

February 1, 2023
COUNCIL CHAMBERS



Prepared by: Jordan Schantz, Assistant City Clerk Updated: 1/26/2023 4:26:01 PM
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**City of Norwalk
Charter Revision Commission
Regular Meeting
January 18, 2023**

Attendance: Patsy Brescia, Chair; Carl Dickens; Tyler Fairbairn; Richard McQuaid; Benita Watford; Michael Witherspoon, Jordan Schantz, Ed Comacho (6:10), Tom Livingston

Other: Steven Mednick, Corporation Counsel

1) CALL TO ORDER

Chairman Brescia called the meeting to order at 6:35.

2) ROLL CALL

A quorum was present.

3) APPROVAL OF THE MINUTES FROM JANUARY 4, 2023

******Mr. Dickens moved to postpone approving the minutes until corrections can be made.**

******Mr. McQuaid seconded the motion.**

******The motion passed unanimously.**

**4) CONTINUED REVIEW OF REVISED OPERATING, CAPITAL, AND
BOND PROVISIONS**

Mr. Mednick shared the fourth revision which begins with Article X: Budget, Public Funds and Finance. This revision includes the changes made at the last meeting. It defines the operating budget, the capital budget and the fiscal year.

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Mr. Mednick went through the changes that had previously been agreed upon.

Ms. Brescia asked that in article 4, Conservation and Development be capitalized.

Mr. Mednick highlighted some sentences that he feels should be edited to make them as easily understandable to the public as possible. Ms. Brescia made the point that keeping all titles and names consistent throughout will also make the document more accessible to the layman. The commission agreed that if a board is mentioned by full name in the paragraph, and mentioned again later in the same paragraph, it can be shortened to 'the board.'

Mr. Mednick pointed out that in section 10-11 paragraphs A, B and C, the language is not clear enough regarding the transfer of funds. He will have a separate meeting to address this and will present new language at the next commission meeting.

Mr. Mednick asked the commission to read the changes made to section 10-12, paragraph B as this section has been completely rewritten.

The commission agrees that section 10-16 paragraph c, Transfer of Operating Budget needs to be rewritten and parameters should be set as to how money left over in the Operating Budget can be used.

There needs to be further clarification and discussion on sections 10-17 through 10-23. An edited version will be presented at the next meeting.

Going forward, Mr. Mednick is meeting with the Mayor and Council and will incorporate their input into the final draft.

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

Mr. Mednick shared his screen to show the titles of the articles. His overarching goal is to simplify the charter.

Mr. Mednick went through each article and explained its purpose and function.

The commission agreed to eliminate the paragraphs on Town Meetings as town meetings no longer occur. Mr. Mednick also recommends removing paragraphs C and D. Once a section is removed, it is run past the court counsel office for approval.

In section 1-5, Mr. Mednick added new language about granting of power. This is to cover a broad range of circumstances.

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Mr. Mednick plans to take his recommendations on these articles to the Corporation Counsel for discussion. Some sections can be eliminated, some are outdated and some should be moved to other sections.

In Article 2, Mr. Mednick reviewed the definitions presented. Mr. Dickens asked for clarification on how the departments report. Mr. Mednick made a point to explain what was meant by Final Action in paragraph 14.

These articles are a first draft and are presented in general terms. They will be reviewed and revised as to how they function in Norwalk specifically.

Sections 2-3 address the standards of conduct. Mr. Mednick gave an overview of these standards. Ms. Brescia asked who's responsible for keeping track of these standards. It is the Ethics Commission which will be further defined in another section of the charter.

Section 2-4 covers rules of order and civility. There should be safety, decorum and respect for interactions between the public and elected and appointed officials.

Section 2-5 deals with open meetings and public records. And the last section, 2-6, covers diversity on boards and commissions.

Mr. Mednick has comments on these sections from Mr. Livingston, and is waiting for comments from the Mayor's office. He would like to have all these sources of input together for presentation to the Charter Commission by the next meeting. He also asked the members of the Charter Commission to look ahead to Article 3 and the Board of Education section and start making suggestions on edits.

6) COMMENTS BY COMMISSION COUNSEL STEVEN MEDNICK

Mr. Mednick presented a schedule of approved dates the Charter Commission plans to meet, and what sections of the Charter will be discussed at each meeting.

Between now and the end of March, a working draft will be done of each section. April and May will be dedicated to refining and editing the sections.

7) ADJOURNMENT

******Ms. Brescia moved to adjourn the meeting.**

******The motion passed unanimously.**

Chairman Brescia adjourned the meeting at 9:15.

Respectfully submitted,

Amy Chaple
Telesco Secretarial Services

Articles I – III, VI, IX and XI

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ATTORNEY WORK PRODUCT DRAFT PROVISIONS FOR CRC CONSIDERATION 011923

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.

§1-5. General Grant of Powers⁵.

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.”

⁵ NEW (2023).

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.

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 “Commission¹¹.** 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) **Charter¹²** shall mean the Charter of the City of Norwalk.

(3) **City¹³** means the City of Norwalk.

(4) **Capital Budget¹⁴.** 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.

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). 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) Capital Budget Items¹⁵ All individual expenditures in excess of Five Thousand (\$5,000) 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 the acquisition of land or buildings and for the improvement, purchase, enlargement and development of properties of the City. These Capital Budget Items shall include, but not be limited to, 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.

(6) Classified Service¹⁶ or **Civil Service** or **Merit System** shall have the meaning set forth in Article __, Section __ of this Charter.

(7) Common Council or **Council**¹⁷ means the legislative body of the City, as required by the General Statutes.

(8) Day(s)¹⁸ 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.

(9) Department¹⁹ 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.

(10) "Department Head"²⁰ 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.

(11) "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);

¹⁵ NEW (2023). Derived from §30-4 of the Code of Ordinances.

¹⁶ NEW (2023).

¹⁷ NEW (2023) Required by C.G.S. §7-193(a)(1)(C).

¹⁸ NEW (2023).

¹⁹ NEW (2023).

²⁰ NEW (2022).

Chapter IV (Common Council), Chapter V (The Mayor), Chapter VI (City Treasurer); and Chapter IX (Board of Education) of this Charter.

(12) "Elector"²¹ shall have the meaning contained in the General Statutes.

(13) **Five-year Program of Capital Expenditures**²². 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."

(14) **Final Action**²³ 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.

(15) **General Statutes**²⁴ 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.".

(16) **Law**²⁵ includes, but is not limited to, decisions of courts and administrative bodies (or any agreements sanctioned by any such bodies), federal or state legislative enactments, Ordinances and Regulations, including all applicable rules contained therein.

(17) **Majority Vote of the Council**²⁶ 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.

(18) **Mayor**²⁷ 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.

(19) **Meeting or Public Meeting**²⁸ shall have the meaning set forth in C.G.S. §1-200(2), including Meetings by means of electronic equipment, as may be amended from time to time.

(20) **Meeting (or Hearing Notice)** means a notice posted as required by Law including posting of all Meetings with the City Clerk, including regular, special

²¹ 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".

²² NEW (2023) Derived from 30-3 of the Code of Ordinances.

²³ NEW (2023).

²⁴ NEW (2023).

²⁵ NEW (2023).

²⁶ NEW (2023).

²⁷ NEW (2023). Required by C.G.S. § 7-193(a)(2)(C).

²⁸ NEW (2023)

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.

(21) Official or Public Official²⁹ 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”.

(22) Order or Motion³⁰ 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.

(23) “Ordinances” or “Ordinances of the City”³¹ 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.

(24) Public Notice³² 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

²⁹ NEW (2023)

³⁰ NEW (2022).

³¹ NEW (2023)

³² NEW (2023).

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.

(25) Regulation³³ 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.

(26) Resolution³⁴ 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.

(27) Special Acts or Special Laws³⁵ shall mean the acts of the General Assembly pertinent to the City.

(28) State or Connecticut³⁶ shall mean the State of Connecticut.

(29) State Constitution³⁷ shall mean the Constitution of the State of Connecticut.

(30) Vacancy³⁸ 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 NEW (2023). Derived from C.G.S. §4-166(16).

³⁴ NEW (2023).

³⁵ NEW (2023).

³⁶ NEW (2023).

³⁷ NEW (2023).

³⁸ NEW (2023).

(31) 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 obligation³⁹.

§2-3. Standards of Conduct⁴⁰.

