



Town of
North Stonington, Connecticut

SPECIAL TOWN MEETING

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of North Stonington, Connecticut, will be held on the date indicated at the time and location noted below for the following purposes:

LOCATION: North Stonington Elementary School Multi-Purpose Room


DATE: September 14, 2015

TIME: 7:00 p.m.

1. To hear and act upon the creation of an Ordinance in accordance with Connecticut General Statutes 9-188 titled "Election of a First Selectman for the Town of North Stonington" that states commencing with the election of November 3, 2015 and with every biennial regular town election thereafter, votes cast for a candidate for First Selectman shall count for that office only. Votes cast for an unsuccessful candidate for First Selectman shall not be counted as votes for that candidate as a member of the Board of Selectman.
2. To hear and act upon the establishment of an Ordinance titled "Issuance or Approval of a Building Permit Application contingent upon the payment of Property Taxes." Which states that no building permits or certificates of occupancy and use shall be issued unless all current and delinquent property taxes are paid in full unless, in the opinion of the Building Official, to do so would endanger public health and safety.

Dated at North Stonington this 3rd day of September, 2015.

BOARD OF SELECTMEN


Nicholas H. Mullane, II

Robert L. Testa


Mark S. Donahue

We the undersigned hereby petition the North Stonington Board of Selectmen to warn a Town meeting for the purpose of considering and acting on the following question:

"Shall an ordinance be adopted concerning votes for the Office of First Selectman as follows: In accordance with CGS 9-188, commencing with the regular Town election of November 3, 2015 and at each regular town election thereafter, votes cast for a candidate for First Selectman shall count for that office only. Votes cast for an unsuccessful candidate for First Selectman shall not be counted as votes for that candidate as a member of the Board of Selectmen."?

Name Print	Signature	Mailing Address
1. William "Bill" Ricker	William "Bill" Ricker	421-A Wyassup Rd ✓
2. Edsel C HAMMAN	Edsel C Hamman	421 Wyassup Rd ✓
3. Carol Bartick	Carol Bartick	379 Wyassup Rd ✓
4. ROBERT J. CATHART	Robert J. Cathart	351 Wyassup Rd ✓
5. BRADFERD P. BORDEN	Bradferd P. Borden	107 SWANTOWN HILL ✓
6. James E. Lord	James E. Lord	429 Norwich Westerly Rd ✓
7. GARRETT LORD	Garrett Lord	428 NORWICH WESTERLY RD ✓
8. Martha Bradshaw	Martha Bradshaw	59 Denison Hill Rd ✓
9. Gary W Kincaid	Gary W Kincaid	51 Babcock Rd ✓
10. Nita B. Kincaid	Nita B. Kincaid	51 Babcock Rd ✓
11. MARIKYN MACKAY	Marikyn Mackay	92 WYASSUP LAKE RD ✓
12. MICHAEL MACKAY	Michael Mackay	92 WYASSUP LAKE RD ✓
13. MaryAnn Rucker	MaryAnn Rucker	421 A Wyassup Rd ✓
14. Robert E De Gaursey	Robert E De Gaursey	49 Tom Wheeler Rd ✓
15. ARTHUR L. ARMSTRONG	Arthur L. Armstrong	44K WYASSUP LAKE RD ✓
16. JULIA A. ARMSTRONG	Julia A. Armstrong	44K WYASSUP LAKE RD ✓
17. EDWARD HARASIMUTE	Edward Harasimute	321 WYASSUP RD ✓
18. Ellen Spring	Ellen Spring	231 Wyassup Road ✓
19. Ahiel Spring	Ahiel Spring	231 WYASSUP ROAD ✓
20. John Wickett	John Wickett	445 Wyassup Lake Rd ✓
21. Charles McSMITH II	Charles McSmith II	441 Pendleton Rd ✓
22. Robert Shabana	Robert Shabana	62 Reutemann Rd. ✓
23. Mustafa Ra fib	Mustafa Ra fib	92 Main St N. Stonington ✓
24. Robbin Donahue	Robbin Donahue	2 Laurel Wood Rd ✓
25. Norma Holliday	Norma Holliday	42 MAINS CROSSING RD N.S. ✓

I William "Bill" Ricker 421-A Wyassup Road North Stonington, CT 06359 am the circulator of the forgoing petition. Each person whose name appears on this petition page signed the same in my presence and is known to me or has satisfactorily identified to me. None of the signatures on this page were obtained earlier than six months prior to the date the page is filed. I HEREBY STATE UNDER THE PENALTIES OF FALSE STATEMENT THAT THE FORGOING STATEMENTS ARE TRUE.

