



ORDINANCES OF THE
TOWN OF PLAINFIELD

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ORDINANCE 1.

ORDINANCE CONCERNING PARKING
ON TOWN HIGHWAYS

October 1, 1923

Voted: That the Selectmen enact rules prohibiting the parking of vehicles in the public highways of the town at such places as they may deem necessary for public safety, and shall place notices at the places where parking is prohibited. Any person violating any parking rule so made by the Selectmen shall be subject to a penalty of Five Dollars for each offense.

Selectmen:

Henry J Bessette

Louis Gendron

Peter J. Chabot

Town Clerk:

William H. Buteau

Repealed by Ordinance 71

See also:

Ordinances 39, 113 and 114

ORDINANCE 2.

ORDINANCE CONCERNING NON-RESIDENT
VENDORS OR PEDDLERS

October 5, 1925

Resolved, that the following be adopted as a By-Law of the Town of Plainfield. No non-resident of the Town of Plainfield shall vend or peddle any merchandise from house to house or upon the public streets, in the Town of Plainfield, without having a license therefor issued by the Town Clerk of said Town; provided, however, that this by-law shall not apply to sale by farmers or gardeners of their produce, nor the sale and delivery of ice, milk, teas, coffees, spices, groceries, meats, or bakers products.

The Town Clerk of Plainfield is authorized to issue a license for peddling and vending of merchandise from house to house or upon the public streets in said Town, to any suitable person or persons applying therefor upon payment of a fee of twenty-dollars for each year or fraction thereof.

Any person vending or peddling merchandise contrary to the provisions of this by-law shall be subject to a fine of not more than ten dollars for each offense.

Selectmen:

Henry J Bessette

Louis Gendron

Clark B. Gallup

Town Clerk:

William H. Buteau

Repealed by Ordinance 73

ORDINANCE 3.

ORDINANCE ESTABLISHING BOARD OF FINANCE

July 26, 1933

Resolved, that the Town of Plainfield establish and does hereby establish a Board of Finance in said Town, which shall have only such powers and duties as is provided by law for Boards of Finance in towns.

Selectmen:

Henry J. Bessette

Louis Gendron

Charles E. Hopkins

Town Clerk:

William H. Buteau

Repealed by Ordinance 74

ORDINANCE 4.

ORDINANCE CONCERNING SALE OF
ALCOHOLIC LIQUORS ON SUNDAY

August 14, 1935

Voted: To allow the sale of alcoholic liquor with meals, in hotels, restaurants, and clubs, on Sundays between the hours of 12 o'clock noon, and 9 o'clock in the evening.

Selectmen:

Eugene T Bellavance

Louis Gendron

Clark B. Gallup

Town Clerk:

William H. Buteau

ORDINANCE 5.

ORDINANCE CONCERNING BOWLING ON SUNDAYS

December 22, 1941

Voted: To permit bowling after the hour of two o'clock in the afternoon on Sundays, according to Section 144E of the 1939 Supplement to the General Statutes.

Selectmen:

James W. Ward

Henry Korreeta

Philippe N. Moreau

Town Clerk:

Harry H. Potter

Repealed by Ordinance 74

ORDINANCE 6.

ORDINANCE CONCERNING BUILDING PERMITS
AND ELIMINATION OF FILING TAX LISTS

November 16,1949

Voted: That before the erection, construction, alteration, or extension of any building, the cost of which is in excess to Two Hundred Dollars (\$200), the owner shall submit to the Selectman's Office, upon forms furnished by the town, without charge, an estimated cost of such erection, construction, alteration, or extension, and the location of same; and that all annual filing of tax lists on real estate and automobiles be herewith eliminated together with the ten (10%) percent penalty clause for non-filing of tax list.

Selectmen:

J. Stanley Keech
Stanislas Gervais
Joseph Bohara

Town Clerk:

Harry H. Potter

Repealed by Ordinance 29

See also:

Ordinance 72

Ordinance 92

Ordinance 117

ORDINANCE 7.

ORDINANCE CONCERNING USE OF MOTORS
ON MOOSUP LAKE OR POND

February 12, 1952

Voted: That any person who shall operate a boat propelled in whole or in part by an internal combustion engine or an explosive engine with a total piston displacement in excess of twelve cubic inches on Moosup Lake or Pond, in the Town of Plainfield, shall be fined not more than fifty dollars.

Selectmen:

J. Stanley Keech

Leo N. Potvin

Vincent A. Sullivan

Town Clerk:

Harry H. Potter

Repealed by Ordinance 34

See also:

Ordinances 70 and 129

ORDINANCE 8.

ORDINANCE CONCERNING HOURS OF
OPENING AND CLOSING POLLS

December 2, 1957

Voted: That the polls at all regular and special municipal elections, held on a day other than a day of regular or special state election shall be open from six o'clock a.m. To seven o'clock p.m.

Selectmen:

Antonio Demuth
Romeo R. Vezina
Arthur Delmonico

Town Clerk:

Isidore A. Messier

ORDINANCE 9.

ORDINANCE REGULATING THE PARKING, LOCATION, DIRECTION,
MAINTENANCE, AND CONDUCT OF AUTOMOBILE TRAILERS
AND MOBILE HOMES

December 16, 1958

The following ordinance was adopted at a Special Town Meeting of the Town of Plainfield held on December 16, 1958, and amended May 11, 1960, and will become effective fifteen (15) days from the date of publication thereof.

“AN ORDINANCE REGULATING TRAILERS AND MOBILE HOMES
IN THE TOWN OF PLAINFIELD”

At a Special Town Meeting of the electors of the Town of Plainfield, Connecticut, duly warned, held on December 16, 1958, at 8:00 o'clock p.m., in the Town Hall, the Town of Plainfield ordains:

SECTION 1. The purpose of this ordinance is to insure the protection of the health, peace and welfare of the residents of the Town of Plainfield by establishing certain minimum requirements for trailers or mobile homes used for dwelling purposes in the Town of Plainfield.

SECTION 2. Written application to the Board of Selectmen and a permit from said Board of Selectmen shall be required by any person, firm or corporation wishing to establish, maintain or park a trailer or mobile home used for dwelling purposes. The cost of such application and such permit shall be paid by the applicant for said permit. Said costs shall be determined by the Board of Selectmen.

SECTION 3. After passage of this ordinance no person, firm or corporation shall maintain or establish a trailer or mobile home within the limits of the Town of Plainfield without first obtaining a permit from the Board of Selectmen. The Board of Selectmen may issue a permit for the maintenance or establishment of a trailer or mobile home upon the following conditions:

- a. No trailer or mobile home shall be located within 50 feet of the traveled portion of a public street or highway, nor less than 35 feet from any other building or the boundary lines of the tract on which it's located;
- b. Each trailer or mobile home shall be maintained, established or parked on a lot or area which shall contain now less than fifteen thousand (15,000) square feet;
- c. No trailer or mobile home shall be maintained, established or parked on any lot or area having a frontage of less than one hundred (100) feet on any accepted town road or highway, or on any State Highway;
- d. Adequate water supply, drainage, and sewage, disposal system must meet the specifications and be satisfactory to the local health director and also be in accordance with the State Sanitary Code.

SECTION 4. The cost of all inspections applicable to this ordinance shall be determined by the Board of Selectmen and paid for by the applicant.

SECTION 5. The Board of Selectmen may revoke the permit upon 60 days written notice to the permittee for any violation of this ordinance or state regulations.

SECTION 6. Any person found guilty of violating any provision of this ordinance shall be punished by a fine not exceeding \$10.00; every day such violation exists shall constitute a separate offense and be punishable as such hereunder.

Selectmen:

Antonio Demuth
Romeo P. Vezina
Arthur Delmonico

Town Clerk:

Isidore A. Messier

Repealed by Ordinance 13

See also:

Planning/Zoning Regulations

ORDINANCE 10.

ORDINANCE PERMITTING BAZAARS AND RAFFLES

May 25, 1959

Voted: To adopt the provisions of Section 7-170 to 7-186 inclusive of the General Statutes, Revision 1958.

Allowing operations of bazaars and raffles- "No" 55
Allowing operations of bazaars and raffles- "Yes" 488

Selectmen:

Antonio Demuth
Romeo P. Vezina
Arthur Delmonico

Town Clerk:

Isidore Messier

ORDINANCE 11.

ORDINANCE REGULATING SEWERAGE FACILITIES

February 5, 1962

Voted: That-

SECTION 1. No dwellings, apartments, boarding houses, hotels or commercial buildings shall be constructed in the Town of Plainfield unless the sewerage facilities in connection with the same have been approved by the Director of Health of the Town, or any inspector appointed by him. The Director of Health of the Town or any inspector approved by him shall approve any such sewerage facilities when such facilities meet the requirements of the Sanitary Code of the State of Connecticut.

SECTION 2. All applications for approval of the sewerage facilities shall be filed with the Director of Health or the inspector appointed by him. All applications for approval shall be accompanied by a plan of the proposed sewerage facilities. The fee, which shall accompany said application, shall be Five Dollars (\$5.00) payable to the Town of Plainfield. Following receipt of payment and approval of application, a permit will be issued. Said permit is to be attached in a visible position to the proposed building;

SECTION 3. The owner or agent of any building who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor punishable by a fine not to exceed Twenty Five Dollars (\$25) for each and every day that such violation shall continue.

Selectmen:

Antonio Demuth
Romeo P. Vezina
Arthur Delmonico

Town Clerk:

Theodore I. Blanchette

Amended by Ordinance 22

Repealed by Ordinance 91

See also:

Ordinances 97 and 103

ORDINANCE 12.

ORDINANCE CREATING SEWER AUTHORITY

August 18, 1964

RESOLVED, That the Town of Plainfield create and does hereby create a Sewer Commission and designates said commission as the Sewer Authority of the Town of Plainfield, with all the powers, purposes and objectives set forth in Chapter 103 of the General Statutes of Connecticut, Revision of 1958, and amendments thereto.

RESOLVED, that the Sewer Commission, designated as the Sewer Authority of the Town of Plainfield, shall consist of nine electors of the Town of Plainfield, who shall be appointed by the Board of Selectmen and serve without a compensation. Three Commissioners of said Authority shall hold office for a term of two years from the date of appointment; three Commissioners of said Authority shall hold office for a term of four years from the date of appointment; and three Commissioners of said Authority shall hold office for a term of six years from the date of appointment. Their successors shall be appointed for terms of six years each. Terms shall expire on the 1st Monday of October in each year. Whenever a vacancy occurs the Selectmen shall appoint a successor to hold office for the unexpired portion of the term. A Commissioner shall continue in office until his successor is appointed. A Commissioner may be removed for inefficiency or neglect of duty or misconduct in office by the Board of Selectmen, after a hearing conforming to the recognized standards of due process of law.

Selectmen:

Antonio Demuth

Romeo P. Vezina

Harry Ducat

Town Clerk:

Theodore I. Blanchette

Amended by Ordinance 17

Repealed by Ordinance 44

See also.

Ordinance 59 and 91

ORDINANCE 13.

ORDINANCE CONCERNING MOBILE HOMES, MOBILE HOME PARKS TRAILERS AND TRAILER PARKS

February 13, 1967

SECTION 1. This ordinance shall apply to all areas of the Town of Plainfield.

SECTION 2. Definitions:

- a. Director of Health means that duly appointed Director of Health of the Town of Plainfield, or his deputy.
- b. Licensee means any person licensed hereunder to operate and maintain a mobile home park.
- c. Mobile Home means a unit similar to a trailer coach but which is equipped with running water, bath and toilet facilities, and appropriate sanitary connections.
- d. Mobile Home Park means privately owned land upon which two or more mobile homes are to be parked and occupied as dwellings.
- e. Person includes individuals, partnerships, corporations, owners, leasees, licensees, and the duly authorized agents of each of them.
- f. Site shall mean the lot or tract of land in a mobile home park utilized or to be utilized by a mobile home.
- g. Trailer means any vehicle with or without wheels or similar structure which is, has been or may be portable, and is arranged, intended, designed or used for dwelling, sleeping, eating or business or as a place in which persons may congregate and which is not equipped with running water, bath and toilet facilities and appropriate sanitary connections.
- h. Trailer Park means privately owned land upon which any trailer is intended to be parked and occupied as a dwelling.
- i. Travel Trailer means a trailer coach bearing valid license plates and being used by bona fide tourists or vacationers with or without sanitary facilities.
- j. Permanent Mobile Home Residence means a mobile home actually utilized as a permanent year round residence by the occupant. It does not mean a mobile home owned and offered for rent to others.
- k. Unit shall mean one (1) mobile home or trailer situated in a mobile home park or trailer park.

SECTION 3. Mobile Home Parks

1. No person shall construct, enlarge, maintain or operate a mobile home park after the date of adoption of this ordinance unless such park was in existence and in use on the effective date of this ordinance; provided, no park in existence on the date of adoption of this ordinance may thereafter be enlarged or altered in any way so as to increase the number of units available for use.

SECTION 4. License for Mobile Home Park

1. No person shall operate a mobile home park after the effective date of this ordinance unless a license has been issued by the Town Clerk. Annual renewal of the license shall be obtained from the Town Clerk on or before September 1st of each subsequent year. The

annual license fee for a mobile home park shall be \$10 for a park containing from two to ten sites, \$50 for a park containing from eleven to twenty-five sites, and \$100 for a park containing twenty-six or more sites.

2. The annual license fee for a mobile home park shall be pro-rated to the nearest month for the first year of operation under this ordinance. In the event of the closing of a park or the transfer of the park from one owner to another the license fee shall be non-refundable and non-transferable.
3. No person shall construct, maintain, operate or use a trailer park in the Town of Plainfield after the date of adoption of this ordinance.

SECTION 5. License Requirements for Mobile Home Parks.

1. Every person operating a mobile home park on the date of adoption of this ordinance shall apply to the Selectmen in writing within thirty (30) days after the effective date of this ordinance for a license to operate a mobile home park. Said application shall contain the following information:
 - a. The name and address of the operator of the park.
 - b. The name and address of the owner of the park.
 - c. The location and legal description of the park.
 - d. A detailed map of said park prepared by a registered surveyor suitable for recording, showing:
 1. all roadways, units and sites;
 2. location of all utility poles;
 3. all abutting property lines together with the names of all abutting property owners;
 4. location of any permanent structures in park;
 5. location of park office;
 - e. Such other information as the Selectmen may request to enable them to determine whether the park conforms to this ordinance.
 - f. A certificate from the Director of Health certifying compliance with the sanitary requirements of the Town of Plainfield.
 - g. The fee required in Section 4.
2. Within fifteen (15) days of receipt of the application, the Selectmen shall advise the operator of said park that a license will be issued and forthwith advise the Town Clerk to issue said license, or advise the operator that additional information will be required.
3. Upon issuance of a license to an applicant under this section and Section 4, the Selectmen shall cause to be recorded on the Land Records of the Town, the detailed map requested under paragraph 1, subparagraph (d), of this section.

SECTION 6. Mobile Homes on Individual Lots.

1. One mobile home may be placed upon a lot and occupied for a period of one year if the owner has secured a building permit providing for construction of a permanent dwelling on said lot, and provided that there are suitable provisions for running water and sanitary sewerage disposal as approved by the Director of Health, and provided further, that the mobile home is occupied by the owner of the lot or by members of his immediate family. The time of one year may be extended for an additional period of one year by the Selectmen if construction on the lot is being duly prosecuted. No trailer shall be placed upon any lot within the Town of Plainfield and occupied.

2. One travel trailer, trailer or mobile home may be parked on a lot for a period not to exceed thirty (30) days in any twelve month period if such is occupied by a guest of the resident on such lot and not for compensation.
3. One mobile home trailer or travel trailer may be stored on the property of the owner provided it is not used as a residence and is not occupied, and further provided that it is stored in the rear of the lot at least five feet from any side or rear property lines or within a building.

SECTION 7. Permanent Mobile Home Residence

1. Upon application duly made as hereinafter provided, the Selectmen may issue a permit for one (1) permanent mobile home residence if such is situated on a lot having an area of not less than 20,000 square feet and having frontage on a public highway of at least 150 feet. In addition, said mobile home must be set back 50 ft from the highway line. Adequate water supply, drainage, and sewerage, disposal system shall be installed and such must meet specifications of and be in accordance with the State Sanitary code and be approved by the Director of Health.
2. The aforementioned permanent mobile home residences must be situated more than 1,500 feet from any other permanent mobile residence, mobile home, mobile home park, trailer or trailer park, or dwelling occupied or unoccupied, and the applicant for a permanent mobile home residence permit must also own the lot upon which it will be situated or affixed.
3. No trailer shall be utilized or maintained as a mobile home permanent residence after the date of this ordinance unless it was in actual use as a mobile permanent home residence on the date of the adoption of this ordinance.
4. The permit for a permanent mobile home residence shall be non-transferable and be good for the life of the original Grantee and his or her spouse and may only be revoked by the Selectmen for violation of this ordinance or other just cause. The fee for said permit shall be \$25 payable to the Town Clerk upon issuance of permit.
5. The holder of a permit for a mobile home permanent residence may sell, trade or dispose of his or her mobile home and replace it with another mobile home to be used and occupied as his or her permanent residence provided the new mobile home meets all of the requirements of this ordinance.
6. In the event of the replacement of a mobile home by the same and continuing owner of site as provided in paragraph 4, the owner must apply to the Selectmen for a new permit. After satisfying the local health director and the Selectmen that all requirements of this ordinance are being complied with, the Selectmen may instruct the Town Clerk to issue a new permit to the same owner without charge.
7. The owners of a mobile home permanent residence, his or her heirs or assigns, may sell or otherwise dispose of said mobile home residence together with the lot on which it is situated. The new owners shall within thirty (30) days after purchase of such mobile home permanent residence apply to the Selectmen and the local Director of Health that all requirements of this ordinance are being complied with, the Selectmen may direct the Town Clerk upon receiving the prescribed fee of \$25 to issue a permit for permanent mobile home residence to the new owners.
8. In the event that any mobile home for which a permit for permanent mobile home residence has been issued should stand unoccupied for a period of twelve (12) months, the Selectmen shall notify the owner of same to remove the mobile home from the premises within one month. At the end of such time, if the mobile home remains on the property and is unoccupied, the Selectmen shall take such legal action as may be necessary to seize said

mobile home and sell same at public auction or by sealed bid to satisfy damages and costs to the Town of Plainfield.

9. Applications for permanent mobile home residences shall indicate the size of the mobile home, and contain a description of the lot upon which it will be situated.
10. The owner of a mobile home permanent residence is use and occupied on the date of adoption of this ordinance shall within thirty (30) days thereafter register and indicate such to the Selectmen giving the location, size of mobile home and a description of the lot upon which said mobile home or trailer is situated. The Selectmen upon receipt of this application shall satisfy themselves that all sanitary codes of the State and Town of Plainfield have been complied with and shall thereafter direct the Town Clerk to issue a permit for the continued use of said mobile home permanent residence.

SECTION 8. Nothing contained in this ordinance shall prohibit the use of a trailer or mobile home for office purposes during and in connection with a construction project, provided all sanitary codes, if applicable of the State and Town of Plainfield are satisfied.

SECTION 9. It shall be the duty of the licensee of a mobile home park to maintain and keep a permanent register containing a record of all occupants, trailers, or mobile homes located within a park together with such occupant's address, date of arrival and departure and the make, model and registration of any motor vehicle knowingly operated by said occupant.

SECTION 10. Penalty for Violation.

1. Any person who fails to comply with the provisions of Section 5 shall be considered in violation of these regulations and shall be fined not less than \$25 nor more than \$100 for each day in violation.
2. Any licensee who shall violate any of the requirements of Section 5 may have his license suspended or revoked subject to a hearing by the Selectmen. The decision on revocation of the license may be appealed to the courts as provided by laws.
3. In addition to whatever remedies are available to the Selectmen under the provisions of this ordinance, the General Statutes of Connecticut or common law, the Selectmen shall have the power to enjoin the violation of this ordinance by an action or actions at law or in equity.

SECTION 11. Revocation of License.

1. The Selectmen are hereby authorized to revoke any license or permit issued pursuant to the terms of this ordinance if after due investigation it determines that the holder thereof has violated any of the provisions of this ordinance.

SECTION 12. Validity.

1. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 13. This ordinance shall take effect fifteen (15) days after publication in accordance with Public Statutes.

Voted Yes-350; Voted No-156.

(Published February 16, 1967 in The Journal Press).

Selectmen:

Antonio Demuth

Charles A. Mathieu

Louis P Caron

Town Clerk:

Patricia Carroll

Repeals Ordinance 9

See also:

Planning/Zoning Regulations

ORDINANCE 14.

ORDINANCE CONCERNING PARTICIPATION IN THE
REGIONAL PLANNING AGENCY

April 17, 1967

Voted: To Adopt the Following Ordinance.

SECTION 1. Pursuant to the provisions of Chapter 127 of the General Statutes, State of Connecticut, the Town of Plainfield hereby adopts the provisions of said Chapter and elects to participate in the regional planning agency now or henceforth existing under authority of said Chapter in the Northeast Region as defined by the Connecticut Development Commission pursuant to the provisions of said Chapter.

SECTION 2. The Town of Plainfield, having a population of 8,884 according to the federal census of 1960, shall have two representatives of the agency.

The Board of Selectmen shall appoint to the agency two electors of the Town of Plainfield. One elector shall serve an initial term of one year and one elector shall serve an initial term of two years. Thereafter all appointees shall serve two years.

Appointees shall serve for the term of their office and until their successors shall have been appointed. Appointees may be reappointed. Terms of office shall commence when the appointment is made or from the first organizational meeting of the agency, whichever is later.

SECTION 3. Vacancies created by resignation or inability to serve shall be filled by the Board of Selectmen for the remainder of the unexpired term. Any representative who is absent from three consecutive regular meeting of the regional planning agency and any intervening duly called special meetings thereof shall be considered to have resigned from said body except that the requirements of this section may be waived by the Board of Selectmen for good cause.

SECTION 4. This Ordinance shall become effective fifteen (15) days after publication in accordance with Section 7-157 of the Connecticut General Statutes.

Published, April 20, 1967 in The Journal Press.

Selectmen:

Antonio Demuth
Charles A. Mathieu
Louis P. Caron

Town Clerk:

Patricia Carroll

See also:

Ordinances 84, 85 and 87

ORDINANCE 15.

ORDINANCE CONCERNING PARTICIPATION IN
THE RESIDENT STATE POLICE PROGRAM

January 26, 1968

Voted: That the Selectmen enter into an agreement and contract, in behalf of said Town, with the Commissioner of State Police for Resident Police Services in said Town, subject to and as provided in Section 29-5 of the General Statutes, and to make such appropriation as may be necessary.

Selectmen:

Antonio Demuth

Charles A. Mathieu

Louis P. Caron

Town Clerk:

Patricia Carroll

Repealed by Ordinance 66

ORDINANCE 16.

ORDINANCE CONCERNING ESTABLISHMENT OF NURSING
AND HEALTH SERVICES

April 9, 1968

Voted: That the Town of Plainfield be and it is hereby authorized and empowered to hire nurses and support a Nursing and Health Service in said Town, and in conjunction with other towns, and to appropriate funds annually for such services.

Voted: That the Town of Plainfield appropriate the sum of \$18,840.00 to defray the expenses of said Nursing and Health Services from August 1, 1968 to the end of the Fiscal Year of said town, July 31, 1969, as recommended by the Board of Finance of said Town.

Selectmen:

Antonio Demuth

Charles A. Mathieu

Louis P. Caron

Town Clerk:

Patricia Carroll

Amended by Ordinance 57

Repealed by Ordinance 89

ORDINANCE 17.

ORDINANCE CONCERNING EXTENSION
OF SEWER FACILITIES

July 23, 1968

1. To consider and act upon recommendations of the Board of Finance and Sewer Authority that an appropriation of \$3,770,000 be made for constructing new sewerage treatment plant at existing plant in the Village of Plainfield, additions to the collection system pumping stations in Moosup and Central Village, new treatment plant on Black Hill Road, improvements to collection system in Wauregan, architects and engineering fees and incidental expenses.
2. To authorize the issue of bonds of the Town in the sum of \$3,900,000, or so much thereof as may be necessary, to defray the aforesaid appropriation, if made, and to pay indebtedness incurred in acquiring Wauregan Mills, Inc. and Gallup Sewerage Company sewerage systems; and to authorize the Selectmen to determine the form, particulars, manner of issue and sale of such bonds;
3. To authorize the Board of Selectmen or the Sewer Authority of the Town of Plainfield to expend the aforesaid appropriation, if made; to enter into contracts and agreements in the name of and on behalf of the Town for the construction of said sewer projects; to prepare applications for grants to aid in financing the cost of said sewer projects, to enter into such agreements and contracts as may be necessary and proper to obtain such aid from the United States of America and the State of Connecticut and to accept such grants as may be made.
4. To authorize any other action which may be considered necessary or desirable to enable the Town of Plainfield to construct said sewer projects, to issue bonds to defray the appropriation therefor, to authorize the temporary borrowing of money in anticipation of the receipt of the proceeds of such bonds, and to authorize the issue of temporary sewer assessment notes.

Selectmen:

Charles A Mathieu

John J. Sasser Jr.

Louis P Caron

Town Clerk:

Patricia Carroll

Repealed by Ordinance 44

See also:

Ordinances 12, 59 and 91

ORDINANCE 18.

ORDINANCE CONCERNING CHANGE TO
UNIFORM FISCAL YEAR

November 26, 1968

Voted: That the Town of Plainfield in compliance with the Provisions of Chapter 110 of the General Statutes of the State of Connecticut, Revision of 1958, and Amendments thereto, changing the Fiscal Year of said Town as provided therein.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

Louis P. Caron

Town Clerk:

Patricia Carroll

Amended by Ordinance 23

Repealed by Ordinance 74

ORDINANCE 19.

ORDINANCE CONCERNING THE PROPERTY TAX
ASSESSMENT DATE IN THE TOWN OF PLAINFIELD

May 21, 1969

The date for assessment of property for purposes of taxation by the Town of Plainfield shall be September first, annually.

ORDINANCE 20.

ORDINANCE REGULATING THE ADDITION OF
ANY NEW STREET OR HIGHWAY
OF THE TOWN OF PLAINFIELD

August 5, 1969

SECTION 1. Definitions:

“Street” means a newly established project road or any abandoned or legally closed highway or road being opened for public use.

“Board” means the Board of Selectmen.

SECTION 2. Procedure for layout and acceptance:

1. Layout: Whenever any street is proposed and before any construction, clearing or excavating is initiated, the owner or developer shall present to the Board three certified copies of plans and profiles prepared by a licensed Connecticut Engineer or Land Surveyor, together with a topography map of the area and a written application for approval of such street. The plans shall conform to the specifications hereinafter stated. Such plans shall include all drainage needs, as prepared by a certified licensed Connecticut Engineer or Land Surveyor, and culverts and catch basins.

The Board at a regular meeting shall discuss the proposed plan with the owner, developer and/or agents, and, if approved, approved with changes, or disapproved, shall return one copy of the plan with note of its action to the owner within fifteen (15) days from the receipt of the application. When approved by the Board, one copy of the plans shall be filed with the Town Clerk.

2. Town Meeting Acceptance: After a proposed layout of a road has been approved by the Board, the proposed road may be presented to the Town Meeting for acceptance into the Town Road System, subject to final completion of all work on said road in accordance with the provisions of this ordinance, which final completion to be certified by the Board of Selectmen as hereinafter provided.
3. Final Acceptance by Board: Upon completion of construction of proposed street and before acceptance by the Board of said street into the Town Highway System, the owner or developer shall furnish a Certificate, certifying that (a) the work has been completed according to the profile submitted and in accordance with all specifications hereinafter stated; (b) the drainage system is adequate for the projected development. Upon receipt of such Certificate and the Town Meeting having voted to accept such proposed road, such road may be finally accepted by the Board into the Town Road System.
4. Record of Acceptance: Final acceptance of all roads by the Board of Selectmen shall be entered into the minutes of the Town Clerk of the Town of Plainfield as proof of such acceptance.

SECTION 3. Construction Specifications:

1. Width: Any street shall contain a minimum “right of way” of fifty (50) feet unless laid out with prior written approval of the Board. Such street shall be conveyed by Warranty Deed to the Town of Plainfield. The road bed of any street shall have a minimum width of thirty (30) feet. No dead-end street shall be approved by the Board except that a turnabout of eighty (80) feet radius be constructed. There shall be no brush, trees or boulders within six (6) feet of the side of the road bed. Such road bed shall be excavated to a minimum depth of twelve inches or until a firm base is established and be freed of boulders and all ledges shall be cut an additional twelve inches.
2. Grade and Contour: Slopes shall be finished in a neat manner and where streets are cut or filled, the side slope shall not be steeper than one foot vertical to two feet horizontal, unless the permanence of the slope shall be otherwise provided by the owner or developer to the satisfaction of the Board.
3. Drainage: All shoulders two feet on each side of the road bed shall be so constructed that control of surface water and sub-surface water is maintained. Catch basins and culvert pipe of a minimum diameter of 15 inches shall be installed at each corner of all intersections and catch basins at a maximum of every three hundred (300) feet on each side of the road, except as may be varied by written permission of the Board. All catch basins to be connected to cause a continuous flow of controlled surface and sub-surface water to an ultimate destination of natural flow, brook, pond or river. All culvert pipe shall be reinforced concrete or asphalt coated corrugated metal pipe and shall be covered with a minimum of 18 inches of gravel.
4. Drainage rights: All necessary drainage rights and/or easements for maintaining drainage over or under adjoining lands to an ultimate destination of natural flow as Paragraph 3 “Drainage” shall be procured by the developer at no cost to the Town of Plainfield.
5. Utilities: All utilities shall be in place before final grading and compacting of streets.
6. Gravel: Gravel shall be uniformly applied to a compacted depth of twelve (12) inches of all normal areas and in wet land to a compacted depth of twenty-four (24) inches. All gravel shall be of a uniform size and not more than two (2) inches for finished application, top 4-inch course.
7. All materials: All materials used in the construction of any street shall be in accordance with State of Connecticut, State Highway Department Standard Specifications for Roads, Bridges and incidental construction, except that portion that covers size of gravel and culvert pipes.
8. Inspections: Inspections for approval shall be made by the Board of Selectmen during construction and prior to the installing of any drain pipes and/or gravel.
9. Previous Street Regulations and/or Ordinances: This Ordinance shall supplant any previous regulations and/or ordinances and shall become effective 15 days after its publication in a local newspaper having circulation in the Town of Plainfield.

Selectmen:
Charles A Mathieu

John J. Sasser Jr.
Louis P. Caron

Town Clerk:
Patricia Carroll

Amended by Ordinance 33
Amended by Ordinance 37
Repealed by Ordinance 101

ORDINANCE 21.

ORDINANCE REGULATING THE CONSTRUCTION OF
DRIVEWAY APPROACHES TO TOWN ROADS
WITHIN THE TOWN OF PLAINFIELD

August 5, 1969

SECTION 1. No person, firm or corporation shall hereafter construct, build, establish or maintain any driveway approach to any portion of a town road within the Town of Plainfield without first having obtained a written permit to do so from the Board of Selectmen. No such permit shall be issued for construction of establishment of any such driveway approach except in accordance with the provisions herein contained. Application for permit must be made in writing upon forms furnished by the Town of Plainfield. Said application shall contain the name and address of the person, firm or corporation having title to the premises over which the driveway approach is to be constructed or reconstructed, the name of the contractor or person who is to construct said driveway and the proposed location, specifications and dimensions of such driveway.

SECTION 2. All specifications for construction or reconstruction of any such driveway approach must conform to the following requirements before a permit for construction or reconstruction will be issued. All driveway approaches shall be so graded that it will not be necessary to change the established grade of the adjacent town road. No part of said driveway approach shall extend beyond the road line in such manner as to change the grade of the road or obstruct the free flow of water draining off the road. Where driveway approaches cross open ditches or where such construction will interfere with the drainage of storm water along the side of the road, culverts of such size and of such material as determined by the Superintendent of the Town Highway Department, shall be installed. Where existing catch basin is in the area of the proposed driveway, the tops shall be removed and replaced with a manhole top with perforated lid. Said top shall be set by the Town Highway Department and the additional cost thereof shall be paid by the permit applicant.

SECTION 3. The Superintendent of the Town Highway Department shall from time to time inspect the construction or reconstruction of such driveway approach and shall have authority to revoke the permit in the event that said construction or reconstruction does not conform to the requirements of Section 2.

SECTION 4. There shall be no charge for issuing the permit.

SECTION 5. The Town will not be liable for piping drainage water from town roads beyond the legal right of way.

SECTION 6. Any violation of this ordinance shall be punishable by a fine of not more than \$100.00 for failure to comply with the provisions hereof.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

Louis P. Caron

Town Clerk:

Patricia Carroll

Amended by Ordinance 88
Repealed by Ordinance 102

ORDINANCE 22.

AMENDMENT OF ORDINANCE REGULATING
SEWERAGE FACILITIES

August 5, 1969

FIRST: To see if the Legal Voters of said Town will vote to amend section 2 of the Ordinance of said Town "Regulating Sewerage Facilities' adopted February 5, 1962, to read as follows:

"SECTION 2. All applications for approval of the sewerage facilities shall be filed with the director of health or the inspector appointed by him. All applications for approval shall be accompanied by a plan of the proposed sewerage facilities. The fee, which shall accompany said application, shall be Ten Dollars (\$10.00) payable to the Town of Plainfield. Following receipt of payment and approval of application, a permit will be issued. Said permit is to be attached in a visible position to the proposed building."

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

Louis P. Caron

Town Clerk:

Patricia Carroll

Amends Ordinance 11

ORDINANCE 23.

ORDINANCE CONCERNING APPROPRIATION TO CHANGE
TO UNIFORM FISCAL YEAR AND PAYMENT OF TAXES

December 9, 1969

1. To appropriate a sum not exceeding \$700,000.00 for the purpose of financing in part period commencing August 1, 1969, and ending June 30, 1970, in connection with conversion to uniform fiscal year authorized by Special Town Meeting held November 26, 1968.
2. To authorize the issue of bonds or notes of the Town in the sum of \$700,000.00 to defray the aforesaid appropriation, and to authorize the Selectmen to determine the form, particulars, manner of issue and sale of such bonds or notes.
3. To provide for payment of Taxes in two installments, one-half on July 1st and one-half on the following January 1st, provided that all Taxed of not more than \$50.00, and all Taxes on motor vehicles shall be payable in one single installment.
4. To authorize any other action which may be considered necessary or desirable to enable the Town to complete the conversion to uniform fiscal year, and to authorize the temporary borrowing of money in anticipation of the receipt of the proceeds of such bonds or notes.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

David R. Wagner

Town Clerk:

Patricia Carroll

Amends Ordinance 18

Repealed by Ordinance 74

ORDINANCE 24.