A. Statement of Purpose⁴¹. 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 of Norwalk 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 Ordinance⁴². 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 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.

³⁹ NEW (2023)

⁴⁰ 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."*

⁴¹ NEW (2023).

⁴² NEW (2023).

(2) **Recusal**⁴³. 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**⁴⁴. 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 Practices**⁴⁵. No Official shall violate the provisions of the General Statutes⁴⁶, 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.

§2-4. Rules of Order and Civility⁴⁷.

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.

⁴³ NEW (2023).

⁴⁴ NEW (2023).

⁴⁵ NEW (2023).

⁴⁶ **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.

⁴⁷ NEW (2023).

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 Rule⁴⁸. 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 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

⁴⁸ NEW (2023).

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 Records⁴⁹.

A. Records⁵⁰. 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 Meetings⁵¹. All Meetings of the Common Council⁵² 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 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 Commissions⁵³.

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

⁴⁹ NEW (2023).

⁵⁰ NEW (2023).

⁵¹ NEW (2023).

⁵² NEW (2023).

⁵³ NEW (2023).

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 to⁵⁴, 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.

⁵⁴ **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 Statutes⁵⁵.

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 chapter⁵⁶. 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 (2) weeks preceding such election, as required by Law, including an Ordinance; or, in compliance with the Notice provisions of this Charter and a copy of the notice shall be posted on the public signpost within the limits of the City or at such other place or places as may be designated by the Council⁵⁷.

B. Nominations and Elections⁵⁸. The nomination and elections of all Federal, State and City Elected Officials shall be conducted as prescribed by the General Statutes.

C. Holding elections⁵⁹. The election of town officers herein provided for shall be held at the polling places provided by the Common Council for the City election⁶⁰, and it shall be the duty of the Selectmen of said town to provide for the holding of the election of 1913, and the Common Council shall provide for the holding of all City and town elections thereafter at the time herein provided for.

§3-2. Rules Pertaining to Electors.

A. Qualified Voters Entitled to Vote: Electors⁶¹. Every Elector of this State who shall reside within the limits of the City upon the date of any election, and who shall be 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 in the Council District where the Elector is duly registered and resides⁶².

⁵⁵ NEW (2023).

⁵⁶ NEW (2023).

⁵⁷ 2023 Recodification and modification of current Article III – Part 1. In General, §1-169. Derived from Sp. Laws, 1913, No. 352, §51.

⁵⁸ NEW (2023).

⁵⁹ 2023 Recodification of current Article III – Part 1. In General, §1-163. Derived from Sp. Laws 1913, No. 352, §46.

⁶⁰ Historical Editor's Note: See § 1-180 for provision authorizing Registrars of Voters to designate polling places.

⁶¹ 2023 Recodification and modification of current Article III – Part 1. In General, §1-164. Derived from Sp. Laws 1913, No. 352, §47.

⁶² 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.

B. Prepared Lists of Electors⁶³. The Registrars of Voters shall prepare lists of Electors qualified to vote therefore, in the manner prescribed by the State Constitution, the General Statutes and any Special Acts applicable to the City⁶⁴. **At least ten (10) days prior to the date of any election** for the choice of City and town officers the Registrars of Voters⁶⁵ for the Town of Norwalk shall deliver to the City Clerk a list of the names of the ~~persons~~ **Electors** entitled to vote at said election in each ward of the said City. **Said names shall be arranged in alphabetical order, by wards, with the street and number of the residence of each, if such there be.** Said list shall be open to inspection at the office of the City Clerk and shall be the registry list for the year in which it is made and until the next list is perfected as herein provided⁶⁶.

C. Eligibility⁶⁷. No person shall be eligible for nomination or election to any City office who is not an Elector⁶⁸ 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 Open⁶⁹. The polls ~~in each ward~~ shall be open as required by the General Statutes ~~from 6:00 a.m. to 5:00 p.m.~~

§3-3. Election of Officers and Other Elective Officials⁷⁰.

A. Date of Election. On the first (1st) Tuesday after the first (1st) Monday of November 1979, and biennially thereafter, there shall be held a town and City election for the choice of officers of the Town and City of Norwalk, by a plurality of ballots.

⁶³ 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.

⁶⁴ NEW (2023).

⁶⁵ **Historical editor's note: See also Art. III, Part 2 and § 1-217. See also, Ch. 9, Administration, Art. IV.**

⁶⁶ 2023 Recodification and modification of current Article III – Part 1. In General, §1-170 (Second, third and fourth sentences). Derived from Sp. Laws 1913, No. 352, § 52; Sp. Laws 1921, No. 400, § 2.

⁶⁷ 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.**

⁶⁸ 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."

⁶⁹ **Chapter 143. ELECTORS: QUALIFICATIONS AND ADMISSION. Revised to January 1, 2010. C.G.S. §9-12 entitled "Who may be admitted".**

⁷⁰ 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.

⁷¹ 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.**

B. Election of Registrar of Voters in 1952 and thereafter⁷¹. There shall be elected at a town and City meeting to be held coincidentally with the general state election on the Tuesday after the first (1st) Monday in November, 1952, and biennially thereafter, (a) two (2) 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 City Officers. The elected City Officers are: (1) The Mayor; (2) Fifteen (15) Members of the Common Council, as set forth ____, below a; (3) Nine (9) Members of the Board of Education as set forth in _____, below; (4) a Treasurer; and, (5) a City Sheriff.

D. Elected Town Officers: The elected Town Officers are: (1) three (3) Selectmen; (2) seven (7) Constables; and, (3) a Town Clerk who shall be ex officio Registrar of births, marriages and deaths. No person shall vote for more than four (4) Constables.

E. 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 (2) years from the second (2nd) 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 Term⁷². All members of the Board of Education shall serve for terms of four (4) years.

(3) Registrars of Voters: Two-year Term⁷³. The terms of Registrars of Voters shall be for two (2) years from the first (1st) Monday in January following their election and until their successors shall be elected and shall have qualified, unless sooner removed for cause as provided by statute in the case of elective officers of the City.

§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 (5) council districts from each of which two (2) Councilmembers shall be elected at the regular election of the City to be held as set forth in §3-3.A of this

⁷¹ 2023 Recodification of current Article III – Part 2. Registrars of Voters. §1-185 (First sentence). Derived from Sp. Laws 1951, No. 334, §3.

⁷² 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.*

⁷³ 2023 Recodification of current Article III – Part 2. Registrars of Voters. §1-185 (Second sentence). Derived from Sp. Laws 1951, No. 334, §3.

Charter⁷⁴. The historical boundaries are set forth in §10-1 of this Charter, entitled “Historical Charter Provisions”⁷⁵.

(1) Periodic Revision of District Boundaries: Reapportionment The boundaries of each District may be revised from time to time⁷⁶. The Common Council shall designate such council districts, by letter or number, as it shall deem proper⁷⁷. The establishment of districts by the Council shall be consistent with Law⁷⁸.

(2) At-Large Councilmembers⁷⁹. 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 Districts⁸⁰. On the effective date hereof and until otherwise determined by Ordinance, five (5) 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.

(1) At-large Members of the Board of Education. There shall be four (4) At-Large Members of the Board of Education elected from the City.

(2) Minority Party Representation Pertaining to the Board of Education⁸¹. 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 (4) in years in which four (4)

⁷⁴ 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.

⁷⁵ NEW (2023)

⁷⁶ NEW (2023)

⁷⁷ 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.

⁷⁸ NEW (2023).

⁷⁹ 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.

⁸⁰ 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.”*

⁸¹ 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.*

terms expire, and one per Council district in years in which five (5) terms expire, and the candidates receiving the highest numbers of votes cast shall be elected.

C. Other Districts⁸². 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 Norwalk⁸³.

§3-5. Tie Votes and Elections⁸⁴.

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 provided⁸⁵.

§3-6. Vacancies⁸⁶.

A. Elective Offices Other Than Mayor⁸⁷ Whenever any elective officer of the City shall die, resign or remove his residence from the City or, by reason of permanent mental or physical disability or infirmity, shall become incapacitated to discharge the duties of his office or shall be convicted of malfeasance in office or any infamous crime or when any vacancy shall occur in any elective office of the City from any cause, the Council of the City shall, having been called together for the purpose by the Clerk of the City, upon one (1) weeks' notice, declare such office vacant and shall forthwith fill such vacancy; and the person chosen 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. A plurality of ballots shall be sufficient to elect.

