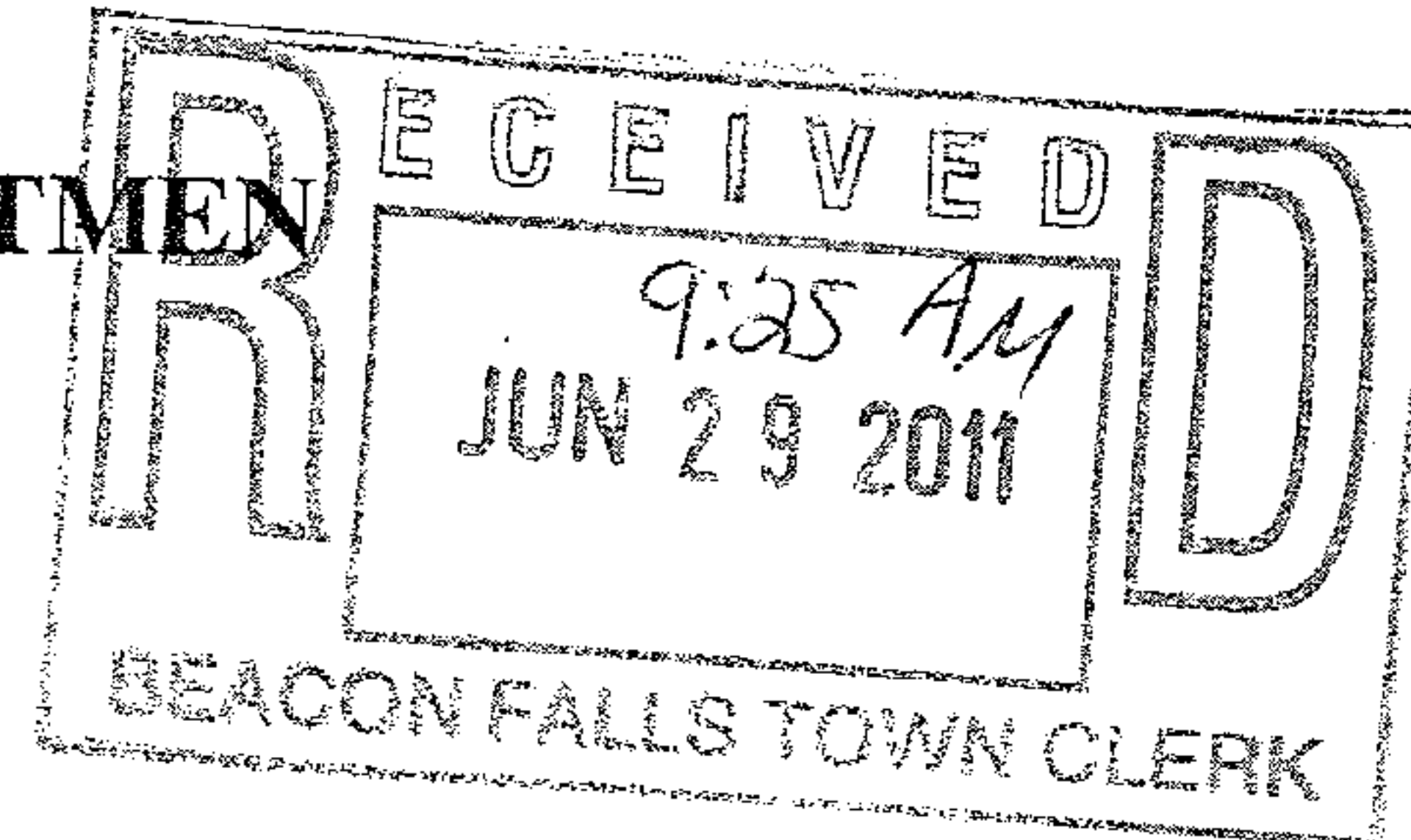


Town of BEACON FALLS
Connecticut

MK

BOARD OF SELECTMEN



June 27, 2011

Please publish the following Legal Notice one (1) time on Wednesday, June 29, 2011.