ORDINANCE REGULATING USE OF PUBLIC SEWERS

May 25, 1970

An Ordinance regulating the use of Public Sewers and Drains, the Installation and Connection of Building Sewers, and the Discharge of Waters and Wastes into the Public Sewer System(s); and providing Penalties for Violations thereof; in the Town of Plainfield, County of Windham, State of Connecticut.

The following ordinance was adopted at a Special Town Meeting of the Town of Plainfield held on May 25, 1970.

ARTICLE I DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

SECTION 1. "BOD" (Denoting Biochemical Oxygen Demands) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20-degree C, expressed in milligrams per liter.

SECTION 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

SECTION 3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

SECTION 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

SECTION 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

SECTION 6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

SECTION 7. "Natural Outlet" shall mean any outlet in a watercourse, pond, ditch, lake, or other body of surface or groundwater.

SECTION 8. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

SECTION 9. "ph" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

SECTION 10. “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.

SECTION 11. “Public Sewer” shall mean a sewer which all owners of abutting properties have equal rights, and is controlled by public authority.

SECTION 12. “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

SECTION 13. “Sewage” shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and stormwaters as may be present.

SECTION 14. “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

SECTION 15. “Sewage Works” shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

SECTION 16. “Sewer” shall mean a pipe or conduit for carrying sewage.

SECTION 17. “Shall” is mandatory; “May” is permissive.

SECTION 18. “Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

SECTION 19. “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SECTION 20. “Superintendent” shall mean the (Superintendent of Sewage Works and/or of Water Pollution Control) of the Town of Plainfield, or his authorized deputy, agent, or representative.

SECTION 21. “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water sewage, or other liquids, and which are removable by laboratory filtering.

SECTION 22. “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II USE OF PUBLIC SEWERS REQUIRED

SECTION 1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town of Plainfield, or in any area under the jurisdiction of said Town any human excrement, garbage, or other objectionable waste.

SECTION 2. It shall be unlawful to discharge to any natural outlet within the Town of Plainfield, or in any area under the jurisdiction of said Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

SECTION 3. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the town and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.

SECTION 4. At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned for use as a sewer system.

SECTION 5. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the director of health.

SECTION 6. When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days and after official notice, and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt, unless it is to be used as a dry well.

ARTICLE III BUILDING SEWERS AND CONNECTIONS

SECTION 1. No unauthorized persons shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the (Superintendent).

SECTION 2. There shall be two (2) classes of building sewer permits. (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the (Superintendent). A permit and inspection fee of ten (10) dollars for a residential or commercial building sewer permit and twenty-five (25) dollars plus engineering and consultation fees if necessary, for an industrial building sewer permit shall be paid to the town at the time of the filing of the application.

SECTION 3. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

SECTION 4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one

building sewer.

SECTION 5. Old building sewers may be used in connection with new building only when they are found on examination and test by the Superintendent, to meet all requirements of this ordinance.

SECTION 6. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and back filling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the town. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

SECTION 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

SECTION 8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to public sanitary sewer.

SECTION 9. No building sewer may be located within twenty-five (25) feet of a private well, nor within one hundred (100) feet to a public well.

SECTION 10. Building sewers shall not be located within twenty-five (25) to seventy-five (75) feet distance from a private well except as approved by the local Director of Health.

SECTION 11. Building sewers which must be located withing 25 to 75 feet from a private well shall be either cast iron pipe with leaded joints, asbestos cement pipe with standard o-ring gaskets, or clay pipe with type III joints. In any case, the pipe shall be tested to assure a leakage not to exceed 50 gallons, per mile, per inch per day tested at a minimum hydraulic head of at least 2 feet.

SECTION 12. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the town or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the (Superintendent) before installation.

SECTION 13. Building sewers shall be installed without 90 degrees and short-body bends and shall be installed with tees or bends so located as to afford facilities for hydraulic or pneumatic testing of the entire sewer.

SECTION 14. the applicant for the building sewer permit shall notify the (Superintendent) when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the (Superintendent) or his representative/

SECTION 15. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to the town.

ARTICLE IV
USE OF THE PUBLIC SEWERS

SECTION 1. No person shall discharge or cause to be discharged any stormwater, surfacewater, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

SECTION 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the (Superintendent). Industrial cooling water or unpolluted process waters may be discharged, on approval of the (Superintendent), to storm water combined sewer or natural outlet.

SECTION 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or flammable or explosive liquid, solids or gas.
- B. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to changes in excess of two (2) mg-1 as CN in the wastes as discharged to the public sewer.
- C. Any waters or wastes having a ph lower than (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc, either whole or ground by garbage grinders.

SECTION 4. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes, if it appears likely in the opinion of the (Superintendent) that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the (Superintendent) will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65, degrees Centigrade).
- b. Any water or waste fats, wax, grease, or oils whether emulsified or not, in excess of one hundred (100) mg-1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65 degrees C.).
- c. Any garbage that has not been properly shredded. The installation and operation of any

- garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the (Superintendent).
- d. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
 - e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the (Superintendent) for such materials.
 - f. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the (Superintendent) as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
 - g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the (Superintendent) in compliance with applicable State or Federal regulations.
 - h. Any waters or wastes having a ph in excess of (9.5).
 - i. Materials which exert or cause:
 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 4. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
 - j. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

SECTION 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the (Superintendent) may:

- a. Reject the wastes
- b. Require pretreatment to an acceptable condition for discharge to the public sewers
- c. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this article, and/or
- d. Require control over the quantities and rates of discharge. If the (Superintendent) permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the (Superintendent) and subject to the requirements of all applicable codes, ordinances, and laws.

SECTION 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the (Superintendent), they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the (Superintendent), and shall be located as to be readily and easily

accessible for cleaning and inspection.

SECTION 7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

SECTION 8. When required by the (Superintendent), the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, constructed in accordance with plans approved by the (Superintendent). The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

SECTION 9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards of life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids and an analyses are obtained from (24) hour composites of all outfalls whereas ph's are determined from periodic grab samples.)

SECTION 10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefore, by the industrial concern.

ARTICLE V PROTECTION FROM DAMAGE

SECTION 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VI POWERS AND AUTHORITY OF INSPECTORS

SECTION 1. The (Superintendent) and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The (Superintendent) or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

SECTION 2. While performing the necessary work on private properties referred to in Article VI, Section 1 above, the (Superintendent) or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the town employees and the town shall indemnify the company against loss or damage to its property by town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article IV, Section 8.

SECTION 3. The (Superintendent) and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties through which the town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VII PENALTIES

SECTION 1. Any person found to be violating any provision of this ordinance except Article VI shall be served by the town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the Period of time stated in such notice, permanently cease all violations.

SECTION 2. Any person who shall continue any violation beyond the time limit provided for in Article VII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding twenty-five (25) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

SECTION 3. Any person violating any of the provisions of this ordinance shall become liable to the town for any expense, loss, or damage occasioned the town by reason of such violation.

ARTICLE VIII VALIDITY

SECTION 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 2. The invalidity of any section, clause, sentence, or provisions of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE IX ORDINANCE IN FORCE

SECTION 1. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

SECTION 2. To see if the town will vote to adopt the following ordinance.

The Clerk of the Town of Plainfield, Sewer Authority shall be designated as collector of Sewerage System, connection and use charges of the Town of Plainfield Sewerage System.

This Ordinance became effective fifteen (15) days after publication. Published May 27, 1970 in The Journal Press.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr

David R Wagner

Town Clerk:

Patricia Carroll

Article III, Section 7 amended by Ordinance 27

Article III, Section 5 amended by Ordinance 31

Article III, Section 7 further amended by Ordinance 32

Article III, Section 9 amended by Ordinance 40

Article III, Section 13 amended by Ordinance 41

Article III, Section 4 amended by Ordinance 42

Article II, Section 7 amended by Ordinance 50

Article III, Section 11 amended by Ordinance 61

Repealed by Ordinance 91

ORDINANCE 25.

ORDINANCE CONCERNING ADOPTION OF
STATE BUILDING CODE

September 16, 1970

At a Special Meeting of the electors and citizens qualified to vote in Town Meetings of the Town of Plainfield, Connecticut, held in the Town Hall in said Town of Plainfield, on Wednesday, September 16, 1970, at 7:30 P.M. (D.S.T.).

1. It was voted to adopt the following Ordinance:

Be it enacted and ordained

- a. That the State Building Code in accordance with the applicable Provisions of Chapter 354 of the General Statutes of the State of Connecticut, Revision of 1958, as Amended, be adopted as the building code of the Town of Plainfield;
- b. That the Board of Selectmen appoint a Board of Appeals in accordance with the provisions of said Chapter consisting of five (5) members.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

David R. Wagner

Town Clerk:

Patricia Carroll

Amended by Ordinance 45

ORDINANCE 26.

ORDINANCE CONCERNING ADOPTION OF RETIREMENT PLAN
FOR PAID TOWN EMPLOYEES

September 16, 1970

2. It was voted to authorize and empower the Board of Selectmen and the Board of Finance to establish, administer and maintain a Retirement Plan for paid employees of the Town of Plainfield, said Plan commencing in and for the Fiscal Year of July 1, 1970, to June 30, 1971, and continuing thereafter.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

David R. Wagner

Town Clerk:

Patricia Carroll

ORDINANCE 27.

AMENDMENT OF ARTICLE NO.3, SECTION 7 OF
THE SEWER ORDINANCE

October 19, 1970

VOTED: To amend Article No. 3, Section 7 of the Sewer Ordinance, adopted by said Town at a Special Town Meeting held on May 25, 1970, to read as follows:

Article III, Sec. 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharge to the building sewer, if so directed by the Sewer Authority or the Director of Health.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

David R. Wagner

Town Clerk:

Patricia Carroll

Amends Ordinance 24

Amended by Ordinance 32

ORDINANCE 28.

MOOSUP RIVER WATERSHED WORK PLAN

March 30, 1971

1. Voted to approve, adopt and endorse the Moosup River Watershed Work Plan for the purpose of initiating a soil conservation and flood prevention project for the Moosup River Watershed.
2. Voted to authorize its Board of Selectmen to enter into a Watershed Work Plan Agreement with the State of Connecticut Commissioner of Agriculture and Natural Resources, as well as the United States Department of Agriculture Soil Conservation Service.
3. Voted to authorize its Board of Selectmen to seek and obtain whatever other assistance and advice they may need in connection with said Plan.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

David R. Wagner

Town Clerk:

Patricia Carroll

ORDINANCE 29.

ORDINANCE CONCERNING BUILDING PERMIT FEES

May 19, 1971

VOTED: To authorize the Town Building Official to charge and collect on behalf of said Town a building permit fee in the sum of \$3.00 per thousand in value, as determined by said Building Official, of any building, any addition thereto, or alteration of the same, constructed or erected in said Town, with a minimum permit fee in the sum of \$3.00 and a maximum permit fee in the sum of \$1,000.00. Where the value, as determined by said Building Official, of the construction or erection of any building, addition thereto, or alteration of the same, is less than \$500.00, no permit fee shall be charged if no inspection is required by said Building Official, but if an inspection is required, the minimum fee of \$3.00 shall be charged. It is understood that any previous vote of the Town, inconsistent with the provisions of this Paragraph is hereby repealed.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

David R. Wagner

Town Clerk:

Patricia Carroll

Amends Ordinance 6

Repealed by Ordinance 72

See also:

Ordinances 92 and 117

ORDINANCE 30.

ORDINANCE CONCERNING THE ADOPTION OF
PLANNING IN THE TOWN OF PLAINFIELD CREATING A
PLANNING COMMISSION AND PROVIDING FOR ITS
APPOINTMENT AND ELECTION

June 23, 1971

The following Ordinance was adopted:

Be it ordained by the electors of the Town of Plainfield at a duly warned Town Meeting:

SECTION 1. The provisions of Chapter 126 (Municipal Planning Commission) of the General Statutes of the State of Connecticut, Revision of 1958, as amended, are hereby adopted.

SECTION 2. (A) There shall be a Planning Commission of the Town of Plainfield to consist of five (5) members who shall be electors of the Town of Plainfield and shall hold no salaried municipal office.

(B) The following are hereby appointed as the original members of the Planning Commission of the Town of Plainfield for the following terms:

Robert A. Quintal until the biennial election to be held on the Tuesday after the first Monday of November, 1975;

William J. Hammond and Clarence Jolley until the biennial election to be held on the Tuesday after the first Monday of November, 1973;

Alexander Dapsis and Frank L. Roediger until the biennial election to be held on the Tuesday after the first Monday of November, 1971.

Thereafter as the term of each member of the Planning Commission expires, the successor or successors shall be elected at the biennial election of the Town of Plainfield to serve for a term of six (6) years.

(C) In the event any member of the Planning Commission shall cease to be a resident of the Town of Plainfield, his office shall be deemed vacant.

A vacancy from whatever cause arising shall be filled by the Planning Commission for the unexpired portion of the term by the appointment of an elector of the Town of Plainfield of the same political party as his predecessor.

SECTION 3. This ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Selectmen:

Charles A. Mathieu

John J. Sasser Jr.

David R. Wagner

Town Clerk:
Patricia Carroll

Amended by Ordinance 36
Amended by Ordinance 38
Amended by Ordinance 46
Repealed by Ordinance 74

ORDINANCE 31.

AMENDMENT TO
SEWER ORDINANCE CONCERNING
COSTS OF CERTAIN TESTS

June 29, 1972

ARTICLE III – Section 5

Old building sewers may be used in connection with new building only when they are found on examination and test by the Superintendent, to meet all requirements of this ordinance. All costs incurred by such tests are to be borne by the owner.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A Mathieu

Town Clerk:

Patricia Carroll

Amends Ordinance 24

Repealed by Ordinance 91

ORDINANCE 32.

AMENDMENT TO SEWER ORDINANCE
CONCERNING SITUATIONS OF PROBLEMS OF FLOW

June 29, 1972

ARTICLE III – Section 7

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor, in all buildings in which any building drain presents a problem of flow to the public sewer, the connection need not be made if the existing situation is approved by the Sewer Authority or the Director of Health.

Selectmen:

David R Wagner

Romeo P. Vezina

Charles A Mathieu

Town Clerk:

Patricia Carroll

Repealed by Ordinance 91

ORDINANCE 33.

AMENDMENT TO STREET ORDINANCE
CONCERNING SIZE OF TURNABOUT
AMENDMENT TO READ AS FOLLOWS:

June 29, 1972

SECTION 3. Paragraph one (1). Width: Any street shall contain a minimum “right of way” of fifty (50) feet unless laid out with prior written approval of the Board. Such street shall be conveyed by Warranty Deed to the Town of Plainfield. The road bed of any street shall have a minimum width of thirty (30) feet. No dead-end street shall be approved by the Board except that a turnabout of eighty (80) feet diameter be constructed.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

Amends Ordinance 20

Repealed by Ordinance 101

See also:

Ordinance 37

ORDINANCE 34.

ORDINANCE REPEALING AN ORDINANCE CONCERNING
MOTOR BOATS ON MOOSUP POND
THE FOLLOWING ORDINANCE WAS REPEALED:

June 29, 1972

Ordinance enacted February 12, 1952: That any person who shall operate a boat propelled in whole or in part by an internal combustion engine or an explosive engine with a total piston displacement in excess of twelve cubic inches on Moosup Lake or Pond, in the Town of Plainfield, shall not be fined more than fifty dollars.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

Repeals Ordinance 7

See also:

Ordinance 70

Ordinance 129

ORDINANCE 35.

ORDINANCE CREATING A MUNICIPAL
ECONOMIC DEVELOPMENT COMMISSION

June 29, 1972

There is hereby established a Municipal Economic Development Commission of the Town of Plainfield to be known as the Plainfield Economic Development Commission. The Commission shall consist of seven members who shall be appointed by the First Selectman. One member shall serve for a term of one year, one for a period of two years, one for a period of three years, two for a period of four years, and two for a period of five years.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

Repealed by Ordinance 74

ORDINANCE 36.

AN ORDINANCE CONCERNING THE ADOPTION OF
ZONING IN THE TOWN OF PLAINFIELD AND
CREATING A COMBINED PLANNING AND ZONING
COMMISSION AND FURTHER PROVIDING FOR THE
CREATION OF A ZONING BOARD OF APPEALS AND
FURTHER PROVIDING FOR THE APPOINTMENT OF
MEMBERS AND ALTERNATE MEMBERS TO THE
ZONING BOARD OF APPEALS

June 29, 1972

BE IT ORDAINED by the electors of the Town of Plainfield at a duly warned Town Meeting:

SECTION 1. The provisions of Chapter 124, Zoning Commission, of the General Statutes of the State of Connecticut, Revision of 1958, as amended, are hereby adopted.

SECTION 2. The Planning Commission to the Town of Plainfield consisting of five (5) members appointed by virtue of an ordinance adopted June 23, 1971, is herewith deemed to be and appointed as the combined Planning and Zoning Commission of the Town of Plainfield. The members of said Planning Commission are herewith deemed to be the members of the Planning and Zoning Commission of the Town of Plainfield and shall serve the terms as specified by the ordinance of June 23, 1971.

SECTION 3. (a) Pursuant to the provisions of Section 8-5, General Statutes of Connecticut, Revision of 1958, as amended, there shall be a Zoning Board of Appeals of the Town of Plainfield which shall consist of five (5) regular members and three (3) alternates all of whom shall be electors of the Town of Plainfield and all of whom shall hold no salary or municipal office or be members of the Planning and Zoning Commission.

(b) The following are hereby appointed as original members and alternates of the Zoning Board of Appeals of the Town of Plainfield for the following terms:

Don Lavalley and Leo Lefrancois to serve as regular members and Donald Lowry to serve as an alternate member, all until the biennial election to be held on the Tuesday after the first Monday of November, 1977; Maurice Desjardin and Otto Pussinen to serve as regular members and Edward H. Potvin to serve as an alternate member, all until the biennial election to be held on the Tuesday after the first Monday of November, 1975; Eugene Bellavance as a regular member and William Miano as an alternate member to serve until the biennial election to be held on the Tuesday after the first Monday of November, 1973. Thereafter as the terms of each member and alternate member of the Zoning Board of Appeals expires the successor or successors shall be elected at the biennial election of the Town of Plainfield to serve for a term of five (5) years.

(c) In the event that any member or alternate member of the Zoning Board of Appeals shall cease to be a resident of the Town of Plainfield, his office shall be deemed vacant and such vacancy and any vacancy arising out of whatever cause shall be filled by the Board of Selectmen of the Town of Plainfield for the unexpired portion of the term by the appointment of an elector of the Town of Plainfield of the same political party as his predecessor.

This ordinance shall take effect fifteen (15) days after publication in accordance with the General Statutes.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

Amends Ordinance 30

Amended by Ordinance 38

Amended by Ordinance 46

Repealed by Ordinance 74

ORDINANCE 37.

AMENDMENTS TO HIGHWAY ORDINANCE

October 2, 1972

Section 6 (a): The road bed shall be paved with a one and one-half inch bituminous concrete binder course and a one inch bituminous concrete wearing course to be installed in accordance with Connecticut Highway Department specifications currently in effect for application of said material. Bituminous concrete berms shall be machine laid along both sides of the road bed at all points except where the majority of the selectmen determine in writing that such berms would not be of benefit.

Section 8 (a): The owner or developer shall furnish the Town a maintenance bond which guarantees for a period of one year to indemnify against defective workmanship or materials in the construction of the street, such bond may be either cash or corporate surety and shall be in the amount of five percent of the total project cost and shall be released by the Town after one year period and upon correction of any defect appearing within the said year.

Section 8 (b): The owner or developer shall install four-way street name signs at all newly created intersections, said signs shall be substantially similar to those in use throughout the Town of Plainfield.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

Amends Ordinance 20

Repealed by Ordinance 101

ORDINANCE 38.

AN ORDINANCE CONCERNING ALTERNATE MEMBERS
OF THE PLANNING AND ZONING COMMISSION

October 2, 1972

BE IT ORDAINED by the electors of the Town of Plainfield at a duly warned Town Meeting:

Section 1. There shall be three (3) alternate members of the Planning and Zoning Commission, who shall be electors of the Town of Plainfield, holding no salaried municipal office.

Section 2. The original alternate members of the Planning and Zoning Commission shall be appointed by the Selectmen of the Town of Plainfield so that the term of office of one (1) original alternate member shall expire on the day of the biennial Town election in November, 1973; the term of one (1) original alternate member shall expire on the day of the biennial Town election in November, 1975 and the term of one (1) original alternate member shall expire on the day of the biennial Town election in November, 1977. Upon the expiration of the term of each alternate member of the Planning and Zoning Commission, the successor shall be elected at the biennial Town election of the Town of Plainfield to serve for a term of six (6) years.

Section 3. In the event any alternate member of the Planning and Zoning Commission shall cease to be a resident of the Town of Plainfield, his office shall be deemed vacant.

Section 4. A vacancy from whatever cause arising in the office of any alternate member of the Planning and Zoning Commission shall be filled by the Planning and Zoning Commission for the unexpired portion of the term by appointment of an elector of the Town of Plainfield of the same political party as his predecessor.

The following are hereby appointed as original members:

Mr. Walter Parcinski as an original alternate member to serve until the biennial Town election in November 1973, Mr. Glen Atkinson as an original alternate member to serve until the Town election on November 1975 and Mr. Robert Gluck as an original alternate member to serve until the biennial Town election in November 1977.

Selectmen:

David R. Wagner
Romeo P. Vezina
Charles A. Mathieu

Town Clerk:

Patricia Carroll

Amends Ordinance 30

Amends Ordinance 36

See also:

Ordinance 46

Repealed by Ordinance 74

ORDINANCE 39.

AN ORDINANCE CONCERNING PARKING ON
TOWN STREETS DURING SNOW STORMS

October 2, 1972

During any snow storm at such time as one inch of snow has fallen and thereafter until the cessation of the snow storm and until completion of snow plowing operations for said snow storm, the parking of motor vehicles is prohibited as follows:

1. On any public street of which the paved portion for motor vehicles is twenty (20) feet of less in width.
2. On southerly side of all streets running basically in an east-west direction and on the westerly side of all streets running basically in a north-south direction.

Violations of this ordinance shall be punishable by a fine not in excess of \$5.00.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

See also:

Ordinance 1

Repealed by Ordinance 113

ORDINANCE 40.

AMENDMENT TO SEWER ORDINANCE CONCERNING
LOCATION OF SEWER LINE IN RELATION TO PRIVATE WELLS

July 10, 1973

Article 3 Section 9 provides that building sewer lines which must be located within twenty-five to seventy-five feet from a private well shall be installed in strict accordance with the latest State Plumbing Code.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A Mathieu

Town Clerk:

Patricia Carroll

Amends Ordinance 24

Repealed by Ordinance 91

ORDINANCE 41.

AMENDMENT TO SEWER ORDINANCE CONCERNING
BENDS AND TEES

July 10, 1973

Article III, Section 13 provides that where building sewers must be installed with ninety degree bends or tees, such bends or tees must be so located so as to afford facilities for hydraulic and pneumatic testing and maintenance of the entire sewer system.

Selectman:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

Amends Ordinance 24

Repealed by Ordinance 91

ORDINANCE 42.

AMENDMENT TO SEWER ORDINANCE CONCERNING
SEWER LINES

July 10, 1973

Article III, Section 4 provides that under certain circumstances a single sewer can serve more than one building.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

Amends Ordinance 24

Repealed by Ordinance 91

ORDINANCE 43.

AN ORDINANCE CREATING A
FLOOD AND EROSION CONTROL BOARD

July 10, 1973

There is hereby established a Flood and Erosion Control Board of the Town of Plainfield in accordance with Section 25-84 through 25-94 of the General Statutes of the State of Connecticut and granting the powers contained in said statutes and further to empower the Selectmen of the Town of Plainfield to act as such Flood and Erosion Control Board.

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

ORDINANCE 44.

ORDINANCE CONCERNING
SEWER AUTHORITY AND SEWER COMMISSION

September 19, 1973

The dissolution of the Sewer Authority created by Ordinance of August 18, 1964, except that no rights or obligations under any contract or commitment shall be affected. ADOPTED.

An ordinance designating the Plainfield Board of Selectmen as Sewer Authority for the Town of Plainfield, pursuant to the provisions of Chapter 103 of the 1958 revision of the Connecticut General Statutes, which authority shall assume all rights, duties, obligations and liabilities of the Sewer Authority established by ordinance August 18, 1964.

The following resolution was adopted:

“Pursuant to the provisions of Chapter 103 of the 1958 Revision of the General Statutes of the State of Connecticut, as amended, the Plainfield Board of Selectmen are hereby designated as the Sewer Authority for the Town of Plainfield. “Said Sewer Authority shall have the powers and authorities and be subject to the provisions of Chapter 103 of the 1958 Revision of the Connecticut General Statutes as amended.”

An ordinance creating a Sewer Commission for the Town of Plainfield, to serve without compensation, by appointment of the Board of Selectmen, to plan and operate such sewerage facilities for disposal of sewerage and waste water as may be required by the Town of Plainfield, subject to approval of the Board of Selectmen acting as Sewer Authority.

The following resolution was adopted:

“Said Commission shall be comprised of five members who shall serve without compensation but shall be reimbursed for necessary expenses. The members of said Sewer Commission first be appointed by the Board of Selectmen as follows: two members for a term of six years each – two members for a term of four years each – and one member for a term of two years: thereafter, as each term expires, successor members shall be elected for six year terms, pursuant to Section 7-246 of the General Statutes of Connecticut. The members of said Commissions shall elect a chairman and a secretary from its membership and shall establish its own rules and procedures. Regulations concerning the operation and procedures of the Sewerage facility shall be approved by the Board of Selectmen acting as the Sewer Authority. Said Commission shall provide the Board of Selectmen with monthly progress reports. The Sewer Commission shall be and hereby is authorized to plan, develop, construct, and operate such sewerage facilities for disposal of sewerage and waste water as may be required by the needs of the Town of Plainfield.”

Selectmen:

David R. Wagner

Romeo P. Vezina

Charles A. Mathieu

Town Clerk:

Patricia Carroll

Repeals Ordinance 12

See also:

Ordinance 17

Amended by Ordinance 59

Repealed by Ordinance 91

ORDINANCE 45.

AN ORDINANCE CONCERNING PENALTIES FOR
VIOLATIONS OF THE BASIC BUILDING CODE OF
THE STATE OF CONNECTICUT

December 27, 1973

BE IT ORDAINED by the electors of the Town of Plainfield at a duly warned Town Meeting:

Section A. Penalties For Violations Of The Basic Building Code Of The State Of Connecticut.

Any person who shall violate a provision of The Basic Building Code Of The State Of Connecticut or shall fail to comply with any of the requirements thereof or shall erect, construct, alter, repair, or occupy a building or structure in violation of any approved plan or directive of the Building Official of the Town of Plainfield, or who shall violate a provision of a permit or certificate issued under the provisions of the Basic Building Code shall be guilty of a misdemeanor, shall be liable to a fine of not less than \$25 or more than \$500.00 or by imprisonment not exceeding one (1) year, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Section B. Penalties For Violation Of A Work Stop Order Issued By The Building Official Of The Town Of Plainfield.

Upon notice from the Building Official that work on any building or structure is being prosecuted contrary to the provisions of the Basic Building Code of the State of Connecticut or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop-work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the conditions under which work may be resumed.

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 or more than \$500.00. Each day that a violation continues shall be deemed a separate offense.

Selectmen:

Albert J. Bigonnesse

Richard L. Mercier

Richard Radei

Town Clerk:

Patricia Carroll

Amends Ordinance 25

ORDINANCE 46.

AMENDMENT TO
ORDINANCE CONCERNING THE ADOPTION OF
ZONING IN THE TOWN OF PLAINFIELD AND
CREATING A COMBINED PLANNING AND ZONING
COMMISSION AND FURTHER PROVIDING FOR THE
CREATION OF A ZONING BOARD OF APPEALS AND
FURTHER PROVIDING FOR THE APPOINTMENT OF
MEMBERS AND ALTERNATIVE

December 27, 1973

BE IT ORDAINED by the electors of the Town of Plainfield at a duly warned Town Meeting that Section 3, subsection (b) be amended to provide that as the terms of each member and alternative member of the Zoning Board of Appeals expires the successor or successors shall be elected at the Biennial Election of the Town of Plainfield to serve for a term of six (6) years.

These ordinances shall become effective 15 days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Albert J. Bigonnesse

Richard L. Mercier

Richard Radei

Town Clerk:

Patricia Carroll

Amends Ordinance 36

See also:

Ordinances 30 and 38

Repealed by Ordinance 74

ORDINANCE 47.

AN ORDINANCE CREATING AN
INLAND WETLAND AND WATERCOURSE AGENCY
AND AUTHORIZING IT TO PROMULGATE REGULATIONS
PROTECTING THE WETLANDS AND WATERCOURSES
OF THE TOWN OF PLAINFIELD

February 14, 1974

BE IT ORDAINED BY THE SPECIAL TOWN MEETING of the Town of Plainfield: That the following ordinance be adopted pursuant to the provisions of An Act Concerning Inland Wetlands and Watercourses, Section 7131 (a) of the Connecticut General Statutes.

SECTION 1. The Inland Wetlands and Watercourses of the Town of Plainfield are an indispensable and irreplaceable but fragile natural resource with which the citizens of the Town have been endowed. The Wetlands are an interrelated web of nature essential to as adequate supply of surface and underground water; to hydrological stability and control of flooding and erosion; to the recharging and purification of ground water and to the existence of many forms of animal, aquatic, and plant life.

Many inland wetlands and watercourse have been destroyed or are in danger of destruction because of unregulated use by reason of the deposition, filling, or removal of material, the diversion or obstruction of water flow, the erection of structures and other uses, all of which have despoiled, polluted and eliminated wetlands and watercourses. Such unregulated activity has had, and will continue to have a significant, adverse impact on the environment and ecology of the Town of Plainfield and has and will continue to imperil the quality of the environment thus adversely affecting the ecological, scenic, historic, and recreational values and benefits of the Town of Plainfield for its citizens now and forever more.

The preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable, and unregulated uses, disturbance or destruction is in the public interest and is essential to health, welfare, and safety of the citizens of the Town.

It is therefore the purpose of this ordinance to protect the citizens of the Town of Plainfield by making provisions for the protection, preservation, maintenance and use of the inland wetlands and watercourses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by Federal, State or local authority; preventing damage from erosion, turbidity or siltation; preventing loss of fish and other beneficial aquatic organisms; wildlife and vegetation and the destruction of the natural habitats thereof; deterring and inhibiting the danger of flood and pollution; protecting the quality of wetlands and watercourses for their conservation, economic, aesthetic, recreational and other public and private uses and values; and protecting Plainfield's potable fresh water supplies from the dangers of drought, overdraft, pollution, misuse and mismanagement by providing an orderly process to balance the need for the economic growth of Plainfield and the uses of its land with the need to protect its environment and ecology in order to forever guarantee to the people of Plainfield the safety of such natural resources for their benefit and enjoyment and the benefit and enjoyment of generations yet unborn.

SECTION 2. (a) The Inland-Wetland and watercourse Agency (hereinafter referred to as Agency) shall consist of seven (7) members appointed by the Board of Selectmen. There shall be representation

from each of the following: Conservation Commission, Planning and Zoning, Recreation Committee, Board of Selectmen, Sewer Commission, and the Industrial Development Commission. The terms of office of these representatives shall run concurrently with the term of office held on the Committee or Commission. In addition, two citizen representatives shall be appointed, one to serve until January 1, 1975, one to serve until January 1, 1976; thereafter the terms of office shall be for two years.

(b) Vacancies shall be filled by appointment by the Board of Selectmen.

(c) In the event that an Agency member misses three consecutive meetings, the Board of Selectmen may remove that member and fill the vacancy created by the manner provided in Paragraph (b) of this section.

SECTION 3. (a) The Agency is authorized to promulgate such regulations, in conformity with regulations promulgated by the Commissioner of Environmental Protection, as are necessary to protect the wetlands and watercourses and define boundaries of inland wetlands areas as defined by said Public Act No. 155, as amended within the territorial limits of the Town of Plainfield. No such regulations of an Agency including boundaries of inland wetland areas shall become effective or be established until after a public hearing in relation thereto is held by the Inland Wetlands Agency, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in the form of a legal advertisement, appearing in a newspaper having a substantial circulation in the municipality at least twice at intervals of not less than two days, the first not more than 25 days nor less than 15 days, and the last not less than two days before such hearing, and a copy of such proposed regulation or boundary shall be filed in the office of the Town Clerk, for public inspection at least ten (10) days before such hearing, and shall be published in full in such paper.

(b) Upon adoption by the Inland Wetlands and Watercourse Agency, such regulations shall be forwarded to the Commissioner of Environmental Protection for approval. The regulations thus approved, together with any maps delineating wetlands and watercourses made a part thereof, shall be filed in the office of the Town Clerk and shall become effective upon such filing. Notice of such approved regulations shall be published in a newspaper having a substantial circulation in the Town of Plainfield no less than ten (10) days after said filing.

(c) Amendments to such regulations and inland wetland boundaries shall be promulgated in the manner provided in paragraphs (a) and (b) of this Section. The Inland Wetland Agency shall only consider proposed regulations or inland wetland boundaries which have been submitted in writing and in a form prescribed by it. Said proposals shall be considered by the Inland Wetland Agency within 60 days of the receipt of the petition containing said proposal. The petitioner may consent to extension of the periods provided for in hearing and for adoption or denial or may withdraw such petition. The Inland Wetland Agency may require a filing fee to be deposited with the Agency to defray the cost of publication of the notice required for the hearing. The Inland Wetland Agency shall not be required to hear any petition or petitions relating to the same regulation or map changes or substantially the same changes, more than once in a period of twelve (12) months.

