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Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Jordan Schantz at jschantz@norwalkct.org to provide written public comment prior to the meeting.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES: February 1, 2023

IV. PANEL ON TERM OF OFFICE, VACANCIES AND SUCCESSION

- 4 years - Mayor/2 years - Hybrid Council: Hon. Sarah Gallagher, Councilmember and Chair, 2022 Charter Commission (Hamden)
- 2 years – Mayor and Hybrid Council: Vinny DiGilio, Council President (Danbury)
- 2 years – Mayor and Alders: Hon. Tyisha Walker-Meyers, President of the Board of Alders (New Haven)
- 4 years – Mayor and Council: Hon. Maly Rosado, President of the Common Council (Hartford)

V. ISSUES DISCUSSION

VI. FURTHER REVIEW AND PRELIMINARY ACTION: ARTICLE X – BUDGET ISSUES

VII. COUNSEL DISCUSSION OF STATUS – WHAT’S NEXT? (a) ARTICLES I – III, IX, XI, XII; AND, (b) ARTICLES IV AND V (THE COUNCIL AND THE MAYOR)

**CITY OF NORWALK
CHARTER REVISION COMMISSION
REGULAR MEETING
FEBRUARY 1, 2023**

ATTENDANCE: Patsy Brescia, Chair; Richard McQuaid, Vice Chair;
Carl Dickens, Tyler Fairbairn, Benita Watford

STAFF: Atty. Steven Mednick, consultant

I. CALL TO ORDER

Ms. Brescia called the meeting to order at 6:30 p.m.

II. ROLL CALL

The roll was called and a quorum was present.

APPROVAL OF MINUTES:

• January 4, 2023

These minutes were not discussed at this time.

• January 18, 2023

**** MR. MCQUAID MOVED THE MINUTES OF JANUARY 18, 2023.**

**** MR. FAIRBAIRN SECONDED.**

The following correction was noted:

Page 2, Corp Counsel should be changed to Corporation Counsel.

**** THE MOTION TO APPROVE THE JANUARY 18, 2023 AS CORRECTED PASSED UNANIMOUSLY.**

• December Minutes

Ms. Brescia said that she had mentioned there were numerous typos, misspellings and poor grammar in the December minutes. She said that there were too many to list and the minutes were poorly done. She wished to have her comments included in the record.

**** MR. FAIRBAIRN MOVED THE MINUTES OF THE DECEMBER MINUTES.**
**** MR. MCQUAID SECONDED.**
**** THE MOTION TO APPROVE THE DECEMBER MINUTES PASSED UNANIMOUSLY.**

DISCUSSION OF ARTICLES I – III, VI, IX, XI, AND XII

CONTINUED REVIEW OF REVISED OPERATING, CAPITAL, AND BOND PROVISIONS

Atty. Mednick said that the current Charter lists the current terms of office for the City and the Board of Education. He listed the various large Connecticut cities with their terms of office. One of the principle concerns was that four year terms did not allow for checks and balances. New Haven elects the Mayor for four years and the Council Members have two year terms, which provides the check and balance. Atty. Mednick went on to give some alternative terms structures.

Discussion followed.

Atty. Mednick then gave a brief overview of how the State elections and local elections are scheduled. He explained that unless there was a special election, one election takes place in the even years with the other election taking place in the odd years. Discussion followed.

The discussion moved to the filling of vacancies of Elective Offices. Atty. Mednick gave a brief summary of the current Charter requirements.

The discussion moved to the line of succession in the event of a mayoral resignation. Atty. Mednick stated he would research this issue.

Mr. McQuade then gave a brief overview of the duties of the Town Clerk and City Clerk in Norwalk. Atty. Mednick explained that the City Clerk's duties are listed in Article V. Ms. Brescia said that there are many residents who are confused as to which office they should contact regarding any particular issue.

Atty. Mednick explained that there are three different types of districts in Norwalk. There are the Council Districts, which are the districts determined by the City for the election of Council Members. There are voting precincts, which are categories that are created for polling. Discussion followed.

COMMENTS BY COMMISSION COUNSEL STEVEN MEDNICK

Atty. Mednick said that at the next meeting the following items would be addressed:

- A panel discussion on two and four year terms.
- Article 10
- Notes and updates on the issues discussed in Chapters 3,6, & 9.
- Outline some of the issues in Chapters 4 & 5

He added that he was moving ahead with the draft on two major chapters and expected to have it ready by March.

ADJOURNMENT

**** MS. WATFORD MOVED TO ADJOURN.**
**** MR. MCQUAID SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:23 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

Articles I – III, VI, IX and XI

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ATTORNEY WORK PRODUCT DRAFT PROVISIONS FOR CRC CONSIDERATION 020623

2023 CHARTER REVISION COMMISSION: SETTING THE CONTEXT

The Charter is Norwalk's constitutional governing document. It is what the courts have called "the organic law of the city, superseding its existing charter and any inconsistent special acts." The 2023 revision is a comprehensive revision of a charter that dates back to the early 20th century. It was, and to some extent, remains the product of years of Special Acts passed by the General Assembly that allowed our local officials to conduct the affairs of local government. In the years since 1957 and the Constitution of 1965 our Common Council has, from time-to-time, established Charter Revision Commissions to replace the General Assembly when it comes to local governance.

The revision does not and cannot forget the history of our city and town. Like many other older cities in Connecticut we are a City that continues to recognize historical town functions. When you read this document you will find Constables and a Sheriff, a Town Clerk and other references to the town. For the record Norwalk is a consolidated municipal corporation and this Charter is our governing document.

The 2023 Charter Revision Commission has endeavored to make this document more accessible and understandable for its citizens and those who govern. One of the things we also want to accomplish is to explain the many anomalies as well as twists and turns regarding our form of government as well as how we arrived at this place and time in history in 2023.

THIS IS WHERE YOU NEED TO GIVE ME THE HISTORY

- **Consolidation of various municipal entities**
- **Taxing districts**

ATTORNEY WORK PRODUCT DRAFT PROVISIONS FOR CRC CONSIDERATION 020623

ARTICLE I: INCORPORATION, CONSTRUCTION AND GENERAL POWERS

§1-1. Title¹.

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

§1-2. Body politic and corporate².

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 may have a common seal and alter the same at pleasure.

§1-3. Territorial Limits of the City of Norwalk³.

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 City⁴. 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 said town are hereby made applicable to the City.

¹ NEW (2023).

² 2023 Recodification 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.**

³ 2023 Recodification of current Article I - General. §1-2. Derived from Sp. Laws 1913, No. 352, §2.

⁴ 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.”

§1-5. General Grant of Powers⁵.

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

(1) specifically granted by this Charter and all powers fairly implied in or incidental to the powers expressly granted by the State to the management of the property, government and affairs of the City, including the power to enter into contracts with the United States Government or any agency thereof, the State or any agency or any political subdivision thereof for services and the use of facilities, the exercise of which is set forth by Law;

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

(3) now granted or that may hereafter be granted to municipalities under the State Constitution or the General Statutes.

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 corporation.

⁵ NEW (2023).

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

§2-1. Definitions and Titles Generally⁶.

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. Definitions⁷.

A. Definitions and Titles Generally⁸. 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 Section Titles are for the purpose of ready reference and shall not be held to limit, extend or effect the interpretation and meaning of the text.

B. Capitalized terms⁹. 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.

C. Defined terms¹⁰. The following terms shall have the meanings set forth in this subsection unless otherwise specified in this Charter:

(1) **“Board” or “Commission”¹¹.** For the purposes of this Charter and except as otherwise provided by Law, the terms “Board” and “Commission” shall include all boards, agencies, commissions, authorities or like entities of the City, whether elected or appointed.

(2) **“Budgeted Entity”¹²** means each Department, Department Head, Board, Commission, office, authority 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.

(3) **Charter¹³** shall mean the Charter of the City of Norwalk.

(4) **City¹⁴** means the City.

⁶ NEW (2023).

⁷ NEW (2023).

⁸ NEW (2023)

⁹ NEW 2023).

¹⁰ NEW (2023).

¹¹ NEW (2023).

¹² NEW (2023)

¹³ NEW (2023)

¹⁴ NEW (2023)

(5) **City Clerk**¹⁵ is a public official appointed by the Mayor and serves the function set forth in in this Charter, in particular in Article V, §____.

(6) **Capital Budget**¹⁶. The capital budget referred to in this Charter is defined as the specific portion of the capital projects program for which it is proposed to authorize expenditures during any fiscal year.

(7) **Capital Budget Items**¹⁷. 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, for 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 (2) 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.

(8) **Common Council or Council**¹⁹ means the legislative body of the City, as required by the General Statutes.

(9) **Day(s)**²⁰ means calendar days; unless, otherwise specifically set forth in this Charter. Moreover, where a Day set forth in this Charter 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.

(10) **Department**²¹ means any major functional or administrative division of the City, including any offices, agencies, bureaus or other descriptions serving such purpose as may be set forth in the 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.

(11) **Department Head**²² means an employee who heads any Department in the City; has substantial supervisory control of a permanent nature over other municipal employees; and, is directly accountable to the Mayor.

¹⁵ NEW (2023)

¹⁶ 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

¹⁷ NEW (2023). Derived from §30-4 of the Code of Ordinances.

¹⁹ NEW (2023) Required by C.G.S. §7-193(a)(1)(C).

²⁰ NEW (2023).

²¹ NEW (2023).

²² NEW (2022).

(12) Elective Offices means an individual who holds an elected municipal office (as defined in C.G.S. §9-372 but shall not include a justice of the peace or notary public) in the City. The Elective Offices of the City are set forth in section 4(b) of Chapter III; Chapter III (Registrars of Voters and Constables); Chapter IV (Common Council), Chapter V (The Mayor), Chapter VI (City Treasurer); and Chapter IX (Board of Education) of this Charter.

(13) Elector²³ shall have the meaning contained in the General Statutes.

(14) Five-year Program of Capital Expenditures²⁴. The proposed five-year program of capital expenditures to which consideration shall be given by the agencies in whom that responsibility is vested, and in the manner prescribed by this Charter, shall constitute and be known as the "capital projects program."

(15) Final Action²⁵ means the last acts taken by the Mayor or the Council on an Ordinance or other measure that requires mayoral and legislative action under the provisions of this Charter.

(16) General Statutes²⁶ shall mean the General Statutes of the State of Connecticut, as amended from time to time; also referred to as "C.G.S" or "G.S.".

(17) Law²⁷ includes, but is not limited to, decisions of courts and administrative bodies (or any agreements sanction by any such bodies), federal or state legislative enactments, Ordinances and Regulations, including all applicable rules contained therein.

(18) Majority Vote of the Council²⁸ means an affirmative vote of at least a majority of the full membership of the Council, at a Meeting of the Council at which a quorum is present.

(19) Mayor²⁹ shall mean 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 shall at all times be determined, in the sole discretion, of the Mayor.

(20) Meeting or Public Meeting³⁰ shall have the meaning set forth in

²³ NEW (2023). C.G.S. §9-1. Definitions. (e) "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".

²⁴ NEW (2023) Derived from 30-3 of the Code of Ordinances.

²⁵ NEW (2023).

²⁶ NEW (2023).

²⁷ NEW (2023).

²⁸ NEW (2023).

²⁹ NEW (2023). Required by C.G.S. § 7-193(a)(2)(C).

³⁰ NEW (2023)

C.G.S. §1-200(2), including Meetings by means of electronic equipment, as may be amended from time to time.

(21) Meeting (or Hearing Notice) means a notice posted as required by Law including posting of all Meetings with the City Clerk, including regular, special or emergency Meetings as well as public hearings, in the same manner as set forth in §___ of this Charter and as may be established by Ordinance or rules of the Common Council or any Board or Commission insofar as such notice requirements are in accordance with the General Statutes. In addition to the above-referenced postings, the City may post notices on its web-site or through other electronic media and, if practicable or otherwise required by Law, may be published in a newspaper of general circulation distributed in the City. A Meeting Notice (including public hearings) shall state the time and place thereof and shall be published at a minimum in compliance with the General Statutes or by a more stringent requirement as may be set forth in this Charter. Meeting or Hearing Notice may also be governed by regulatory practices and procedures set forth in the General Statutes.

(22) Official or Public Official³¹ means an individual who holds an elected or appointed municipal office in the City; including but not limited to Elected Officials of the City; employees appointed subject to section 2 of Chapter VIII of this Charter; and, members of Boards and Commissions. "Appointed Public Officials" shall include all Public Officials to the exclusion of those who hold Elective Offices in the City. When the term "officer" is used in this Charter (and not in connection with sworn law enforcement officers), it shall be synonymous with the term "Official".

(23) Order or Motion³² means a legislative action conferring authority to do a specified act, including, but not limited to, the approval of Mayoral appointments, proposed contracts or other matters upon which are conferred temporary power or authority which, when its purpose has been accomplished, it ceases to require further authority. Orders and Motions shall be enacted in accordance with the provisions of this Charter. Other Public Officials may enter "Orders" in accordance with the authority set forth under the General Statutes, this Charter or Ordinance enacted thereunder.

(24) "Ordinances" or "Ordinances of the City"³³ shall mean the powers of the City to (1) establish rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other penalty; (2) create a permanent local law of general applicability; or (3) accomplish other objectives permitted by the General Statutes as may be enacted in accordance with the provisions of this Charter.

³¹ NEW (2023)

³² NEW (2022).

³³ NEW (2023)

(25) Public Notice³⁴ means a notice for matters other than public Meetings or hearings, including the public inspection or availability of any documents or data, as may be required by this Charter. It specifically includes matters where “publication” was required under the prior Charter or the General Statutes. Any Public Notice shall be posted as specifically set forth in this Charter or may be governed by 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 shall prevail. Public Notice shall be posted (1) in the Office of the City Clerk and other public space or location in City Hall or other municipal office building designated by the City Clerk in order to assure sufficient disclosure to and access by the public; (2) at the public libraries; (3) on the City web-site, through other electronic media by the City Clerk; and, (4) if otherwise required by Law, by publication in a newspaper of general circulation distributed in the City.

(26) Regulation³⁵ 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 such 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 (A) statements concerning only the internal management of any Department and not affecting private rights or procedures available to the public; or (C) intra-Departmental or inter-Departmental memoranda.

(27) Resolution³⁶ means an action by the Council that (1) expresses the sentiment or intent of the Council; (2) governs the business of the Council; (3) expresses recognition by the Council; or, (4) complies with the specific requirements of the General Statutes with regard to certain legislative enactments. A declaratory statement of the Council on a given matter.

(28) Special Acts or Special Laws³⁷ shall mean the acts of the General Assembly pertinent to the City.

(29) State or Connecticut³⁸ shall mean the State of Connecticut.