B. Office of Mayor: Succession⁸⁸ If such vacancy occurs in the office of the Mayor, it shall be filled from the Councilmen of the City; if in the members of the Council,

⁸² 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.

⁸³ 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.

⁸⁴ 2023 Recodification of current Article III – Part 1. In General, §1-171. Derived from Sp. Laws 1913, No. 352, §53.

⁸⁵ 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.”

⁸⁶ 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.

⁸⁷ Title added 2023.

⁸⁸ Title added 2023.

from the electors of the council district or districts in the City from which the former incumbent of such office was chosen; and if in any other **elective office of the City**, from the Electors of the City, but 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. 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 Councilman, such vacancy **shall be filled by the town and City committee of the political party** to which the Councilman 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 Education.

D. Vacancies in the Board of Registrars⁸⁹ 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.

§3-7. Oath for Elective Officers⁹⁰.

All elective officers 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.

§3-8. Election expenses⁹¹.

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.

⁸⁹ 2023 Recodification 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.

⁹⁰ 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..

⁹¹ 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 Charter⁹².

B. Powers and Duties⁹³ The Town Clerk shall have all the powers and duties⁹⁴ prescribed by the General Statutes, this Charter and such other powers and duties as may be prescribed by the Council.

(1) Registrar of Vital Statistics⁹⁵. The Town Clerk shall serve as Registrar of Vital Statistics, unless otherwise set forth by the General Statutes⁹⁶.

(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

⁹² NEW (2023).

⁹³ 2023 Recodification and restatement of current Article V, Part 1 – General. §1-217. Derived from Sp. Laws 1913, No. 352, §73.

⁹⁴ 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.

⁹⁵ NEW (2023).

⁹⁶ 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 Employees**⁹⁷. The Town Clerk shall appoint and may remove, **subject to the provisions of the Merit System**, all assistants⁹⁸ and employees of this office.

(4) **Compensation**⁹⁹. The Town Clerk's compensation and benefits shall be set during the budget process.

(5) **Fees**¹⁰⁰. All fees collected by the Town Clerk shall be paid to the Town, except as otherwise provided by the General Statutes.

(6) **Certification**¹⁰¹. 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 Voters¹⁰².

⁹⁷ NEW (2023).

⁹⁸ 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).

⁹⁹ NEW (2023).

¹⁰⁰ NEW (2023).

¹⁰¹ 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".

¹⁰² 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 Duties¹⁰³. There shall be a 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 creating and maintaining the official registry list for the municipality, maintaining and preparing the voting machines, hiring and appointing poll workers, training poll workers, ensuring proper set-up of the polling place, ensuring proper reporting of candidate totals on election night, and conducting post-election recounts and audits.

B. Operational standards. 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 (180) 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.

C. Establishment of Precincts and Voting Places.

(1) **Voting Precincts¹⁰⁴.** The Registrars of Voters of the Town of Norwalk shall, subject to approval by the Council of the City of Norwalk, at least one hundred and twenty (120) days prior to any general election, establish and designate suitable voting precincts within the established voting districts of the Town of Norwalk. Each ward within the City shall be entitled to at least one such voting precinct and each voting precinct shall have a separate voting place.

(2) **Voting Places¹⁰⁵.** The Registrars of Voters shall have the power to designate the voting places and set up voting accommodations. It shall have power to designate any and all public schools as voting places.

(3) **Precinct Voting Lists¹⁰⁶.** The Registrars shall compile separate voting lists for each precinct so established and designated.

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.

¹⁰³ 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”

¹⁰⁴ 2023 Recodification 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.

¹⁰⁵ 2023 Recodification of current Article III – Part 1. In General, §1-180. Derived from Sp. Laws 1945, No. 134, §2.

¹⁰⁶ 2023 Recodification of current Article III – Part 1. In General, §1-181. Derived from Sp. Laws 1945, No. 134, §3.

§6-3. Powers and Duties of Constables¹⁰⁷.

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 Duties¹⁰⁸.

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 Selectmen¹⁰⁹. 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 Norwalk¹¹⁰. The salary of each of the Selectmen of the Town of Norwalk shall, from September 1, 1947, be one hundred (\$150) dollars per annum.

¹⁰⁷ 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.

¹⁰⁸ 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.*

¹⁰⁹ 2023 Recodification of current Article V, Part 1 – General. §1-216. Derived from Sp. Laws 1913, No. 352, §72.

¹¹⁰ 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: EDUCATION¹¹¹

§9-1. Board of Education¹¹².

A. Creation and Composition of Board of Education¹¹³

B. Duties.

(1) **Composition**¹¹⁴. There shall 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**¹¹⁵. The Board shall perform the duties and have the powers provided by the statutes for town boards of education.

(3) **Meetings**¹¹⁶. The Board shall hold a regular meeting each month.

(4) **Mayor Ex-Officio Non-Voting Chair of the Board**¹¹⁷. 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**¹¹⁸. The Board shall, at its first (1st) meeting and annually thereafter, elect from its number a Chairman 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

¹¹¹ 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.

¹¹² 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education.

¹¹³ 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.

¹¹⁴ 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**

¹¹⁵ 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..

¹¹⁶ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Second sentence).

¹¹⁷ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Third and fourth sentences).

¹¹⁸ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Fifth and sixth sentences).

transactions of the Board and shall perform all duties imposed by the Board or by law.

(6) Appointment of Superintendent¹¹⁹. The Board shall elect a Superintendent of Schools, in accordance with the General Statutes, and such number of assistants, principals, teachers, nurses and janitors as it may deem necessary and prescribe their respective terms of office and duties.

(7) Other Appointments¹²⁰. The Board shall, so far as practicable, on or before the first (1st) day of March of each year, 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) Vacancy¹²¹. 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 (1st) sixteen (16) 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 (2) years of the term.

(b) Following the First Sixteen Months. If the vacancy occurs after the first sixteen (16) months of any four-year term of office, the person so chosen shall serve until the completion of the four (4) 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 Board¹²². 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 same¹²³. 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

¹¹⁹ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Seventh sentence).

¹²⁰ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Eighth sentence).

¹²¹ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Ninth through thirteenth sentences).

¹²² 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-517. Derived from Sp. Laws 1931, No. 315, § 1.

¹²³ Editor's Note: See also § **1-248**, for purchase of commodities by Comptroller.

visitors in this state, so far as the same are consistent with the provisions of §§ **1-517** 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 Reports¹²⁴. 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 City.

(11) Bonds and Notes¹²⁵: **Bond Issue of 1957; Minimum Fee for Students Attending Technical Institute**¹²⁶. 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.

§9-2. School Districts¹²⁷.

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. Budget¹²⁸.

The Board of Education 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

¹²⁴ 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.

¹²⁵ 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.

¹²⁶ 2023 Recodification of current Article XVIII, entitled "Schools", Part 3. Bonds and Notes. §1-614. Derived from Sp. Laws 1957, No. 665, §§ 6, 7.

¹²⁷ 2023 Recodification of current Article XVIII, entitled "Schools", Part 1. General. §1-508. Derived from Sp. Laws 1913, No. 352, § 165.

¹²⁸ NEW (2023)

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 Cooperation¹²⁹.

The Board of Education and Department of Education shall cooperate with the Mayor, Chief Financial Officer, Board of Estimate and 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 Requirements¹³⁰.

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.

¹²⁹ NEW (2023)

¹³⁰ NEW (2023)

ARTICLE XI: HISTORICAL PROVISIONS

§11-1. Historical Council Districts¹³¹.

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 southwestwardly 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

¹³¹ 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 Fillow Street and continuing southerly along the center line of Fillow Street to the intersection of No. Taylor Avenue; thence southerly along the center line of No. Taylor Avenue to the intersection of Benedict Street; thence northeasterly along the center line of Benedict Street to the intersection of Ferris Avenue; thence southerly along the center line of Ferris Avenue to the intersection of Phillips Street; thence easterly along the center line of Phillips Street to the intersection of Glenwood Avenue; thence southerly along the center line of Glenwood Avenue to the division line of the Second and Fifth Taxing Districts; thence westerly along the division line of 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 districts¹³². Said city is divided into six taxing districts. The First and Second Wards¹³³ shall be the First and Second Taxing Districts¹³⁴. 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 District¹³⁵. 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 District¹³⁶. 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 District¹³⁷. 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

¹³² 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.