SECTION 4. In exercising the authority granted herein, the Inland Wetland Agency shall:

- a. Develop comprehensive programs in furtherance of the purposes of this ordinance;
- b. Advise, consult, and cooperate with agencies of the municipality, region, State, and Federal Government, other States and with persons and municipalities in furtherance of the purposes of this ordinance; to this end, all applications for building permits, subdivision plans or other

permits which involve or may involve regulated activities in an inland wetland or watercourse made to any other Board or Commission shall be subject to review of the Inland Wetland Agency;

- c. Encourage, participate in or conduct studies, investigations, research and demonstrations, and collect, and disseminate information relating to the purposes of this ordinance;
- d. Retain and employ consultants and assistants on a contract or other basis for the purpose of rendering legal, financial, technical, or other assistance and advice in furtherance of any of its purposes, specifically including, but not limited to, soil scientists of the United States Soil Conservation Service for the purpose of making onsite interpretations, evaluations, and findings as to soil types and/or utilize the services of such other Town officials and employees as it may deem appropriate;
- e. Promulgate such regulations as are necessary to protect the inland wetlands and watercourses or any of them individually or collectively;
- f. Inventory or index the inland wetlands and watercourses in such form, including best suited to effectuate the purposes of this ordinance;
- g. Exercise all incidental powers necessary to enforce regulations and to carry out the purposes of this ordinance, including the designation of a compliance officer and administrator.

SECTION 5. Any person aggrieved by a final decision of the Town acting through the Inland Wetland Agency shall have the right of appeal to the Court of Common Pleas of Windham County as provided by Public Act 155 of 1972 and as amended.

SECTION 6. Any person violating this ordinance or regulations promulgated thereunder shall be subject to the remedies and penalties provided by Public Act 155 and as amended.

SECTION 7. The invalidity of any work, clause, sentence, section, part or provision of this ordinance shall not affect the validity of any other part which can be given effect without such invalid part or parts.

SECTION 8. The ordinance shall become effective fifteen days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Albert J. Bigonesse

Richard L. Mercier

Richard Radei

Town Clerk:

Patricia Carroll

ORDINANCE 48.

AN ORDINANCE CONCERNING THE THROWING OR PLACING OF
OFFENSIVE MATERIAL ON STREETS, HIGHWAYS, OR ON
THE RIGHTS OF WAY OF SAID STREETS OR HIGHWAYS,
OR LANDS OWNED OR MAINTAINED BY THE
TOWN OF PLAINFIELD

February 14, 1974

- a. No person shall throw, scatter, spill, place, permit to flow, or cause to be blown, scattered, spilled, thrown, placed, or permitted to flow or leave exposed in such a way that it is likely to be blown, tracked, or flow onto any street, highway, or right of way of said street or highway, or lands owned or maintained by the Town of Plainfield located within the boundaries of the Town of Plainfield, trash, papers, offensive material, including but not limited to water pumped from land or a building by the owner or leasee thereof, onto said street, highway, or right of way, or lands owned or maintained by the Town of Plainfield, or any nails, tacks, glass, crockery, scrap metal or wire, or substances of like nature.
- b. Any person who violates any provision of this ordinance shall be fined not more than ten (\$10) dollars for each day during which the prohibited practice shall continue.
- c. When any such material or substances are thrown, blown, scattered, or spilled from a motor vehicle, the operator thereof shall be deemed prima facie to have committed such offense.
- d. Said ordinance shall become effective fifteen days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Albert J. Bigonnesse
Richard L. Mercier
Richard Radei

Town Clerk:

Patricia Carroll

ORDINANCE 49.

AN ORDINANCE CONCERNING THE REMOVAL OF
ABANDONED, INOPERABLE OR UNREGISTERED
MOTOR VEHICLES FROM PRIVATE PROPERTY

February 14, 1974

- a. Pursuant to Section 14-150(a) of the Connecticut General Statutes, the Board of Selectmen of the Town of Plainfield may order the removal of any abandoned, inoperable, or unregistered motor vehicle or parts thereof located within the boundaries of the Town if that motor vehicle or parts thereof presents a danger to the health, welfare, or safety of the general public or any person living on the property where the abandoned, inoperable, or unregistered motor vehicle or parts thereof is located, provided however that,
 1. Notice be given to the owner of the property on which such motor vehicle or parts thereof so remains requesting removal of such motor vehicle or parts thereof within 30 days from the days of said request by Certified Mail Return Receipt requested, and
 2. Notice be published in a newspaper having a substantial circulation on such municipality, said notice to be published 30 days before the Town's removal of said motor vehicle or parts thereof, said notice to include the name of the owner of the property on which said motor vehicle or parts thereof is located, the make and model of said motor vehicle, the approximate year of manufacture of said motor vehicle or parts thereof, and, where possible, the identification number of said motor vehicle or parts thereof.
- b. In the event that said motor vehicle or parts thereof are not removed as provided in section (a) above, after notice duly given, as provided in sub-section (a) (1) and (a) (2) above, the Board of Selectmen shall provide for the removal and storage of said motor vehicle or parts thereof. The costs of the removal and storage of said motor vehicle or parts thereof and the costs of the above mentioned notices shall be borne by the owner of property from which the said motor vehicle or parts thereof are removed. If said costs are paid within 30 days by the said owner or his or her representative, the removed motor vehicle or parts thereof will be turned over to the said owner or his or her representative. If said costs remain unpaid for a period of 30 days, the Board of Selectmen may order the motor vehicle or parts thereof sold at public auction and so sell said motor vehicle or parts thereof after notice of said auction is published in accordance with the Connecticut General Statutes. The proceeds of such sale will be used by the Board of Selectmen to defray the costs of removal, storage, and notice. If there should be any money left over after said sale and the payment of said costs, the excess proceeds shall be turned over to the General Fund of the Town of Plainfield.
- c. Said ordinance shall become effective fifteen days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Albert J. Bigonnesse

Richard L. Mercier

Richard Radei

Town Clerk:

Patricia Carroll

Amended by Ordinance 51

ORDINANCE 50.

AMENDMENT TO ORDINANCE
REGULATING USE OF PUBLIC SEWERS

June 25, 1974

AMENDED by adding Section 7 to said Article, as follows: Section 7. The requirements of Section 3, 4 and/or 6 may be waived by the Sewer Authority in the event that the property owner establishes the compliance with said Section(s) would cause said property owner an unreasonable hardship.

In accordance with the Connecticut General Statutes this ordinance shall take effect fifteen (15) days after publication.

Selectmen:

Albert J. Bigonesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

Amends Ordinance 24

Repealed by Ordinance 91

ORDINANCE 51.

AMENDMENT TO ORDINANCE CONCERNING
THE REMOVAL OF ABANDONED, INOPERABLE, OR
UNREGISTERED MOTOR VEHICLES
FROM PRIVATE PROPERTY

August 14, 1974

Amend the Ordinance of the Town of Plainfield, entitled, “An Ordinance Concerning The Removal of Abandoned, Inoperable, or Unregistered Motor Vehicles from Private Property” by adding Section (a) (3) as follows:

(a) (3) Expressly excepted from coverage under this ordinance is any motor vehicle which is twenty-five years old or older at the time of the alleged offense AND any motor vehicle which is classified as a “Special Interest Car” by its owner. The owner of such a motor vehicle shall assume the burden of proof in establishing either the age or special interest category of said motor vehicle. For the purpose of this section, a Special Interest Car is defined as a motor vehicle which holds a distinctive value to the owner because of its style, year of manufacture, name, method of construction, etc.

This amendment shall become effective fifteen days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Albert J. Bigonesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

Amends Ordinance 49

ORDINANCE 52.

AN ORDINANCE PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON PROPERTY OWNED AND/OR MAINTAINED BY THE TOWN OF PLAINFIELD OR ON ROADS OWNED AND/OR MAINTAINED BY THE TOWN OF PLAINFIELD OR WITHIN THE RIGHTS OF WAY OF SAID ROADS OR ON PRIVATELY OR PUBLICLY OWNED PROPERTY WITHIN THE BOUNDARIES OF THE TOWN OF PLAINFIELD WHERE THE OWNER OF SAID PROPERTY HAS SPECIFICALLY POSTED SUCH PROPERTY WITH A SIGN STATING THAT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IS PROHIBITED

August 14, 1974

SECTION 1. For the purpose of this ordinance, "street" shall mean any state highway, town highway, or any other highway or road open to the general public even though said highway may not be formally accepted by the Town of Plainfield as a Town Road.

SECTION 2. No person shall at any time consume alcoholic beverages upon any street located within the confines of the Town of Plainfield nor upon any premises over which the general public has a right of way, including sidewalks, within twenty (20) feet of the bounds of any said street.

SECTION 3. No person shall, without written permission from the Town of Plainfield, consume alcoholic beverages upon any premises owned or maintained by the Town of Plainfield for the use of the general public including but not limited to parks, playgrounds, public buildings, and parking areas.

SECTION 4. No person other than the owner, the occupant, or his guests, shall consume alcoholic beverages upon any privately owned premises whereupon the owner has caused a sign to be posted for in Section 5 of this ordinance.

SECTION 5. Any person wishing to prohibit the consumption of alcoholic beverages on property owned by him in accordance with Section 4 of this ordinance may post upon said premises a sign plainly visible containing a warning "CONSUMPTION OF ALCOHOLIC BEVERAGES PROHIBITED BY AUTHORITY OF PLAINFIELD TOWN ORDINANCE."

SECTION 6. This ordinance shall not affect the consumption of alcoholic beverages within or upon any premises licensed by the State of Connecticut by authority of the State Liquor Control Commission.

SECTION 7. A violation of this ordinance shall be punishable by a fine of not more than \$20.00.

SECTION 8. This ordinance shall become effective fifteen days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Albert J. Bigonnesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

Amended by Ordinance 55

ORDINANCE 53.

AN ORDINANCE CONCERNING THE PAYMENT TO THE
TOWN OF PLAINFIELD GENERAL FUND BY THE
CONNECTICUT YANKEE GREYHOUND RACING

October 23, 1974

BE IT ORDAINED BY THE SPECIAL TOWN MEETING, duly warned, that the Connecticut Yankee Greyhound Racing, Incorporated shall pay to the Town of Plainfield General Fund annually the sums equal to one quarter of one percent ($\frac{1}{4}$ of 1%) of the daily handle (total money wagered) and ten percent (10%) of the daily total derived from general admission fees as received by the said Connecticut Yankee Greyhound Racing Incorporated during its operation within the boundaries of the Town of Plainfield.

Selectmen:

Albert J. Bigonnesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

ORDINANCE 54.

AN ORDINANCE ASSIGNING NUMBERS FOR EACH ORDINANCE
PASSED BY VARIOUS TOWN MEETINGS

October 23, 1974

BE IT ORDAINED BY THE SPECIAL TOWN MEETING, duly warned, that each Ordinance of the Town of Plainfield be numbered chronologically based on the date of passage. General Statutes of the State of Connecticut.

Selectmen:

Albert J. Bigonesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

ORDINANCE 55.

AMENDMENT TO ORDINANCE
PROHIBITING THE CONSUMPTION OF ALCHOLIC BEVERAGES ON
PROPERTY OWNED AND/OR MAINTAINED BY THE TOWN OF PLAINFIELD
OR ON ROADS OWNED AND/OR MAINTAINED BY THE TOWN OF PLAINFIELD
OR WITHIN THE RIGHTS OF WAY OF SAID ROADS OR ON
PRIVATELY OR PUBLICLY OWNED PROPERTY WITHIN THE BOUNDARIES
OF THE TOWN OF PLAINFIELD WHERE THE OWNER OF SAID PROPERTY
HAS SPECIFICALLY POSTED SUCH PROPERTY WITH A SIGN STATING THAT THE
CONSUMPTION OF ALCOHOLIC BEVERAGES IS PROHIBITED

January 29, 1975

To amend the Ordinance entitled “An Ordinance Prohibiting The Consumption of Alcoholic Beverages on Property Owned and/or Maintained by the Town of Plainfield or on Roads Owned and/or Maintained by the Town of Plainfield or Within The Rights of Way of Said Roads or on Privately or Publicly Owned Property Within the Boundaries of the Town of Plainfield Where the Owner of Said Property Has Specifically Posted Such Property With A Sign Stating That The Consumption of Alcoholic Beverages is Prohibited.” Adopted on August 14, 1974, by adding thereto the following paragraph which shall precede Section 1 of said ordinance.

“The regulation of the consumption of alcoholic beverages on property, roads and sidewalks maintained or owned by the Town of Plainfield and on abutting private property is hereby deemed necessary to eliminate littering, boisterous and tumultuous behavior and loitering which will insure the safety, order and welfare of the residents of the Town of Plainfield, their free access and movement on the sidewalks and streets and the enjoyment and use of public property.”

Selectmen:

Albert J. Bigonesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

Amends Ordinance 52

ORDINANCE 56.

ORDINANCE CONCERNING MEASURES FOR
MINIMIZATION OF FLOOD DAMAGE

January 29, 1975

In order to protect the citizens of Plainfield, against dangers of flooding and to establish the eligibility of property in the Town of Plainfield for coverage by flood insurance sold under the National Flood Insurance Program, BE IT ORDAINED BY THE TOWN MEETING of the Town of Plainfield that:

1. The Building Official shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any new construction or substantial improvement (including placement of and improvement to prefabricated and mobile homes) must (I) be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (II) use construction resistant to flood damage, and (III) use construction methods and practices that will minimize flood damage.
2. The Planning and Zoning Commission shall review subdivision proposals to assure that (I) all such proposals are consistent with the need to minimize flood damage, (II) all public utilities and facilities in such proposals, including sewer, gas, electrical, and water systems, are located, elevated, and constructed to minimize or eliminate flood damage, (III) adequate drainage is provided so as to reduce exposure to flood hazards, and (IV) onsite sewage disposal systems are located so as to avoid impairment of them or contamination from them during flooding.
3. The Sewer Authority shall require new or replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the system into flood waters.
4. The Inland Wetlands Agency shall review applications for regulated activities in regulated areas to assure that all activities in such areas are consistent with the need to minimize flood damage.

These ordinances shall become effective fifteen (15) days after publication in accordance with the General Statutes.

Selectmen:

Albert J. Bigonnesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

Repealed by Ordinance 60

See also:

Ordinance 98

ORDINANCE 57.

AMENDMENT TO ORDINANCE CONCERNING ESTABLISHMENT
OF NURSING AND HEALTH SERVICES

October 8, 1975

Amend Ordinance No. 16 of The Town of Plainfield, entitled, "Ordinance Concerning Establishment of Nursing And Health Services."

"Said Nursing and Health Service shall be governed by a Board of Directors as appointed by the Board of Selectmen. The Board of Directors shall be comprised of at least nine (9) and not more than 15 citizens of the Town of Plainfield and each member of the Board of Directors shall be appointed for a term of two years. The Board of Directors are hereby charged with the duty of governing the Nursing and Health Service on a day to day basis subject to the advice and consent of the majority of the Board of Selectmen."

This Amendment to the Ordinance shall become effective 15 days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Albert J. Bigonesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

Amends Ordinance 16

Repealed by Ordinance 89

ORDINANCE 58.

ORDINANCE CONCERNING MATTERS CONFLICTING
WITH EXISTING ORDINANCES

October 22, 1975

2(a) "BE IT ORDAINED BY THIS TOWN MEETING that from this date on, no matter shall be taken up at any Town Meeting which shall conflict in any way with any existing Ordinance of the Town of Plainfield unless the warning of said Town Meeting shall include the wording as follows in capitalized letter: THIS MATTER IN FACT AND/OR IN PRACTICE WILL CONFLICT WITH THE WORDING, MEANING AND/OR INTENT OF ORDINANCE NO.---, ENTITLES "LIST TITLE OF ORDINANCE."

2(b) NOT PASSED.

2(c) "BE IT FURTHER ORDAINED HEREBY THAT SECTIONS (a) and (b) above shall apply to Town Meetings called by the Selectmen either on their own initiative or by a petition of the Town of Plainfield's citizens and/or taxpayers. In the case of a Town Meeting called by petition, the Selectmen shall be responsible for inserting in the warning of said Town Meeting the language required in Section (a) above without otherwise changing the wording already on the petition. (Sentence eliminated by action on Section 2(b), which was not passed.)

2(d) "BE IT FURTHER ORDAINED HEREBY THAT any matter warned for any Town Meeting in violation of Sections (a) or (c) above shall be ruled null and void by the Town Clerk of the Town of Plainfield with the written advice of Town Counsel, at the time when the warning is submitted for filing with the Town Clerk by the Board of Selectmen. Any such warning shall be marked "Null and Void" with the reason for such decision affixed to said warning and signed by the Town Clerk and Town Counsel. In such case, the Town Clerk shall return the warning so marked and signed to the Board of Selectmen. The Town Clerk shall then accept the warning from the Board of Selectmen only if it is amended to comply with Sections (a) and (c) above.

This Ordinance shall take effect 15 days after publication in a newspaper having a circulation with the Town of Plainfield.

Selectmen:

Albert J. Bigonnesse

Richard L. Mercier

Mary Espinola

Town Clerk:

Patricia Carroll

ORDINANCE 59.

AMENDMENT TO ORDINANCE DATED SEPTEMBER 19,1973
WHICH CREATED A SEWER COMMISSION

March 22, 1976

AMENDED BY DELETING THEREFROM the Ordinance creating a Sewer Commission of the Town of Plainfield and the following Resolution regarding the establishment of said Sewer Commission the purpose being to dissolve the Sewer Commission of the Town of Plainfield. In accordance with the Connecticut General Statutes this ordinance shall take effect fifteen (15) days after publication.

Selectmen:

Richard L. Mercier

John Ramsey

Mary Espinola

Town Clerk:

Patricia Carroll

See also:

Ordinances 12 and 17

Amends Ordinance 44

Repealed by Ordinance 91

ORDINANCE 60.

REPEAL AND REPLACE ORDINANCE FOR
MINIMIZATION OF FLOOD DAMAGE

May 23, 1977

To repeal Town Ordinance 56 entitled “ORDINANCE FOR MINIMIZATION OF FLOOD DAMAGE” approved at a town meeting on January 30, 1975 and substitute therefore the following:

Ordinance Concerning Flood plain Management.

The purpose of this ordinance is to ensure eligibility for continued participation by the Town of Plainfield in the National Flood Insurance Program by establishing policies, permit requirements, and application procedures related to land use and development in Special Flood Hazard Areas of the Town of Plainfield, consistent with the regulations of the National Flood Insurance Program, as published in the Federal register, Vol. 41, No. 207, October 26, 1976. Said Special Flood Hazard Areas designated by the Federal Insurance Administrator and shown as A zones on the Flood Hazard Boundary Map for the Town of Plainfield, a copy which is on file in the office of the Town Clerk.

All official boards and commissions of the Town of Plainfield shall take into account flood and flood-related erosion hazards to the extent that they are known, in all official actions relating to land management and use.

Until such time that flood elevation data is furnished by the Federal Insurance Administrator, the Building Official shall obtain, review, and reasonably utilize any base flood (100-year flood) elevation data from federal, state, or other sources. Such information shall be made available to the Planning and Zoning Commission.

Before issuing a permit for any new construction or substantial improvements within Zone A on the FHBM, the Building Official shall review the permit application to determine that the proposed building site is reasonably safe from flooding. If a proposed building site is in a flood prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall (I) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damage.

The Building Official shall (I) obtain the elevation of all new or substantially improved structures within Zone A on the FHBM, and whether or not such structures contain a basement (ii) obtain, if the structure has been flood proofed, the elevation (in relation to mean sea level) to which the structure was flood proofed, and (iii) maintain a public record of any such information.

The Building Official shall require all mobile homes placed with Zone A on the FHBM be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that (I) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side; (ii) frame ties provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side, (iii) all components of the anchoring system be capable of

carrying a force of 4,800 pounds, and (iv) and additions to the mobile home be similarly anchored; and

The Building Official shall require that an evacuation plan indicating alternate vehicular access and escape routes be filed with appropriate Disaster Preparedness Authorities for mobile home parks and mobile home subdivisions located within Zone A on the FHB.M.

The Building Official shall, prior to issuing any permit for construction or other development, require evidence from the applicant for such permit that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including section 404 of the federal Water Pollution Control Act Amendments of XXXX U.S.C.1334.

Variances to the provisions of this ordinance may be granted by majority vote of the Board of Selectmen in accordance with the following:

- a. Variances shall be issued only upon (I) showing of good and sufficient cause, (ii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- b. Variances will be issued only upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- c. The Board shall notify the applicant in writing over the signature of the Building Official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.
- d. The Board shall maintain (i) a record of all variance actions, including justification for their issuance, and (ii) report such variances issued in its annual report submitted to the Federal Insurance Administrator.

This Ordinance shall take effect 15 days after publication in a newspaper having a circulation within the Town of Plainfield.

Selectmen:
Richard L. Mercier
John Ramsey
Mary Espinola

Town Clerk:
Patricia Carroll

Repealed by Ordinance 98

ORDINANCE 61.

AMENDMENT TO ORDINANCE NO. 24
REGULATING USE OF PUBLIC SEWERS

October 17, 1977

To change Article III, Section 11, of the Town of Plainfield Sewer Ordinance to read as follows:

SECTION 11. Building sewers which must be located within 25 to 75 feet from a private well shall be either cast iron pipe with leaded joints, asbestos cement pipe with standard O-ring gaskets, clay pipe with type III joint or type PSM poly (vinyl chloride) (PVC) sewer pipe and fittings with solvent cement joints or elastomeric gasket joints in conformance with ASTM standard D-3034.74 or latest edition. In any case, the pipe shall be tested to assure a leakage not to exceed 50 gallons, per mile, per inch, per day, tested at a minimum hydraulic head of at least 2 feet.

In accordance with the Connecticut General Statutes this Ordinance shall take effect fifteen (15) days after publication.

Selectmen:

Richard L. Mercier

John Ramsey

Mary Espinola

Town Clerk:

Patricia Carroll

Amends Ordinance 24

See Also:

Ordinances 27, 31, 32, 40, 41, 42 and 50

Repealed by Ordinance 91

ORDINANCE 62.

ORDINANCE AUTHORIZING AN EXEMPTION FROM
PROPERTY TAX FOR A BUILDING WHICH IS EQUIPPED
WITH A SOLAR ENERGY HEATING OR COOLING SYSTEM

February 21, 1978

1. Pursuant to Section 12-81 (56) of the General Statutes (as amended by Public Act 77-490), an exemption from property tax is authorized for a building, the construction of which is commenced on or after October 1, 1976 and before October 1, 1991, which is equipped with a solar energy heating or cooling system (as defined in Section 12-81 (56)) or any building to which a solar energy heating or cooling system is added on or after October 1, 1976 and before October 1, 1991.
2. The extent of the exemption is the amount by which the assessed valuation of such real property equipped with such a system exceeds the assessed valuation of such real property equipped with the conventional portion of the heating or cooling system, exclusive of any portion of such system related to solar energy.
3. This exemption shall only apply to the first fifteen assessment years following construction of such building or addition of any such system to a building.
4. Application for such exemption must be filed in accordance with Section 12-81 (56) as amended, within thirty days following the annual assessment date.

Selectmen:

Richard L. Mercier

John Ramsey

Neil Fields

Town Clerk:

Patricia Carroll

ORDINANCE 63.

ORDINANCE AUTHORIZING AN EXEMPTION FROM PROPERTY TAX
FOR ANY SOLAR ENERGY ELECTRICITY INSTALLED FOR THE
GENERATION OF ELECTRICITY FOR PRIVATE RESIDENTIAL USE

February 21, 1978

1. Pursuant to Section 12-81 (57) of the General Statutes (Public Act 77-490 Section 2), an exemption from property tax is authorized for any solar energy electricity system (as defined in Section 12-81 (57)) installed for the generation of electricity for private residential use, provided such installation occurs on or after October 1, 1977 and before October 1, 1991.
2. This exemption shall only apply to the first fifteen assessment years following the installation of such system.
3. Application for such exemption must be filed in accordance with Section 12-81 (57) within thirty days following the annual assessment date.

This ordinance shall become effective fifteen (15) days after publication is accordance with the Connecticut General Statutes.

Selectmen:

Richard L. Mercier

John Ramsey

Neil Fields

Town Clerk:

Patricia Carroll

ORDINANCE 64.

ORDINANCE AUTHORIZING PROPERTY TAX
EXEMPTION TO GOD'S GIFT HOUSE, INC.

December 12, 1978

Pursuant to Section 12-81 (b) of the Connecticut General Statutes an exemption from property tax is authorized to God's Gift House, Inc., a Religious-Charitable Connecticut NonStock Corporation, for land and buildings acquired by it on Route 12, Plainfield, Connecticut, and to make such exemption effective as of June 28, 1978 the date of acquisition of said land and buildings.

Selectmen:

Richard L. Mercier

John Ramsey

Neil Fields

Town Clerk:

Patricia Carroll

ORDINANCE 65.

ORDINANCE REGULATING THE INSTALLATION
OF FIRE HYDRANTS

December 15, 1978

Be it ordained by the President and directors of the Wauregan Fire District That:

SECTION 1. Definition

(a) DEVELOPMENT: Any single family homes erected in groups of more than two (2) by the same builders, contractors, person or persons, corporation, or other legal entities within one thousand (1,000) feet of each other (known as housing projects):

Also:

Apartment projects consisting of two (2) or more apartments per dwelling or building and two (2) or more buildings within one thousand (1,000) feet of each other:

Also:

Commercial establishments known as shopping centers consisting of two (2) or more stores or units within two thousand five hundred (2,500) feet of each other:

Also:

All industrial developments no matter the size or location:

Also:

All gas and fuel stations or depots:

Also:

Medical Facilities:

Also:

Schools:

Also:

Convalescent homes, and rest homes.

SECTION 2. If any development and/or project listed in Section One above is constructed within two thousand five hundred (2,500) feet of any existing water main, said water main is to be extended to said development and/or project by means of a pipe having a minimum diameter of ten (10) inches which pipes shall be installed along/and/or in all the streets or roads of said project.

SECTION 3. Hydrants having a minimum diameter of eight (8) inches will be installed on water mains having a diameter of ten (10) inches. These hydrants shall be situated or placed not less than three (3) feet and no more than eight (8) feet from the edge of the street pavement. Said hydrants shall be installed not more than five hundred (500) feet apart along the ten (10) inch water mains, except that in the case of shopping centers and industrial building complexes in which case ten (10) inch diameter water mains will be installed in the form of a loop around the perimeter of said shopping center or industrial building complex. In addition, hydrants having a diameter of eight (8) inches will be installed on the ten (10) inch water mains around the loop no more than five hundred (500) feet apart and no less than one hundred (100) feet and no more than two hundred (200) feet from any building.

SECTION 4. In addition to the requirements stated in Sections Two and Three any development or project shall include the following:

- a. a road that is suitably paved
- b. a suitably paved parking lot or right of way for ingress and egress by fire apparatus which shall be maintained and kept clear of ice and snow during the winter season.
- c. all hydrants will be situated no less than three (3) and no more than eight (8) feet from the edge of the paved parking lot or right of way.

SECTION 5. Specifications

All hydrants will be a minimum of eight (8) inches in diameter. They shall include two (2) two and one half (2 ½) inch discharge spuds and one (1) four and one half (4 ½) inch steamer connection.

All threading will be of the type that is considered nationally standard.

All steamer connections will face the street, parking lot or access road, as the case may be, for purpose of access road, as the case may be, for purpose of access by fire apparatus.

SECTION 6. This Ordinance shall become effective on December 15, 1978

BY ORDER OF THE PRESIDENT AND DIRECTORS

JULIAN L. BOUCHER

President & Chairman

Town Clerk:

Patricia Carroll

ORDINANCE 66.

AN ORDINANCE CONCERNING THE ESTABLISHMENT OF A
BOARD OF POLICE COMMISSIONERS IN THE TOWN OF PLAINFIELD,
AN INTERIM BOARD OF POLICE COMMISSIONERS,
WHICH ORDINANCE PROVIDES FOR THE APPOINTMENT
OF MEMBERS TO BOTH THE BOARD OF POLICE COMMISSIONERS
AND THE INTERIM BOARD OF POLICE COMMISSIONERS
AND ALSO PROVIDES FOR THE ESTABLISHMENT OF A
POLICE DEPARTMENT WITHIN THE BOUNDARIES
OF THE TOWN OF PLAINFIELD

May 26, 1981

BE IT ORDAINED by the electors of the Town of Plainfield at a duly warned Town Meeting:

Section A. Establishment of Town of Plainfield Board of Police Commissioners:

Pursuant to Section 7-274 of the Connecticut General Statutes as amended, there is established the Town of Plainfield Board of Police Commissioners to be elected in accordance with the provisions of Paragraph F below and said Town of Plainfield Board of Police Commissioners is hereby empowered to organize and maintain a police department in the Town of Plainfield. The Board of Police Commissioners shall consist of five electors, all of whom shall be resident taxpayers of the Town of Plainfield. Such Commissioners shall be sworn to the faithful performance of their duties and shall serve without compensation, but their actual expenses and disbursements incurred in the performance of their duties shall be paid from the town treasury.

Section B. Meeting of Board of Police Commissioners. Vacancies

Pursuant to Section 7-275 of the Connecticut General Statutes as amended, the Board of Police Commissioners shall elect one of its number to be chairman and one member to be clerk and shall hold regular meetings and keep records of the same. Meetings shall be held upon the call of the chairman or of a majority of the members of the board. A majority of the members of the board shall constitute a quorum. In the event of any vacancy upon the board, the Board of Selectmen shall have authority by majority vote to fill such vacancy until the next town election, at which election a member shall be elected for the unexpired portion of the term.

Section C. Powers of Board of Police Commissioners.

Pursuant to Section 7-276 of the Connecticut General Statutes, the Town of Plainfield Board of Police Commissioners shall have all of the powers given by the general statutes to the Board of Police Commissioners, shall have general management and supervision of the police department of such Town and of the property and equipment used in connection therewith, shall make all needful regulations for the government thereof not contrary to law and may prescribe suitable penalties for the violation of any such regulation, including suspension or removal from office of any officer or member of such police department. Such board shall have the sole power of appointment, promotion and removal of the officers and members of such police department, under such regulations as it adopts for the purpose, and such appointees shall hold office during good behavior and until removed for cause upon written charges and after hearing. The members of such police department shall have all such authority with

respect to the service of criminal process and the enforcement of criminal laws as is vested by the general statutes in police officers and constables.

Section D. Expenses of Police Department to be paid by the Town of Plainfield.

Pursuant to Section 7-277 of the Connecticut General Statutes, the expenses, salaries and all costs of maintenance and equipment for the Town of Plainfield Police Department shall be paid by the Town of Plainfield in the same manner as other expenses of the town government.

Section E. Establishment of Interim Board of Police Commissioners.

Pursuant to Section 7-274 of the Connecticut General Statutes as amended, there is established the Town of Plainfield Interim Board of Police Commissioners to be appointed by the Town of Plainfield Board of Selectmen and said Town of Plainfield Interim Board of Police Commissioners is hereby empowered with all the powers, authority, duties and obligations specified in Paragraphs A, B and C above. The Interim Board of Police Commissioners shall consist of seven electors all of whom shall be resident taxpayers of the Town of Plainfield, shall be appointed upon the written recommendation of the Town of Plainfield Police Committee established by the Board of Selectmen on March 7, 1981 and shall serve as Police Commissioners from the effective date of this Ordinance and their appointment until the Commissioners elected pursuant to Paragraph F below on November 3, 1981 are duly qualified and sworn in to serve as Police Commissioners.

Section F. Election of Five-Member Board of Police Commissioners.

Pursuant to Section 9-201 of the Connecticut General Statutes, as amended, the Town of Plainfield, at its next regular municipal election on November 3, 1981, shall elect two members of the Board of Police Commissioners to serve for a term of two years and three for four years. At such election thereafter, a member shall be elected for a term of four years to succeed each member whose term has expired. Each member of the Board of Police Commissioners shall serve for the term for which said member is elected and until said member's successor is elected and has qualified.

Section G. This Ordinance shall become effective fifteen days after passage by the Special Town Meeting and publication of said passage as provided by the Connecticut General Statutes.

Selectmen:

Richard L. Mercier

John Ramsey

David A. Bettencourt

Town Clerk:

Patricia Carroll

Repeals Ordinance 15

ORDINANCE 67.

ORDINANCE ADOPTING THE PROVISIONS OF PUBLIC ACT NO. 81-340
WHICH MAKES THE OWNER OR PERSON IN POSSESSION
AND CONTROL OF LAND ABUTTING A PUBLIC SIDEWALK
RESPONSIBLE FOR THE REMOVAL OF SNOW OR ICE

March 16, 1982

SECTION 1. The provisions of Public Act No. 81-340 are hereby adopted, and are set forth in sections 2 and 3 hereof.

SECTION 2. Notwithstanding the provisions of section 13a-149 of the general statutes or any other general statute or special act, the (municipality) shall not be liable to any person injured in person or property caused by the presence of ice or snow on a public sidewalk unless the (municipality) is the owner or person in possession and control of land abutting such sidewalk, other than land used as a highway or street, provided the (municipality) shall be liable for its affirmative acts with respect to such sidewalk.

SECTION 3. (a) The owner or person in possession and control of land abutting a public sidewalk shall have the same duty of care with respect to the presence of ice or snow on such sidewalk toward the portion of the sidewalk abutting his property as the municipality had prior to the effective days of this ordinance adopted pursuant to the provisions of Public Act No. 81-340 and shall be liable to persons injured in person or property where a breach of said duty is the proximate cause of said injury.

(b) No action to recover damages for injury to the person or to property caused by the presence of ice or snow on a public sidewalk against a person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two years from the date when the injury first sustained.

This ORDINANCE shall become effective fifteen days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Joseph D. Taverna

Leo B. Keith Jr.

David A Bettencourt

Town Clerk:

Patricia Carroll

Repealed by Ordinance 120

ORDINANCE 68.

ORDINANCE CONCERNING THE ABATEMENT OF PROPERTY TAXES
DUE THE TOWN OF PLAINFIELD BY THE
CENTRAL ASSEMBLY OF GOD

May 19, 1983

Pursuant to section 12-81 (b) of the Connecticut General Statutes, an abatement of property taxes due the Town of Plainfield is authorized to THE CENTRAL ASSEMBLY OF GOD in the amount of \$816.66 which became due on July 1, 1982 appearing in the Rate Bill for that year in the name of DAVID BELL and becoming a liability of THE CENTRAL ASSEMBLY OF GOD as a result of transfer on November 25, 1981.

Selectmen:

Joseph D. Taverna

Leo B. Keith Jr.

David A. Bettencourt

Town Clerk:

Patricia Carroll

ORDINANCE 69.

AN ORDINANCE CONCERNING REGISTRATION AND INSPECTION OF STRUCTURES CONTAINING MULTIPLE DWELLING UNITS

October 27, 1983

Section 1. The provisions of Connecticut General Statute 47a-57 are hereby adopted by the Town of Plainfield.

