

**Proposed Code Adoption Ordinance
Town of Columbia**

Be it enacted and ordained by the Town of Columbia in Town Meeting assembled:

§ 1-1. Adoption of Code.

The compilation of the ordinances of the Town of Columbia, codified and consolidated into chapters and sections in the form attached hereto and made a part hereof, and consisting of Chapters 1 through 288, is hereby approved, adopted, ordained and enacted as the "Code of the Town of Columbia, Connecticut," hereinafter called the "Code." All provisions contained in the compilation provided for herein and known as the "Code of the Town of Columbia" shall be in force and effect on and after the effective date of this ordinance.

§ 1-2. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town.

§ 1-3. Repealer.

- A. All ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Columbia which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the ordinance repealed.

§ 1-4. Severability.

If any clause, sentence, paragraph, section, article or part of this ordinance or of any ordinance appearing in the Code or included in this Code through supplementation, or the application thereof to any person or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the

application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof and the persons and circumstances directly involved in the controversy in which judgment shall have been rendered.

§ 1-5. Copy of Code on file.

A copy of the Code has been filed in the office of the Town Clerk of the Town of Columbia and shall remain there for use and examination by the public until final action is taken on this ordinance, and if this ordinance shall be adopted such copy shall remain on file in the office of the Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this ordinance, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-6. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the ordinances in the Code of the Town of Columbia, or any new ordinances, when enacted or adopted in such form as to indicate the intention that they be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be included in the Code as amendments and supplements thereto.

§ 1-7. Penalties for tampering with Code.

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Town of Columbia, or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Town of Columbia to be misrepresented thereby, or who violates any other provision of this ordinance, shall, upon conviction thereof, be subject to a fine of not more than \$250.

§ 1-8. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for publication as the Code of the Town of Columbia, no changes in the meaning or intent of such ordinances have been made, except as provided in Subsection B of this section. Certain grammar and spelling corrections and other minor nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Town that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.
- B. The amendments as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-9. When effective.

This ordinance shall take effect upon passage and publication as required by law.

Schedule A
(As referenced in § 1-8B)
Specific Revisions at Time of Adoption of Code

Chapter 14, Boards and Commissions.

Article I, Board of Assessment Appeals.

Section 14-1 is amended as indicated: "the Board of Selectmen may appoint three additional members to the Board of Assessment Appeals for any assessment ~~three-year~~."

Chapter 20, Capital Region Council of Governments.

Section 20-1 is amended as indicated:

Pursuant to authority under Section 3.3(a) of the Town Charter, ~~it is ordained this fourth day of February 2014 by the Columbia Board of Selectmen that~~ the following ordinance is hereby enacted and adopted in accordance with § 4-124j of the Connecticut General Statutes and Section 249 of Public Act 13-247.

Chapter 25, Citation Procedure.

- A. Section 25-1 is amended to change "Citation Official" to read "Citation Officer" and to change the internal reference to Article II of Chapter 224 to Article I.
- B. Section 25-3 is amended to change the fine amount from \$150 to \$250.
- C. Section 25-6 is amended to change "Chief Building Official" to read "Building Official."

Chapter 29, Columbia Green.

Article III, Establishment; Bylaws.

- A. Section 29-3 is amended as indicated:

The Town of Columbia hereby lays out, establishes and dedicates as a public square or common a certain tract of land, owned by said Town of Columbia, and known as "Columbia Green," bounded and described as follows: ~~(This follows a description of the Green as herein before recorded.)~~provided in Article II of this chapter.

- B. Section 29-4 is amended to change all instances of "Columbia Common" to read "Columbia Green."

Chapter 44, Finance.

Article IV, Land Acquisition Fund.

- A. Section 44-3 is amended to update the reference to Connecticut General Statutes § 7-13r to read "§ 7-131r" and to delete the phrase "as defined in Section 3-a, Public Act 90-239 of the CGS" from the end of the first sentence.
- B. Section 44-5 is amended to change the reference to "open space land acquisition committee" to read "Open Space Committee."

Article V, Trust Funds.