¹³³ Editor's Note: For descriptions of Wards refer to Art. I, § 1-3

¹³⁴ Editor's Note: For First Taxing District see Art. II, Part 2. For Second Taxing District see, Art. II, Part 3.

¹³⁵ Editor's Note: For Third Taxing District see Art. II, Part 4.

¹³⁶ 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.

¹³⁷ 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 District¹³⁸. 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 District¹³⁹ 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 Districts¹⁴⁰. 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.

¹³⁸ 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.

¹³⁹ Historical Editor's Note: The Third Taxing District is meant.

¹⁴⁰ 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..

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RECOMMENDED FOR REPEAL

§1-4. Continuance of Rights and Obligations.

A. Exclusion of Town Meetings¹⁴¹. 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 Norwalk¹⁴². 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 Officers¹⁴³. 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 waterfront¹⁴⁴. 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 district¹⁴⁵. 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

¹⁴¹ 2023 Recodification of current Article I - General. §1-6. Derived from Sp. Laws 1913, No. 352, §9.

¹⁴² 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.

¹⁴³ 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**.

¹⁴⁴ 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.

¹⁴⁵ 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 condemnation¹⁴⁶. 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 districts¹⁴⁷. 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 Departments¹⁴⁸. 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 plant¹⁴⁹. 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 buildings¹⁵⁰. The Council is authorized to establish a building district within which it shall be unlawful to erect, elevate, enlarge,

¹⁴⁶ 2023 Recodification of current Article I - General. §1-10. Derived from Sp. Laws 1931, No. 283, §2.

¹⁴⁷ 2023 Recodification of current Article I - General. §1-11. Derived from Sp. Laws 1931, No. 283, §3.

¹⁴⁸ 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.*

¹⁴⁹ 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.*

¹⁵⁰ 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 buildings¹⁵¹.

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.¹⁵¹ 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 Norwalk¹⁵². 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 Wards¹⁵³.

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

¹⁵¹ 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.**

¹⁵² 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.**

¹⁵³ 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 machines¹⁵⁴.

A. Challenge of Voting Right¹⁵⁵. 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

¹⁵⁴ 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.

¹⁵⁵ Title added 2023.

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.

B. Perjury in Claiming Right to Vote¹⁵⁶. 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 Voters¹⁵⁷. 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 Results¹⁵⁸. 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 Order¹⁵⁹. 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 Reports¹⁶⁰. 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

¹⁵⁶ Title added 2023.

¹⁵⁷ Title added 2023.

¹⁵⁸ Title added 2023.

¹⁵⁹ Title added 2023.

¹⁶⁰ Title and parenthetical numbers added 2023.

before any election for City officers, uniform blanks on which to make all certificates and reports.

G. Voting Machines¹⁶¹. If said City installs voting machines said election shall be conducted according to the laws authorizing the use of voting machines at elections.

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¹⁶¹ Title added 2023.

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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.

§1-5. General Grant of Powers⁸.



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.”

⁸ NEW (2023).

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.

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

§2-1. Definitions and Titles Generally¹⁸.

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. Definitions¹⁹.

A. Definitions and Titles Generally²⁰. 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 terms²¹. 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 terms²². The following terms shall have the meanings set forth in this subsection unless otherwise specified in this Charter:

(1) **Board” or “Commission²³.** 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) **Charter²⁴** shall mean the Charter of the City of Norwalk.

(3) **City²⁵** means the City of Norwalk.

(4) **Capital Budget²⁶.** 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.

¹⁸ NEW (2023).

¹⁹ NEW (2023).

²⁰ NEW (2023)

²¹ NEW (2023).

²² NEW (2023).

²³ NEW (2023).

²⁴ NEW (2023)

²⁵ NEW (2023)

²⁶ 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) **Capital Budget Items**²⁷. All individual expenditures in excess of Five Thousand (\$5,000) 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 the acquisition of land or buildings and for the improvement, purchase, enlargement and development of properties of the City. These Capital Budget Items shall include, but not be limited to, 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.

(6) **Classified Service**²⁸ or **Civil Service** or **Merit System** shall have the meaning set forth in Article __, Section ____ of this Charter.

(7) **Common Council** or **Council**²⁹ means the legislative body of the City, as required by the General Statutes.

(8) **Day(s)**³⁰ 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.

(9) **Department**³¹ 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.

(10) "Department Head"³² 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.

(11) "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);

²⁷ NEW (2023). Derived from §30-4 of the Code of Ordinances.

²⁸ NEW (2023).

²⁹ NEW (2023) Required by C.G.S. §7-193(a)(1)(C).

³⁰ NEW (2023).

³¹ NEW (2023).

³² NEW (2022).

Chapter IV (Common Council), Chapter V (The Mayor), Chapter VI (City Treasurer); and Chapter IX (Board of Education) of this Charter.

(12) "Elector"³³ shall have the meaning contained in the General Statutes.

(13) **Five-year Program of Capital Expenditures**³⁴. 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."

(14) **Final Action**³⁵ 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.

(15) **General Statutes**³⁶ 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.".

(16) **Law**³⁷ includes, but is not limited to, decisions of courts and administrative bodies (or any agreements sanctioned by any such bodies), federal or state legislative enactments, Ordinances and Regulations, including all applicable rules contained therein.

(17) **Majority Vote of the Council**³⁸ 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.

(18) **Mayor**³⁹ 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.

(19) **Meeting or Public Meeting**⁴⁰ shall have the meaning set forth in C.G.S. §1-200(2), including Meetings by means of electronic equipment, as may be amended from time to time.

(20) **Meeting (or Hearing Notice)** means a notice posted as required by Law including posting of all Meetings with the City Clerk, including regular, special

³³ 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".

³⁴ NEW (2023) Derived from 30-3 of the Code of Ordinances.

³⁵ NEW (2023).

³⁶ NEW (2023).

³⁷ NEW (2023).

³⁸ NEW (2023).

³⁹ NEW (2023). Required by C.G.S. § 7-193(a)(2)(C).

⁴⁰ NEW (2023)

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.

(21) Official or Public Official⁴¹ 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”.

(22) Order or Motion⁴² 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.

(23) “Ordinances” or “Ordinances of the City”⁴³ 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.

(24) Public Notice⁴⁴ 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

⁴¹ NEW (2023)

⁴² NEW (2022).

⁴³ NEW (2023)

⁴⁴ NEW (2023).

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.

(25) Regulation⁴⁵ 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.

(26) Resolution⁴⁶ 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.

(27) Special Acts or Special Laws⁴⁷ shall mean the acts of the General Assembly pertinent to the City.

(28) State or Connecticut⁴⁸ shall mean the State of Connecticut.

(29) State Constitution⁴⁹ shall mean the Constitution of the State of Connecticut.

(30) Vacancy⁵⁰ 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.

⁴⁵ NEW (2023). Derived from C.G.S. §4-166(16).

⁴⁶ NEW (2023).

⁴⁷ NEW (2023).

⁴⁸ NEW (2023).

⁴⁹ NEW (2023).

⁵⁰ NEW (2023).

(31) 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 obligation⁵¹.

§2-3. Standards of Conduct⁵².

A. Statement of Purpose⁵³. 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 of Norwalk 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 Ordinance⁵⁴. 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 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.

⁵¹ NEW (2023)

⁵² 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."*

⁵³ NEW (2023).

⁵⁴ NEW (2023).

(2) **Recusal**⁵⁵. 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**⁵⁶. 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 Practices**⁵⁷. No Official shall violate the provisions of the General Statutes⁵⁸, 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.

§2-4. Rules of Order and Civility⁵⁹.

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.

⁵⁵ NEW (2023).

⁵⁶ NEW (2023).

⁵⁷ NEW (2023).

⁵⁸ **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.

⁵⁹ NEW (2023).

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 Rule⁶⁰. 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 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

⁶⁰ NEW (2023).

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 Records⁶¹.

A. Records⁶². 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 Meetings⁶³. All Meetings of the Common Council⁶⁴ 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 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 Commissions⁶⁵.

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

⁶¹ NEW (2023).

⁶² NEW (2023).

⁶³ NEW (2023).

⁶⁴ NEW (2023).

⁶⁵ NEW (2023).