(30) State Constitution³⁹ shall mean the Constitution of the State of Connecticut.

³⁴ NEW (2023).

³⁵ NEW (2023). Derived from C.G.S. §4-166(16).

³⁶ NEW (2023).

³⁷ NEW (2023).

³⁸ NEW (2023).

³⁹ NEW (2023).

(31) **Town Clerk**⁴⁰ is an elected Public Official who serves the function set forth in in the General Statutes and this Charter, in particular in Article V, §__.

(32) **Vacancy**⁴¹ or, in the alternative, the use of the word “Vacant” means whenever any Official of the City is unable to complete the current term of office due to death, resignation, removal, incapacity or other reason as may be defined by Ordinance.

(33) Where reference is made to the word “shall” the legislative intention is to make the function a mandatory or imperative obligation for the Official or entity charged with an obligation under this Charter or under the Code of Ordinances. It is recommended that to avoid any doubt the word “must” should be used in order to impose clarity on the concept of obligation⁴².

§2-3. Standards of Conduct⁴³.

A. Statement of Purpose⁴⁴. Public office is a public trust. The trust of the public is essential for government to function effectively. Public policy developed by Officials affect every citizen 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 our citizens in the integrity and fairness of their government. Public Officials and employees must discharge their duties impartially so as to assure fair competitive access to government procurement by responsible contractors. In turn, those contractors should conduct themselves in such a manner as to foster public confidence in the integrity of the competitive process. In all cases, the reality and appearance of impropriety should be addressed by the Conflict-of-Interest Policy and Ethics Ordinance.

B. Conflict of Interest Policy and Ethics Ordinance⁴⁵. The City shall enact, by Ordinance, a code of ethics for all 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. The purpose of such 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 such elected and appointed Officials or

⁴⁰ NEW (2023)

⁴¹ NEW (2023).

⁴² NEW (2023)

⁴³ 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."*

⁴⁴ NEW (2023).

⁴⁵ NEW (2023).

employees as well as such individuals and entities seeking to and conducting business with the City. The Ordinance shall designate an Official to provide all Public Officials and employees of the City with copies of the provisions of §2-3 of this Charter and the implementing Ordinances and policies enacted hereunder, upon the commencement of their public service and/or employment.

(1) The Council shall enact a code of ethics by Ordinance (and amendments thereto) following public review and comment by the Board of Ethics, in a manner consistent with the provisions of this Charter.

(2) **Recusal**⁴⁶. The Official or employee filing a disclosure under this Charter or Ordinance with the Town Clerk shall refrain from voting, participating or acting on matters which are the subject of such disclosures.

(3) **Violation**⁴⁷. 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 mandated by §_____ of this Charter and as further 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 Practices⁴⁸. No Official shall violate the provisions of the General Statutes⁴⁹, this Charter or Ordinances pertaining to conflicts of interest and corrupt practices. The Ordinance required by §3-9.B of this Charter shall define and set forth the parameters of conflicts of interest and corrupt practices.

⁴⁶ NEW (2023).

⁴⁷ NEW (2023).

⁴⁸ NEW (2023).

⁴⁹ **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.

§2-4. Rules of Order and Civility⁵⁰.

City Officials and employees shall 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. In the workplace and other official interactions this Charter promotes mutual respect, civility and orderly conduct among City employees, Elected Officials and the public. This section is not intended to deprive any person of his or her 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 other public bodies and various community groups, 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 incivility and disrespect at these Meetings can stifle participation and debate, threaten the quality of decisions and undermine the 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 Rule⁵¹. Mason's Rules of Order shall, as a general rule, regulate the conduct of all Meetings of the Council and all elected and appointed Boards and Commissions of the City, unless the Council or particular Board or Commission otherwise specifies an alternate parliamentary authority.

(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. The rules shall be adopted by a **vote of two-thirds (2/3rd) of the members of the Board or Commission**, following review by the Corporation

⁵⁰ NEW (2023).

⁵¹ NEW (2023).

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 shall be responsible for maintaining the 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 shall comply with any lawful order of the presiding officer to enforce rules of order and decorum. In all circumstance, members of the public and all public officials shall be expected to follow the rules of the body and shall 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 shall order that person to cease such 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 event 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 or Commissions may be subject to removal in accordance with the provisions of §____.

§2-5. Open Meetings and Public Records⁵².

A. Records⁵³. Each Elected and Appointed Board and Commission and committees, task forces, or other like entities (created pursuant to §____) shall keep a complete and accurate record of its official acts, votes, Meetings, and proceedings and shall have custody of its correspondence, files and other records and shall designate one of its members or its clerk to keep such record. The minutes and recordings of Boards and Commissions shall be public records, in accordance with the General Statutes, and shall be open for public inspection (A) at the office of the City Clerk, during regular business hours; and, (B) on the City website.

B. Open and Public Meetings⁵⁴. All Meetings of the Common Council⁵⁵ and all other Elected and Appointed Boards and Commissions and all committees, task forces or other like entities, shall be open to the public except for executive sessions permitted

⁵² NEW (2023).

⁵³ NEW (2023).

⁵⁴ NEW (2023).

⁵⁵ NEW (2023).

by the General Statutes, and all appointed Boards and Commissions, and all committees, task forces or other like entities shall comply with the State freedom of information laws unless otherwise provided by the General Statutes or Law.

§2-6. Diversity on Boards and Commissions⁵⁶.

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 Appointing Authorities (as defined in §____) should 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 to⁵⁷, 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.

⁵⁶ NEW (2023).

⁵⁷ **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.

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

§3-1. Application of the General Statutes⁵⁸.

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

A. Notice of Elections. The Common Council shall provide by Ordinance for the manner of warning (or 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 chapter⁵⁹. Notice of the election stating the officers to be voted for and the polling places in the several voting districts shall be published by the City Clerk at least two weeks preceding such election, as required by Law, including an Ordinance; or, in compliance with the Notice provisions of this Charter⁶⁰.

B. Nominations and Elections⁶¹. The nomination and elections of all Federal, State and City Elected Officials shall be conducted as prescribed by the General Statutes.

C. Holding elections⁶². The election of Elected Public Officials herein provided for shall be held at the polling places approved by the Common Council for the City election⁶³.

D. Powers of the Common Council⁶⁴. The Council has the authority:

(1) to regulate and prescribe the mode of conducting all elections not regulated by this act;

(2) to regulate the manner of warning city elections and meetings of the Common Council, and the times and places of holding the same;

(3) to provide places for holding elections in said city and in the wards thereof;

⁵⁸ NEW (2023).

⁵⁹ NEW (2023).

⁶⁰ 2023 Recodification and modification of current Article III – Part 1. In General, §1-169. Derived from Sp. Laws, 1913, No. 352, §51.

⁶¹ NEW (2023).

⁶² 2023 Recodification of current Article III – Part 1. In General, §1-163. Derived from Sp. Laws 1913, No. 352, §46.

⁶³ Historical Editor's Note: See § **1-180** for provision authorizing Registrars of Voters to designate polling places.

⁶⁴ 2023 Recodification and modification in lieu of current Article IV. The Common Council. §1-189 (Items (1) – (56),

§3-2. Rules Pertaining to Electors.

A. Qualified Voters Entitled to Vote: Electors⁶⁵. Every Elector of this State and resident of this City entitled and qualified to vote therein shall be an Elector of the City. All such Electors who are duly registered as hereinafter provided shall be entitled to vote at all elections of the City at the polling place, as approved by the Common Council⁶⁶.

B. Prepared Lists of Electors⁷¹. The Registrars of Voters shall keep and maintain records concerning Electors.

C. Eligibility⁷². No person shall be eligible for nomination or election to any City office who is not an Elector⁷³ 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 such residence is required for holding the office, shall thereupon cease to hold elective office in the City or district.

D. Time Polls Open⁷⁴. The polls shall be open as required by the General Statutes.

§3-3. Election of Officers and Other Elective Officials.

A. Date of Election⁷⁶. On the first Tuesday after the first Monday of November 1979, 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 of the City. The Elected Public Officials shall be elected by a plurality of ballots; unless otherwise required or permitted by Law. In the event alternate election methods

⁶⁵ 2023 Recodification and modification of current Article III – Part 1. In General, §1-164. Derived from Sp. Laws 1913, No. 352, §47.

⁶⁶ 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.

⁷¹ 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.

⁷² 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.

⁷³ 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."

⁷⁴ Chapter 143. ELECTORS: QUALIFICATIONS AND ADMISSION. Revised to January 1, 2010. C.G.S. §9-12 entitled "Who may be admitted".

⁷⁶ 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.

⁷⁶ 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;¹¹ 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.

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 thereafter⁷⁷. 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.E(3) of this Charter), 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.

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

- (1) The Mayor;
- (2) Fifteen Members of the Common Council, as set forth ____, below;
- (3) Nine Members of the Board of Education as set forth in _____, below;
- (4) Town Clerk who shall be ex officio Registrar of births, marriages and deaths.
- (5) Treasurer;
- (6) City Sheriff.
- (7) Three Selectmen; and,
- (8) Seven Constables.

No person shall vote for more than four (4) Constables.

D. Term of Office.

(1) **Elected City and Town Officers: Two-year Terms.** With the exception of the Board of Education, all of Elected City and Town Officers shall hold office for the term of two years from the second Tuesday 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; and more particularly, §1-227.

(2) **Board of Education: Four-year Term⁷⁸.** All members of the Board of Education shall serve for terms of four years.

(3) **Registrars of Voters: Two-year Term⁷⁹.** The terms of Registrars of Voters shall be for two years from the first Monday in January following their

⁷⁷ 2023 Recodification of current Article III – Part 2. Registrars of Voters. §1-185 (First sentence). Derived from Sp. Laws 1951, No. 334, §3.

⁷⁸ 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.

⁷⁹ 2023 Recodification of current Article III – Part 2. Registrars of Voters. §1-185 (Second sentence). Derived from Sp. Laws 1951, No. 334, §3.

election and until their successors shall be elected and shall have qualified, unless sooner removed for cause as provided by Law.

§3-4. Council Districts.

A. Historical Council Districts Established: Five Council Districts. On the effective date hereof and until otherwise determined by Ordinance, the City of Norwalk is divided into five council districts from each of which two Councilmembers shall be elected at the regular election of the City to be held as set forth in §3-3.A of this Charter⁸⁰. The historical boundaries are set forth in §10-1 of this Charter, entitled “Historical Charter Provisions⁸¹”.

(1) Periodic Revision of District Boundaries: Reapportionment The boundaries of each District may be revised from time to time⁸². The Common Council shall designate such council districts, by letter or number, as it shall deem proper⁸³. The establishment of districts by the Council shall be consistent with Law⁸⁴.

(2) At-Large Councilmembers⁸⁵. There shall be Councilmembers-at-Large elected from the City equivalent in number to the number of council districts as they may exist from time to time.

B. District Election of the Board of Education Members: Five Districts⁸⁶. On the effective date hereof and until otherwise determined by Ordinance, five members of the Board of Education shall be elected one each from each of the Council Districts established in §3-4.A of this Charter as set forth in §10-1 of this Charter and as may be revised in accordance with §3-4.A(1) of this Charter, above.

⁸⁰ 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.

⁸¹ NEW (2023)

⁸² NEW (2023)

⁸³ 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.

⁸⁴ NEW (2023).

⁸⁵ 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.

⁸⁶ 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.”

(1) **At-large Members of the Board of Education.** There shall be four At-Large Members of the Board of Education elected from the City.

(2) **Minority Party Representation Pertaining to the Board of Education**⁸⁷. 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 such 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 Districts⁸⁸. The districts for the election of District Commissioners and other district officers shall be the same as the taxing districts as set forth in the Charter of the City of Norwalk⁸⁹.

§3-5. Tie Votes and Elections⁹⁰.

Whenever at any election there shall be no election to any of the aforesaid offices by reason of a tie vote, such election shall be adjourned until the following Tuesday, and the election to fill such office or offices shall be proceeded with in the manner hereinbefore provided⁹¹.

§3-6. Vacancies⁹².

to fill vacancies which may occur in any town office⁹³.

⁸⁷ 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.

⁸⁸ 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.

⁸⁹ 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.

⁹⁰ 2023 Recodification of current Article III – Part 1. In General, §1-171. Derived from Sp. Laws 1913, No. 352, §53.

⁹¹ 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."

⁹² 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.

⁹³ 2023 Recodification of current Article IV. The Common Council. §1-192 (second clause). Derived from Sp. Laws 1913, No. 352, § 82.

A. Elected Officials Other Than Mayor⁹⁴. Whenever any **Elected Public Official** is elected and for any reason fails to qualify or a vacancy occurs from any cause, including, but not limited to (1) death; (2) resignation; (3) failure to remain an Elector of the City or a resident of district where such residence is required for holding the office; (4) by reason of permanent mental or physical disability or infirmity, shall become incapacitated to discharge the duties of his office; (5) conviction of malfeasance in office or any infamous crime, the Common Council shall, having been called together for the purpose by the Town Clerk, upon one weeks' notice, declare such office vacant and shall forthwith fill such vacancy as provided in this Article, following the publication of Notice.

B. Filling of Vacancies⁹⁵. Unless otherwise set forth by Law, including the provisions of this Charter, the Common Council shall select an Elector of the City and, if applicable, a resident of the district, to fill the vacancy. in the Charter. A plurality of ballots on the Council shall be sufficient to elect the replacement .

(1) Office of Mayor: Succession⁹⁶. Whenever a vacancy occurs in the Office of the Mayor, it shall be filled from the Councilmen of the City;

(2) Office of the City Council⁹⁷. Whenever a vacancy occurs on the Common Council, it shall be filled by the Council from the Electors of the City or residence of the district from which the former incumbent of such office was chosen;

(3) Any other Elective Office⁹⁸. Whenever a vacancy occurs in any other elect Public Office, it shall be filled from the Electors of the City.

In every case, except the office of Mayor, such vacancy shall be filled by an elector of the same political party from which the former incumbent was chosen.

C. Effect of the General Statutes⁹⁹. 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. Provided, if a vacancy occurs in the office of Councilmember, such 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 his election and provided the manner of filling vacancies as described herein shall not apply to vacancies occurring in the Board of Education¹⁰⁰.

⁹⁴ Title added 2023.

⁹⁵ Title added 2023.

⁹⁶ Title added 2023.

⁹⁷ Title added 2023.

⁹⁸ Title added 2023.

⁹⁹ Title added 2023.