Section 2. No owner of a building containing multiple dwelling units shall rent or lease any unit within such building before providing the Building Inspector or his designate with a list of all tenants residing in such building, and their individual unit or apartment numbers, which list shall be updated by the owner of said building within three (3) working days of the time a vacancy occurs.

Section 3. No multiple dwelling unit, once vacated, shall be re-occupied before the owner of the building containing such dwelling unit shall obtain from the Building Inspector or his designate a "permit for multiple dwelling unit occupancy" for the particular unit.

Section 4. The Building Inspector's office shall make available necessary forms for providing such list of tenants and for applying for such permit.

Section 5. Any such permit so obtained for a particular unit shall be valid only for a period of one (1) year from the date of issue or until the particular unit is vacated, which ever is longer.

Section 6. No such permit shall be issued until the Building Inspector or his designate has inspected the dwelling unit and approved such unit and its appurtenant facilities as being in conformity with all applicable State and Town codes and until a fee of \$15.00 per dwelling unit has been paid to the Building Inspector's office.

Section 7. Such inspection by the Building Inspector or his designate must be completed within three (3) working days from the date the application for a "permit for multiple dwelling unit occupancy" is filed or the requirement for such permit shall be considered waived.

Section 8. Any violation of a provision of this Ordinance shall require upon conviction, a fine of \$100.00 for each day that such violation occurs.

Section 9. Exempted from the application of this Ordinance shall be buildings less than five (5) years old, owner occupied buildings containing no more than two (2) rental dwelling units, hotels, motels, inns, lodging houses and rooming houses.

Section 10. Any person aggrieved by the action of the Building Inspector's office in enforcing this Ordinance shall have the right to appeal to the Superior Court as provided by the Connecticut General Statutes.

Section 11. Any owner of a building containing multiple dwelling units, which is not exempted from the application of this ordinance, shall notify the Building Inspector's office within three (3) working days of any fire and obtain a new permit or permits of multiple dwelling unit occupancy as applicable, upon payment of a \$15.00 fee for each rental dwelling unit and not to exceed \$50.00 per fire in said

building.

Section 12. If any section or part of this Ordinance is found to be unconstitutional, only that section or part thereof shall be void, the remaining sections or parts of this Ordinance shall remain in full force and effect.

This Ordinance shall become effective fifteen (15) days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Joseph D. Taverna

Leo B. Keith Jr.

David A. Bettencourt

Town Clerk:

Patricia Carroll

Repealed by Ordinance 77

See also:

Ordinance 133

ORDINANCE 70.

ORDINANCE CONCERNING THE USE OF MOTORS ON MOOSUP POND,
THE SIZE OF BOATS AND MOTORS ON MOOSUP POND,
THE WASHING OF ANIMALS, HAIR, LAUNDRY AND BATHING IN MOOSUP POND,
THE CONTAMINATION AND POLLUTING OF MOOSUP POND,
THE ICE FISHING ON MOOSUP POND, AND THE CLOSING OF
MOOSUP POND AND ITS SURROUNDING AREAS

September 26, 1984

At a Special Town Meeting held at the Plainfield Town Hall, on September 26, 1984, at 7:30 p.m., the following Ordinance was ADOPTED:

Section 1. No boat, watercraft or vessel, greater than eighteen (18) feet in length or equipped or propelled in full or in part with a motor in excess of ten (10) horsepower shall be launched, set afloat, or operated in Moosup Pond.

The provision of this section relative to the size of horsepower shall be inapplicable to waterfront property owners who own motors on the effective date of this Ordinance in excess of ten (10) horsepower.

It is further provided that the provision of this section relative to the size of horsepower shall apply to any owner of waterfront property at Moosup Pond who sells or disposes of said motor in excess of ten (10) horsepower or said waterfront property after the effective date of this Ordinance.

Section 2. No person shall wash anything whatsoever in Moosup Pond, including without limitation, animals, hair, laundry or bathe, or do any act to dirty, pollute or contaminate the water in Moosup Pond, or allow any animals in Moosup Pond.

Section 3. Fires are prohibited at all times on Moosup Pond and on all premises owned or maintained by the Town of Plainfield in the area of Moosup Pond, including without limitation the Town Beach at Moosup Pond and during ice fishing season.

Section 4. No debris, litter, garbage, or anything of any kind shall be left on the ice at Moosup Pond or at the premises at Moosup Pond owned or maintained by the Town of Plainfield including without limitation the Town Beach at Moosup Pond.

Section 5. Only Plainfield residents and taxpayers of the Town of Plainfield shall be allowed to use Moosup Pond Beach. Non residents and non taxpayers of the Town of Plainfield shall pay a fee in an amount determined by the Board of Selectmen to use the Town Beach at Moosup Pond.

Section 6. All premises at Moosup Pond owned or maintained by the Town of Plainfield at or in the area of Moosup Pond including the Town Beach at Moosup Pond shall be closed to the public between sunset and sunrise. The provision of this section shall be inapplicable to those fishing at Moosup Pond.

Section 7. A violation of this Ordinance shall be punishable by removal from the premises and in addition by a fine of \$50.00 dollars for the first offense, \$75.00 dollars for the second offense and \$100.00 dollars for the third offense. The Board of Selectmen of the Town of Plainfield shall have the

authority to permanently prohibit any person who has violated the provisions of this section three or more times.

This Ordinance shall become effective fifteen (15) days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
Albert E. Brunsdon

Town Clerk:

Patricia Carroll

Repealed by Ordinance 129

See also:

Ordinances 7 and 34

ORDINANCE 71.

AN ORDINANCE CONCERNING PARKING ON TOWN HIGHWAYS

June 5, 1985

That the provisions of Town Ordinance Number 1 are hereby repealed and that the following is substituted in lieu thereof:

Section 1. That the traffic authority of the Town of Plainfield enact rules prohibiting the parking of vehicles in the public highways of the Town at such places as it may deem necessary for public safety, and shall place notices at the places where parking is prohibited.

Section 2. The Traffic Authority is authorized to set the penalty for each violation of this section, but the minimum penalty shall be at least five (\$5.00) dollars and the maximum penalty shall not exceed fifteen (\$15.00) dollars.

Any penalty which is not paid to the Plainfield Police Department within seven (7) days by such owner or operator shall render him or her liable to payment of DOUBLE the penalty. Any penalty not paid within fourteen (14) days shall be DOUBLED again.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
Albert E. Brunson

Town Clerk:

Patricia Carroll

Repeals Ordinance 1

Amended by Ordinance 114

ORDINANCE 72.

AN ORDINANCE CONCERNING BUILDING PERMIT FEES

June 5, 1985

That the provisions of Town Ordinance Number 29 and Town Ordinance Number 6 are hereby repealed and that the following is substituted in lieu thereof:

That the Town Building Official is authorized to charge and collect on behalf of said Town, a building permit fee in the sum of five (\$5.00) dollars per thousand in value, as determined by said Building Official, of any building, any addition thereto, or any alteration of the same, constructed or erected in said Town, with a minimum permit fee in the sum of five (\$5.00) dollars, and a maximum permit fee in the sum of five thousand (\$5,000.00) dollars.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
Albert E. Brundson

Town Clerk:

Patricia Carroll

Repeals Ordinances 6 & 29
Amended by Ordinance 92
Repealed by Ordinance 117

ORDINANCE 73.

AN ORDINANCE CONCERNING NONRESIDENT VENDORS OR PEDDLERS

June 5, 1985

That the provisions of Town Ordinance Number 2 are hereby repealed and that the following is substituted in lieu thereof:

No non-resident of the Town of Plainfield shall vend or peddle any merchandise or service from house to house or upon the public streets, in the Town of Plainfield, without first having submitted an application for approval to the Plainfield Police Department and, upon approval obtaining a license therefor issued by the Town Clerk of said Town. This ordinance shall not apply to sale by farmers or gardeners of their produce. The Town Clerk is authorized to issue a license for peddling and vending of merchandise and services from house to house or upon the public streets in said Town, to any suitable person or persons applying therefore, upon payment of a fee of twenty (\$20.00) dollars for each year or fraction thereof:

Any person vending or peddling merchandise or services contrary to the provisions of this ordinance shall be subject to a penalty of not more than (\$40.00) dollars for each offense.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
Albert E. Brundson

Town Clerk:

Patricia Carroll

Repeals Ordinance 2

ORDINANCE 74.

AN ORDINANCE REPEALING CERTAIN TOWN ORDINANCES

June 5, 1985

That the following Town Ordinances are superseded by the Town Charter of the Town of Plainfield and are thereby repealed:

Town Ordinance Number 3.	Town Ordinance Number 18.
Town Ordinance Number 5.	Town Ordinance Number 35.
Town Ordinance Number 9.	Town Ordinance Number 46.

This Ordinance shall become effective fifteen (15) days after publication in accordance with the Town of Plainfield Charter.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
Albert E. Brunsdon

Town Clerk:

Patricia Carroll

Repeals Ordinances 3, 5, 9, 18, 35 and 46

ORDINANCE 75.

AN ORDINANCE CONCERNING THE CLOSING OF PUBLIC PROPERTY
AND CERTAIN PRIVATE PROPERTY

August 21, 1985

Section 1. This Ordinance is enacted pursuant to provisions of Section 7-194 of the Connecticut General Statutes.

Section 2. It shall be unlawful for any person, firm, organization or corporation to be or remain upon any property owned by the Town of Plainfield, or any other public place in the Town of Plainfield, or any private property adequately posted and registered with the Plainfield Police Department, between the hours of 8:30 p.m. And 8:00 a.m., unless a special permit is obtained from the Board of Selectmen.

Section 3. All public and scheduled meetings, gatherings, entertainment and performances are exempt from this ordinance.

Section 4. Any person, firm, organization or corporation violating any provisions of this ordinance shall commit an infraction pursuant to Connecticut General Statutes 53a-110a.

Section 5. Each section, provision or requirement of this ordinance shall be considered separable, and the invalidity of any portion of this ordinance shall not affect the validity or enforceability of any other portion.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
Albert E. Brunsdon

Town Clerk:

Patricia Carroll

ORDINANCE 76.

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF FIRE LANES WITHIN THE TOWN OF PLAINFIELD WITH PROVISIONS FOR PENALTIES FOR VIOLATIONS

August 21, 1985

Section 1. This ordinance is enacted pursuant to provisions of Section 7-194 of the Connecticut General Statutes.

Section 2. This ordinance shall be known as the "FIRE LANE ORDINANCE".

Section 3. DEFINITION: A fire lane is a designated, unobstructed passageway sufficient in size to permit free passage of fire apparatus or other emergency equipment to areas or parts of any private or public property as deemed necessary by the District Fire Chief.

Section 4. ESTABLISHMENT: Whenever a Fire District Fire Chief determines that reasonable safety of persons occupying or using any public or private premises having a capacity of at least fifty (50) persons, as established by state building and fire codes, requires the establishment of a fire lane for the orderly access of fire apparatus and other emergency equipment, he shall establish such fire lane by written order and cause a copy of such order to be delivered in person or by registered mail to the, owner of the premises on which the fire lane is established, or to the agent of such owner.

Section 5. APPEALS: Whenever the Fire Chief establishes a fire lane as provided herein he shall file a copy with the Police Department and First Selectman's Office. Any person aggrieved by such order may file a written notice of appeal with the Selectman's Office within fifteen (15) days after the date of such order, setting forth therein the reasons for appeal. After a hearing, the hearing officer may affirm, modify or rescind such order.

Section 6. SIGNS AND MARKINGS: Upon the establishment of a fire lane as provided herein, the owner shall cause adequate approved signs, markings and other devices to be installed delineating said fire lanes as provided herein. Such signs, markings and other devices when installed on privately owned property shall be at the cost of the owner.

Section 7. PENALTIES: No person shall park or permit any motor vehicle to stand in a fire lane which has been established in accordance with the provisions hereof, except when said vehicle is in the process of discharging or picking up passengers and the operator remains in the driver's seat or when said motor vehicle is in the process of the commercial delivery of products and the operator remains reasonably available. Any person violating this section shall be fined an amount established by the Board of Police Commissioners. For the purpose of this ordinance, the registered owner of the motor vehicle shall be presumed to be the operator of such vehicle.

Section 8. PAYMENT OF FINES: Any person receiving a notice of violation of the provisions of this ordinance may appear at the Police Department with said violation and payment of fine.

Section 9. SEVERABILITY: If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction such holding shall not affect or impair any section, clause, provision or portion of this ordinance.

Selectmen:

Joseph D. Taverna

Alvin P. Ridgway Jr.

Albert E. Brundson

Town Clerk:

Patricia Carroll

ORDINANCE 77.

AN ORDINANCE CONCERNING REGISTRATION AND INSPECTION OF STRUCTURES CONTAINING MULTIPLE DWELLING UNITS

August 21, 1985

Section 1. The provisions of Town Ordinance Number 69 are hereby repealed and the following is substituted in lieu thereof.

Section 2. For the purpose of this Ordinance a multiple dwelling unit is defined as a building or structure containing two (2) or more rental housing units.

Section 3. No owner of a building containing multiple dwelling units shall rent or lease any unit within such building before providing the Building Inspector or his designate with a list of all tenants residing in such building, and their individual unit or apartment numbers, which list shall be updated by the owner of said building within three (3) working days of the time a vacancy occurs.

Section 4. No multiple dwelling unit, once vacated, shall be re-occupied before the owner of the building containing such dwelling unit shall obtain from the Building Inspector or his designate a "permit for multiple dwelling unit occupancy" for the particular unit.

Section 5. The Building Inspector's office shall make available necessary forms for providing such list of tenants and for applying for such permit.

Section 6. Any such permit so obtained for a particular unit shall be valid only for a period of one (1) year from the date of issue or until the particular unit is vacated, whichever is longer.

Section 7. No such permit shall be issued until the Building Inspector or his designate has inspected the dwelling unit and approved such unit and its appurtenant facilities as being in conformity with all applicable State and Town codes and until a fee of \$15.00 per dwelling unit has been paid to the Building Inspector's office.

Section 8. Such inspection by the Building Inspector or his designate must be completed within three (3) working days from the date the application for a "permit for multiple dwelling unit occupancy" is filed or the requirement for such permit shall be considered waived.

Section 9. Any violation of a provision of this ordinance shall require upon conviction, a fine of \$99.00 for each day that violation occurs.

Section 10. Exempted from the application of this Ordinance shall be buildings less than five (5) years old, hotels, motels, inns, lodging houses and rooming houses.

Section 11. Any person aggrieved by the action of the Building Inspector's office in enforcing this Ordinance shall have the right to appeal to the Superior Court as provided by the Connecticut State Statutes.

Section 12. Any owner of a building containing multiple dwelling units, which is not exempted from the application of this Ordinance, shall notify the Building Inspector's office within three (3) working

days of any fire and obtain a new permit or permits of multiple dwelling unit occupancy as applicable, upon payment of a \$15.00 fee for each rental dwelling unit and not to exceed \$50.00 per fire in said building.

Section 13. Each section, provision or requirement of this ordinance shall be considered separable, and the invalidity of any portion of this ordinance shall not affect the validity or enforceability of any other portion.

This ordinance shall become effective fifteen (15) days after publication in accordance with the Connecticut General Statutes, and the Plainfield Town Charter.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
Albert E. Brunsdon

Town Clerk:

Patricia Carroll

Repeals Ordinance 69

Amended by Ordinance 132

ORDINANCE 78.

AN ORDINANCE CONCERNING THE LEASH LAW

February 24, 1986

Section 1. No owner or keeper of any dog shall allow such dog to roam at large and shall at all times keep such dog under restraint either by leash or by keeping said dog in an enclosure or on the property of the owner.

Section 2. Any leash or enclosure shall be reasonably sufficient to so restrain said dog.

Section 3. Any dog not controlled or confined as defined above shall be taken by the dog warden, police, or other proper authority and such dog may be impounded. Its care, release or disposal shall be in the same manner and under the terms and conditions as provided in Chapter 435 of the Connecticut General Statutes.

Section 4. Any person who violates the provisions of this Ordinance shall be fined not less than \$25.00 for each offense.

This Ordinance shall become effective fifteen (15) days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:

Patricia Carroll

ORDINANCE 79.

AN ORDINANCE CONCERNING THE PROPOSED ROAD NAME CHANGES IN
CONNECTION WITH THE STREET NUMBERING SYSTEM

October 7, 1986

PLAINFIELD
TOWN ACCEPTED ROADS

1. A section of street presently known as Sharkey Street running southerly from Toper Road to South Street shall be South Street.
2. A section of street presently known as Sharkey Street running northerly from Toper Road to North Street shall be North Street.
3. A street running westerly from Second Street to Third Street, located between Lot Number 26 and Lot Number 16A on Block 17A, Map 3P shall be Third Street Extension.
4. A section of street presently known as Third Street bounded easterly by Lot Numbers 17, 18 and 19 and westerly by Lot Numbers 9 and 10 on Block 17A, Map 3P shall be Third Street Extension.
5. A section of road presently known as Jolley Road #2 running northeasterly from the Griswold Town Line approximately .33 of a mile to a dead end shall be Davis Road.
6. A section of street presently known as Jolley Road #2 running southerly from Kate Downing Road to Stub Jerry Road shall be Colbridge Road.
7. A street presently known as Stub Jerry Road running southerly from Jolley Road #2 to a dead end shall be Colbridge Road.

PLAINFIELD
UNACCEPTED ROADS

1. A street presently unnamed running easterly from Norwich Road (Route 12) between its intersection with Academy Hill Road and Gallup Street shall be Academy Lane.
2. A street presently unnamed running westerly from Norwich Road (Route 12) northwest of its intersection with Gallup Street shall be Eaton Lane.
3. A street presently unnamed running westerly from Exley Road shall be Sunset Lane.
4. A street presently unnamed running northerly from the intersection of Hemlock Drive with Pine Street shall be Mar-Jon Drive.
5. A street presently unnamed running northerly from Lovers Lane shall be Bazinet Drive.
6. A street running easterly from Norwich Road (Route 12) shall be Judy Drive.
7. A street presently unnamed running northwesterly from Lover Lane shall be Matteau Drive.

MOOSUP
TOWN ACCEPTED ROADS

1. A section of street presently known as Allen Street Extension running northerly from Ward Avenue to Prospect Street shall be Allen Street.
2. A section of street presently known as Belle Avenue running southerly from Bellair Drive shall be Bellair Drive.
3. A street running easterly from South Main Street south of the intersection of Ward Lane with South Main shall be Vosler Drive.
4. A street presently known as Glen Falls Road running from the intersection of Main Street, Lake

- Street and High Street to the easterly side of the Moosup River shall be North Main Street.
5. A street presently known as Kennedy Avenue running southerly from the intersection of Williams Avenue to its intersection with Simmons Avenue shall be Dropo Drive.
 6. A street presently known as Barber Lane shall be Barber Hill Road.

MOOSUP
UNACCEPTED ROADS

1. A street running southerly from Graham Avenue shall be Lin Street.
2. A street unnamed running easterly from Goshen Road shall be Sanborn Drive.

CENTRAL VILLAGE
TOWN ACCEPTED ROADS

1. A section of street presently known as Old Black Hill Road #1 running easterly from Cornell Road to Glebas Road shall be Glebas Road.
2. A section of street presently known as Evergreen Street running southeasterly from Norwich Road (Route 12) and intersecting with Plainfield Road #2 shall be Plainfield Road.
3. A street presently known as Plainfield Road #1 running northeasterly from Norwich Road (Route 12) shall be Old Plainfield Road.
4. A street presently known as Palmer Avenue running northerly from School Street shall be Palmer Court.
5. A section of street presently known as Moosup Road running easterly from Norwich Road (Route 12) to Ward Avenue shall be East Main Street.
6. A street presently known as Old Black Hill Road #2 bounded northerly by Lot Numbers 2, 1A and 1, westerly by Lot Numbers 13 and 13A and southerly by Lot 2, Block 78, Map 14 shall be School Street Extension.

CENTRAL VILLAGE
UNACCEPTED ROADS

1. A street presently unnamed running westerly from Main Street (Route 12) shall be Morton Lane.
2. A street running northwesterly from Black Hill Road south of its intersection with Dean Road shall be Deibler Lane.
3. A street running northerly from Black Hill Road east of its intersection with Cornell Road shall be Bedard Road.
4. A street presently known as Dean Road running northwesterly from Black Hill Road shall be Karin Drive.

WAUREGAN
TOWN ACCEPTED ROADS

1. A road presently known as Brooklyn Road (Route 205) running northwesterly from the intersection of Putnam Road (Route 12) with Moosup Pond Road to the Brooklyn Town Line shall be Wauregan Road (Route 205).
2. A section of street presently known as North Walnut Street running northerly from the intersection of Front Street with South Walnut Street to Brooklyn Road (Route 205) shall be South Walnut Street.
3. A section of street presently known as North Chestnut Street running northerly from the intersection

of Front Street with South Chestnut Street to Brooklyn Road (Route 205) shall be South Chestnut Street.

4. A section of street presently known as Grove Street Extension running northeasterly and then easterly from the intersection of Grove Street with North Chestnut Street to Putnam Road (Route 12) shall be North Chestnut Street.
5. A street presently known as Miller Road running easterly from Green Hollow Road to Squaw Rock Road shall be Moosup Pond Road.
6. A street presently known as Wauregan Road running easterly from Putnam Road (Route 12) to Green Hollow Road shall Be Moosup Pond Road.
7. A street presently known as Lane Street running northerly from Brooklyn Road (Route 205) to Fountain Street shall be Atwood Lane.
8. A road presently known as Old Putnam Road #2 running northeasterly from Putnam Road (Route 12) to the Killingly Town Line shall be Old Putnam Road Extension.
9. A street presently known as Old Putnam Road #1 running northeasterly from Putnam Road (Route 12) shall be Old Putnam Road.

Selectmen:

Joseph D. Taverna

Alvin P. Ridgway Jr.

William E. Nicholson

ORDINANCE 80.

AN ORDINANCE CONCERNING THE ADOPTION OF THE
AERIAL MYLAR PHOTOGRAPH MAPS

October 7, 1986

- a. The road names as shown on the set of Aerial Mylar Photography Maps on file in the Assessor's Office are hereby adopted as the road names of the Town of Plainfield.
- b. The purpose of this ordinance is to officially name the approved and unapproved roads with those names as shown on said Aerial Mylar Photography Maps.

Selectmen:

Joseph D. Taverna

Alvin P. Ridgway Jr.

William E. Nicholson

Town Clerk:

Patricia Carroll

ORDINANCE 81.

AN ORDINANCE CONCERNING THE NUMBERING OF
LOTS, DWELLINGS, BUILDINGS AND STRUCTURES

October 7, 1986

- a. All lots, dwellings, buildings and structures in the Town of Plainfield shall be numbered. Where applicable, existing numbers shall be retained; unnumbered lots, dwellings, buildings and structures shall be assigned a number.
- b. The Town Clerk shall keep a chart showing the proper street number of every lot, dwelling, building and structure in the Town of Plainfield which shall be open to inspection by anyone interested.

Selectmen:

Joseph D. Taverna

Alvin P. Ridgway Jr.

William E. Nicholson

Town Clerk:

Patricia Carroll

ORDINANCE 82.

AN ORDINANCE CONCERNING THE DISPLAYING OF STREET NUMBERS
FOR ALL DWELLINGS, BUILDINGS AND STRUCTURES

October 7, 1986

It shall be the duty of the owner of every dwelling, building and structure in the Town of Plainfield to display in a place readable and visible from the road on said owner's property, figures at least 2 1/2" high showing the number of the dwelling, building or structure.

Selectmen:

Joseph D. Taverna

Alvin P. Ridgway Jr.

William E. Nicholson

Town Clerk:

Patricia Carroll

ORDINANCE 83.

AN ORDINANCE CONCERNING THE NUMBERING OF
ALL FUTURE CONSTRUCTION

October 7, 1986

No Building Permit shall be issued to any dwelling, building or structure by the Town of Plainfield until a street number has been assigned to said dwelling, building or structure.

CERTAIN STREETS AND ROADS HAVE BEEN NUMBERED WHICH ARE NOT TOWN ROADS. THIS HAS BEEN DONE FOR THE CONSISTENCY AND CONVENIENCE OF THE STREET NUMBERING SYSTEM AND CANNOT BE INTERPRETED AS ACCEPTANCE OF THE STREET BY THE TOWN OF PLAINFIELD.

This Ordinance shall become effective fifteen (15) days after publication in accordance with the Plainfield Town Charter.

Selectmen:

Joseph D. Taverna

Alvin P. Ridgway Jr.

William E. Nicholson

Town Clerk:

Patricia Carroll

ORDINANCE 84.

AN ORDINANCE ADOPTING THE JOINT RESOLUTION ENTITLED
“JOINT RESOLUTION CREATING THE NORTHEASTERN CONNECTICUT
REGIONAL RESOURCE RECOVERY AUTHORITY”

BE IT ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF PLAINFIELD
IN LAWFUL TOWN MEETING DULY ASSEMBLED:

October 9, 1986

1. Town of Plainfield adopts the provision of the Joint Resolution Creating the Northeastern Connecticut Regional Resource Recovery Authority, in accordance with the authority contained in Section 7-273aa of the Connecticut General Statutes.
2. This ordinance becomes effective fifteen (15) days after publication in accordance with the General Statutes and the Plainfield Town Charter.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:

Patricia Carroll

See also:

Ordinances 14, 85 and 87

ORDINANCE 85.

CONCURRENT ORDINANCE CREATING THE
NORTHEASTERN CONNECTICUT REGIONAL
RESOURCE RECOVERY AUTHORITY

January 29, 1987

WHEREAS, each municipality in the Northeastern Connecticut Planning Region is authorized to provide for and regulate the collection and disposal of all garbage, trash, waste, and ashes either by contract or otherwise, and to prohibit and regulate the depositing of the same within the municipality; and

WHEREAS, the municipalities are encountering increasing difficulty in providing adequate solid waste disposal facilities at reasonable cost; and

WHEREAS, the municipalities are desirous of working together to find an economically and environmentally feasible method of disposing of their municipal solid waste, by creating the Northeastern Connecticut Regional Resource Recovery Authority; and

WHEREAS, said municipalities desire to create said authority by adoption of the following Concurrent Ordinance; Be it ordained that:

1. **Name:** There is hereby created a regional resources recovery authority pursuant to Sections 7-273aa to 7-27300 of the Connecticut General Statutes to be known as the NORTHEASTERN CONNECTICUT REGIONAL RESOURCE RECOVERY AUTHORITY, **principal office address being P.O. Box 198, Brooklyn, Ct. 06234**, subject to the modifications and limitations set forth in this ordinance. The NORTHEASTERN CONNECTICUT REGIONAL RESOURCE RECOVERY AUTHORITY shall have all the powers and duties of a municipal authority and of a regional authority pursuant to Chapters 103b, 446d (formerly 361a) and 446e (formerly 351b) of the Connecticut General Statutes.
2. The members of the Authority are: the Town of Canterbury, Canterbury Town Hall, P.O. Box 26, Canterbury, Ct. 06331, whose initial representative's terms of office shall be one (1) year; the Town of Killingly, Killingly Town Hall, 127 Main Street, Danielson, Ct. 06239, whose initial representative's term of office shall be two (2) years; the Town of Plainfield, Plainfield Town Hall, 8 Community Avenue, Plainfield, Ct. 06374, whose initial representative's term of office shall be three (3) years; the Town of Pomfret, Pomfret Town Office Building, R.F.D.#1, Pomfret Center, Ct. 06259, whose initial representative's term of office shall be one (1) year; the Town of Putnam, Putnam Town Hall, 126 Church Street, whose initial representative's term of office shall be two (2) years; and the Town of Thompson, Thompson Municipal Building, North Grosvenordale, Ct. 06255, whose initial representative's term of office shall be three (3) years. In the event that any of the above named municipalities do not adopt this ordinance, the terms of office of the initial representatives as shown above shall be redefined according to Section 3 of this ordinance for any of the above named municipalities which adopt this ordinance.
3. **Appointment of Representatives:** Membership in the Authority shall consist of those municipalities that adopt this Concurrent Ordinance as set forth in paragraph 6 of this ordinance. The representative to the Authority from each member town shall be appointed by the Board of Selectmen of each municipality, except for the representative of the Town of

Killingly which shall be appointed by the Town Council. The Board of Selectmen or Town Council of each member town shall be authorized to appoint an alternate representative who shall be authorized to attend meetings and vote in the place of an absent representative. Representatives shall serve without compensation but may be reimbursed by the Authority for necessary expenses incurred in conducting Authority business. **Any representative may be removed with or without cause by a majority vote of the Board of Selectmen or Town Council of the town which appointed the representative.**

4. **Number of Representatives:** Each member municipality shall be entitled to one representative on the Authority and to one alternate, who may vote only in the absence of the regular representative. Representatives and alternates shall serve for three-year terms based on alphabetical assignment of those municipalities comprising the Authority. Thereafter, initial terms for representatives of new municipal members shall rotate among one, two, and three years in the order of adoption of the ordinance. All initial terms shall be deemed to begin on the day the Authority is created.
5. **Voting and Quorum:** The NORTHEASTERN CONNECTICUT RESOURCE RECOVERY AUTHORITY shall operate with one hundred voting units which shall be assigned to member municipalities in proportion to each municipality's share of the total population of all members of the authority as determined by the latest decennial federal census of population. There shall be no fractional votes. Each municipality shall have a minimum of one (1) vote. The distribution of voting units among members shall be recomputed following each decennial federal census and upon the withdrawal or termination of any member municipality or the admission of a new member. Action by the Authority shall require the affirmative action of at least 60% of the total voting units present and voting at a duly called meeting of the Authority at which a quorum is present. The presence, at a meeting, of representatives from a majority of the member municipalities shall be necessary for a quorum.
6. **Liabilities of Member Towns:** A member municipality shall not assume any liabilities or responsibilities of the NORTHEASTERN CONNECTICUT REGIONAL RESOURCE RECOVERY AUTHORITY or created by the action of said Authority, or be responsible for payment of any expenses of said Authority unless an appropriation for the municipality's or a contract setting forth such liabilities and responsibilities for expenses has been approved by the municipality.
7. **Effective Date:** This ordinance shall take effect when it has been adopted by five (5) or more towns in the Northeastern Connecticut Planning Region.
8. **Withdrawal from Authority:** No municipality may withdraw its membership in the Authority without **a vote of its legislative body to withdraw from the authority and** giving at least six (6) months notice to each of the other participating municipalities and to the NORTHEASTERN CONNECTICUT REGIONAL RESOURCE RECOVERY AUTHORITY. Such withdrawal of membership will not in any manner relieve the municipality of liabilities or responsibilities assumed prior to withdrawal, including without limitation, contracts and agreements to supply municipal solid waste, to pay tipping fees or other charges, and to make landfill space available.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:

Patricia Carroll

See also:
Ordinances 14, 84 and 87

ORDINANCE 86.

AN ORDINANCE CONCERNING THE ESTABLISHMENT OF
A REDEMPTION FEE FOR CAPTURED OR IMPOUNDED DOGS

January 29, 1987

Section 1. This ordinance is enacted pursuant to the provisions of Public Act 86-284 entitled "AN ACT CONCERNING DOG FEES".

Section 2. Any dog captured or impounded by the Town of Plainfield Dog Warden or his or her designate, which is redeemed by the owner or keeper, or the agent of such owner or keeper, shall pay a redemption fee of fifteen (15) dollars.

Section 3. In addition to the redemption fee set forth in Section 2 hereof, the owner or keeper, or the agent of such owner or keeper, shall pay the cost of advertising such dog, the sum of ten dollars per day for the detention of such dog, and all veterinarian bills or such dog, if dog appears to be ill or injured.

Section 4. Each section, provision or requirement of this ordinance shall be considered separable, and the invalidity of any portion of this ordinance shall not affect the validity or enforceability of any other portion.

This Ordinance shall become effective fifteen (15) days after publication in accordance with the Plainfield Town Charter.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:

Patricia Carroll

ORDINANCE 87.

ORDINANCE TO CREATE A REGIONAL
COUNCIL OF GOVERNMENTS

May 14, 1987

WHEREAS: A Joint Committee of the Northeastern Connecticut Regional Planning Agency and the Northeastern Connecticut Town Administrators' Association has found that a strengthened Regional Planning Organization is needed to assist the ten towns in the Northeastern Connecticut Planning Region in dealing effectively with regional issues; and,

WHEREAS: The Joint Committee of the Northeastern Connecticut Regional Planning Agency and the Northeastern Connecticut Town Administrators' Association has found that a Regional Council of Governments will provide the most effective organization for:

addressing pressing regional issues resulting from increased growth and development.
functioning as an advocate of its member towns on matters relating to the State and Federal Governments.
Coordinating the delivery of shared services to its member towns; and,

WHEREAS: The Northeastern Connecticut Regional Planning Agency and the Northeastern Connecticut Town Administrators' Association have recommended that a Regional Council of Governments be formed and that regional planning should be given equal importance with implementation by assuring that equal status is given to the Council's Regional Planning Commission in the preparation of the Council of Government's Annual Work Program and Budget; therefore

BE IT ORDAINED THAT: The Town of Plainfield does hereby adopt Sections 4-124i through 4-124p of the Connecticut General Statutes as amended, providing for the formation of a Regional Council of Governments, and does hereby join such Regional Council of Governments when and as such Council is duly established in accordance with said statutes, upon the adoption of said statutes by not less than sixty percent (60%) of all municipalities within the Northeastern Connecticut Planning Region as defined by the Secretary of the Office of Policy and Management or his designee and upon certification by the Secretary of the Office of Policy and Management or his designee that a Regional Council of Governments has been duly established.

When the Regional Council of Governments is duly established and the transition period called for in Section 4 124-1c of the Connecticut General Statutes as amended has been completed then the Town does hereby rescind the ordinance #14 Concerning Participation in the Regional Planning Agency and any amendments thereto that created the Town's participation in the Northeastern Connecticut Regional Planning Agency.

This Ordinance shall become effective fifteen (15) days after publication in accordance with the Connecticut General Statutes and the Town of Plainfield Charter.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:
Patricia Carroll

See also:
Ordinances 14, 84 and 85

ORDINANCE 88.

AMENDMENT TO ORDINANCE REGULATING THE CONSTRUCTION OF
DRIVEWAY APPROACHES TO TOWN ROADS
WITHIN THE TOWN OF PLAINFIELD

July 16, 1987

Section 2 to read:

Section 2. All specifications for construction or reconstruction of any driveway approach must conform to the following requirements before a permit for construction or reconstruction will be issued. All driveway approaches shall be so graded that it will not be necessary to change the established grade of the adjacent town road. All driveway approaches shall be paved with a minimum of 10' wide and a maximum of 25' long, 2" bituminous concrete apron intended to prevent erosion and vehicle damage adjacent to town roads. No part of said driveway approach shall extend beyond the road line in such manner as to change the grade of the road or obstruct the free flow of water draining off the road.