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 to⁶⁶, 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.



⁶⁶ **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 Statutes⁶⁷.

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 chapter⁶⁸. 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 (2) weeks preceding such election, as required by Law, including an Ordinance; or, in compliance with the Notice provisions of this Charter and a copy of the notice shall be posted on the public signpost within the limits of the City or at such other place or places as may be designated by the Council⁶⁹.

B. Nominations and Elections⁷⁰. The nomination and elections of all Federal, State and City Elected Officials shall be conducted as prescribed by the General Statutes.

C. Holding elections⁷¹. The election of town officers herein provided for shall be held at the polling places provided by the Common Council for the City election⁷², and it shall be the duty of the Selectmen of said town to provide for the holding of the election of 1913, and the Common Council shall provide for the holding of all City and town elections thereafter at the time herein provided for.

§3-2. Rules Pertaining to Electors.

A. Qualified Voters Entitled to Vote: Electors⁷³. Every Elector of this State who shall reside within the limits of the City upon the date of any election, and who shall be 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 in the Council District where the Elector is duly registered and resides⁷⁴.

⁶⁷ NEW (2023).

⁶⁸ NEW (2023).

⁶⁹ 2023 Recodification and modification of current Article III – Part 1. In General, §1-169. Derived from Sp. Laws, 1913, No. 352, §51.

⁷⁰ NEW (2023).

⁷¹ 2023 Recodification of current Article III – Part 1. In General, §1-163. Derived from Sp. Laws 1913, No. 352, §46.

⁷² Historical Editor's Note: See § 1-180 for provision authorizing Registrars of Voters to designate polling places.

⁷³ 2023 Recodification and modification of current Article III – Part 1. In General, §1-164. Derived from Sp. Laws 1913, No. 352, §47.

⁷⁴ 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.

B. Prepared Lists of Electors⁷⁵. The Registrars of Voters shall prepare lists of Electors qualified to vote therefore, in the manner prescribed by the State Constitution, the General Statutes and any Special Acts applicable to the City⁷⁶. **At least ten (10) days prior to the date of any election** for the choice of City and town officers the Registrars of Voters⁷⁷ for the Town of Norwalk shall deliver to the City Clerk a list of the names of the ~~persons~~ **Electors** entitled to vote at said election in each ward of ~~the said City~~. **Said names shall be arranged in alphabetical order, by wards, with the street and number of the residence of each, if such there be.** Said list shall be open to inspection at the office of the City Clerk and shall be the registry list for the year in which it is made and until the next list is perfected as herein provided⁷⁸.

C. Eligibility⁷⁹. No person shall be eligible for nomination or election to any City office who is not an Elector⁸⁰ 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 Open⁸¹. The polls ~~in each ward~~ shall be open as required by the General Statutes ~~from 6:00 a.m. to 5:00 p.m.~~

§3-3. Election of Officers and Other Elective Officials⁸².

A. Date of Election. On the first (1st) Tuesday after the first (1st) Monday of November 1979, and biennially thereafter, there shall be held a town and City election for the choice of officers of the Town and City of Norwalk, by a plurality of ballots.

⁷⁵ 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.

⁷⁶ NEW (2023).

⁷⁷ Historical editor's note: See also Art. III, Part 2 and § 1-217. See also, Ch. 9, Administration, Art. IV.

⁷⁸ 2023 Recodification and modification of current Article III – Part 1. In General, §1-170 (Second, third and fourth sentences). Derived from Sp. Laws 1913, No. 352, § 52; Sp. Laws 1921, No. 400, § 2.

⁷⁹ 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.

⁷⁹ 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."

⁸⁰ Chapter 143. ELECTORS: QUALIFICATIONS AND ADMISSION. Revised to January 1, 2010. C.G.S. §9-12 entitled "Who may be admitted".

⁸¹ 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.

⁸² 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.

B. Election of Registrar of Voters in 1952 and thereafter⁸³. There shall be elected at a town and City meeting to be held coincidentally with the general state election on the Tuesday after the first (1st) Monday in November, 1952, and biennially thereafter, (a) two (2) 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 City Officers. The elected City Officers are: (1) The Mayor; (2) Fifteen (15) Members of the Common Council, as set forth ____, below a; (3) Nine (9) Members of the Board of Education as set forth in _____, below; (4) a Treasurer; and, (5) a City Sheriff.

D. Elected Town Officers: The elected Town Officers are: (1) three (3) Selectmen; (2) seven (7) Constables; and, (3) a Town Clerk who shall be ex officio Registrar of births, marriages and deaths. No person shall vote for more than four (4) Constables.

E. 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 (2) years from the second (2nd) 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 Term⁸⁴.** All members of the Board of Education shall serve for terms of four (4) years.

(3) **Registrars of Voters: Two-year Term⁸⁵.** The terms of Registrars of Voters shall be for two (2) years from the first (1st) Monday in January following their election and until their successors shall be elected and shall have qualified, unless sooner removed for cause as provided by statute in the case of elective officers of the City.

§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 (5) council districts from each of which two (2) Councilmembers shall be elected at the regular election of the City to be held as set forth in §3-3.A of this

⁸³ 2023 Recodification of current Article III – Part 2. Registrars of Voters. §1-185 (First sentence). Derived from Sp. Laws 1951, No. 334, §3.

⁸⁴ 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.*

⁸⁵ 2023 Recodification of current Article III – Part 2. Registrars of Voters. §1-185 (Second sentence). Derived from Sp. Laws 1951, No. 334, §3.

Charter⁸⁶. The historical boundaries are set forth in §10-1 of this Charter, entitled “Historical Charter Provisions⁸⁷”.

(1) Periodic Revision of District Boundaries: Reapportionment The boundaries of each District may be revised from time to time⁸⁸. The Common Council shall designate such council districts, by letter or number, as it shall deem proper⁸⁹. The establishment of districts by the Council shall be consistent with Law⁹⁰.

(2) At-Large Councilmembers⁹¹. 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 Districts⁹². On the effective date hereof and until otherwise determined by Ordinance, five (5) 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.

(1) At-large Members of the Board of Education. There shall be four (4) At-Large Members of the Board of Education elected from the City.

(2) Minority Party Representation Pertaining to the Board of Education⁹³. 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 (4) in years in which four (4)

⁸⁶ 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.

⁸⁷ NEW (2023)

⁸⁸ NEW (2023)

⁸⁹ 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.

⁹⁰ NEW (2023).

⁹¹ 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.

⁹² 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.”*

⁹³ 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.*

terms expire, and one per Council district in years in which five (5) terms expire, and the candidates receiving the highest numbers of votes cast shall be elected.

C. Other Districts⁹⁴. 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 Norwalk⁹⁵.

§3-5. Tie Votes and Elections⁹⁶.

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 provided⁹⁷.

§3-6. Vacancies⁹⁸.

A. Elective Offices Other Than Mayor⁹⁹. Whenever any elective officer of the City shall die, resign or remove his residence from the City or, by reason of permanent mental or physical disability or infirmity, shall become incapacitated to discharge the duties of his office or shall be convicted of malfeasance in office or any infamous crime or when any vacancy shall occur in any elective office of the City from any cause, the Council of the City shall, having been called together for the purpose by the Clerk of the City, upon one (1) weeks' notice, declare such office vacant and shall forthwith fill such vacancy; and the person chosen 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. A plurality of ballots shall be sufficient to elect.

B. Office of Mayor: Succession¹⁰⁰. If such vacancy occurs in the office of the Mayor, it shall be filled from the Councilmen of the City; if in the members of the

⁹⁴ 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.

⁹⁵ 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.

⁹⁶ 2023 Recodification of current Article III – Part 1. In General, §1-171. Derived from Sp. Laws 1913, No. 352, §53.

⁹⁷ 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.”

⁹⁸ 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.**

⁹⁹ Title added 2023.

¹⁰⁰ Title added 2023.

Council, from the electors of the council district or districts in the City from which the former incumbent of such office was chosen; and if in any other **elective office of the City**, from the Electors of the City, but 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. 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 Councilman, such vacancy **shall be filled by the town and City committee of the political party** to which the Councilman 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 Education.

D. **Vacancies in the Board of Registrars¹⁰¹.** 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.

§3-7. Oath for Elective Officers¹⁰².

All elective officers 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.

§3-8. Election expenses¹⁰³.

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.

