

CANDLEWOOD SHORES TAX DISTRICT  
ORDINANCE 1988-1  
GOVERNING USE OF THE CSTD RECREATION AREAS

BE IT ORDAINED THAT:

Section 1 - TITLE: This Ordinance shall be known and may be cited as the “Recreation Area Use Ordinance of the Candlewood Shores Tax District (CSTD)”.

Section 2 - PURPOSE: The purpose of this Ordinance is to establish rules and regulations for the use and control of the common areas dedicated to open space for recreational use and owned by the CSTD in order to promote the safety, enjoyment and protection of the persons using the property, and of the property.

Section 3 - DEFINITIONS:

- A. “Recreation areas” shall include the beach, ballfield, boat ramp launching area, Community Building and Cove Property.
- B. The “beach” is the property comprised of the open grassy area and sandy beach which lies west of North Lakeshore Drive and north of South Lakeshore Drive, as set forth on Map No. CS4.
- C. The “ballfield” is the open grassy area which lies east of North Lakeshore Drive, north of Candlewood Shores Road, and west of Twilight Lane, as set forth in Maps No. CS2 and CS4.
- D. The “boat ramp and launching area” is the access road, ramp and dock located within the area designated as the “beach”.
- E. Community Building is located at 55 Longview Drive.
- F. Cove Property is located at 2 North Lakeshore Drive.

#### Section 4 - GENERAL RULES:

- A. Hours of Use: The recreation areas are open for CSTD residents from 7 AM to 9 PM. The Community Building hours are subject to provisions of the Community Room Policy and signed Community Room Application.
- B. Use: Recreation areas shall only be used by CSTD residents and their guests. Residents shall be responsible for the conduct of their guests.
- C. Beverages: There shall be no consumption of alcoholic beverages in the recreation areas. Non-alcoholic beverages are permitted. Glass containers are prohibited.
- D. Food: There shall be no cooking or barbecuing in the recreation areas.
- E. Refuse: All refuse must be disposed of properly in the trash receptacles provided or removed by those who bring it into the recreation areas.
- F. Litter: No person shall litter the grounds or waters of the recreation areas.
- G. Children: Children are the responsibility of their parents or guardians.
- H. No bicycles or recreational vehicles may be ridden within the recreation areas.
- I. CSTD is not responsible for any personal injuries or personal property damage while using the use of the recreation areas or for the loss of clothing or valuables or any other personal property left in the recreational areas.
- J. Parking: Parking is permitted in the designated parking areas within the recreation areas for residents' vehicles displaying a current CSTD identification sticker, and for guests' vehicles displaying valid guest passes.

- K. Property Damage: No person shall deface, remove, destroy or otherwise injure in any manner whatsoever any structure, rock, tree, flower, shrub, or any other plant life nor disturb or molest any bird or animal in the recreation areas.
- L. Security: CSTD may employ security for the protection and safety of its residents. The requests and directions of security personnel shall be followed by all residents and their guests at all times.

Section 5 - BEACH AND SWIM AREA RULES:

- A. All swimming is at the swimmer's own risk. Swimming is allowed in the designated areas only.
- B. If a lifeguard is on duty, the lifeguard may request anyone to leave the beach area who is jeopardizing the safety or enjoyment of others. Persons so requested must comply.
- C. Swimming accessories will be permitted at the discretion of the lifeguard.
- D. Radios are permitted but shall not be played at an excessive noise level.
- E. No running or horseplay is allowed on the swim float, boat launching dock or beach area.
- F. Ball playing, frisbee throwing, or similar activities are not permitted in the beach area.
- G. Dogs and other pets are not permitted in the beach area except that leashed or caged pets may be brought to the boat launch area to accompany owners on boats.

Section 6 - BOAT RAMP AND LAUNCHING AREA RULES:

- A. Vehicles are to use the boat ramp only for launching boats into the lake or returning boats from the lake to their trailers.
- B. The loading dock in the launching area is to be used for the pick up

and discharge of passengers only. No boats may be tied up at the loading dock for more than twenty (20) minutes.

- C. There is no parking on the boat ramp and the access road.
- D. The boat ramp is for the convenience of CSTD residents only.
- E. Vehicles and boat trailers shall not remain in the launching area after the boat has been launched. Vehicles and trailers must be parked in the designated area at the perimeter of the ballfield behind the backstop area.
- F. No swimming is permitted in the boat launching area.

Section 7 - BALLFIELD RULES:

- A. No group of non-residents may use the ballfield for any function unless sponsored by a resident who has submitted the Ball Field Application and it has been approved by the CSTD Board of Directors.
- B. Dogs and other pets are permitted on the ballfield, provided that such pets are under the control of their owners or walkers at all times, and provided further that such owners or walkers shall promptly remove any and all waste left by the pets.

Section 8 - VIOLATIONS AND PENALTIES: CSTD reserves the right to exclude from the recreation areas any person who repeatedly and knowingly violates any provision of this Ordinance.

Date Enacted: May 21, 1988  
Date Published: June 30, 1988  
Date Effective: July 15, 1988

ATTEST:

Ann Bisenius, Clerk  
Candlewood Shores Tax District

CANDLEWOOD SHORES TAX DISTRICT  
ORDINANCE 1988-2  
PROVIDING MISCELLANEOUS RULES AND  
REGULATIONS

BE IT ORDAINED THAT:

Section 1 - CONTROL OF DOGS AND OTHER PETS:

- A. No owner of an animal shall allow their animal to run free in the community or on the premises of another person without the knowledge and consent of the property owner.
- B. It is the responsibility of the owner of an animal to pickup all waste of their animal.
- C. Dogs must be leashed when off the owner's property.
- D. Dogs roaming free will be turned over to the Regional Canine Control Officer whenever possible.

