



General Assembly

February Session, 2012

Substitute Bill No. 5495

* HB05495PD 032012 *

**AN ACT MAKING REVISIONS TO THE SACHEM'S HEAD
ASSOCIATION CHARTER.**

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

1 Section 1. Section 1 of number 287 of the special acts of 1931, as
2 amended by number 275 of the special acts of 1935, is amended to read
3 as follows (*Effective from passage*):

4 All the proprietors of real estate within and all duly registered
5 electors residing within the limits hereinafter specified in the locality
6 known as Sachem's Head, in the town of Guilford, are constituted a
7 body politic and corporate by the name of The Sachem's Head
8 Association, and by that name they and their successors shall be a
9 corporation in law, capable of suing and being sued, pleading and
10 being impleaded, in all courts, and of borrowing money to carry out
11 the purposes of said [association] Association, and of issuing bonds,
12 either registered or with coupons attached, or other obligations
13 therefor, negotiable or non-negotiable, payable serially and at such
14 annual rate of interest not exceeding [six per cent] the then current
15 Connecticut state bond rate, payable annually or semi-annually, as it
16 shall determine, and if it shall desire to redeem such bonds or other
17 obligations by the issue of new bonds or other obligations, negotiable
18 or non-negotiable, it shall have power to do so, provided the amount
19 so borrowed, or the amount of bonds or other obligations so issued,
20 shall not exceed [five] fifteen per cent of the total value of the real
21 estate within said [association] Association, as shown by the

22 assessment list hereinafter provided for, and said amount shall be
23 obligatory upon said [association] Association and its members, but no
24 such bonds or other obligations shall be issued unless the executive
25 board be so authorized by a two-thirds vote of the members present or
26 represented at any annual or special meeting. Said [association]
27 Association may take and own any land, easement therein or rights
28 appurtenant thereto, situated within the limits of said [association]
29 Association, as hereinafter specified, when required by said
30 [association] Association for the purpose of fire and police protection
31 or for the purpose of owning, establishing, constructing or maintaining
32 sewers or sewage disposal plants, water works, parks and
33 playgrounds, piers, wharves, sea walls and breakwater buildings and
34 structures, for the use of the inhabitants residing within the territorial
35 limits of said [association] Association, upon paying to the owner
36 thereof just compensation. If said [association] Association shall fail to
37 agree with such owner upon the amount of compensation to be paid
38 therefor, it may bring its petition to the superior court for New Haven
39 county in which said [association] Association is situated, praying that
40 such compensation may be determined, and shall proceed in the same
41 manner as provided in section [5072] 48-12 and other applicable
42 sections of the general statutes for the taking of land by towns. Said
43 [association] Association shall pay the members of the committee
44 mentioned in said section a reasonable compensation for their services,
45 to be taxed by said court. Said [association] Association shall have a
46 common seal, with the privilege of altering it at pleasure.

47 Sec. 2. Section 2 of number 287 of the special acts of 1931 is amended
48 to read as follows (*Effective from passage*):

49 The object of The Sachem's Head Association shall be to provide for
50 the improvement of the lands in said district, and for the health,
51 comfort, protection and convenience of persons living therein. For the
52 purpose of supplying the residents of said district with water for
53 domestic uses and fire protection, said [association] Association may
54 contract with any person or corporation authorized to supply water to
55 said district, for the construction of a system of water works or the

56 extension of any existing system, said [association] Association to bear
57 a proportion of the cost of such construction or extension not
58 exceeding fifty per [centum] cent, to own the system in said district
59 jointly with the person, persons or corporation by whom it shall be
60 constructed or extended and to have the option to purchase the
61 interest of the other party in the system thus constructed at any time at
62 a price not exceeding the cost of such construction or extension. Any
63 contract hereunder shall be authorized only by a two-thirds vote of the
64 members of said [association] Association present or represented at
65 any annual meeting or at a special meeting duly warned for that
66 purpose.