¹⁰⁰ 2023 Repeal of current Article III – Part 2. Registrars of Voters. §1-188. Derived from Sp. Laws 1951, No. 334, §6. Historical editor's Note: CGS Section 9-192 states that the Registrar of Voters shall appoint a Deputy Registrar of Voters and shall file with the City Clerk the certificate of such appointment. In the case of death, removal or resignation of the Registrar of Voters, the Deputy Registrar of Voters shall assume the higher office and appoint a deputy. The

D. Powers, Duties and Term of Replacement Public Official¹⁰² The person chosen by the Common Council or otherwise in accordance with the provisions of this Charter to fill such vacancy shall have all the powers and duties of the former incumbent of such vacant office and shall continue therein until the expiration of the term for which the incumbent was elected and until his successor is duly elected and qualified

§3-7. Expulsion of Councilmembers from Office: Restitution¹⁰³

Any Councilmember who shall, while holding office, directly or indirectly take or bargain for any fee or pecuniary consideration to influence his vote or action upon any resolution or ordinance pending in the Common Council shall pay to said city a penalty equal in amount to said fee or pecuniary consideration so directly or indirectly taken or bargained for and shall be expelled from said office, after notice and hearing, by a vote of not less than two-thirds of the Council.

§3-8. Removal of Mayor for Misconduct or Neglect of Duty¹⁰⁴

At any meeting of the Council any member may give written notice, seconded in writing by a majority of all the members, of his intention to propose at the next meeting a resolution removing the Mayor from office for official misconduct or neglect of duty.

A. Content of Notice¹⁰⁵. Such notice shall specify particularly the acts of misconduct or the neglect of duty complained of and shall be entered in the records of the Council, and the Clerk shall serve a copy thereof upon the Mayor and mail a copy to each member of the Council.

B. Right to Be Heard¹⁰⁶. At the next meeting of the Council the Mayor shall have the right to be heard with his witnesses, and said meeting may be adjourned from time to time as said Council may direct.

C. Council Action¹⁰⁷. The vote on the resolution shall be by roll call. If the resolution fails to receive the votes of two-thirds (2/3rds) of the members of the Council, if

provision follows: "Any vacancy which shall occur in the Board of Registrars shall be filled by the Common Council but only from the same political party as that of the retiring incumbent."

¹⁰² Title added 2023.

¹⁰³ 2023 Recodification 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.

¹⁰⁴ 2023 Recodification 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.

¹⁰⁵ 2023 Recodification 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.

¹⁰⁶ 2023 Recodification 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.

¹⁰⁷ 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.

shall have no effect. If it receives the affirmative votes of two-thirds (2/3^{rds}) of the members of the Council, it shall become operative upon the service of a copy thereof upon the Mayor personally or by leaving the same at his residence, and the office of Mayor shall be vacant.

D. Filling of Vacancy¹⁰⁸. The Council shall fill such vacancy as provided in §3-6.B(1).

§3-9. Removal of Any Other Officer for Cause¹⁰⁹.

The Council may enact an Ordinance to provide for the removal of any officer for cause;

§3-10. Oath for Elective Officers¹¹⁰.

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

§3-11. Election expenses¹¹¹.

The Board of Estimate and Taxation shall appropriate sufficient sums to cover the expenses of all elections, including the expenses of each voting precinct and voting place.

¹⁰⁸ 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.

¹⁰⁹ 2023 Recodification of current Article IV. The Common Council. §1-192 (second clause). Derived from Sp. Laws 1913, No. 352, § 82.

¹¹⁰ 2023 Recodification 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..

¹¹¹ 2023 Recodification of current Article III – Part 1. In General, §1-182. Derived from Sp. Laws 1945, No. 134, §4.

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 Charter¹¹².

B. Powers and Duties¹¹³ The Town Clerk shall have all the powers and duties¹¹⁴ prescribed by the General Statutes, this Charter and such other powers and duties as may be prescribed by the Council.

(1) Registrar of Vital Statistics¹¹⁵. The Town Clerk shall serve as Registrar of Vital Statistics, unless otherwise set forth by the General Statutes¹¹⁶.

(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 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.



(b) Election Activities. Coordinating election activities with

¹¹² NEW (2023).

¹¹³ 2023 Recodification and restatement of current Article V, Part 1 – General. §1-217. Derived from Sp. Laws 1913, No. 352, §73.

¹¹⁴ 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.

¹¹⁵ NEW (2023).

¹¹⁶ 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".

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 Employees¹¹⁷. The Town Clerk shall appoint and may remove, **subject to the provisions of the Merit System**, all assistants¹¹⁸ and employees of this office.

(4) Compensation¹¹⁹. The Town Clerk's compensation and benefits shall be determined by the Common Council from time-to-time.

(5) Fees¹²⁰. All fees collected by the Town Clerk shall be paid to the Town, except as otherwise provided by the General Statutes.

(6) Certification¹²¹. For the purpose of Meeting best practices and the highest professional standards, the Town Clerk shall, upon eligibility, participate in the certification program for town clerks, as set forth in the General Statutes.

§6-2. Registrars of Voters¹²².

¹¹⁷ NEW (2023).

¹¹⁸ 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).

¹¹⁹ NEW (2023).

¹²⁰ NEW (2023).

¹²¹ 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".

¹²² 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:

A. Powers and Duties¹²³. There shall be Registrar of Voters who shall have such 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 jointly 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 state law or the city charter.

B. Council may make ordinances and fix compensation¹²⁴. The Common Council may make ordinances to regulate such meetings and elections and to provide for holding and conducting the same.

C. Compensation¹²⁵. The Council shall fix the compensation of the Registrars and their assistants and of the Presiding Officers, box tenders, check clerks and counters, 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 such Registrars.

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.

¹²³ 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”

¹²⁴ 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**

¹²⁵ 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**

D. Operational standards¹²⁶. 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.

(1) **Certification.** For the purpose of meeting the highest professional standards, the Registrars of Voters and any deputy or permanent assistants, upon no more than one hundred eighty Days following hiring, shall participate at the next scheduled session regarding any certification training program for Registrars of Voters, as set forth in the General Statutes in order to obtain certification by the Secretary of the State; or in the event, there is no such program any continuing education programs offered by national organizations or associations pertaining to local election administration.

E. Establishment of Precincts and Voting Places.

(1) **Voting Precincts¹²⁷.** 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.

(2) **Voting Places¹²⁸.** 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.

(3) **Precinct Voting Lists¹²⁹.** The Registrars shall compile separate voting lists for each precinct so established and designated.

§6-3. Powers and Duties of Constables¹³⁰.

The powers and duties of the City Clerk, Registrar of Voters, and Constables shall be those by law conferred and imposed upon such officers of towns.

§6-4. Sheriff: Authority and Duties¹³¹.

¹²⁶ NEW (2023)

¹²⁷ 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.

¹²⁸ 2023 Recodification and edit of current Article III – Part 1. In General, §1-180. Derived from Sp. Laws 1945, No. 134, §2.

¹²⁹ 2023 Recodification of current Article III – Part 1. In General, §1-181. Derived from Sp. Laws 1945, No. 134, §3.

¹³⁰ 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.

¹³¹ 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 of the City 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 notices of the Council when directed by the Clerk, and shall collect such bills and assessments as the Council may order, and he shall receive for all services rendered the legal fees provided by the general statutes for Constables of towns.

§6-5. The Selectmen.

A. Powers and Duties of Selectmen¹³². The powers and duties of the Selectmen shall, on and after the first (1st) Monday of October, 1913, be limited to the powers vested in and duties imposed upon them by the constitution and laws of the state in relation to the admission of persons to the privileges of electors in said town and the erasure from the registry list of the names of those who have forfeited the privileges of electors.

B. Salary of the Selectmen of the Town of Norwalk¹³³. The salary of each of the Selectmen of the Town of Norwalk shall, from September 1, 1947, be one hundred (\$150) dollars per annum.



¹³² 2023 Recodification of current Article V, Part 1 – General. §1-216. Derived from Sp. Laws 1913, No. 352, §72.

¹³³ 2023 Recodification of current Article V, Part 1 – General. §1-215. Derived from Sp. Laws 1947, No. 215, Historical Editor's Note: *For election provision refer to § 1-166.*

ARTICLE IX: EDUCATION¹³⁴

§9-1. Board of Education¹³⁵.



A. Creation and Composition of Board of Education¹³⁶.

(1) **Composition**¹³⁷. There shall be a Department of Education which shall be under the control of nine (9) members, who shall be Electors of the City of Norwalk, and shall be known as the Board of Education. Its members shall be elected as hereinbefore provided.



(2) **Duties**¹³⁸. The Board shall perform the duties and have the powers provided by the statutes for town boards of education.

(3) **Meetings**¹³⁹. The Board shall hold a regular meeting each month.

(4) **Mayor Ex-Officio Non-Voting Chair of the Board**¹⁴⁰. The Mayor shall be, ex officio, Chair of the Board of Education and shall preside at all meetings of said Board. The Mayor shall have 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**¹⁴¹. The Board shall elect from its number a Chair pro tempore, who shall preside at all meetings of the Board in the absence of the Mayor. It shall also elect from its number a Secretary, who shall keep a record of all votes, acts and transactions of the Board and shall perform all duties imposed by the Board or by law.

¹³⁴ 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.

¹³⁵ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education.

¹³⁶ 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.

¹³⁷ 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 § **1-167**.

¹³⁸ 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..

¹³⁹ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Second sentence).

¹⁴⁰ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Third and fourth sentences).

¹⁴¹ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Fifth and sixth sentences).

(6) Appointment of Superintendent¹⁴². The Board shall elect a Superintendent of Schools, in accordance with the General Statutes, and such number of assistants, principals and teachers as it may deem necessary and prescribe their respective terms of office and duties.

(7) Other Appointments¹⁴³. The Board may make such appointments before any appropriation has been made to cover the salaries of the persons appointed, and § **1-213** of the act of consolidation shall not apply to such obligations.

(8) Vacancy¹⁴⁴. Should a vacancy occur in the membership of said Board, the vacancy shall be filled by the town committee of the political party to which the Board of Education member whose office has become vacant had been a registered member at the time of his election.

(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 shall 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.

(9) Duties of Board¹⁴⁵. The Board of Education of the City of Norwalk shall have charge and direction of the public schools in the City and of the expenditure of moneys appropriated for the support of the same¹⁴⁶. This authority shall not include erection of new schools or additions to the present buildings. The Board shall keep all the school buildings and apparatus used therein in good condition and repair, and shall have the powers and be subject to the general duties and limitations of Boards of Education. School Committees and school visitors in this state, so far as the same are consistent with the provisions of §§ **1-**

¹⁴² 2023 Recodification and modification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Seventh sentence).

¹⁴³ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Eighth sentence).

¹⁴⁴ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Ninth through thirteenth sentences).

¹⁴⁵ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-517. Derived from Sp. Laws 1931, No. 315, § 1.

¹⁴⁶ Editor's Note: See also § **1-248**, for purchase of commodities by Comptroller.

517 to 1-519. It shall make its by-laws, define the duties of its officers and committee and prescribe rules and regulations for discipline in the public schools.

(10) Board Reports¹⁴⁷. The Board . . . shall at the end of each fiscal year, 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 City¹⁴⁸.

§9-2. School Districts¹⁵¹.

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. Budget¹⁵².

The Board of Education and Superintendent shall submit its budget to the Chief Financial Officer and the Mayor at the same time as other Departments. If the Board receives an appropriation greater or less than its original request, it shall 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 shall report monthly to the Mayor, Chief Financial Officer, Board of Estimate and Taxation and to the Council a comparison of actual and estimated expenditures.

§9-4. Compliance and Cooperation¹⁵³.

The Board of Education, Superintendent and employees of the Department of Education shall cooperate with the Mayor, Chief Financial Officer, Board of Estimate and

¹⁴⁷ 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.

¹⁴⁸ 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.

¹⁵¹ 2023 Recodification of current Article XVIII, entitled "Schools", Part 1. General. §1-508. Derived from Sp. Laws 1913, No. 352, § 165.

¹⁵² NEW (2023)

¹⁵³ NEW (2023)

Taxation, the Common Council, Planning and Zoning Commission and other Departments, Boards and Commission of the City as set forth in this Charter and as otherwise required by Law.

§9-5. Reporting Requirements¹⁵⁴.

Unless otherwise specifically prohibited by the General Statutes, commencing on the 1st 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 quarterly report on all contracts (including, agreements, memoranda of understanding, memoranda or agreement, letters of understanding, side letters and other agreements) entered into on behalf of the Town, including but not limited to, those executed within the budget limits or other authority established under Law; however, excluding all such contracts (as defined in this subsection) as may be exempted from disclosure by federal or state Law or otherwise not capable of redaction in order to protect statutory privacy rights of individuals.

¹⁵⁴ NEW (2023)

ARTICLE XI: HISTORICAL PROVISIONS

§11-1. Historical Council Districts¹⁵⁵.

The following are the Historical Council Districts referred to in §3-4.A of this Charter, 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 southwestly 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 of Scribner Avenue to the intersection of Senga Road and continuing easterly along the center line of Senga Road to the intersection of Richmond

¹⁵⁵ 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.

Hill Road and continuing southerly along the center line of Richmond Hill Road to the intersection of McAllister Avenue and continuing easterly along the center line of McAllister Avenue to the intersection of Woodlawn Avenue and continuing southerly along the center line of Woodlawn Avenue to the intersection of Flax Hill Road and continuing easterly along the center line of Flax Hill Road to the division line of the Second and Fifth Taxing Districts; and so much of the Fifth Taxing District as is bounded by a line beginning at the intersection of the boundary line between the Second and Fifth Taxing Districts and the center lines of Glasser Street and Windsor Place; thence in a southerly direction along the center line of Glasser Street to the intersection of Bouton Street; thence in a southerly direction along the center line of Bouton Street to the intersection of Riordan Street; thence continuing easterly along the center line of Riordan Street to its intersection with the Pennsylvania Railroad right-of-way and continuing southerly along the center line of the railroad to the intersection of the division line between the Fifth and Sixth Taxing Districts south of Charcoal Road; thence continuing southeasterly in a straight line to the intersection of the railroad right-of-way; thence continuing northerly along the center line of the railroad to its intersection with the division line between the Second and Fifth Taxing Districts; and so much of the Fifth Taxing District as is bounded by a line beginning at the intersection of Woodward Avenue and the division line between the Second and Fifth Taxing Districts and continuing southerly along the center line of Woodward Avenue to the intersection of Naromake Avenue and continuing easterly along the center line of Naromake Avenue to the intersection of the division line between the Second and Fifth Taxing Districts.

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

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

ARTICLE XII: TAXING DISTRICTS (PARTIAL)

§12-1. General.

A. Division into six taxing districts¹⁵⁶. Said city is divided into six taxing districts. The First and Second Wards¹⁵⁷ shall be the First and Second Taxing Districts¹⁵⁸. 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 District¹⁵⁹. 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 shall be the Fourth Taxing District. The Fifth Taxing District shall be the entire city.