¹⁰¹ 2023 Recodification 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.

¹⁰² 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..

¹⁰³ 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 Charter¹⁰⁴.

B. Powers and Duties¹⁰⁵ The Town Clerk shall have all the powers and duties¹⁰⁶ prescribed by the General Statutes, this Charter and such other powers and duties as may be prescribed by the Council.

(1) Registrar of Vital Statistics¹⁰⁷. The Town Clerk shall serve as Registrar of Vital Statistics, unless otherwise set forth by the General Statutes¹⁰⁸.

(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

¹⁰⁴ NEW (2023).

¹⁰⁵ 2023 Recodification and restatement of current Article V, Part 1 – General. §1-217. Derived from Sp. Laws 1913, No. 352, §73.

¹⁰⁶ 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.

¹⁰⁷ NEW (2023).

¹⁰⁸ 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 Employees¹⁰⁹. The Town Clerk shall appoint and may remove, **subject to the provisions of the Merit System**, all assistants¹¹⁰ and employees of this office.

(4) Compensation¹¹¹. The Town Clerk's compensation and benefits shall be set during the budget process.

(5) Fees¹¹². All fees collected by the Town Clerk shall be paid to the Town, except as otherwise provided by the General Statutes.

(6) Certification¹¹³. 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 Voters¹¹⁴.

¹⁰⁹ NEW (2023).

¹¹⁰ 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).

¹¹¹ NEW (2023).

¹¹² NEW (2023).

¹¹³ 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".

¹¹⁴ 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 Duties¹¹⁵. There shall be a 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 creating and maintaining the official registry list for the municipality, maintaining and preparing the voting machines, hiring and appointing poll workers, training poll workers, ensuring proper set-up of the polling place, ensuring proper reporting of candidate totals on election night, and conducting post-election recounts and audits.

B. Operational standards. 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 (180) 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.

C. Establishment of Precincts and Voting Places.

(1) **Voting Precincts¹¹⁶.** The Registrars of Voters of the Town of Norwalk shall, subject to approval by the Council of the City of Norwalk, at least one hundred and twenty (120) days prior to any general election, establish and designate suitable voting precincts within the established voting districts of the Town of Norwalk. Each ward within the City shall be entitled to at least one such voting precinct and each voting precinct shall have a separate voting place.

(2) **Voting Places¹¹⁷.** The Registrars of Voters shall have the power to designate the voting places and set up voting accommodations. It shall have power to designate any and all public schools as voting places.

(3) **Precinct Voting Lists¹¹⁸.** The Registrars shall compile separate voting lists for each precinct so established and designated.

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.

¹¹⁵ 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”

¹¹⁶ 2023 Recodification 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.

¹¹⁷ 2023 Recodification of current Article III – Part 1. In General, §1-180. Derived from Sp. Laws 1945, No. 134, §2.

¹¹⁸ 2023 Recodification of current Article III – Part 1. In General, §1-181. Derived from Sp. Laws 1945, No. 134, §3.

§6-3. Powers and Duties of Constables¹¹⁹.

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 Duties¹²⁰.

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 Selectmen¹²¹. 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 Norwalk¹²². The salary of each of the Selectmen of the Town of Norwalk shall, from September 1, 1947, be one hundred (\$150) dollars per annum.

¹¹⁹ 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.

¹²⁰ 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.*

¹²¹ 2023 Recodification of current Article V, Part 1 – General. §1-216. Derived from Sp. Laws 1913, No. 352, §72.

¹²² 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: EDUCATION¹²³

§9-1. Board of Education¹²⁴.

A. Creation and Composition of Board of Education¹²⁵.

B. Duties.

(1) **Composition**¹²⁶. There shall 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**¹²⁷. The Board shall perform the duties and have the powers provided by the statutes for town boards of education.

(3) **Meetings**¹²⁸. The Board shall hold a regular meeting each month.

(4) **Mayor Ex-Officio Non-Voting Chair of the Board**¹²⁹. 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**¹³⁰. The Board shall, at its first (1st) meeting and annually thereafter, elect from its number a Chairman 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

¹²³ 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.

¹²⁴ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education.

¹²⁵ 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.

¹²⁶ 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**.

¹²⁷ 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..

¹²⁸ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Second sentence).

¹²⁹ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Third and fourth sentences).

¹³⁰ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Fifth and sixth sentences).

transactions of the Board and shall perform all duties imposed by the Board or by law.

(6) Appointment of Superintendent¹³¹. The Board shall elect a Superintendent of Schools, in accordance with the General Statutes, and such number of assistants, principals, teachers, nurses and janitors as it may deem necessary and prescribe their respective terms of office and duties.

(7) Other Appointments¹³². The Board shall, so far as practicable, on or before the first (1st) day of March of each year, 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) Vacancy¹³³. 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 (1st) sixteen (16) 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 (2) years of the term.

(b) Following the First Sixteen Months. If the vacancy occurs after the first sixteen (16) months of any four-year term of office, the person so chosen shall serve until the completion of the four (4) 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 Board¹³⁴. 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 same¹³⁵. 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

¹³¹ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Seventh sentence).

¹³² 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Eighth sentence).

¹³³ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-516 (Ninth through thirteenth sentences).

¹³⁴ 2023 Recodification of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-517. Derived from Sp. Laws 1931, No. 315, § 1.

¹³⁵ Editor's Note: See also § **1-248**, for purchase of commodities by Comptroller.

visitors in this state, so far as the same are consistent with the provisions of §§ **1-517** 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 Reports¹³⁶. 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 City.

(11) Bonds and Notes¹³⁷: **Bond Issue of 1957; Minimum Fee for Students Attending Technical Institute**¹³⁸. 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.

§9-2. School Districts¹³⁹.

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. Budget¹⁴⁰.

The Board of Education 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

¹³⁶ 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.

¹³⁷ 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.

¹³⁸ 2023 Recodification of current Article XVIII, entitled "Schools", Part 3. Bonds and Notes. §1-614. Derived from Sp. Laws 1957, No. 665, §§ 6, 7.

¹³⁹ 2023 Recodification of current Article XVIII, entitled "Schools", Part 1. General. §1-508. Derived from Sp. Laws 1913, No. 352, § 165.

¹⁴⁰ NEW (2023)

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 Cooperation¹⁴¹.

The Board of Education and Department of Education shall cooperate with the Mayor, Chief Financial Officer, Board of Estimate and 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 Requirements¹⁴².

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.

¹⁴¹ NEW (2023)

¹⁴² NEW (2023)

ARTICLE XI: HISTORICAL PROVISIONS

§11-1. Historical Council Districts¹⁴³.

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 southwesterly along the center line of Rainbow Road to the intersection of the division line between the First and Fifth Taxing Districts; and so much of the Fifth Taxing District as lies southerly of a certain line beginning at the intersection of Main Street and the division line between the First and Fifth Taxing Districts and continuing along the center line of Main Street to the intersection of Broad Street and continuing westerly along the center line of Broad Street to the intersection of the Silvermine River and continuing southerly along the center line of the Silvermine River to the intersection of the division line between the First and Fifth Taxing Districts.

B. District B. District B, to consist of the Second Taxing District of Norwalk and so much of the Fifth Taxing District that lies southerly and easterly of a certain line beginning at the intersection of North Taylor Avenue and the division line between the Second and Fifth Taxing Districts and continuing northerly along the center line of North Taylor Avenue to the intersection of West Cedar Street and continuing westerly along the center line of West Cedar Street to the intersection of Scribner Avenue and continuing southerly along the center line of Scribner Avenue to the intersection of Senga Road and continuing easterly along the center line of Senga Road to the intersection of Richmond

¹⁴³ 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 Fillow Street and continuing southerly along the center line of Fillow Street to the intersection of No. Taylor Avenue; thence southerly along the center line of No. Taylor Avenue to the intersection of Benedict Street; thence northeasterly along the center line of Benedict Street to the intersection of Ferris Avenue; thence southerly along the center line of Ferris Avenue to the intersection of Phillips Street; thence easterly along the center line of Phillips Street to the intersection of Glenwood Avenue; thence southerly along the center line of Glenwood Avenue to the division line of the Second and Fifth Taxing Districts; thence westerly along the division line of 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 districts¹⁴⁴. Said city is divided into six taxing districts. The First and Second Wards¹⁴⁵ shall be the First and Second Taxing Districts¹⁴⁶. 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 District¹⁴⁷. 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 District¹⁴⁸. 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 District¹⁴⁹. 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

¹⁴⁴ 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.