67 Sec. 3. Section 3 of number 287 of the special acts of 1931 is amended
68 to read as follows (*Effective from passage*):

69 The limits and territory of said [association] Association are hereby
70 defined and established as follows: Beginning at a point on the east
71 shore of Joshua cove, which point is in a direct line with the north line
72 of the highway leading to Uncas [point] Point; thence easterly in a
73 straight line along the north line of said highway to its intersection
74 with the west line of the main road from Guilford to Sachem's Head;
75 thence northerly along the west line of said main road about three
76 hundred and fifty feet to its intersection with the north line of Old
77 Quarry road, this point being opposite the property of Walter B. Davis;
78 thence southeasterly in a direct line which, if extended, would pass
79 through a point twenty-five feet north of the northeast corner of the
80 dwelling house now or formerly owned by Imogene and Julia Adele
81 Newhall to the westerly extremity of the land of the said Newhalls at a
82 point marked by a stone monument; thence easterly in a straight line
83 to the highway known as East road at a point thereon about two
84 hundred feet north of the easterly entrance to said Newhall house
85 where said East road is joined by a stone wall which runs westerly
86 therefrom; thence continuing in a straight line across the East road to
87 the east side thereof at a point marked by a stone monument; thence
88 southerly along the east line of said East road to a stone monument at
89 the intersection of said East road with the road to Vineyard point;

90 thence from said monument due south to Long Island sound; thence
91 westerly along the Long Island sound shore line as it bends and turns
92 to the point of beginning on the east shore of Joshua cove. Said district
93 is shown on "Map of Sachem's Head, Guilford, Connecticut, [showing]
94 Showing the Property [Owners'] Owner's Association District," made
95 by Max J. Unkelbach, C. E., dated March, 1921, and filed in the office of
96 the clerk of the town of Guilford. The limits and territory of said
97 [association] Association may be extended at any time so as to include
98 any other land in the town of Guilford adjacent to that above
99 described, upon written application of the owner or owners of such
100 other land, in an instrument describing the same and the terms of such
101 proposed annexation, provided such application shall be accepted by a
102 two-thirds vote of the members present or represented at any annual
103 or special meeting of said [association] Association. If such application
104 shall be thus accepted it shall be recorded on the records of said
105 [association] Association and in the land records of the town of
106 Guilford, and thereupon such other land shall be incorporated within
107 the limits and territory of said [association] Association and the owner
108 or owners of such other land, while they are owners thereof, shall be a
109 part of said body politic and corporate. Any request by an Association
110 property owner to withdraw all or a part of land from the Association
111 must be made by written application. Acceptance of such withdrawal
112 shall require a two-thirds vote of the members present or represented
113 at any annual or special meeting of said Association. Withdrawals will
114 be considered only with respect to the properties that lie partially
115 without the Association. Boundaries of the Association have been
116 changed from time to time since the original charter was written, as
117 shown on Map #4058 filed in the office of the town clerk of the town of
118 Guilford on August 5, 1994.

119 Sec. 4. Section 4 of number 287 of the special acts of 1931 is amended
120 to read as follows (*Effective from passage*):

121 Every member of the [association] Association of the age of [twenty-
122 one] eighteen years or over, not otherwise prohibited by law from
123 voting, and so long as he or she [continues] shall continue to own real

124 estate within the limits of said [association, or not being an owner of
125 real estate, continues to be an elector of the town of Guilford, residing
126 within the limits of said association] Association, shall be entitled to
127 vote at any meeting of said [association, and any person of such age,
128 being a member or holding a proxy from a member,] Association, and
129 shall be eligible to hold any office provided for in [this act] number 287
130 of the special acts of 1931, as amended by this act. The spouse of any
131 member shall be eligible to hold any office provided for in number 287
132 of the special acts of 1931, as amended by this act, provided such
133 spouse is eighteen years or over. All owners having any interest in a
134 lot or parcel of real estate located within the limits of the Association
135 shall be considered one owner for the purpose of voting and shall be
136 entitled collectively to cast two undivided votes for each lot or parcel
137 owned. Any member of the Association, whether or not a natural
138 person, may [, by writing signed and filed with the clerk, authorize
139 any person to act for and vote in his or her place at any meeting, and
140 such writing once filed with the clerk, unless limited on its face as to
141 term, shall hold valid until revoked in writing or by operation of law]
142 designate one or two persons eighteen years or over to cast votes or
143 hold office on such person's behalf.