**LEGAL NOTICE
TOWN OF BEACON FALLS – BOARD OF SELECTMEN
PUBLIC HEARING
WEDNESDAY, JULY 6, 2011**

The Town of Beacon Falls Board of Selectmen will hold a Public Hearing on Wednesday, July 6, 2011 beginning at 6:30 P.M. at the Town Hall Assembly Room, 10 Maple Avenue, Beacon Falls to hear and discuss the following :Ordinances:

1. Ordinance Establishing Training and Hourly Requirements for Elected Members of the Board of Assessors. (Eliminate Entire Ordinance)
2. Ordinance Concerning Local Option Tax Relief for Elderly and Disabled Residents. (Revision)
3. Ordinance Concerning Local Option Tax Relief for Volunteer Firefighters, Emergency Medical Technicians, Paramedics or Ambulance Drivers. (Revision)

Copies of the Proposed Ordinance revisions are available for inspection in the Office of the Town Clerk, Town Hall, 10 Maple Avenue, Beacon Falls, CT.

Dated at Beacon Falls, CT this 27th day of June 2011.

Susan A. Cable, First Selectman

Dominick S. Sorrentino, Selectman

Michael A. Krenesky, Selectman

**WATERBURY REPUBLICAN. PLEASE FURNISH US WITH COPY OF TEAR SHEET
CERTIFYING DATE OF PUBLICATION**

**ORDINANCE ESTABLISHING TRAINING AND HOURLY REQUIREMENTS
FOR
ELECTED MEMBERS OF THE BOARD OF ASSESSORS
(Revision)**

All members elected or appointed (to fill an unexpired term) to the Board of Assessors, shall attend a minimum of eight (8) hours of instruction and training for said position to be administered by a Certified Connecticut Municipal Assessor at no cost to the new member.

These sessions will be scheduled immediately following the Election and/or appointment of said individual and must be completed within a reasonable time thereafter. Instructions shall include responsibilities of **being a member of the Board of Assessors.**

Training shall include but not necessarily be limited to working familiarity with State Statutes and Reports, Methods of Valuation of Real Estate, Motor Vehicles, and Personal Property, Exemptions, Tax Relief, Prorated Construction, Measuring of Property, Mapping, Sales Ratios, Certificates of Correction, and Transfers.

A Chairperson shall be elected from among its members every two (2) years.

This Ordinance passed at a duly scheduled Town Meeting held February 18, 1997.

A summary of the foregoing Ordinance was published April 3, 1997 in the Connecticut Post and the Waterbury Republican, both papers having a substantial circulation in the Town of Beacon Falls.

The effective date of this Ordinance is April 18, 1997.

Public Hearing Held on August 9, 2007

Town Meeting Held on September 6, 2007

Effective Date of Ordinance: September 29, 2007

REVISION TO THE ORDINANCE – Eliminate the six (6) hours of mandated hours of work per month.

Public Hearing Held on November 24, 2008

Town Meeting Held on December 15, 2008

Ordinance Published in Republican American on December 22, 2008

Effective Date of Revised Ordinance: January 7, 2009

JUN 29 2011

**ORDINANCE ESTABLISHING TRAINING AND HOURLY REQUIREMENTS
FOR
ELECTED MEMBERS OF THE BOARD OF ASSESSORS
(Revision June 2011)**

Elimination of Ordinance:

This Ordinance shall be null and void. _____

Public Hearing Held on: _____

Town Meeting Held on: _____

Legal Notice Published on: _____

HISTORY:

The effective date of this Ordinance is April 18, 1997.

Public Hearing Held on August 9, 2007

Town Meeting Held on September 6, 2007

Effective Date of Ordinance: September 29, 2007

REVISION TO THE ORDINANCE – Eliminate the six (6) hours of mandated hours of work per month.