Section 2 - DISPOSAL OF REFUSE AND WASTE:

- A. Littering, that is the dumping of any waste material on any property within the CSTD, is prohibited.
- B. Litter, household garbage, yard refuse and construction refuse shall be promptly disposed of and shall not be allowed to accumulate beyond a reasonable period of time.
- C. No refuse or waste of any kind may be placed in vacant lots.
- D. Garbage containers shall be concealed from view except on designated collection days as set forth in E.
- E. Containers with garbage and/or rubbish shall be placed at the curb or near the front property line of the premises, preferably near the driveway entrance, no earlier than twelve (12) hours prior to

collection, and shall not be placed upon the street. After collection, empty rubbish containers shall be removed promptly from the collection point and concealed from view.

### Section 3 - USE OF POWER TOOLS AND EQUIPMENT:

- A. No person shall operate or use or cause, suffer or permit to be operated or used any equipment or tool which emits or causes to be emitted any sound or noise in the construction, demolition, maintenance or repair of any building between the hours of 10:00 p.m. and 7:00 a.m. on Monday through Friday, and 10:00 p.m. and 9:00 a.m. on Saturday and Sunday.
- B. Power tools such as lawn mowers, chain saws, etc. shall not be operated or used or permitted to be operated or used between the hours of 10:00 p.m. and 7:00 a.m. on Monday through Friday, and 10:00 p.m. and 9:00 a.m. on Saturday and Sunday.

### Section 4 - RENTERS:

- A. Homeowners who lease their dwelling units are required to furnish the names and addresses of renters, together with a copy of the lease, to the CSTD office prior to the renters taking occupancy.

### Section 5 - SECURITY:

- A. CSTD may employ security for the protection and safety of its residents. The requests and directions of security personnel shall be followed by all residents and their guests at all times.

### Section 6 - VIOLATIONS AND PENALTIES:

- A. The penalty for violation of any provision of this Ordinance, except the prohibition against disposal of refuse and waste in vacant lots,

shall be a fine of not more than twenty-five dollars (\$25.00) for each offense.

- B. The penalty for violation of the prohibition against disposal of refuse and waste in vacant lots shall be a fine of fifty dollars (\$50.00) for each offense.
  
- C. Each day any such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Date Enacted: May 21, 1988  
Date Published: June 30, 1988  
Date Effective: July 15, 1988

ATTEST:

Ann Bisenius, Clerk  
Candlewood Shores Tax District

CANDLEWOOD SHORES TAX DISTRICT  
ORDINANCE 1988-3  
DRIVEWAYS

I N D E X

SECTION 1 .....	Purpose
SECTION 2 .....	Definitions
SECTION 3 .....	Criteria and Standards
SECTION 4 .....	Materials
SECTION 5 .....	Permit Required
SECTION 6 .....	Time of Filing Application
SECTION 7 .....	Information Required with Application
SECTION 8 .....	Bond, Insurance, Fees
SECTION 9 .....	Officials Not Liable
SECTION 10 .....	Special Requirements
SECTION 11 .....	Violations, Penalties

### Section 1 - PURPOSE:

It is the intent of this ordinance to regulate and control the number of new driveways, curb cuts and access points along all Candlewood Shores Tax District (CSTD) streets in order to provide safe, convenient and adequate access to residences and to avoid any other conditions which might affect pedestrian and traffic safety and street drainage. Criteria and standards for new construction are established to provide this safety as well as to preserve the rural character of the community.

### Section 2 - DEFINITIONS:

- A. "RIGHT OF WAY" means "street", "roadway", "road", "drive", or "lane". It is the area of commonly owned CSTD property used for access to and from private property by cars, other transportation vehicles and pedestrians.

Note: All CSTD rights-of-way are fifty (50) feet wide, except for a 430 foot length at the westerly end of Candlewood Shores Road adjacent to the ballfield, which is 100 feet wide.

- B. "CONSTRUCT" means "build", "reconstruct", "alter", "enlarge", "move", and "establish".
- C. "DRIVEWAY" means a hard-surfaced area on private property connecting the pavement to a garage, or it may be an area used for off-street parking.
- D. "PAVEMENT" means the paved traveled portion of the right-of-way.
- E. "SHOULDER" means the area on either side of the right-of-way between the pavement and the private properties.

### Section 3 - CRITERIA AND STANDARDS:

- A. A driveway must be constructed to provide off-street parking for at

- least two (2) cars even though the proposed residence does not include the construction of a garage.
- B. There shall be no more than one (1) driveway connection from any property to any street.
  - C. The maximum width of the driveway at the edge of the right-of-way shall be twenty-six (26) feet.
  - D. A garage to accommodate not more than two (2) cars may be erected as part of a new building and must be attached to it.
  - E. The shoulders of the right-of-way in front of the premises under construction shall be improved and maintained with a hard surface to provide additional parking and proper drainage.
  - F. The gutter line for drainage must be maintained at the edge of the traveled pavement.
  - G. When the street is on a curve, the center line of the proposed driveway must not deviate more than thirty degrees ( $30^{\circ}$ ) from a right angle for a distance of thirty (30) feet from the edge of the traveled portion of the street.

