



# Senate

General Assembly

**File No. 307**

January Session, 2009

Senate Bill No. 1039

*Senate, March 30, 2009*

The Committee on Planning and Development reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT CONCERNING TECHNICAL CHANGES TO MUNICIPAL STATUTES.**

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

1 Section 1. Section 7-187 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 Whenever used in sections 7-188 to 7-193, inclusive:

4 [(a)] (1) "Appointing authority" means the body having authority to  
5 appoint a charter commission, charter revision commission or home  
6 rule ordinance revision commission, which shall be the board of  
7 selectmen of a town not having a council or board of directors, the  
8 council or board of directors of a town having such a council or board,  
9 the common council or other body empowered to make ordinances of  
10 a city or the board of burgesses of a borough;

11 [(b)] (2) "Commission" means any such charter commission, charter  
12 revision commission, or home rule ordinance revision commission;

13 [(c)] (3) "Home rule ordinance" means any ordinance or resolution  
14 [which] that has been adopted by a municipality prior to October 1,  
15 1982, in substitution for a special act relating to its government, which  
16 ordinance or resolution may contain the provisions of such special act  
17 with or without amendments and which ordinance or resolution shall  
18 not be inconsistent with the Constitution of the state or the general  
19 statutes;

20 [(d)] (4) "Municipality" means a town, city, borough, consolidated  
21 town and city or consolidated town and borough.

22 Sec. 2. Section 8-1d of the general statutes is repealed and the  
23 following is substituted in lieu thereof (*Effective October 1, 2009*):

24 Any municipality may, by ordinance adopted by its legislative  
25 body, establish an hour at or after which public hearings shall be held  
26 by its planning commission, zoning commission, combined planning  
27 and zoning commission, zoning board of appeals and inland wetlands  
28 agency.

29 Sec. 3. Section 8-27 of the general statutes is repealed and the  
30 following is substituted in lieu thereof (*Effective October 1, 2009*):

31 Any municipality having a planning commission may, by ordinance  
32 adopted by its legislative body, prohibit or regulate the issuance of  
33 building permits for the erection of buildings or structures on lots  
34 abutting unaccepted highways or streets. No such ordinance shall  
35 prevent the issuance of a building permit for the construction of farm  
36 or accessory buildings which are not in violation of any lawful zoning  
37 or building regulations of the municipality. Any building erected in  
38 violation of any such ordinance shall be deemed an unlawful structure,  
39 and the municipality through the appropriate officer may bring action  
40 to enjoin the erection of such structure or cause it to be vacated or  
41 removed. Any person, firm or corporation erecting a building or  
42 structure in violation of any such ordinance may be fined not more  
43 than two hundred dollars for each building or structure so erected in  
44 addition to the relief herein otherwise granted to the municipality.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2009</i>	7-187
Sec. 2	<i>October 1, 2009</i>	8-1d
Sec. 3	<i>October 1, 2009</i>	8-27

**PD**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis**

**SB 1039**

***AN ACT CONCERNING TECHNICAL CHANGES TO MUNICIPAL STATUTES.***

**SUMMARY:**

This bill makes minor technical changes to municipal charter, zoning, and planning statutes.

EFFECTIVE DATE: October 1, 2009

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 19 Nay 0 (03/11/2009)