Public Hearing Held on November 24, 2008

Town Meeting Held on December 15, 2008

Ordinance Published in Republican American on December 22, 2008

Effective Date of Revised Ordinance: January 7, 2009

Elimination of Ordinance

Public Hearing held on: July 6, 2011

Town Meeting held on:

Ordinance Published in Republican on:

Effective Date of Elimination of Ordinance:

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**AN ORDINANCE CONCERNING LOCAL OPTION TAX RELIEF
FOR ELDERLY AND DISABLED HOMEOWNERS**

(Revision – June 2011)

WHEREAS, Connecticut General Statutes Section 12-129n provides that a municipality may provide property tax relief with respect to real property owned and occupied by elderly or disabled residents as more fully set forth in said statute; and

WHEREAS, the Board of Finance has recommended to the Board of Selectmen that certain property tax relief be afforded to elderly or disabled residents; and

WHEREAS, the Board of Selectmen desires to provide tax relief to the elderly and disabled in accordance with Section 12-129n of the Connecticut General Statutes.

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

Section 1. Elderly and disabled residents of the Town of Beacon Falls may apply, to the Office of the Assessor, for real property tax credit with respect to real property owned and occupied by said resident provided they meet the eligibility criteria set forth in this ordinance.

Section 2. For the purpose of this ordinance, qualified applicant is a person who is sixty-five (65) years of age or older, or whose spouse, living with that person, is sixty-five (65) years of age or older or sixty (60) years of age or older, and is a surviving spouse of a taxpayer qualified in the Town of Beacon Falls at the time of his death with respect to real property which taxpayer and/or spouse are liable for taxes under Section 12-48 of the Connecticut General Statutes or under age sixty-five (65) and eligible in accordance with applicable Federal regulations to receive permanent total disability benefits under Social Security or have been engaged in employment covered by Social Security and accordingly have not qualified for benefits there under, but have become qualified for permanent total disability benefits under any Federal, State or local government retirement or disability plans, including the Railroad Retirement Act and any government related Teacher's Retirement Plan, which requirements with respect to qualifications for such permanent total disability are comparable to such requirements under Social Security and meet the requirements which may be established by the Town with respect to maximum income allowable during the calendar year preceding the year in which an application is made and comply with all other provisions of the ordinance for tax relief. A qualified applicant must have reached the set forth above, by December 31st of the year preceding that for which an application is made.

Section 3. For the purpose of this ordinance, resident status shall be defined as follows: The applicant must have been a Town of Beacon Falls resident taxpayer, whose Beacon Falls residence was such taxpayer's principal residence for at least one (1) year immediately preceding his/her receipt of benefits. Residents may apply for tax relief pursuant to the terms of this ordinance provided that the property for which tax relief is sought must be (a) the applicant's principal residence at the time of such application; (b) located in Beacon Falls; and (c) owned by the applicant. Eligibility for benefits there under shall be upon applicant's proof of ownership and resident status. Any and all municipal taxes

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(Revision – June 2011)

must be paid in full prior to any tax relief given. In order to be considered a principal residence, the applicant must spend a minimum of one hundred eighty four (184) days per year in residence on the subject property.

To qualify for the local option tax relief for the elderly and disabled homeowners, the income limit for singles shall be \$50,000 and **\$55,000** for two (2) persons.

Section 3a. Taxpayers who previously qualified under the one (1) year residency requirements are hereby grandfathered, under this ordinance.

Section 4. Benefits hereunder shall be prorated by the Office of the Assessor in the event of the sale or other transfer of the affected real estate or the death of the applicant and surviving spouse, if applicable. All qualified applicants shall notify the Assessor in the event of the sale or other transfer of the affected real estate or the death of the owner or successor owner, if applicable.

