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[House Bill No. 1808.]
[585.]

AN ACT INCORPORATING THE GIANTS NECK HEIGHTS ASSOCIATION.

SECTION 1. All owners of record of land within the limits specified in section 2 of this act, in the locality known as Giants Neck Heights and Giants Neck Cabins, in the town of East Lyme, shall be, while they continue to be owners of such land, a body politic and corporate by the name of The Giants Neck Heights Association, hereinafter referred to as the "association," and they and their successors shall be a corporation in law with the privileges set forth in subsections (1) to (8), inclusive, of section 1049b of the 1951 supplement to the general statutes, and the rights, privileges and duties hereafter set forth.

SEC. 2. The limits and territory of said association shall be as follows: Beginning at the junction of the northerly line of the New York, New Haven and Hartford Railroad Company right-of-way and the easterly line of the Giants Neck road at the undergrade, thence following the easterly line of said Giants Neck road in a northerly direction three thousand twenty-five feet, more or less, to the south-westerly corner of land now or formerly of Julia Zulinski; thence easterly following the southerly line of said land now or formerly of said Zulinski and said line extended easterly one thousand five hundred and seventy-five feet, more or less, by and along said Zulinski land and lands now or formerly of Chappel and Luce, to land formerly of Addison Brainard; thence southerly following the westerly line of said land formerly of said Brainard and said line extended southerly two thousand nine hundred and twenty-five feet, more or less, to the northerly line of said railroad company's right-of-way; thence westerly following the northerly line of said railroad company's right-of-way one thousand six hundred feet, more or less, to the easterly line of said Giants Neck road to the point of departure.

SEC. 3. All persons who are over twenty-one years of age and who are owners or who may become owners of any land within said limits shall, while they continue to be owners of such land, be members of the association and entitled to vote at any meeting of said association, and shall be eligible to any office in said association.

SEC. 4. The first meeting of the members of said association shall be held not later than September 12, 1953, at such time and place within the limits of said association as the committee hereinafter named shall designate in a notice warning such meeting, for the purpose of electing a governing board to consist of nine members of the association. Three of such members shall be elected for a term of one year, three of such members shall be elected for a term of two years and three of such members shall be elected for a term of three years, and annually thereafter three members shall be elected for a term of three years, unless they or any of them shall sooner cease to be property owners within the limits of said association. At each annual meeting thereafter, the successors to the members of the governing board whose terms

expire shall elect from among its members a president, one or more vice presidents and such other officers as are deemed necessary. Said board shall appoint a secretary and a treasurer and define their duties. Neither of such appointees shall, necessarily, be a member of the board and both positions may be held by one person. Annual meetings shall thereafter be held not later than September 14th, in each subsequent year at such time and place as the governing board shall direct and warn.

SEC. 5. Louis J. Ferrante of Wethersfield, Mary C. Falcone of West Hartford, Margaret R. Zartarian of Hartford, Louise Shekleton of West Hartford and John Castonguay of Hartford, or a majority of them, shall have full power to warn the first meeting of the members of said association for the purpose of electing nine members to form a governing board, which warning shall be written or printed, signed by a majority of said board, and three copies at least posted in public places within the limits of said association, at least three days before such meeting; and any members of said committee may call such meeting to order and may lead the same to the choice of a moderator and clerk and to the election of a governing board. All subsequent meetings, annual or special, shall be warned by said governing board in the manner prescribed by it in rules or by-laws adopted by said association.

SEC. 6. Any vacancy in said board, occurring during the year, may be filled by a majority of the remaining members, and such member so appointed shall hold office for the unexpired portion of the term.

SEC. 7. Said association shall have the power to make, amend or repeal by-laws, ordinances and regulations for its government, not in conflict with the general statutes or town ordinances, and the governing board shall enforce the same in the name of the association. The objects of said association shall be to provide for the improvement of the land within its territorial limits, and for the health, comfort, protection and convenience of the inhabitants thereof.

