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Revised to January 2016

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Adult-Oriented Establishments

Adopted by the Board of Selectmen on April 18, 2000

Published in the Manchester Extra on April 27, 2000

Effective Date: May 12, 2000

ADULT-ORIENTED ESTABLISHMENTS

REGULATION OF WITHIN THE TOWN OF BOLTON

Be it ordained by the Board of Selectmen of the Town of Bolton, Connecticut, that the following ordinance be established concerning adult-oriented establishments.

I. Findings and Purpose

The Board of Selectmen of the Town of Bolton, Connecticut finds:

A. Adult-oriented establishments require special supervision from the Town's public safety agencies in order to protect and preserve health, safety and welfare of the patrons of such establishments, as well as the health, safety and welfare of the Town's citizens.

B. Statistics and studies performed by a substantial number of cities and towns in the United States indicate that:

(1) Large numbers of persons, primarily male, frequent such adult-oriented establishments, especially those which provide closed booths, cubicles, studios and rooms for the private viewing and/or live entertainment; and

(2) Such closed booths, cubicles, studios and rooms have been used by patrons, clients or customers of such adult-oriented establishments for the purpose of engaging in certain sexual acts; and

(3) Male and female prostitutes have been known to frequent such establishments in order to provide sex for hire to the patrons, clients or customers of such establishments within such booths, cubicles and rooms; and

(4) Doors, curtains, blinds and/or other closures installed in or on the entrances and/or exits of such booths, cubicles, studios and rooms which are closed while such booths, cubicles, studios and rooms are in use encourage patrons using such booths, cubicles, studios and rooms to engage in sexual acts therein with prostitutes or others, thereby promoting and encouraging prostitution and the commission of sexual acts which cause blood, semen and urine to be deposited on the floors and/or walls of such booths, cubicles, studios and rooms, which deposits could prove detrimental to the health and safety of other persons who may come into contact with such deposits; and

(5) The reasonable regulation and supervision of such adult-oriented establishments tends to discourage such sexual acts and prostitution and thereby promotes the health, safety and welfare of the patrons, clients and customers of such establishments.

C. Unregulated operation of adult-oriented establishments is and would be detrimental to the general welfare, health and safety of the citizens of Bolton.

D. The Constitution and laws of the State of Connecticut grant to the Town powers, especially police power, to enact reasonable legislation and

measures to regulate and supervise adult-oriented establishments as hereinafter defined in order to protect public health, safety and welfare.

E. It is not the intent of the Board of Selectmen, in enacting this ordinance, to deny to any person rights to speech protected by the United States and/or State Constitutions, nor is it the intent of the Board of Selectmen to impose any additional limitations or restrictions on the contents of any communicative materials, including sexually oriented films, videotapes, books and/or other materials. Further, by enacting this chapter, the Board of Selectmen does not intend to deny or restrict the rights of any adult to obtain and/or view any sexually oriented materials protected by the United States and/or State Constitutions, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of such sexually oriented materials may have to sell, distribute or exhibit such materials.

II. Definitions

ADULT BOOKSTORE – An establishment having a substantial or significant portion of its stock and trade in books, films, videocassettes or magazines and other periodicals, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined below, and in conjunction therewith has facilities for the presentation of adult entertainment, as defined below, and including adult-oriented films, movies or live entertainment, for observation by patrons or other persons therein.

ADULT ENTERTAINMENT – Any exhibition of any adult-oriented motion pictures, live performances, display or dance of any type which has a significant or substantial portion of such performance any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomime, modeling or any other personal services offered customers or other persons.

ADULT MINI-MOTION PICTURE THEATER – An enclosed building with a capacity of fewer than fifty (50) persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined below, for observation by patrons or other persons therein.

ADULT MOTION PICTURE THEATER – An enclosed building with a capacity of fifty (50) or more persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined below, for observation by patrons or other persons therein.

ADULT-ORIENTED ESTABLISHMENT – Shall include, without limitation, adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, business premises utilized to demonstrate, display or share sexual acts or activities and further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures or sexual activities or any premises wherein an entertainer or other person provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. An “adult-oriented establishment” further includes, without limitation, any adult entertainment studio or any premises that are physically arranged and/or used as such, whether advertised or represented as an adult entertainment studio, rap studio, photography studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio, swinger studio or any other term of like import.

EMPLOYEE – Any and all persons, including independent contractors, who work in or at or render any services directly related to the operation of an adult-oriented establishment.

ENTERTAINER – Any person who provides entertainment within an adult-oriented establishment as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or an independent contractor.

INSPECTOR – An employee of the Town of Bolton designated by the First Selectman who shall hereby be authorized to inspect premises regulated under this chapter and to take the required actions authorized by this chapter in case of violations being found on such premises and to require corrections of unsatisfactory conditions found on said premises.

MINOR – A person under the age of eighteen (18) years.

OPERATOR – Means any person, partnership, corporation or other entity operating, conducting or maintaining an adult-oriented establishment.

SEXUAL ACTIVITIES – As used in this ordinance, is not intended to include any medical publications or films or bona fide educational publications or films, nor does it include any art or photography publications, which devote at least twenty-five percent (25%) of the lineage of each issue to articles and advertisements dealing with subjects of art or photography. Nor does this definition apply to any news periodical which reports or describes current events and which, from time to time, publishes photographs of nude or semi-nude persons in connection with the dissemination of the news. Nor does this definition apply to publications or films, which describe and report different cultures of which, from time to time, publish or show photographs or depictions of nude or semi-nude persons when describing cultures with which nudity or semi-nudity is indigenous to the population.

SPECIFIED ANATOMICAL AREAS:

- A. Less than completely and opaquely covered:
 - (1) Human or animal genitals or pubic region;
 - (2) Buttocks; or
 - (3) Female breasts below a point immediately above the top of the areola.

- B. Human or animal genitals in a discernibly turgid state, even if completely opaquely covered.

SPECIFIED SEXUAL ACTIVITIES

- A. Human or animal genitals in a state of sexual stimulation or arousal.

- B. Acts of human or animal masturbation, sexual intercourse or sodomy.

- C. Fondling or erotic touching of human or animal genitals, pubic region, buttocks or female breasts.

III. License Required

A. A person commits an offense if he operates an adult-oriented establishment without a valid license, issued by the Town for the particular type of business.

B. An application for a license must be made on a form provided by the First Selectman. The application must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches.

C. The applicant must be qualified according to the provisions of this Ordinance and the premises must be inspected and found to be in compliance with the law by the health department, fire department, zoning official and building official which approval or denial shall be made within 30 days of request to such agency for approval, or within such statutory times that may be applicable; in the event any such agency denies such approval, the applicant may appeal according to the applicable laws or may apply for an exemption as provided in this Ordinance.

D. If a person who wishes to operate an adult-oriented establishment is an individual he must sign the application for the license as applicant. If a person who wishes to operate an adult-oriented establishment is other than an individual, each individual who has a 20 percent or greater interest in the business must sign the application for a license as applicant. Each applicant must be qualified under and each applicant shall be considered a licensee if a license is granted.

E. The fact that a person possess any other business license, land use approval or state permission does not exempt him from the requirement of obtaining an adult-oriented establishment license pursuant to this Ordinance.

IV. Issuance of License

A. The First Selectman shall approve the issuance of a license by the assessor and collector of taxes to an applicant within 30 days after receipt of an application unless he finds one or more of the following to be true:

- (1) An applicant is under 18 years of age;
- (2) An applicant or an applicant's spouse is overdue in his payment to the Town of taxes, fees, fines, or penalties assessed against him or imposed upon him in relation to an adult-oriented establishment;
- (3) An applicant has failed to provide information reasonably necessary for issuance of a license or has falsely answered a question or request for information on the application form;
- (4) An applicant or an applicant's spouse has been convicted of a violation of a provision of this Ordinance, other than the offense of operating a sexually oriented business without a license, within two years immediately preceding the application. The fact that a conviction is being appealed shall have no effect;
- (5) An applicant is residing with a person who has been denied a license by the Town to operate a sexually oriented business within the preceding 12 months, or residing with a person whose license to operate a sexually oriented business has been revoked within the preceding 12 months;

(6) The premises to be used for the adult-oriented establishment have not been approved by the zoning authorities, land use authorities, health, fire and building officials as being in compliance with applicable laws and ordinances;

(7) The license fee required by this Ordinance has not been paid;

(8) An applicant has been employed in an adult-oriented establishment in a managerial capacity within the preceding 12 months and has demonstrated that he is unable to operate or manage an adult-oriented establishment premises in a peaceful and law-abiding manner;

(9) An applicant or the proposed establishment is in violation of or is not in compliance with any Section hereof and/or is in violation of any zoning or municipal regulation affecting adult-oriented establishments;

(10) An applicant or an applicant's spouse has been convicted of or is under indictment or misdemeanor information for a crime:

(a) involving:

(i) any of the following offenses as described in Connecticut Penal Code, and state, or those of the United States of America:

(aa) prostitution;

(bb) promotion of prostitution;

- (cc) aggravated promotion of prostitution;
- (dd) compelling prostitution;
- (ee) obscenity;
- (ff) sale, distribution, or display of harmful material to minor;
- (gg) sexual performance by a child;
- (hh) possession of child pornography;

- (ii) any of the following offenses as described in Connecticut Penal Code:
 - (aa) public indecency;
 - (bb) indecent exposure;
 - (cc) risk of injury to a minor;

- (iii) organized criminal activity as described in Connecticut Penal Code;
 - (iv) sexual assault of any degree or any felony;

(v) criminal attempt, conspiracy, to commit or accessorial liability in the commission, for any of the foregoing offenses;

(b) for which:

(i) less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

(ii) less than five years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a felony offense; or

(iii) less than five years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24 month period.

B. The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant or applicant's spouse.

C. An applicant who has been convicted or whose spouse has been convicted of an offense listed for which the required time period has elapsed since the date of conviction or the date of release from confinement imposed for the conviction, may qualify for an adult-oriented establishment license only if the First Selectman determines that the applicant or applicant's spouse is presently fit to operate an adult-oriented establishment. In determining present fitness under this section, the First Selectman shall consider the following factors concerning the applicant or applicant's spouse, whichever had the criminal conviction:

- (1) the extent and nature of his past criminal activity;
- (2) his age at the time of the commission of the crime;
- (3) the amount of time that has elapsed since his last criminal activity;
- (4) his conduct and work activity prior to and following the criminal activity;
- (5) evidence of his rehabilitation or rehabilitative effort while incarcerated or following release; and
- (6) other evidence of his present fitness, including letters of recommendation from prosecution, law enforcement, and correctional officers who prosecuted, arrested, or had custodial responsibility for him; the sheriff, chief criminal enforcement officer and First Selectman in the community where he resides; and any other persons in contact with him.

D. It is the responsibility of the applicant, to the extent possible, to secure and provide to the First Selectman the evidence required to determine present fitness under Subsection (C) of this section.

E. The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the adult-oriented establishment. The license shall be posted in a conspicuous place at or near the entrance to the adult-oriented establishment so that it may be easily read at any time.

V. Fees.

A. The annual fee for an adult-oriented establishment license is \$500.00.

B. This fee and application shall be in addition to any other fees and application required by the particular use(s) of the premises.

VI. Requirements for Adult-Oriented Establishments

A. No operator or employee of an adult-oriented establishment shall allow or permit any minor or intoxicated person to loiter in any part of such establishment, including parking lots immediately adjacent to such establishment used by patrons of such adult-oriented establishment.

B. Every adult-oriented establishing doing business in the Town on or after the effective date of this ordinance, shall be well lighted at all times and be physically arranged in such a manner that the entire interior portion of the booths, cubicles, rooms or stalls wherein adult entertainment is provided shall be clearly visible from the common areas of the premises. Visibility into such booths, cubicles, rooms or stalls shall not be blocked or obscured by doors, curtains, partitions, drapes or any other obstruction whatsoever. It shall be unlawful to install enclosed booths, cubicles, rooms or stalls within adult-oriented establishments for whatever purpose, but especially for the purpose of providing for the secluded viewing of adult-oriented motion pictures or other types of adult-oriented entertainment.

C. Upon the effective date of this ordinance, the operator of each adult-oriented establishment shall be responsible for and shall provide that any room or other area used for the purpose of viewing adult-oriented motion pictures or other types of live adult entertainment shall be well-lighted and readily accessible at all times and shall be continuously open to view in its entirety. The premises shall be equipped with overhead lighting fixtures of

sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one and zero-tenths (1.0) foot-candle as measured at the floor level. It shall be the duty of the operator and his agents to ensure that the illumination described above is maintained at all times that any patron is present in the premises.

D. Every act or omission by an employee constituting a violation of the provisions of this chapter shall be deemed the act of omission of the operation if such act or omission occurs either with the authorization, knowledge or approval of the operator or as a result of the operator's negligent failure to supervise the employee's conduct, and the operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.

E. An operator shall be responsible for the conduct of all employees which on the licensed premises, and any act or omission of any employee constituting a violation of the provisions of this chapter shall be deemed the act or omission of the operator for purposes of determining whether the operator shall be subject to the penalties imposed by this ordinance.

F. All adult-oriented establishments shall be open to inspection at all reasonable times by an inspector employed by the Town or such other person(s) as the First Selectman may designate.

VII. Expiration of License

A. Each license shall expire one year from the date of issuance and may be renewed only by making application as provided in Section III. Application for renewal should be made at least 30 days before the expiration date, and when made less than 30 days before the expiration date, the expiration of the license will not be affected.

B. When the First Selectman denies renewal of a license, the applicant shall not be issued a license for one year from the date of denial. If, subsequent to denial, the First Selectman finds that the basis for denial of the renewal license has been corrected or abated, the applicant may be granted a license if at least 90 days have elapsed since the date denial became final.

VIII. Suspension

A. The First Selectman shall suspend a license for a period not to exceed 30 days if he determines that a licensee or an employee of a licensee has:

- (1) violated or is not in compliance with any section hereof;
- (2) engaged in excessive use of alcoholic beverages while on the adult-oriented establishment premises;
- (3) refused to allow an inspection of the adult-oriented establishment premises as authorized by this Ordinance;
- (4) knowingly permitted gambling by any person on the adult-oriented establishment premises; or
- (5) demonstrated inability to operate or manage an adult-oriented establishment in a peaceful and law-abiding manner thus necessitating action by law enforcement officers.

IX. Revocation

A. The First Selectman shall revoke a license if a cause of suspension in Section VIII occurs and the license has been suspended within the preceding 12 months.

B. The First Selectman shall revoke a license he determines that:

(1) a licensee gave false or misleading information in the material submitted to the First Selectman during the application process;

(2) a licensee or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises;

(3) a licensee or an employee has knowingly allowed prostitution on the premises;

(4) a licensee or an employee knowingly operated the sexually oriented business during a period of time when the licensee's license was suspended;

(5) a licensee has been convicted of an offense listed in Section IV.A.(10) for which the time period required in Section IV.A.(10)(b) has not elapsed;

(6) on two or more occasions within a 12-month period, a person or persons committed an offense occurring in or on the licensed premises of a crime listed in Section IV.A.(10), for which a conviction has been obtained, and the person or persons were employees of the adult-oriented establishment at the time the offenses were committed;

(7) a licensee or an employee has knowingly allowed any specified sexual activity, sodomy, oral copulation, masturbation, or sexual contact to occur in or on the licensed premises. The term “sexual activity” shall have the same meaning as it is defined in Section II.B; or

(8) a licensee is delinquent in payment to the Town for hotel occupancy taxes, ad valorem taxes, or sales taxes related to the adult-oriented establishment.

C. The fact that a conviction is being appealed shall have no effect on the revocation of the license.

D. Subsection (b)(7) does not apply to adult motels as a ground for revoking the license.

E. When the First Selectman revokes a license, the revocation shall continue for one year and the licensee shall not be issued an adult-oriented establishment license for one year from the date revocation became effective. If, subsequent to revocation, the First Selectman finds that the basis for the revocation has been corrected or abated, the applicant may be granted a license if at least 90 days have elapsed since the date the revocation became effective. If the license was revoked under Subsection (b)(5), an applicant may not be granted another license until the appropriate number of years required under Section IV.A.(10)(b) has elapsed since the termination of any sentence, parole, or probation.

X. Appeal

If the First Selectman denies the issuance of a license, or suspends or revokes a license, he shall send to the applicant, or licensee, by certified mail, return receipt requested, written notice of his action and the right to an appeal. The aggrieved party may appeal the decision of the First Selectman to a permit and license appeal board that shall consist of the Town's current sanitation and health official, the Town's fire marshal, and the actual or acting chairman of the Town's Planning and Zoning Commission. The filing of an appeal stays the action of the First Selectman in suspending or revoking a license until the permit and license appeal board makes a final decision. Within fourteen days of the receipt of the appeal, the appeal board shall provide to putatively aggrieved party written notice of the time and place of a hearing to be held before it no fewer than seven days prior to the hearing. The appeal board shall hold a hearing within 21 days of the date of the receipt of the appeal. During the hearing it shall determine if the appellant is aggrieved, and shall have the power to hear evidence on the appeal and render a decision. The appeal board shall render a decision within fourteen days after closing the hearing, and no more than 60 days after receipt of the appeal, unless the aggrieved party consents to additional time. The board shall grant or deny the exemption by a majority vote. Failure to reach a majority vote shall result in denial of the exemption. Disputes of fact shall be decided on the basis of a preponderance of the evidence. The decision of the permit and license appeal board is final.

XI. Transfer of License

A licensee shall not transfer his license to another, nor shall a licensee operate an adult-oriented establishment under the authority of a license at any place other than the address designated in the application.

XII. Penalties and Prosecution

A. Any person, partnership, or corporation who or which is found to have violated this chapter shall be fined a definite sum not exceeding one hundred dollars (\$100) for each such violation.

B. Each violation of this chapter shall be considered a separate offense, and any violation continuing more than one (1) hour of time shall be considered a separate offense for each hour of violation.

XIII. Savings Clause

Should any court of competent jurisdiction declare any section, clause or provision of this ordinance to be unconstitutional, such decision shall affect only such section, clause or provision so declared unconstitutional and shall not affect any other section, clause or provision of this Ordinance.

XIV. Effective Date

This Ordinance shall become effective fifteen (15) days after publication in a newspaper having a circulation in the Town of Bolton.

Said notice is given in accordance with the provisions of Section 5.2 (E) and (F) of the Bolton Town Charter.

Dated at Bolton, Connecticut, this 19th day of April, 2000.

Susan M. DePold

Town Clerk of Bolton

Animals, Wild, Potentially Dangerous

Adopted October 15, 1969

Permit for possession of potentially dangerous wild animals. For the purpose of this ordinance the following, including but not limited to, shall be considered as potentially dangerous wild animals: the felidae, including the lion, leopard, cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat; the canidae, including the wolf and coyote; and the ursidae, including the black bear, grizzly bear and the brown bear, the baboon, ape, simian and monkey.

No person shall possess a potentially dangerous wild animal without first obtaining a permit from the chief executive authority of the town, city or borough in which such animal is being housed. Such permit may be issued at the discretion of the chief executive authority and shall prescribe the conditions and limitations which such chief executive authority deems necessary in order to provide for public safety and welfare. Any such animal illegally possessed may be ordered seized and may be disposed of as determined by the chief executive authority.

Any person who violates any provision of this ordinance shall be fined not more than one hundred dollars for each offense. The provisions of this section shall not apply to municipal parks, zoos, and nature centers, or museums, laboratories and research facilities maintained by scientific or educational institutions.

Appointed Officers

Adopted: By the Board of Selectmen, June 16, 2009

Published: Hartford Courant, June 19, 2009

Effective Date: July 5, 2009

Section 1 Officers

1.1 The Town of Bolton shall have the appointed officers enumerated in the Town of Bolton Charter and those officers as established by this ordinance.

1.2 The following Town officers shall be established by this ordinance:

Assessor

Building Official

Fire Marshal and Deputy Fire Marshal

Municipal Agent for Assistance to the Elderly

Town Counsel

Zoning Enforcement Officer

Town Clerk

Town Treasurer

Tax Collector

The Board of Selectmen, by resolution, shall have the authority to create additional appointed officers' positions and appoint other Town officers as it deems necessary for the operation of the Town's affairs. The resolution must be approved by a majority vote and may authorize the First Selectmen or Administrative Officer to carry out the appointment.

1.3 All appointed officers shall have all the powers and duties, not inconsistent with and conferred or imposed therein by the General Statutes, Town of Bolton Charter, or by ordinance.

Section 2 Appointment of Officers

2.1 All appointive Town officers, except the Fire Marshal and Deputy Fire Marshal shall be appointed by the Board of Selectmen by a majority vote of the board unless this power is transferred to the First Selectman or Administrative Officer by a resolution approved by a majority vote of the board.

2.2 Fire Marshal and Deputy Fire Marshall(s) shall be appointed by the Fire Commission by a majority vote of the entire Commission. These appointed officers shall be subject to approval of the Board of Selectmen by a majority vote of the board unless this power is transferred to the First Selectman or Administrative Officer by a resolution approved by a majority vote of the board.

2.3 All appointments made to a Town office made by a Town commission, board, agency or officer, other than the Board of Selectmen, shall be subject to the approval of the Board of Selectmen by a majority vote of the board unless this power is transferred to the First Selectman or Administrative Officer by resolution approved by a majority vote of the board.

Section 3 Qualifications

3.1 Assessor. The Assessor shall be qualified by training and experience and shall devote such time as is necessary to perform the duties of the Assessor.

3.2 Building Official. The Building Official shall have such qualifications as are required for said office by the General Statutes.

3.3 Fire Marshal and Deputy Fire Marshal(s). The Fire Marshal and Deputy Fire Marshal shall have all the qualifications required by the General Statutes. The Fire Marshall shall serve until his/her resignation or removal for cause as prescribed by the General Statutes. The Deputy Fire Marshall shall perform the duties of Fire Marshal in the Fire Marshal's absence or disability.

3.4 Municipal Agent for Assistance to the Elderly. The Municipal Agent for Assistance to the Elderly shall serve as a member of the Senior Citizens Committee.

3.5 Town Counsel. The Town Counsel shall be an attorney at law or a firm of attorneys at law admitted to practice in Connecticut. Town Counsel shall have the power, with approval of the Board of Selectmen or its designee, to compromise or settle any claims by or against the Town. The Board of Selectmen or its designee may, because of special circumstances, provide for the temporary employment of counsel other than or in addition to Town Counsel.

3.6 Zoning Enforcement Officer.

3.7 Town Clerk.

3.8 Town Treasurer.

3.9 Tax Collector.

Section 4 Service/Term

Section 4.1 All of the Town's appointed officers shall serve at the pleasure of the Board of Selectmen unless the terms and conditions of employment are otherwise prescribed by agreement and/or the General Statutes. At its July or no later than August meeting, the Board of Selectmen shall on the odd numbered years reappoint for a two year term the part time positions of Assessor, Deputy Fire Marshal(s), Town Treasurer and any other part time officers as may be created by resolution unless this power is transferred to the First Selectman or Administrative Officer by a resolution approved by a majority vote of the board.

Appointment of Members and Alternates to Boards, Commissions and Agencies

Adopted on July 20, 1999

Published in the Manchester Extra on July 29, 1999

Effective Date: August 13, 1999

Section 1. Pursuant to the Town of Bolton Charter Chapter 7, the Board of Selectmen

of the Town of Bolton shall have authority to establish the number of members of each Board, Commission and Agency identified in Charter Section 7.1 and in conjunction with the limits set forth in Section 7.4.

Section 2. Where Charter Section 7.4 provides for no alternate member on any Board, Commission or Agency, the Board of Selectmen of the Town of Bolton shall have authority to determine whether an alternate member should be appointed and shall have the authority to establish the number of alternates to any such Board, Commission or Agency.

Section 3. The maximum number of members and the number of alternates of each Board, Commission and Agency identified above and not otherwise specified in the Charter shall be that number prescribed by the Board of Selectmen by resolution duly adopted by said Board.

Aquifer Protection Agency

Adopted by the Board of Selectmen on November 15, 1993
Published in the Manchester Extra on November 25, 1993

Effective Date: December 10, 1993

Pursuant to Sections 22a-354o through 22a-354t of the Connecticut General Statutes, which may be amended from time to time, the Zoning Commission, and its successor, the Planning and Zoning Commission, is designated as the Aquifer Protection Agency in the Town of Bolton.

Bids

Adopted: By the Board of Selectmen on July 1, 2014

Published: Hartford Courant July 22, 2014

Effective Date: August 21, 2014

Adopted: By the Board of Selectmen on October 24, 2000

Published: Manchester Extra on November 2, 2000

Effective Date: November 17, 2000

Adopted: By the Board of Selectmen June 16, 1981

Published: June 22, 1981

Effective Date: July 7, 1981

BIDS: Advertising for

Section 1. Before any department, commission, officer or employee of the Town or Board of Education shall make any expenditure or purchase of a piece of equipment or enter into a contract for services for Five Thousand Dollars (\$5,000.00) to Twelve Thousand Five Hundred Dollars (\$12,500.00), a total of at least three (3) verbal quotes shall be obtained for the goods or services. A written list of the verbal quotes shall be submitted to the Town Administrative Officer (or designee) or Superintendent of Schools (or designee) for approval. Either of said Boards may waive this bidding requirement when in its opinion, the circumstances of a particular case and the best interest of the Town should permit its waiver and the majority of the Board awarding the bid so states in writing noting justification of the waiver. If said waiver is by the Board of Education, it shall, within ten (10) days following the waiver approval, send a written waiver justification to the Board of Selectmen.

Section 2. Before any department, commission, officer or employee of the Town or the Board of Education shall make any expenditure or purchase of a piece of equipment or enter into a contract for services over Twelve Thousand Five Hundred Dollars (\$12,500.00) to Twenty-Five Thousand Dollars (\$25,000.00), a total of at least three (3) written quotes shall be obtained for the goods or services. Either of said Boards may waive this bidding requirement when in its opinion the circumstances of a particular case and the best interest of the Town should permit its waiver and the majority of the Board awarding the bid so states in writing, notice justification of the waiver. If

said waiver is by the Board of Education, it shall, within ten (10) days following the waiver approval, send a written waiver justification to the Board of Selectmen.

Section 3. Before any department, commission, officer or employee of the Town or Board of Education shall make any expenditure or purchase of a piece of equipment or enter into a contract for services in excess of Twenty-Five Thousand Dollars (\$25,000.00), a competitive sealed bidding process shall be conducted under such rules and regulations as the Board of Selectmen or the board of Education, as the case may be, may establish. All notices for bids shall be advertised in a newspaper having circulation in the Town of Bolton.

Section 4. During a state of emergency, the procurement of a competitive bid may be waived by the First Selectman (or designee) to address issues of public health, safety and welfare.

Bolton Heritage Farm Ordinance

Adopted: by the Board of Selectmen November 8, 2006

Published: Journal Inquirer November 16, 2006

Effective Date: December 1, 2006

Bolton Heritage Farm Ordinance

1. It is recognized that pursuant to Connecticut General Statutes S7-148(c)(2)(k), that a special fund to be known as the Bolton Heritage Farm Fund (the “Fund”) be established, which Fund shall be used in whole or in part for the preservation, restoration, development and maintenance of the Bolton Heritage Farm located at 266 Bolton Center Road, Bolton, CT inclusive of the land and buildings. The Bolton Heritage Farm, also known as the Rose Farm, Valley View Farm and Minister’s Farm, is approximately a 100 acre farm owned by the Town of Bolton.
2. There shall be deposited in such Fund (a) all monies received by the Town from whatever source and from whatever means as gifts for the Bolton Heritage Farm; (b) all monies received by the Town as grants for the Bolton Heritage Farm; (c) all monies received as rent or fees associated with the use of Bolton Heritage Farm; and (d) all monies appropriated to said Fund.
3. The Fund shall continue in existence until by ordinance it is determined to amend or discontinue the same.
4. Upon dissolution of the Fund, any remaining balances shall be paid over into the General Fund of the Town or such other fund as the ordinance terminating said Fund shall direct.

5. The Fund shall be in the custody of the Treasurer of the Town of Bolton and all or any part of the monies in said Fund may, from time to time, be invested in any securities in which public funds may be lawfully be invested. All income derived from such investments shall be paid into the Fund and become part thereof. The monies so invested shall at all times be subject to withdrawal from such investment for use as provided in paragraph 1 above.

6. Annually, the Treasurer shall submit to the Board of Selectmen a complete and detailed report of the condition of said Fund, which report shall be made a part of the Bolton annual report.

7. Decisions regarding grant applications and the use of monies in said Fund shall be made by the Board of Selectmen in its discretion. The Selectmen may consult, to the extent they deem appropriate, with other boards, departments and agencies in the Town concerning the administration and carrying out the purposes of such Fund.

8. The Board of Selectmen shall appoint a Bolton Heritage Farm Commission which will consist of five members and two alternates. One position on the commission would be from the Bolton Historical Society. Any member of the Bolton Historical Society can substitute for each other as a member of the Bolton Heritage Farm Commission. The four additional members and alternates would be appointed by the Selectmen without restriction. The terms of these four members and alternates will be three years and shall be staggered. The Bolton Heritage Farm Commission will consult with and invite the attendance of the Town's Building and Grounds Supervisor to be in attendance at its meetings.