Section 5. Residents shall be qualified for the town program if they meet all requirements as contained within Section 12-170aa or Section 12-129b under these sections of the General Statutes. Applications may be submitted between February 1st and May 15th. Approved applicants shall be required to certify continuing eligibility at least every two (2) years, but in the event any provision of this ordinance is amended, all those receiving benefits under this ordinance at the time of said amendment shall be required to reapply. Failure to file an application under Section 12-170aa by May 15th, the statutory deadline, will constitute a waiver of right to claim local real property tax relief, except as otherwise provided by this section.

Section 6. Maximum income eligibility limits are as set forth from time to time for the owners' program by Connecticut General Statutes Section 12-170aa and regulations promulgated there under. Qualifying income is defined as adjusted gross income and tax-exempt interest plus and other income not included in such adjusted gross income. This definition includes taxable income not reported for federal Income Tax purposes as well as nontaxable income.

Section 7. Applicants who meet the eligibility requirements shall be provided with a flat grant of an amount not to exceed five hundred dollars (\$500.00) per applicant per tax year, which may be changed annually by the Board of Selectmen, but calculation of benefits conferred hereunder shall be exclusively based on the amount of local tax relief that the applicant received so that in no event shall total available benefits exceed seventy-five (75%) percent of the real property taxes assessed against the applicant with partial benefits available to those persons who so qualify. Only one (1) grant per applicant's household will be allowed.

The total of all tax credits granted by the Town of Beacon shall not exceed .05 percent of the prior year's total real estate tax assessed in the Town of Beacon Falls.

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FOR ELDERLY AND DISABLED HOMEOWNERS**

(Revision – June 2011)

Section 8. Tax relief provided for in this ordinance shall be limited to resident owners of single-family residences and resident owner occupied structures containing four (4) or fewer multiple family dwelling units. Tax relief provided pursuant to this ordinance shall be pro-rated to the applicant's share of ownership or if such property is a multiple family dwelling, such relief shall be pro-rated to reflect the fractional portion of such property occupied by the taxpayer.

Section 9. Tax relief granted pursuant to this ordinance shall not disqualify eligible taxpayers from any other benefits to which they may be entitled as provided by law.

Section 10. This ordinance shall be governed, amended and implemented in accordance with Section 12-129n of the Connecticut General Statutes.

This ordinance becomes effective fifteen (15) days after publication in the most widely circulated newspaper in the Town of Beacon Falls.

Public Hearing held on January 30, 2006

Town Meeting held on February 21, 2006

Effective Date of Ordinance March 16, 2006

Revision to Ordinance:

Public Hearing Held on: November 24, 2008

Town Meeting Held on: December 15, 2008

Notice Published in Republican American: December 22, 2008

Effective Date of Revised Ordinance: January 7, 2009.