Where driveway approaches cross open ditches or where such construction will interfere with the drainage of storm water along the side of the road, culverts of such size and of such material as determined by the Town Engineering, shall be installed. Where a catch basin exists in the area of the proposed driveway, the tops shall be removed and replaced with a manhole top with perforated lid. All contractors performing work on driveway approaches shall provide the Town with a \$2,000 surety bond.

This ordinance shall become effective fifteen (15) days after publication in accordance with the Charter of the Town of Plainfield.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:

Patricia Carroll

Amends Ordinance 21

Repealed by Ordinance 102

ORDINANCE 89.

AN ORDINANCE CONCERNING
HEALTH CARE SERVICES

July 16, 1987

Be it Ordained By The Town Meeting of The Town of Plainfield:

Sec. 1. Ordinance No. 16 entitled “Ordinance Concerning Establishment of Nursing and Health Services”, and Ordinance No. 57 amending said Ordinance No. 16, are hereby repealed.

Sec. 2. The Board of Selectmen of the Town of Plainfield be and they hereby are authorized to enter into a contract or contracts, with any health care institution licensed by the State of Connecticut Department of Health Services, or its successor, for the purpose of providing to residents of the Town of Plainfield nursing services, homemaker – home health aide, physical therapy, occupational therapy, medical social services, health clinics, including blood pressure checks as deemed necessary, provided, that such services shall be substantially equivalent to the services theretofore provided by the Plainfield Nursing and Health Service.

Sec. 3. This ordinance shall become effective fifteen (15) days after publication in accordance with the Charter of the Town of Plainfield.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:

Patricia Carroll

Repeals Ordinances 16 and 57

ORDINANCE 90.

ORDINANCE REQUIRING REIMBURSEMENT BY ABUTTING PROPERTY OWNERS OF TOWN FUNDS EXPENDED FOR THE EXTENSION OF WATER MAINS

July 27, 1987

Section 1. In accordance with Section 7-137c of the General Statutes of Connecticut, each owner of property shall, pursuant to the provisions of this Ordinance, reimburse the Town for the proportionate share of the cost to the Town of the extension of any water main or mains which abut such property.

Section 2. (A) The amount of such reimbursement shall be computed in such manner as to leave the Town ultimately free of any of the cost of the extension of the water main and expenses incidental thereto, except that, where any portion of such water service is to be used for a municipal purpose the Town shall contribute a fair proportion of the expense representing such proportionate municipal share. Such expenses shall include, but are not limited to, any costs of materials, installation, pumping stations, service connections, curb, sidewalk and highway repairs, installation of gate-valves and shutoffs, interest and professional fees.

(B) If (i) any of the property to be assessed hereunder is residential or agricultural property or is property zoned for residential or agricultural use, and (ii) such property abuts extensions of water mains to be used for industrial or commercial purposes or partly for industrial or commercial purposes, and (iii) said property is not being used for such industrial or commercial purposes, the proportionate share of the owners of such property shall be computed on a frontfoot or other equitable basis for a standard or minimum size main.

(C) In the case of land zoned for other than commercial or industrial purposes or classified, pursuant to the provisions of the Connecticut General Statutes, as farm land, forest land or open space land on the last completed grand list of the Town, which land exceeds by more than one hundred percent the size of the smallest lot permitted in the lowest density residential zone allowed under the zoning regulations of the Town, the assessment of such excess land shall be deferred until such time as such excess land shall be built upon or a building permit issued therefor or until approval of a subdivision plan of such excess property, whichever event occurs first.

No assessment shall be payable until the property assessed is hooked up to the water line. The Town Clerk shall place a caveat on the land records in each instance where an assessment is deferred.

Section 3. In the case of any assessment under this Article, notice of the time and place for a hearing upon such assessment shall be published at least ten days before the date thereof in a newspaper having a circulation in the Town and a copy of such notice, signed by the Town Clerk, shall be mailed to the owner of any property to be affected thereby.

Section 4. The owner of any property so assessed may appeal to the courts from the valuation of his assessment in accordance with and subject to the limitations of Section 7-137c of the Connecticut General Statutes Ordinance.

Section 5. The Board of Selectmen shall determine the amount of each assessment levied pursuant to this Ordinance. The Board of Selectmen may allow assessments to be paid in installments over a period

not exceeding 10 years or such lesser period as the Board shall determine. The Board shall fix the rate of interest to be paid on the outstanding balance of said installments. Any such assessment shall be a lien against such property and the Board of Selectmen shall cause a certificate of lien for each such assessment to be lodged with the Town Clerk as provided in Section 7-137d of the Connecticut General Statutes.

Section 6. When the Board of Selectmen has determined the amount of the assessment to be levied, it shall file a copy thereof in the office of the Town Clerk. Not later than 5 days after such filing, it shall cause a copy of such assessment to be published in a newspaper having a circulation in the municipality, and it shall mail a copy of such assessment to the owner of any property affected thereby.

Section 7. Any installment payment due upon any such assessment, and any interest on the outstanding balance of such assessment which is not paid when due shall bear interest, until paid, at the maximum rate, from time to time, permitted by law for unpaid property taxes.

This Ordinance became effective on July 27, 1987

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:

Patricia Carroll

ORDINANCE 91.

AN ORDINANCE REGULATING SEWERAGE FACILITIES

June 1, 1988

ARTICLE 1

SECTION 1. Town Ordinances 11, 12, 22, 24, 27, 31, 32, 41, 42, 44, 50, 59 and 61 are hereby repealed.

ARTICLE 2

SECTION 1. Pursuant to Chapter V, Section 5-6 of the Town of Plainfield Charter, the Water Pollution Control Authority, shall be the Board of Selectmen.

ARTICLE 3

SECTION 1. The Water Pollution Control Authority in accordance with Chapter VIII, Section 8-3 of the Town of Plainfield Charter shall have all the powers, purposes and objectives set forth in Chapter 103 of the General Statutes of Connecticut, revision of 1958.

ARTICLE 4

SECTION 1. Former Town Ordinance #17 entitled "ORDINANCE CONCERNING EXTENTION OF SEWER FACILITIES" dated July 22, 1968, a "bond ordinance", shall remain in full force and effect. The full text of said ordinance is as follows:

SECTION 2. To consider and act upon recommendations of the Board of Finance and Sewer Authority that an appropriation of \$3,770,000.00 be made for constructing new sewerage treatment plant at existing plant in the village of Plainfield, additions to the collection system pumping stations in Moosup and Central Village, new treatment plant on Black Hill Road, improvements to collection system in Wauregan, architects and engineering fees and incidental expenses.

SECTION 3. To authorize the issue of bonds of the Town in the sum of \$3,900,000.00, or so much thereof as may be necessary, to defray the aforesaid appropriation, if made, and to pay indeptedness incurred in acquiring Wauregan, Mills Inc. and Gallup Sewerage Company sewerage systems; and to authorize the Selectmen to determine the form, particulars, manners of issue and sale of such bonds.

SECTION 4. To authorize the Board of Selectmen or the Sewer Authority of the Town of Plainfield to expend the aforesaid appropriation, if made; to enter into contracts and agreements in the name of and on behalf of the Town for the Construction of said sewer projects; to prepare applications for grants to aid in financing the cost of said sewer projects, to enter into such agreements and contracts and contracts as may be necessary and proper to obtain such aid from the United States of America and the State of Connecticut and to accept such grants as may be made.

SECTION 5. To authorize any other action which may be considered necessary or desirable to enable the Town of Plainfield to construct said Sewer projects, to issue bonds to defray the appropriation therefore, to authorize the temporary borrowing of money in anticipation of the receipt of

the proceeds of such bonds, and to authorize the issue of temporary sewer assessment notes.

ARTICLE 5 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

SECTION 1. "BOD" (Denoting Biochemical Oxygen Demands) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20-degree C, expressed in milligrams per liter. (FORMERLY ORDINANCE 24).

SECTION 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

SECTION 3. "Building Sewer" shall mean the extension from the building drain to the public sewer of other place of disposal.

SECTION 4. "Combined Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

SECTION 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

SECTION 6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

SECTION 7. "Natural Outlet" shall mean any outlet in a watercourse, pond, ditch, lake or other body of surface or groundwater.

SECTION 8. "Person" shall mean any individual, firm, company, association, society, corporation or group.

SECTION 9. "His" and "He" shall mean the feminine as well as the masculine.

SECTION 10. "ph" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

SECTION 11. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than on-half (Vi) inch (1.27 centimeters) in any dimension.

SECTION 12. "Public Sewer" shall mean a sewer which all owners of abutting properties have equal rights, and is controlled by public authority.

SECTION 13. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm,

surface and groundwaters are not intentionally admitted.

SECTION 14. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present.

SECTION 15. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

SECTION 16. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SECTION 17. "Sewer" shall mean a pipe or conduit for carrying sewage.

SECTION 18. "Shall" is mandatory, "May" is permissive.

SECTION 19. "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

SECTION 20. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

SECTION 21. "Superintendent" shall mean the (Superintendent of Sewage Works and/or of Water Pollution control) of the Town of Plainfield, or his authorized deputy, agent, or representative.

SECTION 22. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water sewage, or other liquids, and which are removable by laboratory filtering.

SECTION 23. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE 6

SECTION 1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town of Plainfield, or in any area under the jurisdiction of said Town any human excrement, garbage or other objectionable waste.

SECTION 2. It shall be unlawful to discharge to any natural outlet within the Town of Plainfield, or in any area under the jurisdiction of said Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

SECTION 3. The owner of all houses, buildings or any premises used for human occupancy, employment, recreation or other purposes situated within the Town of Plainfield and abutting on any street, alley or right of way in which there is now located or may in the future be located a public sanitary or combined sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance

with the provisions of this ordinance of this ordinance, within ninety (90) days after date of official notice to do so provided that said public sewer is within one hundred (100) feet of the property line. For the purposes of this ordinance. In the case where a lot or lots as defined in Connecticut General Statutes 8-18 have been created from a larger tract or parcel of land subsequent to the effective date of this ordinance, the words "property line" shall refer to the property line or lines of the larger tract or parcel of land from which a smaller lot or lots were created.

SECTION 4. The owner is required to install an eight inch (8") minimum building sewer pipe extending to the public sewer over private lands, so as to connect lots without street, alley or right of way frontage to the public sewer. These installations shall be made at the owners' expense. In the case of subdivision, a review shall be conducted by the Plainfield Water Pollution Control Authority prior to approval of the subdivision by the Planning and Zoning Commission. The subdivision plan and commission approval shall note all requirements established by the Water Pollution Control Authority.

SECTION 5. In the discretion of the Water Pollution Control Authority, the requirements of Sections 3 and 4 of this article may be waived upon presentation of evidence that compliance would create an unreasonable hardship on the owner and non-compliance would not materially affect the health, safety and welfare of the Town.

SECTION 6. At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned for use as a sewer system.

SECTION 7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Water Pollution Control Authority.

SECTION 8. When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days and after official notice, and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

ARTICLE 7

SECTION 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

SECTION 2. There shall be two (2) classes of building sewer permits, (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. Said application shall be made to the Water Pollution Control Authority Superintendent or his designate. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of ten (10) dollars for a residential or commercial building sewer permit and twenty-five (25) dollars plus engineering and consultation fees, if necessary, for an industrial building sewer permit shall be paid to the Town at the time of the filing of the application. Said permit shall be available at all times for inspection by the Superintendent.

SECTION 3. All costs and expense incident to the installation and connection of the building sewer

shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

SECTION 4. A separate and independent sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

SECTION 5. Old building sewers may be used in connection with new building only when they are found on examination and test by the Superintendent, to meet all requirements of this ordinance. All costs incurred by such tests are to be borne by the owner.

SECTION 6. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or inn amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

SECTION 7. Article III-Section 7 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor, in all buildings in which any building drain presents a problem of flow to the public sewer, the connection need not be made if the existing situation approved by the Sewer Authority or the Director of Health, (a) Supersedes Amendment by Ord. #24.

SECTION 8. No person shall make connection of roof downspouts, exterior foundation drains or other sources of runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to public sanitary sewer.

SECTION 9. Book G, Article 3, Section 2 provides that building sewer lines which must be located within twenty-five (25) to seventy-five (75) feet from a private well shall be installed in strict accordance with the latest State Plumbing Code, (a) Amends Art. III, Section 9, Ord. #24.

SECTION 10. Building sewers shall not be located within twenty-five (25) to seventy-five (75) feet distance from a private well except as approved by the Superintendent.

SECTION 11. Building sewers which must be located within twenty-five (25) to seventy-five (75) feet from a private well shall be either cast iron pipe with leaded joints, asbestos cement pipe with standard o-ring gaskets, or clay pipe with type III joints, PVC pipe SDR or its equivalent. In any case, the pipe shall be tested to assure a leakage not to exceed 50 gallons, per mile, per inch, per day tested at a minimum hydraulic head of at least 2 feet.

SECTION 12. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

SECTION 13. Whenever possible, building sewers shall be installed without ninety (90) degree and

short-body bends or tees. Where building sewers must be installed with ninety (90) degree bends or tees, such bends or tees must be so located so as to afford facilities for hydraulic and pneumatic testing and maintenance of the entire sewer system.

SECTION 14. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative.

SECTION 15. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of work shall be restored in a manner satisfactory to the Town.

ARTICLE 8

SECTION 1. No person shall discharge or cause to be discharged any stormwater, surfacewater, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

SECTION 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to storm water combined sewer or natural outlet.

SECTION 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a. Any gasoline, benzene, naphtha, fuel oil, or flammable or explosive liquid, solids, or gas.
- b. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to changes in excess of two (2) mg-1 as CN in the wastes as discharged to the public sewer.
- c. Any waters or wastes having a ph lower than (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, etrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- e. Or, any other substances as determined by EPA or DEP.

SECTION 4. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes, if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give

consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors.

- a. Any liquid or vapor having a temperature higher than one hundred- fifty (150) degrees Fahrenheit sixty- five (65) degrees Centigrade.
- b. Any water or waste containing fats, wax, grease or oils whether emulsified or not, in excess one hundred (100) mg-1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred-fifty (150) degrees F (0 and 65 degrees C).
- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ($\frac{3}{4}$) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the (Superintendent).
- d. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
- f. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such halflife or concentration as may exceed limits established by the Superintendent in compliance with applicable State and Federal regulations.
- h. Any waters or wastes having a ph in excess of (9.5).
- i. Materials which exert or cause:
 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or dissolved solids.
 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 4. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
- j. Waters or wastes containing substances which are not amenable to treatment of reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

SECTION 5. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters, contain the substances or possess the characteristics enumerated in Section 4 of the Article, and which in the judgment of the Superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- a. Reject the wastes
- b. Require pretreatment to an acceptable condition for discharge to the public sewers.

- c. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxed or sewer charges under the provisions of Section 10 of the Article, and/or
- d. Require control over the quantities and rates of discharge. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances and laws.

SECTION 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

SECTION 7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

SECTION 8. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole constructed in accordance with plans approved by the (Superintendent). The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

SECTION 9. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards of life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids and an analyses are obtained from twenty-four (24) hour composites of all outfalls whereas ph's are determined from periodic grab samples.)

SECTION 10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern.

ARTICLE 9

SECTION 1. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of

disorderly conduct.

ARTICLE 10

SECTION 1. The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

SECTION 2. While performing the necessary work in private properties referred to in Article VI, Section 1 above, the Superintendent or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damages asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article IV, Section 8.

SECTION 3. The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of duly negotiated easement pertaining to the private property involved.

ARTICLE 11

The Water Pollution Control Authority shall designate a clerk as the collector of the connection and use charges of the Town of Plainfield Sewerage System in accordance with Section 12 of the Connecticut General Statutes.

ARTICLE 12

SECTION 1. The owner of all property serviced by a building sewer shall be responsible for all costs required to comply with this ordinance. The owner or developer of a subdivision may apply to the Water Pollution Control Authority for a 50% reduction in cost to comply with this ordinance.

SECTION 2. All new construction shall require that the sewer assessment be paid prior to the issuance of a Certificate Occupancy.

SECTION 3. The following are the Sewer Assessment costs of the Town of Plainfield.

USE	CHARGE
Apartments (per apartment unit)	\$1,200.00
Automatic Car Wash (FLAT FEE) with recycling provisions	1,500.00

Bakery	1,400.00
Barber Shop	1,200.00
Beauty Parlor (FLAT FEE)	1,200.00
Churches or Rectory	1,200.00
Dealerships	3,000.00
Doctor or Dentist Office	1,400.00
Drive-In-Restaurant/Luncheonette 0-20 person capacity	2,000.00
Fire Stations	1,200.00
Fish Market	1,800.00
Florist	1,200.00
Funeral Parlor	2,400.00
Garages	1,200.00
Halls and Places of Public Assembly	2,000.00
Hotels (per room)	400.00
Meat Market	1,400.00
Mercantile Stores (less than 6 employees)	
Includes Drug Stores, Banks, Post Offices and Warehouses	1,200.00
Motels (per unit)	400.00
Multi-Family Dwellings (per dwelling unit)	1,200.00
Office Building Office	600.00
One-Family Dwellings	1,200.00
Photographer	1,200.00
Pool Rooms	1,200.00
Public Pools	3,000.00
Railroad Station	2,400.00
Restaurant, Bar or Night Club	
21-40 persons capacity	2,500.00
each additional 20 persons capacity over 41.	2,500.00 plus 500.00
Rooming or Boarding Houses (per room)	400.00
Self-Service Laundries 1-20	2,500.00
20 and over	4,000.00
Service Stations	1,200.00
Supermarkets	3,000.00

Swimming Cabanas-Commercial Use	600.00
Telephone Business, Exchange of Office	3,000.00
Theaters	1,500.00

SECTION 4. Sewer Assessments relating to the operation of business shall be paid by the proprietor or operator of the particular business. Said assessment shall be paid prior to obtaining a certificate of occupancy. An assessment release shall be issued by the Water Pollution Control Authority exempting a business from further assessment if the business is moved elsewhere in Town or sold.

ARTICLE 13

The Town of Plainfield shall be responsible for the cost of maintenance of all public sewers. The owner shall be responsible for the cost of maintenance of all building drains and the cost of maintenance of all piping and other sewer apparatus located on the property of the owner.

ARTICLE 14

SECTION 1. This ordinance may be enforced by representatives of both the Water Pollution Authority and the Building Inspector's Office.

SECTION 2. Any person found to be violating any provision of this ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

SECTION 3. Any person who shall continue any violation beyond the time limit provided for in Article 14, Section 2, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding twenty-five (25) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

SECTION 4. Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation.

ARTICLE 15

SECTION 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 2. The invalidity of any section, clause, sentence or provisions of this ordinance shall not affect the validity of any part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE 16

SECTION 1. Sewer use charges shall be per table below:

USE	DWELLING UNITS
Hotels (per room)	.33
Rooming or Boarding Houses (per room)	.33
Office Building (per office)	.33
Motel (per unit)	.68
Self-Service Laundries (per washer)	.70
One-Family Dwellings	1.
Multi-Family Dwellings (per dwelling unit)	1.
Apartments (per apartment unit)	1.
Churches or Rectory	1.
Barber Shop	1.
Photographer	1.
Florist	1.
Garages	1.
Warehouse	1.
Fire Station	1.
Swimming Cabana	1.
Mercantile Stores (less than 6 employees)	1.
Doctor or Dentist Office	1.18
Bakery	1.18
Fish or Meat Market	1.18
Beauty Parlor (per employee)	1.34
Halls & Places of Public Assembly	1.34
Service Stations	1.68
Pool Room	1.68
Drive-In-Restaurant	1.68
Drug Store	1.68
Railroad Station	2.
Funeral Parlor	2.
Mercantile Store (over 5 employees)	2.
Luncheonette (counter service only)	3.34
Restaurant, Bar (less than 100 person capacity)	3.34
Post Office	3.34

Telephone Business, Exchange or Office	3.34
Bank & Savings & Loan Installation	3.34
Supermarket	3.34
Dealerships	3.34
Theaters	5.
Restaurant, Bar (over 100 person capacity)	10.
Plainfield Dog Track	
(based on average daily attendance of 2,000 to 3,000)	143.

ARTICLE 17

Effective Date – This ordinance shall take effect 15 days from the date of publication.

Selectmen:

Joseph D. Taverna
 Alvin P. Ridgway Jr.
 William E. Nicholson

Town Clerk:

Patricia Carroll

Repeals Ordinances 11, 12, 22, 24, 27, 31, 32, 41, 42, 44, 50, 59 and 61

ORDINANCE 92.

AMENDMENT TO ORDINANCE CONCERNING
BUILDING PERMIT FEES

June 1, 1988

Amend Ordinance No. 72 of the Town of Plainfield, entitled, "An Ordinance Concerning Building Permit Fees".

Amended by deleting, "And a maximum permit fee in the sum of five thousand (\$5,000.00) dollars".
This Amendment to the Ordinance shall become effective 15 days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Joseph D. Taverna
Alvin P. Ridgway Jr.
William E. Nicholson

Town Clerk:

Patricia Carroll

See also:

Ordinances 6 and 29
Amends Ordinance 72
Repealed by Ordinance 117

ORDINANCE 93.

AN ORDINANCE REGULATING THE
INSTALLATION OF FIRE HYDRANTS

June 3, 1988

BE IT ORDAINED BY THE PRESIDENT AND DIRECTORS OF THE CENTRAL VILLAGE FIRE DISTRICT, THAT:

SECTION ONE: DEFINITION

a. DEVELOPMENT is defined as:

1. Any single family homes erected in groups of more than two (2) by the same builders, contractors, person or persons, corporation or other legal entities within one thousand (1,000) feet of each other (known as housing projects);

and

2. Apartment projects consisting of two (2) or more apartments per dwelling or building and two (2) or more buildings within one thousand (1,000) feet of each other;

and

3. Commercial establishments known as shopping centers, consisting of two (2) or more stores or units within two thousand five hundred (2,500) feet of each other;

and

4. All industrial developments regardless of size or location;

and

5. All gasoline and fuel stations or depots and all other gasoline sales locations;

and

6. Medical facilities;

and

7. Schools;

and

8. Churches or Synagogues or other places of worship;

and

9. Condominiums;

and

10. Restaurants;

and

11. Convalescent homes, and rest homes.

SECTION TWO: WATER MAINS

If any development and/or project listed in SECTION ONE above is constructed within two thousand five hundred (2,500) feet of any existing water main, said water main shall be extended to said development and/or project by means of a pipe having a minimum diameter of ten (10) inches, which pipes shall be installed along or in all the streets or roads of said project.

SECTION THREE: FIRE HYDRANTS

Hydrants having a minimum diameter of eight (8) inches will be installed on water mains having a diameter of ten (10) inches. These hydrants shall be situated or placed not less than three (3) feet nor more than eight (8) feet from the edge of the street pavement. Said hydrants shall be installed not more than one thousand (1,000) feet apart along the ten (10) inch water mains, except that in the case of shopping centers and industrial building complexes in which case ten (10) inch diameter water mains will be installed in the form of a loop around the perimeter of said shopping center or industrial building complex. In addition, hydrants having a diameter of eight (8) inches will be installed on the ten (10) inch water mains around the loop not more than five hundred (500) feet apart and no less than one hundred (100) feet nor more than two hundred (200) feet from any building.

SECTION FOUR: ADDITIONAL REQUIREMENTS

In addition to the requirements stated in SECTIONS TWO and THREE, any development or project shall include the following:

1. a road that meets the approval of the Town of Plainfield Building Official;
2. a suitably paved parking lot or right of way for ingress and egress by fire apparatus which shall be maintained and kept clear of ice and snow during the winter season;
3. all hydrants will be situated not less than three (3) nor more than eight (8) feet from the edge of the paved parking lot or right of way.

SECTION FIVE: SPECIFICATIONS

1. All hydrants will be a minimum of eight (8) inches in diameter. They shall include two (2) two and one-half (2 ½) inch discharge spuds and one (1) four and one-half (4 ½) inch steamer connection.
2. All threading will be of the type that is considered nationally standard.
3. All steamer connections will face the street, parking lots or access road, as the case may be, for purpose of access by fire apparatus.

SECTION SIX: CUMULATIVE EFFECT OF ORDINANCE

The provisions of this ordinance shall be cumulative to other ordinances not in conflict with it and shall not operate to repeal any such other ordinances.

SECTION SEVEN: REPEAL OF CONFLICTING ORDINANCES

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION EIGHT: SEVERABILITY

If any provision of this ordinance shall be held invalid by a court of competent jurisdiction, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION NINE: CITATION OF ORDINANCE

This ordinance shall be known and referred to as the “Fire Hydrant Ordinance of the Central Village Fire District.”

SECTION TEN: VARIANCE

An aggrieved party may make an application for a variance of the application of this ordinance to the clerk of the district committee of the Central Village Fire District, Inc. if said district committee finds that a literal interpretation of this ordinance would constitute a hardship on the applicant, the district committee, by a vote of a majority of its members, may vary the application of this ordinance in those circumstances.

SECTION ELEVEN: EFFECTIVE DATE

This ordinance shall become effective on the 3rd day of June, 1988. Central Village Fire District, Inc.

ORDINANCE 94.

AN ORDINANCE CONCERNING TRAFFIC CONTROL
ON TOWN ROADS

March 27, 1990

All persons or businesses performing excavation, repair or other work on a Town road which will have the effect of disrupting traffic or risking public safety for a continuous period of more than eight (8) hours, shall notify the Plainfield Police Department no less than forty-eight (48) hours prior to commencing work unless such work is being conducted pursuant to an emergency. Upon notification of such proposed work on a Town road, the Chief of Police may assign officers to provide traffic control for whichever periods of time such traffic control is deemed necessary by the Chief. Traffic control services provided by the Town of Plainfield pursuant of this ordinance shall be paid for by the party requesting such services. Persons failing to notify the Town of work which will disrupt vehicular traffic or risk public safety for more than eight (8) continuous hours may be fined up to \$100.00.

Selectmen:

Paul E. Sweet

Michael A. Saad

R. Wesley Hopkins

Town Clerk:

Patricia Carroll

ORDINANCE 95

AN ORDINANCE CONCERNING ENGINEERING STANDARDS AND SPECIFICATIONS

March 27, 1990

TITLE: An Ordinance authorizing the Town of Plainfield's Director of Public Works/Town Engineer (DPW/TE) to promulgate certain engineering standards and specifications for the Town of Plainfield (Town); and prescribing penalties for the violation of its provisions.

SECTION 1. Short Title. This Ordinance shall be known and may be cited as "Engineering Standards and Specifications Ordinance".

SECTION 2. The Director of Public Works/Town Engineer shall promulgate engineering standards and specifications to be used in the design, construction, repair or maintenance of, and any other work of a similar nature pertaining to public improvements, including proposed public improvements required by the Subdivision Regulations of the Planning and Zoning Commission. These standards and specifications shall also apply to those private improvements which are connected to or affect public improvements. Improvements include but are not limited to streets, driveway approaches, highways, sidewalks, drains, storm sewers, sanitary sewers and all associated appurtenances thereof, located within the Town of Plainfield.

SECTION 3. Any construction, repair, maintenance of or any other work of a similar nature pertaining to improvements for which the aforementioned engineering standards and specifications have been promulgated, shall conform to such standards and specifications.

SECTION 4. Such Engineering standards and specifications may be amended by a commission appointed by the Board of Selectmen. The Commission shall be known as the Engineering Standards and Specifications Commission and shall consist of six (6) members with one (1) year terms. The members shall be a lawyer, an engineer, a contractor, a developer, the First Selectman and the Town's Director of Public Works/Town Engineer. The Commission shall meet at least quarterly. It is incumbent upon the user, prior to commencement of work on an improvement, to comply with the updated copy of the Engineering Standards and Specifications.

SECTION 5. Copies of such standards and specifications shall also be made available to the public by the Town Planning and Engineering Department at a cost established by that Department. The cost of a copy shall cover the cost of the publication of such copy.

SECTION 6. Any person who violates any provision of this Ordinance shall be fined not more than \$100.00 for each offense. If such offense continues for more than five (5) days, it shall constitute a new offense for each day it continues to exist thereafter. The Board of Selectmen has the authority to issue citations, and levy such fines and issue cease and desist order if fines are not paid within (30) days.

SECTION 7. If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or impair any other section, clause, provision or portion of this Ordinance.

SECTION 8. The provisions of this Ordinance, and any standards and specifications enacted

pursuant to the provisions thereof, shall be held to be minimum requirements, adopted for the protection of public health, safety and general welfare of the Town of Plainfield. Whenever the requirements of this Ordinance or the standards and specifications enacted pursuant thereto are at variance with the requirements of any other lawfully adopted ordinances, rules, regulations or restrictions, such Ordinances, rules, regulations or restrictions which impose the highest standard shall control.

SECTION 9. This Ordinance shall become effective 15 days after publication in accordance with the Connecticut General Statutes and the Charter of the Town of Plainfield.

Selectmen:

Paul E. Sweet

Michael A. Saad

R. Wesley Hopkins

Town Clerk:

Patricia Carroll

ORDINANCE 96.

AN ORDINANCE CONCERNING SOLID WASTE

March 27, 1990

An Ordinance to provide for the storage, collection, disposal and transportation of all solid waste and recyclables in the Town of Plainfield.

SECTION 1. Definitions

1. "Commercial Collector" means any person, firm or corporation who collects, transports, or disposes of solid waste for hire, and includes those who collect and dispose of solid waste as a secondary aspect of other commercial services, such as contractors and construction companies.
2. "Solid Waste" means unwanted or discarded materials, including solid, liquid, semisolid or contained gaseous materials, BUT EXCLUDING, (1) sewage and sewage sludge collected and treated in a residential, municipal or a regional system; (2) materials or substances having commercial value which have been salvaged for recycling or resale; (3) hazardous waste; (4) radioactive waste; (5) agricultural waste; (6) medical waste.
3. "Transfer Station" means a volume reduction plant, as defined by Section 22a-207 of the Connecticut General Statutes, as amended, that is a central collection point for the solid waste generated within a municipality or group of municipalities, where solid wastes received are transferred to a vehicle for removal to another solid waste facility.
4. "Municipality" shall include town.
5. "Town" means Town of Plainfield, Connecticut.
6. "Board" means Board of Selectmen of the Town of Plainfield.
7. "Person" shall mean any individual, firm or corporation, whether acting for himself or as principal agent, officer, servant, or employee for any other individual, firm or corporation.
8. "Removal" means the act of lawfully taking solid waste from the place of waste generation or from a solid waste facility either by a collector, as defined herein, or by a person in control of the premises where the waste is generated.
9. "Resident" means a person who resides, owns real property containing a residence or operates a business in the Town of Plainfield.
10. "Solid Waste Facility" means any solid waste disposal area, volume reduction plant, or resource recovery facility designated, owned or operated by the Town. Where "Solid Waste Facility" appears, its plural form may be inferred.
11. "Director" means Director of Public Works/Town Engineer.
12. "State" means State of Connecticut.
13. "Collector" means any person, firm or corporation which has complied with or is exempted from the permit requirements of Section 6 of this Ordinance.

SECTION 2. Restrictions on disposal of solid waste, recyclables and specially designated materials.

No solid waste, recyclable or specially designated material shall be disposed of in the Town unless permitted by this Ordinance or the Solid Waste regulations.

SECTION 3. Restrictions on use of solid waste facility

Except as provided below, only residents, their collectors, Town operated collection services, and the Town are pursuant to this Ordinance, allowed to use the Solid Waste Facility and only for solid waste which is generated in the Town. All other persons shall not be allowed use of and all other solid wastes shall not be disposed of at the Solid Waste Facility without the written permission of the Board of Selectmen.

SECTION 4. Storage of solid waste

1. No person shall accumulate, store or require the storage or handling of solid waste in such a manner so as to promote the propagation, harborage or attraction of vectors or so as to create health hazards or a nuisance.
2. The owner of solid waste generated on any property in the Town shall cause the waste to be removed to the Solid Waste Facility at frequencies sufficient to prevent the occurrence of health hazards or a nuisance.
3. All persons occupying or maintaining any premises within the Town where solid waste is created, produced or accumulated, shall maintain sufficient containers for receiving and holding the solid waste which is produced, created or accumulated on such premises. Where a Commercial Collector furnishes the containers, he shall be responsible for maintaining the containers in good condition unless this responsibility has been assumed by the person occupying or maintaining the premises under the terms or conditions of the use.
4. The Board of Selectmen may, by resolution, establish regulations, from time to time, pursuant to this Ordinance of the collection and storage of solid waste including but not limited to the types of containers, the types of solid waste, the times of days of pickup, and the location of containers.

SECTION 5. Disposal

1. Disposal of solid waste is restricted pursuant to this Ordinance, Solid Waste Regulations and amendments to this Ordinance and Regulations.
2. No person shall engage in any scavenging, salvaging, or recycling activities at any Solid Waste Facility without the written permission of the Board of Selectmen. In addition no person shall scavenge, salvage or recycle another's solid waste or material for recycling after it has been placed for collection without written permission of the Board.
3. The Board of Selectmen may, by resolution, establish regulation, from time to time, for the use of the Solid Waste Facility. Said regulations may include but are not limited to, the types of solid wastes which may be collected or transported, the types of solid waste which may be deposited at any facility, the hours of operation permitted.
4. The Board of Selectmen may, by resolution, establish a schedule of fees and procedures for enforcement for the use of the Solid Waste Facility.
5. The Board is hereby authorized to enact from time to time, regulations, deemed in the public interest, regarding the separation, recovery, collection, removal, storage and disposition of solid waste, recyclables, and specially designated materials in accordance with Connecticut General Statutes P.A. 87-544, its amendments, and other applicable state requirements.
6. All solid waste upon being removed from the premises where produced, accumulated, or transferred shall become and be the property of the Collector who removes them. Upon being accepted at the Solid Waste Facility, said materials and waste shall forthwith become the property of the owner of such facility.
7. All recyclables upon being removed from any premise in the Town shall become the property of the Town.

8. No person shall dispose of solid waste without complying with or being exempted from the permit requirements in Section 6 of this Ordinance.