#### Section 4 - MATERIALS:

The driveway and/or shoulders shall be constructed of bituminous concrete two (2) inches deep on a six (6) inch gravel or 3/4 inch broken stone base. The Board of Directors or its designated agent may alter these requirements if good cause is shown.

#### Section 5 - PERMIT REQUIRED:

No work shall be done to construct a new driveway or enlarge or relocate an existing one which is adjoining, abutting or leading into a CSTD street until an application in proper form has been filed with the CSTD Board of Directors and a permit issued.

## Section 6 - TIME OF FILING APPLICATION:

When the driveway is to be installed in conjunction with construction or reconstruction of a residence or garage, the application shall be filed with the CSTD Board at the same time as plans are filed with the Town of Brookfield's agencies.

If only a driveway project is planned, the completed application together with the required cash bond, insurance certificates and fees must be submitted at least fourteen (14) days in advance of starting work.

The CSTD Board will consider the application at its next regular meeting and will advise the applicable Town agencies of its approval or non-approval of the application.

## Section 7 - INFORMATION REQUIRED TO BE SUBMITTED WITH THE APPLICATION:

- A. A copy of a Class A-2 survey of the property showing the location of the proposed building, the location, width, length and grades of the proposed driveway, and the effect it will have on the street drainage;
- B. A description of the proposed work including the materials to be used in the construction including drainage culverts or catch basins (if needed);
- C. The dates when work will commence and be completed;
- D. The names of the contractors or parties who will perform the work;
- E. A list of the type of heavy mechanical equipment to be used (Note: This must be rubber-tired).

## Section 8 - BOND INSURANCE CERTIFICATES AND FEES REQUIRED:

Before any such permit shall be issued, the Board of Directors will require:

- A. A cash bond to be filed with said Board to guarantee the satisfactory

completion of all the work to be included in the permit, the amount of the bond to be determined by the Board. Said bond to be released only after the work has been completed to the satisfaction of the Board.

- B. A Public Liability Policy or Certificate naming Candlewood Shores Tax District as an additional insured, for bodily injury and property damage in amounts to be determined by the Board.
- C. Permit and inspection fees as determined by the Board.

Section 9 - CANDLEWOOD SHORES TAX DISTRICT OFFICIALS NOT LIABLE; RESPONSIBILITY FOR MAINTENANCE:

The applicant shall agree to hold harmless the Candlewood Shores Tax District and the Board of Directors and their duly appointed agents and employees against any action for personal injury or property damage and for the cost of any repair of the street which may result from the exercise of this permit. The maintenance of the proposed driveway and shoulders from the edge of the traveled portion of the street shall be the responsibility of the owner of the property served by the driveway.

Section 10 - SPECIAL REQUIREMENTS OR EXCEPTIONS AUTHORIZED UNDER CERTAIN CONDITIONS:

If the Board of Directors finds that unusual drainage, traffic conditions or other hardships might result from the construction of the driveway, the Board may vary the requirements, provided the applicant agrees to any special conditions or directions the Board deems necessary.

Section 11 - VIOLATIONS AND PENALTIES:

Any person, firm or corporation violating any of the provisions of this chapter shall be fined not less than one hundred dollars (\$100.00) for each offense; and a separate offense shall be deemed committed upon each day during or on which the violation occurs and continues.

Date Enacted: May 21, 1988  
Date Published: June 30, 1988  
Date Effective: July 15, 1988

ATTEST:

Ann B. Bisenius, Clerk  
Candlewood Shores Tax District

CANDLEWOOD SHORES TAX DISTRICT  
ORDINANCE 1988-4  
CONCERNING VEHICLES WITHIN THE CSTD

BE IT ORDAINED THAT:

Section 1 - SPEED LIMIT:

- A. The established speed limit is 25 M.P.H. and should be observed at all times. The speed limit is enforced by the Town of Brookfield Police Department.

Section 2 - REGISTRATION:

- A. A valid state registration and an emissions inspection sticker is required for all boats, vehicles and trailers belonging to residents and used on CSTD roads and its right of way.

Section 3 - PARKING RESTRICTIONS:

- A. No vehicle shall be parked on Tax District property unless it is a registered vehicle of a resident or authorized guest of the resident.
- B. No person shall park any vehicle where parking is prohibited as indicated by appropriate signs and/or markings.

- C. No person shall park any vehicle within fifteen (15) feet of any fire hydrant.
- D. No person shall park any vehicle within twenty-five (25) feet of an intersection or stop sign.
- E. No person shall park any vehicle within the limits of any street in such a manner as to constitute a traffic hazard or to obstruct the free movement of traffic thereon, nor shall any person double park any vehicle.

#### Section 4 - PARKING DURING STORMS:

- A. Speedy and efficient removal of snow from the streets is hereby declared to be vital to the public health and safety of all CSTD residents and guests.
- B. No person shall park any vehicle within the limits of any street during the time of falling snow, sleet or freezing rain or to obstruct or interfere with snow removal and/or sanding. This restriction applies until four (4) hours after the storm has ended.

#### Section 5 - VIOLATIONS AND PENALTIES:

- A. The penalty for violation of any provision of this Ordinance, except speed limit violations and illegal parking during a storm, shall be a fine of twenty-five dollars (\$25.00) per day.
- B. The penalty for violation of the prohibition against parking on streets during storms shall be a fine of fifty dollars (\$50.00) per day.
- C. Whenever any vehicle is found parked in violation of any of the provisions of this Ordinance, a CSTD agent shall attach to such vehicle a notice to the owner or operator thereof stating that such vehicle has been parked unlawfully and advising such owner or operator of the amount of the fine or penalty.