9. The Bolton Heritage Farm Commission's purpose is to represent the interests of the Bolton community and to accomplish the following:

- a. Preserve and restore the historical, cultural, physical and archeological integrity of the Bolton Heritage Farm's land and structures unless directed by the Board of Selectmen.
- b. Develop and submit for the Board of Selectmen's approval a written plan for the short and long term mixed use of the Bolton Heritage Farm which could include historical, agricultural, educational, civic and tourism utilization.
- c. Implement with the assistance of Town staff the Selectmen's accepted plan.
- d. Investigate, evaluate and pursue various economic and other possible resources to support the Bolton Heritage Farm and for the funding of the goals set forth herein.
- e. Report regularly to the Board of Selectmen on the Commission's efforts in the development and implementation of the plan.
- f. Submit written quarterly reports to the Board of Selectmen as to the Commission's accomplishments or lack there of.
- g. Continue, on an ongoing basis, to review the successful implementation of the plan to ensure that the Bolton Heritage Farm Commission's purpose and goals are being achieved.

Bolton Lakes Regional Water Pollution Control Authority Creation

AN ORDINANCE CREATING THE BOLTONLAKES
REGIONAL WATER POLLUTION CONTROL AUTHORITY

Adopted: By the Board of Selectmen on April 1, 2003

Published: Journal Inquirer on April 8, 2003
Effective Date: April 23, 2003

Amended Section IV Jurisdiction
by the Board of Selectmen, September 8, 2009

Published: Hartford Courant, September 15, 2009

Amended Section IV Jurisdiction
by the Board of Selectmen, December 1, 2009

Published: Hartford Courant, December 8, 2009
Effective date: January 7, 2010

Amended Section IV Jurisdiction
by the Board of Selectmen, September 3, 2013

Published: Hartford Courant, September 10, 2013

Effective date: October 10, 2013

I. DEFINITIONS

For the purposes of this ordinance, the following terms shall have the

meanings set forth in this section: "BLRWPCA" means the Bolton Lakes Regional Water Pollution Control Authority," which is established by this Ordinance.

"Bolton" means the Town of Bolton, Connecticut.

"Bylaws" means written procedures governing the administration of the BLRWPCA's property and the conduct of its affairs. Bylaws may be adopted and revised only upon a two-thirds vote of the entire Board of Directors of the BLRWPCA.

"CGS" means the Connecticut General Statutes.

"DEP" means the Connecticut Department of Environmental Protection.

"Effective Date" means the later of (i) the date upon which this Ordinance becomes effective in Bolton; and (ii) the date upon which this Ordinance becomes effective in Vernon.

"Jurisdictional Area" means the area over and within which the BLRWPCA shall have regulatory jurisdiction.

"Initial Phase" means all of the sewer construction activities that are planned to occur in the Lakes District and the Southwestern District in accordance with the report entitled "DRAFT REPORT" Bolton Lakes Wastewater Management Study Prepared for the Towns of Vernon & Bolton, Connecticut January 20, 1997," by Fuss & O'Neill, Inc., as that report may be amended prior to the beginning of such construction.

"Lakes District" means the geographical area shown as the "Lakes District Sewer Service Area" on a map entitled "Bolton Lakes Area Designations November 1, 2002 BoltonNernon Connecticut Proj. No.: 94117.A10 Date: November 2002 Fig. 2," prepared by Fuss & O'Neill, Inc., Consulting Engineers, 146 Hartford Road, Manchester, Connecticut 06040.

"Regional Sewerage System" means a sewerage system to be constructed, maintained and operated by the BLRWPCA for the use of certain homes and businesses within the Jurisdictional Area.

"Regional Watershed" means the watershed of lower Bolton Lake. The Regional Watershed includes the individual watersheds of middle and upper Bolton Lakes and their individual watersheds.

"Regulations" means written policies and standards, other than bylaws, that are adopted by the BLRWPCA pursuant to applicable state laws. Regulations may be adopted by a majority vote of a quorum of the BLRWPCA.

"Sewage" means wastewater generated by homes and businesses in the Jurisdictional Area. "Sewerage system" means any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, disposing of or discharging sewage.

"Southwestern District" means the geographical area shown as the "Southwestern District Sewer Service Area" on a map entitled "Bolton Lakes Area Designations November 1, 2002 BoltonNernon Connecticut Proj. No.: 94117.A10 Date: November 2002 Fig. 2," prepared by Fuss & O'Neill, Inc., Consulting Engineers, 146 Hartford Road, Manchester, Connecticut 06040.

"Towns" means the Town of Bolton and the Town of Vernon. "Vernon" means the Town of Vernon, Connecticut.

"Watershed" means the geographical area from which water flows into a specified body of water.

II. STATEMENT OF PURPOSE

A. Protection of Water Quality. Much of the soil within the Regional Watershed is not well-suited for on-site sewage disposal. Historically, however, portions of the Regional Watershed have been intensively developed, especially for residential purposes. DEP has determined that homes and/or businesses in certain areas within the Regional Watershed are likely to experience septic-system failures, and that such failures will not be capable of on-site corrections meeting current Public Health Code and other regulatory requirements.

Consequently, in order to protect the groundwater and the long-term environmental health and safety of property owners and residents in the Regional Watershed, as well as to protect the quality of the Bolton Lakes, it has become necessary to establish a Regional Sewerage System. This Regional Sewerage System will be used in lieu of individual, on-site septic systems in a portion of the Regional Watershed to be known and designated as the Lakes District. Since the Lakes District, as established by this Ordinance, is to include property in both Bolton and Vernon, the principal purpose of this Ordinance is to establish a Regional Water Pollution Control Authority pursuant to CGS Sections 22a-500 to 22a-519, as amended, to construct, maintain, and operate the Regional Sewerage System.

Since the Towns anticipate that the Regional Sewerage System would be connected to the Town of Manchester's wastewater treatment facilities and that any sewerage system needed to transport sewage from the Lakes District would have to pass through an area of the Town of Bolton located generally to the southwest of the Regional Watershed, the Towns shall also establish a Southwestern District to provide for sewage service, to the extent the BLRWPCA deems necessary or appropriate, to those areas through or near which the sewerage system from the Lakes District would pass.

B. Sewer Avoidance Policy. It is specifically the purpose of this Ordinance to further the policy of sewer avoidance, to the extent practical, within the Regional Watershed. The sewer avoidance policy seeks to preserve the quality of the Bolton Lakes, and of groundwater and surface water within the Watershed, by generally limiting the residential use as of the Effective Date. The need for a Regional Sewerage System is recognized to be the result of existing residential development, and the System is not intended, and shall not be allowed, to foster additional development. The sewer avoidance policy recognizes and affirms that future residential development should be limited and controlled by the natural ability of local soils to accommodate subsurface sewage disposal systems in accordance with current health and environmental laws and regulations.

C. Nonresidential Connections. Although, under the sewer avoidance policy, the Regional Sewerage System may not be used as a tool for residential development, it may, in certain appropriate locations, be used for residences existing as of the Effective Date and for the development of commercial or industrial uses in order to minimize the cost burden of the Regional Sewerage System to the Towns.

II. ESTABLISHMENT OF BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY

A Regional water pollution control authority is hereby established pursuant to CGS § 22a-500 to serve those portions of Bolton and Vernon constituting the Jurisdictional Area. The authority shall be known as Bolton Lakes Regional Water Pollution Control Authority ("BLRWPCA"), and shall have its principal office at 222 Bolton Center Road, Bolton, Connecticut 06043.

IV. JURISDICTION

The initial jurisdiction of the BLRWPCA shall be limited to those areas shown and designated as the "Lakes District Sewer Service Area" and the "Southwestern District Sewer Service Area" on a map entitled, "Bolton Lakes Area Designations November 1, 2002 BoltonNernon Connecticut Proj. No.: 94117.A10 Date: November 2002 Fig. 2," prepared by Fuss & O'Neill, Inc., Consulting Engineers, 146 Hartford Road, Manchester, Connecticut 06040, which map is or will be filed in the offices of the Town Clerks of the Towns of Bolton and Vernon. To add a property to the District requires approvals by the BLRWPCA, the Town of Bolton and the Town of Vernon. Procedurally, the BLRWPCA must first adopt a resolution by a majority vote of the entire Board of Directors of the BLRWPCA to add such property to the District. Within 30 days of the BLRWPCA's adoption, the resolution shall be sent to the Town of Vernon Town Council and Town of Bolton Board of Selectmen for consideration by each Town. The Town of Vernon Town Council and Town of Bolton Board of Selectmen must both adopt a resolution to add such property to the district within 60 days from receipt of the resolution from the BLRWPCA. Lack of action by a Town shall be considered approval. If either Town denies the addition of the property to the District, the property shall not be added. Each Town can establish its own internal procedure for consideration of adding a property but the Vernon Town Council and Bolton Board of Selectmen must approve for the property to be added.

V. BOARD OF DIRECTORS

A. Number of Directors. The BLRWPCA shall have a Board of Directors consisting of eight (8) Directors. Five (5) Directors shall be appointed by the Town of Bolton, and three (3) Directors shall be appointed by the Town of Vernon.

B. Alternate Directors. The BLRWPCA shall have three (3) Alternate Directors, two (2) of whom shall be appointed by the Town of Bolton and one (1) of whom shall be appointed by the Town of Vernon. In the absence, for any reason, of any Director at any meeting of the Board, an Alternate Director from the same Town may be appointed to act in the place of the absent Director and shall have, at such time, all the powers and duties of the absent Director. An Alternate Director may also be appointed to act in lieu of a Director when a Director's position in the same Town is vacant.

C. Initial Directors. The first Directors of the BLRWPCA shall be as follows:

Directors Robert Morra
15 Tinker Pond Road

Bolton, CT 06043

Noel Gessay

23 Golf Lane

Bolton, CT 06043

Diane Wheelock

132 Tallwood Drive
Vernon, CT 06066

Daniel C. Wright

44 Lakeview Drive
Bolton, CT 06043

Michael Morris
30 Llynwood Drive
Bolton, CT 06043

Carmine Pellegrino

15 Lakeview Drive
Vernon, CT 06066

Mark Turkington

26 Llynwood Drive
Bolton, CT 06043

Richard Hayes, Jr.

139 Vernon Road
Bolton, CT 06043

Alternate Directors

Joyce Stille
92 Loomis Road
Bolton, CT 06043

Joshua Hawks-Ladds

100 Shoddy Mill Road

Bolton, CT 06043

Laurence Shaffer
16 Vernon Avenue
Vernon, CT 06066

D. Terms of Office. The initial terms of office of each of the first Directors and Alternate Directors of the BLRWPCA shall begin on the Effective Date. The initial terms of office of Robert Morra, Diane Wheelock, and Joyce Stille shall expire on December 31, 2003. The initial terms of office of Noel Gessay, Michael Morris, Daniel C. Wright, and Joshua Hawks-Ladds shall expire on December 31, 2004. The initial terms of office of Mark Turkington, Richard Hayes, Carmine Pellegrino, and Laurence Shaffer shall expire on December 31, 2005. As each initial term of office a new term of office of three (3) years shall commence. Directors and Alternate Directors may be reappointed after the expiration of any prior term of office.

E. Appointment of Directors and Alternate Directors. Directors and Alternate Directors from Bolton shall be appointed by the Board of Selectmen of the Town of Bolton. Directors and Alternate Directors from the Town of Vernon shall be appointed by the Mayor of the Town of Vernon, subject to approval by the Vernon Town Council.

F. Vacancies. Vacancies in any Director's or Alternate Director's positions shall be filled by appointment by the relevant Town in the manner set forth in this paragraph.

VI. POWERS

The BLRWPCA shall have all the powers set forth in CGS § 22a-501, as amended.

VII. BYLAWS, RULES, AND REGULATIONS

The BLRWPCA shall make and revise regulations, rules and bylaws governing the administration of its property and the conduct of its affairs. A copy of all regulations, rules, bylaws, and amendments thereto, duly certified, shall be filed in the offices of the clerks of the Towns and with the Secretary of State. The bylaws may be revised only by the adoption of a resolution by a two-thirds vote of the entire Board of Directors of the BLRWPCA, and such resolution must contain the complete draft of such revision.

VIII. CAPITAL IMPROVEMENTS

A. Proportional Assignment of Costs. The cost of capital improvements shall be proportionally assigned to the Towns in accordance with the proportion of the benefit that each Town receives from such capital improvements. For purposes of the Initial Phase of construction of the Regional Sewerage System, the proportion of the cost to be borne by each Town shall be

determined by the proportion of the total dwelling units (individual households) in each Town that will be connected to the Regional Sewerage System upon completion of the Initial Phase.

B. Method of Determination. The BLRWPCA shall have the power to determine the proportion of any benefit that will be realized by each Town from any capital improvements that are made after the completion of the Initial Phase. However, no such determination may be made except upon the approval of a majority of the Directors appointed by each Town. If the BLRWPCA cannot make such a determination, it shall hire or appoint a qualified engineering professional or firm to determine the proper proportions, and such determination will be binding upon the BLRWPCA.

IX. PLAN OF OPERATION

The BLRWPCA shall be operated in accordance with a Plan of Operation, to be prepared, approved and, if appropriate, revised in accordance with CGS §§ 22a-500(c) and 22a-501(a)(1), as amended. The Plan of Operation may be revised as necessary subject to approval of a majority of the Directors.

X. ANNUAL REPORT TO TOWNS

The BLRWPCA shall make an annual report to the Towns describing the coverage and condition of the sewer system managed by the BLRWPCA and the financial status of the BLRWPCA. The annual report shall also describe any capital improvements that have been made, and that are projected to be required within the five-year period following the date of the report.

XI. SEVERABILITY

If any section, paragraph, subdivision, clause, or provision of these Regulations is adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged, and the remainder of these Regulations shall be deemed valid and effective.

XIII. EFFECTIVE DATE

This Ordinance shall take effect fifteen days after publication.

[Bolton Lakes Area Designations Map](#)

Building Applications

Adopted by the Board of Selectmen on October 24, 2000

Published in the Manchester Extra on November 2, 2000

Effective Date: November 17, 2000

Be it ordained by the Board of Selectmen of the Town of Bolton, Connecticut, that the following ordinance be established:

Section 1. It is hereby found and declared that through the assessment, levying, and collection of taxes for general or special purposes on all property, subjects or objects which may be lawfully taxed, and through the regulation of the mode of assessment and collection of taxes, the Town of Bolton is exercising essential and proper government functions.

Section 2. Pursuant to Section 7-148 of the Connecticut General Statutes, the Board of Selectmen of the Town of Bolton is hereby authorized to withhold approval of a building application when taxes or water or sewer rates, charges or assessments imposed by the Town of Bolton are delinquent for the property for which an application was made.

The Board of Selectmen shall establish such procedures, by resolution, as are necessary to effectuate the purposes of this ordinance.

Building Code and Building Inspector

Adopted June 25, 1969

The Town of Bolton having complied with the provisions of Section 19-395 of the General Statutes of the State of Connecticut, 1958 Revision, does hereby adopt the State Building Code including any rules or regulations incorporated therein by reference. The Board of Selectmen of the Town of Bolton shall appoint a Building Inspector to administer the above code for a term of four (4) years and until his successor qualifies and quadrennially thereafter beginning with the effective date of this ordinance. This ordinance shall become effective July 1, 1969.

Buildings and Grounds Activity Fund

Adopted by the Board of Selectmen at a regular meeting on June 20, 2000

Published in the Manchester Extra on June 29, 2000

Effective date: July 14, 2000

1. It is recognized that pursuant to Connecticut General Statutes S7&-148(c)(2)(k), that a special fund to be known as the Buildings and Grounds Activity Fund ("the Fund") be hereby established, which Fund shall be used in whole or in part for funding Buildings and Grounds Department's activities including: the acquisition; erection; installation; maintenance; improvement; repair; and replacement of facilities and equipment.
2. The Fund shall be in the custody of the treasurer of the Town of Bolton and all or any part of the monies in said Fund, may from time to time, be invested in any securities in which public funds may lawfully be invested. All income derived from such investments shall be paid into the Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal from such investment for use as provided in paragraph 1, above.
3. Annually, the treasurer shall submit to the Board of Selectmen and the Board of Finance, a complete and detailed report of the condition of said fund, which report shall be made a part of the Bolton annual report.
4. Subject to the provisions of the Charter, decisions regarding the use of monies in said fund shall be made by the Board of Selectmen in their discretion. The Selectmen may delegate, upon such conditions, as the Board of Selectmen shall determine, disbursement authority to a dully authorized individual.

5. There shall be deposited in such fund, (a) all monies received by the Town from whatever source and from whatever means as gifts for use as provided in paragraph one above; (b) all monies received by the Town as income from cemetery maintenance and one day Town facility rentals; and (c) all monies appropriated to said fund.

6. The Fund shall continue in existence until by ordinance it is determined to amend or discontinue the same.

7. Upon dissolution of the Fund, any remaining balances shall be paid over into the general fund or such other fund as the ordinance terminating said Fund shall direct.

Building on Lots Which Abut Unaccepted Streets or Highways

Adopted November 24, 1969

Section 1. No Certificate of Registration, Certificate of Approval, or Certificate of Occupancy as required by the Zoning Regulations of the Town of Bolton or the Building Code of the State of Connecticut shall be issued and no building or structure shall be erected on a lot abutting on an unaccepted street or highway except as hereinafter provided.

Section 2. The Planning Commission of the Town of Bolton may permit and authorize the issuance of a Certificate of Registration, Certificate of Approval, or Certificate of Occupancy on a lot which does not abut on an accepted street or highway provided the following conditions have been met:

1. The applicant or holder of the Certificate of Registration, Certificate of Approval, or Certificate of Occupancy has deposited with the Planning Commission of the Town of Bolton a surety bond or equivalent, with adequate guarantee sufficient to cover the cost of all required street or highway improvements as determined by the Planning Commission.

2. No Certificate of Approval or Certificate of Occupancy shall be issued unless at least one street leading from a town accepted street or highway or a state highway to the building or dwelling has been brought up to the approved rough coat or hard top base and the street drainage system is in operable condition satisfactory to the Planning Commission.

Section 3. It shall be the responsibility of the applicant or holder of the Certificate of Registration, Certificate of Approval, or Certificate of Occupancy to repair any damage to abutting town streets, curbs or surface water drains that may be caused as a result of the development of the lot or building. This

responsibility shall remain with the applicant or holder until the surety bond is released.

Section 4. The surety bond shall be released only when all of the required improvements for the street or highway have been completed to the satisfaction of the Planning Commission.

Section 5. The Planning Commission of the Town of Bolton may also permit the issuance of a Certificate of Registration, Certificate of Approval or Certificate of Occupancy on a lot which does not abut an accepted street provided:

1. The issuance of the Certificate shall be in harmony with the general purpose and intent of the zoning and subdivision regulations, with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of this ordinance would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured; and

2. Whereas said Commission finds it is not desirable or feasible to lay out a public highway abutting the tract upon which the building is proposed to be built, because of undue hardship or the impracticability or impossibility of providing a fifty-foot public highway to the lot upon which the building is proposed to be erected.

Section 6. A building erected in violation of this ordinance shall be deemed to be an unlawful structure and the Town, through the zoning agent appointed by the Bolton Zoning Commission, may bring an action to enjoin the erection of said structure or cause it to be vacated or removed.

Section 7. Any person, firm or corporation erecting a building or structure in violation of this ordinance shall be fined not more than \$200.00 for each building or structure so erected in addition to the relief herein granted to the Town under Section 6 of this ordinance.

Section 8. All ordinances and regulations and parts of ordinances and regulations in conflict with this ordinance are hereby repealed and this ordinance shall be in full force and effect upon its adoption.

Section 9. Should any section, paragraph, sentence, clause or phrase of this regulation be declared unconstitutional or invalid for any reason, the remainder of said regulation shall be determined to be valid.

Amended Ordinance Adopted November 24, 1969
Adopted on March 27, 1972

Published on April 5, 1972
Effective Date: April 20, 1972

1. The ordinance regulating construction of buildings on lots which abut unaccepted streets or highways, adopted November 24, 1969, is hereby amended by adding the following provision:

“This ordinance shall not prevent the issuance of a Certificate of Registration or a Certificate of Approval for the construction of a farm or accessory building, and addition or alterations of any building or structure which are not in violation of the Zoning Regulations of the Town of Bolton.”

2. The effective date of this amendment to ordinance shall be fifteen (15) days after publication in a newspaper having a general circulation in the Town of Bolton in accord with Section 7-157 of the General Statutes as amended.

Capitol Regional Council of Governments

Adopted on October 1, 1973
Published on October 8, 1973
Effective Date: October 23, 1973

Section 1. The Town of Bolton does hereby adopt Sections 4-124i through 7-124p of the 1971 Supplement to the Connecticut General Statutes (Public Act 821), providing for the formation of a Regional Council of Governments within a planning region as defined or redefined by the Managing Director of the Planning and Budgeting Division in the Department of Finance and Control, and does hereby join such Regional Council of Governments as duly established in accordance with said statutes. The adoption of such Sections includes the provisions of Special Act 73-79 of the 1973 General Assembly respecting additional representation for the core city within the Capital Region on a Regional Council of Governments, and a non-voting advisory Regional Forum thereunder.

Section 2. The clerk is directed to immediately prepare and file with the director of the Planning and Budgeting Division in the Department of Finance and Control a certified copy of this ordinance upon its effective date.

Section 3. The effective date of this ordinance shall be fifteen (15) days after publication in a newspaper having a general circulation in the Town of Bolton in accord with Section 7-157 of the Connecticut General Statutes as amended.

Cemetery Fund

Adopted by the Board of Selectmen on December 13, 2011

Published in the Hartford Courant on December 20, 2011

Effective Date: January 19, 2012

CEMETERY FUND

1. It is recognized that pursuant to Connecticut General Statutes §7-148(c)(2)(K), that a special fund to be known as the Bolton Cemetery Activity Fund (“the Fund”) be hereby established, which Fund shall be used in whole or in part for Bolton Center Cemetery and Quarryville Cemetery activities including but not limited to: acquisition of land; oversight; maintenance; improvement; repair; burials; and replacement of equipment. The Board of Selectmen in establishing the Fund assumes responsibility for the Bolton Center Cemetery and Quarryville Cemetery properties deeded to the Town of Bolton.
2. The Fund shall be in the custody of the treasurer of the Town of Bolton and all or any part of the monies in said Fund, may from time to time, be invested in any securities in which public funds may lawfully be invested. All income derived from such investments shall be paid into the Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal from such investment for use as provided in paragraph 1, above.
3. Annually, the treasurer shall submit to the Board of Selectmen and the Board of Finance, a complete and detailed report of the condition of said fund, which report shall be made part of the Bolton annual report.
4. Subject to the provisions of the Charter and this ordinance, decisions regarding the use of monies in said fund shall be made by the Board of Selectmen in its discretion. The Selectmen may delegate, upon such conditions, as the Board of Selectmen shall determine, disbursement authority to a duly authorized individual or commission.
5. There shall be deposited in such fund: (a) all monies received by the Town from whatever source and from whatever means as gifts or bequeaths for use as provided in paragraph one above; (b) all monies received by the Town as income from burials, plots or other cemetery related activities; and (c) all monies appropriated to said fund.

6. Upon dissolution of the Fund as the result of transfer of the cemetery properties from the Town to another entity as permitted by law, any remaining balances shall be paid over into such other fund as the ordinance terminating said fund shall direct.

Central Connecticut Solid Waste Authority: Membership, Creation of

Adopted: by the Board of Selectmen, April 13, 2010

Published: The Hartford Courant, April 22, 2010

Effective Date: May 22, 2010

ORDINANCE TO CREATE AND BECOME A MEMBER OF THE CENTRAL CONNECTICUT SOLID WASTE AUTHORITY

Section 1 Statement of Purpose

Pursuant to Section 7-273aa of the Connecticut General Statutes Annotated, which provides that any two or more Connecticut municipalities may, by concurrent ordinances of their legislative bodies, create a regional solid waste authority under the provisions of Sections 7-273aa to 7-273oo, inclusive ("Chapter 103b"), to jointly manage solid waste and recycling services on behalf of its members, the purpose of this Ordinance is to create such a regional authority to be known as the Central Connecticut Solid Waste Authority ("CCSWA"). Upon adoption of this Ordinance by two or more municipalities, CCSWA shall be created.

Section 2 Creation of the Regional Solid Waste Authority

CCSWA is hereby created as a regional authority under the provisions of Chapter 103b and shall have all the rights, powers, duties and obligations of a regional authority pursuant to Chapter 103b and Chapters 446d and 446e of the Connecticut General Statutes Annotated.

Section 3 Designation of Regional Solid Waste Authority

The Town of Bolton (the "Municipality") hereby designates CCSWA as its regional solid waste authority, including its regional resource recovery authority, and adopts the provisions of Chapter 103b in connection with this election to become a member of CCSWA; provided, however, that this designation and membership election shall not constitute a commitment of the Municipality's solid waste or recycling streams, and provided further that the Municipality agrees that it shall take no action, now or in the future, contrary to its currently existing legal obligations and commitments, including, without

limitation, making any pledge of its municipal solid waste or recycling streams to a disposal or recycling option chosen through CCSWA which has an effective date commencing prior to the expiration date of any currently existing waste stream commitment to another disposal or recycling arrangement. By adopting this Ordinance, the Municipality shall not be obligated now or in the future to make any such commitment of its solid waste or recycling streams, or to commit any funding toward CCSWA, without further express authorization by its legislative body.

Section 4 Purpose of the Authority

The purpose of CCSWA shall be to solicit and jointly manage solid waste and recycling services on behalf of its members.

Section 5 Principal Address of the Authority

The principal address of CCSWA shall be 241 Main Street, Hartford, Connecticut 06106, c/o the Capitol Region Council of Governments.

Section 6 Members of the Authority

The members of CCSWA shall be the municipalities, including the Municipality, which adopt this Ordinance. Each member municipality shall be assigned to one of four sub-regions of CCSWA: (1) the Northwest Sub-Region, (2) the Naugatuck Valley Sub-Region, (3) the Greater Capitol Sub-Region or (4) the Shoreline Sub-Region.

Section 7 Voting System for Meetings of the Authority's Full Membership

The number of votes to be cast by each municipal member of CCSWA at any meeting of the authority's full membership shall be determined in accordance with the following five-tiered voting system based on the individual population of each municipal member compared to the total population of all CCSWA municipal members (all such population figures to be derived from the most recent annual data published by the Connecticut Department of Public Health):

(a) each municipal member whose individual population is less than one percent of the total population of all CCSWA municipal members shall have one vote;

(b) each municipal member whose individual population is equal to or greater than one percent, but less than two percent, of the total population of all CCSWA municipal members shall have two votes;

(c) each municipal member whose individual population is equal to or greater than two percent, but less than five percent, of the total population of all CCSWA municipal members shall have three votes;

(d) each municipal member whose individual population is equal to or greater than five percent, but less than ten percent, of the total population of all CCSWA municipal members shall have four votes; and

(e) each municipal member whose individual population is equal to or greater than ten percent of the total population of all CCSWA municipal members shall have five votes.

Section 8 Appointment, Removal and Term of Office of a Municipal Member Representative

Each municipal member shall appoint one representative to CCSWA, which shall be the current chief elected official of the municipality or that official's designee, and that representative shall exercise the voting powers established for that municipal member as set forth in this Ordinance. As long as the method of appointment and removal and the term of office of each municipal member representative shall be consistent with the first sentence of this section, the details of such appointment, removal and term of office shall be as determined by the appointing municipality; provided however, that not more than half of the terms of all such municipal representatives shall expire within any one fiscal year.

Section 9 Annual Meeting and By-Laws of the Authority

There shall be at least one annual meeting of all municipal members of CCSWA, to elect the members of the Executive Committee and enact such other business as shall be deemed advisable at such meeting, all as provided in the by-laws of CCSWA to be adopted after its formation. It shall require the affirmative vote of a majority of all CCSWA municipal members to enact the authority by-laws or adopt any amendments thereto, such vote to take place at a duly-called meeting of the full membership of CCSWA, with proxy voting to be permitted at such meeting.

Section 10 Prohibition Against Member Monetary Compensation Other Than Host Community Compensation

The members and member representatives of CCSWA shall receive no monetary compensation solely for their service as members and member representatives of CCSWA; provided, however, that the ability of CCSWA, if it chooses to do so in its sole discretion, to pay host community compensation to municipal members which agree to host facilities owned or used by CCSWA within their municipal borders shall not be affected by this prohibition.

Section 11 Executive Committee of the Authority

The full membership of CCSWA shall elect an Executive Committee to manage the operations of CCSWA, provided, however, that the specific division of responsibilities for such management between the Executive Committee, the full membership of CCSWA and any other body or officer of CCSWA shall be consistent with the by-laws of CCSWA to be adopted after its formation. No member of CCSWA shall have more than one representative on the Executive Committee, and each member of the Executive Committee shall have one vote, without regard to the voting system established by Section 7 of this Ordinance for meetings of the authority's full membership. The members of such Executive Committee shall constitute an odd number, shall include at least one representative of each of the five voting tiers established pursuant to Section 7 of this Ordinance for meetings of the authority's full membership, and shall also be determined by considerations of geographical representation based on the four sub-regions established under Section 6 of this Ordinance, all such matters and the terms of office and appointment of such Executive Committee members and other matters pertaining thereto to be specifically determined in a manner consistent with the by-laws of CCSWA to be adopted after its formation.