144 Sec. 5. Section 5 of number 287 of the special acts of 1931 is amended
145 to read as follows (*Effective from passage*):

146 The first meeting of said [association] Association shall be held
147 between the fifteenth and thirty-first days of July, 1931, inclusive, at
148 such time and place within the limits of said The Sachem's Head
149 Association as the executive board of said The Sachem's Head Property
150 Owners' Association in office at the time of the passage of [this act]
151 number 287 of the special acts of 1931 shall determine. Said meeting
152 shall be held for the purpose of electing an executive board to consist
153 of nine members of said The Sachem's Head Association, or their
154 proxies as provided in section four of number 287 of the special acts of
155 1937, as amended by this act, who shall hold office until the first day of
156 January, 1932, or until others shall be chosen in their places. Notices of
157 the time and place appointed for said first meeting shall be signed by

158 [a] at least five of said executive board of said The Sachem's Head
159 Property Owners' Association and shall be sent by mail to each
160 member of the [association] Association at least five days before the
161 time appointed for said meeting. [Said executive board shall be elected
162 by ballot and the polls for the election of said executive board shall be
163 open at half-past seven in the evening and remain open until half-past
164 eight of the same evening.] The [association] Association shall, [in and
165 after 1931] after the first meeting, hold its annual meeting on the first
166 Friday [in August] after Labor Day, if practicable, but in no event later
167 than October first, at such hour and place within the limits of the
168 [association] town of Guilford as the executive board shall determine,
169 [and at] At such meeting, or adjournment thereof, the members shall
170 elect an executive board, to consist of not less than nine members of
171 the [association] Association, or their proxies as provided for in section
172 four of number 287 of the special acts of 1937, as amended by this act,
173 who shall take office on the first day of [January] October next
174 following, and hold office for one year [therefrom] and until others
175 shall be chosen and qualified in their places. Said executive board shall
176 be elected by ballot or voice vote. Special meetings of the [association]
177 Association may be warned and held in such manner as prescribed
178 herein and as the by-laws may further provide. Twelve members of the
179 [association] Association, present in person or by proxy, shall be
180 required to constitute a quorum for the transaction of business at any
181 annual or special meeting of said [association] Association.

182 Sec. 6. Section 6 of number 287 of the special acts of 1931 is amended
183 to read as follows (*Effective from passage*):

184 Notice of each annual meeting and special meeting of the
185 [association] Association, giving the day, hour and place thereof, shall
186 be signed by the [clerk] secretary and [posted on the association
187 signpost at least seven days before such meeting. Notice of any special
188 meeting of the association shall be] mailed by the [clerk] secretary to
189 each member whose name appears on the assessment list last adopted
190 by the board, and to such other members as have duly registered their
191 names and addresses with the [clerk, and such] secretary. Such notice

192 shall [state the day, hour and place of such meeting, shall] specify the
193 purpose of such meeting, and shall be deposited in the United States
194 [postoffice] post office at least fourteen days before the annual meeting
195 and the annual budget meeting and seven days before [the time
196 appointed for such] any special meeting. Such notices to such
197 members, addressed to Sachem's Head, Connecticut, or to the
198 addresses of the respective members as they appear on said
199 assessment list, or to such addresses as have been registered with the
200 [clerk] secretary, and deposited in the mail as aforesaid, shall be
201 deemed a due delivery of such notices. A certificate of the [clerk]
202 secretary of the [association] Association of the due mailing of any
203 notice to any member shall be [prima facie] evidence thereof. Notices
204 of all meetings shall be posted in the office of the town clerk of the
205 town of Guilford and posted on the Sachem's Head signpost.

206 Sec. 7. Section 7 of number 287 of the special acts of 1931 is amended
207 to read as follows (*Effective from passage*):

208 After each annual meeting the [clerk] secretary shall call a meeting
209 of the members constituting the newly elected board, for the purpose
210 of electing, and they shall elect, a president, a vice president, a
211 treasurer and a [clerk] secretary of said [association] Association, to
212 take office on the first day of [January] October next following said
213 annual meeting, and to hold office for one year thereafter and until
214 their successors shall be elected and shall have qualified, and the
215 officers so elected shall also be the president, vice president, treasurer
216 and [clerk] secretary, respectively, of the executive board for said
217 period and until their successors shall be elected and shall have
218 qualified. In case any member elected to any of the foregoing offices
219 [be] is not a member of the newly elected board, he shall become a
220 member of such board, ex officio, upon taking such office. The duties
221 of each of such officers not herein specified shall be defined by the by-
222 laws of the [association] Association. In case of any vacancy occurring
223 among the officers or members of the executive board, such vacancy
224 may be filled by the executive board. It shall be the duty of the
225 president or [clerk] secretary, on the signed written request of any four