Revision to Ordinance – June 2011

Public Hearing Held on: July 6, 2011

Town Meeting Held on: _____

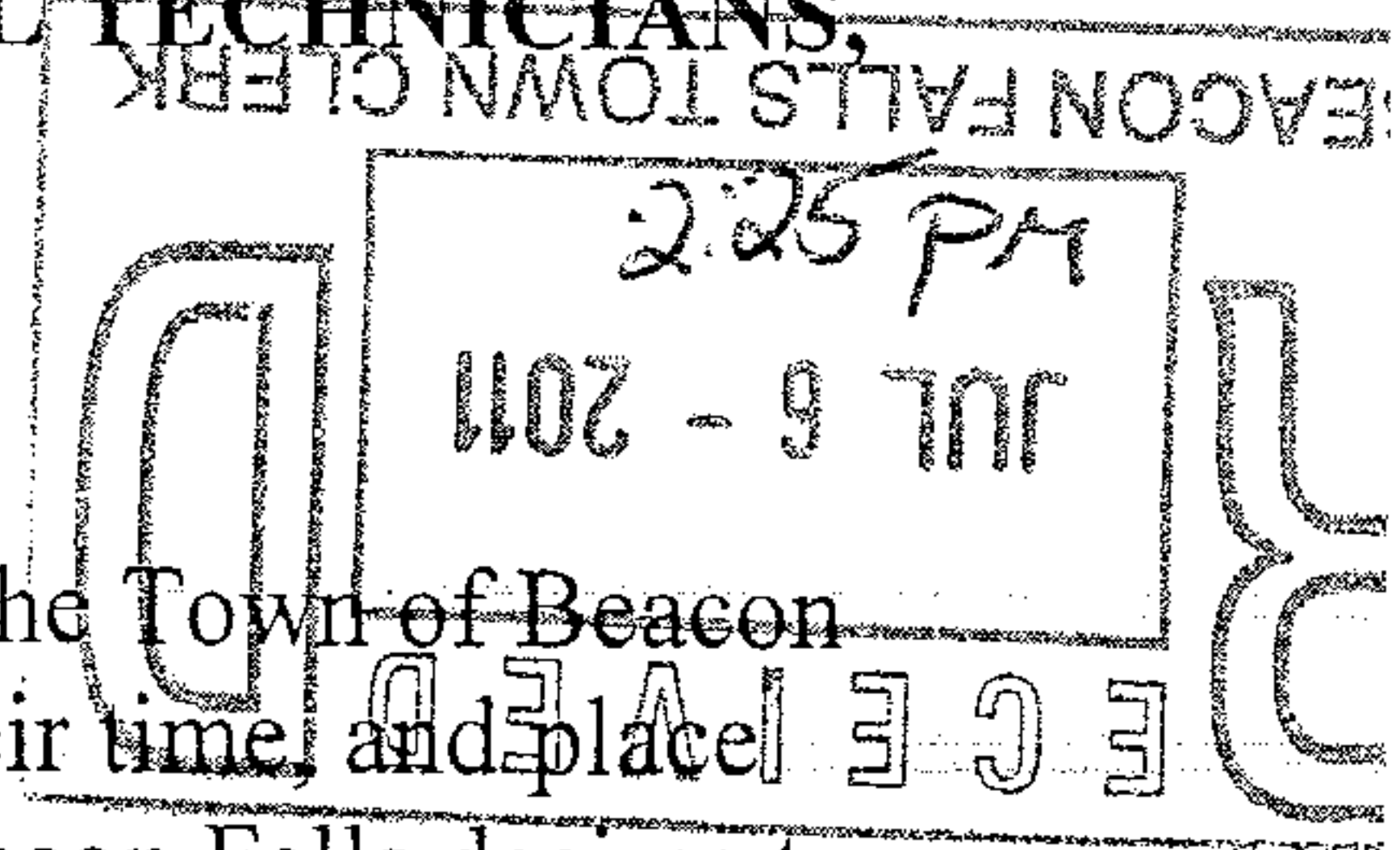
Notice Published in Republican American: _____

Effective Date of Revised Ordinance: _____

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**AN ORDINANCE CONCERNING LOCAL OPTION TAX RELIEF
FOR VOLUNTEER FIREFIGHTERS, EMERGENCY MEDICAL TECHNICIANS,
PARAMEDICS OR AMBULANCE DRIVERS**

(Revision June 2011)



1. **PURPOSE:** In recognition of the valuable service provided to the Town of Beacon Falls and sacrifices made by those individuals who volunteer their time and place themselves at risk to assist their fellow citizens, the Town of Beacon Falls desires to implement a program of Property Tax Relief for individuals who volunteer their services as a firefighter, emergency medical technician, paramedic or ambulance driver in conformity with **Connecticut General Statutes Section 12-81w.**

2. **DEFINITIONS:**

- A. **Qualifying Organization:** A Volunteer Fire Department serving the Town of Beacon Falls and/or a Volunteer Ambulance Corp serving the Town of Beacon Falls. The Board of Selectmen shall determine by a simple majority if a particular volunteer fire fighting or ambulance association shall be a qualifying organization.
- B. **Member in Good Standing:** For the purpose of this ordinance, to be considered a member in good standing an individual must regularly make him or herself available to serve as a volunteer in the qualifying organization and maintain required levels of training. Such standards shall include all state and federally mandated training. Each year, by August 31st, the Chief Executive Officer of each qualifying organization shall review such training and attendance criteria and may make and changes required for the following 12 months. Such criteria shall be available in writing to any member of the organization or any member of the public desiring to review them.