Section 12 Adoption

This Ordinance is hereby adopted pursuant to and in compliance with all laws governing the Municipality's adoption of ordinances.

Civil Preparedness Ordinance

Adopted at Town Meeting on February 7, 1977
Published on February 15, 1977

Effective Date: March 2, 1977

Sections 2 and 3 Revised - Effective Date: November 7, 1982

Section 1. This ordinance shall be known as the Civil Preparedness Ordinance of the Town of Bolton.

Section 2. There is herewith established a Civil Preparedness Organization consisting of an advisory council of eight members with the First Selectman serving as Director. Said local organization shall perform such Civil Preparedness functions in the Town of Bolton as prescribed by the State Director of Civil Preparedness and in addition shall conduct such functions outside the Town of Bolton as are prescribed by the State Civil Preparedness Plan and Program or by the terms of any mutual aid agreement to which the Town of Bolton may become a party.

Section 3. Said advisory council shall include the Public Works Foreman, Fire Chief, Administrative Assistant, Resident State Trooper, Town Clerk and an Ad Hoc Citizen Advisory Panel of 2 – 3 citizens.

Section 4. The Director shall be responsible for the organization, administration and operation of the Bolton Civil Preparedness Organization, subject to the direction and control of the State Director of Civil Preparedness. The Director shall also have all of the powers enumerated in Section 28-7(d) of the Connecticut General Statutes. Such local Director shall serve at the will of the First Selectman and may also be removed by the State Director in accordance with Section 28-7 (b) of the Connecticut General Statutes.

Section 5. The Town of Bolton may, with the approval of the State Director of Civil Preparedness, establish a joint organization for civil preparedness with any other town or towns or cities. The Town of Bolton shall have the power to make appropriations for the payment of salaries and expenses its local organization or any other civil preparedness agency or instrumentality.

Drainage Ordinance

Adopted on November 16, 1992 by the Board of Selectmen

Published on November 26, 1992

Effective Date: December 11, 1992

Section 1. PURPOSE

The purpose of this ordinance is to preserve public health, safety and welfare.

This ordinance is authorized by Connecticut General Statutes Sec. 7-192 which empowers the municipality “to adopt, amend and repeal ordinances...”

The intent of this ordinance is to establish a formal procedure for tying into the town’s storm drainage system and to prohibit the discharge of surface and subsurface water onto public property.

Section 2. SURFACE AND SUBSURFACE DRAINAGE REQUIREMENTS

A. No person shall lay, construct, open, or maintain any drain or conductor pipe in such a manner that the water from the same is discharged upon any sidewalk, street, or highway of the Town, or other public places in the town, either by discharge of such water onto private land in such a way that it drains onto such public way or public land unless authorized by the Bolton Land Use Department. Under no conditions shall this situation be permitted if an underground system exists in the street abutting the property to be drained.

B. Connections to any storm sewer under the jurisdiction of the town shall be made only upon payment of a permit fee in accordance with a fee schedule as shall be established from time to time by the Board of Selectmen, and after a permit has been issued by the Bolton Land Use Department and a performance bond sufficient to cover the cost of the proposed work has been posted with the Land Use Department.

C. No person other than a licensed contractor shall be issued a permit to make any connection or construct any pipeline for surface or subsurface drainage to the storm water system.

The Town Engineer or his agent shall specify the location at which a connection may be made to the system and may, at his discretion, require a backwater valve be incorporated into the system.

D. In the case of a new street, failure to make application to, and gain approval from the Land Use Department and post a performance bond with the Land Use Department prior to making connections of the storm sewer, will make such street unacceptable for inclusion in the highway system of the town.

Section 3. ENFORCEMENT AND VIOLATIONS

A. Any person who shall lay, construct, open, or maintain any drain or conductor pipe in such a manner that the water from the same is discharged upon any sidewalk, street, or highway of the Town, or other public place in the town, either by discharge of such water onto private land in such a way that it drains onto such public way or public land, shall be in violation of this ordinance. Any person who shall make any connection into the town drainage system without a permit, or who disobeys a written order of the Town Engineer issued under this ordinance, shall be in violation of this ordinance. Any violations of this ordinance shall be corrected within thirty (30) days after receiving written notice ordering such correction from the Land Use

Department. If such correction of compliance with an order of the Land Use Department is not made within thirty (30) days of notification, the change may be made by the town Highway Department and the expense thereof shall be and remain, until paid in full with interest at a rate of twelve (12) percent per annum, a lien upon the property to be enforced and collected as other liens of the town. The town shall cause a certificate of lien to be recorded in the Town Clerk's office within sixty (60) days after the determination of such expense.

B. Any person who is found to be in violation of any of the provisions of this ordinance shall become liable to the town of any expense, loss, or damage occasioned by the town by reason of such violation.

Section 4. EXEMPTIONS

Neither this ordinance nor any of its terms or provisions shall apply to any of its officers, boards, agencies, or departments.

Driveways

Adopted by the Board of Selectmen on April 20, 1982

Published on April 24, 1982

Effective Date: May 9, 1982

Amended: September 19, 1989

Section 1. The Board of Selectmen of the Town of Bolton shall have full authority to direct the manner in which driveways are connected with any Town road or road in an approved subdivision, pursuant to such rules and regulations adopted by resolution of said Board. No person or corporation shall install any driveway which connects with any such road until written application shall have been made to said Board for a permit therefore nor until such permit shall have been granted by the said Board under such conditions as it shall deem equitable. Any driveway installed in violation of this ordinance shall be deemed unlawful and the Town, through the town counsel or other appropriate official, may bring action to enjoin such installation or cause it to be removed.

Section 2. The fee for a permit shall be that fee prescribed by the Board of Selectmen by resolution duly adopted by said Board.

Section 3. The ordinance adopted April 20, 1960 concerning "Driveways: Installation of" is hereby repealed.

Education, Board of

Adopted August 14, 1953

That the Town Board of Education consist of Seven (7) members, to be elected in accordance with the provisions of the General Statutes.

Elections, Town

Hours of Voting at Elections and Referendums

Adopted by the Board of Selectmen at a regular meeting on June 20, 2000

Published in the Manchester Extra, June 29, 2000

Effective Date: July 14, 2000

Section 1. Except as provided in Section 2 of this ordinance, the polls shall remain open for voting at all elections from six o'clock a.m. until eight o'clock p.m.

Section 2. Whenever the town conducts a referendum on a day other than a state or town election, the polls shall be open from twelve noon to eight p.m. By resolution, the Board of Selectmen may extend the hours during which the polls remain open, provided that they shall not be opened earlier than six a.m.

Section 3. The ordinance adopted May 15, 1979 concerning the hours of voting is hereby repealed.

Shifts of Election Officials

Adopted by the Board of Selectmen at a regular meeting on May 15, 1979

Published May 19, 1979

Effective Date: June 4, 1979

Section 1. With the exception of the moderator of the election, there may be two shifts of election officials at all elections and referendums.

Section 2. The moderator at each polling place shall keep a written record of the specific hours and time served at the polls by each election official.

Section 3. In each polling place, all members of both shifts who are required to sign returns, including checkers and assistant registrars, if any, of both shifts, shall be present at the closing of the polls and shall remain until all returns have been executed.

Electors

Adopted April 6, 1970

The membership of the Board of Admissions of Electors of the Town of Bolton are the Town Clerk and the Registrars of Voters as provided under Section 9-15A of the Connecticut General Statutes as amended.

Said change is to take effect upon adoption of this resolution.

Electors, Enrollment List of

Adopted at a Regular Meeting of the Board of Selectmen on May 15, 1979

Published on May 19, 1979

Effective Date: June 4, 1979

Section 1. The requirement that the registrars of voters compile separate lists of all qualified electors according to the declared political preference of such electors is discontinued.

Section 2. The registrars of voters shall designate the party affiliation, if any, of each elector on the registry list.

Energy Committee

Adopted: By the Board of Selectmen on November 6, 2014

Published: Hartford Courant November 20, 2014

Effective Date: December 20, 2014

ENERGY COMMITTEE

1. Policy and Purpose

The Energy Committee is an advisory committee to the Board of Selectmen. The Purpose to the Committee is to promote clean power options, encourage the development of renewable energy in Bolton, and make recommendations for energy conservation.

2. Establishment

There is hereby established a committee to be known as the “Energy Committee.”

3. Composition and Meetings

A. The Committee shall consist of seven members who shall be appointed by the Board of Selectmen for terms of four years. The terms shall be to June 30th and staggered on the odd numbered years. At least four of the members appointed by the Board of Selectmen shall be experienced in the fields of energy management, clean, renewable energy, public outreach, architecture, building construction, building management or building trades. All members must be residents of the Town of Bolton.

B. The Energy Committee shall elect a Chairperson, Vice Chairperson and Secretary at its first meeting following the start of the fiscal year.

C. The Committee shall establish a schedule of regular meetings at least on a quarterly basis. Special meetings may be called at any time by the Chairperson. Four (4) members shall constitute a quorum.

4. Duties

The Energy Committee shall have the following duties and responsibilities:

A. Investigate appropriate and cost-effective opportunities for implementing energy efficiency measures in all aspects of Bolton's public buildings, including operational changes and changes in maintenance or capital improvements. These recommendations shall be forwarded to the Board of Selectmen or appropriate municipal agency or official as designated by the Board of Selectmen.

B. Research and facilitate the use of clean, renewable energy within the Town of Bolton.

C. Educate Bolton residents about clean energy options, energy efficiency, and energy conservation.

D. Identify appropriate federal and state incentive and grant programs that provide opportunities for clean, renewable energy, energy efficiency, or energy conservation.

E. Take advantage of unique opportunities and resources within Bolton for providing clean, renewable energy to help fulfill local energy needs.

5. Records and Reports

All meetings and records of the Committee shall be in compliance with applicable state statutes. A status report shall be provided by the Committee to the Board of Selectmen no later than December 30 of each year or as may be directed by the Board of Selectmen.

Ethics Ordinance: Establishment of

Accepted: By Board of Selectmen, November 10, 2015

Published: Hartford Courant November 17, 2015

Effective date: December 17, 2015

PART I ADMINISTRATIVE LEGISLATION

1. Legislative Intent.

The proper operation of government requires that public officials and public employees be independent, impartial and responsible to the people; that governmental decisions and policies be made free from undue influence and in the proper channels of governmental structure; that governmental office and employment not be used for unauthorized personal gain; that governmental officials and employees strive to avoid even the appearance of impropriety; and that the public have confidence in the integrity of its government. The purpose of this Code of Ethics is to set forth standards of ethical conduct to guide elected or appointed officials and employees of the Town of Bolton in the conduct of their public responsibilities and to develop and maintain a tradition of responsible and effective public service. In recognition of these goals, this Code of Ethics is established pursuant to authority granted to the Town by Connecticut General Statutes Section 7-148h as amended.

2. Definitions.

For the purpose of this ordinance, the following terms shall have the indicated meanings:

AGENCY -- All boards, commissions, authorities and committees of the Town of Bolton, including the Board of Education, but not including a Town Meeting.

BENEFICIAL INTEREST -- Any nonfinancial interest or special treatment that is not common to other citizens of the Town. An individual's beneficial interests shall include the beneficial interests of all members of the person's family.

BOARD – Shall mean the Ethics Board unless otherwise noted.

CONFIDENTIAL INFORMATION -- Information, whether transmitted orally or in writing, that is obtained by an official or employee by reason of the person's public position and is of such nature that, at the time of transmission, it is not a matter of public record.

CONSULTANT -- Any independent contractor or professional person or firm that is engaged by and receives compensation from any agency for the purpose of providing scientific, technical or other specialized opinion to such agency and is in a position to influence any decision of an agency, official or employee.

EMPLOYEE -- Includes all persons, including but not limited to officers and supervisors, employed by the Town and encompasses all persons, including but not limited to officers and supervisors, employed by the Board of Education.

FINANCIAL INTEREST -- Any interest that has a monetary value of \$100 or more or generates a financial gain or loss of \$100 or more in a calendar year and is not common to the other citizens of the Town. An individual's financial interests shall include the financial interests of all members of the person's family but shall not include any duly authorized compensation from the Town.

OFFICIAL -- Includes all persons who are members of a Town agency.

3. Consultants.

A. This Code of Ethics shall be incorporated into all contracts entered into by an agency and a consultant.

B. Persons or firms who are engaged by and receive compensation from other entities, such as the state or federal government, and who are in a position to influence any decision of an agency, official or employee shall be guided by this Code of Ethics, and the Board of Ethics, upon complaint or its own motion, may make recommendations to the entity employing such persons.

4. Confidential Information.

Except as otherwise required by law, no official, employee or consultant shall disclose, without proper authorization, confidential information, nor shall the person use such information to advance the person's financial or beneficial interests or the financial or beneficial interests of others. This section shall not be used to restrict the release of information that is properly available to the public.

5. Use of Influence.

No official, employee or consultant may inappropriately use the person's position to influence a decision affecting a financial interest or a beneficial interest in the person's favor or in favor of any other person or entity.

6. Gifts and Favors.

A. No official, employee or consultant or any member of the person's immediate family nor any agency, employee organization or group of employees shall solicit or accept any valuable gift, whether in the form of a service, a loan at a less than a commercially reasonable rate, a material thing or a promise, from any person or entity who or which is interested directly or indirectly in any business transactions or pending matters that are within the purview of such prospective recipient's official responsibilities. No official or employee shall accept any special favor, treatment, consideration or advantage beyond that which is generally available to citizens of the Town from any person who, to the official or employee's knowledge, is interested directly or indirectly in any business transactions or pending matters that are within the person's official responsibilities. For purposes of this section, pending matters include, but are not limited to, applications to agencies, bids for work to be performed, applications for employment and bids for the furnishing of supplies, equipment or other items.

B. The Board of Ethics shall formulate guidelines for delineating gifts and favors deemed not to be of value in order to avoid de minimis situations. Such guidelines shall become effective upon adoption by the Board of Selectmen.

C. This section shall not apply to a political contribution otherwise reported as required by law.

7. Equal Treatment.

Without proper authorization, no official, employee or consultant shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

8. Conflict of Interest.

A. An official or employee or consultant has a conflict of interest when the person engages in or participates in any transaction, including private

employment and the rendering of private services, that is incompatible with the proper discharge of the person's official responsibilities in the public interest or which gives the perception that the person's independent judgment or action in the performance of the person's official responsibilities has been impaired.

B. An official or employee or consultant has a financial interest or beneficial interest that is incompatible with the proper discharge of the person's official responsibilities in the public interest if the person has reason to believe or expect that the person will derive such interest by reason of the person's performance of the person's official responsibilities.

C. An official or employee or consultant does not have a financial or beneficial interest that is incompatible with the proper discharge of the person's official responsibilities in the public interest if any such interest accrues to the person as a member of a business, profession, occupation or group to no greater extent than it accrues to any other member of the business, profession, occupation or group that the person represents. This does not relieve an individual from the person's obligation to refrain from voting on any matter that would directly benefit the person's business, profession, occupation, group or family as required by this Code of Ethics, the Town of Bolton Charter and General Statutes Section 7-148h(b) as amended.

D. An official or employee who has authority to participate in the specification, and/or the source-selection, and/or the approval process for a purchase of goods and/or services may not act as a supplier of those goods and/or services unless the following conditions are met:

- 1) The official or employee did not participate in any way in the purchase specifications beyond routine advice on applicability and/or availability;
 - 2) The official or employee receives approval as a potential supplier for the purchase in question from the Board of Selectmen for town related items and Board of Education for School related items;
 - 3) If the official is a member of the Board of Selectmen or Board of Education approving potential supplier status, the official must recuse themselves from the vote on their approval as a potential supplier;
 - 4) The official or employee notifies the Board of Selectmen of the official's or employee's approved role as a potential supplier for the purchase in question;
- and
- 5) The official or employee granted potential supplier status shall not in any way attempt to influence the purchasing decision.

9. Disclosure.

A. Any official, employee or consultant who has a financial or beneficial interest, direct or indirect, in any contract, transaction or decision within the purview of the person's official responsibilities shall disclose that interest in writing to the Board of Selectmen. Such disclosure also shall be provided, in the case of an official, to the agency of which the official is a member, and, in the case of an employee or consultant, to the agency by which the person is employed or has been retained. Such disclosure shall disqualify the official, employee or consultant from participation in the matter, and violation of this section shall be grounds for removal by the appropriate agency in accordance with applicable law.

B. No official or employee or consultant shall appear on behalf of any private person or party before any agency in connection with any cause, proceeding, application or other matter in which the person has a financial or beneficial interest without first disclosing such interest to the agency, which shall record such disclosure in the record of the agency's proceeding. The Secretary or Clerk of said agency shall notify the First Selectman and, in the case of an official or employee of the Board of Education, the Chairman of the Board of Education, and the Chairman of the Board of Ethics in writing of such disclosure within three business days.

10. Incompatible Employment and Activities.

A. No official or employee shall engage in or accept private employment or render services for private interest when the employment or services: are incompatible with the proper discharge of the person's official duties; or which gives the perception that the person's independence of judgment or action in the performance of the person's official duty has been impaired. No consultant shall engage in employment or render services for interests other than the Town when such employment or services: are incompatible with the proper discharge of the person's consulting duties; or would tend to impair the independence of the person's judgment or action on the matter for which the person has been engaged by the Town.

B. No former official, employee or consultant shall appear on behalf of any private person or other entity before any agency with which the person previously was employed or affiliated for a period of one year after the termination of the person's public service or employment. Such an individual may be relieved of the person's duty to refrain from such appearance upon written application to the Board of Ethics, which Board shall review the written application and relevant facts.

C. No former official, employee or consultant shall appear on behalf of any private person or other entity before any agency in regard to a matter in which the person previously participated in the course of the person's official responsibilities for a period of one year after the termination of the person's public service or employment. Such an individual may be relieved of the person's duty to refrain from such appearance upon written application to the Board of Ethics, which Board shall review the written application and relevant facts.

D. Subsections B and C of this section shall not prohibit any current or former official, employee or consultant from appearing before any agency on the person's own behalf or on behalf of members of the person's family. To avoid the appearance of impropriety, officials are strongly discouraged from appearing before their own agency unless extenuating circumstances exist such as in the case of an official representing or advocating on behalf of a child or student. When in doubt, an official should seek an opinion from the Board of Ethics prior to appearing before the person's own agency.

E. An official should not appear before, or participate in the proceeding of, another agency in violation of Connecticut General Statutes Section 8-11 or 8-21 as amended or any other provision of the General Statutes.

F. To avoid even the appearance of impropriety, an official not otherwise prohibited shall exercise care when appearing before other agencies and shall disclose whether the person is appearing in the person's official capacity or as a private citizen.

11. Ethics Acknowledgment Form

A. Every elected or appointed official shall sign and file with the Board of Selectmen an Ethics Acknowledgement Form, as approved by the Board of Selectmen, indicating the person's awareness of the provisions of this Code of Ethics, the guidelines issued thereunder on or before being sworn into office. The Board of Selectmen shall adopt and implement a procedure for monitoring compliance with the aforesaid filing requirement.

B. Every consultant shall sign and file with the agency by which the person is retained an Ethics Acknowledgment Form, supplied by the Administrative Officer/Superintendent of Schools, indicating the person's awareness of the provisions of this Code of Ethics on or before being retained by an agency. The Board of Selectmen shall adopt and implement a procedure for monitoring compliance with the aforesaid filing requirement.

C. Employees.

(1) The Board of Selectmen shall adopt and the Administrative Officer shall implement a plan for making all employees, other than persons who are employed by the Board of Education, aware of the provisions of this Code of Ethics, the guidelines issued thereunder. The plan adopted by the Board of Selectmen shall contain a provision requiring that department heads review such provisions with all such employees at an interval to be determined by the Board of Selectmen. The plan shall be completed within 120 days after the adoption of this Code of Ethics, and a copy of the plan shall be filed with the Board of Ethics upon its adoption.

(2) Every employee, other than persons employed by the Board of Education, shall execute an Ethics Acknowledgment Form, supplied by the Administrative Officer, indicating the employee's awareness of the provisions of this Code of Ethics and the guidelines issued thereunder as follows:

(a) New employees shall execute the form at the time of employment and thereafter in accordance with Subsection C(2)(b) below.

(b) Current employees shall execute the form within 60 days after the adoption of the procedure set forth in Subsection C(1) above.

D. Board of Education.

(1) The Board of Education shall adopt and the Superintendent shall implement a plan for making all employees of the Board of Education aware of the provisions of this Code of Ethics, the guidelines issued thereunder. The plan adopted by the Board of Education shall contain a provision requiring that department heads review such provisions with all employees at an interval to be determined by the Board of Education. The plan shall be completed within 120 days after the adoption of this Code of Ethics, and a copy of the plan shall be filed with the Board of Ethics upon its adoption.

(2) Every employee of the Board of Education shall execute an Ethics Acknowledgment Form, supplied by the Superintendent, indicating the employee's awareness of the provisions of this Code of Ethics and the guidelines issued thereunder as follows:

(a) New employees shall execute the form at the time of employment and thereafter in accordance with Subsection D(2)(b) below.

(b) Current employees shall execute the form within 60 days after the adoption of the procedure set forth in Subsection D(1) above.

12. Board of Ethics.

A. Establishment. As authorized by the Town of Bolton Charter, Ordinance and Section 7-148h as amended of the Connecticut General Statutes, the Board of Selectmen shall appoint a Board of Ethics consisting of six members, two of whom shall be registered Republicans, two of whom shall be registered Democrats and two of whom shall be unaffiliated voters. The members of the Board shall serve four-year terms, except that at the first appointment by the Board of Selectmen, one Republican, one Democrat and one unaffiliated voter shall be appointed for two-year terms, with the remaining members appointed for four-year terms.

B. Organization and Procedure. The Board shall elect a Chairman and Vice Chairman/Secretary and shall establish its own rules and procedures to carry out the intent of this Ordinance, which shall be filed in the office of the Town Clerk and be available to any elector of the Town upon request to the Board. The first rules and procedures shall be established within six months of the date this Ordinance becomes effective. The need to maintain confidentiality in order to protect the privacy of public officials, employees and consultants shall be considered when establishing the rules and procedures. It shall keep records of its meetings and shall hold meetings at the call of the Chairman and at such other times as it may determine.

C. Powers and Duties.

(1) The Board shall render advisory opinions with respect to whether specific situations or activities may or may not result in a violation of the Code of Ethics to any agency or any official, employee or consultant pursuant to a written request or upon its own initiative. The Board may also issue operational guidelines. Such opinions and guidelines, until amended or revoked, shall be binding on the Board, and reliance upon them in good faith is an absolute defense in any action brought under the provisions of this ordinance. Any request or opinion, the disclosure of which invades the personal privacy of any individual (as that term is used in Connecticut General Statutes Section 1-19(b)(2) as amended by the Connecticut Freedom of Information Commission and the courts), shall be kept confidential in a personnel or similar file and shall not be subject to public inspection or disclosure. The Board may make available to the public any advisory opinions that do not invade an individual's privacy and may take other

appropriate steps in an effort to increase public awareness of this Code of Ethics.

(2) The Board shall establish procedures by which any person may initiate complaints alleging a violation of this Code of Ethics. The Board itself may also initiate such a complaint. The Board shall have that power and to hold hearings concerning the application of this Code and its violation and may administer oaths and compel the attendance of witnesses by subpoena. As required by Section 7-148h(a) as amended of the Connecticut General Statutes, the provisions of Section 1-82(a) through (c) as amended of the Connecticut General Statutes and Section 1-82a as amended of the Connecticut General Statutes shall apply to all investigations and hearings held under this chapter. If the Board determines that there is probable cause, it shall continue the investigation and hold such further hearings as may be necessary. In the event a hearing is held, the person against whom such complaint is filed shall have the right to counsel, to confrontation of all witnesses, to cross-examination and to present evidence on his behalf. He shall have the right to have a hearing held in Executive Session or, at his request the hearing will be held in Open Session. If the Board determines that the respondent has, in fact, violated the provisions of this Code, it shall file a memorandum of decision with a recommendation for appropriate action with the Board of Selectmen, except with respect to individuals under the jurisdiction of the Board of Education, in which cases the memorandum of decision shall be filed with the Board of Education. In the case of a consultant, it shall also be filed with the contracting agency.

(3) If an official, employee or consultant who is the subject of a complaint under investigation leaves office or employment after filing of the complaint but before resolution of the complaint, the Board shall have the power, by majority vote, to continue investigation of the complaint. If an ethics complaint is filed against a former Town of Bolton official, employee or consultant within 90 days after he or she has left employment for the Town, the Board shall have the power, by majority vote, to initiate an investigation.

(4) The recommended action may include reprimand, public censure, restitution from any pecuniary benefit received because of the violation or other such action as the Board of Selectmen or Board of Education may deem appropriate in accordance with their respective responsibilities under the law, provided that in the case of union employees, such recommended action does not constitute a unilateral change in conditions of employment. No such recommendation shall limit the authority of the Board of Selectmen or the Board of Education under the Charter of the Town of Bolton or under any

ordinance, statute or any other law, and the actions hereunder shall be supplemental to any authority the Board of Selectmen or Board of Education has under any ordinance, statute or any other law. Any discussion by the Board of Selectmen, Board of Education or contracting agency of an individual affected by said memorandum of decision shall be in executive session, unless the individual affected requests that such discussion be held in open session.

Fees

For fees see appropriate department.

Fire Lanes

Published in Manchester Herald on November 25, 1986

Effective Date: December 10, 1986

a) Upon finding that the parking of any vehicle in any area would hinder or obstruct the free access of fire-fighting equipment to any structure, the Fire Marshal may designate any portion of any roadway in any street, shopping center or mall or apartment complex as a fire lane. No person shall permit any vehicle to remain stationary within the limits of any such designated fire lane.

b) Any person who violates this provision shall be fined twenty-five dollars (\$25.00).

Food Service Sanitation

Adopted December 7, 1970

Effective Date: January 6, 1971

A regulation defining food, potentially hazardous food, adulterated, misbranded, food service establishments, temporary food service establishment, Director of Health, utensils, equipment, etc., providing for the sale of only unadulterated, wholesome, properly branded food; establishing sanitation standards for food, food protection, food service personnel, food service operations, food equipment and utensils, sanitary facilities and controls, and other facilities; requiring permits for the operation of food service establishments; regulating the inspection of such establishments; providing for the examination and condemnation of food and providing the enforcement of this Regulation, and the fixing of penalties.

DEFINITIONS

1. FOOD: "Food" shall mean any raw, cooked or processed edible substance, beverage or ingredient used or intended for use in whole, or in part, for human consumption.

2. PERISHABLE FOOD: "Perishable Food" shall mean any food or beverage other than:
 - (a) foods which are in hermetically sealed containers processed by heat to prevent spoilage, or

 - (b) dehydrated, dry or powdered products so low in moisture content as to preclude development of microorganisms.

3. POTENTIALLY HAZARDOUS FOOD: “Potentially Hazardous Food” shall mean any perishable food or beverage which consists in whole or in part of milk or milk products, eggs, meat, fish, shellfish, poultry or other ingredients capable of supporting rapid and progressive growth of microorganisms which can cause food infections or food intoxication.

4. WHOLESOME: “Wholesome” means sound, healthful, clean and otherwise suitable for use as human food.

5. ADULTERATED: A food shall be deemed to be “adulterated”:

(a) if it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health;

(b) if it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulations, or in excess of such tolerance if one has been established;

(c) if it consists in whole or in part of any filthy, putrid or decomposed substance, or if it is otherwise unfit for human consumption;

(d) if it has been processed, prepared, packed or held under unsanitary conditions, whereby it may have been rendered injurious to health;

(e) if it is whole or in part the product of a diseased animal, or an animal which has died otherwise than by slaughter; or

(f) if its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

6. MISBRANDING: The term “misbranding” shall mean the use of any written printed or graphic matter upon or accompanying food or containers of food which violates any applicable local, State or Federal labeling requirements.

7. FOOD SERVICE ESTABLISHMENT: “Food Service Establishment” shall mean any fixed or mobile restaurant; coffee shop; cafeteria; short-order café; luncheonette; grille; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge, night club; road-side stand; industrial feeding establishment; catering kitchen; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; hospitals and other related medical care facilities; schools and educational institutions; employee cafeterias; dining rooms in office buildings, department stores and industrial plants; private clubs, fraternal orders, societies and private organizations all in a fixed location. Provided, that the term “Food Service Establishment” shall not be construed to mean establishments of vendors in a fixed location who sell or serve only packaged foods in their unbroken original containers, kept in clean containers or cabinets so constructed as to prevent contamination by dust, insects, etc., and if potentially hazardous food, kept at or below 40 degrees F., or at or above 140 degrees F.

