided that in all purchases of one thousand ($1,000) dollars or more the Purchasing Agent shall obtain at least two (2) competitive bids before making the purchase, and further provided that in the case of all purchases of over three thousand ($3,000) dollars, including a continuing order or contract for the purchase of the same article, commodity or thing over a period of time, competitive bids on the basis of specifications prepared by the department requiring the article, commodity or thing shall be advertised for, and the order shall be awarded in conformity with such Regulations as the Common Council may establish by ordinance governing purchasing procedure[806].

B. Multi-Departmental Purchases[807]. Where any article, commodity or thing is known to the Purchasing Agent to be required during the fiscal year by any two (2) or more departments or agencies of the city, the Purchasing Agent shall have power to require them to file their requests therefor within sixty Days from the beginning of such fiscal year.

C. Sole Source Purchases[808]. When the Purchasing Agent receives less than two (2) competitive bids or where the goods or services sought are obtainable from a single source, the Purchasing Agent may purchase from such sole bidder or single source;

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current Article V, Part 4 – Department of Finance, §1-247 entitled "Effective Date". Added by Charter Amendment 8-29-1978, §13. Editor's Note: Approved by the electorate at the general election held 11-7-1978. Historical Note: "Article V. Officers and Employees. Part 5. (Reserved). [1] Editor's Note: Former Part 5, City Comptroller, was replaced according to Charter Amendment 8-29-1978 as follows (a) Former § 1-239, Office of City Comptroller, was renumbered as §1-240B; (b) Former § 1-240, Vested powers, was renumbered as § 1-240C; (c) Former § 1-241, Former duties of Auditor which are now performed by Comptroller, was renumbered as § 1-240D; (d) Former § 1-242, Accounts and reports; refusal to approve contracts unsupported by appropriations; information furnished by officers; signing orders on Treasurer; auditing (Sp. Laws 1931, No. 323, § 3), was repealed; (e) Former § 1-243, Each department shall submit budget to Comptroller; reports of estimate and taxation (Sp. Laws 1931, No. 323, § 4), was repealed."

[805] 2023 recodification and modification of current Article V, Part 4 – Department of Finance, §1-241.A entitled "Division of Purchasing First and second sentences). Added by Charter Amendment 8-29-1978, §6. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978. The remainder of the historical provision has been recodified under Article XII, subject to sunset upon the conditions set forth in this Charter.

[806] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-241.B (First sentence).

[807] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-241.B (Second sentence).

[808] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-241.B (Third sentence).

providing, however, that every such purchase in excess of three thousand ($3,000) dollars shall be subject to the approval of the Common Council.

D. Special Purchases Permitted by the Council[809]. The Common Council may empower special committees to obtain for the City goods or services, and the requirements for advertising and bidding shall apply to such committees.

~~**§14-6. Historical Provisions pertaining to Public Works/Operations Functions[810].**~~

~~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 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.~~

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[809] 2023 recodification of current Article V, Part 4 – Department of Finance, §1-241.B (Fourth sentence).
[810] 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.

~~**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.~~

~~**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.~~