

# Methods of Merging and Consolidating Municipalities

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## Issue

How can two municipalities in Connecticut merge or consolidate into one?

The Office of Legislative Research is not authorized to provide legal opinions and this report should not be considered one. Please note, a municipality's charter may impose additional requirements not outlined below.

## Summary

The merger of two municipalities, or the creation of a new one, can be accomplished by a special act of the legislature, at the impacted municipalities' request. A special act of this nature can be used when more than one town is involved (e.g., combining two towns into one) or when the consolidation of subdivisions of government is involved (e.g., consolidating a town with a borough therein or merging multiple fire districts into one).

The consolidation of a single town and one or more of the subdivisions therein can alternatively be accomplished by following the statutory process outlined in [CGS § 7-195 et seq.](#) The process requires the appointment of a representative consolidation commission and approval of its consolidation plan by referendum.

While there are a number of cases in Connecticut [history](#) where a borough or city within a town has been consolidated with the town government, we could not identify any recent instances where multiple municipalities merged to become one. However, in our review of *Hartford Courant*

archives, we identified several instances where these mergers were considered, including the merger of New London and Waterford in the 1960s and Ansonia, Derby, Shelton, and Seymour in the 1970s.

## Requesting Special Legislation Concerning a Merger

Connecticut's Constitution generally bans the General Assembly from enacting special acts regarding the powers, organization, terms of elective offices, or form of government of any single town, city, or borough. However, one of the exceptions provides that the legislature is authorized to pass special legislation concerning the "formation, consolidation or dissolution of any town, city or borough" ([Conn. Const., Art. Tenth, § 1](#)). State statute, but not the state constitution, requires that any special legislation concerning the powers, organization, or form of local government be requested by the affected municipalities ([CGS § 2-14](#)).

A proposal to create, dissolve, or consolidate a municipality can be brought before the state legislature in three ways:

1. A two-thirds vote on a resolution endorsing the action, adopted by the:
  - a. council or board of directors in a town having such a body;
  - b. board of aldermen, council, or body charged with making appropriations in a city or consolidated town and city;
  - c. board of burgesses in any borough or consolidated town and borough; or
  - d. board of directors or district committee in any district.
2. In a town without a council or board of directors, a resolution endorsing the action, adopted by the:
  - a. board of selectmen or
  - b. a majority vote of the town meeting or representative town meeting.
3. 10% of the municipality's electors sign a petition supporting the action.

Under state statute, it appears that each impacted municipality must request the special legislation. The town clerk must file a certified copy of the resolution or the petition with the secretary of the state at least 10 days before the start of the legislative session ([CGS § 2-14](#)). Once the session begins, the legislature may opt to enact the requested special legislation creating, dissolving, or consolidating the municipality; but the process under [CGS § 2-14](#) does not automatically create a piece of legislation on which legislators can or must vote.

## Using the Statutory Consolidation Process

The statutory consolidation process, which is part of the Home Rule Act, cannot be used to consolidate different towns into one; it can only be used within a town to consolidate one or more cities, boroughs, or districts (“political subdivisions”) with the town government. Before the passage of the Home Rule Act in 1957, consolidation required a special act by the state legislature.

### *Beginning the Process*

The consolidation process can begin two ways: a legislative body’s vote or a petition of electors.

*Proposal by Legislative Body.* Under this process, if a proposal is adopted by a majority vote of the entire membership of a unit of local government’s legislative body (or a majority vote of the town meeting present and voting), a copy is then transmitted to each other unit included in the proposal (i.e., any town, city, borough, or district included). Within 30 days of the proposal’s adoption, the impacted units’ legislative bodies must accept or reject it. The resolution accepting or rejecting it must be filed with the town clerk ([CGS § 7-195\(b\)](#)).

*Petition Method.* If the process is commenced with a petition, it must first be filed with the town clerk ([CGS § 7-195\(c\)](#)). The law provides the format of the petition ([CGS § 7-196](#)). From the date of filing, the law allows 90 days to collect the required signatures. Unless a special act specifies a lower percentage, the petition must be signed by at least:

1. 10% of the electors of each city, borough, or district within a town which will be consolidated and
2. 10% of the electors of the area of the town, if any, outside the borders of such political subdivisions.

At the end of the petition period, if a sufficient number of signatures have been collected, the certified petition is transmitted to the town’s legislative body ([CGS § 7-195\(c\)](#)).

### *Consolidation Commission*

*Appointment.* If the impacted units’ legislative bodies agree to the consolidation proposal or a sufficient petition has been certified, the town’s legislative body’s presiding officer must call a joint meeting of the legislative bodies of all of the units included in the proposal. At the meeting, by joint resolution, a consolidation commission of between five and 15 members must be appointed.

The law specifies that each city, borough, or district included in the proposed consolidation and the area of the town, if any, outside the boundaries of any unit must be represented on the commission

in proportion to the number of electors residing in them, as nearly as possible. It further specifies that each unit and the affected area of town outside the borders of the unit or units must each have at least one representative ([CGS § 7-197](#)).

*Powers and Duties.* The commission must prepare a consolidation ordinance, which must:

1. allocate local governmental functions and services to existing offices, departments, boards, commissions, or other agencies of the town, city, borough, or other unit of local government;
2. eliminate unnecessary offices, departments, boards, commissions, or agencies;
3. define areas in which services will be rendered and establish necessary taxing districts to pay for the cost of these services;
4. distribute assets and liabilities; and
5. accomplish other matters required to effectuate the consolidation, including making necessary charter revisions without going through the generally applicable charter revision process.

But state law specifies that the ordinance cannot impair the contractual obligations of the town, city, borough, or other unit of local government. The ordinance must be submitted to the town clerk at least 90 days, but not more than 18 months, after the commission is appointed ([CGS §§ 7-198 to 7-200](#)).

The law provides that a consolidation commission may receive funds from any source, including local appropriations, to complete its duties. Within available resources, it may hire employees and consultants. These authorizations also apply to any charter commission appointed as part of the consolidation process ([CGS § 7-201](#)).

### ***Adoption of Ordinance by Referendum***

After the consolidation ordinance is submitted to the town clerk, it must be voted on at the next general election. A special election may be held before the next general election if at least 10% of the town's electors sign a petition requesting it.

The consolidation ordinance takes effect if a majority of electors voting approve it, provided that majority is equal to at least 15% of the town's electors ([CGS § 7-199](#)).

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