¹⁴⁵ Editor's Note: For descriptions of Wards refer to Art. I, § 1-3

¹⁴⁶ Editor's Note: For First Taxing District see Art. II, Part 2. For Second Taxing District see, Art. II, Part 3.

¹⁴⁷ Editor's Note: For Third Taxing District see Art. II, Part 4.

¹⁴⁸ 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.

¹⁴⁹ 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 District¹⁵⁰. 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 District¹⁵¹ 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 Districts¹⁵². 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.

¹⁵⁰ 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.

¹⁵¹ Historical Editor's Note: The Third Taxing District is meant.

¹⁵² 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..

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RECOMMENDED FOR REPEAL

§1-4. Continuance of Rights and Obligations.

A. Exclusion of Town Meetings¹⁵³. 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 Norwalk¹⁵⁴. 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 Officers¹⁵⁵. 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 waterfront¹⁵⁶. 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 district¹⁵⁷. 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

¹⁵³ 2023 Recodification of current Article I - General. §1-6. Derived from Sp. Laws 1913, No. 352, §9.

¹⁵⁴ 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.

¹⁵⁵ 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.*

¹⁵⁶ 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.

¹⁵⁷ 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 condemnation¹⁵⁸. 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 districts¹⁵⁹. 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 Departments¹⁶⁰. 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 plant¹⁶¹. 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 buildings¹⁶². The Council is authorized to establish a building district within which it shall be unlawful to erect, elevate, enlarge,

¹⁵⁸ 2023 Recodification of current Article I - General. §1-10. Derived from Sp. Laws 1931, No. 283, §2.

¹⁵⁹ 2023 Recodification of current Article I - General. §1-11. Derived from Sp. Laws 1931, No. 283, §3.

¹⁶⁰ 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.*

¹⁶¹ 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.*

¹⁶² 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 buildings¹⁶³.

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.¹⁶⁴ 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 Norwalk¹⁶⁴. 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 Wards¹⁶⁵.

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 consolidation

¹⁶³ 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.**

¹⁶⁴ 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.**

¹⁶⁵ 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 machines¹⁶⁶.

A. Challenge of Voting Right¹⁶⁷. 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

¹⁶⁶ 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.

¹⁶⁷ Title added 2023.

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.

B. Perjury in Claiming Right to Vote¹⁶⁸. 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 Voters¹⁶⁹. 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 Results¹⁷⁰. 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 Order¹⁷¹. 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 Reports¹⁷². 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

¹⁶⁸ Title added 2023.

¹⁶⁹ Title added 2023.

¹⁷⁰ Title added 2023.

¹⁷¹ Title added 2023.

¹⁷² Title and parenthetical numbers added 2023.

before any election for City officers, uniform blanks on which to make all certificates and reports.

G. Voting Machines¹⁷³. If said City installs voting machines said election shall be conducted according to the laws authorizing the use of voting machines at elections.

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¹⁷³ Title added 2023.

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 each Department or Budget Entity or 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) 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 (which may also be referred to as the General Fund Operating Budget) includes 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 personal and annual facility costs, all as required by this Charter and any related Ordinances. The Operating Budget is funded primarily through local property taxes; revenue transfers between Budgeted Entities; licenses, such as building and development fees; charges for services; fines and other smaller sources of revenue such as interest on investments.

(2) Capital Budget⁴: The Capital Budget funds major improvements to City facilities and infrastructure and is based on the first year of needs in the Capital Projects Program. The capital improvements program is an annually revised document that guides the City's investments in public facilities and infrastructure during a five-year time horizon. The Capital Budget is supported through multiple funding sources, including different types of bonds (debt), grants and cash as well as other smaller sources of funding.

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 the first (1st) day of

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).

July and end on the thirtieth (30th) day of June following.

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 documents and other information shall be available at the Office of the City Clerk and other designated 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 (72) 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 the first (1st) Meeting of the Council in October 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) etc....

Annual Operating Budget Estimates

§10-2. The Operating Budget Process.

A. Authority to Require Operating Budget Estimates⁹. The Mayor has the authority to require every Department Head (on behalf of their Department as well as any other Budgeted Entities, including the Board of Education and the Norwalk Public Schools), to submit to the Mayor or designee such (a) estimates of revenue and requests for expenditures for the ensuing fiscal year; and (b) any additional information which they possess (including, but not limited to, records, books, accounts, contracts,

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

⁶ NEW (2023)

⁷ NEW (2023)

⁸ NEW (2023).

⁹ NEW (2023)

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 **fifteenth (15th) day of December** in 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 for the ensuing fiscal year, giving details on forms provided by the Chief Financial Officer for the itemized estimates of income and expenditures shall require no less than the following data:

(1) Inventory of personnel payroll rosters, including filled positions, approved vacancies and newly requested positions; the number, title or function; and, other actual or projected expenditures pertaining to each employee¹¹;

(2) Itemization of all proposed expenditures for services or administration to be provided¹²;

(3) Comparative figures for: (a) actual or estimated income, other than income from tax revenues, and expenditures for the current fiscal year; and, (b) actual income, other than income from tax revenues, and expenditures for the preceding fiscal year, and proposed expenditures for current operations during the ensuing fiscal year¹³;

(4) Performance measures, service levels; differentiation of services to the residents of the City both in terms of policy and service design; and, priorities in the planning, budgeting and management of public services, including compliance with the objectives of the City's Plan of Conservation and Development required by the General Statutes¹⁴; and,

(5) Explanation of the effect of collective bargaining provisions on personnel expenditures¹⁵.

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

¹¹ NEW (2023).

¹² NEW (2023).

¹³ NEW (2023).

¹⁴ NEW (2023).

¹⁵ NEW (2023). Replaces of current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-518. Derived from Sp. Laws 1931, No. 315, § 2; Sp. Laws 1933, No. 174; Sp. Laws 1967, No. 197, § 8; Sp. Laws 1969, No. 264, §3; Charter Amendment 8-17-1976 (I); Charter Amendment 8-29-1978 (II). Historical Editor's Note I: Approved by the electorate at the general election held 11-2-1976. Historical Editor's Note

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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 **the second (2nd) Monday of February in each year**; and, the Common Council, **the immediately following Tuesday 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,

B. Department and Other Budgeted Entity Estimates²⁰. An estimate of the amounts requested by each Department and Budgeted Entity 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.

II: Approved by the electorate at the general election held 11-7-1978.–Historical Editor's Note I: This date was corrected by resolution of the Common Council 3-8-1977. Historical Editor's Note II: See also, Art. VI, § 1-289, for appropriations in general. Also replaces current Article XVIII, entitled "Schools", Part 2. Board of Education. §1-519. Derived from Sp. Laws 1931, No. 315, §3.

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.

²⁰ 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.

A. Furnishing of Information²¹. The Board of Estimate and Taxation shall have power to require the Department Heads and responsible officers for each Budgeted Entity to furnish all the information which they may possess and to exhibit to them all books, papers and documents in their respective Departments or Budgeted Entity or in their possession, 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 Year²². 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 Budget²³.

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 (5) days before the fourth (4th) Monday of February in each year.**

§10-6. Review by the Common Council.

A. Maximum Limit on Total Appropriations²⁷. The Common Council shall, at a meeting thereof to be held on or before the **Tuesday immediately following the 4th Tuesday in February in each year**, adopt by a resolution approved by a vote of a majority of the entire membership of the Council, a maximum limit on total appropriations

²¹ 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

²² 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

²³ 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

²⁷ 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

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)²⁸. The Common Council resolution shall be exempt from the application of §1-669 of this Charter.

C. Exemption of Grants from Maximum Taxation²⁹. 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 Budget³⁰.

The Board of Estimate and Taxation shall hold a **meeting on or before the twenty-first (21st) day following the actions of the Council under §10-6.A but not later than the first (1st) Monday of April in each year** and at the meeting or any adjournments thereof within the time hereinbefore specified; it shall hear all the parties who may desire to be heard, including at least one (1) 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.

