



Senate

General Assembly

File No. 135

January Session, 2015

Senate Bill No. 882

Senate, March 19, 2015

The Committee on Planning and Development reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING MUNICIPAL INFRASTRUCTURE.

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

1 Section 1. Section 7-99 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 The town manager shall exercise the powers and perform the duties
4 in and for such town [which] that are conferred and imposed by law
5 upon selectmen, except such duties as relate to the making of electors.
6 Such manager shall be limited as to expenditures made and liabilities
7 incurred during the fiscal year to the appropriations made by the
8 board of finance and approved by such town, except in case of actual
9 necessity involving the immediate repair of a highway, bridge or
10 sidewalk, and then such expenditure shall not exceed one thousand
11 dollars. All bills against such town shall be certified by such manager
12 and approved by the board of finance and, when so certified and
13 approved, shall be paid by the treasurer of the town upon requisition
14 of such manager. Such manager shall give such bond as is required by
15 the board of finance, with sufficient surety, conditioned upon the

16 faithful discharge of his or her duties. The premium upon such bond
17 shall be paid by the town. On or before the first day of September in
18 each year, such manager shall file, with the board of finance, an
19 itemized statement of his or her disbursements and receipts during the
20 preceding fiscal year, with his or her vouchers therefor and an estimate
21 of disbursements and receipts for the ensuing year. Such account shall
22 be approved by the board of finance and filed with the town treasurer,
23 who shall incorporate the same in his or her annual report.

24 Sec. 2. Subsection (b) of section 7-147 of the general statutes is
25 repealed and the following is substituted in lieu thereof (*Effective*
26 *October 1, 2015*):

27 (b) The legislative body or such board, commission, department or
28 inland wetlands agency may grant or deny permission based on a
29 finding of the effect of the obstruction or encroachment on the flood-
30 carrying and water storage capacity of the waterways and flood plains,
31 flood heights, hazards to life and property, the protection and
32 preservation of the natural resources and ecosystems of the
33 municipality, including, but not limited to, ground and surface water,
34 animal, plant and aquatic life, nutrient exchange and energy flow with
35 due consideration given to the results of similar encroachments
36 constructed along the reach of the waterway. Wherever there is a city
37 or borough within a town, the town shall have authority to establish
38 such lines for such of its area as is not within such city or borough, and
39 the city or borough shall have such authority within its boundaries.
40 Any two or more adjoining municipalities shall have authority to
41 investigate jointly the desirability of establishing lines on either or both
42 sides of a waterway within their jurisdiction. Any private person or
43 any firm or corporation aggrieved by any decision of a legislative body
44 or any such board, commission, department or inland wetlands agency
45 made in accordance with this section may, within thirty days after
46 notice thereof, appeal from such decision in the manner provided by
47 section 8-8 for appeal from the decisions of a municipal zoning board
48 of appeals. Nothing contained in this section shall limit or restrict the
49 Commissioner of Transportation in exercising his or her authority over

50 the harbors and navigable waters of the state, nor apply to any dam,
51 bridge, pipeline or other similar structure, and appurtenances thereto,
52 extending across any waterway, [which] that are otherwise in
53 compliance with law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	7-99
Sec. 2	<i>October 1, 2015</i>	7-147(b)

PD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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

The bill, which makes technical changes to statutes concerning town managers and the municipal regulation of waterway encroachments and obstructions, has no fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis

SB 882

AN ACT CONCERNING MUNICIPAL INFRASTRUCTURE.

SUMMARY:

This bill makes technical changes to statutes concerning town managers and the municipal regulation of waterway encroachments and obstructions.

EFFECTIVE DATE: October 1, 2015

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 15 Nay 0 (03/06/2015)