226 members of the executive board, to call a meeting of said board. Notice
227 of the executive board meetings shall be given by leaving with or at the
228 usual place of abode of each member a written notice, signed by the
229 president or [clerk] secretary, specifying the day, time and place of
230 such meeting, or by sending such notice by mail at least forty-eight
231 hours before said meeting [. Five] and by posting notice on the
232 Association signpost and in the office of the town clerk of the town of
233 Guilford. Fifty per cent of the members of the executive board shall be
234 required to constitute a quorum for the transaction of business at any
235 meeting thereof. Any officer may be removed from office at any time
236 by the affirmative vote of not less than seven members of the executive
237 board at any meeting called for that purpose by the president or [clerk,
238 of which meeting at least seven days' notice] secretary, provided notice
239 of the purpose of such meeting has been mailed to each member of the
240 board [, stating the purpose thereof] at least seven days prior to the
241 date of such meeting and posted on the Association signpost and in the
242 office of the town clerk of the town of Guilford.

243 Sec. 8. Section 8 of number 287 of the special acts of 1931, as
244 amended by section 2 of number 275 of the special acts of 1935, is
245 amended to read as follows (*Effective from passage*):

246 The executive board shall have the care, custody and management
247 of all funds and property of the [association] Association and, when
248 assembled according to law, shall have power to make regulations for
249 the management and control of such property and, subject to
250 authorization by the membership at a duly noticed meeting, its
251 transfer and conveyance; also to make regulations concerning the time
252 and place of meetings of said executive board and of said [association]
253 Association, so far as they are not inconsistent with any of the special
254 provisions of [this act] number 287 of the special acts of 1931, as
255 amended by number 275 of the special acts of 1935 and this act; also to
256 regulate the method of assessment and collection of taxes for
257 Association purposes so far as is consistent with the charter, and to
258 prescribe the duties of all officers and employees of the [association]
259 Association. The president, vice president, [clerk] secretary and

260 treasurer shall serve without compensation, except that they shall
261 receive their actual expenses; but the executive board may authorize
262 the [clerk] secretary and treasurer, or either of them, to employ
263 assistants, to whom compensation may be paid, the amount thereof to
264 be determined by the executive board.

265 Sec. 9. Section 9 of number 287 of the special acts of 1931, as
266 amended by section 3 of number 275 of the special acts of 1935, is
267 amended to read as follows (*Effective from passage*):

268 Said executive board shall possess power, when legally assembled,
269 to pass, amend or repeal by-laws, regulations and ordinances to
270 accomplish the objects specified in section two of [this act, and
271 particularly for the purpose of maintenance of a fire department and
272 fire apparatus and for the establishment, maintenance and operation of
273 wells or cisterns, and water works for use in case of fire or for domestic
274 use; and for the purpose of establishing, constructing, operating and
275 maintaining parks, playgrounds, piers, wharves, sea walls,
276 breakwaters and sewage and garbage disposal systems and plants,
277 which establishment or construction shall not be undertaken unless
278 said executive board be so authorized by The Sachem's Head
279 Association, by a two-thirds vote of the members present or
280 represented at any annual or special meeting, and to make rules for
281 their preservation and safe-keeping; to regulate the erection of all lamp
282 posts and telegraph, telephone and electric light posts and the wires
283 and fixtures thereof; to provide for the public lighting, oiling and
284 watering of the streets within the limits of said association; to regulate
285 the planting, removal, protection and preservation of trees in the
286 streets, to keep the streets and all public places within the limits of said
287 association quiet and free from all undue noise and to prohibit the
288 crying of newspapers and other wares on Sunday or at any unusual
289 hours upon the streets of said association; to regulate traffic and the
290 speed and parking of vehicles in the streets and public places; to
291 regulate the observance of Fourth of July and any other holiday, to the
292 end that undue noise may be prevented and the fire hazard
293 diminished; to regulate and prohibit the running of animals at large