The following are repealed from the Trust Funds list in original Sec. 8-8 of the Town Ordinances:

Albert G. Collins Fund: \$100, 1906. Income to be used for care of burial lot in Old Cemetery.
William Austin Yeomans Fund: \$100, 1912. Income to be used for school purposes.
Mary B. Yeomans Fund: \$1,000, 1919. Income to be used for painting exterior of Yeomans Hall.
Nancy R. Porter Fund: \$1,000, 1948. Income to be used for school purposes.
Ida E. Holbrook Fund: \$500, 1956. Income to be used for care at graves in Old Cemetery.
Dr. Edward W. Peet Fund: \$150. Income to be used for care of graves in Old Cemetery.
John L. Hall Fund: \$100, 1958. Income to be used for care of certain old burial plots in Old Cemetery.

Chapter 75, Officers and Employees.

Article I, Town Clerk.

Section 75-1 is amended as indicated:

...the position of Town Clerk shall be compensated by salary set by the legislative body (Town Meeting) of the Town, ~~with~~ All fees or compensation provided by the General Statutes to be paid to the Town Clerk shall be collected...

Article II, Town Historian.

- A. Original Subsections 1 and 2 of Sec. 9-2 of the Town Ordinances, regarding the appointment and qualifications of the Town Historian, are combined into one § 75-2 and amended to read as follows:

The Town Historian shall be appointed and qualified as provided in Section 8.21 of the Town Charter.

- B. Section 75-3 is amended to update references to Sections 7.1 and 7.29 of the Charter to Sections 8.1 and 8.27, respectively.

Article III, Emergency Management Director.

- A. Section 7-5.

- (1) The second sentence is amended to revise the statutory reference "Title 28 Public Act 87-535 of the Connecticut General Statutes" to read "Title 28 and §§ 7-520, 7-521 and 7-522 of the Connecticut General Statutes (Public Act 87-535)."
- (2) The third sentence is amended as indicated: "The EMD develops, organizes, directs and coordinates the Town's Emergency Management Program with the goal of saving lives and protecting property; and maintaining emergency operational capabilities that mitigate, prepare for, respond to, and recover from any emergency or disaster."

Chapter 103, Yeomans Hall and Office Building.

Article I, Use of Yeomans Hall.

Section 103-1B is amended as indicated: "All local governmental and political activities shall take ~~preference~~ precedence over all other meetings."

Chapter 118, Animals.

Article I, Fees for Capture and Impoundment of Dogs.

A. Section 118-1.

- (1) Subsection A is amended to change "Canine Control Officer" to "Animal Control Officer."
- (2) Subsection C is amended as indicated: Such infraction shall carry a ~~fine of \$40 for the first offense and \$40 for any subsequent offense~~ maximum fine of \$90.

Article II, Fee for Care of Impounded Dogs

Section 118-2 is amended to revise the cost of detention and care of an impounded dog from \$6 per day to \$20 per day.

Chapter 130, Building Construction.

Article II, Penalties for Building Code Violations.

Section 130-2B is amended as indicated: "Any person who shall continue any work in or about the building after having been served with a stop order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than \$25 nor more than \$500."

Chapter 156, Fires and Fire Prevention.

Article I, Open Burning.

Section 156-3C is amended as indicated:

Fires for any other of the following types of open burnings must be approved ~~by the Commissioner of the Department of Energy and Environmental Protection regulations~~: as set forth per the current Connecticut State Statute and Regulations for the Connecticut Department of Energy Environmental Protection Agency (DEEP).

Chapter 169, Housing.

Article I, Rental Assistance Program.

Section 169-1 is amended as indicated:

The governing body of the Town of Columbia declares there is a shortage of safe or sanitary dwellings in this municipality available to low-income families at rentals they can afford and there is a need for, and it is desirable and in the public interest for, ~~the Commissioner of Community Affairs to administer~~ the Assessor's Office to process applications for a program of rental housing assistance under Section 8 of Title 11 of the United States Housing and Community Development Act of 1974 (Public Law 93-383) and in accordance with § 8-120 and Chapters 128, 129 and 133 of the Connecticut General Statutes, as amended. We hereby approve the ~~operation~~ processing of applications for the said rental assistance program in this municipality by the said Commissioner through the Assessor's Office. This resolution is passed at the request of the Hartford area office of the U.S. Department of Housing and Urban Development.