- D. Said notice shall advise such owner or operator to mail or deliver payment of such fine to the CSTD within five (5) days of the date when such notice is attached to such vehicle.
- E. There shall be a prima facie presumption that the owner of such vehicle was the person who parked such vehicle at the place where such violation occurred.
- F. CSTD may arrange to tow any vehicle which does not comply with the provisions of this Ordinance. The owner of such vehicle may reclaim such vehicle upon showing proper evidence of ownership and upon paying all towing and storage charges and fines.

Date Enacted: July 27, 1988  
Date Published: August 11, 1988  
Date Effective: September 10, 1988

ATTEST:

Ann B. Bisenius, Clerk  
Candlewood Shores Tax District

**CANDLEWOOD SHORES TAX DISTRICT  
ORDINANCE 1991-1  
ROAD DRAINAGE ACCESS ORDINANCE**

**BE IT ORDAINED THAT:**

**Section 1 - TITLE:**

**This Ordinance shall be know and may be cited as the "Road Drainage Access Ordinance of the Candlewood Shores Tax District (CSTD)".**

**Section 2 - PURPOSE:**

**The purpose of this Ordinance is to establish rules and regulations for the discharge of water, via pipe or**

conduit, from private properties in the CSTD to the road surface and road drainage system owned and maintained by the CSTD in order to promote the safety of the persons using the roadway and the protection of the roadway.

### Section 3 - DEFINITIONS:

A. "Road surfaces" are all of those rights-of-way, paved or mapped, within the CSTD and include but are not limited to Candlewood Shores Road, North Lakeshore Drive, South Lakeshore Drive, Berkshire Drive, Longview Drive, Harvard Drive, Dogwood Lane, Lilac Lane, Bayview Drive, Mountainview Drive, Twilight Lane, Clearview Drive and Skyline Drive.

B. "Road drainage system" is all of those catch basins and subsurface piping which provides for the removal of surface water from the roadway.

C. "Water from private property" includes, but is not limited to, curtain drain effluent, said curtain drains providing protection for septic system or house foundations, and effluent from roof gutters which is directed to the road surface or road drainage system.

### Section 4 - GENERAL RULES:

A. The discharge of water from private property via pipe or conduit to the CSTD road surfaces where roadway drainage exists is prohibited. Water must be discharged from private property to the road drainage system.

B. Water will be carried to the road drainage system in a four inch (4") minimum diameter solid access pipe.

C. A distribution box is to be installed in the access pipe within ten feet (10') from the connection to the CSTD roadway drainage system. The top of the distribution box must be accessible and marked with an iron pin. A plot plan clearly showing the location of the distribution box will be provided to the CSTD.

D. Access pipes are to be connected to the back of the nearest catch basin, where possible. If a catch basin is unavailable, the connection to the side of the pipe must be three inches (3") down the side of the pipe, and must be tar sealed.

E. In the case of existing drainage to the roadway surface, connection to newly constructed roadway drainage will be made by the CSTD during roadway drainage construction. The property owner will be responsible for the cost of materials, including piping and distribution box(es), but not the cost of labor.

Section 5 - BONDING:

A. A bond of one thousand dollars (\$1000.00) must be posted by property owners wishing to connect to an existing roadway drainage system.

Section 6 - VIOLATIONS AND PENALTIES:

A. The penalty for violation of any provision of this Ordinance shall be a fine of not more than fifteen dollars (\$15.00) for each offense.

B. Each day any such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 7 - PROVISIONS SEVERABLE:

A. If any section paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

Date Enacted: February 13, 1991  
Date Published: February 21, 1991  
Date Effective: March 23, 1991

ATTEST:

Dori Tarantino, Clerk  
Candlewood Shores Tax

District

CANDLEWOOD SHORES  
CHARTER

ARTICLE I  
NAME, PURPOSE AND LOCATION

Section 1 - NAME: The name of the Tax District shall be “CANDLEWOOD SHORES TAX DISTRICT”, hereinafter referred to as the District.

Section 2 - PURPOSE AND LOCATION: The purpose of the District shall be to acquire, construct, maintain and regulate the use of recreational facilities, to plan, lay out, acquire, construct, maintain and operate and regulate the use of a community water system, to acquire, construct and maintain roads, crosswalks and drains, to appoint and employ watchmen and police officers, and to accomplish any of the purposes which are set forth in Connecticut General Statutes §7-326, without limiting the generality of the foregoing in that area commonly known as “Candlewood Shores” and having as the territorial limits of Candlewood Shores Tax District all those certain pieces or parcels of land, together with the buildings and improvements thereon, including all roadways, and their areas dedicated to Tax District use, situated in the Town of Brookfield, County of Fairfield and State of Connecticut, more specifically shown and designated on the eleven maps recorded in the Office of the Clerk of the Town of Brookfield as follows: “Map of Cedar Ridge in Candlewood Shores dated May 1945” and recorded in Map Book 5 at Page 60 in the Office of the Brookfield Town Clerk; “Map of Maplewood in Candlewood Shores dated August 1945” and recorded in Map Book 5 at page 60 in the Office of the Brookfield Town Clerk; “Map of Bayside in Candlewood Shores dated May 1946” and recorded in Map Book 5 at page 62 in the Office of the Brookfield Town Clerk; “Map of Sunset Point in Candlewood Shores dated June 1946” and recorded in Map Book 5 at page 63 in the Office of the Brookfield Town Clerk; “Map of Oakridge, Section 1, in Candlewood Shores dated December 1946” and recorded in Map Book 5 at page 64 in the Office of the Brookfield Town Clerk; “Map of Pinehurst in Candlewood Shores dated May 1946” and recorded in Map Book 5 at page 62 in the office of the Brookfield Town Clerk; “Map of Oakridge, Section 2, in Candlewood Shores dated December 1945” and recorded in Map Book 5 at page 65 in the Office of the Brookfield Town Clerk; “Map of Beechwood in Candlewood Shores dated January 1948” and recorded in Map Book 5 at page 66 in the