294 within said district; to prevent and summarily abate every kind of
295 nuisance and public annoyance; to regulate the handling and storage
296 of inflammable and dangerous liquids and explosives; to regulate the
297 use and construction of cesspools, drains, sewers and privies and the
298 place and method of discharge of the same; to regulate and prevent the
299 use of pig pens and the deposit of rubbish within the limits of said
300 association; to compel the removal from any place in said association
301 of all nuisance injurious to health or offensive or annoying to the
302 public at the expense of the owner of the premises where any such
303 nuisance exists; to prevent and regulate the removal and manner of
304 removal of any offensive manure, swill, nightsoil or other substance
305 upon the streets of said association; to prevent and regulate the
306 carrying on within said association limits of any business prejudicial to
307 public health or dangerous to or constituting an unreasonable
308 annoyance to those living or owning property in the vicinity thereof; to
309 regulate the naming of public streets; to establish building lines and
310 regulate the construction of buildings;] number 287 of the special acts
311 of 1931, as amended by this act, and said executive board may, in such
312 by-laws and ordinances, prescribe fines [or terms of imprisonment in
313 the county jail] not exceeding [twenty dollars or thirty days in jail, or
314 both, for any violation of any such by-law. The grand jurors and
315 justices of the peace of the town of Guilford shall proceed in the same
316 manner and shall have the same jurisdiction in cases of violation of
317 any such by-law as for violation of the general statutes] one thousand
318 dollars.

319 Sec. 10. Section 10 of number 287 of the special acts of 1931 is
320 amended to read as follows (*Effective from passage*):

321 The executive board shall have control of all sidewalks, crosswalk
322 and footpaths in the streets of said [association] Association and may
323 order the owner or owners of any land fronting on any highway
324 within the limits of said [association] Association to construct or repair
325 sidewalks, curbs or gutters within the highway adjacent to such land,
326 of the kind, in the manner and in the time specified in such order, at
327 such grade as may have been established in said highway. The

328 executive board may order the clearing of ice and snow from such
329 sidewalks. Notice of such order shall be signed and served in the same
330 manner as prescribed for [notices] notice of special meetings of the
331 [association] Association. In case any land affected by any such order
332 or by any assessment or tax shall be holden by two or more persons
333 jointly, or two or more persons shall have different estates therein, said
334 executive board may apportion between such persons the expense of
335 carrying out such order or the amount of such assessment or tax. If any
336 such owner shall neglect or refuse to comply with such order, said
337 executive board may cause the work required by such order to be done
338 and the expense so incurred shall, from the time when such work is
339 begun, be and continue a lien, upon notice thereof being filed in the
340 office of the town clerk of the town of Guilford, in favor of said
341 [association] Association upon such land, and may be collected by a
342 suit as for a debt or foreclosure in the name of said [association]
343 Association. Said board may pass by-laws in relation to the keeping of
344 such sidewalks free from obstructions, to be enforced in the same
345 manner as provided in section nine of number 287 of the special acts of
346 1931, as amended by this act.

347 Sec. 11. Section 11 of number 287 of the special acts of 1931 is
348 amended to read as follows (*Effective from passage*):

349 Said executive board shall have power to establish [a] building
350 [code and building lines and also veranda lines both in front and in
351 rear, outside of which lines no building or part of a building shall be
352 permitted after the establishment of such lines, but such building line
353 shall not affect permanent structures existing at the time of the passage
354 of this act. Said executive board, before establishing any building line,
355 shall cause notice thereof, and of the time set for a hearing thereon, to
356 be signed and served in the manner prescribed for notices of special
357 meetings of said association, upon all owners of land to be affected by
358 such proposed building line. Said board, after hearing, may determine
359 the benefits and damages due to each of such owners by reason of the
360 establishment of such building line, and, in case the damages shall
361 exceed the benefits, such excess of damages shall be paid by said

362 association. If the benefits shall be found to exceed the damages, such
363 excess of benefits over damages shall be paid by such land owner to
364 said association. The amount of such excess shall be a lien from the
365 date of recording notice thereof in the office of the town clerk of the
366 town of Guilford in favor of said association upon the land affected by
367 such order from the time of the determination of such amount and the
368 service of notice thereof upon such owners in the manner hereinbefore
369 provided] and zoning codes.

370 Sec. 12. Section 12 of number 287 of the special acts of 1931 is
371 amended to read as follows (*Effective from passage*):

372 Any party who may be aggrieved by any order of the executive
373 board, making any assessment of benefits or damages, or requiring the
374 construction of any sidewalk, curb or gutter, or the payment of any
375 part of the expense thereof, may appeal therefrom in the manner
376 prescribed in [sections 505, 506, 507 and 508 and other applicable
377 sections of] the general statutes. [, and with like effect.]