8. TEMPORARY FOOD SERVICE ESTABLISHMENT: “Temporary Food Service Establishment” shall mean any food service establishment which operates within the Municipality of Bolton, only for a temporary period of time, in connection with a fair, carnival, circus, public exhibition or similar transitory gathering.

9. ITINERANT FOOD VENDORS: “Itinerant Food Vendor” shall mean any person, firm or corporation operating an itinerant food vending business serving food and drink from an approved conveyance without a fixed location provided that ready to serve food is prepared in a kitchen approved by the Director of Health and that this food is served or sold individually wrapped with its original wrapper or container, except when food or drink shall be received and served from original containers permitted by the Director of Health with such sanitary provisions as may be required by it and that said containers be sanitary and provided with suitable coverings which completely

protect the item from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage, and other contamination. All food shall be clean, wholesome, free from spoilage and so prepared as to be safe for human consumption.

10. COMMERCIAL FOOD PROCESSING

ESTABLISHMENT: "Commercial Food Processing Establishment" shall mean an establishment in which food is processed or otherwise prepared and packaged on the premises for public consumption off the premises, and which is subject to sanitary regulations and periodic inspection by a Federal, State or local governmental inspection agency.

11. DIRECTOR OF HEALTH: "Director of Health" shall mean the Director of Health of the Municipality of Bolton or his authorized representative.

12. PERSON: "Person" shall mean individual, firm, partnership, company, corporation, trustee, association or any public or private entity.

13. EMPLOYEE: "Employee" shall mean any person working in a food service establishment who transports food or food containers, who engages in food preparation or service, or who comes in contact with any utensils or equipment.

14. EQUIPMENT: "Equipment" shall mean all stoves, ranges, hoods, meat blocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables or other similar items other than "utensils" used in the operation of a food service establishment.

15. UTENSILS: “Utensils” shall mean any eating or drinking tableware, kitchenware such as pots, pans, ladles and food containers, or other implements used in the storage, preparation or serving of food.

16. SINGLE-SERVICE ARTICLES: “Single-Service Articles” shall mean bottles, cups, containers or closures; plates, straws, place mats, napkins, doilies, spoons, stirrers, paddles, knives or forks; wrapping materials; and all similar articles which are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic or other readily destroyable materials, and which are intended by the manufacturers and generally recognized by the public as for one usage only, then to be discarded.

17. CORROSION-RESISTANT: “Corrosion-Resistant” materials are those which maintain their original surface characteristics under prolonged influence of the foods to be contacted and of the cleaning compounds and bactericidal solutions that may be used.

18. FOOD CONTACT SURFACES: “Food Contact Surfaces” shall mean those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces with which food may come in contact, or which drain back onto surfaces normally in contact with food.

19. EASILY (READILY) CLEANABLE: “An “Easily Cleanable” or “Readily Cleanable” surface is one that is readily accessible and of such material, finish and so fabricated that removable residue may be completely removed by normal cleaning methods.

20. SEALED: “Sealed” shall mean the filling or elimination of cracks or other junctures or openings so as to prevent the entry or passage of moisture.

21. SANITIZED, OR APPROVED BACTERICIDAL PROCESS: "Sanitized" or "Approved Bactericidal Process" shall mean the application to clean surfaces of any method or substance for the destruction of pathogens and all other organisms so far as practicable, and which, in the opinion of the Director of Health, is effective and does not adversely affect the equipment, the food or the health of the consumer.

22. APPROVED: "Approved" shall mean acceptable to the Director of Health following his determination as to conformance with appropriate standards and good public health practices.

23. FROZEN FOODS: "Frozen Foods" shall mean articles used for food or drink for man, or other animals:

(a) which have been processed;

(b) which have been packaged and preserved by freezing in accordance with good commercial practices, and

(c) which are destined for retail sale in the frozen state.

APPLICATION

The provisions of this regulation shall apply throughout the geographical limits of the Town of Bolton.

INCORPORATION OF THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT

The provisions of the Public Health Code of the State of Connecticut relating to matters not specifically provided for hereunder are incorporated herein by this reference and made a part hereof. In their interpretation and application, the provisions of this regulation shall be held to be minimum requirements, adopted for the promotion of the public health and safety. Wherever the requirements of this regulation are at variance with the requirements of the Public Health Code of the State of Connecticut, the most restrictive or that imposing the higher standards shall govern.

ADMINISTRATION

The Town Director of Health, Assistant Director of Health and the First Selectman as his agent shall each have the power and duty to enforce these regulations.

PROCEDURE

No person shall operate a food service establishment within the Municipality of Bolton, who does not possess a valid permit signed by the Director of Health; Provided: that a person who is operating a food service establishment on the effective date of this Regulation may operate a reasonable period of time thereafter under a temporary permit, while making such correction as may be required by notices issued under the provisions of this section; and Provided further: that such establishment does not present an imminent health hazard, and that the person shall make such corrections within the time period specified by the Director of Health or shall cease to operate the establishment upon expiration of such time period. Such permits shall be required to be renewed annually. Only a person who complies with the provisions of this Regulation shall be entitled to receive such a

permit. Permits shall not be transferable from one person or place to another. A valid permit shall be displayed in every food service establishment. Such a permit may be temporarily suspended by the Director of Health upon violation by the holder of any of the terms of this Regulation or for any condition that may be deemed an imminent public health hazard, or for interference with the Director of Health in the performance of his duties; or may be revoked after an opportunity for a hearing by the Director of Health upon serious or repeated violations. Any person whose permit has been suspended and who has ceased food service operations in the establishment may at any time request a hearing or make application for the reinstatement of the permit. Within one week after the receipt of a satisfactory application, accompanied by a signed statement that the conditions responsible for the suspension have been corrected, the Director of Health shall, unless revocation of the permit is warranted, make a re-inspection and any additional re-inspections deemed necessary, and if the findings indicate satisfactory correction, he shall reinstate the permit.

INSPECTION OF ESTABLISHMENTS

Prior to the issuance of a permit and periodically thereafter, the Director of Health shall inspect every food service establishment within the Municipality of Bolton. Every person operating a food service establishment shall, upon the request of the Director of Health, permit access during business hours to all parts of the establishment to determine compliance with the Regulation and the examination of all records of food purchased or received if a public hazard is suspected. If the Director of Health discovers a violation of any provision of this Regulation, he shall notify the responsible person of the condition found, provide a reasonable period of time for correction, and explain that failure to correct within the specified time may result in suspension or revocation of the permit, or prosecution. Provided: That when any condition found is deemed an imminent public health hazard, the Director of Health shall send the operator an official notice of immediate suspension of permit. Notification of violation shall be deemed to have been properly served when a copy of the inspection report containing the information outlined above has been delivered personally to the owner, operator or person in charge at that time, or has been sent by registered mail.

PERMIT FEES*

The fee paid for each permit upon application shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

*Permit Fees amended May 9, 1982

APPEALS

1. Any person aggrieved by any action of the Director of Health in connection with the enforcement of this regulation may request and shall be granted a hearing on the matter before the Director of Health; provided that such person shall file a petition stating the reasons for such hearing and within ten days after the date such action was taken.
2. The hearing shall take place not more than ten days after such petition is filed unless the petitioner agrees in writing to a postponement.
3. After such hearing, the Director of Health may by order sustain, modify or disapprove the petition in accordance with these regulations and the findings of the hearing. A summary of the hearing and decision of the Director of Health, as well as all other submitted material shall become a part of the public record in the Office of the Selectmen.
4. Any person aggrieved by the decision of the Director of Health may seek relief therefrom, as provided by the laws of this State.

PENALTIES

Any person who shall violate any of the provisions of this regulation, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$100.00. In addition thereto, such persons may be enjoined from continuing such violation. Each day upon which such violation occurs, shall constitute a separate violation.

REPEAL AND DATE OF EFFECT

All Ordinances and Regulations and parts of ordinances and regulations in conflict with this Regulation are hereby repealed and the regulation shall be in full force and effect immediately upon its adoption.

UNCONSTITUTIONALITY CLAUSE

Should any section, paragraph, sentence, clause or phrase of this Regulation be declared unconstitutional or invalid for any reason, the remainder of said Regulation shall not be affected thereby.

Highways

Adopted at a regular meeting of the Board of Selectmen on May 15, 1979
Published on May 19, 1979

Effective Date: June 4, 1979

Section 1. On and after the effective date of this Ordinance, no vehicle shall be permitted to remain parked or stationary on any public highway within the Town of Bolton for a period or more than two (2) hours between 12:00 midnight and 6:00 in the morning.

Section 2. On and after the effective date of this Ordinance, no vehicle shall be permitted to remain parked or stationary on any public highway within the Town of Bolton during and after any period of snow fall, sleet, or icy conditions while said highways are hazardous to traffic.

Section 3. The parking of vehicles in places and at times when and where parking is prohibited is hereby declared to be a nuisance.

The First Selectman is hereby authorized to create a vehicle pound, or pounds, to which automobiles and other vehicles may be removed by a police officer or constable, or under the direction of a police officer or constable, in the manner hereinafter provided. Such pound, or pounds, shall be such storage garage or garages, or such other appropriate places as may be designated by the First Selectman. Before any such garage or place shall be authorized to be a vehicle pound as provided herein, such garage or designated place of storage shall furnish to the First Selectman satisfactory evidence of insurance coverage to protect the Town of Bolton from any claims or damages arising from the towing of any vehicle or while it is impounded.

Whenever any vehicle shall be found parked in a place where parking is not permitted, such vehicle may be removed and conveyed by, or under the

direction of, a police officer or constable designated by the First Selectman by means of towing the same, or otherwise, to a vehicle pound. Before the owner or person in charge of such vehicle shall be permitted to remove the same from such vehicle pound, he shall furnish the First Selectman or such other officer or constable as he shall designate, evidence of his identity, ownership or right of possession, and shall sign a receipt for the same, and he shall pay the costs of removal and storage.

The owner of any impounded vehicle shall be duly informed as to the nature and circumstances of the violation on account of which such vehicle has been impounded. In case protest is made against the payment of any towing or storage fees, the person in charge of said pound shall mark upon the receipt evidencing payment of the towing and storage fees the words "paid under protest". In such case it shall thereupon be the duty of the First Selectman or police officer or constable designated by him having knowledge of the facts to forthwith institute the proper proceedings in the proper court, charging the owner or driver of such vehicle with that violation of the ordinance or traffic regulations on account of which the vehicle was impounded. In the event the owner or driver of said vehicle is found not guilty of the offense charged he shall be reimbursed the sum so paid under protest, by the Town of Bolton.

It shall be the duty of the First Selectman or police officer or constable, as he shall designate, to keep a record of the names of all owners of vehicles impounded, the numbers of their state license plates, the place where such vehicle was impounded, the nature and circumstances of each violation, and the disposition of each case.

Section 4. Any person, firm or corporation who shall violate any provision of this ordinance shall upon conviction thereof by the court, be subject to a fine not exceeding twenty-five and no/100 (\$25.00) dollars for each offense or violation.

Section 5. If a section, part of section, sentence, clause or phrase of this ordinance shall be held unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

Section 6. Upon the effective date of this ordinance, the ordinance entitled Parking of Motor Vehicles adopted February 27, 1964 is hereby replaced.

Historian, Municipal

Adopted on November 16, 1992 by the Board of Selectmen

Published on November 26, 1992

Effective Date: December 11, 1992

Pursuant to Section 7-148(c)(5)(D) of the Connecticut General Statutes, the Town of Bolton does hereby create the position of Municipal Historian.

The duties of the Municipal Historian shall include, but not be limited to, responding to questions on local history; speaking to local groups about history; contributing to the annual report of the town as required; covering historical activities in the town during the year; coordinating historical activities among local organizations such as the library, Town Clerk, historical society, and other groups; and representing, and being an advocate for, historical matters within the local government.

The Municipal Historian shall report directly to the Board of Selectmen.

Initially the Board of Selectmen shall appoint a resident elector of the town for a term to expire July 1, 1993. Thereafter, the Board of Selectmen shall make the appointment for a term of four (4) years.

Housing Authority

Adopted on December 19, 1989 at a Special Town Meeting

Published on December 28, 1989

Effective Date: January 12, 1990

ARTICLE I – THE AUTHORITY

Section 1. Name of Authority

The name of the Authority shall be the “Housing Authority of the Town of Bolton”.

Section 2. Seal of Authority

The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization and the word “Connecticut”.

Section 3. Office of Authority

The office of the Authority shall be located within the Town of Bolton, Connecticut, and shall be designated by, and may from time to time be changed by, resolution adopted at any regular or special meeting of the Authority.

Section 4. Composition of Authority

The Authority shall consist of five (5) Commissioners and an Executive Director. The Powers of the Authority shall be vested in the Commissioners in office from time to time.

ARTICLE II – COMMISSIONERS

Section 1. Appointment

The Commissioners shall be appointed by the Board of Selectmen of the Town of Bolton.

Section 2. Term

The term of each Commissioner shall be five (5) years, except that, initially, four of the five Commissioners shall be appointed for terms of one (1), two (2), three (3), and four (4) years, so that the term of one Commissioner will expire each year.

Section 3. Duties

The Commissioners shall perform such duties as are incumbent upon them by reason of their election to any office, and shall perform such other duties and functions as may from time to time be required by the Authority or by the Bylaws, or which may arise by reason of their appointment to serve on

committees functioning within the Authority or in cooperation with persons or groups outside the Authority.

Section 4. Compensation

The Commissioners shall serve without compensation other than the payment of necessary expenses as approved by the Authority.

Section 5. Qualifications

The appointing authority is responsible to insure that each commissioner meets the following requirements in accordance with the provisions of Sections 8-41 and 8-42, CGS:

- (a) Is a resident of the municipality.
- (b) Holds no other public office in the municipality.
- (c) Has no interest, direct or indirect, in any housing project or in any property included or planned to be included in any project, or any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project of the Housing Authority.

ARTICLE III – OFFICERS AND EMPLOYEES OF THE AUTHORITY

Section 1. Officers

The Officers of the Authority shall be a Chairman, a Vice-Chairman, a Secretary, a Treasurer, and an Assistant Treasurer, all of whom shall be Commissioners, and an Executive Director, who shall not be a Commissioner.

Section 2. Selection of Officers

Subsection (a) Commissioners: The Chairman, Vice-Chairman, Secretary, Treasurer, and Assistant Treasurer shall be elected at the annual meeting of the Authority and each shall hold office for one year, or until his successor is elected and qualified.

Subsection (b) Executive Director: The Commissioners shall appoint one person to fill the office of Executive Director for such term and for such compensation as they may fix.

Section 3. Vacancies

Subsection (a) Commissioners: In the event of a vacancy occurring in the Commission membership prior to the normal expiration date of a term, the Selectmen of the Town of Bolton shall appoint a replacement who shall serve for the remaining portion of the vacated term.

Subsection (b) Executive Director: In the event of a vacancy occurring in the office of Executive Director, the Commission may designate one of its members to serve in such capacity on a protempore basis until such time as a replacement is appointed.

Section 4. Duties of Officers

Subsection (a) Chairman: The Chairman shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairman shall sign all contracts, deeds, and other instruments made by the Authority. At each meeting, the Chairman shall submit such recommendations and information as he may consider proper concerning the business affairs and policies of the Authority.

Subsection (b) Vice-Chairman: The Vice-Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman, and in case of a vacancy in the office of the Chairman.

Subsection (c) Secretary: The Secretary shall record the minutes of all meetings of the Authority and shall perform all other duties normally incident to the office of Secretary. At any regular or special meeting, in the absence of the Secretary, a Secretary Protempore shall be appointed by the Chairman from among the other Commissioners present.

Subsection (d) Treasurer: The Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such money under the direction of the Authority, except as otherwise authorized by resolution of the Authority. The Authority may, by resolution, designate one or more Commissioners to countersign such orders and checks, and from time to time qualify, change, or cancel any such designation. The Treasurer shall give bond for the faithful performance of his duties.

Subsection (e) Assistant Treasurer: The Assistant Treasurer shall perform the duties of the Treasurer in the absence or incapacity of the Treasurer or, in case of a vacancy in the office of Treasurer, until such vacancy is filled. The Assistant Treasurer shall give bond for the faithful performance of his duties.

Subsection (f) Executive Director: The Executive Director shall have general supervision over the administration of the business and affairs of the Authority, subject to the direction of the Authority. He shall be charged with the management of the housing projects of the Authority. He shall have care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the Authority may select. He shall keep regular books of accounts, showing receipts and expenditures, and shall render to the Authority, at each regular meeting, or more often when requested, an account of his transactions and also the financial condition of the Authority. He shall maintain a record of all matters pertaining to the management of the housing projects of the Authority and shall submit a full report on all such matters at the annual meeting of the Authority. He shall serve as custodian of the Seal of the Authority and shall have power to affix such seal to contracts and instruments authorized to be executed by the Authority. The Executive Director shall give bond for the faithful performance of his duties.

The Authority may from time to time employ such additional personnel as it deems necessary for the proper exercise of its powers, duties, and functions, as prescribed by the applicable Statutes of the State of Connecticut. The selection and compensation of such additional personnel shall be determined by the Authority.

ARTICLE IV – MEETINGS

Section 1. Regular Meetings

Regular meetings shall be held on the second Wednesday of each month in the calendar year, at the office of the Authority and at such time as may be designated by resolution, for the transaction of the business of the Authority.

Section 2. Special Meetings

The Chairman may, when he deems it expedient, and shall, upon the written request of two Commissioners, call a special meeting of the Authority for the purpose of transacting any business designated in the call. The call for a special meeting may either be delivered in hand to any Commissioner, or be mailed to the commissioner's home or business address at least three days prior to the date set forth in the call for such meeting. Any and all business may be transacted at such special meeting, provided that all commissioners are present; otherwise, only the business designated in the call shall be considered. The place and time of such special meeting shall be set forth in the call.

Section 3. Annual Meetings

Annual meeting shall be held with notice on the second Wednesday in June for the purposes of electing officers, receiving the annual report of the Executive Director, and for the conduct of such other business as may come before the meeting. Such meetings shall be held at the office of the Authority or other designated place at such time as the Authority may set by resolution.

Section 4. Quorum

Three Commissioners shall constitute a quorum for the purpose of conducting the business of the Authority and exercising its powers, and for all other purposes, but a smaller number may meet and adjourn from time to time until a quorum is obtained.

Section 5. Order of Business

Subsection (a) Regular Meetings: The following shall be the order of business at regular meetings:

- (1) Roll Call
- (2) Reading and approval of the minutes of the previous regular meeting and any intervening special meeting
- (3) Bills and communications
- (4) Report of the Executive Director
- (5) Reports of committees
- (6) Unfinished business
- (7) New business
- (8) Adjournment

Subsection (b) Special Meetings: The order of business at special meetings may follow that set forth in Subsection (a) above, or may be restricted to action upon the business for which the special meeting is called, as the Commissioners shall determine by vote.

Section 6. Manner of Voting

All questions coming before any meeting of the Commissioners shall be presented in the form of motions or resolutions. Questions of substance shall be determined by resolutions, the vote on such resolutions to be by roll call. All resolutions shall be submitted in written form and shall be entered in full in the Minute Book, with the vote of each Commissioner indicated therein. All resolutions shall be chronologically numbered on entry.

ARTICLE V – AMENDMENTS

Section 1. Amendments to Bylaws

The Bylaws of the Authority shall be amended only by resolution adopted by the affirmative vote of at least three Commissioners of the Authority at a regular or special meeting, held after seven days' notice in writing of the substance of the proposed amendment shall have been sent to each Commissioner.

Inland-Wetland Commission

INLAND-WETLAND COMMISSION

Adopted: December 19, 1989 at a Special Town Meeting

Published: December 28, 1989

Effective Date: January 12, 1990

WETLANDS AND WATER COURSES, INLAND

WHEREAS the State of Connecticut enacted legislation known as “The Inland-Wetlands and Water Courses Act”, has declared that the preservation and protection of the inland wetlands and water courses in the State is in the best interests of the citizens of the State, and

WHEREAS said Act authorizes each Town to establish its own Inland Wetlands Agency to preserve and protect the wetlands and watercourses in such Town and promulgate regulations therefore:

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF BOLTON THAT:

Article 1. Inland-Wetland Commission

A separate Inland-Wetland Commission is hereby appointed and authorized to act as the Inland Wetland Agency by the Town of Bolton. The 1974

“Wetlands and Water Courses, Inland” Ordinance establishing this authority within the Conservation Commission is hereby repealed.

Article 2. Membership

A) The Inland-Wetland Commission shall consist of five (5) members and one (1) alternate, each of whom shall serve a term of three (3) years. One or two members shall be appointed annually to succeed the member(s) whose term of office expires in that year. The alternate shall attend meetings and vote in the stead of any regular member not present.

B) Members are appointed by the Board of Selectmen.

Article 3. Duties

Said Commission shall oversee the development, supervision and enforcement of State wetlands regulations within the Town of Bolton; adopt local program regulations and a map showing the general location of regulated areas within the Town; evaluate the impacts of proposed activities on wetlands and watercourses; carry out the purposes and policies of sections 22a-36 to 22a-45 of the Connecticut General Statutes relating to regulating, licensing and enforcement of the provision thereof; carry out and effectuate the purpose and policies of Connecticut General Statutes Sections 22a-36 to 22a-45; define local needs and goals for wetland protection; prudently manage the activities within wetland and watercourse boundaries in the Town of Bolton;

Said Commission shall exercise all incidental powers including but not limited to the issuance of orders necessary to enforce rules and regulations and to carry out the purposes of Sections 22a-36 through 22a-45; encourage, participate in or conduct studies, investigations and research with regard to

wetlands in the Town; grant, deny, limit or modify in accordance with the provisions of the State regulations an application for a license or permit for any proposed regulated activity within Bolton; conduct public hearings as necessary on relevant wetland issues and applications.

Article 4. Suspension and Removal of Members

Except as otherwise provided by the General Statutes, suspension and removal of Inland-Wetland Commission members shall be conducted in the manner outlined in Chapter 13 – Section 13.1 (a-e) of the Bolton Town Charter pertaining to the authority of and the process by which the Board of Selectmen suspends and removes any appointed Town officer or any member of any appointed Town commission, board or agency for cause.

Article 5. Penalty

Except as otherwise provided by the General Statutes, the regulations enacted by the authority of this ordinance shall provide that any person who commits, takes part in or assists in any violation of such regulation, after the adoption of said regulations, shall be fined not more than One Thousand (\$1,000.00) Dollars for each separate offense. Each day that any violation continues shall constitute a separate offense.

Article 6. Effective Date

The effective date of this ordinance shall be fifteen (15) days after publication in a newspaper having a general circulation in the Town of Bolton in accordance with Section 7-157 of the Connecticut General Statutes as amended.

Justices of the Peace

Adopted by the Board of Selectmen on March 19, 1996

Published in the Journal Inquirer on March 26, 1996

Effective Date: April 10, 1996

In accordance with Section 9-183a(b)(2) of the Connecticut General Statutes, and to amend Section 3.6 of the Bolton Town Charter, there shall be eighteen (18) Justices of the Peace, selected in accordance with the provisions of Sections 9-183b, 9-183c, 9-184, 9-184c, and 9-186 of the Connecticut General Statutes, each of whom shall serve a term of four (4) years.

Library, Public

Adopted on October 5, 1970

Effective Date: October 31, 1970

Section 1. A Public Library is hereby established, which shall, under the proper regulations to be adopted by the directors, be free to all inhabitants of the Town of Bolton.

Library, Bentley Memorial Library Fund

LIBRARY BUILDING FUND Repealed by Board of Selectmen on September 17, 1996

Adopted: September 17, 1996

Published: Journal Inquirer September 20, 1996

Effective Date: October 5, 1996

1. That a special Fund to be known as the Bentley Memorial Library Fund (the "Fund") is hereby established for the purpose of receiving, holding and managing any devise, bequest or gift to be used in whole or in part to conduct or sponsor library programs, services and activities for Bolton, and for the acquisition, expansion, maintenance, improvement, repair and replacement of library facilities, equipment and collection.

2. Any devise, bequest or gift for the above purposes presently held by the Town of Bolton in its capacity as trustee or agent shall be set over to said Fund with title therein to

be in the name of the Town and to be held and controlled according to the terms of such devise, bequest or gift.

3. Any person desiring to make a devise, bequest or gift, or any firm, corporation or association desiring to make a gift for the benefit of the library may vest title of such donation in the town to be held and controlled according to the terms of such devise, bequest or gift.

4. Said Fund shall be in the custody of the Treasurer of the Town of Bolton and all or any part of the monies in said Fund may, from time to time,

be invested in any securities in which public funds may lawfully be invested. All income derived from such investments shall be paid into the Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal from such investments for use as provided in paragraph 1, above.

5. Annually the Treasurer shall submit to the Board of Selectmen, the Board of Finance, and the Library Board of Trustees a complete and detailed report of the condition of said Fund, which report shall be make part of the Bolton Annual Report.

6. Decisions regarding the use of monies in said Fund shall be made by the Library Board of Trustees in their discretion. The Library Board of Trustees may consult, to the extent they deem appropriate with the Board of Selectmen concerning the administration and carrying out the purposes of such Fund.

7. The Fund shall continue in existence until by ordinance it is determined to amend or discontinue the same.

8. Upon dissolution of the Fund, any remaining balances shall be paid over into the general fund or such as the ordinance terminating said Fund shall direct.

Massage Establishment Ordinance

Adopted at Town Meeting on February 7, 1977

Published on February 15, 1977

Effective Date: March 2, 1977

Section 1 SHORT TITLE

This ordinance shall be known and may be cited as “The Town of Bolton Massage Establishment Ordinance.”

Section 2 POLICY

It is hereby declared that the unregulated practice of massage can harm or endanger the health, safety and welfare of the public and that the business of operating massage establishments is a business affecting the public health, safety and general welfare.

Section 3 DEFINITIONS

For purposes of interpretation and enforcement, and unless the context requires otherwise, words and terms used in this ordinance shall have the meanings ascribed to them as follows:

(a) “Health Director” shall mean the Health Director of the Town of Bolton or his lawful designee.

(b) "Massage" shall mean any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the human body with the hands and, or, with the aid of any object or mechanical or electrical apparatus or appliance, with or without any supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments or other similar preparations commonly used in this practice. For purposes of this definition, the use of any aids or processes used or offered as supplementary or incidental to the above, including heat lamps, hot and cold packs, tubs, showers, cabinet baths or steam and dry heat baths, shall be considered a part of the "massage."

(c) "Massage Establishment" shall mean any establishment, by whatever name called, where any person engages in or carries on or permits to be engaged in or carried on any of the activities of massage.

(d) "Massagist" shall mean any person who, for any consideration, engages in the practice of massage.

(e) "Person" shall mean any individual, and unless the context clearly requires otherwise, any corporation, partnership, association, joint stock company or combination of individuals of whatever form or character.

Section 4 PERMIT TO OPERATE

(a) No person shall engage in, conduct or carry on or permit to be conducted, or carried on, in or upon any premises in the Town of Bolton, the operation of a massage establishment without first having obtained a permit to operate a massage establishment from the Health Director.

(b) All applicants for a permit to operate a massage establishment shall be in writing, signed and sworn to by the applicant, and shall set forth:

- (1) the name and address of each applicant.
- (2) that the applicant is at least 18 years of age.
- (3) the proposed place of business and facilities therein.
- (4) the exact nature of the massage to be administered.
- (5) such other information as may be necessary in order for the Health Director to make any determination required by this ordinance.

(c) Each application shall be accompanied by a fee of \$50.00 which shall not be refundable, to defray the cost of administration.

(d) The Health Director shall issue a permit to operate a massage establishment upon finding:

(1) all requirements concerning operation and facilities described in this ordinance will be complied with as of the effective date of the permit.

(2) compliance with all other statutes, codes or ordinances including health, zoning, building, fire and safety requirements of the State of Connecticut or the Town of Bolton, as of the effective date of the permit.

(3) that the nature of the massage administered will not endanger the health or safety of patrons of the massage establishment.

(4)

- (i) that the applicant or any person directly engaged in the operation or management of the massage establishment has not been convicted of a felony, an offense involving the unauthorized practice of the healing arts, sexual misconduct with minors, obscenity, keeping or residing in a house of ill fame, solicitation of a lewd or unlawful act, prostitution or pandering, and has not had a permit to operate a massage establishment or a massagist permit suspended or revoked in this or any other state; or
- (ii) that such conviction, suspension or revocation occurred at least three years prior to the date of the application; or
- (iii) that notwithstanding such conviction, suspension or revocation, the public health, safety or welfare would not be impaired.

Section 5 MASSAGIST PERMIT

- (a) No person shall engage in the practice of massage without first having obtained a massagist permit from the Health Director.
- (b) All applications for a massagist permit shall be in writing, signed and sworn to by the applicant, and shall set forth:
 - (1) the name and address of the applicant.
 - (2) that the applicant is at least 18 years of age.
 - (3) such other information as may be necessary in order for the Health Director to make any determination required by this ordinance.

(c) Each applicant shall provide sufficient identification to establish that the applicant is in fact the person applying for the permit.

(d) Each applicant shall present a certificate from a physician licensed to practice in the State of Connecticut stating that the applicant has been examined and found to be free of any contagious or communicable disease and showing that the examination was conducted within 30 days prior to the submission of the application.

