



General Assembly

Amendment

February Session, 2002

LCO No. 4143

HB0506804143SR0

Offered by:

SEN. RORABACK, 30th Dist.

REP. JOHNSTON, 51st Dist.

To: House Bill No. 5068

File No. 11

Cal. No. 383

**"AN ACT CONCERNING ACTIONS OF ZONING COMMISSIONS
ON PETITIONS."**

1 After section 1, insert the following:

2 "Sec. 2. Subsection (e) of section 7-421 of the general statutes is
3 repealed and the following is substituted in lieu thereof (*Effective*
4 *October 1, 2002*):

5 (e) Any municipal employee shall have the right to serve on any
6 governmental body of the town in which [he] such employee resides
7 except any body which has responsibility for direct supervision of such
8 employee. Notwithstanding the provisions of this subsection, (1) no
9 such employee shall serve on any of the following unless such
10 employee is permitted to serve pursuant to the provisions of a
11 municipal charter or home rule ordinance or serves because of
12 membership on the legislative body of the municipality: [(1)] (A) Any
13 board of finance created pursuant to chapter 106 or any special act or
14 municipal charter; [(2)] (B) any body exercising zoning powers

15 pursuant to chapter 124 or any special act or municipal charter; [(3)]
16 (C) any body exercising land use powers pursuant to chapter 125a or
17 any special act or municipal charter; [(4)] (D) any body exercising
18 planning powers pursuant to chapter 126 or any special act or
19 municipal charter; or [(5)] (E) any body regulating inland wetlands and
20 watercourses pursuant to chapter 440 or any special act or municipal
21 charter; and (2) any municipality may, by ordinance adopted by its
22 legislative body, authorize such employees to serve on (A) any body
23 exercising zoning powers pursuant to chapter 124 or any special act or
24 municipal charter; (B) any body exercising land use powers pursuant
25 to chapter 125a or any special act or municipal charter; (C) any body
26 exercising planning powers pursuant to chapter 126 or any special act
27 or municipal charter; or (D) any body regulating inland wetlands and
28 watercourses pursuant to chapter 440 or any special act or municipal
29 charter, provided not more than one-fifth of the members of any such
30 body shall be municipal employees.

31 Sec. 3. Section 8-19 of the general statutes is repealed and the
32 following is substituted in lieu thereof (*Effective October 1, 2002*):

33 Any municipality may create by ordinance a planning commission,
34 which shall consist of five members, who shall be electors of such
35 municipality [holding no salaried municipal office] and whose terms
36 of office and method of election or appointment shall be fixed in the
37 ordinance. The ordinance may provide that members may be
38 municipal employees if the municipality has adopted an ordinance
39 authorizing such membership pursuant to the provisions of
40 subparagraph (C) of subdivision (2) of subsection (e) of section 7-421,
41 as amended by this act. The chief executive officer of the municipality
42 and the engineer thereof or Commissioner of Public Works, if any,
43 shall also be members of the commission, without voting privileges.
44 The terms of office shall be so arranged that the terms of not more than
45 three members shall expire in any one year. Vacancies shall be filled by
46 the commission for the unexpired portion of the term. Upon the
47 adoption of this section by ordinance as herein provided, and the
48 appointment or election of a commission thereunder, any planning

49 commission in the municipality established under any previous act of
50 the General Assembly shall cease to exist, and its books and records
51 shall be turned over to the commission established under this section,
52 provided all regulations promulgated by such planning commission
53 prior to that time shall continue in full force and effect until modified,
54 repealed or superseded in accordance with the provisions of this
55 chapter. The area of jurisdiction of a planning commission created by a
56 town includes any city or borough therein without a legally
57 constituted planning commission for all planning purposes except
58 those specified in sections 8-24 and 8-29. Powers granted under said
59 sections may be delegated by the legislative body of such city or
60 borough to the planning commission of the town in which such city or
61 borough is situated. Any city or borough in which a planning
62 commission has been previously established may, by ordinance,
63 designate the commission established under this section in the town in
64 which such city or borough is situated to be the planning commission
65 of such city or borough, and such commission shall supersede the
66 planning commission previously established in such city or borough.
67 The commission shall elect a chairman and a secretary from its
68 members, shall adopt rules for the transaction of business and shall
69 keep a public record of its activities. The planning commission of each
70 municipality shall file an annual report with the legislative body
71 thereof."