378 Sec. 13. Section 13 of number 287 of the special acts of 1931 is
379 amended to read as follows (*Effective from passage*):

380 Said executive board [shall] may constitute and be a board of health
381 of said [association] Association, and shall have, within the limits of
382 said [association] Association, all the power given by law to town, city
383 and borough health officers, except in relation to contagious diseases,
384 and may appoint a health officer, who shall serve without pay and
385 who, under the direction of said health board, shall have the authority
386 given by law to, and shall discharge all duties imposed by law upon,
387 health officers of towns, except in relation to contagious [disease]
388 diseases. Said executive board or said health officer may order any
389 person, boat, vessel or vehicle which he or she has reasonable grounds
390 to believe to be infected with or to have been exposed to any
391 malignant, infectious or contagious disease, into confinement in a
392 place to be designated by him or her, there to remain until examined or
393 inspected by the health officer of the town of Guilford and until such

394 order be revoked by said Guilford health officer. Within a reasonable
395 time after any such order has been issued, said executive board or said
396 health officer shall report in writing to said Guilford health officer that
397 such order has been issued, the reasons therefor, and, if known, the
398 names and local addresses of the persons so ordered, and the names
399 and local addresses of the persons owning or in charge of, and a brief
400 description of, any such boat, vessel or vehicle. Said board of health
401 may make and cause to be executed orders necessary for the
402 promotion of health of the inhabitants of said [association] Association,
403 provided such orders shall not be inconsistent with the laws of this
404 state or of the United States; and if any person shall fail to obey any
405 order of said board of health, upon receipt of written notice, signed by
406 the health officer, the board of health shall have the right to cause such
407 order to be carried out at the expense of such persons, and for such
408 purpose the members of said board may, personally or by their health
409 officers, or by their duly appointed agent, enter upon and into all lands
410 and buildings in said [association] Association; and the expense of
411 carrying out such order may be recovered against such person by any
412 proper action in the name of said [association] Association.

413 Sec. 14. Section 14 of number 287 of the special acts of 1931 is
414 amended to read as follows (*Effective from passage*):

415 Said executive board may appoint and discharge police officers to
416 act within the limits of said [association] Association, who shall have
417 all the powers of constables within said district, for the purpose of
418 making arrests for violation of law or of the regulations and by-laws of
419 said [association] Association, and said executive board may fix the
420 compensation of such police officers.

421 Sec. 15. Section 15 of number 287 of the special acts of 1931 is
422 amended to read as follows (*Effective from passage*):

423 Said executive board shall establish a public signpost within the
424 limits of said [association] Association, and may make, establish and
425 adopt forms of orders and notices to be used under [this act] number

426 287 of the special acts of 1931, as amended by this act.

427 Sec. 16. Section 16 of number 287 of the special acts of 1931 is
428 amended to read as follows (*Effective from passage*):

429 [No by-law or ordinance shall take effect or be enforced until the
430 same has been posted for at least three days on the public signpost of
431 said association; nor shall any by-law or ordinance take effect until
432 fifteen days after its passage. A certificate of the clerk of said
433 association of the due posting of any by-law or ordinance shall be
434 prima facie evidence of such posting.]

435 No new by-law, ordinance or amendment thereto shall be adopted
436 unless a written notice setting forth in full such proposed by-law,
437 ordinance or amendment has been mailed or, with the member's
438 authorization, transmitted electronically by the secretary to each
439 member of the Association at least fourteen days prior to any action
440 thereon. A public hearing shall be held to allow comment on any
441 proposed by-law, ordinance or amendment. Notice of all public
442 hearings shall be posted on the Association signpost and in the office
443 of the town clerk of the town of Guilford. No by-law, ordinance or
444 amendment shall take effect or be enforced until five days after the
445 date on which the secretary mails a copy of such by-law, ordinance or
446 amendment to each member of the Association in accordance with
447 section six of number 287 of the special acts of 1931, as amended by
448 this act.