B. Taxing District Officers.

(1) Board of Commissioners and Treasurer in First Taxing District¹⁶⁰. 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 (3) Commissioners for the terms of office of two (2), four (4) and six (6) 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 (2) years and until his successor is elected and qualified. Biennially thereafter there shall be elected in the First Ward by the electors of the First Taxing District one (1) Commissioner who shall hold office for the term of six (6) years and until his successor is elected and qualified, and a Treasurer of the First Taxing District who shall hold office for the term of two (2) years and until his 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 District¹⁶¹. 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 (3) Commissioners for the terms of office of two (2), four (4), and six (6) 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 (3) members of

¹⁵⁶ 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.

¹⁵⁷ Editor's Note: For descriptions of Wards refer to Art. I, § 1-3

¹⁵⁸ Editor's Note: For First Taxing District see Art. II, Part 2. For Second Taxing District see, Art. II, Part 3.

¹⁵⁹ Editor's Note: For Third Taxing District see Art. II, Part 4.

¹⁶⁰ 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.

¹⁶¹ 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.

the Board of Electrical Commissioners, which members shall hold office for the terms of two (2), four (4) and six (6) 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 (2) years and until his successor is elected and qualified. Biennially thereafter there shall be elected in the Second Taxing District one (1) Commissioner and one (1) member of the Board of Electrical Commissioners, each of whom shall hold office for the term of six (6) years and until his successor is elected and qualified, and a Treasurer of the Second Taxing District who shall hold office for the term of two (2) years and until his successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

(3) Board of Commissioners and Treasurer in Third Taxing District¹⁶². 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 (3) Commissioners for the terms of office of two (2), four (4), and six (6) 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 District¹⁶³ who shall hold office for the term of two (2) years and until his 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 (6) years and until his successor is elected and qualified, and a Treasurer of the Third Taxing District who shall hold office for the term of two (2) years and until his successor is elected and qualified. The terms of office of the Commissioners and Treasurer shall begin on the Wednesday following their election.

C. Vacancies in Elective Offices of the First, Second, Third or Sixth Taxing Districts¹⁶⁴. 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 Common Council¹⁶⁵.

¹⁶² 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.

¹⁶³ Historical Editor's Note: The Third Taxing District is meant.

¹⁶⁴ 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..

¹⁶⁵ 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

A. to authorize the Mayor, upon the vote of the Council, to borrow in the name of the city, and upon the responsibility of the Fourth or Fifth District, as the case may be, for the purpose of paying the running expenses of the city, money in anticipation of the collection of taxes¹⁶⁶;

B. to define, designate and specify additional territory situated in the Fourth or Fifth Wards of said city 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 erected¹⁶⁷;

C. to maintain an efficient police force in the Fourth Taxing District at the expense of said district;

D. to protect said city from fire; to maintain a Fire Department in the Fourth Taxing District and to provide apparatus therefor;

E. to purchase necessary fire engines, hose carriages, horses, and other fire apparatus at the expense of said Fourth District; to make rules and regulations for the safekeeping and preservation of all apparatus connected with and used by said Fire Departments;

F. to provide for the collection, removal, and disposal of garbage, ashes, and refuse in the Fourth Taxing District at the expense of said district;

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.

¹⁶⁶ Historical editor's Note: (1) See §§ **1-200** to **1-202** for power to borrow money.

¹⁶⁷ (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.

- A.** The Council shall have power for the following purposes:

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RECOMMENDED FOR REPEAL

§1-4. Continuance of Rights and Obligations.

A. Exclusion of Town Meetings¹⁶⁸. No town meeting shall be held in the Town of Norwalk except for the election of town officers herein provided for, and said meetings shall be warned by the City Clerk as hereinafter provided.

B. Rights, privileges, and immunities vested in the Cities of Norwalk, South Norwalk, East Norwalk Fire District and the Town of Norwalk¹⁶⁹. Nothing herein shall be construed to affect any rights, privileges, or immunities vested in the cities of Norwalk or South Norwalk or in the East Norwalk Fire District or in the Town of Norwalk, and all rules, regulations, ordinances, and bylaws of said municipalities, not inconsistent herewith, are hereby continued in force. The Bridge Construction Committee in charge of the construction of the Washington Street Bridge shall continue in office until said bridge is completed.

C. Continuance of former District Officers¹⁷⁰. All officers of the cities of Norwalk and South Norwalk, of the Town of Norwalk and of the East Norwalk Fire District shall continue to hold office and perform the duties incumbent upon said officers by charter and statutory provisions until the officers hereinbefore provided for shall be elected and qualified.

§1-6. Historical Special Act Provisions.

A. Building, owning, leasing and using docks, wharves, piers, bridges and property along waterfront¹⁷¹. The City of Norwalk may build, own and maintain docks and wharves, piers and bridges upon such property along the waterfront as it now owns, or may hereafter acquire or any part thereof, and may lease the same from time to time upon such terms as the Councilmen of said City may fix, and collect and receive compensation therefor, or may reserve said piers and docks for public uses other than business uses, and may from time to time adopt, amend and repeal bylaws or ordinances regulating such use.

B. Acquisition of public lands and buildings owned by any taxing district¹⁷². The City of Norwalk is authorized to acquire, take over and own, by purchase or otherwise, as in the judgment of the Council of said City may seem advisable or necessary, and upon such terms as said Council may agree upon with the owner or

¹⁶⁸ 2023 Recodification of current Article I - General. §1-6. Derived from Sp. Laws 1913, No. 352, §9.

¹⁶⁹ 2023 Recodification of current Article I - 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.

¹⁷⁰ 2023 Recodification of 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**.*

¹⁷¹ 2023 Recodification of 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.

¹⁷² 2023 Recodification of current Article I - General. §1-9. Derived from Sp. Laws 1931, No. 283, §1.

owners thereof, any buildings of a public nature and the lands used therewith, now or hereafter owned by any taxing district within the corporate limits of said City.

C. Acquisition of property for public use by condemnation¹⁷³. In the event that said Council and the owner or owners of any such lands and buildings shall be unable to agree upon the price to be paid by said City for any such lands and buildings advisable or necessary to be acquired or taken over by said City, said City may proceed to acquire the same in the manner provided by statute for acquiring property for public use by condemnation.

D. Acquisition of school property owned by taxing districts¹⁷⁴. Nothing herein contained shall authorize said City to pay any money to any taxing district in said City to acquire any school property claimed to be owned by any such district.

E. Care and maintenance of sewer systems; continuance of former municipality Police and Fire Departments¹⁷⁵. 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 said several districts respecting said sewers shall continue in force until the City shall repeal or alter the same. Said City shall maintain the police forces and fire departments existing at the passage of this act in said cities of Norwalk and South Norwalk, and the Fire Department of the East Norwalk Fire District, as provided by the charters of said cities, and under the ordinances, by-laws, rules, and regulations of said former municipalities, until the same are modified or revoked by the Council and until under authority of this act said City shall establish and maintain a police force and a fire department for said Fourth District. The members of said police forces and fire departments at the passage of this act shall remain members of the respective police forces 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.

F. Maintenance of garbage-disposal plant¹⁷⁶. Said City shall maintain the garbage-disposal plant of the Second Taxing District at the expense of said district until the City shall establish and maintain a like plant for the Fourth District.

G. Authorization of Council to establish a building district where it shall be unlawful to construct or remove wooden buildings¹⁷⁷. The Council is authorized to establish a building district within which it shall be unlawful to erect, elevate, enlarge,

¹⁷³ 2023 Recodification of current Article I - General. §1-10. Derived from Sp. Laws 1931, No. 283, §2.

¹⁷⁴ 2023 Recodification of current Article I - General. §1-11. Derived from Sp. Laws 1931, No. 283, §3.

¹⁷⁵ 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.

¹⁷⁶ 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. Copies kept in the offices of the City Clerk and Town Clerk and in the Finance Department.

¹⁷⁷ 2023 Recodification of 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 t.

or repair, or into and within which it shall be unlawful to remove any wooden building except by permission of said Council, and to prescribe such penalties for violation of any ordinance made in pursuance hereof as authorized by § **1-191** and § **1-192** hereof. If any person, without a permit therefor, within the district so established, shall threaten to erect, elevate, enlarge, or repair any building as aforesaid, or move the same, the Corporation Counsel may, in the name of said City, institute, before the town court or any other court having jurisdiction, a proceeding to restrain such person from making such erection, elevation, enlargement, or repair of such building, or from moving the same, and said court shall render such judgment therein as may be proper and tax the costs of such proceeding as provided for the taxation of costs in civil actions.

H. Building lines in Fourth Taxing District; and removal of buildings¹⁷⁸.

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 said City between which line or lines and said highway or street no building or part thereof, not any stoop or part thereof, shall be erected.¹⁷⁹ Any person violating either provision of this section shall be fined not 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.

I. Salaries of the Officers of the City and Town of Norwalk¹⁷⁹. On and after September 1, 1933, the salaries of the several officers of the City and Town of Norwalk shall be paid monthly and shall be as follows: The Mayor shall receive \$2,500 per annum; the Councilmen, each, \$300 per annum; the City Clerk, \$2,000 per annum; the Treasurer, \$300 per annum; each member of the Board of Relief, \$150 per annum and the Selectmen of said town, \$50 per annum

§2-4. Division of City into Wards¹⁸⁰.

Said City is divided into five (5) wards:

A. First Ward. 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.

B. Second 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 *onsolidation

¹⁷⁸ 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.

¹⁷⁹ 2023 Recodification of 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**.

¹⁸⁰ 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.

with the City of Norwalk and the East Norwalk Fire District in 1913 shall be the Second Ward.

C. Third 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.

D. Fourth 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.

E. Fifth 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 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.

§3-8. List of voters; challenge of voters; perjury in claiming right to vote; time polls open; electors, checkers, challengers, box and booth tenders and counters; certificates of results; returns; preservation of peace; blanks for reports; voting machines¹⁸¹.

A. Challenge of Voting Right¹⁸². The presiding officer in each ward shall receive the ballots of all persons whose names are on said list for said ward, unless the right of any such person to vote shall be challenged, in which case the presiding officer shall, before receiving said vote, make inquiry into the right of said person to vote, and may administer oaths to parties challenged and to witnesses heard, and shall receive or reject said vote. The name of any elector omitted from said list by clerical error shall be added upon election day by the presiding officer of the ward in which such elector resides, upon sworn evidence of his right to vote.

¹⁸¹ 2023 Recodification of current Article III – Part 1. In General, §1-170. Derived from Sp. Laws 1913, No. 352, § 52; Sp. Laws 1921, No. 400, § 2.

¹⁸² Title added 2023.

B. Perjury in Claiming Right to Vote¹⁸³. Any person who when examined by any presiding officer relative to the, right of any person to vote shall make any false statement shall be guilty of perjury.

C. Appointments by the Registrars of Voters¹⁸⁴. The Registrars of Voters of the Town of Norwalk, who shall be the Board of Registrars of said City, shall, by agreement or by lot, appoint an elector from each ward to be Presiding Officer of said ward at each such election, and shall appoint one or more assistants to said presiding officer. They shall also appoint checkers, challengers, official ballot tenders, box tenders, and secret booth tenders, and counters to count the vote after the polls are closed in each ward.

D. Certificates of Results¹⁸⁵. The Presiding Officer shall receive and deposit in the ballot box the ballots of those persons only qualified to vote as hereinbefore prescribed. Immediately after the polls are closed the counters, without removing the box, shall publicly count the ballots therein contained, and shall report the result of such count to the Presiding Officer of said ward, who shall publicly declare the same. The Presiding Officer of each ward except the First shall immediately transmit to the Presiding Officer of the First Ward a certificate of the result in the ward in which he is the Presiding Officer. The Presiding Officer of the First Ward shall cause said returns to be compiled and publicly announce the result of the vote and shall forthwith transmit a copy of said result to the City Clerk, who shall record the same.

E. Preservation of Order¹⁸⁶. The Presiding Officer of each ward shall have all the powers for the preservation of the peace at said meeting conferred by law upon moderators of town meetings. Said Registrars, Presiding Officers, and other election officers shall be subject to the same penalties for refusal or neglect to discharge their duties or for malfeasance in office as are prescribed for like offenses at electors' meetings. Within twenty-four (24) hours after the closing of the polls in each ward the Registrars of Voters shall return to the City Clerk a certificate stating the whole number of names on the registry list of each ward, the number of names checked as having voted in each ward, and the number of names not checked in each ward. The Registrars of Voters, in carrying out the provisions of this section, may employ their several assistants in the same manner allowed in preparing the registry lists of said Town of Norwalk.

F. Blanks for Reports¹⁸⁷. The City Clerk shall cause to be prepared and delivered to the Presiding Officer of each ward and to the Registrars, at least two (2) days before any election for City officers, uniform blanks on which to make all certificates and reports.

¹⁸³ Title added 2023.

¹⁸⁴ Title added 2023.

¹⁸⁵ Title added 2023.

¹⁸⁶ Title added 2023.

¹⁸⁷ Title and parenthetical numbers added 2023.

G. Voting Machines¹⁸⁸. If said City installs voting machines said election shall be conducted according to the laws authorizing the use of voting machines at elections.

§9-2.A(11). Bonds and Notes¹⁸⁹: Bond Issue of 1957; Minimum Fee for Students Attending Technical Institute¹⁹⁰. The minimum fee chargeable to each full-time student attending any post-secondary state technical institute shall be \$100 per annum. This §6 shall take effect July 1, 1959.

¹⁸⁸ Title added 2023.

¹⁸⁹ 2023 Recodification of 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.

¹⁹⁰ 2023 Recodification of current Article XVIII, entitled "Schools", Part 3. Bonds and Notes. §1-614. Derived from Sp. Laws 1957, No. 665, §§ 6, 7.

ARTICLE X: BUDGET, PUBLIC FUNDS AND FINANCE

§10-1. The Budget Process¹.

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

(1) Operating Budget³: The Operating Budget shall be adopted annually and shall consist of all expected revenues and expenditures and, for the purposes of short- and long-term financial planning, including detailed estimates of revenues, capital expenses and operating expenses, including, but not limited to operating expenses, personal and annual facility costs and all expected revenues, all 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 Budget⁴: The Capital Budget shall be adopted annually and shall consist of expected costs of improvements to City facilities infrastructure and long-term assets which are contemplated to be financed through borrowing. Each Capital Budget shall include a non-binding five-year projection of upcoming capital needs for the City.

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 such successor policies thereto) Public Officials and employees of the City shall embrace principles of accountability, transparency and outreach in order to expand public participation, engagement and trust in the budgetary process of the City.

B. Fiscal Year⁵. The fiscal year of the City shall begin on July 1st and end on

¹ NEW (2023)

² NEW (2023).

³ NEW (2023)

⁴ 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.

⁵ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No.

the June 30th.