SEC. 8. Said association shall have the power to purchase, acquire, hold, sell or convey such real and personal property within the territorial limits of the association as the purposes of said association may require; and it shall have the power to prescribe the salaries or compensation of all officers and employees of said association; and the governing board may enact by-laws and regulations for the following purposes: To regulate travel over the highways within the limits of the association when, in the opinion of said governing board, the free and unrestricted use of said highways may become dangerous or inconvenient; to protect by suitable means property within its limits from theft or injury; to appoint at its expense one or more special policemen or watchmen who shall have the powers and duties within its limits in relation to criminals and criminal offenses that constables have in towns, including the power to arrest for violation of any regulation or by-law of said association, or any law, and the judiciary shall punish for resistance to or obstruction of such special policemen or watchmen while in the proper performance of their official duties in

the same manner as though they were duly constituted police officers of the town of East Lyme; to clean and improve any and all ditches; to keep the streets and all public places within the limits of said association quiet and free from noise; to regulate the parking of motor vehicles; to build, repair and improve highways, roads and sidewalks within the limits of said association; to require owners or lessors of land or buildings within the limits of said association to remove leaves and other inflammable material or obstructions from the highway adjacent to or in front of property owned, leased or occupied by them; to prevent the deposit upon the property within the limits of said association of any refuse, garbage or waste material of any kind which, in the opinion of said board, may endanger the public health or safety or which may become a nuisance; to remove garbage, filth, nightsoil, ashes and other refuse matter within said limits, and to authorize such persons as the board may designate to make entry on any private property within said limits for the purpose of taking and removing all filth, garbage, ashes, nightsoil or any other offensive matter; to establish building lines; to protect any property from danger by fire, including the regulation of the number of cottages and structures that may be erected or placed on a single building lot within said limits; to zone the area within the limits of said association, thereby regulating and restricting the height, number of stories, size of buildings, per cent of lot that may be occupied, the size of yards, courts and other open spaces, the location and use of buildings, structures and land for trade, industry, residence and other purposes, and establishing the boundaries of the districts for said purposes and providing penalties for violations of restrictions; to regulate the carrying on, within the limits of said association, of any business that will, in the opinion of the board, be prejudicial to public health or dangerous to or constitute an unreasonable annoyance to those living or owning property in the vicinity thereof, which regulations shall be uniform for each class or kind of buildings or structures, or class of business; to regulate peddling as provided for in towns under the general statutes; to restrict the right of entry on the property of said association except upon the highways and to promote the planting of trees and shrubbery and other work leading to the improvement of the general appearance of the community. Said association shall have exclusive charge and control of all roads within the limits and territory described in section 2 hereof which are not under town or state control. Said governing board may fix a penalty for each violation of any such by-law, ordinance or regulation, of not more than five dollars for each offense and the penalties may be recovered in any action brought for the purpose in the name of The Giants Neck Heights Association before any court having jurisdiction, for the use and benefit of said association. No by-law or ordinance shall take effect until ten days after its passage nor until it shall have been posted on a signpost within the limits of the association, to be designated by the governing board for at least seven days. A certificate of the secretary of said association of the posting of any by-laws or ordinance as provided herein shall be prima facie evidence of such posting. Nothing herein shall be construed as authorizing the board or the association to change by regulation restrictions in deeds and

nothing herein shall impair the sole exclusive right of the Giants Neck Cabins, Incorporated, its successors and assigns, to install and maintain water pipes in the streets within said territory and the necessary buildings and pumping equipment relating thereto.