449 Sec. 17. Section 17 of number 287 of the special acts of 1931 is
450 amended to read as follows (*Effective from passage*):

451 The executive board of said [association] Association shall not,
452 within any year, incur any pecuniary liability exceeding in amount ten
453 mills on the dollar of the assessed value of the real estate within the
454 territory of said The Sachem's Head Association, as shall appear by the
455 assessment list provided for in this charter, plus any available cash
456 surplus that it may have in its treasury, provided any liability
457 exceeding six mills on the dollar of the assessed value, plus such

458 aforesaid surplus, shall be incurred only for the purpose of providing
459 funds for obligations incurred in connection with the construction or
460 maintenance of a water supply for said district. Nothing contained in
461 this section shall prevent said [association] Association from
462 borrowing money and issuing bonds or other obligations, as set forth
463 in section one of [this act] number 287 of the special acts of 1931, as
464 amended by number 275 of the special acts of 1935 and this act, nor
465 shall it prevent said executive board from assuming obligations for
466 providing a water supply for said district, when the construction of a
467 system for said water supply shall have been authorized by vote of
468 said [association] Association and the cost of construction of said water
469 system to said [association] Association, in excess of the amount which
470 may be provided by taxation hereunder and by the issuance of bonds
471 as permitted in section one of [this act] number 287 of the special acts
472 of 1931, as amended by number 275 of the special acts of 1935 and this
473 act, is guaranteed to said [association] Association by the members
474 thereof, jointly and severally.

475 Sec. 18. Section 18 of number 287 of the special acts of 1931 is
476 amended to read as follows (*Effective from passage*):

477 It shall be the duty of the [clerk] secretary of said board, on or before
478 the first day of May of each year, to prepare an assessment list of all
479 the real estate in said [association] Association district, including
480 therein the value of the buildings, placing in the name of each member
481 of the [association] Association such land, buildings and
482 improvements as were assessed to such member as of the first day of
483 October next preceding by the assessors of the town of Guilford and at
484 the valuation at which such property was assessed on the list of said
485 town last completed. In case any piece of land assessed as of said date
486 on the list of the town of Guilford shall be situated partly within and
487 partly without said district, said [clerk] secretary shall assess said part
488 within the district in the proportion which the part within the district
489 bears to the whole tract so assessed, using his best judgment as to such
490 value, and said [clerk] secretary shall, on or before said first day of
491 May, report said list to the executive board, which board shall have

492 authority to revise the same. If said board shall find that any particular
493 tract does not correspond with the last assessment list of the town of
494 Guilford, or if it shall find that there are any errors in the proportional
495 value of such parts of any piece of property as are partly within and
496 partly without the territory of said [association] Association, the board
497 shall correct the same, and said list when so revised or corrected shall
498 be adopted and transcribed in the minutes of said [association]
499 Association, and shall be [certified] notified by the [clerk] secretary of
500 said board on or before May twenty-fifth following as being the official
501 and corrected list, and shall be open to inspection by any member of
502 the [association] Association.

503 Sec. 19. Section 19 of number 287 of the special acts of 1931 is
504 amended to read as follows (*Effective from passage*):

505 Any person claiming to be aggrieved by any such proportional
506 valuation by said board may appeal to the superior court in the
507 manner provided by the general statutes for appeals from boards of
508 [relief] assessment appeals.

509 Sec. 20. Section 20 of number 287 of the special acts of 1931 is
510 amended to read as follows (*Effective from passage*):

511 The executive board of said [association] Association, on or before
512 the first day of June annually, may lay a tax to be due and payable on a
513 date to be annually fixed by said board but not less than thirty days
514 following the certification of the assessment list of said [association]
515 Association last completed for the purpose herein specified, and not
516 more than thirty days following the laying of such tax. The rate shall
517 not exceed ten mills on the dollar for any one year of the total value of
518 said real estate as shown by the said last completed list. Said board
519 shall appoint a collector to collect such tax, and the [clerk] secretary
520 shall prepare a rate bill which shall be made and signed by at least two
521 of the officers of said board. Any justice of the peace for the town of
522 Guilford shall, on presentation to him, issue his warrant in the form
523 prescribed by law for warrants of tax collectors for the collection of all

524 money due from the persons whose names appear on such rate bill.

