

Substitute House Bill No. 5540

Special Act No. 14-2

AN ACT AMENDING THE CHARTER OF THE CIVIC ASSOCIATION OF SHORT BEACH
IN THE TOWN OF BRANFORD

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. All of the owners of dwellings within the limits hereinafter specified in the locality known as Short Beach, in the town of Branford, are constituted a body politic and corporate by the name of The Civic Association of Short Beach, Connecticut, and by that name they and their successors shall be a corporation capable of suing and being sued, pleading and being impleaded, in all courts of whatever nature, and also of purchasing, leasing, receiving by gift, devise or bequest, holding and conveying any estate, real or personal; and shall have a common seal, with the privilege of altering it at pleasure; and shall be vested with and possess the powers hereinafter specified.

Section 2. The object of said association is to provide protection for the property, health and morals of the inhabitants of said district, the promotion of order therein, the improvement of the property in said district and the comfort and convenience of persons living therein.

Section 3. The limits of the territory of said association are defined and established as follows: All that territory in said town of Branford on the shore of Long Island sound, commencing at Page's Cove bridge, thence running due north five hundred feet, thence westerly in a straight line to a point in the division line of lands now or formerly owned by Emma S. Bradley and Caroline A. Altmannsberger, which point is one hundred feet easterly and southerly on said division line from Clark Avenue, thence northerly and westerly on said division line to said Clark Avenue, thence northerly and westerly in a straight line passing through the point of intersection of the most northerly point of the upland now owned by Truman H. Bristol and the meadow just north of the same to Farm River, thence southerly by low-water line of said river to the Gut, thence easterly by low-water line to Page's Cove, thence northerly by low-water line to place of beginning.

Section 4. All natural persons over eighteen years of age owning a fee property interest in a dwelling within said limits shall be members of said association and entitled to vote in any meeting of such members if an elector of the state of Connecticut. Any member not an elector of this state may appoint such an elector, in writing, on a form prescribed by the executive board, to vote for said member. Any member of the association whose primary residence is within the

limits of the association shall be eligible to be a member of any board provided for by this charter.

Section 5. There shall be a nine-member executive board of the association whose powers and duties are enumerated in section 10 of number 122 of the special acts of 1921, as amended by this act.

Section 6. There shall be an eight-member zoning board of appeals that shall have the powers and duties enumerated in title 8 of the general statutes. The zoning board of appeals shall consist of five regular members and three alternate members.

Section 7(a) An annual meeting of the members of said association shall be held on the first Friday in June of every calendar year. The executive board shall select the time and location of such annual meeting and provide notice to members of the association by first class mail not later than two weeks prior to the date of such annual meeting. In the event the executive board wishes to hold the annual meeting on any date other than that specified above, the executive board shall select such date by majority vote not later than six months prior to the date of the annual meeting specified above. The annual meeting shall be conducted pursuant to Robert's Rules of Order.

(b) At such meeting:

(1) Three members of the executive board shall be elected by majority vote of the association members in attendance at said meeting. The term of the members so elected shall be for three years commencing on the date of the first executive board meeting following the annual meeting.

(2) At the first annual meeting following the adoption of sections 1 to 13, inclusive, of number 122 of the special acts of 1921, as amended by this act, all members of the zoning board of appeals shall be elected by majority vote of the association members in attendance at such meeting. The term of such members shall commence on the date of the first meeting of the zoning board of appeals following the annual meeting and shall be for the following terms: (A) Three years for two regular members and one alternate member; (B) two years for two regular members and one alternate member; and (C) one year for one regular member. At all subsequent annual meetings, the election of members to fill expired terms of the zoning board of appeals shall be for three years.

(3) The executive board shall provide a written statement of income and expenditures to members of the association.

(4) The executive board shall orally report on issues of current interest and consider new issues raised by members of the association.

Section 8. Any vacancy in the executive board or the zoning board of appeals that occurs by death, resignation or failure to meet the eligibility requirements for membership shall be filled by majority vote of the executive board. At the first annual meeting following such vote, a member of the association shall be elected by the association to fill the vacancy for the remainder of the unexpired term.