(e) Each application shall be accompanied by a fee of \$15.00 which shall not be refundable, to defray the cost of administration.

(f) The Health Director shall issue a massagist permit upon finding:

(1)

(i) That the applicant has successfully completed a course of study at a school

or institution of learning which has for its purpose the teaching of the theory, practice, method, profession or work of massage including anatomy, physiology, hygiene and professional ethics and which is recognized or approved by the Department of Education, Commission on Higher Education, or Department of Health of the State of Connecticut or by the American Massage and Therapy Association; or

(ii) That the applicant has successfully completed a course of study at a school or institution as described in subsection (1) (i) which requires a course of study not less than seventy hours, to be given in no more than three calendar months, before the student shall be furnished with a diploma or certificate of graduation from such school or institution of learning following the successful completion of such course of study or learning; or

(iii) That the applicant, through past experience and training, possesses a sufficient knowledge of the theory, practice, method, profession or work of massage and of anatomy, physiology, hygiene and professional ethics such that the granting of a permit to the applicant would not impair the public health, safety or welfare.

(2)

(i) That the applicant has not been convicted of a felony, an offense involving the unauthorized practice of the healing arts, sexual misconduct with minors, obscenity, keeping or residing in a house of ill fame, solicitation of a lewd or unlawful act, prostitution or pandering, and has not had a permit to operate a massage establishment or a massagist permit suspended or revoked in this or any other state; or

(ii) That such conviction, suspension or revocation occurred at least three years prior to the date of the application; or

(iii) That notwithstanding such conviction, suspension or revocation, the public health, safety or welfare would not be impaired.

Section 6 LIMITED MASSAGIST PERMIT

(a) Any applicant who meets all requirements and provisions of Section 5 except those in subsection 5 (f) (1) may be granted a limited massagist permit if the applicant provides a certificate signed and sworn to by the holder of a valid permit issued under Section 5, whereby the holder of said permit agrees, without condition, to supervise, control and accept responsibility for the administering or practice of massage by the applicant should such applicant be granted a limited massagist permit.

(b) No person to whom a limited massagist permit has been

granted, shall administer or practice massage except under the direct supervision and control of the holder of a massagist permit who has agreed to accept responsibility for said person as provided in subsection (a).

Section 7 RENEWAL OF PERMITS

(a) A permit to operate a massage establishment, a massagist permit and a limited massagist permit shall be valid, unless revoked or suspended, for one year from the date of issuance.

(b) Application for renewal shall be made at least 60 days before expiration and shall be in the form and manner as required for application for the original permit.

(c) Each application for renewal of a permit shall be accompanied by a fee in the amount as provided for the original permit.

(d) The Health Director shall renew each permit no later than 30 days before expiration, upon making such findings as are required for issuance of the original permit.

(e) If renewal of any permit is denied, the Health Director shall notify the holder of the permit in writing, not later than 30 days before expiration of the permit, of the facts and of the specific section or sections of this ordinance upon which his determination was made.

Section 8 HEARINGS, DENIAL OF PERMIT OR RENEWAL

(a) Any person aggrieved by the denial of a permit to operate a massage establishment, a massagist's permit or limited massagist's permit or

by the denial of renewal of such a permit may request, in writing, a hearing before the Health Director, at which hearing such person shall be afforded the opportunity to present evidence and argument on all facts or issues involved.

(b) The Health Director shall, upon receiving a request for a hearing under subsection (a), schedule a hearing not later than fifteen days from the date of actual receipt of the request and shall notify all parties of the time and place thereof.

(c) The Health Director shall render a decision within 10 days of the date of a hearing held under subsection (b).

Section 9 REVOCATION OR SUSPENSION OF PERMIT

(a) The Health Director may revoke or suspend any permit to operate a massage establishment if he finds:

(1) That the applicant for the permit has knowingly or negligently made any false or misleading statement in applying for the permit.

(2) That the provisions of this ordinance are violated or that the holder of the permit, or any agent or employee of the holder, including a massagist, has been convicted of any offense found in Section 4 (d) (4) and the holder has actual or constructive knowledge of the violation or conviction.

(3) That the holder of the permit has refused to permit the Health Director or any other duly authorized officer to make a reasonable inspection of the premises or the operation therein, or unduly hinders such inspection.

(b) The Health Director may revoke or suspend any massagist permit or limited massagist permit if he finds:

(1) That the applicant for the permit has knowingly or negligently made any false or misleading statement in applying for the permit.

(2) That the holder of the permit has been convicted of any offense found in Section 5 (f) (2).

(c)

(1) The Health Director shall not revoke or suspend any permit issued under this ordinance without notifying the holder of the permit, in writing, of the facts and of the specific section or sections of this ordinance upon which his determination was made, and of the holder's right to request a hearing before the Health Director and to present evidence or argument on all facts or issues involved.

(2) A request for a hearing under subsection (c) (1) shall stay any revocation or suspension until such time as a hearing has been held and a decision rendered thereon, provided, however, that if the Health Director finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in his notice, the permit may be summarily suspended, pending a hearing thereon, which hearing shall be promptly instituted and all facts and issues promptly determined.

Section 10 TRANSFERABILITY

No permit issued pursuant to this ordinance shall be transferable.

Section 11 FACILITIES

No permit to operate a massage establishment shall be granted until the Health Director has established, following inspection, that the establishment complies with each of the following minimum requirements.

- (a) Construction of rooms used for toilets, tubs, steam baths and showers shall be waterproofed with approved waterproof materials.

- (b) Toilet facilities shall be provided in convenient locations. When five or more employees and patrons of different sexes are on the premises at the same time, separate toilet facilities shall be provided. A single water closet per section shall be provided for each twenty or more employees or patrons of that sex on the premises at any one time. Urinals may be substituted for water closets after one water closet has been provided. Toilets shall be designated as to the sex accommodated therein.

- (c) Lavatories or wash basins provided with both hot and cold running water shall be installed in either the toilet room or vestibule. Lavatories or wash basins shall be provided with soap in a dispenser and with sanitary towels.

Section 12 OPERATING REQUIREMENTS

- (a) Every portion of the massage establishment, including appliances and apparatus, shall be clean and in good repair and operated in a sanitary condition.

- (b) All employees shall wear clean outer garments, maintain a high degree of personal cleanliness and conform to hygienic practices while on duty.

(c) All massage establishments shall be provided with clean laundered sheets and towels in sufficient quantity which shall be laundered after each use thereof and stored in an approved sanitary manner, provided, however, that appropriate single service disposal items may be utilized in lieu of sheets and towels.

(d) Pads used on massage tables shall be covered in workmanlike manner with durable, washable plastic or other acceptable waterproof material.

(e) Wet and dry heat rooms, shower compartments and toilet rooms shall be thoroughly cleaned each day the business is in operation and bathtubs shall be thoroughly cleaned after each use.

(f) All equipment and materials utilized by practitioners of massage shall be in safe and sanitary order and so maintained and operated as to preclude any danger or hazard to patron or practitioner.

(g) No massagist affected by any contagious or communicable disease shall practice massage and each massagist shall, from time to time, as the Health Director may reasonably require, present a certificate as provided for in Section 5 (d).

(h) Massagists shall not diagnose or treat classified diseases nor practice spinal or other joint manipulation nor prescribe medicine or drugs.

(i) No activity enumerated in Section 3 (b) or this ordinance may be carried on in any cubicle, room, booth or area except where such cubicle, room, booth or area is so constructed or arranged such that all activity within the cubicle, room, booth or area is visible from outside the same.

(j) No massage establishment shall be operated and no massage administered, in violation of or in such a manner as to promote or encourage violation of any statute or ordinance, including Part VI of Chapter 952, Chapter

350, or Section 53a-186 of the General Statutes, or as they may be amended from time to time.

(k) Each permit to operate a massage establishment and each permit of a massagist employed therein shall be conspicuously displayed within the establishment.

Section 13 INSPECTIONS

The Health Director shall, from time to time, and no less than twice a year, make an inspection of each massage establishment for the purpose of determining that the provisions of this ordinance are complied with. Such inspections shall be made at a reasonable time and in a reasonable manner. No permit holder shall fail to allow access to the premises for purpose of inspection or hinder such inspection in any manner.

Section 14 EFFECTIVE DATE

(a) The provisions of this ordinance shall apply immediately to any massage establishment which is initially opened, or which is moved to a different location, or which makes physical improvements to its place of business, after the effective date of this ordinance. The provisions of Section 12 shall apply to all massage establishments from the effective date hereof. All massage establishments shall comply with all provisions of this ordinance within six months from the effective date.

(b) Any person who is employed as a massagist in the Town of Bolton as of the effective date of this ordinance shall comply with Section 5 or Section 6 within six months of the effective date. No other person may administer massage without first obtaining a massagist permit or limited massagist permit.

Section 15 EXCEPTIONS

This ordinance shall not apply to any school, hospital, nursing home, sanitarium, non-profit private group or club, operating in accordance with the laws of the State of Connecticut, nor to any person holding a valid certificate or license to practice the healing arts or to practice podiatry, physical therapy, midwifery, nursing, dentistry, dental hygiene or optometry or to engage in the occupation of a barber, hairdresser or cosmetician under the laws of the State of Connecticut, provided, that the activities of such person are confined to those for which the certificate or license is granted, nor, to any person lawfully acting under their supervision or control, nor to any person principally employed as a domestic helper or athletic trainer, nor shall it prohibit the furnishing of assistance in the case of emergency.

Section 16 VIOLATIONS AND PENALTY

Any person, whether acting as individual, owner, employee of the owner, operator or employee of the operator, or acting as a participant or worker in any way, who administers massages or operates a massage establishment without first obtaining a permit and paying a permit fee or who violates any provisions of this ordinance shall be fined not more than \$100.00.

Section 17 SEVERABILITY

If any section, subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, subsection, clause, or provision so adjudged and the remainder of the ordinance shall be deemed to be valid and effective.

Open Space Preservation: Acquisition and Conservation

Adopted by the Board of Selectmen April 16, 1996.

Published in the Manchester Extra April 25, 1996.

Effective date: May 10, 1996.

OPEN SPACE PRESERVATION, ACQUISITION AND CONSERVATION ORDINANCE

1. It is recognized that pursuant to Connecticut General Statutes S7-148(c)(2)(k), that a special fund to be known as the Open Space Preservation, Acquisition and Conservation Fund (the "Fund") be established, which Fund shall be used in whole or in part to acquire by gift or purchase, conservation easements, development rights, or parcels of property.
2. The Fund shall be in the custody of the Treasurer of the Town of Bolton and all or any part of the monies in said Fund may, from time to time, be invested in any securities in which public funds may lawfully be invested. All income derived from such investments shall be paid into the Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal from such investment for use as provided in paragraph 1, above.
3. Annually, the Treasurer shall submit to the Board of Selectmen, and the Board of Finance, a complete and detailed report of the condition of said fund, which report shall be made a part of the Bolton annual report.

4. Decisions regarding the use of monies in said Fund shall be made by the Board of Selectmen in their discretion. The Selectmen may consult, to the extent they deem appropriate, with other boards and agencies in the Town concerning the administration and carrying out of the purposes of such Fund.

5. The Board of Selectmen shall appoint an Open Space Acquisition and Conservation Preservation Committee which will consist of seven members and would include one member each from the Planning & Zoning Commission and the Conservation Commission. These two positions would be viewed as positions of those respective commissions, i.e., any member of those commissions can substitute for each other as members of the Open Space Preservation Acquisition and Conservation Committee. The five additional members would be appointed by the Board of Selectmen without restriction. The term of these five members will be three years and shall be staggered. The Open Space Preservation, Acquisition and Conservation Committee would consult with and invite the attendance of the Town Planner and members of the Selectmen to be in attendance at their meetings. The Open Space Preservation, Acquisition and Conservation Committee shall strive to accomplish the following purposes:

- i. To develop and continually update a set of goals for open space preservation in Bolton;
- ii. To develop a plan for attaining the goals;
- iii. To make contact and work with land owners and developers in order to suggest and discuss ways in which important open space could be preserved; and
- iv. To initiate programs for the funding of the goals set forth herein through donations.

6. There shall be deposited in such Fund (a) all monies received by the Town from whatever source and from whatever means are gifts for open space preservation purposes; (b) all monies received by the Town as government grants or loans for open space preservation purposes; (c) all

monies received by the Town from the sale or voluntary conveyance of town owned land without buildings; and (d) all monies appropriated to said Fund.

7. The Fund shall continue in existence until by ordinance it is determined to amend or discontinue the same.

8. Upon dissolution of the Fund, any remaining balances shall be paid over into the general fund or such other fund as the ordinance terminating said Fund shall direct.

Park or Recreation Regulations

AN ORDINANCE CONCERNING THE VIOLATION OF ANY DULY ADOPTED PARK OR RECREATION REGULATIONS IN THE TOWN OF BOLTON

PARK OR RECREATION: Violation of Any Duly Adopted Regulations

Adopted at a regular meeting of the Board of Selectmen on May 15, 1979.

Published May 19, 1979

Effective June 4, 1979

The violation of any duly adopted park or recreation regulations shall be deemed to be an infraction and shall be subject to a fine not to exceed Twenty-Five (\$25) Dollars for each violation.

ADOPTED BY THE BOARD OF SELECTMEN at a Regular Meeting held on January 7, 1986.

Mrs. Pierog moved to adopt two new Parks regulations as revised by Town Counsel. Mr. Preuss seconded. The new regulations are as follows:

The bringing in, possession, or drinking of alcoholic beverages on Town beaches is prohibited. The Board of Selectmen may, from time to time, designate other park areas in which the bringing in, possession, or drinking of alcoholic beverages will be prohibited. A list of such other areas will be maintained in the Office of the Selectmen.

The use, possession, bringing in, or carrying of glass bottles, drinking glasses, or other glass containers on Town beach is prohibited.

ALCOHOLIC BEVERAGES, prohibition of

At a regular meeting held on May 2, 1989, the prohibition of alcoholic beverages was extended to include all of Indian Notch, Herrick Park, and Freja Park – unless prior approval is received from the Board of Selectmen.

TOWN OF BOLTON

RULES AND REGULATIONS FOR USE OF TOWN

PARKS AND RECREATIONAL AREAS

SECTION 1. HOURS WHEN PARKS AND RECREATION AREAS ARE OPEN

Bolton parks and recreational areas shall be open to the general public daily between the hours of 9:00 AM and sunset with the exception of Indian Notch Park, which shall be open for the above hours from Memorial Day weekend through Labor Day weekend. The First Selectman, or his designee, may close any park or recreation area or part thereof; or the use of any facility, when it appears that its capacity has been filled; or if for any reason, the use of same would endanger the public safety; or for the protection of the area or facility itself. The First Selectman, or his designee, may extend hours of use to permit special use of the buildings and facilities for meetings, receptions, emergencies, or for any other use the First Selectman or his designee deems suitable.

SECTION 2. INJURY TO BUILDINGS, SHRUBS, ORNAMENTAL LAWNS, WILDLIFE AND EQUIPMENT

No person shall deface, remove, destroy or otherwise injure in any manner whatsoever, any structure or appurtenance, equipment, or park property, tree, flower, shrub, fern, moss or ornamental lawn within park or recreation areas; nor shall any wildlife, bird, or nesting place be molested or disturbed.

SECTION 3. HUNTING AND CARRYING OF FIREARMS REGULATED

Hunting or carrying or discharge of dangerous weapons as defined by the Connecticut General Statutes is not permitted in town parks or recreation areas; except at such times and in such areas as are determined by the First Selectman.

SECTION 4. CAMPING REGULATED

Camping in town parks or recreation areas shall be permitted only at such times, and areas, as may be designated by the First Selectman.

SECTION 5. POLICE PERSONNEL REQUIRED

A police officer shall be present at all sponsored activities, events and occasions in town parks and recreational areas at which more than 200 spectators and/or participants are in attendance; or, when in the judgment of the First Selectman, or his designee, public safety and welfare requires the presence of one or more police officers.

SECTION 6. PETS AND RIDING ANIMALS

Pets and riding animals including, but not limited to, dogs and horses, are prohibited in buildings, in swimming areas, on beaches and in other areas so designated by signs posted by the Parks Staff. Horses and other riding animals are prohibited in picnic areas and athletic fields. Dogs and other pets are permitted in non-restricted park and recreation areas on leash only and under the control of their owner and/or keeper. Leashes shall not exceed seven (7) feet in length.

SECTION 7. COMMERCIAL USE OF TOWN LANDS REGULATED

The use of town parks or recreational areas or the use of any facility thereon for private gain or commercial purposes is prohibited; except use by concessionaires or vendors approved by the First Selectman.

SECTION 8. FIRES

The kindling of fires is restricted to fireplaces provided for that purpose.

SECTION 9. MOTOR VEHICLES (as defined in CGS Sec. 14-1(47))

It shall be unlawful to operate a motor vehicle on other than established roads and/or parking lots provided for the purpose; or at a speed in excess of ten (10) miles per hour.

SECTION 10. SWIMMING & BOATING

Swimming shall be allowed at such times and places as the First Selectman, or his designee, may designate. No watercraft shall be launched from any point within Indian Notch Park from the Saturday before Memorial Day through Labor Day.

SECTION 11. USE OF ATHLETIC FIELDS

The use of the athletic fields shall be scheduled through the First Selectman or his designee.

SECTION 12. DISPOSAL OF REFUSE

No person shall leave or discard paper, glass, garbage or other refuse on the grounds or buildings or on the waters of town parks or recreational areas.

SECTION 13. DISORDERLY CONDUCT

Disorderly conduct, the commission of a nuisance, behavior deemed unsafe by park employees and obscene or indecent behavior are prohibited.

SECTION 14. EVICTION FOR VIOLATION

Violation of any provision of these rules and regulations is sufficient cause for ejection from the park or recreation areas.

SECTION 15. PERMITS

A permit shall be obtained from the Office of the Selectmen for the following:

A. Reservations of any area in a park or recreational area for special or private use.

B. Relief from these regulations on special occasions, upon showing of good cause.

SECTION 16. PERMIT APPLICATION PROCEDURE

No permit shall be issued until an application has been filed with the Office of the Selectmen together with the required fee and security deposit at least twenty-one (21) days before the date of the proposed activity, which application shall be on a form prescribed by the Office of the Selectmen and shall state:

A. The name, address, and telephone number of the applicant.

B. Name and address of the person or organization sponsoring the activity.

C. Dates and hours the proposed activity will be conducted and the nature of such activity.

D. The park or recreation area desired.

E. An estimate of the number of persons attending and/or participating.

F. Such other information as the First Selectman, or his designee, in his discretion may require to determine whether such permit may be issued.

G. The First Selectman shall determine, in his discretion, whether the nature of the proposed activity will require the attendance of police officers for the protection and safety of the participants and the public. All such police officers deemed necessary shall be furnished by the Town at the applicants expense, the amount of which shall be paid prior to the issuance of the permit.

H. The applicant and the sponsoring person or organization shall be jointly and severally liable for any damage or injury to the park or any facility therein sustained during the permitted activity.

I. The security deposit shall be returned to the applicant after the inspection of the activity area by the First Selectman, or his designee, and a finding of the activity area in good order. In the event of damage or unclean conditions the First Selectman may, in his discretion, declare a forfeit of said deposit.

J. The Board of Selectmen shall establish rental and security fees.

K. The First Selectman, or his designee, shall grant such permit if he finds that the activity will not be detrimental to the facility.

SECTION 17. AMPLIFIED MUSIC

No amplified music, whether live or recorded, is allowed at any park of recreation area. The First Selectman, or his designee, may allow exceptions to this regulation under certain circumstances.

SECTION 18. VIOLATION OF ANY DULY ADOPTED REGULATION

The violation of any duly adopted park or recreation regulation shall be deemed to be an infraction and shall be subject to a fine not to exceed one-hundred (\$100.00) dollars for each violation.

AN ORDINANCE CONCERNING THE VIOLATION OF ANY DULY ADOPTED PARK OR RECREATION REGULATIONS IN THE TOWN OF BOLTON

PARK OR RECREATION: Violation of Any Duly Adopted Regulations

Adopted at a regular meeting of the Board of Selectmen on May 15, 1979.

Published: May 19, 1979

Effective: June 4, 1979

The violation of any duly adopted park or recreation regulations shall be deemed to be an infraction and shall be subject to a fine not to exceed Twenty-five (\$25) Dollars for each violation.

ADOPTED BY THE BOARD OF SELECTMEN at a Regular Meeting held on JANUARY 7, 1986.

Mrs. Pierog moved to adopt two new Parks regulations as revised by Town Counsel. Mr. Preuss seconded. The new regulations are as follows:

The bringing in, possession, or drinking of alcoholic beverages on Town beaches is prohibited. The Board of Selectmen may, from time to time, designate other park areas in which the bringing in, possession, or drinking of alcoholic beverages will be prohibited. A list of such other areas will be maintained in the Office of the Selectmen.

The use, possession, bringing in, or carrying of glass bottles, drinking glasses, or other glass containers on Town beaches is prohibited.

ALCOHOLIC BEVERAGES, prohibition of

At a regular meeting held on May 2, 1989, the prohibition of alcoholic beverages was extended to include all of Indian Notch, Herrick Park, and Freja Park - unless prior approval is received from the Board of Selectmen.

SECTION 19. PROHIBITION OF ALCOHOLIC BEVERAGES

The bringing in, possession, or drinking of alcoholic beverages at any park or recreation area is prohibited. The First Selectman, or his designee, may allow exceptions to this regulation under certain circumstances providing that the applicant produces the proper insurance coverage.

SECTION 20. GLASS CONTAINERS ON TOWN BEACHES

The use, possession, bringing in, carrying of glass bottles, drinking glasses, or other glass containers on Town beaches is prohibited.

Parks and Recreational Areas

TOWN OF BOLTON

RULES AND REGULATIONS FOR USE OF TOWN

PARKS AND RECREATIONAL AREAS

SECTION 1. HOURS WHEN PARKS AND RECREATION AREAS ARE OPEN

Bolton parks and recreational areas shall be open to the general public daily between the hours of 9:00 AM and sunset with the exception of Indian Notch Park, which shall be open for the above hours from Memorial Day weekend through Labor Day weekend. The First Selectman, or his designee, may close any park or recreation area or part thereof; or the use of any facility, when it appears that its capacity has been filled; or if for any reason, the use of same would endanger the public safety; or for the protection of the area or facility itself. The First Selectman, or his designee, may extend hours of use to permit special use of the buildings and facilities for meetings, receptions, emergencies, or for any other use the First Selectman or his designee deems suitable.

SECTION 2. INJURY TO BUILDINGS, SHRUBS, ORNAMENTAL LAWNS, WILDLIFE AND EQUIPMENT

No person shall deface, remove, destroy or otherwise injure in any manner whatsoever, any structure or appurtenance, equipment, or park property, tree, flower, shrub, fern, moss or ornamental lawn within park or recreation areas; nor shall any wildlife, bird, or nesting place be molested or disturbed.

SECTION 3. HUNTING AND CARRYING OF FIREARMS
REGULATED

Hunting or carrying or discharge of dangerous weapons as defined by the Connecticut General Statutes is not permitted in town parks or recreation areas; except at such times and in such areas as are determined by the First Selectman.

SECTION 4. CAMPING REGULATED

Camping in town parks or recreation areas shall be permitted only at such times, and areas, as may be designated by the First Selectman.

SECTION 5. POLICE PERSONNEL REQUIRED

A police officer shall be present at all sponsored activities, events and occasions in town parks and recreational areas at which more than 200 spectators and/or participants are in attendance; or, when in the judgment of the First Selectman, or his designee, public safety and welfare requires the presence of one or more police officers.

SECTION 6. PETS AND RIDING ANIMALS

Pets and riding animals including, but not limited to, dogs and horses, are prohibited in buildings, in swimming areas, on beaches and in other areas so designated by signs posted by the Parks Staff. Horses and other riding animals are prohibited in picnic areas and athletic fields. Dogs and other pets are permitted in non-restricted park and recreation areas on leash only and

under the control of their owner and/or keeper. Leashes shall not exceed seven (7) feet in length.

SECTION 7. COMMERCIAL USE OF TOWN LANDS REGULATED

The use of town parks or recreational areas or the use of any facility thereon for private gain or commercial purposes is prohibited; except use by concessionaires or vendors approved by the First Selectman.

SECTION 8. FIRES

The kindling of fires is restricted to fireplaces provided for that purpose.

SECTION 9. MOTOR VEHICLES (as defined in CGS Sec. 14-1(47))

It shall be unlawful to operate a motor vehicle on other than established roads and/or parking lots provided for the purpose; or at a speed in excess of ten (10) miles per hour.

SECTION 10. SWIMMING & BOATING

Swimming shall be allowed at such times and places as the First Selectman, or his designee, may designate. No watercraft shall be launched from any point within Indian Notch Park from the Saturday before Memorial Day through Labor Day.

SECTION 11. USE OF ATHLETIC FIELDS

The use of the athletic fields shall be scheduled through the First Selectman or his designee.

SECTION 12. DISPOSAL OF REFUSE

No person shall leave or discard paper, glass, garbage or other refuse on the grounds or buildings or on the waters of town parks or recreational areas.

SECTION 13. DISORDERLY CONDUCT

Disorderly conduct, the commission of a nuisance, behavior deemed unsafe by park employees and obscene or indecent behavior are prohibited.

SECTION 14. EVICTION FOR VIOLATION

Violation of any provision of these rules and regulations is sufficient cause for ejection from the park or recreation areas.

SECTION 15. PERMITS

A permit shall be obtained from the Office of the Selectmen for the following:

A. Reservations of any area in a park or recreational area for special or private use.

B. Relief from these regulations on special occasions, upon showing of good cause.

SECTION 16. PERMIT APPLICATION PROCEDURE

No permit shall be issued until an application has been filed with the Office of the Selectmen together with the required fee and security deposit at least twenty-one (21) days before the date of the proposed activity, which application shall be on a form prescribed by the Office of the Selectmen and shall state:

A. The name, address, and telephone number of the applicant.

B. Name and address of the person or organization sponsoring the activity.

C. Dates and hours the proposed activity will be conducted and the nature of such activity.

D. The park or recreation area desired.

E. An estimate of the number of persons attending and/or participating.

F. Such other information as the First Selectman, or his designee, in his discretion may require to determine whether such permit may be issued.

G. The First Selectman shall determine, in his discretion, whether the nature of the proposed activity will require the attendance of police officers for the protection and safety of the participants and the public. All such police officers deemed necessary shall be furnished by the Town at the applicants expense, the amount of which shall be paid prior to the issuance of the permit.

H. The applicant and the sponsoring person or organization shall be jointly and severally liable for any damage or injury to the park or any facility therein sustained during the permitted activity.

I. The security deposit shall be returned to the applicant after the inspection of the activity area by the First Selectman, or his designee, and a finding of the activity area in good order. In the event of damage or unclean conditions the First Selectman may, in his discretion, declare a forfeit of said deposit.

J. The Board of Selectmen shall establish rental and security fees.

K. The First Selectman, or his designee, shall grant such permit if he finds that the activity will not be detrimental to the facility.

SECTION 17. AMPLIFIED MUSIC

No amplified music, whether live or recorded, is allowed at any park of recreation area. The First Selectman, or his designee, may allow exceptions to this regulation under certain circumstances.

SECTION 18. VIOLATION OF ANY DULY ADOPTED REGULATION

The violation of any duly adopted park or recreation regulation shall be deemed to be an infraction and shall be subject to a fine not to exceed one-hundred (\$100.00) dollars for each violation.

AN ORDINANCE CONCERNING THE VIOLATION OF ANY DULY ADOPTED PARK OR RECREATION REGULATIONS IN THE TOWN OF BOLTON

PARK OR RECREATION: Violation of Any Duly Adopted Regulations

Adopted at a regular meeting of the Board of Selectmen on May 15, 1979.
Published: May 19, 1979
Effective: June 4, 1979

The violation of any duly adopted park or recreation regulations shall be deemed to be an infraction and shall be subject to a fine not to exceed Twenty-five (\$25) Dollars for each violation.

ADOPTED BY THE BOARD OF SELECTMEN at a Regular Meeting held on JANUARY 7, 1986.

Mrs. Pierog moved to adopt two new Parks regulations as revised by Town Counsel. Mr. Preuss seconded. The new regulations are as follows:

The brining in, possession, or drinking of alcholic beverages on Town beaches is prohibited. The Board of Selectmen may, from time to time, designate other park areas in which the brining in, possession, or drinking of alcoholic beverages will be prohibited. A list of such other areas will be maintained in the Office of the Selectmen.

The use, possession, bringing in, or carrying of glass bottles, drinking glasses, or other glass containers on Town beaches is prohibited.

ALCOHOLIC BEVERAGES, prohibition of

At a regular meeting held on May 2, 1989, the prohibition of alcoholic beverages was extended to include all of Indian Notch, Herrick Park, and Freja Park - unless prior approval is received from the Board of Selectmen.

SECTION 19. PROHIBITION OF ALCOHOLIC BEVERAGES

The bringing in, possession, or drinking of alcoholic beverages at any park or recreation area is prohibited. The First Selectman, or his designee, may allow exceptions to this regulation under certain circumstances providing that the applicant produces the proper insurance coverage.