Office of the Brookfield Town Clerk; “Map of Woodhaven in Candlewood Shores dated January 1948” and recorded in Map Book 5 at page 67 in the Office of the Brookfield Town Clerk; “Map of Birchwood in Candlewood Shores dated January 1948” and recorded in Map Book 5 at page 68 in the Office of the Brookfield Town Clerk; “Map of Elmwood at Candlewood Shores dated March 1957” and recorded in Map Book 5 at page 69 in the Office of the Brookfield Town Clerk.

Section 3 - OFFICE: The principal place of business, location and address of the District shall be Candlewood Shores Tax District, 55 Longview Drive, Brookfield, Connecticut 06804.

## ARTICLE II VOTERS AND MEETINGS

Section 1 - VOTERS: Any person who lives, resides or is domiciled within the limits of said District and who is a legal Voter of the Town of Brookfield, Connecticut, or any citizen of the age of eighteen (18) years or more who, jointly or severally, is liable to the District for taxes assessed against him on an assessment of not less than One Thousand Dollars on the last completed Grand List of such District, or who would be so liable if not entitled to an exemption as set forth or referred to in §7-6 of the Connecticut General Statutes, or any other person who otherwise is eligible to vote in the Tax District pursuant to §7-6, may vote. In case of conflict, those persons entitled to vote within the District shall be governed by the General Statutes of the State of Connecticut pertaining to voting rights as may apply to this District only.

Section 2 - ANNUAL MEETING: The Annual Meeting shall be held on the third Saturday of May in each year at Candlewood Shores, Brookfield, Connecticut, or at such other place in the Town of Brookfield, Connecticut, as may be designated by the Directors. At said Annual Meeting, the Officers and Directors of the District shall be elected, the annual budget shall be adopted, the tax laid, the tax rate fixed, and the Voters shall do any and all things permissible or necessary within the limits of §7-327 of the Connecticut General Statutes, in particular, but without limiting the generality of the foregoing and the relevant sections of the Connecticut General Statutes pertaining to the District and the purposes established hereunder.

Section 3 - SPECIAL MEETINGS: Special Meetings of the District may be called as set forth and pursuant to the procedures outlined in Connecticut General Statutes §7-327 by the President or by any three (3) Directors or upon application of fifty(50) persons qualified to vote in the District meeting. Any special meeting called on the application of the Voters shall be held within twenty-one (21) days of receiving the application.

Section 4 - QUORUM: Not fewer than twenty-five (25) Voters of the District shall constitute a quorum for the transaction of business at any meeting of the District.

Section 5 - ADJOURNMENT: At all meetings of the District where a quorum is present, the meeting may be adjourned from time to time by a majority of the Voters voting on the question. If twenty-five (25) Voters are not present at any meeting, the President of the District or, in the President's absence, the Vice-President, may adjourn such meetings from time to time, until at least twenty-five (25) Voters are present. No meeting shall be adjourned for a period of more than twenty-one (21) days or less than ten (10) days.

Section 6 - NOTICE OF MEETINGS: Notice of all Annual Meetings and all special meetings, and any adjournments thereof, shall be given by publication of a notice of such meetings in a newspaper having a general circulation in the District at least ten (10) days before the day of such meeting, signed by the President or any three (3) Directors, which notice shall designate the time and place of such meetings and the business to be transacted thereat.

The President of the Tax District shall file not later than August 1 of each year, with the Clerk of the District, a schedule of regular meetings of the Tax District for the ensuing year and no such meeting except special meetings shall be held sooner than thirty (30) days after the schedule has been filed.

The agenda of the regular meetings of the District shall be filed not less than twenty-four (24) hours before meetings to which they refer in the Tax District office.

Section 7 - VOTING: All questions arising in such meetings shall be decided by a majority vote of the qualified Voters present and voting. The

President shall vote only when there is a tie-vote. Voting at all meetings shall be a viva voce or such other method as a majority vote of the qualified Voters present and voting shall determine. The within and foregoing shall not limit the rights of any Voter pursuant to the Connecticut General Statutes pertaining to voting in a tax district or the requirements of any vote pursuant thereto. Each Voter shall have one (1) vote.

### ARTICLE III BOARD OF DIRECTORS

Section 1 - QUALIFICATIONS AND NUMBER: There shall be nine (9) members of the Board of Directors, consisting of the following: the President of the District, the Vice-President of the District, the Treasurer of the District, the Clerk of the District, and five other Directors, all of which shall be qualified Voters of the District pursuant hereto and the Connecticut General Statutes.

Section 2 - ELECTION AND TERM OF OFFICE: The Board of Directors shall be elected at the Annual Meeting of the Voters of the District, shall take office on the first day of July and serve until June 30 of the following year or until each successor has been duly elected and qualified, whichever is later.