SECTION 6. Collection and Transport

1. Solid Waste and recyclables hauled by any person over any road or another's property in the Town shall be securely tied or covered during the hauling thereof. The opening in compactor boxes shall be covered and secured to prevent spillage of recyclables. No person shall allow solid waste or recyclables to leak, spill, blow off or drop from any vehicle on any road or other property.
2. No person shall collect, haul or transport solid waste or recyclables within the Town without obtaining vehicle and solid waste collector permits. This paragraph shall not apply to any resident hauling solid waste from his own residence nor to the Town or its agencies, nor persons exempt under the Solid Waste Regulations.
3. Applications for permits shall be obtained from the Director of Public Works/Town Engineer. The Board, by resolution, shall from time to time, establish regulations for the application forms and the requirements, necessary for the public safety and welfare and for the efficient use and operation of the Solid Waste Facility. The form shall include but not be limited to the following:
 - a. name and address of the permittee.
 - b. the business name and its type, i.e. corporation, partnership.
 - c. the names of all partners, officers, or proprietors of the business.
 - d. a list of all vehicles and removable bodies used for solid waste collection, disposal, and hauling. A list of changes in vehicles or removable bodies shall be provided by the permittee as changes occur. The list shall designate each vehicle by Connecticut registration number, vehicle or removable body ID number, cubic yard capacity, tare weight and gross weight.
 - e. evidence of insurance as required in the Solid Waste Regulations naming the Town of Plainfield as an additional insured.
 - f. proposed collection routes and number of residential and commercial customers.
 - g. the rates or rate schedule the applicant proposes to charge residential and commercial customers in the Town.
 - h. a detailed estimate of the volume and type of solid waste to be collected or transported to a designated Solid Waste Facility for one (1) year.
 - i. the names of all other communities serviced by the permittee.

Except as provided otherwise, the permittee is required to update this information within a month of any change.

4. The Director of Public Works/Town Engineer shall review the application and if it conforms to the regulations and this Ordinance issue the permit. If the application fails to meet these requirements, the Director may deny the application. The applicant can appeal the denial to the Board.
5. Any permit issues under the provisions of this Ordinance may be suspended, canceled, or revoked by the Director on ten (10) days written notice mailed, certified return receipt requested to the permittee at the last business address on the application, upon the following:
 - a. Any permittee fails or refuses to comply with the provisions of this Ordinance or the applicable rules and regulations of the Town.
 - b. The permit is not exercised for any continuous thirty (30) day period.
 - c. The permittee has assigned, either voluntarily or by operation of the law, any permit issued hereunder without the prior written approval of the Director.

- d. The Director finds that the vehicles used or proposed to be used by the permittee for the collection and transportation of solid waste are insufficient or unfit to transport, collect, or dispose of solid waste or recyclables in accordance with this Ordinance or regulations, violate the provisions of this Ordinance, violate state health code requirements or violate the Town regulations adopted in accordance with this Ordinance.
6. Any permittee desiring to change his rates or rate schedule shall file a new rate schedule with the Director ten (10) days in advance or instituting the new rates or charges.
7. All permittees shall keep and maintain such records as the Director or his designated representative may require to ascertain the extent of compliance with this Ordinance and regulations and shall make the financial or business records of the permittee's operation available for inspection by the Director if so requested.
8. No permit granted pursuant to the provisions of this Ordinance shall be sold, transferred, leased, assigned, or encumbered or disposed of in whole or in part without the written permission of the Director.
9. The vehicle permits shall be affixed and displayed in the lower right interior corner of the motor vehicle windshield.
10. All permits issued under these provisions shall be effective for one (1) year from the date of issuance unless otherwise provided or revoked or suspended.
11. Persons seeking exemption from the permit requirements have the burden of establishing their exemption. The Director of Public Works/Town Engineer or employees of the Solid Waste Facility may require these persons who wish to use the Solid Waste Facility to establish their exemption. The Board may by regulation require insurance from those exempted from the permit requirements.
12. The Board may, from time to time, by regulation establish if other permits are required, fees for, exemptions from, and application requirements for the permits.

SECTION 7. Contractual Authority and Recycling

The Board is authorized to employ and/or negotiate and enter into contracts with individual persons, corporations, or governmental agencies for the separation, recovery, collection, removal, storage or disposition of solid waste and recyclables.

SECTION 8. Enforcement

1. The Director of Public Works/Town Engineer, The Board, the Town Police Department, The Operator of the Solid Waste Facility and their duly authorized representatives, are hereby specifically required to enforce the provisions of this Ordinance and the regulations pursuant to it. They shall have the right to inspect the solid waste collection vehicles or business location to insure conformance with this Ordinance and regulations pursuant to it.
2. Except as provided in Section 9, any person who shall violate any provision of this Ordinance or any provision of any regulation pursuant to it shall be subject to a fine of not more than one hundred dollars (\$100.00).
3. The Board shall be authorized by regulation to revise fines and establish procedures for enforcement.

SECTION 9. Littering

1. It shall be unlawful for any person to throw, deposit or leave any litter or rubbish in any

public park, public playground or recreation area, or public street in the Town, or in any property not owned by him except if it is designated for disposal of garbage or refuse by the Town. Such litter or rubbish shall be placed in the proper receptacles where these are provided; and when receptacles are not provided, such litter or rubbish shall be carried away by the person responsible for its generation and properly disposed of elsewhere.

2. Violations of this section shall be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00) for each occurrence.
3. The Board may by regulation revise fines and establish procedures for enforcement.

SECTION 10. Repealing of Inconsistencies

All Ordinances or parts of Ordinances, resolutions, regulations or other documents inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 11. Extent of Board's Authority

1. In exercising the contractual or regulatory authority provided for herein, the Board shall exercise this authority in conformance with state and town permits or requirements for permits, and federal and state statutes and regulations.
2. Included in the right to enact regulations is the Board's right to amend same, from time to time. Amendments and regulations shall be enacted by resolution.

SECTION 12. Severability

If any section, subsection, paragraph, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decisions shall not affect the validity of the remaining portion of this Ordinance as such other portions shall be deemed separate, distinct and independent.

This Ordinance shall become effective 15 days after publication in accordance with Connecticut General Statutes and the Town of Plainfield Charter.

Selectmen:

Paul E. Sweet

Michael A. Saad

R. Wesley Hopkins

Town Clerk:

Patricia Carroll

ORDINANCE 97.

AMENDMENT TO ORDINANCE
REGULATING SEWERAGE FACILITIES

November 14, 1990

1. Article 12, Section 2 to include any existing dwelling in which the owner leases the building to any person, company, corporation or firm, but may exclude Elderly Housing. Elderly Housing may be granted by the Water Pollution Control Authority the option to pay assessment charges over a period not to exceed ten (10) years at five percent (5%) interest.
2. Article 8, addition Section K Oil Separator. May be allowed to discharge into sanitary sewer upon approval of Water Pollution Control Authority and superintendent inspection of all construction. The Water Pollution Control Authority may require additional measures which provide safe guards if necessary. Assessment and sewer charges will apply in accordance to this Ordinance.
3. Article 12, Section 3. To add Oil Separators.

This Ordinance shall take effect 15 days after publication.

Selectmen:

Paul E. Sweet

Michael A. Saad

R. Wesley Hopkins

Town Clerk:

Patricia Carroll

Amends Ordinance 91

ORDINANCE 98.

FLOODPLAIN MANAGEMENT ORDINANCE

June 3, 1991

To repeal Town Ordinance No. 56 entitled "ORDINANCE CONCERNING MEASURES FOR MINIMIZATION OF FLOOD DAMAGE" approved at a Town Meeting on January 30, 1975 and the Town Ordinance No. 60 approved at a Town Meeting on May 23, 1977 and substitute therefore the following:

SECTION 1. STATUTORY AUTHORIZATION, FINDING OF FACT, PURPOSE AND OBJECTIVES

1.1 STATUTORY AUTHORIZATION: The Legislature of the State of Connecticut has in Section 7-148 (c) (7) of the General Statutes delegated the responsibility to local governmental units to promote the public health, safety, and general welfare of its citizenry, therefore, the Town Meeting of the Town of Plainfield, Connecticut, does ordain as follows:

1.2 FINDINGS OF FACT:

1. The flood hazard areas of the Town of Plainfield are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard area by uses vulnerable to flood or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

1.3 STATEMENT OF PURPOSE: It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase erosion or flood damage, and;
5. Prevent or regulate the construction of flood barriers which may increase flood hazards to other lands.

1.4 OBJECTIVES: The Objectives of this Ordinance are:

1. to protect human life and health;
2. to minimize expenditures of public money for costly flood control projects;
3. to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. to minimize prolonged business interruptions;
5. to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such manner as to minimize flood blight areas, and;
7. to provide public information to potential home buyers and developers.

SECTION 2. DEFINITIONS: Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

1. **“Addition (to an existing building)”** means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing wall in new construction.
2. **“Apex”** means the point of highest elevation on an alluvial fan, which on undisturbed fans is generally the point where the major stream that formed the fan emerges from the mountain front.
3. **“Appeal”** means a request for a review of the building official interpretation of any provision of this Ordinance or a request for a variance.
4. **“Area of Special Flood Hazard”** is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.
5. **“Base Flood”** means the flood having a one percent chance of being equaled or exceeded in any given year.
6. **“Basement”** means that portion of a building having its floor subgrade (below ground level) on all sides.
7. **“Board”** means the Flood and Erosion Control Board of the Town of Plainfield.
8. **“Breakaway Wall”** means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.
9. **“Building”** means any structure built for support, shelter or enclosure for any occupancy or storage.
10. **“Development”** means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.
11. **“Elevated Building”** means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.
12. **“Existing Manufactured Home Park or Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the Town.

13. **“Expansion to an Existing Manufactured Home Park or Subdivision”** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the placing of concrete pads).
14. **“Flood”** or **“Flooding”** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 1. the overflow of inland water;
 2. the unusual and rapid accumulation or runoff of surface waters from any source.
15. **“Flood Boundary and Floodway Map”** means an official map of the Town, on which the Federal Emergency Management Agency depicted both the area of special flood hazard and the floodway, or a map which supersedes it.
16. **“Flood Insurance Rate Map (FIRM)”** means an official map of the Town, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the Town, or a map which supersedes it.
17. **“Flood Insurance Study”** is the official report by the Federal Emergency Management Agency. The report contains flood profiles and the water surface elevation of the base flood.
18. **“Floodway”** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
19. **“Floor”** means the top surface of an enclosed building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.
20. **“Functionally Dependent Facility”** means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.
21. **“Highest Adjacent Grade”** means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.
22. **“Historic Structure”** means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.
23. **“Lowest Floor”** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor.
24. **“Manufactured Home”** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

25. **“Manufactured Home Park or Subdivision”** means a parcel, or contiguous parcels, of land divided into two (2) or more manufactured home lots for rent or sale.
26. **“Mean Sea Level”** means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
27. **“National Geodetic Vertical Datum (NGVD)”** as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.
28. **“New Construction”** means, for the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of the initial FIRM and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by the Town and includes any subsequent improvements to such structures.
29. **“New Manufactured Home Park or Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the placing of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the Town.
30. **“Recreational Vehicle”** means a vehicle which is; (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.
31. **“Start of Construction”** (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition or improvement was within 180 days of the permit date. The actual start means the first placement or permanent construction of a structure (including a manufactured home) on a site, such as the placing of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation; or placement of a manufactured home on a foundation. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
32. **“Structure”** means a walled and roofed building that is principally above ground, a home, a gas or liquid storage tank, or other man-made facilities or infrastructures.
33. **“Substantial Damage”** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
34. **“Substantial Improvement”** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value (as determined by the cost approach to value) of the structure before the “start of construction” of the improvement. This term includes structures which have incurred

“substantial damage”, regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement officials and which are the minimum necessary to assure safe living conditions or (2) any alteration of a “historic structure”, provided that the alteration will not preclude the structure's continued designation as a “historic structure”.

35. **“Town” or Community**” means the Town of Plainfield, Connecticut.
36. **“Variance”** is a grant of relief from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in unnecessary hardship.
37. **“Water Surface Elevation”** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

SECTION 3. GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES: This Ordinance shall apply to all areas of special flood hazard within the jurisdiction of the Town of Plainfield.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD: The areas of special flood hazard identified by the Federal Emergency Management Agency in its scientific and engineering report entitles “The Flood Insurance Study for the Town of Plainfield, Windham County, Connecticut”, dated June 17, 1991 with accompanying Flood Insurance Rate Maps and floodway maps is hereby adopted by reference and declared to be part of this Ordinance. The Flood Insurance Study is on file at the office of the Plainfield Town Clerk, Plainfield Town Hall, 8 Community Avenue, Plainfield, Connecticut, 06374.

3.3 BASIS FOR ESTABLISHING BASE FLOOD ELEVATIONS AND FLOODWAY ELEVATIONS: For purposes of this Ordinance where base flood elevations and/or floodway elevations are required the following apply:

1. Where base flood elevations and floodway elevations have been determined by the Federal Emergency Management Agency per Section 3.2, those elevations shall be used.
2. Where base flood elevations and floodway elevations have not been determined by the Federal Emergency Management Agency per Section 3.2, the elevations as certified by the applicant's professional engineer in the development permit application and approved by the building official or at the discretion of the building official obtained per Section 4.3.1 (k) shall be used.

3.4 DEVELOPMENT PERMIT: A Development Permit shall be required in conformance with the provisions of this Ordinance prior to the commencement of any development activities.

3.5 COMPLIANCE: No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance (including the obtaining of a Development Permit) and other applicable regulations.

3.6 ABROGATION GREATER RESTRICTIONS: This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall

prevail.

3.7 INTERPRETATION: In the interpretation and application of this Ordinance all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

3.8 WARNING AND DISCLAIMER OF LIABILITY: The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the Town of Plainfield or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

3.9 ADDITIONAL PERMITS: Additional Federal, State, and/or local permit(s) may be required. The applicant is responsible for determining what permit(s) are required and obtaining such permits. Possible permits include but are not limited to: Wetlands, Subdivision, Zoning, Building, State Department of Environmental Protection, U.S. Army Corps, Fisheries.

SECTION 4. ADMINISTRATION

4.1 DESIGNATION OF THE ORDINANCE ADMINISTRATOR: The building official is hereby appointed to administer and implement the provisions of this Ordinance.

4.2 PERMIT PROCEDURES: Application for a Development Permit shall be made to the building official on forms furnished by him or her prior to any development activities, and may include, but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage or materials, drainage facilities and the location of the foregoing. Specifically, the following information is required:

1. Application Stage

- a. Elevation in relation to mean sea level of the proposed lowest floor (including basement of all structures,
- b. Elevation in relation to mean sea level to which any non-residential structure will be flood- proofed;
- c. Description of the extent to which any watercourse will be altered or relocated;
- d. A statement as to whether or not the proposed alterations to an existing structure meet the criteria of the substantial improvement definition;
- e. A statement as to whether there will be a dry access to the structure during the 100-year storm event. The design and methods of construction must be certified by a registered engineer or architect to be in accordance with acceptable standards of practice;
- f. Non-Residential Flood Proofing Details;
- g. Information on enclosed areas below the base flood elevation;
- h. Details of the proposed increase in floodway heights, if any. (Any development in a floodway must meet the provisions of Section 5.3.4);
- i. Information on break away wall as specified in Section 5.3.3. (d);
- k. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the design, specifications and plans for

construction and shall certify that the design, specifications and plans for construction are in accordance with acceptable standards;

- l. A fee in the amount of twenty dollars (\$20.00) shall be charged;
 - m. A statement on the Status of all Federal, State and Local Applications with regards to the project.
 - n. Site plan at scale 1"=40' (or otherwise approved by building official).
 - o. Owners of proposed or existing Mobile Home Parks or Mobile Home Subdivisions within any Special Flood Hazard Area shall file with the Town's Director of Civil Preparedness, for approval, a copy of an evacuation plan indicating alternate vehicular access and escape routes.
2. Construction Stage: Upon completion of the applicable portion of construction, the applicant shall provide verification to the building official of the following elevation(s) as applicable in all special flood hazard zones:
- a. The top of the lowest floor (including basement) of all structures.
 - b. The elevation to which the flood-proofing is effective.
 - c. Critical elevations of hydraulic structures and conduits.
3. Building and Construction Approval: The application shall provide a statement from the Building Official that all aspects of the construction of the structure are in accordance with approved plans.
4. Deficiencies detected by the review of the Building Official shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to comply with the approved plans shall be cause to issue a stop-work order for the project.

4.3 DUTIES AND RESPONSIBILITIES OF THE BUILDING OFFICIAL WITH RESPECT TO THIS ORDINANCE

1. Duties of the building official shall include, but not be limited to:
 - a. Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding;
 - b. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied;
 - c. When changes to this Ordinance are proposed or when uses or construction works are proposed in any special flood hazard areas within 500 feet of an adjacent municipality and a public hearing is required, the following shall be notified within 35 days prior to such public hearing:
 1. Council of Government/Regional Planning Agency.
 2. All adjoining municipalities within 500 feet.
 - d. Notify adjacent communities and the Department of Environmental Protection-Water Resources Unit prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;
 - e. Assure that maintenance is provided by owner within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished;
 - f. Record the elevation (in relation to mean sea level) to which the lowest floor (including basement) of all new or substantially improved structures are constructed;
 - g. Record the elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed;
 - h. When flood-proofing is utilized for a particular structure the building official shall review certification provided by the applicant's registered professional engineer or architect.

- i. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the building official shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance;
- j. When base flood elevation data or floodway data have not been made available per Section 3.2 then the building official shall review and reasonably utilize at his discretion any base flood elevation and floodway data available from a Federal, State or other source in order to administer the provisions of Section 5;
- k. When base flood elevation data or floodway data have not been made available on the FIRM, the building official shall deem applications incomplete which do not contain base flood elevation or floodway data obtained from a Federal, State or other approved source, and;
- l. All records pertaining to the provisions of this Ordinance shall be maintained in the office of the building official.

4.4 DUTIES AND RESPONSIBILITIES OF ALL BOARDS AND COMMISSIONS OF THE TOWN OF PLAINFIELD WITH RESPECT TO THIS ORDINANCE: All official boards and commissions of the Town of Plainfield shall take into account flood and flood-related erosion hazards to the extent that they are known, in all official actions relating to land management and use.

SECTION 5. PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS: In all areas of special flood hazard the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
2. New construction and substantial improvements shall be constructed with materials resistant to flood damage;
3. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
4. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
5. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood water;
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood water;
7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Elevations of septic systems in areas of special flood hazards shall be as permitted by the stricter standards of the State Health Department or Local Health Department.
8. Manufactured Home(s)
 - a. All manufactured homes (including “mobile” homes placed on a site for 180 consecutive days or longer) to be placed or substantially improved shall be elevated so that the lowest flood is above the base flood elevation;
 - b. Is shall be placed on a permanent foundation which itself is securely anchored and to

which the structure is securely anchored so that it will resist flotation, lateral movement, hydrodynamic pressures and impact from floating debris.

- c. It shall be designed by a Professional Engineer or Architect using methods and practices which minimize flood damage;
 1. Adequate water access and drainage should be provided;
 2. Foundation construction standards include, but are not limited to, posts, piling or columns. Continuous foundation walls shall be placed parallel to the flow of flood water;
9. Recreational Vehicles: Recreational vehicles shall meet the following requirements: either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of manufactured homes regarding elevation and anchoring. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions;
10. In any portion of a watercourse which is altered or relocated the flood carrying capacity shall be maintained, and;
11. A structure already in compliance with the provisions of this Ordinance shall not be made non-compliant by any alteration, repair, reconstruction or improvement to the structure.

5.2 STANDARD FOR STREAM WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODWAYS

1. In Zone A, the building official shall obtain, review and reasonably utilize any base flood elevation and floodway data available or required from a Federal, State, applicant or other source at the discretion of the building official. The above base flood elevation and floodway data shall be used as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community's FIRM meet the standards in Section 5.3, and Section 6.
2. The building official shall require (until a regulatory floodway is designated), that no new construction, substantial improvements, or other development (including fill) shall be permitted within special flood hazard Zones on the community's FIRM, unless it is determined by a Licensed Engineer that the cumulative effect of the proposed development, will not increase the water surface elevation of the base flood or floodway except by special permit as permitted by this Ordinance.
3. Until FEMA has established a floodway, the Town shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1) foot at any point along the watercourse.

5.3 SPECIFIC STANDARDS

1. In areas of special flood hazard (including AE and AH) where base flood elevation data have been provided, per Section 3.2, the following provisions are required:
 - a. Residential Construction: New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at least to one (1) foot above the base flood elevation.
 - b. Non-Residential Construction:
 1. New construction or substantial improvement of any commercial, industrial, or non-residential structure shall have the lowest floor, including basement, elevated at least to one (1) foot above the level of the base flood elevation; or

2. In lieu of being elevated, structures together with all attendant utilities and sanitary facilities may be flood-proofed to the elevation specified in Section 5.3.1 (b)(I) provided that the area of the structure below the required elevation is watertight with structural components substantially impermeable to the passage of water and capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall develop structural designs, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Such certification shall be provided to the building official for approval
 - c. Structural anchoring must be designed to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. The anchoring and support system shall be designed with wind and water loading values which equal or exceed the 100 year mean recurrence interval (one percent (1%) annual chance floods and winds).
2. In areas of special flood hazard where base flood elevation have NOT been determined per Section 3.2, the following provisions are required:
- I. In AO Zones:
 - a. Residential Construction: new construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at the greater of two (2) feet or the distance of the depth of flood above the base flood elevation as determined per Section 3.3 (2).
 - b. Non-Residential Construction:
 1. New construction or substantial improvement of any commercial, industrial, or non-residential structure, shall have the lowest floor, including basement, elevated at the greater of two (2) feet or the distance of the depth of flood above the base flood elevation as determined per Section 3.2 (2);
 2. In lieu of being elevated, structures together with all attendant utilities and sanitary facilities may be flood proofed to the elevation specified in Section 5.3.2 (I) (b(1)) provided that the area of the structure below the substantially impermeable to the passage of water and capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall develop structural designs, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of the subsection. Such certification shall be provided to the building official for approval.
 - II. In A Zones:
 - a. Residential Construction: New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at least two (2) feet above the base flood elevation as determined per Section 3.3.
 - b. Non-Residential Construction:
 1. New construction or substantial improvement of any commercial, industrial, or non-residential structure, shall have the lowest floor, including basement, elevated at least two (2) feet above the level of the base flood elevation as determined per Section 3.3; or
 2. In lieu of being elevated, structures together with all attendant utilities and sanitary facilities may be flood proofed to the elevation specified in Section

5.3.2 (II) (b(1)) provided that the area of the structure below the required elevation is watertight with structural components substantially impermeable to the passage of water and capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall develop structural designs, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of the subsection. Such certification shall be provided to the building official for approval.

3. Elevated Buildings: New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation (and which are not basements) shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic and hydrodynamic flood forces on exterior walls.
 - a. Designs for complying with this requirement must either be certified by a professional engineer or architect and meet or exceed the following minimum criteria:
 1. Provide a minimum of two openings having a total net area of not less than one square foot of enclosed area subject to flooding;
 2. The bottom of all openings shall be no higher than one foot above grade, and;
 3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - b. Electrical, plumbing, and other utilities are prohibited below the base flood elevation, and;
 - c. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
 - d.
 - (1) Design strength of each wall shall not be less than 10 nor more than 20 pounds per square foot; or
 - (2) A registered professional engineer or architect shall certify that the design wall collapse would result from a water load less than that which would occur during the base flood event, and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or any other structural damage due to the effects of wind and water loads action simultaneously on all building components during the base flood event. Maximum wind and water loading values to be used in this determination shall each have one percent (1%) chance of being equaled or exceeded in any given year (100-year recurrence interval).
 - (3) The applicant shall provide a statement that if breakaway walls, lattice work or screening are utilized the resulting enclosed space shall not be designed to be used for human habitation, but shall be designed to be used only for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.
 - (4) Plans for any structures that will have breakaway walls, lattice work or screening.

1. FLOODWAYS: Floodways are located within areas of special flood hazard on the community's Flood Insurance Rate Map (FIRM), or as may have been determined in Section 3.3 (2). As such, encroachments, including fill, new construction, substantial improvements and other developments are prohibited unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall result in no increase in flood levels during occurrence of the base flood discharge except as allowed by special permit in Section 8.

SECTION 6. STANDARD FOR DEVELOPMENT PROPOSALS: In all special flood hazard areas the following requirements shall apply:

6.1 All subdivision proposals shall be consistent with the need to minimize flood damage;

6.2 All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize damage by floods;

6.3 All subdivision proposals shall have adequate drainage and detention storage to reduce exposure to flood hazards, and;

6.4 In all special flood hazard areas, base flood elevation data shall be provided for subdivision proposals and other proposed development.

SECTION 7. VARIANCE AND APPEAL PROCEDURES

7.1 AUTHORITY TO GRANT VARIANCES: The Flood and Erosion Control Board as established by the Town of Plainfield shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

7.2 The Flood and Erosion Control Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the building official in the enforcement or administration of this Ordinance.

7.3 Any person aggrieved by the decision of the Flood and Erosion Control Board or any person owning land which abuts or is within a distance of five hundred feet (500) or the length of the backwater curve, whichever is greater, of the land in question may appeal within 15 days after such decision to the State Superior Court.

7.4 Specific Situation Variances: No variance shall be issued if base flood elevation is proposed to be increased except if a special permit is granted per Section 8. Such special permit shall be obtained prior to the variance application.

1. Buildings on an Historic Register: Variances may be issued for the repair or rehabilitation of historic structures upon a determination that (I) the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and (ii) the variance is the minimum necessary to preserve the historic character and design of the structure in conformance with Sections 7.5.1 (a) – 7.5.1 (b).
2. Existing, Small Lot Location: Variance may be issue for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with Section 7.5.1 (a) – 7.5.1 (b).
3. Functionally Dependent Uses: Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, create no additional threat to public safety and meet the requirements of Section 7.5.1 (a) – 7.5.1 (b).

7.5 CONSIDERATION FOR GRANTING OF VARIANCES

1. Necessary Criteria For Variances
 - a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary, so as not to destroy the historic character and design of the building.
 - b. Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that not granting the variance would result in exceptional hardship, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud or victimization of the public, or conflict with existing local laws or Ordinances.
2. In reviewing such application, the Flood and Erosion Control Board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity of the facility to water-front location, in the case of a functionally dependent facility;
 - f. The availability of alternative location, not subject to flooding or erosion damage, for the proposed use;
 - g. The compatibility of the proposed use with existing and anticipated development;
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, and the effects of the wave action, if applicable, expected at the site;
 - k. The cost of providing governmental services during and after flood conditions including maintenance and sewer, gas, electrical and water systems, and streets and bridges, and;
 - l. Affects on adjacent property.
 - m. Upon consideration of Sections 7.5.1 and 7.5.2, and the purposes of this Ordinance, the Flood and Erosion Control Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.

7.6 VARIANCE APPLICATION, FORMS AND REQUIREMENTS: The application, forms and requirements and their versions shall be as approved by the Flood and Erosion Control Board. These requirements, application and forms shall be available at the Planning and building official's office.

7.7 PUBLIC HEARING: A public hearing may be required as provided in Section 7.6 as determined by the Board.

7.8 ADMINISTRATIVE RESPONSIBILITIES

- a. Any applicant to whom a variance is granted shall be given written notice specifying the

difference between the base flood elevation and elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as \$25.00 for \$100.00 of insurance coverage.

- b. The building official shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

7.9 FEES FOR VARIANCE APPLICATIONS: Fees for variance applications shall be \$100.00. The Board may from time to time revise said fee.

SECTION 8. SPECIAL PERMIT

8.1 Intent: It is recognized that there are certain instances where flood elevation can be increased appropriately in Town if controlled as to area, location, or relationship to the neighborhood so as to promote or not adversely affect the public health, safety and general welfare. The following should also be considered:

1. severity of impact on upstream and downstream property owners.
2. adverse effects on existing structures.
3. lack of design and construction alternatives.

All such instances are considered to have special characteristics and accordingly each application must be carefully reviewed on a case by case basis. No special permits shall be issued for increases greater than 1 foot of the base elevation.

8.2 AUTHORITY TO GRANT SPECIAL PERMITS: The Flood and Erosion Control Board as established by the Town of Plainfield shall hear and decide on special permit application requests under this Ordinance.

Any person aggrieved by the decision of the Flood and Erosion Control Board or any person owning land which abuts or is within a distance of five hundred (500) feet or the length of the backwater curve, whichever is greater, of the land in question may appeal within 15 days after such decision to the State Superior Court.

8.3 SPECIAL PERMIT APPLICATION, REQUIREMENTS AND FORMS

- a. The requirements and application forms and their revised versions shall be as approved by the Flood and Erosion Control Board. These applications, requirements and forms shall be available at the building official's office.
- b. The applicant must use hydraulic and/or hydrologic methodologies which are used or recognized as acceptable by the Federal Emergency Management Agency (FEMA) for flood computations.

8.4 PUBLIC HEARING: A public hearing is required as set forth in 8.3.

8.5 FEES FOR SPECIAL PERMIT APPLICATIONS: Fees for special permits shall be \$250.00. The Board may from time to time revise said fee.

SECTION 9. PENALTIES FOR VIOLATION: Violation of the provisions of this Ordinance or

failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with either grants of variance or special permits shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$250.00 per day if proven done willfully and not more than \$100.00 per day if not, or imprisoned for not more than 10 days for each day of violation, or both, and in addition, shall pay all costs and reasonable legal fees involved in the case. Nothing herein contained shall prevent the Town of Plainfield from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 10. VALIDITY

1. If any Section, subsection, clause or phrase of this Ordinance is, for any reason, found to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.
2. This Ordinance shall become effective 15 days after publication, as provided by law.

Selectmen:

Paul E. Sweet

Michael A. Saad

R. Wesley Hopkins

Town Clerk:

Patricia Carroll

Repeals Ordinance 60

See also:

Ordinance 56

ORDINANCE 99.

ORDINANCE CONCERNING THE ADOPTION OF A
DEMOLITION CODE FOR HISTORIC STRUCTURES

February 13, 1992

1. In accordance with Section 29-404 of the General Statutes as amended, the building official of the Town of Plainfield is hereby appointed to administer Sections 29-406 to 29-413 inclusive, of the State Demolition Code.
2. No person shall demolish or remove any building, structure, or part thereof without first obtaining a permit from the building official for the particular demolition or removal. If the building, structure or part thereof is listed in the historic resource surveys of the Town of Plainfield as defined in section 3 of this ordinance, the building official, prior to issuing the permit, shall, within 10 working days of receipt of permit application:
 - A. Publish in a newspaper having substantial circulation, a Notice detailing what is proposed. A fee shall be charged the applicant by the building official to cover the cost of all such notices.
 - B. Notify abutting property owners and owners of properties across any streets adjacent to the property.
 - C. Post with the Town Clerk, a copy of such Notice for public viewing.
 - D. Notify the following for their comments, which must be made within 25 days of the day of receipt of the permit application:
 1. Plainfield Board of Selectmen
 2. Plainfield Planning & Zoning Commission
 3. Plainfield Conservation Commission/Committee
 4. Plainfield Economic Development Commission
 5. Plainfield Municipal Historian
 6. Plainfield Historical Society
 7. Plainfield Chamber of Commerce

Comments shall be sent to the applicant, copy to the Building Official.

- E. The permit application shall, after 30 days, be processed like all other demolition permit applications.

3. The historic resource surveys of the Town of Plainfield include:

“Historic Resource Survey: Central Village Community Development Area,” Historic Resource Consultants/Town of Plainfield, 1980

“Historic Resource Survey: Moosup Community Development Area,” Historic Resource Consultants/Town of Plainfield, 1980

“Historic Resource Survey: Plainfield Community Development Area,” Historic Resource Consultants/Town of Plainfield, 1980

“Historic Resource Survey: Wauregan/Nomination for Wauregan National Register District,”
State of Connecticut, 1979

“Historic Resource Survey of Plainfield, CT, Phase II: Areas Outside the Villages,” Plainfield
Historical Society/Town of Plainfield, 1987

Historic resource surveys compiled after the effective date of this ordinance.

Selectmen:

Paul E. Sweet

Michael A. Saad

Joseph Taverna

Town Clerk:

Patricia Carroll

Repealed by Ordinance 117

See also:

Ordinance 134

ORDINANCE 100.

AN ORDINANCE ESTABLISHING THE CONSERVATION COMMISSION
OF THE TOWN OF PLAINFIELD

February 13, 1992

BE IT ORDAINED THAT:

SECTION 1. GENERAL PURPOSE: Pursuant to the Connecticut General Statutes, Section 7-131a, the Conservation Commission of the Town of Plainfield, hereinafter referred to as the Commission is hereby established, The Commission is established for the development, conservation, supervision, and regulation, as specified in Sections 7 and 8, of this Ordinance including natural and water resources, within the territorial limits of the Town of Plainfield, but not to include the regulation of those activities described in Sections 22a-45 of the Connecticut General Statutes, whose regulation is elsewhere delegated to the Plainfield Inland Wetlands and Watercourses Commission.

Section 2. MEMBERS: The Conservation Commission shall consist of five (5) members and three (3) alternates, all of whom shall be appointed by the chief executive officer of the Town of Plainfield, hereinafter referred to as Town. Initially, one member and one alternate shall serve from the date of appointment and for one year thereafter, two members and one alternate for two years, and two members and one alternate for three years, with subsequent appointments being for full term of three years each. Such alternate members shall, when seated, have all the powers and duties of a member of the Commission. The Board of Selectmen may remove any member or alternate for cause and may fill any vacancy.

Section 3. ELECTION OF OFFICERS. Within thirty (30) days after appointment of the original members, and annually thereafter, the regular members shall meet and elect from its membership a chairman, secretary and other necessary officers.

Section 4. The Commission shall conduct researches into the utilization and possible utilization of land areas of the Town and may coordinate the activities of unofficial bodies organized for similar purposes.

Section 5. The Commission may advertise, prepare and distribute books, maps, charts, plans, and pamphlets as necessary for its purpose.

Section 6. The Commission shall keep an index of all open areas, publicly or privately owned, including open marshlands, swamps and other wetlands for the purpose of obtaining information on the proper use of such areas.

Section 7. The Commission may do the following:

- a. identify and index the major aquifer systems,
- b. identify and index natural resources, including but not limited to wildlife, plant life, minerals,
- c. identify and index agricultural land,
- d. from time to time recommend to the Planning and Zoning Commission and other Boards and Commissions, plans and programs for the development and use of such areas,
- e. with the approval by Town Meeting, acquire land and easements in the name of the Town,

- f. receive and/or administer from Planning and Zoning, other Commissions, Committees, Persons, or Boards, land, easements, or money collected or designated for open space,
- g. identify and assess cultural, historic archaeological, and forest resources,
- h. encourage the development of land preservation programs such as municipal land banks and encourage private initiatives such as land trust.
- i. identify and index land not included in Section 6 and easements, public and private.