C. The Budget: A public record.

(1) **Public Inspection**⁶. Following publication and posting, the budget documents, comprised of the proposed Operating Budget and Capital Budget, shall be a public record filed in the office of the City Clerk. The budget documents shall be available at the Office of the City Clerk and on the City's website or electronic media or public facilities including libraries and schools, as may be determined by the Mayor or the Common Council. Physical copies of the budget shall be provided within seventy-two hours of submission subject to a reasonable charge as permitted by Law. Consistent with the notice provisions of this Charter, the Mayor shall provide electronic access to the budget.

(2) **Public Engagement**⁷. The Mayor, Common Council, Board of Estimate and Taxation, Board of Education and Planning and Zoning Commission shall 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.

D. Budget Calendar⁸. Not later than October 15th of each year, the Chief Financial Officer shall cause to be published a budget calendar, including procedural rules, in order to inform the public of the significant milestones in the budget process, including but not limited to:

- (1) _____
- (2) _____
- (3) _____



Annual Operating Budget Estimates

§10-2. The Operating Budget Process.

A. Authority to Require Operating Budget Estimates⁹. The Mayor has the authority to require each Department and Budgeted Entities (including the Board of Education and the Norwalk Public Schools) to submit to the Mayor or a designee such (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,

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

⁶ NEW (2023)

⁷ NEW (2023)

⁸ NEW (2023).

⁹ NEW (2023)

books, accounts, contracts, reports and other papers and documents as specified by the Mayor (or designee) all of which are necessary to discharge the duties imposed upon the Mayor by this Charter.

B. Submission of Operating Budget Estimates¹⁰. Each Department and other Budgeted Entities (including the Board of Education and the Norwalk Public Schools) through their Department Head or other responsible officer, shall, on or before the December 15th of each year, 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:

~~**C. Submission of Annual Departmental Operating Budget Proposals to Chief Financial Officer¹⁶.** 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.~~

The Proposed Mayor's Operating Budget

§10-3. Submission of the Mayor's Proposed Operating Budget to the Board of Estimate and Taxation¹⁷ and Common Council¹⁸. The Mayor or designee shall submit to the Board of Estimate and Taxation at a meeting of the Board to be held on or before February 15th of each year; and, the Common Council, on or before February 22nd of each year, the Mayor's Proposed Operating Budget, comprised of the following:

A. Narrative and Recommendations¹⁹. The Mayor's narrative and recommendation on the contents of the Proposed Operating Budget; and,

¹⁰ 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

¹⁶ 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.*

¹⁷ 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.*

¹⁸ 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

¹⁹ 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 Board of Education)²¹. An estimate of the amounts requested by each Department and Budgeted Entity (including the Board of Education) giving the particulars as far as possible and recommending appropriations for all the expenses of the City, and recommending a mil rate applied to the assessed value of property (the sum of which for the City is referred to as the Grand List) as deemed necessary to meet such expenses, after deducting the amount of the available revenue for the fiscal year as well as any other necessary adjustments. 

§10-4. Review by the Board of Estimate and Taxation.

A. Furnishing of Information²². The Board of Estimate and Taxation shall have power to require the Department Heads and responsible officers for each Budgeted Entity to furnish such required information requisite, in the opinion of the Board, to enable it to discharge the duties imposed upon it by this Charter.

B. The Power to Levy Taxes, Fiscal Year²³. The Board of Estimate and Taxation shall have power 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 laid by the Board shall be laid upon the assessment list of the City last completed.**

§10-5. Notice and Publication of the Mayor's Proposed Operating Budget²⁴.

The Chief Financial Officer or other designee of the Mayor, shall cause the Mayor's Proposed Operating Budget to be published, in accordance with the notice provisions of this Charter or as further required by Ordinance, at least **five days before the fourth Monday of February of each year.**

§10-6. Review by the Common Council.

²¹ 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.

²² 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

²³ 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

²⁴ 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

A. Maximum Limit on Total Appropriations²⁵. The Common Council shall, 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 of majority of the entire membership of the Council, a maximum limit on total appropriations for the City as set forth in 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 (Currently Sec. 1-669 or Sec. 4-14)²⁶. The Common Council resolution shall be exempt from the application of §1-669 of this Charter.

C. Exemption of Grants from Maximum Taxation²⁷. Any grants from private, state or federal sources received after the adoption of any maximum taxation by the Common Council under this section shall be exempt from the maximum limitation.

§10-7. Board of Estimate and Taxation Deliberations on the Mayor's Proposed Operating Budget²⁸.

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

§10-8. Transmittal of Board of Estimate and Taxation's Approved Operating Budget to the Common Council.

²⁵ 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

²⁶ 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

²⁷ 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

²⁸ 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

A. Submission of Statement of Appropriations and Tax Rates to Common Council²⁹. The Board of Estimate and Taxation, having made such alterations, increases and decreases, if any, shall 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 the April 1st of each year.

B. Deliberations of the Common Council³⁰. 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 a two-thirds (2/3^{rds}) affirmative vote of the entire membership of the Council.

C. Exemption from the referendum provisions of this Charter (Currently Sec. 1-669 or Sec. 4-14)³¹. The Common Council vote shall be exempt from the application of §1-669 of this Charter.

§10-9. Final Actions by Board of Estimate and Taxation.

A. Alteration of Common Council Limits³². The Board of Estimate and Taxation shall thereupon make such 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 Publication³³. The Board of Estimate and Taxation shall cause the Proposed Operating Budget as set forth in 10-9.A, above, to be published in

²⁹ 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

³⁰ 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

³¹ 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

³² 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

³³ 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). See, derivations in fn #31.

accordance with the 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 Rates³⁴. The Board of Estimate and Taxation shall hold a meeting no later than May 7th of each year, and at the meeting may make such further alterations in such estimates, appropriations and tax rates as it shall deem proper, and shall have power to make appropriations and lay taxes, and the Board may fix the time or times when any tax laid by it shall become due and payable, and may divide such tax and make the same payable in two or more installments.

D. No Further Action by Common Council³⁵. No appropriation made at such meeting shall require the approval of the Common Council; provided, however, that the total amount of such appropriations shall not exceed the maximum limit established by the Council as hereinabove provided.

E. Actions Subject to Referendum Provisions of the Charter³⁶. The actions of the Board of Estimate and Taxation at such meeting shall be subject to the provisions of _____ §1-669 of this Charter.

§10-10. Appropriations Shall Not Exceed Estimate of Revenues³⁷.

The Board of Estimate and Taxation shall have no power 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 purpose for which the City is authorized to issue bonds, and when bonds are so issued.

§10-11. Limitations on Expenditures and Revenues; Action by Board of Estimate and Common Council.

³⁴ 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

³⁵ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fourth sentence). See derivations in fn #33.

³⁶ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fifth sentence). See derivations in fn. #33.

³⁷ 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 Limit³⁸. No money other than that appropriated as aforesaid by the Board of Estimate and Taxation in the final budget shall be expended unless a special appropriation therefor has been provided by the Board of Estimate and Taxation at a special meeting called for that purpose and has been approved by a two-thirds (2/3^{rds}) affirmative vote of the entire member of the Common Council. Any special appropriation approved in such manner shall be exempt from the maximum limit established by the Council as hereinabove provided.

B. Special Appropriations³⁹. If a special appropriation in excess of the unappropriated revenues of the City is required, an estimate of the same shall be prepared by the Chief Financial Officer and submitted to the Board of Estimate and Taxation at a special meeting called for that purpose; and the Board, at the meeting or an adjournment thereof, shall have power to make any such appropriation, and to lay a special tax to meet the same, but no such appropriation shall be made unless a special tax laid is sufficient to cover the amount when such appropriation is in excess of the unappropriated revenues of the City, and unless such special tax has been approved by a two-thirds (2/3^{rds}) affirmative vote of the entire membership of the Common Council.

C. Specific Purpose Appropriations⁴⁰. 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 ninety 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 thirty 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 such appropriations.

The Capital Fund Budget

§10-12. Submission of Estimate of Capital Budget Items⁴¹.

³⁸ 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-seventh and twenty-eighth sentences).

³⁹ 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

⁴⁰ 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

⁴¹ NEW (2023). Derived from §30-5 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

A. Submission of Estimate of Capital Budget Items. On or before December 31st of each year, each Department Head and responsible officer for each Budgeted Entity (including the Board of Education and the Norwalk Public Schools) shall submit to the Planning and Zoning Commission and the Chief Financial Officer a detailed estimate of all Capital Budget Items, as defined in **§ 10-12.B.** below, which, in the judgment of each Department Head and responsible officer, should be undertaken within the five succeeding fiscal years in accordance with the Capital Projects Program, as defined in **§10-12.C**, below.. These estimates shall be known as "estimates for capital projects" and shall be in such form as the Chief Financial Officer shall prescribe. These estimates shall be public records and shall be open for inspection at all reasonable times.

B. Capital Budget Items⁴². As defined in 2-2C(7) of this Charter.

C. Capital Projects Program⁴³. The proposed five-year program of capital expenditures to which consideration shall be given by the Departments or other Budgeted Entities in whom that responsibility is vested, and in the manner prescribed by this Charter, shall constitute and be known as the "capital projects program."

§10-13. Chief Financial Officer's Report⁴⁴.

Following the receipt of estimates for capital projects and not later than February 1st of each year, the Chief Financial Officer shall report to the Board of Estimate and Taxation, the Common Council and the Planning and Zoning Commission the amount of the expenditures requested and Chief Financial Officer's (A) estimate of the effect of such expenditures upon the current budget and the bonded indebtedness for the succeeding years; and (B) recommendations relative thereto.

§10-14. Review by the Planning and Zoning Commission⁴⁵.

A. Public Hearings. On or before February 15th in each year, the Planning and Zoning Commission shall hold hearings on the proposed capital projects program for the ensuing five years, 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, and members of the Common Council may be heard in respect to estimates for each of these years.

B. Role of the Planning and Zoning Commission. The role of the Planning and Zoning Commission shall be to ensure that each capital budget item in the proposed capital projects program 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 in respect to such estimates, including

⁴² NEW (2023). Derived from §30-4 of the Code of Ordinances.

⁴³ NEW (2023) Derived from §30-3 of the Code of Ordinances.

⁴⁴ NEW (2023). Derived from §30-6 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

⁴⁵ NEW (2023). Derived from §30-7 of the Code of Ordinances. Amended 3-10-1959; 9-28-2021.

preliminary plans, sketches, layouts and surveys.

D. Report of the Planning and Zoning Commission. The Planning and Zoning Commission shall 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. The Planning and Zoning Commission shall deliver such report to the Mayor as provided in §10-15 and also to the Common Council, Board of Estimate and Taxation and Chief Financial Officer.

§10-15. Review by the Mayor⁴⁶.

The proposed capital budgets program, together with the report of the Planning and Zoning Commission as provided in §10-14, shall 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 §10-14. In the event the Planning and Zoning Commission determines that any such 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 so report when submitted to the Board of Estimate and Taxation and the Common Council.

§10-16. Action by the Board of Estimate and Taxation⁴⁷.

A. Transmittal by the Mayor to the Board of Estimate and Taxation. The Mayor's Proposed Capital Budget shall, on or before March 15th of each year, be transmitted to the Board of Estimate and Taxation. The Board shall approve the capital budget incorporating therein such recommendations as the Mayor, the Planning and Zoning Commission and the Chief Financial Officer may make.

B. Transmittal by the Board of Estimate and Taxation to the Common Council. Upon approval of the Mayor's Proposed Capital Budget, the Board of Estimate and Taxation shall 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 such capital budget and the effect such expenditures will, in its opinion, have upon the operating expenses and credit of the City.

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

§10-17. Adoption of Budget⁴⁸.

⁴⁶ NEW (2023). Derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁴⁷ NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁴⁸ NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

A. Actions of the Common Council. Upon receipt of the recommendations of the Board of Estimate and Taxation, the Common Council may approve, reject, reduce or reinstate any item in the Proposed Capital Budget by an affirmative vote of the majority of its members, present and voting.

B. Deadline for Approval. The Common Council shall 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 shall be deemed approved by it.

C. Items Deemed Inconsistent with the Plan of Conservation and Development. Notwithstanding anything to the contrary in this Article, if any proposed capital project item has been determined by the Planning and Zoning Commission not to be consistent with the City's Plan of Conservation and Development for the physical development of the City, such item shall not be included in any capital budget or otherwise funded unless and until it has been approved by a two-thirds (2/3^{ds}) affirmative vote of the Common Council, present and voting.

§10-18. Allotments and recommendations for termination or abandonment of capital budget items⁴⁹.

A. Allotments⁵². 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 Council⁵⁵. Any capital budget item may be terminated or abandoned, provided that the Mayor shall give written notice to the Planning and Zoning Commission of the reason for termination or abandonment. Thereafter, the Planning and Zoning Commission shall, within thirty days after the receipt of such notice, forward its recommendations to the Common Council. The Council shall hold a public hearing thereon. In the event of approval by the Planning and Zoning Commission of the Mayor's request, a majority 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 such disapproval by recorded vote of not less than two-thirds (2/3^{ds}) of its entire membership.

C. Unencumbered Funds⁵⁶. 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 such surplus funds are used to finance additional obligations as provided for in §10-20 of this Charter.

⁴⁹ NEW (2023). Derived from §30-10.1 of the Code of Ordinances. Added 1-24-1961; amended 5-13-2003; 9-28-2021.

⁵² NEW (2023). Derived from §30-10.1.B (First sentence) of the Code of Ordinances

⁵⁵ NEW (2023). Derived from §30-10.1.B (Fourth and fifth sentences) of the Code of Ordinances

⁵⁶ NEW (2023). Derived from §30-10.1.C of the Code of Ordinances

§10-19. Restrictions⁵⁷.

No obligations of the City shall be authorized or expenditures made in any fiscal year for or on account of the capital budget unless such obligations or expenditures shall have been included in the capital budget as finally approved for that fiscal year or a prior year, except as hereafter provided. Additional obligations may be authorized and expenditures made; provided that such obligations or expenditures shall be recommended in writing by the Mayor to the Planning and Zoning Commission, which shall, within ten days after receipt thereof, forward the same to the Common Council with its recommendations relative thereto. Except as otherwise provided in §30-17, the Common Council may thereupon, by a majority of its members present and voting, approve, reduce or reject all or any part thereof.

§10-20. Financing Additional Obligations⁵⁸.

Requests for additional obligations to the capital budget shall not be approved unless the request is made necessary by unforeseeable or emergency conditions. Any such request shall be accompanied by a statement from the Chief Financial Officer setting forth, the following: (A) The necessity for using capital budget funds rather than financing through operating budget; and, (B) Recommendations as to the most feasible and economical measures to finance such obligations. Sources of such 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 such notes of any fiscal year and any renewals thereof shall be paid from the proceeds of the next regular capital improvements bond issue.