Chapter 190, Lake and Beach Use.

Article II, Motorboats on Columbia Lake.

Section 190-7 is amended as indicated: "Every boat owner is encouraged to obtain ~~from the Department of Motor Vehicles~~ a copy of the Connecticut Digest of Boating Laws Connecticut Boater's Guide, issued by the Department of Energy and Environmental Protection."

Article III, Safety Regulations on Columbia Lake.

Section 190-13B is amended to remove the wording "except as stated in Section 4 of this ordinance" from the end of the subsection.

Article V, Fishing at Town Beach.

Section 190-23 is added to read as follows: "Any person who violates any provision of this article shall be fined not more than \$50."

Chapter 217, Peddling, Soliciting and Canvassing.

Article I, Peddlers and Solicitors.

A. Section 217-2B is amended to change "Food Inspector" to "Health Officer."

- B. Section 217-3 is amended to read as follows:

Any person who shall engage in the business of a peddler or hawker without complying with the provisions of this article shall be fined up to \$199, and every sale made in violation of the provisions herein shall constitute a separate offense.

Chapter 224, Property Maintenance.

Article I, Blighted Premises.

- A. Section 224-3, the definition of "blighted premises," Subsection A is amended to change "Building Inspector" to "Building Official."
- B. Section 224-6 is amended as indicated:

Special consideration shall be given to ~~owner-occupied~~ individuals that are elderly or disabled. If an owner cannot maintain a reasonable level of upkeep on the owner-occupied residence because the ~~individual~~ owner is elderly or disabled and no capable person resides in the residence, the Blight Enforcement Officer shall give the person time additional to correct the problem.

Chapter 243, Sewerage Facilities.

- A. Sections 243-1 and 243-2 are amended to change "Director of Health" to "Sanitarian."
- B. Section 243-2, third sentence, is amended as indicated: "The fee, ~~which~~ shall be established by the Board of Selectmen."
- C. Section 243-3 is amended as indicated: "The owner or agent of any building who shall violate any provision of this chapter shall be ~~deemed guilty of a misdemeanor~~ punishable by a fine not less than ~~\$25~~ \$90 but not to exceed \$250 for each and every day that such violation shall continue."

Chapter 267, Taxation.

Article II, Delinquent Taxpayers.

The second paragraph is amended to change the year 1963 to 1962.

Article III, Exemption for Solar Energy Systems.

Section 267-2 is amended to update the reference to § 12-81(56)(a)(b)(a) of the Connecticut General Statutes to read "§ 12-81(56)(a), (b) and (c)."

Article V, Abatement for Volunteer Firefighters.

- A. Section 267-6 is amended to update the reference to § 12-81 of the Connecticut General Statutes to read "§ 12-81w."
- B. Section 267-7, the definition of "active member," is amended to change the term "Executive Members" to "Executive Board members" in the second sentence.
- C. Section 267-11A(3) is amended as indicated: "Lastly, to any other property taxes owed the Town of Columbia in the active member's name, regardless of whether said property is held jointly or as tenant in common."

Chapter 280, Vehicles and Traffic.

- A. Section 280-1A(9) is amended to change "Traffic Commission" to read "Office of the State Traffic Administration."
- B. Section 280-2A and D is amended to change the term "safety lane" to read "fire/safety lane."
- C. Section 280-4A is amended to change "schedule of fees" to read "schedule of fines."
- D. Original Sec. 15-6 A 15D of the Town Ordinances, Penalties for Offenses, is repealed.

Chapter 288, Waste Management.

Article I, Use of Transfer Station.

- A. Section 288-1.
 - (1) The definition of "bulky waste" is amended to change "Department of Environmental Protection" to "Department of Energy and Environmental Protection."
 - (2) The definition of "recycled" is amended to add the following sentence to the end: "A complete, up-to-date list of materials to be recycled can be found on the Town's web page."
- B. Section 288-2A is amended to add the following sentence to end of the subsection: "All loads must be covered or properly secured entering the transfer station."