August 21, 2015

(Date)

William "Bill" Ricker

Signature of Circulator


We the undersigned hereby petition the North Stonington Board of Selectmen to warn a Town meeting for the purpose of considering and acting on the following question:

"Shall an ordinance be adopted concerning votes for the Office of First Selectman as follows: In accordance with CGS 9-188, commencing with the regular Town election of November 3, 2015 and at each regular town election thereafter, votes cast for a candidate for First Selectman shall count for that office only. Votes cast for an unsuccessful candidate for First Selectman shall not be counted as votes for that candidate as a member of the Board of Selectmen."?

	Name Print	Signature	Mailing Address
1.	Bernard B. Bantick	Bernard B. Bantick	379 Wyassup Rd. N.S.
2.	Lisa Mazzeika	Lisa Mazzeika	247 Cossaduck Hill ✓
3.	Robert Mazzeika	Robert Mazzeika	247 Cossaduck Hill Rd. ✓
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I William "Bill" Ricker 421-A Wyassup Road North Stonington, CT 06359 am the circulator of the forgoing petition. Each person whose name appears on this petition page signed the same in my presence and is known to me or has satisfactorily identified to me. None of the signatures on this page were obtained earlier than six months prior to the date the page is filed. I HEREBY STATE UNDER THE PENALTIES OF FALSE STATEMENT THAT THE FORGOING STATEMENTS ARE TRUE.

August 21, 2015
(Date)


Signature of Circulator

Sec. 7-1. Annual and special town meetings. Holding of meetings outside town. (a) Except as otherwise provided by law, there shall be held in each town, annually, a town meeting for the transaction of business proper to come before such meeting, which meeting shall be designated as the annual town meeting. Special town meetings may be convened when the selectmen deem it necessary, and they shall warn a special town meeting on application of twenty inhabitants qualified to vote in town meetings, such meeting to be held within twenty-one days after receiving such application. Any town meeting may be adjourned from time to time as the interest of the town requires.

(b) Where any town's public buildings do not contain adequate space for holding annual or special town meetings, any such town may hold any such meeting outside the boundaries of the town, provided such meetings are held at the nearest practical locations to the town.

Sec. 7-2. Ordinance concerning convening of special town meetings. Notwithstanding the provisions of section 7-1, any town may adopt an ordinance, in the manner provided by section 7-157, requiring that a special town meeting be warned by the selectmen on application of at least fifty inhabitants qualified to vote at town meetings, such meeting to be held within twenty-one days after such application is received by the selectmen; provided nothing in this section shall be construed to affect any ordinance legally adopted prior to October 1, 1957.

Chapter 98 - Municipal Powers

Sec. 7-157. Publication. Referendum. Publication of summary. (a) Ordinances may be enacted by the legislative body of any town, city, borough or fire district. Any such ordinance so enacted, except when enacted at a town or district meeting, shall become effective thirty days after publication thereof in some newspaper having a circulation in the municipality in which it was enacted, provided, upon a petition of not less than fifteen per cent of the electors of such municipality filed with the town or borough clerk, as the case may be, within thirty days after the publication of such ordinance, asking that the same be submitted to the voters of such municipality at its next regular or special meeting, it shall be so submitted and in such event shall not become effective unless a majority of the voters voting at such meeting vote in favor thereof. Any ordinance enacted at a town or district meeting shall become effective fifteen days after publication thereof in some newspaper having a circulation in such town or in such district, as the case may be. Cities and other municipalities whose charters provide for the manner in which they may enact ordinances may enact ordinances in such manner.

(b) Whenever any town, city, borough or fire district is required to publish any proposed ordinance or ordinance in accordance with subsection (a) of this section, the legislative body of such town, city, borough or fire district may provide that a summary of such proposed ordinance or ordinance shall be published in lieu of such proposed ordinance or ordinance, provided that, in any case in which such a summary is published, the clerk of such town, city, borough or fire district shall make a copy of such proposed ordinance or ordinance available for public inspection and shall, upon request, mail a copy of such or proposed ordinance or ordinance to any person requesting a copy at no charge to such person. Any summary so published shall bear a disclaimer as follows: "This document is prepared for the benefit of the public, solely for purposes of information, summarization and explanation. This document does not represent the intent of the legislative body of (here insert the name of the town, city, borough or fire district) for any purpose." The provisions of this subsection shall not apply to any proposed ordinance or ordinance which makes or requires an appropriation.