§10-21. Financing Recommendations⁵⁹.

On or before June 1st of each year, the Chief Financial Officer shall 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, shall adopt such resolutions as may give force and effect to the financing of such capital budget in accordance with the provisions of the Charter relating thereto.

§10-22. Planning and Zoning Commission and Common Council Authorized to Hold Public Hearings⁶⁰.

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

⁵⁸ NEW (2023). Derived from §30-11.1 of the Code of Ordinances. Added 1-24-1961; amended 9-28-2021.

⁵⁹ NEW (2023). Derived from §30-12 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁶⁰ NEW (2023). Derived from §30-13 of the Code of Ordinances. Amended 9-28-2021.

The Planning and Zoning Commission and the Common Council shall each, in its discretion, hold such public hearings on the capital projects program and the capital budget as either or both of them may deem necessary to ascertain the opinion of the public on the matters under consideration. The Chair of any such hearings shall permit such public participation in such proceedings as may, in the judgment of the Chair, be necessary to impart to the Board holding such hearing information of value to it in appraising the opinion of the public in relation thereto. Nothing contained herein, expressed or implied, shall be construed as limiting the free expression of the public in relating to any subject pertinent to such hearing, to restrain such public participation as may unreasonably retard the deliberations thereof, or which may not be germane to the subject under deliberation.

City Capital Building Project Administration

§10-23. Implementation and Oversight of City Capital Building Projects⁶¹.

The Common Council shall enact an Ordinance pertaining to the implementation and oversight of City Capital Building Projects.

Borrowing

§10-24. Issuance Authorized: Procedures⁶².

The City shall have the 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

⁶¹ NEW (2023) .

⁶² 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)

during such fiscal year, and such bonds or notes shall be paid from such appropriation when it shall become available.

Referenda

§10-14. Referendum Procedure.

See, §4-14 of this Charter.

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NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4 SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

Sec. 7-148. Scope of municipal powers¹.

(a) **Definitions.** Whenever used in this section, “municipality” means any town, city or borough, consolidated town and city or consolidated town and borough.

(b) **Ordinances.** Powers granted to any municipality under the general statutes or by any charter or special act, unless the charter or special act provides to the contrary, shall be exercised by ordinance when the exercise of such powers has the effect of:

- (1) Establishing rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other penalty including community service for not more than twenty hours; or
- (2) Creating a permanent local law of general applicability.

(c) **Powers.** Any municipality shall have the power to do any of the following, in addition to all powers granted to municipalities under the Constitution and general statutes:

(1) **Corporate powers.**

(A) Contract and be contracted with, sue and be sued, and institute, prosecute, maintain and defend any action or proceeding in any court of competent jurisdiction;

(B) Provide for the authentication, execution and delivery of deeds, contracts, grants, and releases of municipal property and for the issuance of evidences of indebtedness of the municipality;

(2) **Finances and appropriations.**

(A) Establish and maintain a budget system;

(B) Assess, levy and collect taxes for general or special purposes on all property, subjects or objects which may be lawfully taxed, and regulate the mode of assessment and collection of taxes and assessments not otherwise provided for, including establishment of a procedure for the withholding of approval of building

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4 SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

application when taxes or water or sewer rates, charges or assessments imposed by the municipality are delinquent for the property for which an application was made;

(C) Make appropriations for the support of the municipality and pay its debts;

(D) Make appropriations for the purpose of meeting a public emergency threatening the lives, health or property of citizens, provided such appropriations shall require a favorable vote of at least two-thirds of the entire membership of the legislative body or, when the legislative body is the town meeting, at least two-thirds of those present and voting;

(E) Make appropriations to military organizations, hospitals, health care facilities, public health nursing organizations, nonprofit museums and libraries, organizations providing drug abuse and dependency programs and any other private organization performing a public function;

(F) Provide for the manner in which contracts involving unusual expenditures shall be made;

(G) When not specifically prescribed by general statute or by charter, prescribe the form of proceedings and mode of assessing benefits and appraising damages in taking land for public use, or in making public improvements to be paid for, in whole or in part, by special assessments, and prescribe the manner in which all benefits assessed shall be collected;

(H) Provide for the bonding of municipal officials or employees by requiring the furnishing of such bond, conditioned upon honesty or faithful performance of duty and determine the amount, form, and sufficiency of the sureties thereof;

(I) Regulate the method of borrowing money for any purpose for which taxes may be levied and borrow on the faith and credit of the municipality for such general or special purposes and to such extent as is authorized by general statute;

(J) Provide for the temporary borrowing of money;

(K) Create a sinking fund or funds or a trust fund or funds or other special funds, including funds which do not lapse at the end of the municipal fiscal year;

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4 SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

(L) Provide for the assignment of municipal tax liens on real property to the extent authorized by general statute;

(3) Property.

(A) Take or acquire by gift, purchase, grant, including any grant from the United States or the state, bequest or devise and hold, condemn, lease, sell, manage, transfer, release and convey such real and personal property or interest therein absolutely or in trust as the purposes of the municipality or any public use or purpose, including that of education, art, ornament, health, charity or amusement, cemeteries, parks or gardens, or the erection or maintenance of statues, monuments, buildings or other structures, require. Any lease of real or personal property or any interest therein, either as lessee or lessor, may be for such term or any extensions thereof and upon such other terms and conditions as have been approved by the municipality, including without limitation the power to bind itself to appropriate funds as necessary to meet rent and other obligations as provided in any such lease;

(B) Provide for the proper administration of gifts, grants, bequests and devises and meet such terms or conditions as are prescribed by the grantor or donor and accepted by the municipality;

**(4) Public services. **

(A) Provide for police protection, regulate and prescribe the duties of the persons providing police protection with respect to criminal matters within the limits of the municipality and maintain and regulate a suitable place of detention within the limits of the municipality for the safekeeping of all persons arrested and awaiting trial and do all other things necessary or desirable for the policing of the municipality;

(B) Provide for fire protection, organize, maintain and regulate the persons providing fire protection, provide the necessary apparatus for extinguishing fires and do all other things necessary or desirable for the protection of the municipality from fire;

(C) Provide for entertainment, amusements, concerts, celebrations and cultural activities, including the direct or indirect purchase, ownership and operation of the assets of one or more sports franchises;

(D) Provide for ambulance service by the municipality or any person, firm or corporation;

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4

SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

(E) Provide for the employment of nurses;

(F) Provide for lighting the streets, highways and other public places of the municipality and for the care and preservation of public lamps, lamp posts and fixtures;

(G) Provide for the furnishing of water, by contract or otherwise;

(H) Provide for or regulate the collection and disposal of garbage, trash, rubbish, waste material and ashes by contract or otherwise, including prohibiting the throwing or placing of such materials on the highways;

(I) Provide for the financing, construction, rehabilitation, repair, improvement or subsidization of housing for low- and moderate-income persons and families;

(5) Personnel.

(A) Provide for and establish pension systems for the officers and employees of the municipality and for the active members of any volunteer fire department or any volunteer ambulance association of the municipality, and establish a system of qualification for the tenure in office of such officers and employees, provided the rights or benefits granted to any individual under any municipal retirement or pension system shall not be diminished or eliminated;

(B) Establish a merit system or civil service system for the selection and promotion of public officials and employees. Nothing in this subparagraph shall be construed to validate any merit system or civil service system established prior to May 24, 1972;

(C) Provide for the employment of and prescribe the salaries, compensation and hours of employment of all officers and employees of the municipality and the duties of such officers and employees not expressly defined by the Constitution of the state, the general statutes, charter or special act;

(D) Provide for the appointment of a municipal historian;

(6) Public works, sewers, highways.

(A) Public facilities.

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4 SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

(i) Establish, lay out, construct, reconstruct, alter, maintain, repair, control and operate cemeteries, public burial grounds, hospitals, clinics, institutions for children and aged, infirm and chronically ill persons, bus terminals and airports and their accessories, docks, wharves, school houses, libraries, parks, playgrounds, playfields, fieldhouses, baths, bathhouses, swimming pools, gymnasiums, comfort stations, recreation places, public beaches, beach facilities, public gardens, markets, garbage and refuse disposal facilities, parking lots and other off-street parking facilities, and any and all buildings or facilities necessary or convenient for carrying on the government of the municipality;

(ii) Create, provide for, construct, regulate and maintain all things in the nature of public works and improvements;

(iii) Enter into or upon any land for the purpose of making necessary surveys or mapping in connection with any public improvement, and take by eminent domain any lands, rights, easements, privileges, franchises or structures which are necessary for the purpose of establishing, constructing or maintaining any public work, or for any municipal purpose, in the manner prescribed by the general statutes;

(iv) Regulate and protect from injury or defacement all public buildings, public monuments, trees and ornaments in public places and other public property in the municipality;

(v) Provide for the planting, rearing and preserving of shade and ornamental trees on the streets and public grounds;

(vi) Provide for improvement of waterfronts by a board, commission or otherwise;

(B) Sewers, drainage and public utilities.

(i) Lay out, construct, reconstruct, repair, maintain, operate, alter, extend and discontinue sewer and drainage systems and sewage disposal plants;

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4

SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

(ii) Enter into or upon any land for the purpose of correcting the flow of surface water through watercourses which prevent, or may tend to prevent, the free discharge of municipal highway surface water through said courses;

(iii) Regulate the laying, location and maintenance of gas pipes, water pipes, drains, sewers, poles, wires, conduits and other structures in the streets and public places of the municipality;

(iv) Prohibit and regulate the discharge of drains from roofs of buildings over or upon the sidewalks, streets or other public places of the municipality or into sanitary sewers;

(v) Enter into energy-savings performance contracts;

(C) Highways and sidewalks.

(i) Lay out, construct, reconstruct, alter, maintain, repair, control, operate, and assign numbers to streets, alleys, highways, boulevards, bridges, underpasses, sidewalks, curbs, gutters, public walks and parkways;

(ii) Keep open and safe for public use and travel and free from encroachment or obstruction the streets, sidewalks and public places in the municipality;

(iii) Control the excavation of highways and streets;

(iv) Regulate and prohibit the excavation, altering or opening of sidewalks, public places and grounds for public and private purposes and the location of any work or things thereon, whether temporary or permanent, upon or under the surface thereof;

(v) Require owners or occupants of land adjacent to any sidewalk or public work to remove snow, ice, sleet, debris or any other obstruction therefrom, provide penalties upon their failure to do so, and cause such snow, ice, sleet, debris or other obstruction to be removed and make the cost of such removal a lien on such property;

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4 SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

(vi) Grant to abutting property owners a limited property or leasehold interest in abutting streets and sidewalks for the purpose of encouraging and supporting private commercial development;

(7) Regulatory and police powers.

(A) Buildings.

(i) Make rules relating to the maintenance of safe and sanitary housing;

(ii) Regulate the mode of using any buildings when such regulations seem expedient for the purpose of promoting the safety, health, morals and general welfare of the inhabitants of the municipality;

(iii) Regulate and prohibit the moving of buildings upon or through the streets or other public places of the municipality, and cause the removal and demolition of unsafe buildings and structures;

(iv) Regulate and provide for the licensing of parked trailers when located off the public highways, and trailer parks or mobile manufactured home parks, except as otherwise provided by special act and except where there exists a local zoning commission so empowered;

(v) Establish lines beyond which no buildings, steps, stoop, veranda, billboard, advertising sign or device or other structure or obstruction may be erected;

(vi) Regulate and prohibit the placing, erecting or keeping of signs, awnings or other things upon or over the sidewalks, streets and other public places of the municipality;

(vii) Regulate plumbing and house drainage;

(viii) Prohibit or regulate the construction of dwellings, apartments, boarding houses, hotels, commercial buildings, youth camps or commercial camps and commercial camping facilities in such municipality unless the sewerage facilities have been approved by the authorized officials of the municipality;

(B) Traffic.

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4

SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

(i) Regulate and prohibit, in a manner not inconsistent with the general statutes, traffic, the operation of vehicles on streets and highways, off-street parking and on-street residential neighborhood parking areas in which on-street parking is limited to residents of a given neighborhood, as determined by the municipality;

(ii) Regulate the speed of vehicles, subject to the provisions of the general statutes relating to the regulation of the speed of motor vehicles and of animals, and the driving or leading of animals through the streets;

(iii) Require that conspicuous signage be posted in any area where a motor vehicle may be subject to towing or to the use of a wheel-locking device that renders such motor vehicle immovable, and that such signage indicate where the motor vehicle will be stored, how the vehicle may be redeemed and any costs or fees that may be charged;

(C) **Building adjuncts.** Regulate and prohibit the construction or use, and require the removal of sinks, cesspools, drains, sewers, privies, barns, outhouses and poultry pens and houses;

(D) **Animals.**

(i) Regulate and prohibit the going at large of dogs and other animals in the streets and public places of the municipality and prevent cruelty to animals and all inhuman sports, except that no municipality shall adopt breed-specific dog ordinances;

(ii) Regulate and prohibit the keeping of wild or domestic animals, including reptiles, within the municipal limits or portions thereof;

(E) **Nuisance.** Define, prohibit and abate within the municipality all nuisances and causes thereof, and all things detrimental to the health, morals, safety, convenience and welfare of its inhabitants and cause the abatement of any nuisance at the expense of the owner or owners of the premises on which such nuisance exists;

(F) **Loitering and trespassing.**

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4 SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

- (i) Keep streets, sidewalks and public places free from undue noise and nuisances, and prohibit loitering thereon;
 - (ii) Regulate loitering on private property with the permission of the owner thereof;
 - (iii) Prohibit the loitering in the nighttime of minors on the streets, alleys or public places within its limits;
 - (iv) Prevent trespassing on public and private lands and in buildings in the municipality;
- (G) **Vice.** Prevent vice and suppress gambling houses, houses of ill-fame and disorderly houses;
- (H) **Public health and safety.**
 - (i) Secure the safety of persons in or passing through the municipality by regulation of shows, processions, parades and music;
 - (ii) Regulate and prohibit the carrying on within the municipality of any trade, manufacture, business or profession which is, or may be, so carried on as to become prejudicial to public health, conducive to fraud and cheating, or dangerous to, or constituting an unreasonable annoyance to, those living or owning property in the vicinity;
 - (iii) Regulate auctions and garage and tag sales;
 - (iv) Prohibit, restrain, license and regulate the business of peddlers, auctioneers and junk dealers in a manner not inconsistent with the general statutes;
 - (v) Regulate and prohibit swimming or bathing in the public or exposed places within the municipality;
 - (vi) Regulate and license the operation of amusement parks and amusement arcades including, but not limited to, the regulation of mechanical rides and the establishment of the hours of operation;

NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4 SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