Section 3 - DUTIES OF DIRECTORS: The Board of Directors shall have control and general management of the District. The Directors shall in all cases act as a Board and individual Directors shall have no power as such unless otherwise provided herein or by the Connecticut General Statutes. They may adopt such rules and regulations for the conduct and management of the District, as they may deem proper, not inconsistent with this Charter and the laws of the State of Connecticut.

The President shall designate the duties upon each of the five (5) Directors and appoint all Committees and Boards of the District.

The President shall appoint a Nominating Committee to prepare and present to the Annual Meeting of the Voters a proposed slate of officers for the ensuing year. In any year not more than one person from each Tax District household may serve on the Board of Directors.

The Nominating Committee shall consist of five (5) persons and shall be appointed by the President by October of each year and present a slate of officers to the President by March 1 of each year. Such proposed slate of candidates will be published in the Candlewood Shores Tax District Newsletter or other publication at least twenty-five(25) days prior to the Annual Meeting.

The President and Directors shall review the annual budget and prepare comments and recommendations to be transmitted to the annual budget meeting of the District.

Section 4 - SPECIAL MEETINGS: Special Meetings of the Board of Directors may be called by the President or any three (3) Directors upon giving notice as hereinafter provided.

Section 5 - QUORUM: Not fewer than four (4) members of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board.

Section 6 - ADJOURNMENT: At all meetings of the Board of Directors where a quorum is present, the meeting may be adjourned from time to time by a majority of the members present voting on the question.

If four (4) members of the Board of Directors are not present at any meeting, the majority of the Directors present may adjourn the meeting from time to time until four (4) members are present.

No meeting shall be adjourned for a period of more than thirty-one (31) days or less than four (4) days, except in the case of an emergency meeting.

Section 7 - NOTICE OF MEETINGS: Notice and an agenda of business of any meeting of the Board of Directors shall be given to each

Director at least three (3) days before the day of such meeting, authorized by the President or any three (3) Directors, which notice shall designate the time and place of such meeting, except in the case of an “emergency meeting” called solely for purposes of preservation of life or property where a quorum of Directors present may waive notice. Any adjournments thereof shall have notice sent to each member not less than three (3) days before the meeting.

Section 8 - VOTING: All questions arising at such meetings shall be decided by a majority vote of the Directors present and voting. The President shall vote only to dissolve a tie. Each Director shall have one (1) vote. Voting at all meetings shall be a viva voce or such other method as a majority vote of the Directors present shall determine.

Section 9 - VACANCIES (TAX DISTRICT OFFICERS AND BOARD OF DIRECTORS MEMBERS): Any vacancy arising in the elective Tax District office shall be filled by appointment by a majority of the Board of Directors (even though the remaining Directors may not constitute a quorum) for the unexpired portion of the term of the office or until the next regular annual Meeting for the election of Officers as defined in §7-327 of the Connecticut General Statutes, whichever shall occur first. Within ten (10) days after a vacancy occurs and prior to the filling of any vacancy, notice of said vacancy shall be given by the Clerk of the Tax District for publication in a newspaper having general circulation in the Tax District for the purpose of filling said vacancy.

## ARTICLE IV OFFICERS

Section 1 - NUMBER: The Officers of the District shall be:

1. President
2. Vice-President
3. Clerk
4. Treasurer

Section 2 - ELECTION, TERM OF OFFICE AND QUALIFICATIONS: The Officers of the District shall be elected at the Annual Meeting of the Voters of the District, shall take office on the first day of July following the Annual Meeting and shall hold office until the 30th of June of the following year, or until their successors shall have been duly elected and qualified, whichever is later. Voting, election and qualification shall be in accordance with Article II hereof, and the relevant sections of the Connecticut General Statutes.

Section 3 - PRESIDENT: The President of the District shall be a member of the Board of Directors and the Chief Executive Officer thereof. The President shall preside at all meetings of the Board of Directors. The

President shall preside at all meetings of the Voters of the District. At all meetings at which the President presides, the President shall vote only to dissolve a tie-vote.

The President shall designate the duties devolving upon each of the five (5) Directors. The President or the General Manager shall approve all bills for payment. All checks drawn for \$5000 or greater shall be countersigned by two officers. The President shall, ex officio, be a member of all committees and boards of the District.

The President may appoint an Assistant Treasurer from the elected Directors of the Tax District. The President shall cause to be called regular and special meetings of the Voters or the Board of Directors in accordance with this Charter and the General Statutes of the State of Connecticut.

The President or the designee shall appoint, remove, employ, discharge, and fix all the compensation of all employees of the District, other than the duly appointed Officers and Directors, subject to and upon approval of the Board of Directors.

The President or the designee shall sign and make all contracts and agreements in the name of the District, subject to and upon approval of the Board of Directors. The President shall have general direction and management of the affairs of the District. The President shall do any and all things required by the General Statutes of the State of Connecticut.

Section 4 - VICE-PRESIDENT: The Vice-President of the District shall be a member of the Board of Directors. The Vice-President shall have all the authority, power and duties of the President whenever the President vacates the office, is absent or from any cause is unable to perform the duties.

The Vice-President shall have such other powers and duties as the President shall from time to time delegate according to this Charter and the General Statutes of the State of Connecticut.

Section 5 - CLERK: The Clerk shall be a member of the Board of Directors. The Clerk or the designee shall keep a record of all the meetings of the Voters or the Board of Directors. The Clerk shall at all times keep a list of the Voters (as defined in Article II, Section 1 herein) of the District and

perform all other tasks as required of Tax District Clerks as set forth in the Connecticut General Statutes.

