

CHAPTER II. INCORPORATION AND POWERS

Sec. 2.1 Incorporation.

All the inhabitants dwelling within the Town shall, after the effective date of this Charter, continue as a body politic and corporate with perpetual succession within its territorial limits as they may be lawfully defined.

Sec. 2.2 Powers.

The Town may hold and exercise all powers and privileges and carry out the purpose, and policies thereof by ordinance heretofore exercised by the Town and not inconsistent with the provisions of the Charter and conferred upon towns under the CGS.

Sec. 2.3 Rights and obligations.

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested in or inchoate in the Town are continued, and the Town shall continue to be liable for all debts and obligations. Nothing herein shall be construed to affect the right of the Town to collect any assessment, charge, debt or lien. Contracts entered into by the Town prior to the effective date of the Charter or any bond or undertaking given by or in favor of the Town which contains provision that may be enforced by any agency, authority, board, commission or committee (hereinafter referred to as "ABC"), department or officer shall continue in full force and effect.

Sec. 2.4 General grant of powers.

The Town shall have the powers granted by the Charter, the CGS, and all powers implied or incident to the management, government and affairs of the Town, including entering into contracts with the federal government, the State of Connecticut, or any political subdivision, or agency for services and the use of facilities, the exercise of which is not expressly forbidden by the Constitution and the CGS. The giving of particular powers in this and any other chapter of the Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

Sec. 2.5 Reaffirming the authority of the subdivision.

Nothing contained in the Charter shall be construed to supersede, repeal, amend, impair or affect any provision of the charter of any subdivision of the Town, or any other special act or parts of special acts, or any ordinance or bylaw relating to such subdivisions, or any general statute relating to cities, boroughs or fire districts, all as heretofore or hereafter enacted, except as such legislation may be altered by the act of consolidation of a subdivision with the Town, pursuant to the provisions of Section 2.6 of this Charter.

Sec. 2.6 Authority for consolidation.

2.6.1 *General enabling ordinance.*

Upon request of not less than a two-thirds majority of the governing body of any city, fire district or borough within the Town, or on petition of ten (10) percent of the qualified electors residing in such subdivision, the Council shall draft and the RTM shall adopt an enabling ordinance providing for the consolidation of the Town and any subdivision thereof. Such enabling ordinance shall include, among other things:

2.6.1.1 A draft of a consolidation ordinance, which shall include provisions for an equitable apportionment of the subdivision's assets and liabilities and which shall assure the rights and benefits of the employees of the subdivision at the time of consolidation;

2.6.1.2 Provision for holding hearings on the proposed consolidation; and

2.6.1.3 A statement of the manner in which a referendum on the proposed consolidation shall be conducted.

2.6.2 *Voting procedures.*

Any ordinance containing the foregoing provisions shall not become effective unless approved by:

2.6.2.1 *Subdivision referendum.*

A majority as defined in the CGS of the qualified electors of the subdivision, voting at a referendum called for that purpose, and

2.6.2.2 *Town-wide referendum.*

A majority as defined in the CGS of the qualified electors of the Town, voting at a town-wide referendum called for that purpose.