SECTION 20. GLASS CONTAINERS ON TOWN BEACHES

The use, possession, bringing in, carrying of glass bottles, drinking glasses, or other glass containers on Town beaches is prohibited.

Permits, Fees for:

Adopted: November 24, 1969

Amended: May 9, 1982; January 6, 1991 and May 8, 1992

ARTICLE I. BUILDING PERMITS

1.1 No permit to begin work for new construction, alteration, removal or other building operation shall be issued until the fees prescribed herein shall have been paid to the building inspector, building official or other authorized town agency, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated costs of the work involved be approved until the additional fee shall have been paid.

1.2 Special Fees: The payment of the fee for the construction, alteration or removal and for all work done in connection with or concurrently with the work contemplated by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees which may be prescribed by law or ordinance for water taps, sewer connections, electrical permits, plumbing permits, sign and display structure permits or other fees for inspections, certificates of use and occupancy or other privileges or requirements.

1.3 New Construction and Alterations: The fees for a building permit shall be based upon the estimated costs of the structure or building of all groups and types of construction as classified and defined in Article 2 of the Building Code of the State of Connecticut.

1.4 Demolition Permit Fee: No building or structure shall be demolished until a permit is obtained and the fee prescribed herein paid to the Building

Official or other authorized town agent. The fee for demolition work shall be a flat fee.

1.5 The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

ARTICLE II. SIGN PERMITS

2.1 No permit to begin work for the construction, alteration and repair and maintenance of all signs and outdoor display structures together with their appurtenant and auxiliary devices shall be issued until the fees prescribed herein shall have been paid to the building inspector, building official or other authorized town agency, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid.

2.2 The fee for signs, billboards and other outdoor display structures for which permits are required under the Bolton Zoning Regulations or the Building Code of the State of Connecticut shall be a flat fee as determined by the Board of Selectmen resolution.

2.3 The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

ARTICLE III. ELECTRICAL PERMITS

3.1 No electrical permit as required by the Building Code of the State of Connecticut shall be issued until the fees prescribed in this ordinance have been paid to the building inspector, building official or authorized town agency,

nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid.

3.2 The fee for an electrical permit shall be based upon the estimated cost of the installation of electrical conductors, devices and fixtures, together with their appurtenant auxiliary devices.

3.3 The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

ARTICLE IV. PLUMBING PERMITS

4.1 No plumbing or drainage permit as required by the Building Code of the State of Connecticut shall be issued until the fees prescribed in this ordinance have been paid to the building inspector, building official or authorized town agency, nor shall an amendment to the permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid.

4.2 The fee for a plumbing or drainage permit shall be based upon the estimated costs of the design and installation of the plumbing system together with their appurtenant and auxiliary devices.

4.3 The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

ARTICLE V. CERTIFICATE OF OCCUPANCY AND CERTIFICATE OF APPROVAL

5.1 No Certificate of Occupancy as required by the Building Code in the State of Connecticut, or a Certificate of Approval as required by the Zoning Regulations of the Town of Bolton shall be issued until the fees prescribed herein shall have been paid to the building inspector, building official or other authorized town agency.

5.2 The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

ARTICLE VI. ZONING PERMITS AND APPROVALS

6.1 No permits as required by the Zoning Commission shall be issued until the fees prescribed in this ordinance have been paid to the Zoning Commission, Building Official/Enforcement Officer, Town Engineer or authorized Town agency, nor shall an amendment to a permit necessitating an additional fee be approved until the additional fee shall have been paid.

6.2 The fees established for zoning permits and approvals shall be based upon the costs of any measures undertaken by the Town or any employee, agent or contractor hired by the Town required to address the construction, erection or alteration.

6.3 The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

ARTICLE VII. PLANNING FEES (Subdivision Fees)

7.1 No application for a subdivision or a resubdivision shall be received or acted upon by the Planning Commission until the fees prescribed in this ordinance have been paid to the Planning Commission or its designate.

7.2 In accordance with Section 8-1c. of the General Statutes the fees for subdivision and resubdivisions shall be comprised of a base fee which will cover the first two lots plus an incremental fee for each lot beyond such first two lots. In addition, the applicant shall be responsible for the actual costs incurred by the Town beyond normal operating costs and with regard to any efforts undertaken by the Town, its employees, agents, or contractors as required to address and evaluate issues raised concerning the proposed subdivision or resubdivision. The actual costs incurred by the Town as aforesaid, will be provided to the applicant prior to the Planning Commission's action on the application.

Normal operating costs are those costs which the Town of Bolton incurs in the ordinary course of business represented by salaries and clerical wages but do not include, for example, fees or outside services employed or external testing measures taken.

7.3 The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

ARTICLE VIII. NEW ROAD CONSTRUCTION FEES

8.1 Construction of any proposed road shall not begin until the fees prescribed in this ordinance have been paid to the Board of Selectmen or its designate.

8.2 The fees for constructing a new road shall be based upon the linear footage of such proposed road, plus any actual costs incurred by the Town over and above its normal operating costs with regard to any efforts undertaken by the Town, its employees, agents or contractors as required to address issues concerning such road or its acceptance by the Town.

Normal operating costs are those costs which the Town of Bolton incurs in the ordinary course of business represented by salaries and clerical wages but do not include, for example, fees for outside services employed or external testing measures taken.

8.3 The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

ARTICLE IX. ENFORCEMENT AND VIOLATIONS

9.1 Any person, firm or corporation who violates any provision of this ordinance shall be fined not more than \$200.00 for each violation thereof and the Circuit Court shall have jurisdiction of all such offenses.

ARTICLE X. SEPARABILITY

10.1 If any article, section, subsection, paragraph, sentence, clause or provision of these regulations shall be adjudged invalid, such adjudication shall apply only to the article, section, subsection, paragraph, sentence, clause or provision so adjudged invalid, and the rest and remainder of these regulations as they shall now or hereafter exist, shall be deemed to be valid and effective.

ARTICLE XI. REPEAL AND DATE EFFECT

11.1 All ordinances and regulations and parts of ordinances and regulations in conflict with this ordinance are hereby repealed and this ordinance shall be in full force and effect upon its adoption.

ORDINANCE REVISIONS

Adopted: April 20, 1982 by the Board of Selectmen

Published: April 24, 1982

Effective Date: May 9, 1982

Sections 1.4, 2.3, 3.3, 4.3, and 5.2 of this ordinance concerning fee schedules are hereby repealed and following is substituted in lieu thereof:

Sections: 1.4, 2.3, 3.3, 4.3, and 5.2 shall read:

The fee schedule for this section shall be as prescribed in the schedule of fees adopted for such by resolution of the Board of Selectmen.

Adopted: December 17, 1990 at a SPECIAL TOWN MEETING

Published: December 2, 1990 (Manchester Herald)

Effective Date: January 6, 1991

NEW: Article IX. Zoning Permits and Approvals

Sections 9.1, 9.2, and 9.3 added

Adopted: April 13, 1992 by the BOARD OF SELECTMEN
Published: April 23, 1992 (Hartford Courant, Manchester Extra section)
Effective Date: May 8, 1992

TITLE OF ORDINANCE AMENDED

NEW: Section 1.4 in Article I – Demolition Permit Fee

Change present Section 1.4 to read Section 1.5

Amend Section 2.2 in Article II

Change present Article IX to read Article VI and Section 9.1, 9.2 and 9.3 to read Sections 6.1, 6.2 and 6.3

NEW: Article VII PLANNING FEES (Subdivision Fees) and Sections 7.1, 7.2 and 7.3

NEW: Article VIII – NEW ROAD CONSTRUCTION FEES and Section 8.1, 8.2 and 8.3

Change present Article VI to read Article IX

Change present Article VII to read Article X

Change present Article VIII to read Article XI

Property Tax Exemption For Buildings Used in Farming

Adopted by the Board of Selectmen: March 1, 2011

Published: The Hartford Courant, March 8, 2011

Effective Date: April 7, 2011

Tax Exemption: PROPERTY TAX EXEMPTION FOR BUILDINGS USED IN FARMING

Section 1. Pursuant to the authority granted under C.G.S. § 12-91(c), as amended, any building used actually and exclusively in farming, as defined in C.G.S. § 1-1, upon proper application being made in accordance with this section, shall be exempt from property tax to the extent of an assessed value of not more than one hundred thousand dollars (\$100,000.00).

Section 2. This exemption shall not apply to any buildings used for residential purposes on any farm. Should an accessory building be used as an outhouse, cabana, or any such purpose on a farm, the exemption would not apply.

Section 3. Annually, within thirty (30) days after the assessment date, each individual farmer, group of farmers, partnership or corporation shall make written application for the exemption provided in Section 1 of this ordinance to the assessor, including therewith a notarized affidavit certifying that such farmer, individually or as part of a group, partnership or corporation, derived at least fifteen thousand dollars (\$15,000.00) in gross sales from such farming operation, or incurred at least fifteen thousand dollars (\$15,000.00) in expenses related to such farming operation, with respect to the most recently completed taxable year of such farmer prior to the commencement of the assessment year for which such application is made, on forms prescribed by the commissioner of agriculture. Failure to file such application in said manner and form within the time limit prescribed shall be considered a waiver of the right to such exemption for the assessment year.

Section 4. This ordinance shall apply to the Grand List of the Town of Bolton October 1, 2011 and subsequent years.

Petition For A Special Town Meeting on a New Item, To Enact

Adopted: Board of Selectmen, September 8, 2009

Published: Hartford Courant, September 15, 2009

Effective Date: October 15, 2009

PETITION FOR A SPECIAL TOWN MEETING ON A NEW ITEM, To Enact

Section 1. Pursuant to the Town of Bolton Charter Chapter 9, Section 9.4 (A), and Section 7-2 of the Connecticut General Statutes, the Board of Selectmen of the Town of Bolton shall have the authority to increase the number of signatures required on a petition requesting that a new item be considered at a Special Town Meeting.

Section 2. The Board of Selectmen shall call a Special Town Meeting upon receipt of a petition signed by fifty (50) inhabitants qualified to vote in Town Meeting.

Section 3. Except for the increase in the number of signatures required, on the petition as found in Section 2 above, all other sections of the Town of Bolton Charter, Section 9.4, shall remain in full force and effect.

Racing and/or Rallies

RACING AND/OR RALLIES: Regulation of

Adopted: November 29, 1971

Effective Date: December 31, 1971

Section 1. PERMIT REQUIRED

No person or persons shall permit, hold, conduct, manage, maintain, organize, promote, sponsor or participate in any motorcycle, automobile, snowmobile or similar motorized vehicle race, rally, contest, sport or competition or any combination thereof (hereinafter called "event") in the Town of Bolton unless a permit for said event shall have first been obtained from the First Selectman.

Section 2. APPLICATION

An application for said permit must be filed with the First Selectman at least twenty (20) days before the date on which the event is to be held. Said application shall set forth the names and addresses of the person or persons sponsoring said event, the nature of the event, the date, time and location (s) where said event shall be held and written permission of any property owner on whose property said event will take place.

Section 3. ADMINISTRATION

The First Selectman shall issue said permit, or in the event said permit is not issued, shall notify the applicant(s) in writing by certified mail setting forth his reasons for not issuing the same at least five (5) days before the date on which the event is to be held. The First Selectman shall have the right to require additional protections for the health, safety and welfare of the residents of the Town of Bolton before issuing said permit and may revoke the same after issuance for cause, after due notice.

Section 4. SANCTIONS

Any person or persons who violate Section 1 of this ordinance shall be deemed to be engaging in an act of public nuisance which act shall be immediately abated and shall be subject to a fine of not more than twenty-five (\$25.00) dollars for each offense.

Section 5. For the purpose of this ordinance “person” or “persons” shall mean any individual, partnership, corporation, firm, company, association, society or group.

Section 6. The effective date of this ordinance shall be fifteen (15) days after publication in a newspaper having a general circulation in the Town of Bolton.

Section 7. PERMIT FEE

The fee for such permit shall be that as prescribed by resolution of the Board of Selectmen.

(Effective date of Section 7: May 9, 1982)

Recreation Round Fund

Adopted by the Board of Selectmen on February 20, 2001

Published in the Journal Inquirer on February 27, 2001

Effective Date: March 14, 2001

Amends Recreation Round Fund Ordinance first adopted on March 15, 1996

RECREATION ROUND FUND ORDINANCE

1. It is recognized that pursuant to Connecticut General Statutes S7-148(c)(2)(k), that a special fund to be known as the Recreation Found Fund (the "Fund") be hereby established, which Fund shall be used in whole or in part to conduct or sponsor recreational programs, services and activities for Bolton and for the acquisition, erection, installation, maintenance, improvement, repair and replacement of park or recreation facilities and equipment.
2. The Fund shall be in the custody of the treasurer of the Town of Bolton and all or any part of the monies in said Fund, may from time to time, be invested in any securities in which public funds may lawfully be invested. All income derived from such investments shall be paid into the Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal from such investment for use as provided in paragraph 1, above.
3. Annually, the treasurer shall submit to the Board of Selectmen, the Board of Finance, and to the Recreation Commission a complete and detailed report of the condition of said fund, which report shall be made a part of the Bolton annual report.
4. Decisions regarding the use of monies in said fund shall be made by the Board of Selectmen in their discretion. The Selectmen may

delegate, upon such conditions as the Board of Selectmen shall determine, disbursement authority to the Recreation Commission Chairman, an employee or some other appointed person.

5. There shall be deposited in such fund, (a) all monies received by the Town from whatever source and from whatever means as gifts for recreation purposes; (b) all monies received by the Town as governmental grants or loans for recreational purposes; and (c) all monies received by the Town as income from Indian Notch Park; and (d) all monies appropriated to said fund.

6. The Fund shall continue in existence until by ordinance it is determined to amend or discontinue the same.

7. Upon dissolution of the Fund, any remaining balances shall be paid over into the general fund or such other fund as the ordinance terminating said Fund shall direct.

Reserve Fund

RESERVE FUND: Capital Expenditures, Creation of

Adopted: October 5, 1989

Amended: By the Board of Selectmen on April 5, 1993

Published: Journal Inquirer April 7, 1993

Effective Date: April 22, 1993

Amended: By the Board of Selectmen on March 19, 1996

Published: Journal Inquirer March 26, 1996

Effective Date: April 10, 1996

Amended: By the Board of Selectmen on September 17, 1996

Published: Journal Inquirer September 20, 1996

Effective Date: October 5, 1996

Amended: By the Board of Selectmen on March 24, 2003

Published: Journal Inquirer March 26, 2003

Effective Date: April 12, 2003

Amended: By the Board of Selectmen on January 6, 2004

Published: Journal Inquirer January 10, 2004

Effective Date: January 25, 2004

Amended: By the Board of Selectmen on April 7, 2004

Published: Journal Inquirer April 21, 2004

Effective Date: May 6, 2004

Amended: By the Board of Selectmen on June 1, 2004

Published: Journal Inquirer June 3, 2004

Effective Date: June 18, 2004

Amended: By the Board of Selectmen on February 8, 2005

Published: Journal Inquirer February 14, 2005

Effective Date: March 1, 2005

Amended: By the Board of Selectmen on April 20, 2005

Published: Journal Inquirer April 27, 2005

Effective Date: May 12, 2005

Amended: By the Board of Selectmen on April 28, 2009

Published: Hartford Courant May 6, 2009

Effective Date: May 21, 2009

Repealed: By the Board of Selectmen on September 8, 2009

Published: Hartford Courant September 15, 2009

Effective Date: October 15, 2009

Recycling Ordinance

RECYCLING ORDINANCE – TOWN OF BOLTON, CONNECTICUT

Adopted: July 15, 1991
Published: July 24, 1991 (Journal Inquirer)
Effective Date: August 8, 1991
Corrected: June 17, 1993

The purpose of this ordinance is to preserve public health, safety and welfare.

This ordinance is authorized by Connecticut General Statutes which requires each municipal authority shall make provisions for the safe and sanitary disposal of all solid wastes generated within its boundaries.

The intent of this ordinance is to reduce the volume of solid waste generated by the community through recycling and achieve compliance with these regulations by generators and haulers of waste.

Section 2. DEFINITIONS

“Bulky Waste” incorporates the definition as used in the regulations of the Connecticut Department of Environmental Protection, as may be amended from time to time. Currently the Town of Bolton has two types of “bulky waste”.

(a) Acceptable Bulky Waste shall include large and or heavy waste items such as empty refrigerates with doors off, washing machines, stoves, household furniture, etc. and other similar material that cannot readily be taken apart. It also includes dried out latex paint cans.

(b) Non-Acceptable Bulky Waste shall include motor vehicles or parts thereof weighing 100 pounds or more, by-product wastes such as rubber, leather and plastics, farm or other large machinery or parts thereof weighing 100 pounds or more; materials and wastes resulting from the repair or construction of buildings or structures (such as earth, stones, concrete, plaster, mortar and roofing materials), tree stumps over 6" in diameter or longer than three (3) feet (land clearing bulky waste). Non-acceptable bulky waste will also include any item of waste exceeding thirty (30) inches in any one of its dimensions or exceeding one hundred (100) pounds in weight or being in whole in part a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight (8) inches could be contained within such solid mass portion.

"Cardboard". Corrugated boxes and similar corrugated and craft papers materials which have a minimum of contamination by food and other material.

"Clean wood". Used pallet, cable spools and other manufactured products of unpainted or unfinished woods. This category also includes tree limbs and trunks exceeding four inches (4") in diameter, excluding stumps.

"Dry Cell Battery" means a device containing no liquid agents and used for generating electric current through a chemical reaction, including but not limited to, nickel-cadmium batteries, carbon batteries and alkaline batteries.

"Class container" means any unbroken glass bottle or jar of any size or shape used to package food or beverage products suitable for human or animal consumption.

“Hazardous Waste” means solid and liquid wastes in the following classifications:

- (1) explosive
- (2) pathogenic or pathological wastes
- (3) radioactive wastes
- (4) cleaning fluids, acids, poisons, caustic substances, paint, anti-freeze, pesticides, herbicides or other chemical wastes which either create an immediate safety hazard to person disposing of the waste or which by virtue of their chemical and/or the method of disposal present a threat to the quality of ground or surface waters
- (5) hospital operating room wastes

“Land Clearing Bulky Waste” means any tree stumps, tree trunks, or tree tops.

“Leaves” means the foliage of deciduous trees.

“Metal Container” means any aluminum, bi-metal, steel, tin-plated steel, or other metallic can, plate or tray of any size or shape used to package food or beverage products suitable for human or animal consumption. Clean aluminum foil is also included in this category.

“Newspaper” means any used or discarded newsprint which has a minimum of contamination by food and other material. The only gloss printed paper stock in this category is the color-print insert commonly found in Sunday editions.

“Office paper” means any used or discarded high grade white paper, computer print-out, manila cardstock, photo-copying paper which is suitable for recycling and has a minimum of contamination. It also includes lightly colored paper such as the pink and yellow grades. For the purpose of this ordinance, office paper generated by households will be included with “newspaper” (i.e. residential households may dispose of their office paper as they would newspaper).

“Plastic bottles” means any plastic soda, water, milk bottle or plastic jug, which may have PET or HDPE-1 stamped on the bottom.

“Recyclables” means any items commonly regarded as wastes, which are designated by this regulation or by the Board of Selectmen to be pre-sorted for separate handling and delivered to the scrap materials market.

“Residential Recycling” shall include residences up to three families.

“Scrap metal” means used or discarded items which consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel or alloys thereof, including, but not limited to white goods.

“Scrap tires” means discarded rubber or synthetic rubber tires used by or manufactured for vehicles including, but not limited to, automobiles, trucks, buses and trailers.

“Special wastes” means non-hazardous commercial and industrial wastes which, by virtue of their properties and/or volume require special handling.

“Storage battery” means batteries used in motor vehicles, boats, airplanes, recreational vehicles, tractors, and like applications, or other lead acid batteries.

“Waste oil” means crankcase oil that has been utilized in internal combustion engines.

“Yard Waste” means the brush and boughs (limbs) of deciduous trees, foliage, cones and arillate fruit of coniferous (evergreen) trees and shrubs, lawn and hedge clippings and cuttings.

Section 3. RECYCLABLE MATERIALS

A. The list of materials regarded as recyclables is as follows:

Glass containers

Metal containers

Newspapers

Cardboard

Waste oil

Storage batteries

Scrap metal

Scrap tires

Leaves

Office paper

Plastic bottles (HDPE 1 and PET)

Wrapping paper

Magazines

B. The Board of Selectmen will revise the list as opportunities to recycle become available.

Section 4. RESIDENTIAL RECYCLING

A. When there exists, for a give household, the opportunity to recycle, then mixed glass and metal containers, newspapers, plastic bottles, wrapping paper, magazines, office paper and cardboard shall be pre-sorted for separate collection. Glass and metal containers and plastic bottles shall be rinsed with corks and neck rings removed.

Wrapping paper shall be separated and string-tied in bundles or placed in brown paper grocery bags, not weighing more than thirty-five (35) pounds. Magazines shall be separated and string tied in bundles or placed in brown paper grocery bags not weighing more than thirty-five (35) pounds. Newspapers shall be string tied in bundles or placed in brown paper grocery bags not weighing more than thirty-five (35) pounds.

Cardboard shall be collapsed (flattened) and tied in bundles not weighing more than thirty-five (35) pounds. Office paper shall be separated and string tied in bundles or place din brown paper grocery bags no weighing more than thirty-five (35) pounds.

B. The town will facilitate this opportunity to recycle by providing, at no cost, one recyclable materials container for use by each household. The

container will remain the property of the Town. If the resident moves, the container shall remain at the address for use by the incoming occupant. Replacement cost will be the responsibility of the owner of the residence. The container must be kept clean and in such a place as not to constitute a nuisance or otherwise be objectionable. No recyclable shall be placed in plastic bags.

Should a resident have so much recyclable material that a second container is required, they may purchase one from the Selectmen's Office or may obtain Town of Bolton recycling decals, free of charge, for use on their own container.

C. Recyclables shall be placed at the street curb or curb line for collection the morning of the regular collection day as set forth under a schedule determined by the Board of Selectmen.

D. The Town will coordinate, with contracted waste and materials haulers, waste management districts within town, and with materials processors and markets, the transportation and final disposition of recyclables.

Section 5. APARTMENTS/CONDOMINIUMS RECYCLING

Apartments of more than four units and condominiums shall have an area immediately adjacent to their dumpster designated for recyclables. All costs of recycling activities are to be borne by the apartment owner or the condominium association.

Section 6. COMMERCIAL/INDUSTRIAL RECYCLING

A. Commercial and industrial premises serviced by private garbage collectors or haulers shall have an area immediately adjacent to their dumpster designed for recyclables. Such commercial premises shall be responsible for the proper disposal of their recyclables collected.

B. The Town will coordinate, with private businesses and contracted waste and materials haulers, any recycling outlet for specific special wastes at intervals to be determined by the Board of Selectmen.

Section 7. WASTE OIL

Waste crankcase oil will be placed in secured, closed plastic bottles or jugs no larger than one (1) gallon capacity and shall be placed by the resident at the street curb or curb line for collection the morning of their regular recycling collection day. There is a maximum of five such containers allowed per household per collection day.

Section 8. LEAVES AND YARD WASTE

The Town is currently constructing a collection center adjacent to the Town garage where the Town will accept leaves. A roll-off container will be provided for residents to drop off yard waste consisting of grass clippings or leaves (not brush, branches, tree clippings or other yard waste as defined in Section 2) in special paper bags specified by the Board of Selectmen. The Town reserves the right to sell these bags to its residents to help defray the cost of leaf recycling. No other bag or container will be permitted for use in leaf recycling.

Section 9. SCRAP METAL

A. The Town is currently constructing a collection center adjacent to the Town garage where the Town will accept scrap metal. A roll-off container will be provided for residents to drop off scrap metal.

B. The Town will collect scrap metal twice yearly under its “bulky waste” pick-up program. Residents will place their scrap metal at the street curb or curb line for collection on the Monday of the week designated as “Bulk Waste Week” as determined by the Selectmen.

C. From time to time, and based upon contractual arrangements, the Board of Selectmen may designate certain days as “Scrap Metal Days” and the Town’s recycling contractor will pick up white goods and scrap metal at curbside on that day. The resident would have to call the Town Hall prior to collection day with the type of item to be picked up and the street address.

Section 10. SCRAP TIRES

The Town is currently constructing a collection center adjacent to the Town garage where the Town will accept scrap tires. A container or area will be provided for residents to drop off their scrap tires. The Selectmen reserve the right to charge a fee per tire to help defray its disposal cost.

Section 11. STORAGE BATTERIES

A. Storage batteries shall be placed by the resident at the street curb or curb line for collection the morning of their regular recycling collection. There is a maximum of two such batteries allowed per household per collection day.

B. Private businesses, including garages and dealerships, will make separate provisions for proper disposition of discarded storage batteries.

Section 12. BULKY WASTE

A. Non-acceptable Bulky Waste. No person shall deposit non-acceptable bulky waste at the Town's collection center, or at any other place within the Town, but shall arrange at his own expense, for the transfer of said bulky waste to a private landfill or other facility.

B. Acceptable Bulky Waste. Residents shall place their acceptable bulky waste at curbside for collection only during those times designated as "Bulk Waste Weeks" by the Board of Selectmen. Residents shall place all their bulky waste at curbside on the Monday of such week. The Board of Selectmen shall annually designate which week(s) are "Bulk Waste Weeks".

Section 13. HAZARDOUS WASTE

It shall be unlawful for any person or corporation to dispose of hazardous waste in the Town, except in accordance with specific regulations which will provide a day scheduled as "Hazardous Waste Day".

Section 14. NUISANCE

No person, corporation or other entity having custody or control of residential, industrial, or business premises from which garbage, rubbish or other refuse, including recyclables, is collected by the Town shall permit or cause any such garbage, rubbish or other refuse, including recyclables, within his control to

become a hazard to public travel, health, safety or to become a nuisance of any sort.

Section 15. PROHIBITION OF UNAUTHORIZED COLLECTION OF RECYCLABLES

No person(s) engaged in the business of separation, recovery, collection, removal, storage, or disposition of materials and wastes within the Town, except as specifically authorized by the Town, shall pick up pre-sorted recyclable materials. This restriction shall also apply to any citizen, resident, taxpayers or person who might engage in such a practice for personal gain.

Section 16. FEES FOR SPECIALTY DESIGNATED MATERIALS

A fee, not to exceed twenty-five (\$25.00) dollars, for acceptance of specially designated materials at the collection center will be established by Board of Selectmen in consultation with the Public Works Foreman.

Section 17. ENFORCEMENT

A. Any person found to be in violation of this ordinance shall be fined not more than fifty (\$50.00) dollars for each offense.

B. The Town or its agents reserves the right to refuse to collect garage, rubbish or other refuse where the spirit or letter of this ordinance is ignored.

C. The Board of Selectmen shall have full discretionary authority in deciding all disputed questions arising under the provisions of this ordinance.

Section 18. DUTIES AND POWERS OF THE BOARD OF SELECTMEN

The Board of Selectmen reserve the right under this ordinance to enact from time to time such changes in these regulations as it shall deem in the public interest and based upon changing contractual conditions regarding the separation, recovery, collection, removal, storage and disposition of garbage, rubbish, recyclables and other waste. Such changes would become immediately effective upon passage.

Section 19. EFFECTIVE DATE

Notice of the passage of this ordinance shall be published in a daily newspaper having circulation in the Town of Bolton. This ordinance shall become effective on the fifteenth day after publication of the notice of passage.

All ordinances, resolutions, or regulations inconsistent with the provisions of this ordinance are hereby replaced by the extent of such inconsistency.

This ordinance and the various parts, sentences, sections, and clauses hereof, are hereby declared to be severable. If any part, sentence, section or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall be affected thereby.

Roads

ROADS, AUTHORITY TO CLOSE

When, in the opinion of the Board of Selectmen, road conditions and safety warrant, the Board shall have the authority to close any town road to through traffic from any vehicle whose gross weight exceeds 10,000 pounds. The Board shall designate and post such roads.

Any motor vehicle operator who operates a vehicle in violation of this ordinance shall be fined twenty-five (\$25.00) dollars.

Published in Manchester Herald on December 11, 1986

Effective Date: December 26, 1986

Roads/Streets

ROADS/STREETS: Naming of

BE IT ORDAINED that the Town of Bolton adopt the following ordinance:

The names of all the streets within the Town of Bolton shall be assigned by the Board of Selectmen. Applications for the approval of street names shall be filed with the Board of Selectmen at the time the street layout is first proposed to the Planning Commission or other appropriate authority. The Selectmen may approve any name as proposed or may specify an alternate name. The Selectmen shall render their decision within 30 days of the date of receipt of the application. If the Selectmen fail to act within such period of 30 days, the name proposed shall be adopted, unless the Planning Commission specifies a different name. Streets which are accepted by the Town after the date of this ordinance shall be assigned names on the date of acceptance. Street names may be changed by the Board of Selectmen only upon the approval of the voters of the Town of Bolton acting at a duly noticed Public Meeting.