A volunteer member must participate in a minimum of twenty-five (25%) of Department activities, from October 1 of the preceding year, in order to be eligible for the next succeeding October 1 Grand List. The Chief Executive Officer of the organization will be responsible for tracking volunteer hours. The Chief Executive Officer of the organization must provide a list of eligible members, **to the Service Award Committee for its review before it is submitted** to the Office of the Assessor, on or before October 1 to be considered for property tax relief.

3. **ELIGIBILITY:** Individuals who serve in a qualifying organization and maintain their status, as a member in good standing shall be eligible for a Property Tax Relief as set forth in this ordinance.

Any individual serving as the local director of Civil Preparedness without salary shall qualify for relief as set forth in this ordinance.

4. **AMOUNT OF ABATEMENT (flat grant)**

- **Any volunteer with less than three years of service is not eligible.**

**AN ORDINANCE CONCERNING LOCAL OPTION TAX RELIEF
FOR VOLUNTEER FIREFIGHTERS, EMERGENCY MEDICAL TECHNICIANS,
PARAMEDICS OR AMBULANCE DRIVERS**
(Revision June 2011)

FLAT GRANT

3 years completed service	\$300.00
4 years completed service	\$400.00
5 years completed service	\$500.00
6 years completed service	\$600.00
7 years completed service	\$700.00
8 years completed service	\$800.00
9 years completed service	\$900.00
10 years completed service and maximum benefit	\$1,000.00

5. **PROCEDURE FOR DETERMINING CREDIT:** The Chief Executive Officer of each qualifying organization shall provide to the Assessor, by October 1, each year, a list of members in good standing in their organizations. Such list shall include the members full name, address and the number of years the individual has served with the organization for the 12 months prior to October 1, and dates that individuals who served less than the full 12 months began and ended service.

Individual members of a qualifying organization requesting exemption or relief shall notify the Assessor of Beacon Falls of their name, address, the name of the organization of which they are a member, and the item of real or personal property to which they wish to have their exemption or tax relief applied. Such request must be received by the Assessor, in writing, on or before October 1, to be applied towards the Grand List.

- A. **Appeals:** Any member of a qualifying organization who feels that they have been unjustly deprived of a tax relief may file a written request with the Board of Selectmen requesting a review of their status. The Board of Selectmen shall hold a public hearing on such request at which time the aggrieved party shall be offered an opportunity to present written and oral testimony and other evidence. The Board of Selectmen shall determine by simple majority if such person shall qualify for a tax relief. Such appeals shall be limited to situations where the Chief Executive Officer of a qualifying organization refuses to certify that an individual is a member in good standing. The Board of Selectmen may, on their own, hold a public hearing to determine the eligibility of any individual certified by the Chief Executive Officer of the qualifying organization as a member in good standing. The individual shall be served not less than 21 days notice by first class mail return receipt requested, sent to the address appearing on the list of members in good standing prepared by the qualifying organization's Chief Executive Officer, and shall be offered an opportunity to present written and oral testimony, and other evidence. The

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**AN ORDINANCE CONCERNING LOCAL OPTION TAX RELIEF
FOR VOLUNTEER FIREFIGHTERS, EMERGENCY MEDICAL TECHNICIANS,
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(Revision June 2011)

Board of Selectmen shall determine by a simple majority if such person shall qualify for a tax relief.