Section 8. The Commission shall have the power to promulgate rules and regulations, including but not limited to the establishment of reasonable charges for the use of land and easements and for any of the purposes set out in this ordinance. The Commission may amend and repeal same.

Section 9. The Commission shall keep records of its meetings and activities and shall make an annual report to the Town in the manner required of other commissions of the Town.

Section 10. The Commission may receive gifts in the name of the Town for any of its purposes and shall administer the same subject to the terms of the gift.

Section 11. The Commission may exchange information with the Commissioner of Environmental Protection.

Section 12. The Board of Selectmen may appropriate funds for the Commission's use in carrying out the purposes of this ordinance.

Section 13. If any section, subsection, clause or phrase of this ordinance is, for any reason, found to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 14. This ordinance shall become effective 15 days after publication, as provided by law.

Selectmen:

Paul E. Sweet

Michael A. Saad

Joseph Taverna

Town Clerk:

Patricia Carroll

ORDINANCE 101.

AN ORDINANCE CONCERNING THE ADDITION OF ANY NEW STREET
TO THE TOWN OF PLAINFIELD HIGHWAY SYSTEM

May 10, 1993

SECTION A: Definitions:

Street: Avenue, boulevard, road, lane, highway or any other thoroughfare between taking lines or right-of-way lines which provides a principal means of access to property, which is improved to allow the safe movement of traffic and which will handle stormwater drainage adequately. An accepted street is one which has become a public way by virtue of dedication to and formal acceptance by the Board of Selectmen.

Board: Board of Selectmen of the Town of Plainfield.

Engineer: Person or corporation licensed or registered as a Professional Engineer under provisions of the Connecticut General Statutes.

Land Surveyor: Person licensed or registered as a Professional Land Surveyor under provisions of the Connecticut General Statutes.

SECTION B. Layout and Acceptance:

- a. Whenever any street is proposed for acceptance as a town road and before any construction, clearing or excavating is initiated the owner or developer shall present to the Board at a regular meeting three certified copies of plans and profiles prepared by a licensed Connecticut Engineer and Land Surveyor, together with an accurate topography map of the area and a written request for approval of such street. The plans shall conform to the specifications hereinafter stated.
- b. After reviewing formal comments from the Planning and Zoning Commission, Inland Wetlands and Watercourses Commission, Conservation Commission, the Town Engineer and The Chief of Police, the Board at a regular meeting shall discuss the plans with the owner, developer and/or agents, and, by majority vote, approve with changes, or disapprove, such plans. The Board shall return one copy of the plan with a letter stating its action to the owner within sixty (60) days from the receipt of the application.
- c. 1. Newly Constructed Streets: Upon completion of construction of proposed street and before acceptance by the Board of said street into the Town Highway System, the owner or developer shall furnish Certificates by (1) a land surveyor certifying that the work has been completed according to the profile submitted (2) the Town Engineer stating the road has been constructed in accordance with all specifications hereinafter stated. Upon receipt of such Certificate, such road shall be finally accepted by the Board into the Town Road System subject to (d), (e) and (f) below.
- c. 2. Existing Accessway: The owner shall submit geotechnical borings and a report by an engineer stating the proposed street complies with the Town standards. A unanimous vote by the Board shall be required to waiver these requirements unless in the case where the Board proposes that it is in the Town's best interest to accept the street, and the Board is the applicant than a majority vote to waiver is required. Final acceptance of the road is subject to

- (d), (e) and (f) below.
- d. Final acceptance of the road by the Board shall be entered into its minutes and files by the Board with the Town Clerk.
 - e. The owner shall convey the accepted street by warranty deed to the Town. Such deed shall first be reviewed and approved by the Town Attorney, the Town Engineer and the Board before filing.
 - f. The applicant shall file with the Town Clerk one set of the plans signed by the First Selectman.

SECTION C: Construction and Design Specifications:

1. Roads (except as varied herein) be designed to conform to “Local Rural Roads,” Chapter V, “A Policy On Geometric Design of Highway and Street,” American Association of State Highway and Transportation Officials, 1984 and subsequent revisions. Exceptions to the standards above shall also be by certification from the Town Engineer that in the particular case such standards are irrelevant and not applicable.
2. Cross section: Any street shall contain a minimum “right-of-way” of fifty (50) feet unless a waiver is granted by the Board. The traveled way of any street shall have a minimum width of thirty (30) feet, unless a waiver is granted by the Board. The Board shall have no authority to reduce the traveled way to less than 24 feet. No dead-end street shall be approved by the Board except that a turnabout of eighty (80) feet diameter by constructed. There shall be no brush, trees or boulders within six (6) feet of the traveled way. Road cross sections shall be designed by a Professional Engineer.
3. Grade and Contour: Slopes shall be finished in a neat manner and where streets are cut or filled the side slope shall not be steeper than one foot vertical to two feet horizontal, unless the permanence of the slope shall be otherwise proven adequate by the owner or developer to the satisfaction of the Board.
4. Drainage: Catch basins and culvert pipe of a minimum diameter of 15” shall be installed at each corner of all intersections and catch basins at a maximum of every three hundred (300) feet on each side of the road, except as may be varied by written permission of the Board. All culvert pipe shall be covered with a minimum of 18 inches of well graded gravel. It shall be assumed that sub-surface drainage is required. The applicant shall prove by exploration that sub-surface drainage is not required if it is to be omitted.
5. Drainage rights: All necessary drainage rights and/or easements for maintaining drainage over or under adjoining lands shall be procured by the developer at no cost to the Town of Plainfield and shall be conveyed to the Town as a part of the deed set forth in B(f).
6. Utilities: All utilities shall be in place before final grading and compacting of streets.
7. Adequate guard rails shall be located at required points along the road.
8. The road bed shall be paved with a minimum of one and one-half inch bituminous concrete binder course and a minimum of one and one-half inch bituminous concrete wearing course to be installed in accordance with Connecticut Department of Transportation specifications currently in effect for application of said material. While the above is a minimum, the applicant shall employ an engineer to design the road taking into account traffic and the geotechnical conditions present. Bituminous concrete curbs shall be machine laid along both sides of the road bed except when the majority of the Selectmen determine in writing that such curbs would not be necessary. Portland Cement Concrete Curbs shall be installed at the intersection of all roads.
9. Gravel: Gravel shall be uniformly applied in 6” layers to a compacted depth of twelve (12) inches minimum of all normal areas and in wetland to a compacted depth of twenty-four (24)

inches minimum. All gravel shall be well graded.

10. All materials and methods used in the construction of any street shall be in accordance with State of Connecticut, Department of Transportation Standard Specifications for Roads, Bridges and Incidental Construction.
11. The owner or developer shall install four-way street name signs at all newly created intersections, and all other traffic control devices as required by the “Manual on Uniform Traffic Control Devices.”
12. Inspections: Inspections for approval shall be made by the Town Engineer during construction.

SECTION D: Maintenance Bond: The owner or developer shall furnish the Town with a maintenance bond which guarantees for a period of two (2) years to correct defective workmanship or materials used in the construction of the street. Such bond may be either cash or corporate surety and shall be in the amount of five percent of the total project cost or replacement cost and shall be released by the Town after the two year period and upon correction to the satisfaction of the Town Engineer of any defect appearing within the said period. Certification by the Town Engineer per Section B(c)1 does not relieve the above parties of providing a maintenance bond or from correcting defective materials and workmanship.

This amendment shall become effective fifteen days after publication in accordance with the Connecticut General Statutes.

Selectmen:

Paul E. Sweet

Michael A. Saad

Joseph Taverna

Town Clerk:

Patricia Carroll

Repeals Ordinances 20, 33 and 37

ORDINANCE 102.

AN ORDINANCE
REGULATING THE CONSTRUCTION OF DRIVEWAY APPROACHES
TO TOWN ROADS WITHIN THE TOWN OF PLAINFIELD

May 10, 1993

SECTION 1. No person, firm or corporation shall hereafter construct, build, establish or maintain any driveway approach to any portion of a town road without first having obtained a written permit to do so from the Town Engineer. No such permit shall be issued for construction or establishment of any such driveway approach except in accordance with the provisions herein contained. Application for permit must be made in writing on forms furnished by the Town of Plainfield. Said application shall contain the name and address of the person, firm or corporation having title to the premises over which the driveway approach is to be constructed or reconstructed, the name of the contractor or person who is to construct said driveway and the proposed location, specifications and dimensions of such driveway.

SECTION 2. The construction and reconstruction (except routine maintenance) shall conform to the following technical specifications:

- A. Driveway approaches shall be so constructed that they match the grade and the gutter line of the road.
- B. Minimum dimensions are 10 feet wide, 12 feet long and 2" thick (except in the case of Portland Cement Concrete driveways when the thickness shall be 4" minimum). In addition all driveways shall have two 5 feet minimum radius curves at the road.
- C. Driveways shall be located to obtain adequate sight distances.
- D. Driveway construction shall not cause drainage and icing problems on town roads, on the driveways and on adjacent properties. Roof leader(s) shall not discharge directly onto the driveway where the driveway slopes towards the road.

SECTION 3. The Town Engineer shall from time to time inspect the construction or reconstruction of such driveway approach and shall have authority to revoke the permit in the event that said construction or reconstruction does not conform to the requirements of Section 2.

SECTION 4. There shall be a fee for issuing the permit. Such fee shall be set and revised by the Board of Selectmen from time to time.

SECTION 5. All persons performing work on driveway approaches shall provide the Town with a \$2,000. surety bond for each driveway. A \$5,000. bond, however, shall suffice for multiple driveway construction.

SECTION 6. Any violation of this ordinance shall be punishable by a fine of not more than \$100.00 for failure to comply with the provisions hereof.

This ordinance shall become effective fifteen (15) days after publication in accordance with the Charter of the Town of Plainfield.

Selectmen:

Paul E. Sweet
Michael A. Saad
Joseph Taverna

Town Clerk:
Patricia Carroll

Repeals Ordinances 21 and 88

ORDINANCE 103.

AMENDMENT TO ORDINANCE REGULATING
SEWERAGE FACILITIES

May 10, 1993

Article 12 – Section

2 – List the present wording as “a” and add as 2 “b”:

Should the cost of a hook-up from any Industrial or commercial building to the sanitary sewer exceed the sum of \$10,000, the Water Pollution Control Authority may enter into an agreement with the owner to amortize the cost of the hook-up over a period not to exceed ten (10) years at an annual percentage rate of 5% with an annual principal payment of not less than \$1,200.

This ordinance shall become effective fifteen (15) days after publication in accordance with the Charter of the Town of Plainfield.

Selectmen:

Paul E. Sweet

Michael A. Saad

Joseph Taverna

Town Clerk:

Patricia Carroll

Amends Ordinance 91

See also:

Ordinance 95

ORDINANCE 104.

ORDINANCE PERTAINING TO THE INSTALLATION, OPERATION, MAINTENANCE AND MONITORING OF UNDERGROUND STORAGE FACILITIES

February 28, 1995

Section 1. Authority, Title and Purpose

1.1 The purpose of these regulations is to minimize and/or prevent contamination of the surface and ground water resources of the Town resulting from a failure of underground storage facilities or underground transmission lines of above ground storage facilities which store hazardous materials, oil or petroleum liquids. This Regulation establishes standards and criteria for the installation, operation, maintenance and monitoring of such facilities not otherwise regulated by the State of Connecticut. (State)

1.2 These regulations shall not affect storage facilities which are entirely above ground, or free standing tanks in below grade portions of buildings nor alter the existing controls exercised by the State of Connecticut, its agencies or the Town of Plainfield through the Fire Marshal's Office or Building Official.

Section 2. Application of Regulations

2.1 The provisions of this regulation shall apply to all facilities in the Town which are not regulated pursuant to Section 22a-449(d)-1 of the regulations of Connecticut State Agencies. This includes, but is not limited to, underground facilities for the storage of fuel oil, waste oil, gasoline, hazardous materials, and petroleum liquids with a total nominal capacity of less than 2,100 gallons as well as the underground transmission lines of above ground storage facilities.

Section 3. Definitions

“Abandoned” shall mean an underground storage tank out of service for a continuous period in excess of six months for which a temporary closure permit has not been granted.

“Aquifer Protection District” includes the primary and secondary recharge areas of designated aquifers which are capable of yielding usable amounts of water for present and potential public supplies. Such district is shown on a map titled “Town of Plainfield, Aquifer Protection District” on file in the Office of the Town Clerk.

“Discharge” means the emission of any water, substance or material into the waters or soils of the Town whether or not such substance causes pollution.

“Double Walled Tank” a UL listed container with two complete shells with both primary and secondary protection. It shall have continuous 360' interstitial space between the primary and secondary shell. An approved interstitial monitor shall continuously monitor this space.

“Engineer” is a Connecticut licensed professional engineer.

“Existing Facility” means a facility for which construction began prior to the effective date of these

regulations.

“Facility” means a system of interconnected pipes, tanks, pumps, vaults, fixed containers and appurtenant structures including any monitoring devices, either singly or in any combination, which are used or designed for use in the storage, transmission or dispensing of oil, petroleum or liquid hazardous materials.

“Failure” means a condition failing to meet State criteria for a precision tightness test or which allows the uncontrolled passage of a liquid into or out of a facility including but not limited to a discharge into the waters of the Town.

“Failure Determination” means the evaluation of a facility component in accordance with Section 10 or Section 11 of these Regulations to determine if a failure has occurred.

“Groundwater” is the water present in the zone of saturation, and is considered a water of the Town

“Hazardous Materials” means those substances listed as such by the EPA in all forms.

“High Groundwater” means seasonal high water table within 36” of the ground surface.

“Life Expectancy Determination” means the evacuation of a facility component in accordance with Section 10 of these Regulations.

“Liquid” means any liquid product including but not limited to oil, petroleum, or hazardous materials.

“New Facility” means a facility for which construction or installation began on or after the effective date of these Regulations, including but not limited to facilities which replace or modify existing facilities and facilities that are moved from one location to another.

“NFPA 30” means the National Fire Protection Association publication number 30 titled “Flammable and Combustible Liquid Code” as enforced by the Local Fire Marshals Office.

“Nonresidential Facility” means a facility which serves any commercial, industrial, institutional, public or other building or use including but not limited to hotels, motels, boarding houses, hospitals, nursing homes and correctional institutions but excludes private residential buildings. This refers only to nonresidential underground facilities that are not regulated pursuant to Section 22a-449(d)-1 of the Regulations of Connecticut State Agencies.

“Monitoring System” means a full time approved system installed for the purpose of early detection of leaks such as observation wells, visual and/or audible alarms or their equivalent.

“Observation Well” means a dug or drilled cased well that can be used for detecting the presence of flammable or combustible liquids which is drilled to a depth intercepting the water table and is installed and monitored in an approved manner.

“Oil or Petroleum Liquid or Product” means oil or petroleum distillate of any kind in a liquid form but not limited to waste oils and distillation products such as fuel oil, kerosene, naphtha, gasoline and benzene.

“Operator and/or Owner” shall mean a person who is ultimately responsible for maintaining the facility in conformance with the applicable statutes and regulations and all required permits.

“Owner” is the person, persons or government having legal ownership of a storage facility.

“Out of Service” means not in use in that no filling or withdrawal of product takes place.

“Product Line Leak Detector” means a device designed to detect product or pressure loss in a pressurized product line from a remote pumping station.

“P.S.I.” means pounds per square inch.

“Qualified Person” means a representative certified by the manufacturer of a product being installed or tested to fulfill the activities he/she is doing.

“Remote Pumping System” means a pressurized product line system in which flammable or combustible liquids are supplied to a point away from the tank by means of a pumping unit.

“Replacement or Substantial Modification” means the construction of any additions to an existing storage facility, or any restoration, refurbishment, or renovation which significantly impairs or affects the physical integrity of the storage facility or its monitoring system.

“Residential Building” means any house, apartment, trailer, mobile home or other structure occupied by an individual as a dwelling unit.

“Secondary Containment” means techniques that may include impervious liners, double-walled tanks, or equivalent methods approved by the Fire Marshals Office.

“Storage Facility” is one or more tanks at a particular site together with all components thereof, used or designed to be used for the storage of any product within the scope of this regulation.

“Tank” shall mean any structure either above ground or below ground used or designed to be used for the storage of any liquid or product within the scope of this regulation.

“Transmission Lines” means the piping and/or tubing either above or below ground that lead to or from an underground storage facility for the purpose of supplying fuel or product to a user or device.

“UL Listed” means included in a current list or report of approved equipment or materials or methods published by the Underwriters Laboratories, Inc.

“Underground Storage” means that when referring to a facility or facility component that 5% or more of the volumetric capacity of the facility or component is below the surface of the ground and that portion which is below the surface of the ground is not visible for inspection.

Section 4. Prohibitions

4.1 New underground storage facilities are hereby prohibited in areas of high groundwater, within 100 feet of a wetland or watercourse, and in areas defined as lying within the Aquifer Protection District.

4.2 (a) No owner or operator shall be permitted to install an underground storage facility or bury transmission lines without obtaining permits from the Building Official, Fire Marshal and Planning & Engineering Department.

4.2 (b) At the time of permit application the owner and/or operator shall provide the following information to the Building Official and Fire Marshal's Office:

- A. Any licenses or manufacturers certificates documenting their ability to do tank installation.
- B. The facility location, tank capacities and proposed contents.
- C. The type and proposed use of the facility as well as details of all monitoring systems to be used.
- D. The manufacturers stated life expectancy of the tanks being installed, materials used in construction and details of the warranty.
- E. Installation procedures to be followed.
- F. Zoning permit approving the proposed site.

No installation work can be done prior to obtaining the required permit.

4.3 No owner or operator shall be permitted to repair an underground tank or transmission line without notifying the Fire Marshal within 24 hours.

4.4 The burial of transmission lines from an above ground facility is not permitted without the protection of a safety shield or sleeve equipped with a continuous leakage monitoring device.

4.5 No underground storage facility shall be relocated from one location to another without prior written approval from the Fire Marshal, Building Official and the Planning & Engineering Department.

4.6 Used underground storage facilities shall not be permitted to be reused in any manner within the Town of Plainfield after their removal unless documentation certifying the facilities integrity is provided.

4.7 Used underground storage facilities or tanks shall not be transported over the roads of Plainfield unless they have been cleaned on site or the contents rendered inert in accordance with the provisions of NFPA 30.

4.8 "As built" plans of the facility shall be submitted by the facility owner to all approving authorities.

Section 5. Installation and Registration Reporting

5.1 As of the effective date of these Regulations, the owner and/or operator of any existing underground storage facility hereby regulated shall register such facility with the Fire Marshal's Office. This registration shall take place in writing within six (6) months of the effective date of these regulations. This notification shall include, but is not limited to, location of facility, type and quantity of product stored, age of facility, size of tanks, manufacturer and installer of tanks, current owner and operator as well as other required information for a new tank installation.

5.2 The Building Official shall maintain a list of all tanks installed subsequent to this ordinance.

Section 6. Design, Construction, Installation and Maintenance

6.1 All new facilities and any new components of an existing facility shall conform to the following standards.

- A. Each new underground tank shall be either, (1) a UL Listed double wall fiberglass reinforced plastic tank equipped with overfill protection and contact plates under all fill and gauge openings and is chemically compatible with the proposed contents as stated by the manufacturers warranty, (2) OR it must be a UL Listed steel tank externally coated with a factory installed resistant coating approved by the manufacturer for the proposed purpose and equipped with cathodic protection, overfill containment, leak monitoring devices, with contact plates under all fill and gauge openings. All underground piping shall be double walled. Leakage monitoring shall be installed in tank and line interstitial spaces.
- B. The tanks to be installed shall meet all manufacturers specifications and shall not be altered at the site without written approval of the manufacturer prior to the work being done.
- C. The tank must be designed for the specific purpose of underground installation.
- D. Tanks to be installed for the storage of gasoline, diesel fuel or hazardous materials shall be double walled tanks with leak detection systems installed in the interstitial space between the double walls.

6.2 All tanks shall be pressure tested prior to installation in the excavation as well as after installation and back filling in accordance with the manufacturers requirements.

6.3 All permit application drawings and specifications shall be prepared and stamped by a Professional Engineer.

6.4 All underground facility components shall be designed, constructed, and installed so as to allow a failure determination test of all underground storage tanks and transmission lines without substantial excavation.

6.5 All cathodic protection systems that protect underground tank components shall be tested annually in accordance with methods and standards approved by Connecticut State DEP and the local Fire Marshal's Office. This annual record of voltage output shall be maintained by the owner and/or operator. If any cathodic protection system malfunctions or fails to meet the requirements set by the Fire Marshal's Office it shall be repaired within ten (10) days. It is the responsibility of the owner and/or operator to correct any malfunction of the cathodic protection system and to report it in writing to the local Fire Marshal's Office within ten (10) days.

6.6 No facility installed after the effective date of this ordinance shall remain in service any longer than three (3) years beyond its manufacturers stated life expectancy, unless that facility has been tested annually for any leaks or failure to the accepted standards of State of Connecticut DEP and the local Fire Marshal's Office on an annual basis. If these required tests either fail or are not done, the facility shall be taken out of service and removed from the ground in compliance with the procedures set forth in NFPA 30.

6.7 The installation of any components and the maintenance of all underground components of a new or existing facility shall comply with the standards and procedures set forth in NFPA 30 as well as any local requirements stated by the local Fire Marshal's Office.

6.8 If a manufacturers specifications or recommendations are inconsistent with any section of these

Regulations, the more stringent section shall prevail.

6.9 Within 30 days of the completion of the installation of a new facility, the owner and/or operator shall submit to the Building Official and the local Fire Marshal's Office a statement signed by the installer that the installation has been carried out in accordance with this ordinance.

Section 7. Transfer of Ownership

7.1 In the event that an owner and/or operator transfers the ownership of an underground facility he shall make a full written disclosure to the new owner of the status of the facility in relation to these regulations. This disclosure shall take place at least ten (10) days prior to the transfer of ownership. The owner shall also notify the Building Official and Fire Marshal's Office of the facility ownership transfer as well as all water companies in Town.

Section 8. Records

8.1 The owner of a new existing facility shall assure the maintenance of up to date records of installation activities, modification, removal or replacement of any other information required by the Building Official and/or Fire Marshal.

8.2 All records of work completed must be signed, copied and submitted to the Fire Marshal's Office within 30 days of the works completion.

8.3 All records required by Section 8 shall be maintained on the site for inspection for the life of the facility.

Section 9. Life Expectancy

9.1 Life Expectancy is defined as follows:

- A. For a fiberglass reinforced plastic facility and components the period of the manufacturers corrosion warranty.
- B. For a cathodically protected facility components that meet the requirements of these Regulations, the period of the manufacturers corrosion warranty or the life expectancy of the existing or replacement anodes as calculated using standard formulas approved by the State.
- C. For existing facility components that are not in compliance with these regulations, ten (10) years from the date of installation. If the date of installation cannot be documented, the owner shall show cause why the facility shall not be immediately removed by producing evidence such as Engineering reports documenting the integrity of the facility. Such facilities shall be closed within Five (5) years in accordance with Section 12.

Section 10. Life Expectancy Testing

10.1 The testing to determine if a UST not in compliance with these regulations may remain in place shall be completed within 12 months prior to the end of the documented life expectancy. These existing tank facilities shall undergo testing by an approved means in compliance with NFPA 329. If this test shows that the facility has not failed it shall have its life expectancy extended by one year. It shall be tested on an annual basis thereafter until it is removed. If this test shows that the facility has leaked or otherwise failed it shall be emptied of product within 24 hours and plans shall be submitted for its

repair or removal from the ground within two weeks or as directed by DEP.

10.2 Life expectancy testing for new facility components shall be done 12 months prior to the end of its documented life expectancy. At this time the facility components shall undergo testing by an approved means in compliance with NFPA 329. If the facility is found to have no leaks or deficiencies it shall have its life expectancy extended by one year. It shall be tested annually thereafter until it is removed. If this test shows that the facility has leaked or otherwise failed it shall immediately be emptied of all product within 24 hours, and a plan submitted for its repair or removal from the ground within two weeks or as directed by DEP.

10.3 Written verification of these tests completion shall be submitted to the Fire Marshal's Office and the Building Official within 15 days of the test being done. Failing test results shall be reported to the above authorities by telephone within 24 hours of the test being done.

10.4 No facility, either new or existing, shall have its life expectancy extended by any more than five (5) one year periods.

Section 11. Facility Failures

11.1 Any owner and/or operator who becomes aware or suspects that a leak, spill or failure has occurred at his facility shall immediately notify the Fire Marshal's Office, the Building Official and State DEP as required by Section 22a-450 of the Connecticut General Statutes. This includes any leaking transmission lines, tanks or other components. This information shall include the known or presumed cause for the leak or spill, the known or estimated amount of the leak, the type or name of the product leaked or spilled, and the estimated length of time that the leak or spill was occurring.

11.2 The operator and/or owner shall within 24 hours empty the facility or component in question and take it out of service. The facility shall remain empty and out of service until the defective components are replaced or repaired or removed.

11.3 The owner and/or operator shall arrange testing to be done of any component of the facility that is suspected of failing. Such testing shall be conducted in an approved manner by a company certified to perform this type of work. The results of the test will be provided to the Town and State DEP within 24 hours of its completion.

11.4 All plans to remove or repair the failed facility shall be submitted within two weeks or as directed by DEP.

11.5 The owner or operator of a new or existing facility which discharges, leaks or spills any oil or petroleum product into the environment shall, as part of the repair process, reclaim, recover and properly dispose of the released product and any other substance contaminated by it.

Section 12. Facility Closures

12.1 An owner and operator who wishes to permanently close or temporarily cease operating a UST shall do so only with written approval in advance from the Fire Marshal's Office, Building Official, and State DEP.

12.2 Except for special circumstances approved by the Fire Marshal, Building Official and DEP no

facility taken out of service on a permanent basis shall be abandoned in place but rather shall be removed from the ground. This includes all components of the facility including but not limited to transmission lines, tanks or underground pumps. Facilities closed but not removed from the ground shall be tested for leaks and if free from leaks, shall be cleaned and filled with an inert material.

12.3 The plan for the removal of the components shall be submitted to the Fire Marshal's Office, Building Official and State DEP prior to the date the work is planned to commence. All work shall comply with State DEP regulations, this document, as well as NFPA 30.

12.4 All work being done shall be supervised by a representative of the Fire Marshal's Office, Building Official, or State DEP. This person shall have the authority to order all work stopped in the event that a leak or other contamination is found during the removal process. If contamination is found the procedures outlined in Section 11, as applicable, shall be followed.

12.5 All work done in the removal process shall be done by an approved company licensed or certified to do such work in the State of Connecticut.

12.6 Within 30 days of the completion of the removal work a certification by the company doing the work shall be submitted indicating the scope of work done, problems encountered, and the condition of the site.

12.7 No components, once removed from the ground, shall be reused for petroleum or Hazardous Material liquid storage. The removing company shall present a document to the Fire Marshal's office as part of the closure statement indicating the manner and location of the disposal of the components removed.

Section 13. Penalties for Violations

13.1 Any owner or operator found in violation of any part of these Regulations shall be fined \$100. per day until the violation is corrected. If the violation is found to be the result of an intentional act intended to deceive or mislead the Town or its agents the fine shall be increased to \$1,000. per day.

Section 14. Separability Clause

14.1 Should any section, paragraph, sentence, clause or phrase of this Regulation be declared unconstitutional or invalid for any reason, the remainder of the document shall not be affected thereby.

Selectmen:

Paul E. Sweet

Michael A. Saad

Raymond E. Fournier

Town Clerk:

Helen Francis Coombs

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ORDINANCE 105.

AN ORDINANCE CONCERNING THE FIXING OF ASSESSMENTS ON
REAL PROPERTY LOCATED IN THE ENTERPRISE CORRIDOR ZONE

August 11, 1997

SECTION 1: Pursuant to the provisions of Section 32-71 of the Connecticut General Statutes, the Town of Plainfield shall defer any increase in real estate assessments attributable to improvements to real property located within that area designated as an enterprise corridor zone, pursuant to Section 32-70 of the Connecticut General Statutes, according to the following schedule:

<u>Year of Improvement</u>	<u>Assessment Increase Deferred</u>
First	100%
Second	100%
Third	50%
Fourth	40%
Fifth	30%
Sixth	20%
Seventh	10%
Eighth	0%

SECTION 2: Any fixed assessment on any residential property shall cease if:

- a. any dwelling unit in such property is rented to any person whose income exceeds two hundred percent of the median family income in Plainfield; or
- b. any unit is sold to any person whose income exceeds two hundred percent of the median family income in Plainfield

SECTION 3: In the event of a general revaluation by Plainfield in the year in which such improvement is completed, only that portion of the increase resulting from such improvement shall be deferred. In the event of a general revaluation in any year after the year in which such improvement is completed, such "deferred" assessment shall be adjusted accordingly.

SECTION 4: No improvement of any real property which qualifies as a manufacturing facility under Section 32-9p(d) of the Connecticut General Statutes shall be eligible for any fixed assessment pursuant to this ordinance. Dated at Plainfield, Connecticut, this 20th day of August, 1997.

Selectmen:

Paul E. Sweet

Albert E. Brunson

Thomas Burek

Town Clerk:

Helen Francis Coombs

Amended by Ordinance 106

ORDINANCE 106.

AN ORDINANCE CONCERNING THE FIXING OF ASSESSMENTS ON
REAL PROPERTY LOCATED IN THE ENTERPRISE CORRIDOR ZONE

March 9, 1998

SECTION 1: Pursuant to the provisions of Section 32-71 of the Connecticut General Statutes, the Town of Plainfield shall defer any increase in real estate assessments attributable to improvements to real property located within that area designated as an enterprise corridor zone, pursuant to Section 32-70 of the Connecticut General Statutes, according to the following schedule:

<u>Year of Improvement</u>	<u>Assessment Increase Deferred</u>
First	100%
Second	100%
Third	50%
Fourth	40%
Fifth	30%
Sixth	20%
Seventh	10%
Eighth	0%

SECTION 2: Any fixed assessment on any residential property shall cease if:

- a. any dwelling unit in such property is rented to any person whose income exceeds two hundred percent of the median family income in Plainfield; or
- b. any unit is sold to any person whose income exceeds two hundred percent of the median family income in Plainfield

SECTION 3: In the event of a general revaluation by Plainfield in the year in which such improvement is completed, only that portion of the increase resulting from such improvement shall be deferred. In the event of a general revaluation in any year after the year in which such improvement is completed, such "deferred" assessment shall be adjusted accordingly.

SECTION 4: No improvement of any real property which qualifies as a manufacturing facility under Section 32-9p(d) of the Connecticut General Statutes shall be eligible for any fixed assessment pursuant to this ordinance. Dated at Plainfield, Connecticut, this 20th day of August, 1997.

SECTION 5: "The Board of Selectmen shall issue rules and regulations for any tax deferrals as it deems necessary for any property located in the Enterprise Corridor Zone."

Dated at Plainfield, Connecticut this 17th day of March, 1998.

Selectmen:
Paul E. Sweet

Albert E. Brunsdon
Gary A. Stalaboin

Town Clerk:
Helen Francis Coombs

Amends Ordinance 105
Amended by Ordinance 124

ORDINANCE 107.

AN ORDINANCE CONCERNING ADULT-ORIENTED BUSINESS

October 20, 1998

Section 1 Short title

This chapter shall be known as the “Adult-Oriented Business Ordinance for the Town of Plainfield, Connecticut.”

Section 2 Policy Statement

The Town of Plainfield, Connecticut finds:

1. Statistics and studies performed by a substantial number of cities and towns in the United States indicate that:
 - a. Large numbers of persons, primarily male, frequent such “adult-orientated establishments,” especially those which provide closed booths, cubicles, studios and rooms for the private viewing of so-called “adult” motion pictures and/or video tapes and/or live entertainment; and
 - b. Such closed booths, cubicles, studios or rooms have been used by patrons, clients or of such “adult-orientated establishments” for the purposes of engaging in certain sexual acts; and
 - c. Male and female prostitutes have been known to frequent such establishments in order to provide sex for hire to the patrons, clients or customers of such establishments within such booths, cubicles, studios and rooms; and
 - d. Doors, curtains, blinds and/or other closures installed in or on the entrances and/or exits of such booths, cubicles, studios and rooms which are closed while such booths, cubicles, studios and rooms are in use encourage patrons using such booths, cubicles, studios and rooms to engage in sexual acts therein with prostitutes and/or with other members of the same sex, thereby promoting or encouraging prostitution and the commission of sexual acts which cause blood, semen and urine to be deposited on the floors and/or walls of such booths, cubicles, studios and rooms, which deposits could prove detrimental to the health and safety of other persons who may come into contact with such deposits; and
 - e. The reasonable regulation and supervision of such “adult-orientated establishments” tends to discourage such sexual acts and prostitution, and thereby promotes the health, safety and welfare of the patrons, clients and customers of such establishments.
2. Unregulated operation of “adult-orientated establishments” would be detrimental to the general welfare, health and safety of the citizens of Plainfield, Connecticut.
3. The constitution and laws of the State of Connecticut grant to the town powers, especially police power, to enact reasonable legislation and measures to regulate and supervise “adult-orientated establishments” as hereinafter defined in order to protect the public health, safety and welfare.
4. It is not the intent of the Board of Selectmen, enacting this chapter, to deny to any person rights to speech protected by the United States and/or state constitutions, nor is it the intent of the board to impose nay additional limitations or restrictions on the contents of any

communicative materials, including sexually-orientated films, video-tapes, books and/or other materials. Further, by enacting this chapter, the board does not intend to deny or restrict the rights of any adult to obtain and/or view any sexually-orientated materials protected by the United States and/or state constitutions, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of such sexually-orientated materials may have to sell, distribute or exhibit such materials.

Section 3 Definitions

For the purpose of this section, the words and phrases used herein shall have the following meanings, unless otherwise clearly indicated by the context:

Adult amusement machine – includes any amusement machine that is regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined below, for observation by patrons therein.

Adult book store – an establishment having a substantial or significant portion of its stock in trade, books, magazines, periodicals, video-cassettes, films for sale or viewing on premises by uses of motion picture devices or any coin-operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical area”, or an establishment with a segment or section devoted to the sale or display of such material.