The Clerk shall give and serve all notices of the District. The Clerk shall present to the Board of Directors at their stated meetings all communications addressed to the Clerk officially as an officer of the District. The Clerk shall maintain all seals, records, correspondence and files of the Tax District. The Clerk shall have such other duties and powers as the President shall from time to time delegate in accordance with this Charter and the General Statutes of the State of Connecticut.

**Section 6 - TREASURER:** The Treasurer shall have charge of the collection and payment of all monies of the District, including without limitation all annual or special assessments by the District, under such rules and regulations as shall be prescribed by the Board of Directors. The Treasurer or the designee shall prepare the annual budget which the Treasurer shall submit to the Board of Directors. The Treasurer or the designee shall have the care and custody and be responsible for all the funds and securities of the District, and shall deposit all such funds in the name of the District in such bank, savings bank, savings and loan association, or bank and trust company as the Board of Directors may designate.

The Treasurer or the designee shall have the power to sign, make and endorse in the name of the District all checks, drafts, warrants, and orders for the payment of money.

The Treasurer or the designee shall exhibit, at all reasonable times, his books and account to any Officer, Director or Voter of the District upon application at the office of the District during business hours.

The Treasurer or the designee shall render a statement of the finances of the District at the regular meeting of the Board of Directors, and at such other times as shall be required by the President, Board of Directors, Voters, or the General Statutes of the State of Connecticut.

The Treasurer or the designee shall have such other powers and duties as the President shall from time to time delegate in accordance with this Charter and the General Statutes of the State of Connecticut.

Section 7 - ASSISTANT TREASURER: The Assistant Treasurer of the District shall be a current Director appointed by the President to assist the Treasurer, but the Assistant Treasurer shall have no additional voting authority other than that which accrues to the Assistant Treasurer as a Director of the Tax District. The Assistant Treasurer shall have, under the direction and supervision of the Treasurer, all the authority, power and duties of the Treasurer, including the power and authority to co-sign checks, whenever the Treasurer is absent or for any cause is unable to perform his duties.

The Assistant Treasurer shall have such other powers and duties as the Treasurer shall from time to time delegate according to this Charter.

Section 8 - BOND: Security for the faithful discharge of duties by the President, Treasurer and Assistant Treasurer or their designees shall be provided.

## ARTICLE V BUDGET

Section 1 - PREPARATION: Prior to the Annual Meeting of the Voters of the District, the Treasurer shall prepare the annual budget to be proposed by the Board of Directors of the District at the Annual Meeting. The annual budget shall contain in reasonable detail: (1) an itemized statement of all actual receipts from all sources during its current fiscal year; (2) an itemized statement by classification of all actual expenditures during the same year; (3) an itemized estimate of anticipated revenues during the ensuing fiscal year from District property taxes and an estimate of the amount which should be raised by District property taxation for the ensuing fiscal year; (4) an itemized estimate of expenditures of the District for such ensuing fiscal year; (5) the amount of revenue surplus or deficit of the District at the beginning of the fiscal year for which estimates are being prepared; and (6) such other information, statements, accounts or estimates as the Board of Directors or the General Statutes of the State of Connecticut may require.

The Board of Directors shall review the budget and make comments and recommendations thereon, all of which shall be transmitted to the Voters at the Annual Meeting for adoption.

Section 2 – BUDGET HEARINGS: Annually, in May, prior to the beginning of the fiscal year beginning on July 1, there shall be a meeting of the Voters of the District for the purpose of adopting the budget, laying the tax and fixing the tax rate.

Such meeting shall take action upon the budget estimate and recommendations, and may make such specific appropriations as appear advisable, but no appropriation shall be made exceeding an amount for the same purpose recommended by the Board of Directors, and no appropriation shall be made for any purpose not recommended by the Board of Directors.

Section 3 - LIMITATION: The limitations shall be as set forth in the Connecticut General Statutes, specifically §7-328, et seq., which provides that no contract or obligation which involves an expenditure in the amount of Ten Thousand Dollars (\$10,000.00) or more in any one (1) year shall be made by the Board of Directors unless the same is specially authorized by a vote of the District, nor shall the Directors borrow money without like authority.

Section 4 - FISCAL YEAR: The fiscal year of the District shall be from July 1 of each year through June 30 in the following year.

## ARTICLE VI WATER SYSTEM ACCOUNT

Section 1: All funds authorized by the Tax District for operation of the Water System and all funds generated by Water System users' fees, capital charges or assessments and connection charges of whatever kind and in whatever amount will be allocated to a sub-account of the Tax District. The use of funds in said account shall be limited to those proper purposes of the Candlewood Shores Tax District Water Department.

## ARTICLE VII RULES AND PROCEDURES FOR TAX DISTRICT MEETINGS

Section 1: Tax District meetings shall be conducted in accordance with the parliamentary procedure as set forth in *Robert's Rules of Order, Revised*, and the President of the Tax District shall act as moderator and decide all questions of parliamentary procedure.

Section 2: The Tax District meetings, both general and special, shall act only on those matters that are specified in the notice of said meeting.

Section 3: Any person eligible to vote in the Tax District meeting, when recognized, may speak to the business before the meeting. Others may be permitted to speak to the business when recognized by majority vote. All speakers shall first identify themselves to the Board of Directors.