- (vii)** Prohibit, restrain, license and regulate all sports, exhibitions, public amusements and performances and all places where games may be played;
- (viii)** Preserve the public peace and good order, prevent and quell riots and disorderly assemblages and prevent disturbing noises;
- (ix)** Establish a system to obtain a more accurate registration of births, marriages and deaths than the system provided by the general statutes in a manner not inconsistent with the general statutes;
- (x)** Control insect pests or plant diseases in any manner deemed appropriate;
- (xi)** Provide for the health of the inhabitants of the municipality and do all things necessary or desirable to secure and promote the public health;
- (xii)** Regulate the use of streets, sidewalks, highways, public places and grounds for public and private purposes;
- (xiii)** Make and enforce police, sanitary or other similar regulations and protect or promote the peace, safety, good government and welfare of the municipality and its inhabitants;
- (xiv)** Regulate, in addition to the requirements under section 7-282b, the installation, maintenance and operation of any device or equipment in a residence or place of business which is capable of automatically calling and relaying recorded emergency messages to any state police or municipal police or fire department telephone number or which is capable of automatically calling and relaying recorded emergency messages or other forms of emergency signals to an intermediate third party which shall thereafter call and relay such emergency messages to a state police or municipal police or fire department telephone number. Such regulations may provide for penalties for the transmittal of false alarms by such devices or equipment;
- (xv)** Make and enforce regulations for the prevention and remediation of housing blight, including regulations reducing assessments and authorizing designated agents of the municipality to enter property during reasonable hours for the purpose of remediating blighted conditions, provided such regulations define housing blight and require such municipality to give written notice of any violation to the owner and occupant of the property and provide a reasonable opportunity for the owner

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SCOPE OF MUNICIPAL POWERS AND OHER TITLE 7 PROVISIONS (2/6/2023)

and occupant to remediate the blighted conditions prior to any enforcement action being taken, and further provided such regulations shall not authorize such municipality or its designated agents to enter any dwelling house or structure on such property, and including regulations establishing a duty to maintain property and specifying standards to determine if there is neglect; prescribe civil penalties for the violation of such regulations of not less than ten or more than one hundred dollars for each day that a violation continues and, if such civil penalties are prescribed, such municipality shall adopt a citation hearing procedure in accordance with section 7-152c;

(xvi) Regulate, on any property owned by the municipality, any activity deemed to be deleterious to public health, including the lighting or carrying of a lighted cigarette, cigar, pipe or similar device;

(8) The environment.

(A) Provide for the protection and improvement of the environment including, but not limited to, coastal areas, wetlands and areas adjacent to waterways in a manner not inconsistent with the general statutes;

(B) Regulate the location and removal of any offensive manure or other substance or dead animals through the streets of the municipality and provide for the disposal of same;

(C) Except where there exists a local zoning commission, regulate the filling of, or removal of, soil, loam, sand or gravel from land not in public use in the whole, or in specified districts of, the municipality, and provide for the reestablishment of ground level and protection of the area by suitable cover;

(D) Regulate the emission of smoke from any chimney, smokestack or other source within the limits of the municipality, and provide for proper heating of buildings within the municipality;

(9) Human rights.

(A) Provide for fair housing;

(B) Adopt a code of prohibited discriminatory practices;

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(10) Miscellaneous.

(A) Make all lawful regulations and ordinances in furtherance of any general powers as enumerated in this section, and prescribe penalties for the violation of the same not to exceed two hundred fifty dollars, unless otherwise specifically provided by the general statutes. Such regulations and ordinances may be enforced by citations issued by designated municipal officers or employees, provided the regulations and ordinances have been designated specifically by the municipality for enforcement by citation in the same manner in which they were adopted and the designated municipal officers or employees issue a written warning providing notice of the specific violation before issuing the citation, except that no such written warning shall be required for violations of a municipal ordinance regulating the operation or use of a dirt bike, all-terrain vehicle or mini-motorcycle;

(B) Adopt a code of ethical conduct;

(C) Establish and maintain free legal aid bureaus;

(D) Perform data processing and related administrative computer services for a fee for another municipality;

(E) Adopt the model ordinance concerning a municipal freedom of information advisory board created under subsection (f) of section 1-205 and establish a municipal freedom of information advisory board as provided by said ordinance and said section;

(F) Protect the historic or architectural character of properties or districts that are listed on, or under consideration for listing on, the National Register of Historic Places, 16a USC 470, or the state register of historic places, as defined in section 10-410.

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OTHER STATUTORY AUTHORITY (NOT A COMPREHENSIVE LIST)

Sec. 7-148.	Scope of municipal powers.
Sec. 7-148a.	Compilations of ordinances and special acts; supplements.
Sec. 7-148b.	Creation of fair rent commission. Powers.
Sec. 7-148c.	Considerations in determining rental charge to be excessive.
Sec. 7-148d.	Order for limitation on amount of rent. Suspension of rent payments. Cease and desist orders for retaliatory actions.
Sec. 7-148e.	Appeal.
Sec. 7-148f.	Penalty for violations.
Sec. 7-148g.	Fair housing commission; creation and powers.
Sec. 7-148h.	Ethics commission; establishment and powers. Interest in conflict with discharge of duties.
Sec. 7-148i.	Discriminatory practices defined. Boards authorized.
Sec. 7-148j.	Powers of boards.
Sec. 7-148k.	Complaints. Hearings.
Sec. 7-148l.	Appeals.
Sec. 7-148m.	Actions of State Commission on Human Rights and Opportunities to supersede local action.
Sec. 7-148n.	Local boards may assume powers to investigate discriminatory practices.
Sec. 7-148o.	Wilful violation of ordinances concerning prevention and remediation of housing blight. Penalties.
Sec. 7-148p.	Establishment of land bank authority authorized.
Sec. 7-148q.	Establishment of corporation to manufacture, distribute, purchase or sell compressed natural gas.
Sec. 7-148r.	Municipal fee for access to computer-assisted mass appraisal system database.
Sec. 7-148s.	Municipal fee for use of geographic information system.
Sec. 7-148t.	Conflict of interest for members of land use and purchasing commissions and boards.
Sec. 7-148u.	Municipal set-aside program for small contractors and minority business enterprises.

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- Sec. 7-148v. Requirements for competitive bidding. Purchase from person having contract to sell goods or services.
- Sec. 7-148w. Disqualification of contractors from bidding on municipal contracts.
- Secs. 7-148x to 7-148z. **Reserved**
- Sec. 7-148aa. Lien on real estate where penalty for violation of blight ordinance is unpaid.
- Sec. 7-148bb. Agreement between municipalities to share revenue received for payment of property taxes.
- Sec. 7-148cc. Joint performance of municipal functions.
- Sec. 7-148dd. Municipal fiscal disparities. List. Recommendations to address problems of municipalities on list.
- Sec. 7-148ee. Establishment of corporation to manufacture, distribute, purchase or sell electricity, gas or water.
- Sec. 7-148ff. Special assessment on blighted property. Remediation of blighted conditions. Liens.
- Sec. 7-148gg. Notice to lienholder of notice or order to remedy health, housing or safety code violation.
- Sec. 7-148hh. Definitions.
- Sec. 7-148ii. Registration and maintenance of foreclosed residential properties.
- Sec. 7-148jj. Ordinances regulating maintenance of foreclosed properties.
- Sec. 7-148kk. Negotiated agreement to promote regional economic development and share tax revenue from new economic development.
- Sec. 7-148ll. Determination re regional economic development agreement.
- Sec. 7-148mm. Interlocal agreement re dispatch services. Governing board.
- Sec. 7-148nn. Municipal partnerships re sharing of services of resident state trooper or other law enforcement personnel.
- Sec. 7-149. Regulation of waste disposal in highways.
- Sec. 7-149a. Designation of scenic roads. Appeal. Maintenance of highway.
- Sec. 7-149b. Regulation of commercial unmanned aircraft.
- Secs. 7-150 and 7-151. Regulation of plumbing and drainage. Regulation of operation of motor boats.
- Sec. 7-151a. Establishment of lake authorities. Withdrawal of town.

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- Sec. 7-151b. Appointment of lake patrolmen. Requirements for carrying a firearm or baton by lake patrolmen. Liability. Training courses.
- Secs. 7-152 and 7-152a. Keeping of snakes. Municipal garden program; ordinance establishing; indemnification of municipality.
- Sec. 7-152b. Hearing procedure for parking violations.
- Sec. 7-152c. Hearing procedure for citations.
- Sec. 7-152d. Civil penalty for illegal disposal of solid waste at municipal landfill.
- Secs. 7-153 to 7-156. Regulation of sewerage facilities. Towns may make ordinances concerning matters not covered by statute and fix penalty. Loitering of children; public markets.
- Sec. 7-157. Publication. Referendum. Publication of summary.
- Sec. 7-158. Exemption.
- Sec. 7-159. Validity of prior ordinances, bylaws and regulations.
- Sec. 7-159a. Joint public hearing authorized on proposal requiring multiagency approval.
- Sec. 7-159b. Preapplication review of use of property.
- Sec. 7-159c. Reconstruction or repair of residence, building, structure or other improvement to real property damaged or destroyed by acts of nature.
- Sec. 7-159d. Climate Change and Coastal Resiliency Reserve Fund. Authorized. Investment of funds. Report. Use of funds. Discontinuance of fund.
- Secs. 7-160 to 7-163. Refining of oils regulated. Procedure prior to construction of oil refineries. Transportation of garbage; plants for treatment. Method of transportation; appeal. Coasting on highways.
- Sec. 7-163a. Municipal liability for ice and snow on public sidewalks.
- Sec. 7-163b. Annual municipal reports re telecommunications towers and antennas.
- Sec. 7-163c. Municipal telecommunications plan.
- Sec. 7-163d. Establishment of municipal authority to develop or redevelop single parcel.
- Sec. 7-163e. Public hearing on the sale, lease or transfer of real property owned by a municipality.
- Secs. 7-164 to 7-168. Sunday: Concerts; motion pictures; dancing; theatrical entertainment; sports; trade shows; dog shows; trials and races, horse shows and races.

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Sec. 7-168a.	Surcharge on admission charge for event held at facility located within municipality.
Sec. 7-169.	Bingo.
Sec. 7-169a.	Registration with municipal official. Definitions.
Sec. 7-169b.	Report re receipts, expenses and profit.
Sec. 7-169c.	Recreational bingo for senior citizens. Definitions. Registrations. Records.
Sec. 7-169d.	Bingo products. Registration of manufacturer or equipment dealer. Fee. Approval of products. Revocation of registration. Regulations.
Sec. 7-169e.	Recreational bingo for parent teacher associations or organizations. Requirements. Definitions. Records. Exemption.
Secs. 7-169f and 7-169g.	Reserved
Sec. 7-169h.	Sealed tickets. Definitions. Permits to sell. Fees. Regulations. Suspension or revocation of permit. Cease and desist order. Notice. Hearing. Appeals. Penalty.
Sec. 7-169i.	Sealed ticket machine. Registration of manufacturer or dealer. Fee. Revocation. Regulations.
Sec. 7-170.	Bazaars and raffles; definitions.
Sec. 7-171.	Adoption of bazaar and raffle law.
Sec. 7-172.	Qualifications for sponsorship of or participation in bazaar or raffle. Ticket sale.
Sec. 7-173.	Application for permit.
Sec. 7-174.	Investigation of applicant.
Sec. 7-175.	Kinds of permits.
Sec. 7-175a.	Marketability of title to real property as prize under "Class No. 6" permit.
Sec. 7-176.	Permit fees.
Sec. 7-177.	Prizes.
Sec. 7-177a.	Cash prizes permitted. Special checking account.
Sec. 7-178.	Equipment. Expenses. Information required on raffle ticket. Rental from out-of-state dealer.
Sec. 7-179.	Certain advertising prohibited. Exceptions.
Sec. 7-180.	Change in facts on application to be reported.

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- Sec. 7-181. Suspension or revocation of registration or permit. Cease and desist order. Notice of violation. Hearing. Penalty. Appeals.
- Sec. 7-182. Report re receipts, number and price of tickets sold, expenses, profit and list of prizes with a retail value of fifty dollars or more.
- Sec. 7-183. Examination of reports.
- Sec. 7-184. Rescission of adoption.
- Sec. 7-185. Regulations.
- Sec. 7-185a. Exceptions for certain organizations. "Fifty-fifty" coupon games. Cow-chip raffles. Teacup raffles. Duck-race raffles. Frog-race raffles. Golf ball-drop raffles.
- Sec. 7-185b. Tuition raffles. Regulations. Special bank account. Financial report.
- Sec. 7-186. Penalty.
- Secs. 7-186a to 7-186l. Games of chance; qualifications for sponsorship and participation. Application for permit; location of games of chance, exception. Investigation of applicant; limitations on permits; money not to be used; requirements for financial transactions; written agreement between sponsoring organization and operator of games of chance; investigation of operator. Permit; fee; prizes. Equipment; expenses. Advertising restricted. Change in facts on application to be reported. Suspension or revocation of registration or permit; cease and desist order; notice of violation; hearing; penalty. Report re receipts, expenses, profit and list of prizes with a retail value of fifty dollars or more. Examination or reports. Regulations. Penalty.
- Sec. 7-186m. Exceptions for certain sponsoring organizations.
- Secs. 7-186n to 7-186q. Registration of sponsoring organizations; issuance and use of identification numbers. Equipment identified by number. Accounting of receipts; requirements. Auxiliary organization permitted to assist at games of chance event; application.