SEC. 9. The territorial limits of said association shall constitute a separate taxing district within the town of East Lyme, and the secretary of the association shall, in the manner directed by the association or the governing board, make an assessment list of all the real estate, except unimproved land, within the limits of said association as shall appear by the assessment list of the town of East Lyme then last completed or next thereafter to be completed, and the list so prepared by the secretary shall correspond in description, amount and value of such real estate, with such town list. When real estate so entered in the town list shall be located partly within and partly without the limits of said association, and there shall be no distinct and separate value put by the assessors of the town upon the part lying within said association, the secretary of said association shall assess the part within said association in the proportion which the part within the association shall bear to the whole tract or property so assessed, using his best judgment as to such value. When the title to any property shall have changed before the time of laying any tax, such property shall be listed by the secretary in the name of the person owning it at the time of the laying of such tax. Said secretary shall, within such time as may be limited by the governing board, return such list duly signed and sworn to by him, to the governing board of said association, which shall revise such list, and, if such board shall find that the same fails to correspond with the assessment list of the town of East Lyme, or if said board shall find that there are any errors in the proportional valuation of such parts of any piece of property partly within and partly without the association, said board shall correct the same and such list, when so revised, shall be adopted by said board and shall then be and constitute the assessment list for the association. Any person aggrieved by the doings of the secretary of said board or said board in preparing such list shall have the same right of appeal to the court of common pleas as is provided by the general statutes for appeals from boards of tax review. Said board of governors shall prepare and submit to said association, at each annual meeting, a budget and recommend a tax for the purpose of and based on such budget of not exceeding five mills on the dollar upon the assessment list of the association then last completed or next thereafter to be completed, which budget and tax rate shall be posted on the signpost of said association not less than five days before such annual meeting, provided no levy or tax, as provided herein, shall be assessed or levied against any unimproved land. Said association, at any annual meeting, shall have the power to increase or decrease such budget and rate of taxation recommended by said board of governors. The rate of taxation so recommended by said board of governors shall be final unless increased or decreased by the association at such annual meeting. The tax so laid shall be collected by the treasurer or by any collector specially appointed by the governing board for the purpose, and a rate book shall be prepared and signed

by the secretary of said board within such time and in such manner as may be directed by said board, and warrants shall be issued for the collection of money due on such rate bill pursuant to the provisions of section 1813 of the general statutes. Said association shall have the power to determine all other matters pertaining to the levy or collection of such tax. Written notice of the rate of such tax and the amount thereof, or of the assessment apportioned to each member of the association, shall be sent by the treasurer or collector to each member of the association before July first in each year, on which date such tax shall be due and payable in the manner stated therein, and, if such tax shall not be paid when due, it shall bear interest at the rate of six per cent per annum. The treasurer or other collector shall have all the powers of collectors of town taxes and shall be accountable to the governing board in the same manner as town collectors are accountable to selectmen. Such tax or assessment shall be a lien upon the property upon which it shall be laid and may be collected by suit in the name of the association by foreclosure of such lien or in such manner as town taxes may be collected. Such lien may be continued by certificate which shall be recorded in the land records of the town or towns in which it is located, pursuant to the provisions of the general statutes relating to the continuance of tax liens.

SEC. 10. If any by-laws, ordinances or regulations adopted by the association shall conflict with any lawful ordinance of the town of East Lyme, the ordinance of said town shall prevail and supersede the by-law, ordinance or regulation of said association. Any tax liens levied by said town of East Lyme on property within the limits of the association shall have priority over any liens for assessments levied on the same property by said association.

SEC. 11. This act shall take effect upon its approval by a majority vote of the qualified members of the association attending a meeting held for the purpose.

Approved, June 30, 1953.

[Substitute for House Bill No. 1042.]

[586.]

AN ACT CONCERNING REGISTRARS OF VOTERS OF THE TOWN OF BRISTOL.

SECTION 1. At the town election to be held on the first Tuesday after the first Monday of November, 1954, and biennially thereafter, in the town of Bristol, two registrars of voters shall be elected. Said registrars shall take office on the first Monday of January next succeeding their election, and shall hold office for the term of two years and until their successors are duly elected and qualified. Said registrars shall appoint deputy registrars as provided in section 132 of senate bill 609 of the 1953 session of the general assembly, and may appoint assistant registrars as provided in said section. Said town shall provide