## ARTICLE VIII ORDINANCES

Section 1: Ordinances may be enacted by the Board of Directors of the Tax District as provided by the Connecticut General Statutes. Any ordinance so enacted shall become effective thirty (30) days after publication thereof in some newspaper having circulation in the District, provided upon a petition of not less than fifteen percent (15%) of the electors of such Tax District filed with the Clerk of the Tax District, within thirty (30) days after the publication of such ordinance, asking that the same be submitted to the Voters of the Tax District at its next regular or special meeting, it shall be so submitted and in such event shall not become effective unless a majority of the Voters voting at such meeting vote in favor thereof. Any ordinance enacted at a Tax District Meeting shall become effective fifteen (15) days after publication in some newspaper having a circulation in such District.

Section 2: As provided by Statute, the Tax District may adopt ordinances with penalties to secure their enforcement for the purpose of regulating the carrying out of the provisions of Connecticut General Statutes §7-324 to §7-329, inclusive.

Section 3: Whenever the Tax District is required to publish any ordinance in accordance with Section 1 hereinabove, the Board of Directors of the Tax District may provide that a summary of such ordinance shall be published in lieu of such ordinance, provided that, in any case where a summary is published, the Clerk of the Tax District shall make a copy of such ordinance available for public inspection and shall, upon request, mail a copy of such ordinance to any person at no charge.

Any summary so published shall bear the disclaimer as follows: “this document is prepared for the benefit of the public solely for purposes of information, summarization and explanation. This document does not represent the intent of the legislative body of the Candlewood Shores Tax District for any purpose”. The summary format shall not apply to any ordinance which makes or requires an appropriation.

## ARTICLE IX

### INDEMNIFICATION OF DIRECTORS, OFFICERS AND EMPLOYEES

Section 1: The Candlewood Shores Tax District shall protect and save harmless any District Officer, Director or employee, whether elected or appointed, from financial loss and expense, including reasonable legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence or for any infringement of any person’s civil rights, on the part of such Officer, Director or employee while acting in the discharge of his or her lawful duties.

Section 2: In addition to the protection provided under Section 1, the Tax District shall protect and save harmless any such District Officer, Director or employee from financial loss and expense, including reasonable legal fees and costs, if any, arising out of any claim, demand or suit instituted against such Officer, Director or employee by reason of alleged malicious, wanton or willful act or ultra vires act, on the part of such Officer, Director or employee while acting in the discharge of his or her lawful duties. In the event such Officer, Director or employee has a judgment entered against him for such act in a court of law, however, the Tax District shall be reimbursed by such Officer, Director or employee for expenses incurred in providing such defense and shall not be held liable to such Officer, Director or employee for any financial loss or expense resulting from such act.

## ARTICLE X

### AUDITS

The Tax District and the Tax District Water Department shall have its accounts audited at least once annually. Such audit shall be made by an

independent public accountant who shall be selected by the Tax District Board of Directors. The accountant shall conduct his audit in accordance with the procedures set forth by the Secretary of the Office of Policy and Management, pursuant to Connecticut General Statutes §7-392.

Independent public accountant means any practicing public accountant or firm of public accountants which has practiced or engaged in public accounting as a regular vocation for a period of at least three (3) years. Such public accountant shall not have any connection as an employee or official of the Tax District.

ARTICLE XI  
AMENDMENTS AND GENERAL STATUTES

Section 1 - AMENDMENTS: This Charter may be altered, amended, repealed or added to by an affirmative vote of the Voters of the District at an Annual Meeting or at a Special Meeting called for that purpose, provided that notice pursuant to Article II herein shall have been given, stating the alteration, amendment or changes proposed. Only such changes as have been specified in the notice shall be made.

Section 2 - GENERAL STATUTES: Insofar as this Charter or any amendment thereto limits or conflicts with the General Statutes of the State of Connecticut or any amendment, addition, repeal or alteration thereto, said General Statutes and its amendment, addition, repeal or alterations shall govern.

*CHARTER ADOPTED: May 16, 1987*  
*Revised 2003*

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This amendment adds the following article to the Charter:

ARTICLE XII  
ALTERNATE MEMBERS OF THE BOARD OF DIRECTORS

Section 1 - QUALIFICATIONS AND NUMBER: There may be up to three (3) alternate members of the Board of Directors, all of whom shall be qualified Voters of the District pursuant hereto and pursuant to the Connecticut General Statutes.

Section 2 - NOMINATION: At the discretion of the Nominating Committee, a slate of up to three (3) candidates proposed for alternate membership on the Board of Directors may be presented to the President at the same time each year that the Nominating Committee presents the proposed slate of Officers and Directors. The proposed slate of alternate members shall be published in accordance with Article III, Section 1 of this Charter.

Section 3 - ELECTION AND TERM OF OFFICE: The alternate members of the Board of Directors shall be elected at the Annual Meeting of the Voters of the District, shall take office on the first day of July and serve until June 30 of the following year or until each successor has been duly elected and qualified, whichever is later.

Section 4 - DUTIES OF ALTERNATE MEMBERS OF THE BOARD OF DIRECTORS:

The alternate members of the Board of Directors shall attend regularly the meetings of the Board of Directors, may participate in discussions at such meetings, shall serve on committees as appointed by the President, and shall perform such other duties as may be assigned by the President, the Board of Directors, or committee chairmen. The alternate members shall not vote on any question arising at any meeting of the Board of Directors when such question is to be decided by a majority of the Directors present and voting.

Date Enacted: May 21, 1988  
Date Published: June 30, 1988  
Date Effective: July 15, 1988

ATTEST:

Ann Bisenius, Clerk  
Candlewood Shores Tax District