- B. **Termination of Membership in a qualifying organization:** Any individual who qualifies for a tax relief under the terms of this ordinance and discontinues service with a qualifying organization for any reason shall not qualify for a tax relief in the terminal year unless they qualify as a member in good standing for more than six (6) months in that terminal year.
- C. **Breaks in Membership:** A break in membership of less than six (6) months shall be considered continual membership providing that the individual has been a member in good standing for no less than 24 months prior to the break in membership. For example, a member who leaves in March of a given year, and return in July shall not be penalized for that period in determining the amount of the relief as long as that person served as a member in good standing for the 24 months preceding the March separation. An individual who has a break in membership for more than six (6) months for any reason, and then rejoins a qualifying organization, after completing one (1) year continual service shall receive credit for prior qualifying years. For example, if a member who has qualified for three (3) years of service for membership in 1998, 1999 and 2000 leaves on April 1, 2001, then rejoins December 15, 2001, the individual would not receive a relief for the year 2001 because he or she did not serve six (6) months in the terminal year, but at the end of the 2002, he or she would receive credit for the three (3) prior years service and for the full year of 2002, for a total of four (4) years credit.
- D. **Dual Membership:** An individual can receive credits for service in any qualifying organization in any combination, but cannot receive double credit for serving in two qualifying organizations at the same time. For example, an individual who served in a qualifying volunteer fire department from January 1st through July 15th, and in a qualifying volunteer ambulance company from August 1st through December 31st, would receive credit for the entire year.
- E. **Initial Year:** Members who begin service in a qualifying organization after April 1st, shall not receive relief for that year.
6. **APPLICABILITY:** Any tax relief is limited to an individual's real or personal property tax payable to the town of Beacon Falls. Such relief may be applied to any property held either completely or partially in the individual's name. No relief may be carried over from one twelve month period to another. No relief may be transferred from one person to another.

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**AN ORDINANCE CONCERNING LOCAL OPTION TAX RELIEF
FOR VOLUNTEER FIREFIGHTERS, EMERGENCY MEDICAL TECHNICIANS,
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(Revision June 2011)

7. **SEVERABILITY:** If any section, sentence, clause or phrase of this ordinance shall for any reason, be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, sentences, clauses and phrases of this ordinance, which shall remain in effect.
8. **STATE AND FEDERAL TAXES:** Any individual who receives a Tax Relief shall be solely responsible for determining what State and/or Federal Taxes are due because of such relief, if any, and the individual shall be solely responsible for paying such taxes, if any.
9. **Any Volunteer Firefighter, Emergency Medical Technician, Paramedic or Ambulance Drivers serving in the active military service shall be eligible for the Optional Tax Relief Program for Volunteer Firefighters, Emergency Medical Technicians, Paramedics or Ambulance Drivers.**
10. **Permanent Earned Relief (Lifetime) (New Revision)**
 - a. **Individuals who have completed twenty (20) years of service as a “Qualified Participant” of the “Service Award Plan” and have reached the age of 65 or greater, shall receive a permanent annual tax abatement at the maximum benefit. This benefit will be passed on to the surviving spouse upon death of participant.**
 - b. **Individuals who are currently collecting entitlement benefits from the “Service Award Plan” as of the date this Ordinance change becomes effective, shall qualify for this permanent earned relief.**

EFFECTIVE DATE

This Ordinance becomes effective fourteen (14) days after publication in the most widely circulated newspaper in the Town of Beacon Falls.

Public Hearing held on December 5, 2005

Town Meeting held on December 12, 2005

Ordinance published on December 21, 2005.

This Ordinance became effective January 6, 2006

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AN ORDINANCE CONCERNING LOCAL OPTION TAX RELIEF
FOR VOLUNTEER FIREFIGHTERS, EMERGENCY MEDICAL TECHNICIANS,
PARAMEDICS OR AMBULANCE DRIVERS
(Revision June 2011)

New Revision

Public Hearing Held on:

Town Meeting Held on:

Ordinance Published on:

This Revised Ordinance Became Effective:

JUL - 6 2011