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Chapter 101 **Secs. 7-213 to 7-233**
Chapter 101a **Secs. 7-233a to 7-233hh**
Chapter 101b **Sec. 7-233ii**
Chapter 102 **Secs. 7-234 to 7-244a**
Chapter 103 **Secs. 7-245 to 7-273a**
Chapter 103a **Secs. 7-273b to 7-273z**
Chapter 103b **Secs. 7-273aa to 7-273pp**
Chapter 104 **Secs. 7-274 to 7-323u**
Chapter 105 **Secs. 7-324 to 7-339/**
Chapter 105a **Secs. 7-339m to 7-339bb**
Chapter 105b **Secs. 7-339cc to 7-339kk**
Chapter 106 **Secs. 7-340 to 7-349**
Chapter 107 **Secs. 7-350 to 7-358**
Chapter 108 **Secs. 7-359 to 7-368**
Chapter 109 **Secs. 7-369 to 7-380c**
Chapter 110 **Secs. 7-381 to 7-390**
Chapter 111 **Secs. 7-391 to 7-397**
Chapter 112 **Secs. 7-398 to 7-406/**
Chapter 112a **Secs. 7-406m to 7-406p**
Chapter 113 **Secs. 7-407 to 7-479**
Chapter 113a **Secs. 7-479a to 7-479r**
Chapter 113b **Secs. 7-479s to 7-479x**
Chapter 114 **Secs. 7-480 to 7-503**
Chapter 115 **Secs. 7-504 to 7-519**
Chapter 116 **Secs. 7-520 to 7-525**
Chapter 116a **Secs. 7-526 to 7-534**

Municipal Gas and Electric Plants
Municipal Electric Energy Cooperatives
Municipal Telecommunications Services
Municipal Waterworks Systems
Municipal Sewerage Systems
Transit Districts
Municipal Resource Recovery Authorities
Municipal Police and Fire Protection
Fire, Sewer and Other Districts
Municipal Special Services Districts
Tax Increment Districts
Town Boards of Finance
Town Deposit Fund (*Repealed*)
Municipal Reserve Fund
Municipal Bond Issues
Municipal Uniform Fiscal Years
Municipal Auditing Act
Municipal Finance
Municipal Pension Solvency Loan Program
Municipal Employees
Municipal Risk Management Pools
Municipal Liability Trust Fund
Connecticut City and Town Development Act
State Grants to Municipalities
Local Emergency Relief Account
Local Property Tax Relief Trust Fund

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Chapter 116b **Secs. 7-535 to 7-544**

Chapter 116c **Secs. 7-545 to 7-559**

Chapter 117 **Secs. 7-560 to 7-599**

Chapter 118 **Secs. 7-600 to 7-619**

Chapter 119 **Secs. 7-620 to 7-620e**

Local Capital Improvement Fund

Public Investment Communities

Municipal Deficit Financing

Neighborhood Revitalization Zones

Federally Designated Empowerment Zones

¹¹ (1949 Rev., S. 619; 1953, 1955, S. 248d; 1957, P.A. 13, S. 7; 201; 354, S. 1; 1959, P.A. 359, S. 1; 1961, P.A. 187; 570; 1963, P.A. 434; 626; February, 1965, P.A. 582; 1967, P.A. 126; 805, S. 3; 830; 1969, P.A. 694, S. 20; 1971, P.A. 389, S. 1; 802, S. 1; P.A. 73-614, S. 2, 3; P.A. 75-178, S. 1, 2; P.A. 76-32; P.A. 78-331, S. 4, 58; P.A. 79-531, S. 1; 79-618, S. 1; P.A. 80-403, S. 7, 10; P.A. 81-219, S. 1, 3; P.A. 82-327, S. 5; P.A. 83-168, S. 3; 83-188, S. 1; 83-587, S. 78, 96; June Sp. Sess. P.A. 83-3, S. 1; P.A. 84-232, S. 1-3; P.A. 86-97, S. 2, 3; 86-229, S. 1, 2; P.A. 87-278, S. 1, 5; P.A. 88-213, S. 1, 2; 88-221, S. 1; P.A. 90-334, S. 1; P.A. 93-434, S. 18, 20; P.A. 95-7; 95-320; P.A. 97-199, S. 5; 97-320, S. 4, 11; June 18 Sp. Sess. P.A. 97-11, S. 62, 65; P.A. 98-188, S. 2; P.A. 99-129; 99-188, S. 3, 6; P.A. 00-136, S. 7, 10; P.A. 01-128, S. 1; P.A. 03-19, S. 19; P.A. 06-185, S. 7; P.A. 07-141, S. 4; P.A. 08-184, S. 34; P.A. 10-152, S. 7; P.A. 11-80, S. 122; P.A. 12-146, S. 2; P.A. 13-103, S. 1; 13-181, S. 1; P.A. 15-42, S. 9; 15-100, S. 1; P.A. 16-208, S. 3.)

History: 1959 act authorized establishment and maintenance of parks, etc., “by a board, commission or otherwise”; 1961 acts deleted semicolon between the words “mobile home parks” and “and regulate the removal of soil, loam,” etc. and added provision regulations enacted by local zoning commission would have same effect as ordinance; 1963 acts added provision for improvement of waterfronts “by a board, commission or otherwise” and added power to enact ordinances re sewer and drainage systems and sewage disposal plants and entry on land to correct surface water flow; 1965 act authorized zoning commission to regulate the filling of land not in public use; 1967 acts added power to furnish ambulance service, deleted power to set poll hours for elections and added power to regulate loitering; 1969 act deleted power to set poll hours for electors’ meetings and referenda; 1971 acts added power to fix hours of operation of amusement parks and arcades and to establish commission or board to protect and improve environment and deleted power to regulate building construction; P.A. 73-614 added power to regulate off-street parking available to public on private property; P.A. 75-178 added power to acquire and sell personal and real property for benefit of the municipality; P.A. 76-32 replaced power to regulate loitering on public property with broader power to regulate use of streets, sidewalks, etc.; P.A. 78-331 divided section into subsecs. and subdvs. and restored power to acquire and sell real and personal property which was inadvertently dropped in 1976 act; P.A. 79-531 added power to provide fair housing and to perform data processing services for other towns in Subsec. (a); P.A. 79-618 added power to adopt ethics code in Subsec. (a); P.A. 80-403 added power to adopt code of discriminatory practices in Subsec. (a); P.A. 81-219 reorganized the section and included powers previously reserved for charter towns under Sec. 7-194, effective October 1, 1982; P.A. 82-327 completed the revision of power begun by P.A. 81-219; P.A. 83-168 added power to regulate automatic calling devices, designated as Subsec. (c)(7)(H)(xiv); P.A. 83-188 made technical changes in Subdiv. (c)(5)(C); P.A. 83-587 substituted “7-282b” for “7-282a” in Subsec. (c)(7)(H)(xiv); June Sp. Sess. 83-3 changed term “mobile home” to “mobile manufactured home” in Subsec. (c)(7)(A)(iv); P.A. 84-232 amended Subsec. (c)(3) to include encouragement of private commercial development and amended Subsec. (c)(6)(C) to authorize grants of limited property or leasehold interests in streets and sidewalks to abutting property owners; P.A. 86-97 amended Subsec. (c)(5) to include authorization to establish pension systems for members of volunteer fire departments; P.A. 86-229 amended Subsec. (c)(2)(K) to include references to trust funds and to funds which do not lapse at the end of the municipal fiscal year and added Subsec. (c)(4)(I) re housing for those with low or moderate incomes; P.A. 87-278 added Subsec. (c)(5)(D) re appointment of

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municipal historians; P.A. 88-213 added provision in Subsec. (c)(7)(B) to allow municipalities to regulate and prohibit on-street residential neighborhood parking; P.A. 88-221 amended Subsec. (c)(10)(A) to provide that regulations and ordinances may be enforced by citations by designated municipal officers, provided the regulations and ordinances are so designated and the written warning is issued before issuance of citation; P.A. 90-334 added provision in Subsec. (c)(7)(H) to allow municipalities to make and enforce regulations preventing housing blight; P.A. 93-434 added provision in Subsec. (c)(2)(L) to allow municipalities to assign tax liens on real property, effective June 30, 1993; P.A. 95-7 amended Subsec. (c) (5) (A) to authorize municipalities to establish pensions for active members of volunteer ambulance associations; P.A. 95-320 amended Subsec. (c)(2)(B) to allow municipalities to withhold approval of building application when taxes are delinquent on the property; P.A. 97-199 amended Subsec. (b)(1) by adding “including community service for not more than twenty hours”; P.A. 97-320 amended Subsec. (c)(7)(H)(xv) to authorize blight ordinance to include provision re reduction of assessments, effective July 1, 1997; June 18 Sp. Sess. P.A. 97-11 changed effective date of P.A. 97-199 from October 1, 1997, to July 1, 1997, effective July 1, 1997; P.A. 98-188 added provision in Subsec. (c)(2)(B) re delinquent water or sewer rates, charges or assessments; P.A. 99-129 added provision in Subsec. (c)(7)(H) to allow municipalities to impose fines for violation of blight regulations; P.A. 99-188 amended Subsec. (c)(4)(C) to allow towns to purchase, own and operate sports franchises, effective June 23, 1999; P.A. 00-136 amended Subsec. (c)(10) to add new Subpara. (E) re municipal freedom of information advisory boards, effective July 1, 2000; P.A. 01-128 amended Subsec. (c)(7)(H)(xv) to authorize regulations to establish a duty to maintain property and to specify standards to determine neglect; P.A. 03-19 made a technical change in Subsec. (c)(7)(H)(xv), effective May 12, 2003; P.A. 06-185 amended Subsec. (c)(10)(A) to increase maximum penalty for violation of regulations and ordinances from \$100 to \$250; P.A. 07-141 amended Subsec. (c)(3)(A) to delete “or the encouragement of private commercial development” re power to take or acquire property, effective June 25, 2007, and applicable to property acquired on or after that date; P.A. 08-184 amended Subsec. (c)(7)(H) to add clause (xvi) re regulation on municipally owned property of any activity deemed to be deleterious to public health; P.A. 10-152 amended Subsec. (c)(7)(H)(xv) to authorize regulations for the remediation of housing blight, to provide that regulations may authorize designated agents of municipalities to enter property for purpose of remediating blighted conditions and to prohibit regulations from authorizing entry into dwelling house or structure on such property; P.A. 11-80 amended Subsec. (c)(6)(B) to add clause (v) re energy-savings performance contracts, effective July 1, 2011; P.A. 12-146 amended Subsec. (c)(7)(H)(xv) by providing that regulations require municipality to give written notice of housing blight violation and reasonable opportunity to remediate blighted conditions and by changing “fines” to “civil penalties”; P.A. 13-103 amended Subsec. (c)(7)(D) by adding provision prohibiting adoption of breed-specific dog ordinances; P.A. 13-181 amended Subsec. (c)(10) by adding Subpara. (F) re protection of historic or architectural character of properties or districts; P.A. 15-42 amended Subsec. (c)(7)(B) to add clause (iii) re signs for towing or use of wheel-locking devices; P.A. 15-100 amended Subsec. (c)(10)(A) by exempting dirt bike and all-terrain vehicle ordinance violations from written warning requirement; P.A. 16-208 amended Subsec. (c)(10)(A) by adding reference to mini-motorcycle in provision re exception to written warning requirement.

See Sec. 7-148ff re ordinances imposing special assessment on blighted housing.

See Sec. 14-390 re ordinance on operation and use of snowmobiles and all-terrain vehicles.

See Sec. 14-390m re ordinance on operation and use of dirt bikes and mini-motorcycles and applicable definitions.

See Sec. 29-265b re ordinance requiring rain sensor devices on automatic lawn sprinkler systems.

For constitutionality, see 95 C. 365. Cited. 102 C. 228. Vote to change compensation of town officers under section discussed. 103 C. 424, see also 104 C. 255. Grant of power to enact ordinances ordinarily implies power to repeal them. 118 C. 11. Cited. 119 C. 603. State delegated power to make traffic rules applying to all vehicles alike, but retained special power to regulate motor vehicles with specific exceptions noted in Sec. 14-162. 125 C. 501; 135 C. 71. Cited. 129 C. 109; 133 C. 29; 135 C. 421. “Regulate” does not so much imply creating a new thing as arranging and controlling that which already exists. 143 C. 152. Confers necessary power to adopt legislation regulating auctions. Id., 698. Ordinance imposing time limitations on the occupancy of land by trailers and mobile homes held constitutional. 146 C. 697. Constitutionality of ordinance licensing and regulating trailer and mobile home parks discussed; towns without zoning authorities should have power to deal with trailers and mobile homes not

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only in matters narrowly concerned with public health and safety but in matters concerned with economic and esthetic considerations which can affect public welfare; if ordinance which is police measure imposes a fee, such fee must be reasonably proportionate to cost of administering and enforcing the ordinance. *Id.*, 720. Power to adopt rent control not within general delegation of police power. 147 C. 60. If charter empowers legislative body of municipality to adopt and amend its own rules of order in exercising certain legislative functions, such body need not act by ordinance or resolution. 148 C. 33. Cited. *Id.*, 233. Attempt by common council to establish law department by ordinance ineffective where charter provisions were inconsistent with the exercise of such power. 152 C. 287; *Id.*, 318; 158 C. 100. Cited. 166 C. 376; 181 C. 114; 183 C. 495; 203 C. 267; 227 C. 363; 234 C. 513, 538.

Cited. 1 CA 505; 13 CA 1; 17 CA 17; judgment reversed, see 212 C. 570.

Town limited in authority where city or borough has duplicate power. 14 CS 258. Test for powers by implication is necessity not convenience. 15 CS 344. Cited. 20 CS 464. Omission of any direct mention of a mobile home park as a permitted use of land anywhere in a town does not render zoning law void or unconstitutional. 21 CS 275. Town may regulate garbage disposal business; it cannot prohibit it; ordinance prohibiting transportation into a town of garbage from any other town held void. *Id.*, 347. Zoning regulation requiring permit for commercial removal of sand and gravel not taking of property without due process; proper exercise of police power. 25 CS 125. Does not permit adoption of original "special event" ordinance. 29 CS 48. Cited. 36 CS 74.

Cited as authority for municipality to establish monetary fine for violation of housing code. 4 Conn. Cir. Ct. 244.

Subsec. (c):

Cited. 192 C. 399; 195 C. 524; 201 C. 700; 203 C. 14; 208 C. 543; 212 C. 147; 217 C. 447; 237 C. 135. Subdiv. (7)(H)(xi): Ordinance banning all cigarette vending machines was valid exercise of town's police power, and legislative enactment of Sec. 12-289a was intended to ensure that municipalities remained free to decide if local conditions warranted additional regulation of cigarette vending machines, up to and including an outright ban. 256 C. 105. In Subdiv. (1)(A), general power to sue and be sued does not mean that municipality may bring suit that it otherwise would have no standing to bring; in Subdiv. (7)(H)(xi), general power to protect health and welfare of municipal inhabitants does not mean that municipality may bring suit with that aim that it otherwise would have no standing to bring. 258 C. 313. "Public improvement", as used in Subdiv. (6)(A)(iii), is not limited to projects that either already exist or have been approved and funded by municipality; accordingly, Subdiv. (6)(A)(iii) includes within its ambit studies intended to determine feasibility of a particular project. 274 C. 483. The grant of police powers to municipalities under section is sufficiently broad to encompass the power to require licensing and inspections of residential rental real estate. 288 C. 181. Although statutes confer on municipalities the power to control streets and to regulate traffic in order to prevent unsafe traffic conditions, under present facts, town's closure of road to prevent access from subdivision in adjoining town was inconsistent with statutes governing review of subdivision applications. 295 C. 802.

Cited. 4 CA 261; 10 CA 209; 29 CA 207. Provision enabling municipality to adopt an ordinance providing for the furnishing of water did not authorize planning commission to adopt subdivision regulations that address issues re water supply and water main extensions in a proposed subdivision. 114 CA 509.

Cited. 37 CS 124; 44 CS 389.