525 Sec. 21. Section 21 of number 287 of the special acts of 1931, as
526 amended by section 4 of number 275 of the special acts of 1935 is
527 amended to read as follows (*Effective from passage*):

528 Within ten days from receipt of the rate bill, the [collector] treasurer
529 shall make demand for payment of the amount of tax due from each
530 taxpayer of said association. Each such demand for payment shall be
531 in the form of a bill containing a statement showing the amount due,
532 the rate and the due date thereof, and the same shall be addressed to
533 Sachem's Head, Connecticut, or to the address appearing on the
534 assessment list last completed by the executive board. If any tax shall
535 not be paid within a period of thirty days from the due date thereof, it
536 shall bear interest at the rate prescribed by the statutes for failure to
537 pay such tax. After six months of nonpayment, a lien may be placed on
538 the property. Any such lien shall be continued, recorded and released
539 in the manner provided by the general statutes for continuing,
540 recording and releasing property tax liens. After twelve months of
541 nonpayment, written notice shall be given to the property owner
542 advising that Association services and privileges shall be suspended
543 due to such nonpayment. The [collector] treasurer shall possess all the
544 powers, perform all the duties and be charged with all the
545 responsibilities of collectors of town taxes as prescribed by the general
546 statutes. Certification by the [collector] treasurer of the giving of due
547 notice as required by law, shall be prima facie proof thereof. He shall
548 be accountable to the executive board in the same manner and to the
549 same extent as town collectors are accountable to towns or to boards of
550 selectmen of towns. [, and he shall pay over all money collected by him
551 within fifteen days from the date of the receipt of the same to the
552 treasurer of the association. In making any such payment to the
553 treasurer, he] The treasurer shall comply with the provisions of the
554 general statutes respecting the records to be kept by him [or to be
555 given to the treasurer] showing receipt of tax money and relating to all
556 receipts to be given and obtained by him. All provisions of the general
557 statutes relating to tax liens, their continuance, interest rates, penalties

558 and fees and the collection of taxes, except as herein prescribed, shall
559 be applicable to taxes duly levied by and for the uses of said
560 [association] Association.

561 Sec. 22. Section 5 of number 275 of the special acts of 1935 is
562 amended to read as follows (*Effective from passage*):

563 Except as herein prescribed, the provisions of chapter 29 of the
564 general statutes as amended shall be applicable to and within The
565 Sachem's Head Association and the zoning authority of said
566 [association] Association as herein designated shall have exclusive
567 jurisdiction to function with respect to zoning within its territorial
568 limits. The executive board of said [association] Association shall be its
569 zoning authority and said authority may annually appoint a zoning
570 commission consisting of three [members] persons eligible to hold
571 office. [No person shall be qualified to act as a member of said
572 commission who shall not at the time of his appointment be the owner
573 of real estate situated in said association and who shall not have
574 owned real estate situated therein for a period of two years prior to the
575 date of his appointment.] In the event of a vacancy in the membership
576 of said commission, the executive board may fill the same by
577 appointment for the unexpired portion of the term so vacant. Said
578 authority shall annually appoint a board of appeals consisting of three
579 [members whose qualifications shall be the same as members of said
580 commission] persons eligible to hold office. Every appointment as
581 member of the zoning commission or of said board of appeals shall be
582 for a period of one year, except when such appointment shall be made
583 to fill a vacancy. No member of said commission or said board of
584 appeals shall serve more than eight consecutive one-year terms. Said
585 authority, said commission and said board of appeals shall have the
586 authority conferred upon similar boards in the towns of the state and
587 said boards shall function in the performance of their respective duties
588 in the same manner as if authorized to act in any town [outside of a
589 city or borough] of the state.

590 Sec. 23. Section 24 of number 287 of the special acts of 1931 is

591 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 1
Sec. 2	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 2
Sec. 3	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 3
Sec. 4	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 4
Sec. 5	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 5
Sec. 6	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 6
Sec. 7	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 7
Sec. 8	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 8
Sec. 9	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 9
Sec. 10	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 10
Sec. 11	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 11
Sec. 12	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 12

Sec. 13	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 13
Sec. 14	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 14
Sec. 15	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 15
Sec. 16	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 16
Sec. 17	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 17
Sec. 18	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 18
Sec. 19	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 19
Sec. 20	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 20
Sec. 21	<i>from passage</i>	Number 287 of the special acts of 1931, Sec. 21
Sec. 22	<i>from passage</i>	Number 275 of the special acts of 1935, Sec. 5
Sec. 23	<i>from passage</i>	Repealer section

Statement of Legislative Commissioners:

In sections 9, 10, 15 and 18, technical changes were made for accuracy, and in section 16, in the last sentence, a technical change was made and "or amendment" was added in one place for consistency and accuracy.

PD *Joint Favorable Subst.-LCO*