Ordinance was adopted by the Board of Selectmen of the Town of Bolton at a Regular Board meeting held on Tuesday, September 20, 1988.

PUBLISHED in the Manchester Herald on September 30, 1988.

EFFECTIVE DATE: October 15, 1988 (15 days after publication)

Rubbish

RUBBISH: Dumping of

Adopted: September 19, 1989

Published: September 28, 1989

Effective Date: October 13, 1989

Section 1. No person shall throw, place, scatter, or cause to be blown, scattered, thrown, or placed or otherwise dispose of any rubbish, waste material, or paper on any highway or public property within the Town of Bolton.

Section 2. Any member of the Board of Selectmen or their authorized municipal official may order any person violating any provision of this ordinance to clean up and/or otherwise properly remove and dispose of said waste material at the violator's expense. Any person so ordered to remove rubbish or waste material shall fully comply with such order within 10 days after receipt of written notice of violation. The Town may, upon failure of the violator to comply with the clean up order within this time frame, cause said rubbish or waste material to be removed at the sole expense of the person(s) in violation.

Section 3. Any person violating any provision of this ordinance shall be fined in an amount not exceeding one hundred dollars (\$100) for each violation.

Section 4. The ordinance adopted on September 9, 1941, entitled "RUBBISH: Dumping of" is hereby repealed.

Sanitary Regulations

SANITARY REGULATIONS

Adopted: December 7, 1970

Effective Date: January 6, 1971

Amended (Permit Fee) at February 7, 1977 Town Meeting

DEFINITIONS: The following definitions shall apply in the interpretation and enforcement of this regulation.

1. **DWELLING:** shall mean any building which is wholly or partly used or arranged or designed to be used for living or sleeping by human occupants.
2. **DWELLING UNIT:** shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used, arranged or designed to be occupied for living, sleeping, cooking and eating.
3. **DIRECTOR OF HEALTH:** shall mean the legally designated health authority of the Town of Bolton or his authorized representative.
4. **MULTIPLE DWELLING:** shall mean any dwelling containing more than two dwelling units.

5. OWNER: shall mean any person having title to, or control of, property either as principal or agent.

6. ROOMING HOUSE: shall mean any dwelling, or that part of any dwelling, containing one or more rooming units in which space is let by the owner, or operator to three or more persons who are not husband or wife, son or daughter, mother or father or sister or brother of the owner or operator.

7. ROOMING UNIT: shall mean any room or group of rooms forming a single habitable unit used or intending to be used for living and sleeping, but not for cooking or eating purposes.

8. TOWN: shall mean the Town of Bolton, Connecticut.

APPLICATION: The provisions of this regulation shall apply throughout the geographical limits of the Town of Bolton.

INCORPORATION OF THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT: The provisions of the Public Health Code of the State of Connecticut relating to matters not specifically provided for hereunder are incorporated herein by this reference and made a part hereof. In their interpretation and application, the provisions of this regulation shall be held to be minimum requirements, adopted for the promotion of the public health and safety. Wherever the requirements of this regulation are at variance with the requirements of the Public Health Code of the State of Connecticut, the most restrictive or that imposing the higher standards shall govern.

ADMINISTRATION:

1. The Town Director of Health, Assistant Director of Health and the First Selectman as his agent shall each have the power and duty to enforce these regulations.

2. A Town Sanitarian shall be appointed by the Selectmen upon a recommendation from the Director of Health. The Sanitarian shall act as the agent of the Director of Health on all matters relating to sewage disposal and water supply systems as well as other matters as authorized by the Director of Health.

PROCEDURE:

1. No building requiring private sewage disposal facilities or private water supply shall hereafter be constructed in the Town unless the sewage disposal and water supply facilities are approved by the Sanitarian and no building shall be occupied in the Town unless the sewage disposal and water supply facilities are approved by the Sanitarian. All buildings to be connected to public sewage system when available.

2. No person shall commence the construction of any building requiring provision for private sewage disposal or private water supply until a permit has been obtained from the Sanitarian. No existing private sewerage system or private water supply shall hereafter be altered or repaired until the plans for the proposed alterations and repairs have been approved by and permit for such alterations or repairs issued by the Sanitarian.

3. Application for a permit shall be made on forms supplied at the Building Inspector's office. The completed application for a permit shall be submitted to the Sanitarian along with plans showing all information required by these regulations and prepared in a manner acceptable to the Sanitarian. No permit shall be issued until plans are approved as conforming to the requirements of these regulations. Upon receipt of a completed application for a permit, the Sanitarian shall have 30 days to review the application and approve or disapprove. If such application is disapproved, the

specific reasons for this action must be stated and forwarded to the applicant in written form.

4. The Sanitarian shall make periodic inspections and a final inspection of the work to insure construction in accordance with the approved plans.

Inspection shall be made at the following stages of construction:

(a) Seepage tests.

(b) Final inspection – system installed and connected but before covering or backfilling.

If construction of the system is satisfactory at the time of final inspection, the Sanitarian shall notify the applicant of this approval. Written approval shall be given upon request.

PERMIT FEES: A fee of \$30.00 shall be paid for each permit upon application. Permits shall be valid for a period of 12 months from the date of issue and may be renewed for additional periods of six months by the Sanitarian.

APPEALS:

1. Any person aggrieved by any action of the Sanitarian in connection with the enforcement of this regulation may request and shall be granted a hearing on the matter before the Director of Health; provided that such person shall file a petition stating the reasons for such hearing and within ten days after the date such action was taken.

2. The hearing shall take place not more than ten days after such petition is filed unless the petitioner agrees in writing to a postponement.

3. After such hearing, the Director of Health may by order sustain, modify or disapprove the petition in accordance with these regulations and the finding of the hearing. A summary of the hearing and the decision of the Director of Health, as well as all other submitted material shall become a part of the public record in the Office of the Selectmen.

4. Any person aggrieved by the decision of the Director of Health may seek relief therefrom, as provide by the laws of this State.

PENALTIES: Any person who violates any provision of these regulations shall be fined not more than twenty-five dollars (\$25.00) for any single violation. Each day such violation is continued after due notice has been given by the Sanitarian, Director of Health or First Selectman, shall be deemed a separate violation and shall be punishable as such.

REPEAL AND DATE OF EFFECT: All Ordinances and Regulations and parts of ordinances and regulations in conflict with this Regulation are hereby repealed and this Regulation shall be in full force and effect immediately upon its adoption.

UNCONSTITUTIONALITY CLAUSE: Should any section, paragraph, sentence, clause or phrase of this Regulation be declared unconstitutional or invalid for any reason, the remainder of said Regulation shall not be affected thereby.

EFFECTIVE DATE: The sanitary regulation shall take effect on January 6, 1971. Valid permits previously issued shall be valid for one year from the effective date of this regulation.

School Capital Fund Ordinance

Adopted by the Board of Selectmen: April 30, 2007

Published in the Journal Inquirer: May 2, 2007

Effective Date: May 17, 2007

SCHOOL CAPITAL FUND ORDINANCE

1. It is recognized that, pursuant to Connecticut General Statutes § 7-148(c) (2)(K), a special fund to be known as the School Capital Fund (the “Fund”) is established. Said Fund shall be used in whole or in part, exclusively, for funding capital expenditures related to a Bolton High School building project (the “Project”), including the acquisition; reconstruction; construction; expansion; renovation; and replacement of Bolton High School facilities and the costs related to the Project. In addition, the Fund may be used in whole or in part for payment of debt service associated with the Project.

2. The Fund shall be in the custody of the Treasurer of the Town of Bolton and all or any parts of the monies in said Fund, may from time to time, be invested in any securities in which public funds may lawfully be invested. All income derived from such investments shall be paid into the Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal from such investment for use as provided in paragraph 1, above.

3. Annually, the Treasurer shall submit to the Board of Selectmen and the Board of Finance, a complete and detailed report of the condition of said fund, which report shall be made a part of the Bolton annual report.

4. Subject to the provisions of the Charter, the decisions regarding the use of monies in said fund shall be made by the Board of Selectmen in its sole discretion after consultation with representatives from the Board of Education and Board of Finance. The Selectmen may delegate, upon such conditions as the Board of Selectmen shall determine, disbursement authority to a duly authorized individual.

5. There shall be deposited in such fund: (a) eighty percent (80%) of the gross tuition revenue received from the contract with the Town of Columbia for the education of its students in Bolton schools; (b) 80% of the gross tuition revenue received from any other High School tuition contract(s) signed by the Bolton Board of Education with other Towns or Boards of Education; and (c) all monies appropriated to such fund.

6. The Fund shall continue in existence until by ordinance it is determined that this Ordinance should be amended or discontinued.

7. Upon dissolution of the Fund, any remaining balances shall be paid over into the general fund or such other fund as the ordinance terminating said Fund shall direct.

8. The Board of Selectmen shall conduct a mandatory review of this Ordinance every five (5) years. If no amendments are deemed necessary, the Board of Selectmen shall by resolution state that this Ordinance shall continue in existence for successive five year periods or until terminated or amended by ordinance.

Sewerage Facilities

SEWERAGE FACILITIES: Approval of

Adopted: March 28, 1955

Section 1. No dwellings, apartments, boarding houses, hotels or commercial buildings shall be constructed in the Town of Bolton unless the sewerage facilities in connection with the same have been approved by the Director of Health of the Town or an inspector appointed by him. The Director of Health or any Inspector appointed by him shall approve any such sewerage facilities when such facilities meet the requirements of the Sanitary Code of the State of Connecticut.

Section 2. All applications for approval of the sewerage facilities shall be filed with the Director of Health or the inspector appointed by him. All applications for approval shall be accompanied by plans of the proposed sewerage facilities. The fee which shall accompany said application shall be Fifteen (\$15.00) Dollars payable to the Town of Bolton.

Section 3. The owner or agent of any building who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor punishable by a fine of not to exceed Twenty-five (\$25.00) Dollars for each and every day that such violation shall continue.

Signpost

SIGNPOST: Location of

Adopted: October 7, 1957

That the public signpost be moved from its present location on Hebron Road to a new location on the lawn in front of the Community Hall.

Snow or Ice

SNOW OR ICE, Ordinance Prohibiting the Deposit of on Public Highways

Adopted: February 16, 1995

Published: Manchester Extra, February 23, 1995

Effective Date: March 10, 1995

Section One: This ordinance is enacted pursuant to the provisions of Section 7-148 (c)(6)(C) of the Connecticut General Statutes, which may be amended from time to time.

Section Two: No person shall deposit any snow or ice onto any portion of any public highway within the Town of Bolton.

Section Three: Any person violating this ordinance shall be fined not more than \$25.00.

Solar Energy Heating or Cooling

SOLAR ENERGY HEATING, COOLING AND ENERGY
GENERATION: Property Tax Exemption

Adopted by the Board of Selectmen at April 20, 1982 Board Meeting

Published: April 24, 1982

Effective Date: May 9, 1982

Section 1. Be it enacted that the Town of Bolton hereby authorizes the property tax exemption for solar energy heating or cooling systems set forth in Section 12-81 (56)(a)(b)(c) of the Connecticut General Statutes.

Section 2. Be it enacted that the Town of Bolton hereby authorizes the property tax exemption for any solar energy electricity generating system as set forth in Section 12-81 (57)(a)(b)(c) of the Connecticut General Statutes.

Section 3. Be it enacted that the Town of Bolton hereby authorizes the property tax exemption for any passive or hybrid solar energy heating or cooling system, or any building to which such system is added as set forth in Section 12-81 (62)(a)(b)(c) of the Connecticut General Statutes.

Section 4. The ordinance adopted November 17, 1976 concerning Solar Energy Heating or Cooling: Property Tax Exemption is hereby repealed.

Special Events

SPECIAL EVENTS: Regulation of

Adopted: November 29, 1971

Effective Date: December 31, 1971

Section 1. PREAMBLE.

It is hereby declared necessary to regulate special events for the protection of the health, safety and welfare of the residents of the Town of Bolton.

Section 2. DEFINITIONS.

For the purposes of this ordinance “special event” shall mean an assembly or public gathering at which five hundred (500) or more persons shall or may be reasonably anticipated to attend at any one location at any one time.

For the purpose of this ordinance “person” or “persons” shall mean any individual, partnership, corporation, firm, company, association, society or group.

Section 3. PERMIT REQUIRED.

No person or persons shall permit, hold, conduct, manage, maintain, organize, promote or sponsor a special event in the Town of Bolton unless a permit for said special event shall have first been obtained from the First Selectman.

Section 4. APPLICATION.

An application for said permit must be filed with the First Selectman at least forty-five (45) days before the date on which the special event is to be held. Said application shall set forth:

(a) The names, residences, telephone number and mailing address (if different from residence) of the applicant or applicants. If the applicant is a partnership then said information shall be provided for all of its partners (who shall be deemed to be applicants for purpose of this ordinance) as well as the partnership itself and shall state where the articles of partnership are on file as public records. If the applicant is a corporation, firm, company, association, society or group, then said information shall be provided for all of its officers, ten percent (10%) shareholders and directors (who shall be deemed to be applicants for purpose of this ordinance), as well as the organization itself and shall state where the certificate or articles of organization or incorporation are on file as public records.

(b) A detailed description of the nature of the special event to be held. Said description shall specify the date(s), (including rain or alternate date(s)), time(s) and location where said special event will be held.

(c) An estimate of the maximum number of people who will be assembled at any one time for the special event.

(d) Detailed plans to meet local, state and other applicable standards for providing adequate parking, food services, portable water, toilet and lavatory facilities, removal of solid wastes, medical services, telephone services, lodging facilities, law enforcement, fire protection and prevention, sound control and illumination of the location; but only to the extent that the aforementioned items may be reasonably required for the protection of the health, safety and welfare of the residents of the Town of Bolton.

The information provided in said application shall be given under the oath or affirmation that the statements are true and correct to the best knowledge of the applicant(s) and shall be signed and sworn to by the applicant(s).

Section 5. PERMIT.

Any permit issued hereunder shall be issued only to the applicant(s) under Section 4-a and shall permit only the assembly of the maximum number of people set forth in Section 4-c for the purposes set forth in Section 4-b, provided that such purposes are lawful, in compliance with the requirements of Section 4-d all as set forth on the application or as the same may be required to be amended by the First Selectman in protecting the health, safety and welfare of the residents of the Town of Bolton. No permit may be transferred.

Section 6. ISSUANCE OR DENIAL OF PERMIT.

The First Selectman shall issue said permit in conformity with the original application or as the same may be required to be amended, or in the event said permit is not issued, shall notify the applicant(s) in writing by certified mail, setting forth his reasons for not issuing the same at least fifteen (15) days before the date on which the special event is to be held. The First Selectman, before issuance of any permit, may require that a public hearing be held on any application provided that said hearing be held at least sixteen

(16) days prior to the date on which the special even is to be held, and provided further that at least five (5) days notice of such hearing be published in a newspaper having a general circulation in the Town of Bolton. The applicant(s) shall pay the cost of such notice. The First Selectman shall have the right to waive the forth-five(45) days filing requirement for applications where the special event to be held provides a social, cultural or service benefit to the Town provided, however, that the remaining provisions of this ordinance are complied with.

Section 7. REVOCATION.

Any permit issued hereunder may be revoked by the First Selectman at any time, after due notice, if any of the information contained in the application is found to be false; or if any of the conditions necessary for the issuing of or contained in the permit are not complied with; or there is a failure to show good intent to comply with any of the conditions necessary for the issuance of said permit; or if any condition previously met ceases to be complied with; or if said permit is transferred.

Section 8. SANCTIONS.

The holding of a public gathering in violation of any provisions or conditions contained in this act shall be deemed a public nuisance and may be abated as such. Each person who violates Section 3 of this act or who violates any condition upon which a permit is granted shall be subject to a fine of not more than twenty-five (\$25.00) dollars for each offense.

Section 9. NON-APPLICABILITY.

This ordinance shall not apply to any regular or special election, any special or annual town meeting; regularly scheduled athletic events, including championship events involving teams or individual contestants from the Town of Bolton; regular or special services of any permanent place of worship in the Town of Bolton; or regular or special school sponsored assemblies of students and/or their parents at any one of the schools in the Town of Bolton. This ordinance shall not apply to assemblies required to be licensed under the General Statutes.

Section 10. SEPARABILITY OF PROVISIONS.

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

Section 11. EFFECTIVE DATE.

The effective date of this ordinance shall be fifteen (15) days after publication in a newspaper having a general circulation in the Town of Bolton.

Section 12. PERMIT FEE.

The fee for such permit shall be that as prescribed by resolution of the Board of Selectmen.

(Effective date of Section 12: May 9, 1982)

Storage, Disposal and Use of Hydraulic Fracturing Waste Ordinance

Adopted: By board of Selectmen, June 6, 2017

Published: Hartford Courant, June 12, 2017

Effective Date: July 13, 2017

Storage, Disposal and Use of Hydraulic Fracturing Waste Ordinance Section 1 - Prohibitions

(a) The application of natural gas waste or oil waste on any road or real property located within the Town for any purpose is prohibited unless the DEEP or other regulatory body determines that such waste is not harmful to the health, safety and general welfare of the public and the environment. The Bolton Board of Selectmen may deny the use of any such waste when the use of such waste is not in the best interest of the Town or its citizens regardless of any approval by the DEEP or any other regulatory body.

(b) The introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the Town is prohibited.

(c) The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town is prohibited.

(d) The storage, disposal, sale, acquisition, handling, treatment and/or processing of waste from natural gas or oil extraction is prohibited within the Town.

Section 2 - Bids and Contracts

Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the Town.

(a) All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be provided to the Town unless the DEEP or other regulatory body determines that such waste is not harmful to the health, safety and general welfare of the public and the environment.

(b) All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be utilized in providing such a service unless the DEEP or other regulatory body determines that such waste is not harmful to the health, safety and general welfare of the public and the environment.

(c) The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town:

"We hereby submit a bid for materials, equipment and/or labor for the Town of Bolton. The bid is for bid documents titled . We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor, sub-contractor, agent or vendor agent in connection with the bid; nor will the undersigned bidder or sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property within the Town of Bolton as a result of the submittal of this bid if selected unless the DEEP or other regulatory body determines that such waste is not harmful to the health, safety and general welfare of the public and the environment."

Section 3 - Penalties

This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. In response to a violation of this ordinance, the Town is empowered to

a) issue "Cease and Desist" orders demanding abatement of the violation, b) seek any appropriate legal relief, including immediate injunctive relief, as a result of any violation of this ordinance; c) file a complaint with any other proper authority; and d) to require remediation of any damage done to any land, road, building, aquifer, well, watercourse, air quality or other asset, be it public or private, within the Town of Bolton. Any person who violates this ordinance shall be liable for a civil penalty of not less than one thousand dollars, not more than ten thousand dollars for each day of the violation (pursuant to CGS 22a-250(h) Littering or dumping prohibited. Orders. Procedures. Penalties.)

Section 4 - Definitions

(a) As used in this article, the term "hydraulic fracturing" shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.

(b) As used in this article, the term "natural gas extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas by hydraulic fracturing.

(c) As used in this article, the term "oil extraction activities" shall mean all geologic or geophysical activities related to hydraulic fracturing.

(d) As used in this article, the term "natural gas waste" shall mean:

1. Any liquid or solid waste or its constituents that is generated as a result of natural gas hydraulic fracturing extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
2. Leachate from solid wastes associated with natural gas hydraulic fracturing extraction activities;
3. Any waste that is generated as a result of or in association with the underground storage of natural gas;
4. Any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and
5. Any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

(e) As used in this article, the term "oil waste" shall mean:

1. Any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
2. Leachate from solid wastes associated with oil extraction activities; and
3. Any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

(f) As used in this article, the term "application" shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town.

(g) As used in this article, the term "town" shall mean the Town of Bolton.

Section 5 - Transportation

Nothing in this article shall be interpreted to ban the transportation of any product or by-product described herein on any roadway or real property within the Town.

Stormwater

Accepted: By Board of Selectmen, June 5, 2018

Published: Hartford Courant June 19, 2018

Effective date: July 19, 2018

STORMWATER ORDINANCE

Section 1. - Purpose.

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of Bolton through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the storm drainage system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are:

- (1) To regulate the contribution of pollutants to the storm drainage system through stormwater discharges by any user.
- (2) To prohibit illicit connections and discharges to the storm drainage system.
- (3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance.

Section 2. - Definitions.

For the purposes of this ordinance, the following shall mean:

Best management practices (BMPs) shall mean schedules of activities, prohibition of practices, general good housekeeping practices, pollution

prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act shall mean the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction activity shall mean activities subject to NPDES construction permits. Currently these include construction projects resulting in land disturbance of five (5) acres or more. Beginning in March 2003, NPDES storm water phase II permits have been required for construction projects resulting in land disturbance of one (1) acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Facility shall mean any building, lot, parcel of land, or portion of land whether improved or unimproved, including adjacent sidewalks and parking strips.

Board of Selectmen or their authorized designee shall mean the Bolton Board of Selectmen or their authorized designee.

Hazardous materials shall mean any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Hearing officer shall mean the person designated from time to time by the Board of Selectmen or their authorized designee to hear appeals in accordance with section 15 herein.

Illegal discharge shall mean any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in section 7 of this ordinance.

Illicit connections shall mean the following:

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited to, any conveyances which allow any non-stormwater discharge including

sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by the Board of Selectmen or their authorized designee; any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the Board of Selectmen or their authorized designee or other public official or body having jurisdiction thereof.

Industrial activity shall mean activities subject to NPDES industrial permits as defined in 40 CFR, Section 122.26 (b)(14).

National Pollutant Discharge Elimination System (NPDES) storm water discharge permit shall mean a permit issued by EPA (or by a state under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-stormwater discharge shall mean any discharge to the storm drain system that is not composed entirely of stormwater.

Person shall mean any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant shall mean anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Storm drainage system shall mean the publicly-owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Stormwater shall mean any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater pollution prevention plan shall mean a document that describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

Wastewater shall mean any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Watercourse shall mean a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water. This includes but is not limited to lakes, ponds, rivers, streams and any other surface water defined as a watercourse by the town's inland wetland regulations.

Section 3. - Applicability.

This ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by the Board of Selectmen or their authorized designee.

Section 4. - Responsibility for administration.

The Board of Selectmen or their authorized designee shall, in consultation with the Administrative Officer, town engineer and Highway Supervisor, administer, implement, and enforce the provisions of this ordinance. The Board of Selectmen or their authorized designee may delegate their powers and duties under this ordinance to an authorized designee.

Section 5. - Severability.

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance.

Section 6. - Ultimate responsibility.

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

Section 7. - Discharge prohibitions.

(1) Prohibition of illegal discharges. No person shall discharge or cause to be discharged into the storm drainage system any materials, including but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater.

The commencement, conduct or continuance of any illegal discharge to the storm drainage system is prohibited except as described as follows:

(a) The following discharges are exempt from discharge prohibitions established by this ordinance: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated - typically less than one (1) PPM chlorine), firefighting activities, and any other water source not containing pollutants.

(b) Discharges specified in writing by the Board of Selectmen or their authorized designee as being necessary to protect public health and safety.

(c) Dye testing is an allowable discharge, but requires a written notification to the Board of Selectmen or their authorized designee prior to the time of the test. Said written notification may be in the form of electronic mail, facsimile transmission or hard copy letter format.

(d) The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

(2) Prohibition of illicit connections.

(a) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

(b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the storm drainage system, or allows such a connection to continue.

Section 8. - Suspension of storm drainage system access.

Suspension due to illicit discharges in emergency situations. The Board of Selectmen or their authorized designee may, without prior notice, suspend storm drainage system discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the storm drainage system or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Board of Selectmen or their authorized designee may take such steps as deemed necessary to prevent or minimize damage to the storm

drainage system or Waters of the United States, or to minimize danger to persons.

Suspension due to the detection of illicit discharge. Any person discharging to the storm drainage system in violation of this ordinance may have their storm drainage system access terminated if such termination would abate or reduce an illicit discharge. The Board of Selectmen or their authorized designee will notify a violator of the proposed termination of its storm drainage system access. The violator may petition the Board of Selectmen or their authorized designee for reconsideration and hearing.

A person commits an offense if the person reinstates storm drainage system access to premises terminated pursuant to this section, without the prior approval of the Board of Selectmen or their authorized designee.

Section 9. - Industrial or construction activity discharges.

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Board of Selectmen or their authorized designee prior to the allowing of discharges to the storm drainage system.

Section 10. - Right of entry, evaluation, and monitoring of damages.

(a) Applicability. This section applies to all facilities that have stormwater discharges associated with industrial or construction activity, and any other commercial or residential facilities that discharge stormwater to the storm drainage system.

(b) Access to facilities.

(1) The Board of Selectmen or their authorized designee shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the

necessary arrangements to allow access to representatives or designees of the Board of Selectmen or their authorized designee.

(2) Facility operators shall allow the Board of Selectmen or their authorized designee ready access to all parts of the facility for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of a town, state or federal NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.

(3) The Board of Selectmen or their authorized designee shall have the right to set up on any NPDES permitted facilities such devices as are necessary in the opinion of the Board of Selectmen or their authorized designee to conduct monitoring and/or sampling of the facility's stormwater discharge.

(4) The Board of Selectmen or their authorized designee has the right to require the installation of sampling and monitoring equipment on any NPDES permitted facility by the discharger at its own expense. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

(5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Board of Selectmen or their authorized designee and shall not be replaced. The costs of clearing such access shall be borne by the operator.

(6) Unreasonable delays in allowing the Board of Selectmen or their authorized designee access to a permitted facility is a violation of a stormwater discharge permit and of this ordinance. A person who is the operator of a facility with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the Board of Selectmen or their authorized designee reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.

(7) If the Board of Selectmen or their authorized designee has been refused access to any part of the facility from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may

be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Board of Selectmen or their authorized designee may seek issuance of a search warrant from any court of competent jurisdiction.

(8) While performing the necessary work on private properties referred to in subsections (b)(1) through (5) of this section, the Board of Selectmen or their authorized designee shall observe all safety rules applicable to the premises established by the facility.

Section 11. - Requirement to prevent, control, and reduce stormwater pollutants by the use of best management practices.

The Board of Selectmen or their authorized designee will adopt requirements identifying best management practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drainage system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the storm drainage system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or facility, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the storm drainage system as directed by the Board of Selectmen or their authorized designee. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial or construction activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

Section 12. - Watercourse protection.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within

the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

Section 13. - Notification of spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drainage system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Board of Selectmen or their authorized designee in person or by phone, electronic mail or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Board of Selectmen or their authorized designee within three (3) business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

Section 14. - Enforcement.

(a) Notice of violation. Whenever the Board of Selectmen or their authorized designee finds that a person has violated a prohibition or failed to meet a requirement of this ordinance, he/she shall order compliance by written notice of violation to the responsible person. Such notice may require, without limitation:

(1) The performance of monitoring, analyses, and reporting;

- (2) The elimination of illicit discharges or connections;
- (3) That violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and
- (5) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property are required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the Board of Selectmen or their authorized designee may order the work be done by a designated governmental agency or a contractor and the violator fined an amount equal to the expense thereof, in addition to any fines imposed in subsections (b) or (c) of this section.

(b) Procedure for issuance of citations.

(1) The Board of Selectmen or their authorized designee shall issue a written notice to any person who violates any provision of this ordinance. No written notice may be issued against the state or any state official or state employee acting within the scope of his employment. Such written notice shall explain the nature of the violation and the steps required for compliance, and shall allow a seventy-two-hour period within which to correct the violation or within which a written plan for correction shall be submitted to the Board of Selectmen or their authorized designee, setting forth a reasonable time period for correction of the violation as agreed upon by the Board of Selectmen or their authorized designee. A written notice issued pursuant to this subsection shall be served: 1) by hand delivery, at which time the seventy-two-hour period shall begin; or 2) by certified mail return receipt requested and by regular first class mail. Three (3) business days shall be allowed for mail delivery of the notice prior to the commencement of the seventy-two-hour period.

(2) Within two (2) business days after the period for correction established in subsection (a) expires, the Board of Selectmen or their authorized designee shall reinspect the subject property to determine compliance.

(3) If the violations set forth in the written notice have not been corrected at the time of reinspection, the Board of Selectmen or their authorized designee, in their capacity as chief executive officer, may issue a citation and fine of up to one hundred dollars (\$100.00) for each violation by hand, by certified return receipt requested, by leaving a true and attested copy of the citation at the usual place of abode or residence of the person in violation, or in the case of a corporate or business entity, delivery to the business address or the address of the statutory agent of said entity. No such fine shall be levied against the state or any state official or state employee acting within the scope of his employment. All citations issued pursuant to this section shall state the violation for which the citation is being issued, the fine imposed for the violation, the time period within which the fine must be paid, and an address for remittance of the fine.

(c) Compliance periods after citation.

(1) Any violation for which a citation is issued and which is not corrected within the time period specified in subsection (b) of this section shall be a new violation of this ordinance, and every twenty- four-hour period thereafter in which the violation is not corrected shall constitute a new violation. The citation shall include a notice to the alleged violator that each twenty-four-hour period of noncompliance after the time period specified in section 14(b) shall constitute a new violation and a new fine of up to one hundred dollars (\$100.00).