A. Submission of Statement of Appropriations and Tax Rates to Common Council³¹. The Board of Estimate and Taxation, having made such alterations, increases

²⁸ 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

²⁹ 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

³⁰ 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

³¹ 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*

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 **first (1st) Monday in April in each year.**

B. Deliberations of the Common Council³². The Common Council may, at a regular or special meeting to be held not later than **fourteen (14) days following receipt from the Board of Estimate and Taxation,** 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)³³. 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 Limits³⁴. 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 Publication³⁵. The Board of Estimate and Taxation shall cause the same to be published in accordance with the notice provisions of this Charter or as further required by Ordinance, no less than **two (2) days before the fourth (4th) Wednesday of April in each year.**

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 (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

³³ 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

³⁴ 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

³⁵ 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). See, derivations in fn #31.

C. Final Alterations of Proposed Operating Budget, including Tax Rates³⁶. The Board of Estimate and Taxation shall hold a meeting on the **first (1st) Monday in May in 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 (2) or more installments.

D. No Further Action by Common Council³⁷. 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 Charter³⁸. 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 Revenues³⁹.

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.

A. Limits on Expenditures; Special Appropriations and Exemption from Maximum Limit⁴⁰. No money other than that appropriated as aforesaid by the Board of Estimate and Taxation at the meeting on the **first (1st) Monday of May** shall be expended unless a special appropriation therefor has been provided by the Board of Estimate and

³⁶ 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

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

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

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

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

Taxation at a special meeting called for that purpose and has been approved **by a two-thirds (2/3rds) vote, taken by yeas and nays, of all members of the Council**. Any special appropriation approved in such manner shall be exempt from the maximum limit established by the Council as hereinabove provided.

B. Special Appropriations⁴¹. 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 (2/3rds) vote, taken by yeas and nays, of all the members of the Common Council**.

C. Specific Purpose Appropriations⁴². Any appropriation, regular or special for any specific purpose, shall not be expended for any other purpose and, if unexpended, shall be **covered back into the treasury thirty (30) 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 (30) 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 Items⁴³.

A. Submission of Estimate of Capital Budget Items. On or before **the thirty-first day of December in 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

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

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

⁴³ NEW (2023). Derived from §30-5 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

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 (5) 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 Items⁴⁴. All individual expenditures in excess of Five Thousand (\$5,000) 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 the acquisition of land or buildings and for the improvement, purchase, enlargement and development of properties of the City. These Capital Budget Items shall include, but not be limited to, 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.

C. Capital Projects Program⁴⁵. 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 Report⁴⁶.

Following the receipt of estimates for capital projects and **not later than February 1 in 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 estimate of the effect of such expenditures upon the current budget, and the bonded indebtedness for the succeeding years, together with his, her or their recommendations relative thereto.

§10-14. Review by the Planning and Zoning Commission⁴⁷.

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 (5) years, at which time the Mayor, Department Heads and responsible officers of other Budgeted Entities, including the Board of Education and Norwalk Public Schools, the Chief Financial Officer, members of the Board of Estimate and Taxation,

⁴⁴ NEW (2023). Derived from §30-4 of the Code of Ordinances.

⁴⁵ NEW (2023) Derived from §30-3 of the Code of Ordinances.

⁴⁶ NEW (2023). Derived from §30-6 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

⁴⁷ NEW (2023). Derived from §30-7 of the Code of Ordinances. Amended 3-10-1959; 9-28-2021.

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.

(1) **Production of Information.** The Planning and Zoning Commission may require the production of all pertinent data in respect to such estimates, including preliminary plans, sketches, layouts and surveys.

(2) **Staff Assistance.** The Chief Financial Officer and the Director of Planning and Zoning shall render assistance to the Planning and Zoning Commission in its consideration of the capital projects program.

C. 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. Such report may also contain recommendations of the Planning and Zoning Commission with respect to the proposed capital projects program. 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 Mayor⁴⁸.

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 5 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 for Conservation and Development pertaining to the physical development of the City, 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 Taxation⁴⁹.

A. Transmittal by the Mayor to the Board of Estimate and Taxation. The Mayor's Proposed Capital Budget shall, **on or before March 15 in 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.

⁴⁸ NEW (2023). Derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁴⁹ NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

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 1 in 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 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 Budget⁵⁰.

A. Actions of the Common Council. Upon receipt of the recommendations of the Board of Estimate and Taxation, the Common Council may approve, reject or reduce any item in the Proposed Capital Budget by a vote of the majority of its members, present and voting, or may, by a vote of a majority of its members present and voting, reinstate therein any item which may have been previously disapproved.

B. Deadline for Approval. The Common Council shall thereupon approve the Proposed Capital Budget, as amended, **on or before the 15th day of April in 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^{rds}) vote of the entire Common Council.

§10-18. Schedules, progress and completion reports and recommendations for termination or abandonment of capital budget items⁵¹.

A. Notification to Departments and Other Budgeted Entities⁵³. Upon adoption of the capital budget as set forth in §10-17, the Chief Financial Officer shall notify each Department or other Budgeted Entity of those items under such Department's or other Budgeted Entities' responsibility, together with the amount thereof which has been approved.

⁵⁰ NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁵¹ NEW (2023). Derived from §30-10.1 of the Code of Ordinances. Added 1-24-1961; amended 5-13-2003; 9-28-2021.

⁵³ NEW (2023). Derived from §30-10.1.A (First sentence) of the Code of Ordinances

B. Work Programs; Monthly Reports⁵⁴. Each Department or Budgeted Entity shall, within thirty (30) days after notification by the Chief Financial Officer, submit to the Chief Financial Officer a work program scheduling the expected progress of each capital budget item to completion. On the first of each month, the Chief Financial Officer shall submit to the Mayor, Common Council and Planning and Zoning Commission, a report showing funds expended in the capital budget and the status of each capital budget item.

C. Allotments⁵⁵. Funds set aside for a capital budget item shall be deemed to have been allotted for that purpose only.

(1) Lapsed Allotments⁵⁶. No such allotment shall lapse until the purpose for which it was made is accomplished and completion thereof accepted by the Common Council as herein provided: such allotment is terminated or abandoned, or two (2) fiscal years elapse without any expenditure from or encumbrance of such allotment except where such capital budget item is delayed by litigation or by action of state or federal agencies.

(2) Certification of Abandonment⁵⁷. The Chief Financial Officer shall certify to the Mayor, Common Council and Planning and Zoning Commission in his, her or their monthly report any such automatic abandonment.

(3) Termination or Abandonment: Actions of Planning and Zoning Commission and Common Council⁵⁸. 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 (30) 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^{rds}) of its entire membership.

D. Unencumbered Funds⁵⁹. 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

⁵⁴ NEW (2023). Derived from §30-10.1.A (Second and third sentences) of the Code of Ordinances

⁵⁵ NEW (2023). Derived from §30-10.1.B (First sentence) of the Code of Ordinances

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

⁵⁷ NEW (2023). Derived from §30-10.1.B (Third sentence) of the Code of Ordinances

⁵⁸ NEW (2023). Derived from §30-10.1.B (Fourth and fifth sentences) of the Code of Ordinances

⁵⁹ NEW (2023). Derived from §30-10.1.C of the Code of Ordinances

are used to finance additional obligations as provided for in § 10-20.

§10-19. Restrictions⁶⁰.

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 (10) days after receipt thereof, forward the same to the Common Council with its recommendations relative thereto. Except as otherwise provided in §30-17, the 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 Obligations⁶¹.

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, first, the necessity for using capital budget funds rather than financing through operating budget and, second, his, her or their recommendations as to the most feasible and economical measures to finance such obligations 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 Recommendations⁶².

On or before the first (1st) day of June in each year, the Chief Financial Officer shall transmit to the Common Council and the Board of Estimate and Taxation his, her or their 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 Hearings⁶³.

⁶⁰ NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.

⁶¹ NEW (2023). Derived from §30-11.1 of the Code of Ordinances. Added 1-24-1961; amended 9-28-2021.

⁶² NEW (2023). Derived from §30-12 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

⁶³ 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 his, her or their judgment, 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 Projects⁶⁴.

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

Borrowing

§10-24. Issuance Authorized: Procedures⁶⁵.

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

⁶⁴ NEW (2023) .

⁶⁵ 2023 modification ad 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)**

notes are issued, shall make a sufficient appropriation to pay all bonds or notes so issued during such fiscal year, and such bonds or notes shall be paid from such appropriation when it shall become available.

Referenda

§10-14. Referendum Procedure.

See, §4-14 of this Charter.

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