Section 9. The executive board shall hold regular monthly meetings on the evening of the second Monday of the month or on such other date as shall be voted upon by the executive board. A majority of the executive board shall constitute a quorum at any meeting thereof. At the first executive board meeting following the annual meeting of the members of the association, the executive board shall elect from its own members a president, vice-president, treasurer and clerk of the association, each of whom shall hold office for a term of one year or until a successor is elected. The duties of each officer shall be defined by the bylaws of the association. Upon written request signed by any three members of the executive board, the president or clerk shall call a special meeting of the board.

Section 10. When assembled according to law, the executive board shall possess the power to enact, amend or repeal bylaws and zoning ordinances to accomplish the objects specified in section 2 of number 122 of the special acts of 1921, as amended by this act. In addition, the executive board shall have the power to:

(1) Construct and maintain parks, piers and docks and regulate the use thereof; regulate the erection of all lamp posts and telephone, cellular telephone and electric light poles and the wires and fixtures thereof; regulate the planting, protection and preservation of trees in the streets; keep the streets and all public places within the limits of the association quiet from all undue noise; regulate the running at large of animals in the district; preserve peace and order; prevent and summarily abate every kind of nuisance and public annoyance; compel removal from any place in said association of all nuisances injurious to health or offensive or annoying to the public, at the expense of the owner or owners of the premises on which such nuisances exist; prevent and regulate the carrying on within the limits of the association of any business prejudicial to the public health or dangerous to or constituting an unreasonable annoyance to those living or owning property in the vicinity thereof; and regulate traffic and parking of motor vehicles and other vehicles upon the streets within the limits of the association.

(2) Appoint or hire police officers to act within the limits of said association who shall have all powers to enforce said bylaws and regulations as provided for by the general statutes. The executive board may fix the compensation of such police officers.

(3) Manage and regulate all funds and property of said association. No conveyance of real property of the association shall occur unless approved of by a majority vote of the association at its annual meeting.

(4) Enact regulations concerning the time and place of meetings of the executive board and of said association, so far as they are not inconsistent with any of the provisions of sections 1 to 13, inclusive, of number 122 of the special acts of 1921, as amended by this act.

(5) Assess and apportion the expense and cost of all matters herein authorized among all owners of real property within the limits of the association by setting the amount of such assessments, regulating the method and collection of such assessments and fixing the time when such assessments become due and payable. The annual assessment for the owner of any developed discrete parcel of real property shall not exceed the sum of one hundred dollars per dwelling unit or business unit. No assessment shall increase by more than ten per cent annually. The executive

board may collect all such assessments by: (A) Suit at law in the name of the association; (B) filing a lien upon any property upon which any such assessment has been made at any time within one year after the assessment has become due and payable and to prosecute foreclosure proceedings to collect said lien; and (C) any other method permitted by the general statutes.

(6) Prescribe the compensation of all officers and employees of said association except that the president and vice-president shall serve without compensation other than to receive reimbursement of incurred expenses.

(7) Prescribe fines and penalties for a violation of any bylaw or ordinance, which shall be recoverable in any manner permitted by the general statutes. Any offense continuing for more than one day shall be considered a new offense for each day.

(8) Serve as the zoning commission within the limits of the association.

Section 11. The enactment, amendment or repeal of any bylaw or zoning ordinance in effect on the effective date of this section may only be made by a two-thirds vote of the executive board. No enactment, amendment or repeal of any bylaw or ordinance shall take effect or be enforced until: (1) The same has been posted for at least three days as provided by the bylaws of said association; (2) fifteen days after the date of passage have expired; and (3) notice is given in accordance with the general statutes. A certificate of the clerk of said association of the due posting of any action taken pursuant to this section shall be prima facie evidence of such posting.

Section 12. Upon the petition, filed with the clerk, of not less than thirty members of the association, the president shall call a special meeting. Such special meeting shall be held not later than thirty days after the date on which the petition is filed and shall be held for the purpose of discussing and considering any matters of interest to the association named in such petition.

Section 13. This Amendment and Restatement of the Charter of the Civic Association of Short Beach, Connecticut shall take effect upon approval by the General Assembly of the state of Connecticut.

Approved May 12, 2014