(c) No ordinance enacted prior to June 1, 1992, shall be invalid for failure of a municipality to comply with the provisions of this section and each municipality shall be held harmless from any liability or causes of action which might arise from such failure. If a person affected by an ordinance shows prejudice because of the failure of the municipality to comply with such provision, no penalties may be imposed against such person pursuant to the ordinance. Any ordinance enacted prior to June 1, 1992, for which the provisions of this section were not complied with shall be deemed to be effective thirty days after such enactment.

Sec. 9-188. First selectman and selectmen. Election procedure. Dual candidacy prohibited. Minority representation; restricted voting. Tie vote. Unless otherwise provided by law each town shall, at its regular municipal election, elect a first selectman, who shall be town agent unless otherwise provided by law, and two other selectmen or, in the case of any town having a population of ten thousand or more, not more than six other selectmen. The selectmen so elected shall constitute the board of selectmen for such town. Unless otherwise provided by special act, charter or ordinance the votes cast, including any valid write-in votes, for an unsuccessful candidate for first selectman shall be counted as votes for him as a member of such board, provided no elector may be a candidate for both the office of first selectman and that of selectman by virtue of nomination by a major or minor party or a nominating petition or registration of write-in candidacy, or any combination thereof. The provisions of section 9-167a shall apply to the election of selectmen, except that when the total membership of such board is five, the maximum number who may be members of the same political party shall be three, and provided that for the purpose of determining minority representation, the total membership of such board shall be deemed to include the first selectman, unless otherwise provided by special act or charter. Unless otherwise provided by special act, charter or ordinance, an elector shall not vote for more candidates for the office of selectman than a political party can elect pursuant to section 9-167a, provided that the number of such candidates that an elector can vote for shall be deemed to include the first selectman. If the electors fail to elect a first selectman at any election by reason of an equality of votes, such election for the office of first selectman and the election for selectmen shall stand adjourned and such adjourned election shall be held as provided in section 9-332. The ballots used in such adjourned election shall contain only the names of the candidates for the offices of first selectman and selectman which appeared on the ballot used in the election at which the tie vote resulted for the office of first selectman.

AN ORDINANCE
WITHHOLDING APPROVAL OF BUILDING APPLICATIONS
FOR WHICH PROPERTY TAXES ARE DELINQUENT

SECTION 1: PURPOSE

Pursuant to Section §7-148(c)2(B) of the Connecticut General Statutes, as amended, approval of all building applications, certificates of occupancy, or other permit applications made to the North Stonington Building Official, shall be withheld for a real property upon which taxes or assessments imposed by the municipality are delinquent for the property for which an applicant is made.

SECTION 2: PROCEDURE

The following procedure is hereby established to implement this ordinance:

- a. The Tax Collector shall file with the Building Official a list of all properties and property owners who are delinquent in the real property taxes as of August 1st and February 1st of each year.
- b. Before approving or renewing any building application the Building Official shall confirm with the Tax Collector that all taxes, charges or assessments imposed by the municipality are current.

Before approving or renewing any building application for property with delinquent taxes or assessments, the Building Official shall require the applicant to obtain written certification from the Tax Collector that the delinquent taxes or assessments imposed by the municipality have been paid in full, including all interest, lien fees, attorneys fees and costs of collection.

- c. The Building Official may grant a building application without the payment of all delinquent taxes if he certifies, in writing, that an emergency exists affecting the health and safety of the occupants of a building or property that is delinquent in property taxes.

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect, following approval by Town Meeting, fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of North Stonington.

Adopted by the North Stonington Town Meeting on _____, 2015.

Published: _____, 2015

Effective: _____, 2015

Sec. 7-148. Scope of municipal powers. (a) Definitions. Whenever used in this section, "municipality" means any town, city or borough, consolidated town and city or consolidated town and borough.

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

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

(2) Creating a permanent local law of general applicability.

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

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

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

(2) Finances and appropriations. (A) Establish and maintain a budget system;

(B) Assess, levy and collect taxes for general or special purposes on all property, subjects or objects which may be lawfully taxed, and regulate the mode of assessment and collection of taxes and assessments not otherwise provided for, including establishment of a procedure for the withholding of approval of building application when taxes or water or sewer rates, charges or assessments imposed by the municipality are delinquent for the property for which an application was made;