(2) The Board of Selectmen or their authorized designee shall not be responsible for a daily reinspection. Rather, the person to whom the citation has been issued shall be responsible for reporting subsequent compliance by way of written report to the Board of Selectmen or their authorized designee. The Board of Selectmen or their authorized designee shall reinspect to confirm compliance within one (1) business day of receipt of such report.

(d) Payment of fines.

(1) All fines imposed under this ordinance which are uncontested shall be made payable to the Town of Bolton and shall be received by the Board of Selectmen or their authorized designee within ten (10) calendar days from date of notice of the citation. All fines collected by the Board of Selectmen or their authorized designee shall be deposited into the Town of Bolton General Fund.

Section 15. - Appeals.

(a) If the Board of Selectmen or their authorized designee issues a notice of violation, the Board of Selectmen or their authorized designee shall send written notice of action and a statement of the right to an appeal to the facility operator or facility owner.

(b) The facility operator or facility owner may appeal a notice of violation to the Board of Selectmen or their authorized designee by setting forth in writing the reasons for the appeal within fifteen (15) calendar days after date of the notice of violation.

(c) The facility operator or facility owner may appeal the decision of the Board of Selectmen or their authorized designee to the hearing officer as follows:

(1) The facility operator or facility owner may file a written request for a review by paying an appeal fee of twenty-five dollars (\$25.00) and setting forth the reasons for the appeal within twenty (20) calendar days after the date of notification of the decision from the Board of Selectmen or their authorized designee. Appeal fees shall be returned to the appealing facility operator or facility owner if the appeal is upheld.

(2) The hearing officer shall conduct a hearing within thirty (30) calendar days of the receipt of the request. The hearing shall be informal in nature. The person requesting the hearing may testify concerning the facts, circumstances and nature of their appeal and may present supporting documentation.

The hearing officer shall render a written decision within fifteen (15) calendar days of the hearing. The decision will affirm or reverse the decision of the Board of Selectmen or their authorized designee.

(d) Filing of a request for appeal shall stay the action by the Board of Selectmen or their authorized designee requiring payment of a surcharge until the hearing officer has completed his review. If a request for appeal is not

made within the twenty-calendar day period, the action of the Board of Selectmen or their authorized designee is final.

Section 16. - Injunctive relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. If a person has violated or continues to violate the provisions of this ordinance, the Board of Selectmen or their authorized designee may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Section 17. - Compensatory action.

In lieu of enforcement proceedings, penalties, and remedies authorized by this ordinance, the Board of Selectmen or their authorized designee may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, watershed cleanup, or other related activities.

Section 18. - Violations deemed a public nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

Section 19. - Criminal prosecution.

Any person that has violated or continues to violate this ordinance shall be liable to criminal prosecution to the fullest extent of the law. The Board of

Selectmen or their authorized designee may recover all attorneys' fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

Section 20. - Remedies not exclusive.

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the Board of Selectmen or their authorized designee to seek cumulative remedies.

Section 21. - Adoption of ordinance.

All prior ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Tax Abatement for Dairy Farmers

TAX ABATEMENT FOR DAIRY FARMERS

Adopted: November 16, 1992, by the Board of Selectmen

Published: November 26, 1992

Effective Date: December 11, 1992

The purpose of this ordinance is to permit those dairy farmers who qualify hereunder to obtain an abatement of fifty percent (50%) of their tax liability annually and to provide for the recapture of the taxes so abated in the event that farming activity subsequently ceases.

This ordinance is authorized by Connecticut General Statutes 12-81m and 7-192 which empowers the municipality “to adopt, amend, and repeal ordinances...”

Section 1: Application

Request for an abatement hereunder must be made by written application to the Assessor by the record owner of the property.

Section 2: Time of Application

The application provided for hereunder must be submitted to the Assessor no later than November 1 of the year prior to the beginning of the next fiscal

year. For taxes due July 1, 1993, applicants may submit their application for tax abatement within 30 days after the effective date of this ordinance.

Section 3: Taxes to be Current

The Assessor shall grant the abatement only if taxes are current at the time of his review.

Section 4: Definitions

(A) A Dairy Farm is a farm which has as its primary purpose the production of milk from cattle. It includes those fields used to grow feed used in milk production.

(B) Termination of Dairy Farm Use: This means the termination of Dairy Farm status through the sale, termination of lease, or other cessation of Dairy Farm activity as herein defined.

(C) Abatement Date: Abatement Date means July 1 of the first fiscal year in which the property qualifies for the abatement hereunder.

Section 5: Assessed Components Qualifying for Abatement

For the purposes of this ordinance a Dairy Farm consists only of those portions of the property devoted to active dairy farming or necessarily related to active dairy farming. This abatement shall apply only to that portion of the property utilized as tillable land (the production of feed used exclusively for milk producing animals); as permanent pasture (for such animals); as the principal residents and associated building lot; and such land and

improvements that are exclusively used and dedicated to the normal operations of a Dairy Farm.

Section 6: Assessed Components Which Do Not Qualify for Abatement

To the extent that portions of the property contain assessed components which are not directly and exclusively used in dairy farming, such components will not be eligible for abatement under this ordinance.

Section 7: Consideration for Qualification

In determining whether an applicant meets the criteria of this ordinance, the Assessor shall consider the acreage of the farm; the dairy permit; the number and type of livestock; the quantity of milk sold; the gross income derived from milk production as compared to gross income from other activities; and/or the existence of a milk producing permit, dairy plant or milk dealer permit issued by the Connecticut Department of Agriculture. The abatement is available only to the owner or owners of the real property qualifying as a Dairy Farm hereunder.

Section 8: Abatement

The abatement shall be equal to fifty percent (50%) of the property taxes for the qualifying assessed components of the Dairy Farm. Any abatement will continue in force so long as permitted by State law or until such time as this ordinance is modified by the Board of Selectmen or until such time as the termination of the property's use as a Dairy Farm, whichever comes first.

Section 9: Notice of Abatement on Land Records

The Assessor shall (within 30 days after abatement is approved) issue a Notice of Abatement in triplicate. One copy will be kept by the Assessor's office for their file; one copy will be given to the Town Clerk's office for filing on the land records; and one copy will be given to the property owner. This certificate shall set forth the date of initial abatement as well as the recapture obligation.

Section 10: Notice of Termination of Dairy Farm Use

The property owner receiving the abatement shall notify the Assessor in writing within 30 days of the termination of the property's use as a Dairy Farm.

Section 11: Recapture of Abated Taxes

Upon the termination of the property's use as a Dairy Farm the property owner shall be liable to the Town for that portion of the taxes abated in the ten (10) years immediately preceding the termination of the Dairy Farm use. In no case shall the property owner be liable for recapture of abated taxes for more than a ten (10) year period. At the time of termination as a dairy farm, the Assessor will recapture the abated taxes for the ten (10) years immediately preceding termination of Dairy Farm use as follows:

Schedule of Recapture of Abatement Amounts

For the 10th year preceding termination; 10% recapture of abated taxes

For the 9th year preceding termination; 20% recapture of abated taxes

For the 8th year preceding termination; 30% recapture of abated taxes

For the 7th year preceding termination; 40% recapture of abated taxes

For the 6th year preceding termination; 50% recapture of abated taxes
For the 5th year preceding termination; 60% recapture of abated taxes
For the 4th year preceding termination; 70% recapture of abated taxes
For the 3rd year preceding termination; 80% recapture of abated taxes
For the 2nd year preceding termination; 90% recapture of abated taxes
For the 1st year preceding termination; 100% recapture of abated taxes

(Example: Assuming that a property owner whose property taxes were \$2000 per year applies and qualifies for abatement for the fiscal year beginning July 1, 1993. In 1993, owner's taxes would be abated by 50% for a total tax due of \$1000 per year. If the property owner continues the dairy farm use until 2008 and then sells the property after July 1, the taxes would be recaptured as follows: For the year 2008, 100% of the abatement would be recaptured (100% of \$1000 = \$1000); for the year 2007, 90% of the abatement would be recaptured (90% of \$1000 = \$900); for the year 2006, 80% of the abatement would be recaptured (80% of \$1000 = \$800); for the year 2005, 70% of the abatement would be recaptured (70% of \$1000 = \$700); for the year 2004, 60% of the abatement would be recaptured (60% of \$1000 = \$600); for the year 2003, 50% of the abatement would be recaptured (50% of \$1000 = \$500); for the year 2002, 40% of the abatement would be recaptured (40% of \$1000 = \$400); for the year 2001, 30% of the abatement would be recaptured (30% of \$1000 = \$300); for the year 2000, 20% of the abatement would be recaptured (20% of \$1000 = \$200); and for the year 1999, 10% of the abatement would be recaptured (10% of \$1000 = \$100). This would make a total recapture amount due to the Town of \$5,500 upon sale or termination of dairy farming.)

Section 12: Payments Due Upon Recording; Lien

Payment of taxes abated and owed to the Town pursuant to Section 11 shall be due and payable by the record property owner/grantor to the Town at the

time of recording of a deed of transfer. The revenue received by the Town hereunder shall become part of the general revenues of the Town. In the event of any unpaid balance of recapture of taxes abated at the time of termination of Dairy Farm use, the Tax Collector shall cause a certificate of lien to be filed on the land records in the office of the Town Clerk within 30 days of said termination of Dairy Farm use.

Section 13: Refund of Recaptured Taxes

Should the transferee of a Dairy Farm file an application required by Section 1 hereunder and qualify to substantially the same extent as a Dairy Farm as the transferor, that is, Dairy Farm components must comprise at least 90% of those found by the Assessor pursuant to Section 5. Then in that event the transferor will receive a refund of the tax abatement payment made at the time of recording of the transfer instrument. To qualify for such refund, the transferee must apply for the Dairy Farm status within 30 days after the transfer of the Dairy Farm, and upon subsequent approval of the Assessor in accordance with this ordinance transferor will receive a refund of the recaptured amount.

Tax Bills and Excess Payments

Adopted by the Board of Selectmen at a regular meeting on March 20, 2001

Published in the Journal Inquirer on March 23, 2001

Effective date: April 7, 2001

TAX BILLS AND EXCESS PAYMENTS

SECTION 1: Tax payments made to the Town of Bolton in excess of the amount due, whether for principal, legal interest, penalty, or fees, shall be retained by the Tax Collector where the amount of the excess payment is less than Five Dollars (\$5.00). Where the amount of excess payment is Five Dollars (\$5.00) or more, the procedure for refunds outlined in Section 12-129 of the Connecticut General Statutes, as amended, shall be followed.

SECTION 2: Any property tax due to the Town of Bolton in an amount less than Five Dollars (\$5.00) shall be waived in accordance with Section 12-144c of the Connecticut General Statutes.

Tax Deferral Program for the Elderly

Adopted: By Board of Selectmen, December 19, 2017

Published: Hartford Courant, January 12, 2018

Effective Date: February 11, 2018

A. The Town of Bolton hereby enacts a tax stabilization for the elderly pursuant to the Connecticut General Statutes for eligible residents of the Town of Bolton with the terms and conditions provided herein. Any person who owns real property in the Town of Bolton and is liable for the payment of real property taxes to the Town of Bolton shall be entitled to tax stabilization on the annual taxes for such real property for the following fiscal year, provided that all of the following conditions are complied with:

1) Such person is 70 years of age or over by December 31 of the preceding year, and if married, his or her spouse is 65 years of age or over by December 31 of the preceding year and resides with said person, or said person is 65 years of age or over by December 31 of the preceding year and is the surviving spouse of a taxpayer who qualified for tax stabilization under this section at the time of his or her death.

2) Such person, if married, has a gross income level not in excess of \$75,000 per year or if single, has an income level not in excess of \$50,000 per year. Gross income shall include federal adjusted gross income or the equivalent. Gross income also includes, but is not limited to, wages, lottery winnings, taxable pensions, IRAs, interest, dividends and net rental income. Gross income shall also include interest from tax-exempt government bonds, social security or railroad retirement income, with the addition of Medicare premiums and other sources of income, including but not limited to federal supplemental security income, State of Connecticut public assistance payments, general assistance, veterans' pensions, veterans' disability payments and all other sources of income not listed.

3) Such person has owned and occupied the residence in the Town of Bolton for a period of two years and paid real estate taxes on the residence located in Bolton for a period of two years prior to his or her application for tax stabilization and does not owe delinquent taxes to the Town of Bolton. This is

the primary residence which is defined as having used the residence for at least 183 days of each calendar year.

4) The property for which the exemption is claimed is the house, house lot and any auxiliary buildings located on the lot which is the legal domicile of such person. .

B. Filing. The application in a form to be approved by the Tax Assessor must be filed with the Assessor between February 1 and May 15 for tax stabilization for the next fiscal year.

C. Applicability. The tax stabilization on real property as provided herein shall apply only to the residence itself, the lot on which the residence is located and improvements on said lot.

D. Deferred amount. The deferred amount, that being the amount of taxes paid versus the amount of taxes that would have been owed, shall be due to the Town of Bolton upon termination from the program. Said amount, with interest, shall be a lien against the property having a priority as an ordinary tax lien. The filing fee shall be waived. The Town of Bolton shall be the primary lien holder.

E. Interest. Interest at a rate of 2% will be charged as simple interest (not compounded) on a total deferred amount of tax due each year and shall be paid to the Town upon the applicant's termination from the program.

F. Termination. If any person entitled to the tax stabilization pursuant to this section dies, sells, or transfers title to the real property on which the tax stabilization is granted, no additional tax stabilization shall be allowed for his or her interest in the property. All stabilization benefits including accrued interests shall be reimbursed to the Town of Bolton upon the death of the recipient or transfer of the real estate.

G. Periodic review. Beginning on November 15, 2019, and every November 15 thereafter, the Administrative Officer and the Finance Director shall prepare a financial impact report pursuant to this section for the Board of Selectmen's review. Beginning December 15, 2019 and annually thereafter, the Board of Selectmen shall review and approve by resolution applicable income levels.

H. The amount stabilized shall be determined by the taxes on the grand list preceding the application period and remain in effect and unchanged until termination of this section occurs or the following:

In the event that under a revaluation, and by applying the current mill rate, the tax owed on a property under this section is less than the stabilized figure granted under this section, then the Assessor shall reset the stabilized tax at the lower figure.

I. The invalidity of any word, clause, section or provision of this section shall not affect the validity of any other part which can be given effect without such invalid part or parts.

Tax Deferral Program for the Elderly

A. The Town of Bolton hereby enacts a tax stabilization for the elderly pursuant to the Connecticut General Statutes for eligible residents of the Town of Bolton with the terms and conditions provided herein. Any person who owns real property in the Town of Bolton and is liable for the payment of real property taxes to the Town of Bolton shall be entitled to tax stabilization on the annual taxes for such real property for the following fiscal year, provided that all of the following conditions are complied with:

1) Such person is 70 years of age or over by December 31 of the preceding year, and if married, his or her spouse is 65 years of age or over by December 31 of the preceding year and resides with said person, or said person is 65 years of age or over by December 31 of the preceding year and is the surviving spouse of a taxpayer who qualified for tax stabilization under this section at the time of his or her death.

2) Such person, if married, has a gross income level not in excess of \$75,000 per year or if single, has an income level not in excess of \$50,000 per year. Gross income shall include federal adjusted gross income or the equivalent. Gross income also includes, but is not limited to, wages, lottery winnings, taxable pensions, IRAs, interest, dividends and net rental income. Gross income shall also include interest from tax-exempt government bonds,

social security or railroad retirement income, with the addition of Medicare premiums and other sources of income, including but not limited to federal supplemental security income, State of Connecticut public assistance payments, general assistance, veterans' pensions, veterans' disability payments and all other sources of income not listed.

3) Such person has owned and occupied the residence in the Town of Bolton for a period of two years and paid real estate taxes on the residence located in Bolton for a period of two years prior to his or her application for tax stabilization and does not owe delinquent taxes to the Town of Bolton. This is the primary residence which is defined as having used the residence for at least 183 days of each calendar year.

4) The property for which the exemption is claimed is the house, house lot and any auxiliary buildings located on the lot which is the legal domicile of such person.

B. Filing. The application in a form to be approved by the Tax Assessor must be filed with the Assessor between February 1 and May 15 for tax stabilization for the next fiscal year.

C. Applicability. The tax stabilization on real property as provided herein shall apply only to the residence itself, the lot on which the residence is located and improvements on said lot.

D. Deferred amount. The deferred amount, that being the amount of taxes paid versus the amount of taxes that would have been owed, shall be due to the Town of Bolton upon termination from the program. Said amount, with interest, shall be a lien against the property having a priority as an ordinary tax lien. The filing fee shall be waived. The Town of Bolton shall be the primary lien holder.

E. Interest. Interest at a rate of 2% will be charged as simple interest (not compounded) on a total deferred amount of tax due each year and shall be paid to the Town upon the applicant's termination from the program.

F. Termination. If any person entitled to the tax stabilization pursuant to this section dies, sells, or transfers title to the real property on which the tax stabilization is granted, no additional tax stabilization shall be allowed for his or her interest in the property. All stabilization benefits including accrued interests shall be reimbursed to the Town of Bolton upon the death of the recipient or transfer of the real estate.

G. Periodic review. Beginning on November 15, 2019, and every November 15 thereafter, the Administrative Officer and the Finance Director shall prepare a financial impact report pursuant to this section for the Board of Selectmen's review. Beginning December 15, 2019 and annually thereafter, the Board of Selectmen shall review and approve by resolution applicable income levels.

H. The amount stabilized shall be determined by the taxes on the grand list preceding the application period and remain in effect and unchanged until termination of this section occurs or the following:

In the event that under a revaluation, and by applying the current mill rate, the tax owed on a property under this section is less than the stabilized figure granted under this section, then the Assessor shall reset the stabilized tax at the lower figure.

I. The invalidity of any word, clause, section or provision of this section shall not affect the validity of any other part which can be given effect without such invalid part or parts.

Tax Exemption Granted

ORDINANCE GRANTING TAX EXEMPTION

PURSUANT TO CGS SEC. 12-81 OF THE GENERAL STATUTES

TO THE HANS CHRISTIAN ANDERSEN MONTESSORI SCHOOL

Adopted: June 22, 1992 by the Board of Selectmen

Published: June 27, 1992 (Journal Inquirer)

Effective Date: July 12, 1992

Pursuant to the authority granted in the Selectmen by Sec. 12-81 and Sec. 12-81b of the Connecticut General Statutes and the Bolton Town Charter, the Hans Christian Andersen Montessori School, Inc. owner of property located on 212 Bolton Center Road in the Town of Bolton, and qualifying as a corporation, organized exclusively for educational purposes under CGS Sec. 12-81(7) of the Connecticut General Statutes, shall be granted an exemption from real property and personal property taxes, provided it submits the qualifying documentation to the Town Assessor for taxes it has paid on the Grand List of October 1, 1991.

Tax Exemption

Accepted: By Board of Selectmen, May 18, 1999

Published: Manchester Extra, May 27, 1999

Effective Date: June 11, 1999

TAX EXEMPTION: AMBULANCE TYPE MOTOR VEHICLES

Pursuant to Section 12-81c. of the Connecticut General Statutes, an exemption from personal property taxation is created for an ambulance type motor vehicle which is used exclusively for the purpose of transporting medically incapacitated individuals or for a specially rigged, privately owned vehicle operated by a handicapped individual. Excluded from this exemption are any vehicles used to transport individuals for payment. Taxpayers seeking such exemption must provide proof to the town assessor that the vehicle is modified for use by a handicapped individual or for the transport of a handicapped individual. In addition, the town assessor may require medical documentation verifying that the modifications to the vehicle are directly related to the medical incapacity of the individual. Such exemptions shall expire upon transfer in ownership of the vehicle.

Tax Lists

TAX LISTS: When Filing of Not Required

Adopted: July 29, 1963

Be it enacted that the Town adopt all of the provisions of Section 12-41 of the General Statutes of Connecticut, Revision of 1958 entitled: "When Filing of Tax Lists Not Required."

Tax Reimbursement

TAX REIMBURSEMENT: Tax Exempt Land Trusts

Adopted by the Board of Selectmen at a regular meeting on September 5, 2000

Published in the Manchester Extra on September 14, 2000

Effective Date: September 29, 2000

Section 1. The tax exemption authorized by subsection (7) of section 12-81 of the Connecticut General Statutes shall be effective, pursuant to section 12-81b. of the General Statutes, as of the date of acquisitions of property by any land trust previously determined to be tax exempt by the Assessor's Office pursuant to said section 12-81 and section 12-89, for property on the Grand List of the Town of Bolton to which the exemption applies.

Section 2. Any tax paid by any prior owner of tax-exempt property for a period of time subsequent to the date of purchase of such property by a tax-exempt organization, and for which period of time such tax-exempt organization, reimbursed said prior owners for a portion of said tax at the time of purchase, shall be refunded to the tax-exempt organization upon proper application. To receive such a refund, the tax-exempt organization shall file an application within thirty (30) days from the date of purchase of the said property with the Tax Collector. Such application shall include but not be limited to the amount of refund requested, the date of purchase of property by the tax-exempt organization and a signed copy of the adjustment sheet concerning said purchase, or other pertinent information verifying the amount to be refunded and the method of computation of said sum. The period for which reimbursement is claimed shall be determined in accordance with adjustments made on the basis of a fiscal year of July 1 to June 30.

Section 3. If any tax becomes due on any tax-exempt property subsequent to the date when such tax-exempt property was purchased, such tax-exempt organization may, within thirty (30) days of such purchase, file an application to abate taxes to become due on such property for the following fiscal year. Said application shall be filed with the Assessor and Tax Collector as set forth in sections 12-81(7)(b), 12-87 and 12-89 of the General Statutes and as provided in Section 2 above.

Section 4. This ordinance shall apply to the Grand List of the Town of Bolton of October 1, 2000 and subsequent years, and any tax-exempt organization which purchased property on this Grand List may, within thirty (30) days of the effective date of this ordinance, file for a reimbursement or abatement of taxes as provided in Sections 2 and 3 hereinabove.

Section 5. The Tax Assessor of the Town of Bolton shall determine the tax exempt status of an entity or its property as provided by the General Statutes. Once the entity and the property have been determined to be tax exempt, the Tax Collector shall examine all applications as referred to in this ordinance, certify the amount of refund or abatement to which the applicant is entitled under the provisions of this ordinance; and refer all such applications with recommendations to the Board of Selectmen for its consideration consistent with the provisions of this ordinance.

Tax Relief Program, Municipal Property, Optional

TAX RELIEF PROGRAM, MUNICIPAL PROPERTY, OPTIONAL

Adopted: By the Board of Selectmen February 22, 1994

Published: Manchester Extra, March 3, 1994

Effective Date: March 18, 1994

Pursuant to Section 12-129n of the Connecticut General Statutes, which may be amended from time to time, the Town of Bolton, through its Board of Selectmen, does hereby establish an optional program for municipal tax relief.

Section I – Eligibility Requirements

All participants must qualify under the provisions necessary to receive state tax relief under C.G.S. Sec. 12-129b to 12-129d; 12-129h; 12-129i or 12-170aa to 12-170cc. Participants must own real property in the Town of Bolton and that property must be their principal and only residence. Deeded Life Use shall be treated in the same manner as under the applicable State program.

The eligible property tax shall be for the owner-occupied residence, building lot, and qualified outbuildings. This program shall not provide assistance for industrial/commercial properties nor the portion of properties considered excess acreage parcels that may qualify for other State or local tax relief programs.

Qualifying income levels for participants will be set at the same levels as for the applicable State programs and adjusted annually in the same manner as the applicable State programs.

Section II – Benefits

Eligible applicants will be granted a reduction in their tax liability calculated by multiplying a local factor, to be set annually by the Board of Selectmen, by the State program benefit. In no case will the reduction in the applicant's tax liability, as calculated by adding together the relief from all State and local programs, exceed 75% of their total tax liability for that year. For the first year of the program, based on the October 1, 1993 Grand List, the local multiplier will be (1).

Section III – Administration

This program shall be administered in the form and manner prescribed by the Assessor for the Town of Bolton.

Town Seal

TOWN SEAL: Adoption

Adopted: February 1, 1970

The Town of Bolton hereby adopts and provides itself with the Seal herein after set forth and described, which Seal shall be the Seal of the Town of Bolton and shall contain the name of the Town and of the State and shall have the word “seal” inscribed thereon.

Any prior Town Seal heretofore adopted and provided by the Town of Bolton is hereby repealed and the Seal hereinafter set forth shall be the official Seal of the Town of Bolton, commencing on the first day of February, 1970.

The Seal is described as follows: The design being the prize winning Commemorative Coin for the 250th Anniversary – the side designed for the Seal. The outer rim gives the date of incorporation. The top of the inner circle “shows the Hartford Mountains” (as the town was first known) and the rising sun with water at its base depicting our lakes. On one side of a scroll stands Joshua, son of Uncas, as he bequeaths the lands of Bolton to the early settlers on the other side of the scroll. Within the scroll are symbols for farming (plow), industry (water wheel), beauty (fruit branch), service to country (rifle and sword) and an acorn symbolizing growth and solidarity.

Vendors, Public

VENDORS, PUBLIC: Licensing of

Adopted: October 15, 1969

Amended: September 19, 1989

Section 1. SELLING OF GOODS TO BE LICENSED

Except as hereinafter specified, no person shall, within the town of Bolton, peddle or sell upon the streets, sidewalks, public places or from house to house, or a public or private sale, any goods, wares or merchandise, without first having been duly licensed to do so by license issued to him by the First Selectman of said Town upon paying to said officer for said town license fees prescribed herein.

Section 2. APPLICATION TO BE MADE TO FIRST SELECTMAN

Every such peddler, before engaging in such business, shall make application therefore in writing to the First Selectman of said Town of Bolton on blank forms to be supplied by such officer. Said First Selectman shall have the power to refuse or revoke said permit for cause.

Section 3. LICENSE FEES

The license fee shall be that fee or schedule of fees prescribed by the Board of Selectmen by resolution duly adopted by said Board.

Section 4. EXPIERATION OF LICENSES

Each license herein provided for shall expire one year from date of issue.

Section 5. EXEMPTIONS FROM LICENSING REQUIREMENTS

This ordinance shall not apply to residents of the Town having public or private sales on their own premises; persons selling only to stores, institutions, business, industrial, commercial establishments and Town Agencies; local charities, political, religious and government organizations and their representatives, including public service organizations engaged in soliciting for charitable projects; persons canvassing, soliciting or selling exclusively by telephone, persons delivering food, groceries, fuel oil, milk and/or other goods or supplies which have been ordered or contracted for; person selling newspapers, or the marketing of farm products by the farms of Connecticut raised or produced by them on and from their farms; or the wholesalers selling and delivering their goods to the merchants of the Town; and the persons exempt by the statutes and laws of the State of Connecticut.

VENDORS, PUBLIC: Amendment to Ordinance Adopted October 15, 1969

Adopted: May 14, 1973

Published: May 18, 1973

Effective Date: June 2, 1973

1. The ordinance requiring the licensing of public vendors, adopted October 20, 1969, be and is hereby amended by adding the following provisions:

“Section 6. PENALTY. Any person required to obtain a license hereunder who sells or exposes for sale goods, wares or merchandise at a public or private sale or who engages in peddling or selling goods, wares or merchandise upon the streets, sidewalks, public places or from house to house without obtaining, in advance, said license shall be fined not more than fifty (\$50.00) dollars for each offense. Each day that such violation continues shall constitute a separate offense.

Veterans/Surviving Spouses

VETERANS OR SURVIVING SPOUSES, Additional Property Tax Exemption

Notice is hereby given that the following ORDINANCE was ADOPTED unanimously by the Board of Selectmen of the Town of Bolton at a Regular Board meeting held on Tuesday, September 3, 1985.

RESOLVED that the Town of Bolton adopt the following ordinance:

Any veteran or any veteran's surviving spouse who is entitled to an exemption from property tax in accordance with Section 12-81 (19) or Section 12-81 (22), respectively, of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property up to the amount of one thousand dollars, provided the income of such veteran or veteran's surviving spouse does not exceed the levels specified in Section 12-81 f (1) and Section 12-81 f (b), respectively, of the Connecticut General Statutes.

Any veteran or veteran's surviving spouse submitting a claim for such additional exemption shall file with the Assessor not later than the assessment date for which such additional exemption is claimed (1) an application on a form prescribed by the Assessor, and (2) a copy of such veteran's or spouse's federal income tax return, or in the event such a return is not filed such evidence related to income as maybe prescribed by the Assessor, for the tax year of such veteran or spouse ending immediately prior to the assessment date for which such exemption is claimed.

THE EFFECTIVE DATE OF THIS ORDINANCE SHALL BE FIFTEEN (15) DAYS AFTER THIS PUBLICATION.

Said notice is given in accordance with the provisions of Chapter 5.2 (E) and (F) of the Revised Charter of the Town of Bolton.

Dated at Bolton, Connecticut, this 5th day of September, 1985.

ATTEST: Catherine K. Leiner, Town Clerk of Bolton

Published on Page 18 of the MANCHESTER HERALD on Saturday, September 7th, 1985.

EFFECTIVE DATE: September 22, 1985