Adult entertainment – means any exhibition of any adult-orientated motion pictures, live performance, display or dance of any type, which has a significant or substantial portion of such performance any actual or simulated performance of “specified sexual activities” or exhibition and viewing of “specified anatomical areas,” removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal services offered customers.

Adult motion picture theater – An enclosed building with a capacity of 50 or more persons used regularly and routinely for material having a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical area”, for observation by patrons therein.

Adult mini-motion picture theater – An enclosed building with a capacity for less than 50 persons used regularly and routinely for material having a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical area”, for observation by patrons therein.

Adult-orientated establishment – shall include, without limitation, “adult bookstores”, “adult motion picture theaters”, “adult mini-motion picture theaters”, and further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purposes of viewing adult orientated motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct, or indirect. An “adult-orientated establishment” further includes, without limitation, any “adult entertainment studio” or any premises that are physically arranged and used as such,

whether advertised or represented as an adult entertainment studio, rap studio, modeling studio or any other term of like import.

Amusement machine – includes any machine which upon the payment charge or upon the insertion of a coin, slug, token, plate or disk, may be operated by the public for use as a game, entertainment or amusement, whether or not registering a score and whether or not electronically operated, and shall include but not limited to such devices as pinball machines, skillball, mechanical grab machines and any and all air propelled machines or games, pool tables, shooting games, and any and all video games and all other games similar thereto under whatever name they be indicated, including video monitoring machines. This definition shall not apply to those items generally described as jukeboxes or billiard tables or pool tables in billiard or pool parlors solely designated as such and permitted under the zoning regulations.

Board – means the Board of Selectmen of the Town of Plainfield, Connecticut.

Current – information that is two months old or less from the present date.

Employee – means any and all persons, including independent contractors, who work in or at or render services directly related to the operation of an adult-orientated establishment.

Entertainer – means any person who provides entertainment within an adult-orientated establishment as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or an independent contractor.

Inspector – means an employee of the Northeast District Department of Health authorized and designated by the director of health, or the zoning enforcement officer, or an employee of the Plainfield Building Department or a member of the Plainfield Police Department, or the Plainfield Fire Marshal, or an agent of any or all such persons who is designated by the board to inspect premises regulated under this chapter in case of violations being found on such premises, and to require corrections of unsatisfactory conditions found on said premises.

Minor – shall be deemed to refer to a person under the age of eighteen (18) years old.

Operator – means any person, partnership or corporation operating, conducting or maintaining an adult-orientated establishment.

Sexual activities – as used in this article, is not intended to include any medical publications or films or bona fide educational publications or films, nor does it include any art or photography publications which devote at least twenty-five (25) percent of the lineage of each issue to articles and advertisements dealing with subjects of art or photography. Nor does this definition apply to any news periodical which reports or describes current events and which, from time to time, publishes photographs of nude or semi-nude persons in connection with the dissemination of the news. Nor does this definition apply to publications of films which describe and report different cultures and which, from time to time, publish or show photographs or depictions of nude or semi-nude persons when describing cultures in which nudity or semi-nudity is indigenous to the population.

“Specified anatomical areas” is defined as:

- a. Less than completely and opaquely covered:
 - 1. human genitals, pubic region;
 - 2. buttock; and
 - 3. male or female breast below a point immediately above the top of the areola.
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

“Specified sexual activities” is defined as:

- a. Human genitals in a state of sexual stimulation arousal;
- b. Acts of human masturbation, sexual intercourse or sodomy;
- c. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast;
- d. Use of organic or non-organic materials for sexual stimulation arousal.

Section 4 Operating requirements

- a. No operator or employee of an adult-orientated establishment shall allow or permit any minor to loiter in any part of such establishment, including parking lots immediately adjacent to such establishment used by patrons of such adult-orientated establishment.
- b. Every adult-orientated establishment doing business in the town, fifteen (15) days after publication of notice, shall be well lighted at all times and be physically arranged in such a manner that the entire portion of the booths, cubicles, rooms or stalls, wherein adult entertainment is provided, shall be clearly visible from the common areas of the premises. Visibility into such booths, cubicles, rooms or stalls shall not be blocked or obscured by doors, curtains, partitions, drapes, or any other obstruction whatsoever. It shall be unlawful to install enclosed booths, cubicles, rooms or stalls within adult-orientated establishments for whatever purpose, but especially for the purpose of providing for the secluded viewing of adult-orientated motion pictures, or other types of adult-orientated entertainment.
- c. Any establishment serving alcohol: All employees and patrons shall be twenty-one (21) years of age, or older, with proper photo ID.
- d. Establishments not serving alcohol: All employees and patrons shall be eighteen (18) years of age or older, with proper photo ID.
- e. Meagan's Law Requirements:
 - 1. The operator of the establishment shall be responsible to maintain a current list of sexual offenders from both the Plainfield Police Department and the Connecticut Department of Public Safety. This list shall include both the sexual offenders of the Town of Plainfield and the State of Connecticut. Failure to maintain a current list will result in a \$100.00 fine. Any fines shall be issued by an inspector and collectible by the Town Clerk's Office of the Town of Plainfield. All fines shall be paid in full, within ten (10) business days of issuance. All fines not paid in full, within ten (10) business days shall be doubled.
 - 2. The establishment shall check the list required in Section 4.e.1. with all patrons entering the establishment. Any person on said list shall be prohibited from entering the establishment or from being employed by the establishment. The fine for the operator's failure to comply with this section shall not exceed \$100.00. Any fines shall be issued by an inspector and collectible by the Town Clerk's Office of the of Plainfield. All fines shall be paid within ten (10) business days of issuance. All

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finest not paid in full, within ten (10) business days shall be doubled.

- f. Fifteen (15) days after publication of notice, the operator of each adult-orientated establishment shall be responsible for and shall provide that any room or other area used for the purpose of viewing adult-orientated motion pictures or other types of live adult entertainment shall be well lighted and readily accessible at all times and shall be continuously open to view in its entirety. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place which patrons are permitted access at an illumination not less than one footcandle as measured at the floor level. It shall be the duty of the operator and its agents to ensure that the illumination described above is maintained at all times that any patron is present in the premises.
- g. Every act or omission by an employee constituting a violation of the provisions of this chapter shall be deemed the act or omission of the operator if the operator, or as a result of the operator's negligent failure to supervise the employee's conduct, and the operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.
- h. All adult-orientated establishments shall be open to the Plainfield Police Department, inspectors employed by the town, or such other persons as the board may designate for inspection at all reasonable times.
- i. No adult-orientated establishment shall be permitted on a site that is less than fifteen-hundred (1500) feet from an area zoned residential.
- j. No adult-orientated establishment shall be permitted on a site that is less than one-thousand (1000) feet from an existing adult-orientated establishment/

Section 5 Conduct of establishment

- a. No disturbances, brawls, unnecessary noises, including loud and disturbing music, unlawful conduct or gambling of any kind where provided by the general statutes, and no slot machines or gambling devices which may be used for the purpose of securing money or any other valuable things, shall be permitted or suffered upon any establishment, nor shall such establishment be conducted in such a manner as to constitute nuisance.
- b. The presence of dice or cards with money on tables or bars in any establishment shall be considered as prima facie evidence of gambling.
- c. No establishment or operator shall conduct the establishment in such a manner as to allow an intoxicated person or persons to loiter thereon.
- d. No entertainment shall be performed on any bar. No employee, shall perform specified sexual acts. No operator shall permit any patron or employee to remain in the establishment or on the premises who performs specified sexual activities or shows specified anatomical areas. Employees must perform in one location and entertainers may not mingle with the patrons.

Section 6 Violations

- a. Any person, partnership or corporation who is found to have violated this chapter shall be fined a definite sum not exceeding one-hundred dollars (\$100.00) for each such violation.
- b. Each violation of this chapter shall be considered a separate offense, and any violation continuing more than one hour of time shall be considered a separate offense for each hour of violation.
- c. The fine will be issued by an inspector and collected by the Town Clerk's Office of the Town of Plainfield. All fines must be paid within ten (10) business days of issuance. Any fines not

paid within ten (10) business days shall be doubled.

Section 7 Savings Clause

Should any court of competent jurisdiction declare any section, clause or provision of this chapter to be unconstitutional, such decision shall affect only such section, clause or provision so declared unconstitutional, and shall not affect any other section, clause or provision of this chapter.

Selectmen:

Paul E. Sweet

Albert E. Brunson

Gary A. Stalaboin

Town Clerk:

Helen Francis Coombs

Amended by Ordinance 109

ORDINANCE 108.

ORDINANCE CONCERNING INDECENCY AND NUILITY

November 4, 1998

Section 1 Short Title

This chapter shall be known as the "Indecency and Nudity Ordinance for the Town of Plainfield, Connecticut."

Section 2 Policy Statement

It is not the intent of the Board of Selectmen, enacting this chapter, to deny to any person rights to speech protected by the United States and/or state constitutions, nor is it the intent of the board to impose any additional limitations or restrictions on the contents of any communicative materials, including sexually-orientated films, video-tapes, books and/or other materials. Further, by enacting this chapter, the board does not intend to deny or restrict the rights of any adult to obtain and/or view any sexually-orientated materials protected by the United States and/or state constitutions, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of such sexually-orientated materials may have to sell, distribute or exhibit such materials.

Section 3 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

Erotic Fondling - Touching a person's clothed or unclothed genitals, pubic area or buttocks where such fondling may lead to sexual gratification.

Harmful to minors - That quality of any description or representation in whatever form, of a prohibited sexual act or sexually explicit nudity when it predominantly appeals to the prurient, shameful or morbid interest of minors; when it is patently offensive to the prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and when taken as a whole, it lacks serious literary, artistic, educational, political or scientific value for minors.

Inspector - means an employee of the Northeast District Department of Health authorized and designated by the director of health, or the zoning enforcement officer, or an employee of the Plainfield Building Department or a member of the Plainfield Police Department, or the Plainfield Fire Marshal, or an agent of any or all such persons who is designated by the board to inspect premises regulated under this chapter in case of violations being found on such premises, and to require corrections of unsatisfactory conditions found on said premises.

Masturbation - The real or simulated touching, rubbing, or otherwise stimulating a person's own clothed or unclothed genitals, pubic area, buttocks, or if the person is a female, breast either by manual manipulation or with an artificial instrument.

Material Anything tangible which is capable of being used or adapted to arouse prurient,

shameful or morbid interest, whether through reading, observation, sound or any other manner. Material or a performance is “obscene as to minors” if it depicts a prohibited sexual act or sexually explicit nudity and, taken as a whole, it is harmful to minors.

Minor Any person that is seventeen (17) years old or younger.

Nudity The showing of the human male or female genitals, pubic areas or buttocks with less than a fully opaque covering or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the areola or the depiction of covered male genitals in a discernibly turgid state.

Public place for this chapter is defined as municipal property, town and state roads, places of public gathering, parks, schools, beaches.

Prohibited sexual act Erotic fondling, sexually explicit nude performance, sexual excitement, sadomasochistic abuse, masturbation or sexual intercourse.

Sadomasochistic abuse Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

Sexual excitement The condition of human male or female genitals when in a state of sexual stimulation or arousal.

Sexual intercourse Intercourse, real or simulated, whether genital-genital, oral-genital, anal-genital or oral-anal, whether between person of the same or opposite sex, or between human and an animal, or with an artificial genital.

Sexually explicit nudity showing of the human male or female genitals, pubic areas or buttocks with less than a fully opaque covering or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the areola or the depiction of covered male genitals in discernibly turgid state.

Visibly displayed That the material or performance is visible on a billboard, viewing screen, marquee, newsstand, display case or other similar display area that is visible from any part of the premises where a minor is or may be allowed or permitted or invited, as part of the general public or otherwise, or that is visible from a public street, sidewalk, park, alley, residence, playground, school, or other place to which minors have unrestrained and a reasonably anticipated access and presence.

Section 4 Prohibited Activity

- a. No person having control or supervision of any business or commercial establishment or premises, with knowledge of the content and character of the material involved, shall intentionally or recklessly visibly display, exhibit, or otherwise expose to view, in that part of the premises, or immediately adjacent thereto, where a minor is or may be allowed, permitted or invited, as part of the general public or otherwise, all or any part of any material which contains on its cover, package or wrapping or within the advertisement thereof depictions or photographs of sexually explicit nudity or a prohibited sexual act.

- b. No person shall hire, employ or otherwise place, supervise, control or allow in any business or commercial establishment or other place any minor under circumstances which would cause, lead or allow such minor to engage in the business or activity promoting or otherwise handling material as described in Section 3.
- c. No business or commercial establishment shall allow sexually explicit nudity at any location where such sexually explicit nudity may reasonably be expected to be viewed by members of the public.
- d. Nudity is prohibited in public places under circumstances where nudity is likely to cause affront or alarm.

Section 5 Violations and penalties

- 1. Any person, partnership or corporation who is found to have violated this chapter shall be fined a definite sum not exceeding one-hundred dollars (\$100.00) for each such violation.
- 2. Each violation of this chapter shall be considered a separate offense, and any violation continuing more than one (1) hour of time shall be considered a separate offense for each violation.
- 3. The fine will be issued by an inspector and collected by the Town Clerk's Office of the Town of Plainfield. All fines not paid within ten (10) days shall be doubled.

Section 6 Savings Clause

Should any court of competent jurisdiction declare any section, clause or provision of this chapter to be unconstitutional, such decision shall affect only such section, clause or provision of this chapter.

Selectmen:

Paul E. Sweet

Albert E. Brunsdon

Gary A. Stalaboin

Town Clerk:

Helen Francis Coombs

Amended by Ordinance 110

ORDINANCE 109.

AMENDMENT TO ORDINANCE
CONCERNING ADULT-ORIENTED BUSINESS

November 30, 1998

Section 1 Short title

This chapter shall be known as the “Adult-Oriented Business Ordinance for the Town of Plainfield, Connecticut.”

Section 2 Policy Statement

The Town of Plainfield, Connecticut finds:

1. Statistics and studies performed by a substantial number of cities and towns in the United States indicate that:
 - a. Large numbers of persons, primarily male, frequent such “adult-orientated establishments,” especially those which provide closed booths, cubicles, studios and rooms for the private viewing of so-called “adult” motion pictures and/or video tapes and/or live entertainment; and
 - b. Such closed booths, cubicles, studios or rooms have been used by patrons, clients or of such “adult-orientated establishments” for the purposes of engaging in certain sexual acts; and
 - c. Male and female prostitutes have been known to frequent such establishments in order to provide sex for hire to the patrons, clients or customers of such establishments within such booths, cubicles, studios and rooms; and
 - d. Doors, curtains, blinds and/or other closures installed in or on the entrances and/or exits of such booths, cubicles, studios and rooms which are closed while such booths, cubicles, studios and rooms are in use encourage patrons using such booths, cubicles, studios and rooms to engage in sexual acts therein with prostitutes and/or with other members of the same sex, thereby promoting or encouraging prostitution and the commission of sexual acts which cause blood, semen and urine to be deposited on the floors and/or walls of such booths, cubicles, studios and rooms, which deposits could prove detrimental to the health and safety of other persons who may come into contact with such deposits; and
 - e. The reasonable regulation and supervision of such “adult-orientated establishments” tends to discourage such sexual acts and prostitution, and thereby promotes the health, safety and welfare of the patrons, clients and customers of such establishments.
2. Unregulated operation of “adult-orientated establishments” would be detrimental to the general welfare, health and safety of the citizens of Plainfield, Connecticut.
3. The constitution and laws of the State of Connecticut grant to the town powers, especially police power, to enact reasonable legislation and measures to regulate and supervise “adult-orientated establishments” as hereinafter defined in order to protect the public health, safety and welfare.
4. It is not the intent of the Board of Selectmen, enacting this chapter, to deny to any person rights to speech protected by the United States and/or state constitutions, nor is it the intent

of the board to impose any additional limitations or restrictions on the contents of any communicative materials, including sexually-orientated films, video-tapes, books and/or other materials. Further, by enacting this chapter, the board does not intend to deny or restrict the rights of any adult to obtain and/or view any sexually-orientated materials protected by the United States and/or state constitutions, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of such sexually-orientated materials may have to sell, distribute or exhibit such materials.

Section 3 Definitions

For the purpose of this section, the words and phrases used herein shall have the following meanings, unless otherwise clearly indicated by the context:

Adult amusement machine – includes any amusement machine that is regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined below, for observation by patrons therein.

Adult book store – an establishment having a substantial or significant portion of its stock in trade, books, magazines, periodicals, video-cassettes, films for sale or viewing on premises by uses of motion picture devices or any coin-operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical area”.

Adult entertainment – means any exhibition of any adult-orientated motion pictures, live performance, display or dance of any type, which has a significant or substantial portion of such performance any actual or simulated performance of “specified sexual activities” or exhibition and viewing of “specified anatomical areas,” removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal services offered customers.

Adult motion picture theater – An enclosed building with a capacity of 50 or more persons used regularly and routinely for material having a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical area”, for observation by patrons therein.

Adult mini-motion picture theater – An enclosed building with a capacity for less than 50 persons used regularly and routinely for material having a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical area”, for observation by patrons therein.

Adult-orientated establishment – shall include, without limitation, “adult bookstores”, “adult motion picture theaters”, “adult mini-motion picture theaters”, and further means any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purposes of viewing adult orientated motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct, or indirect. An “adult-orientated establishment” further includes, without limitation, any “adult entertainment studio” or any premises that are physically arranged and used as such,

whether advertised or represented as an adult entertainment studio, rap studio, modeling studio or any other term of like import.

Amusement machine – includes any machine which upon the payment charge or upon the insertion of a coin, slug, token, plate or disk, may be operated by the public for use as a game, entertainment or amusement, whether or not registering a score and whether or not electronically operated, and shall include but not limited to such devices as pinball machines, skillball, mechanical grab machines and any and all air propelled machines or games, pool tables, shooting games, and any and all video games and all other games similar thereto under whatever name they be indicated, including video monitoring machines. This definition shall not apply to those items generally described as jukeboxes or billiard tables or pool tables in billiard or pool parlors solely designated as such and permitted under the zoning regulations.

Board – means the Board of Selectmen of the Town of Plainfield, Connecticut.

Current – information that is two months old or less from the present date.

Employee – means any and all persons, including independent contractors, who work in or at or render services directly related to the operation of an adult-orientated establishment.

Entertainer – means any person who provides entertainment within an adult-orientated establishment as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or an independent contractor.

Inspector – means an employee of the Northeast District Department of Health authorized and designated by the director of health, or the zoning enforcement officer, or an employee of the Plainfield Building Department or a member of the Plainfield Police Department, or the Plainfield Fire Marshal, or an agent of any or all such persons who is designated by the board to inspect premises regulated under this chapter in case of violations being found on such premises, and to require corrections of unsatisfactory conditions found on said premises.

Minor – shall be deemed to refer to a person under the age of eighteen (18) years old.

Operator – means any person, partnership or corporation operating, conducting or maintaining an adult-orientated establishment.

Sexual activities – as used in this article, is not intended to include any medical publications or films or bona fide educational publications or films, nor does it include any art or photography publications which devote at least twenty-five (25) percent of the lineage of each issue to articles and advertisements dealing with subjects of art or photography. Nor does this definition apply to any news periodical which reports or describes current events and which, from time to time, publishes photographs of nude or semi-nude persons in connection with the dissemination of the news. Nor does this definition apply to publications of films which describe and report different cultures and which, from time to time, publish or show photographs or depictions of nude or semi-nude persons when describing cultures in which nudity or semi-nudity is indigenous to the population.

“*Specified anatomical areas*” is defined as:

- a. Less than completely and opaquely covered:
 - 1. human genitals, pubic region;
 - 2. buttock; and
 - 3. male or female breast below a point immediately above the top of the areola.
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

“*Specified sexual activities*” is defined as:

- a. Human genitals in a state of sexual stimulation arousal;
- b. Acts of human masturbation, sexual intercourse or sodomy;
- c. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast;
- d. Use of organic or non-organic materials for sexual stimulation arousal.

Section 4 Operating requirements

- a. No operator or employee of an adult-orientated establishment shall allow or permit any minor to loiter in any part of such establishment, including parking lots immediately adjacent to such establishment used by patrons of such adult-orientated establishment.
- b. Every adult-orientated establishment doing business in the town, fifteen (15) days after publication of notice, shall be well lighted at all times and be physically arranged in such a manner that the entire portion of the booths, cubicles, rooms or stalls, wherein adult entertainment is provided, shall be clearly visible from the common areas of the premises. Visibility into such booths, cubicles, rooms or stalls shall not be blocked or obscured by doors, curtains, partitions, drapes, or any other obstruction whatsoever. It shall be unlawful to install enclosed booths, cubicles, rooms or stalls within adult-orientated establishments for the purpose of providing for the secluded viewing of adult-orientated motion pictures, or other types of adult-orientated entertainment.
- c. Any establishment serving alcohol: All employees and patrons shall be twenty-one (21) years of age, or older, with proper photo ID.
- d. Establishments not serving alcohol: All employees and patrons shall be eighteen (18) years of age or older, with proper photo ID.
- e. Meagan's Law Requirements:
 - 1. The operator of the establishment shall be responsible to maintain a current list of sexual offenders from both the Plainfield Police Department and the Connecticut Department of Public Safety. This list shall include both the sexual offenders of the Town of Plainfield and the State of Connecticut. Failure to maintain a current list will result in a \$100.00 fine. Any fines shall be issued by an inspector and collectible by the Town Clerk's Office of the Town of Plainfield. All fines shall be paid in full, within ten (10) business days of issuance. All fines not paid in full, within ten (10) business days shall be doubled.
 - 2. The establishment shall check the list required in Section 4.e.1. with all patrons entering the establishment. Any person on said list shall be prohibited from entering the establishment or from being employed by the establishment. The fine for the operator's failure to comply with this section shall not exceed \$100.00. Any fines shall be issued by an inspector and collectible by the Town Clerk's Office of the of Plainfield. All fines shall be paid within ten (10) business days of issuance. All

Town

finest not paid in full, within ten (10) business days shall be doubled.

- f. Fifteen (15) days after publication of notice, the operator of each adult-orientated establishment shall be responsible for and shall provide that any room or other area used for the purpose of viewing adult-orientated motion pictures or other types of live adult entertainment shall be well lighted and readily accessible at all times and shall be continuously open to view in its entirety. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place which patrons are permitted access at an illumination not less than one footcandle as measured at the floor level. It shall be the duty of the operator and its agents to ensure that the illumination described above is maintained at all times that any patron is present in the premises.
- g. Every act or omission by an employee constituting a violation of the provisions of this chapter shall be deemed the act or omission of the operator if the operator had knowledge of the act or omission or the operator's failure to have knowledge of the act or omission is a result of the operator's negligent failure to supervise the employee's conduct, and the operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.
- h. All adult-orientated establishments shall be open to the Plainfield Police Department, inspectors employed by the town, or such other persons as the board may designate for inspection at all reasonable times.
- i. No adult-orientated establishment shall be permitted on a site that is less than fifteen-hundred (1500) feet from an area zoned residential.
- j. No adult-orientated establishment shall be permitted on a site that is less than one-thousand (1000) feet from an existing adult-orientated establishment/

Section 5 Conduct of establishment

- a. No disturbances, brawls, unnecessary noises, including loud and disturbing music, unlawful conduct or gambling of any kind where provided by the general statutes, and no slot machines or gambling devices which may be used for the purpose of securing money or any other valuable things, shall be permitted or suffered upon any establishment, nor shall such establishment be conducted in such a manner as to constitute nuisance.
- b. The presence of dice or cards with money on tables or bars in any establishment shall be considered as prima facie evidence of gambling.
- c. No establishment or operator shall conduct the establishment in such a manner as to allow an intoxicated person or persons to loiter thereon.
- d. No entertainment shall be performed on any bar. No employee, shall perform specified sexual acts. No operator shall permit any patron or employee to remain in the establishment or on the premises who performs specified sexual activities or shows specified anatomical areas. Employees must perform in one location and entertainers may not mingle with the patrons.

Section 6 Violations

- a. Any person, partnership or corporation who is found to have violated this chapter shall be fined a definite sum not exceeding one-hundred dollars (\$100.00) for each such violation.
- b. Each violation of this chapter shall be considered a separate offense, and any violation continuing more than one hour of time shall be considered a separate offense for each hour of violation.
- c. The fine will be issued by an inspector and collected by the Town Clerk's Office of the Town of Plainfield. All fines must be paid within ten (10) business days of issuance. Any fines not paid within ten (10) business days shall be doubled.

Section 7 Savings Clause

Should any court of competent jurisdiction declare any section, clause or provision of this chapter to be unconstitutional, such decision shall affect only such section, clause or provision so declared unconstitutional, and shall not affect any other section, clause or provision of this chapter.

Selectmen:

Paul E. Sweet

Albert E. Brunson

Gary A. Stalaboin

Town Clerk:

Helen Francis Coombs

Amends Ordinance 107

ORDINANCE 110.

AMENDMENT TO ORDINANCE CONCERNING INDECENCY AND NUDITY

November 30, 1998

Section 1 Short Title

This chapter shall be known as the “Indecency and Nudity Ordinance for the Town of Plainfield, Connecticut.”

Section 2 Policy Statement

It is not the intent of the Board of Selectmen, enacting this chapter, to deny to any person rights to speech protected by the United States and/or state constitutions, nor is it the intent of the board to impose any additional limitations or restrictions on the contents of any communicative materials, including sexually-orientated films, video-tapes, books and/or other materials. Further, by enacting this chapter, the board does not intend to deny or restrict the rights of any adult to obtain and/or view any sexually-orientated materials protected by the United States and/or state constitutions, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of such sexually-orientated materials may have to sell, distribute or exhibit such materials. By enacting this chapter the Town of Plainfield is aware that sexually explicit nudity can be reasonably expected to be observed by members of the public or nudity in public places which can reasonably be expected to cause affront or alarm to members of the public can be expected to have negative secondary effects which are detrimental to public health, safety and welfare.

Section 3 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

Erotic Fondling - Touching a person's clothed or unclothed genitals, pubic area or buttocks where such fondling may lead to sexual gratification.

Harmful to minors - That quality of any description or representation in whatever form, of a prohibited sexual act or sexually explicit nudity when it predominantly appeals to the prurient, shameful or morbid interest of minors; when it is patently offensive to the prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and when taken as a whole, it lacks serious literary, artistic, educational, political or scientific value for minors.

Inspector - means an employee of the Northeast District Department of Health authorized and designated by the director of health, or the zoning enforcement officer, or an employee of the Plainfield Building Department or a member of the Plainfield Police Department, or the Plainfield Fire Marshal, or an agent of any or all such persons who is designated by the board to inspect premises regulated under this chapter in case of violations being found on such premises, and to require corrections of unsatisfactory conditions found on said premises.

Masturbation - The real or simulated touching, rubbing, or otherwise stimulating a person's own clothed or unclothed genitals, pubic area, buttocks, or if the person is a female, breast either by manual manipulation or with an artificial instrument.

Material Anything tangible which is capable of being used or adapted to arouse prurient, shameful or morbid interest, whether through reading, observation, sound or any other manner. Material or a performance is “obscene as to minors” if it depicts a prohibited sexual act or sexually explicit nudity and, taken as a whole, it is harmful to minors.

Minor Any person that is seventeen (17) years old or younger.

Nudity The showing of the human male or female genitals, pubic areas or buttocks with less than a fully opaque covering or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the areola or the depiction of covered male genitals in a discernibly turgid state.

Public place for this chapter is defined as municipal property, town and state roads, places of public gathering, parks, schools, beaches.

Prohibited sexual act Erotic fondling, sexually explicit nude performance, sexual excitement, sadomasochistic abuse, masturbation or sexual intercourse.

Sadomasochistic abuse Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

Sexual excitement The condition of human male or female genitals when in a state of sexual stimulation or arousal.

Sexual intercourse Intercourse, real or simulated, whether genital-genital, oral-genital, anal-genital or oral-anal, whether between person of the same or opposite sex, or between human and an animal, or with an artificial genital.

Sexually explicit nudity showing of the human male or female genitals, pubic areas or buttocks with less than a fully opaque covering or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the areola or the depiction of covered male genitals in discernibly turgid state.

Visibly displayed That the material or performance is visible on a billboard, viewing screen, marquee, newsstand, display case or other similar display area that is visible from any part of the premises where a minor is or may be allowed or permitted or invited, as part of the general public or otherwise, or that is visible from a public street, sidewalk, park, alley, residence, playground, school, or other place to which minors have unrestrained and a reasonably anticipated access and presence.

Section 4 Prohibited Activity

- a. No person having control or supervision of any business or commercial establishment or premises, with knowledge of the content and character of the material involved, shall

intentionally or recklessly visibly display, exhibit, or otherwise expose to view, in that part of the premises, or immediately adjacent thereto, where a minor is or may be allowed, permitted or invited, as part of the general public or otherwise, all or any part of any material which contains on its cover, package or wrapping or within the advertisement thereof depictions or photographs of sexually explicit nudity or a prohibited sexual act.

- b. No person shall hire, employ or otherwise place, supervise, control or allow in any business or commercial establishment or other place any minor under circumstances which would cause, lead or allow such minor to engage in the business or activity promoting or otherwise handling material as described in Section 3.
- c. No business or commercial establishment shall allow sexually explicit nudity at any location where such sexually explicit nudity may reasonably be expected to be viewed by members of the public.
- d. Nudity is prohibited in public places under circumstances where nudity is likely to cause affront or alarm.

Sexually explicit nudity is prohibited in public places.

Section 5 Violations and penalties

1. Any person, partnership or corporation who is found to have violated this chapter shall be fined a definite sum not exceeding one-hundred dollars (\$100.00) for each such violation.
2. Each violation of this chapter shall be considered a separate offense, and any violation continuing more than one (1) hour of time shall be considered a separate offense for each violation.
3. The fine will be issued by an inspector and collected by the Town Clerk's Office of the Town of Plainfield. All fines not paid within ten (10) days shall be doubled.

Section 6 Savings Clause

Should any court of competent jurisdiction declare any section, clause or provision of this chapter to be unconstitutional, such decision shall affect only such section, clause or provision of this chapter.

Selectmen:

Paul E. Sweet

Albert E. Brunson

Gary A. Stalaboin

Town Clerk:

Helen Francis Coombs

Amends Ordinance 108

ORDINANCE 111.

AN ORDINANCE CONCERNING THE EXEMPTION FROM PERSONAL PROPERTY
TAXATION OF MOTOR VEHICLES SPECIALLY EQUIPPED OR MODIFIED FOR
HANDICAPPED PERSONS

August 31, 2000

SECTION 1. Pursuant to the provisions of Section 12-81c of the Connecticut General Statutes, the Town of Plainfield shall exempt from personal property taxation any motor vehicle which has undergone significant mechanical or structural changes in order to permit an individual with a physical disability to safely drive or ride as a passenger.

SECTION 2. A motor vehicle shall be deemed to have significant changes if the vehicle is registered in the name of a person with a State of Connecticut handicapped parking permit and modifications to accommodate medical equipment such as oxygen or mechanical respirators, or devices added to enable an individual with mobility restrictions to control the accelerator, brake, turn signal, or steering wheel.

SECTION 3. A person desiring exemption under this ordinance shall make application to the Town Assessor on an annual basis not later than thirty days following the October 1st assessment date for the year in which exemption is requested.

SECTION 4. This ordinance shall become effective upon passage and shall be first applicable to the assessment date of October 1, 2000.

Selectmen:

Paul E. Sweet

Albert E. Brunsdon

Thomas Burek

Town Clerk:

Helen Francis Coombs

ORDINANCE 112.

AN ORDINANCE CONCERNING DOG EXCREMENTS

August 31, 2000

SECTION 1: It shall be unlawful for any person to cause or permit a dog under his/her ownership or control to be on any property, public or private, not owned by such person, unless such person shall have in his/her possession a device for the removal of any excrement which might be deposited by such dog. Any person who owns or controls a dog which deposit excrement upon any property, public or private, shall promptly remove such excrement to a proper receptacle located on property owned or possessed by such person. This provision shall not apply to blind or physically handicapped persons while walking their guide dog.

SECTION 2: Any person violating this ordinance shall be fined \$25.00, which amount shall be paid to the Plainfield Town Treasurer within ten days of each offense. Fines not paid in a timely manner shall be doubled.

Selectmen:

Paul E. Sweet

Albert E. Brunsdon

Thomas Burek

Town Clerk:

Helen Francis Coombs

ORDINANCE 113.

AMENDMENT TO ORDINANCE CONCERNING
PARKING ON TOWN HIGHWAYS

November 6, 2000

That the provisions of Section 2 are hereby repealed and the following is substituted in lieu thereof:

Section 2. The Traffic Authority is authorized to set the penalty for each violation of this section, but the minimum penalty shall be at least \$10.00 and the maximum penalty shall not exceed \$30.00.

Selectmen:

Paul E. Sweet

Albert E. Brunson

Thomas Burek

Town Clerk:

Helen Francis Coombs

Amends Ordinance 71

ORDINANCE 114.

AMENDMENT TO ORDINANCE CONCERNING
PARKING ON TOWN STREETS DURING SNOW STORMS

November 6, 2000

That the provisions of Town Ordinance No. 39 are hereby repealed and that the following is substituted in lieu thereof:

Section 1. During any snowstorm at which one inch or more of snow has fallen and until completion of snow plowing operations for said storm, the parking of motor vehicles upon any public street or roadway is prohibited.

Section 2. Any motor vehicle found to be violating this ordinance may be towed at owner's expense and shall be subject to a fine of \$15.00, which amount shall be paid to the Plainfield Police Department within (7) seven days of each offense.

Section 3. Any fine not paid in a timely manner shall be doubled; and, if not paid within a second (7) seven day period, shall be doubled again.

The effective date of the above amendments shall be upon passage.

Selectmen:

Paul E. Sweet

Albert E. Brunson

Thomas Burek

Town Clerk:

Helen Francis Coombs

Repeals Ordinance 39

ORDINANCE 115.

ORDINANCE CONCERNING BID PREFERENCE FOR
TOWN-BASED BUSINESS

April 2, 2002

Section b. On any project cost of which is less than one hundred thousand dollars (\$100,000) and does not involve Federal or State funding, the lowest responsible bidder shall be determined in the following order:

1. Any town-based bidder, which has submitted a bid not more than ten (10) percent higher than the low bid provided such town-based bidder, agrees to accept the award of the bid at the amount of the low bid, If more than one town-based bidder has submitted bids not more than (10) ten percent higher than the low bid, the lowest responsible bidder shall be that one such town-based bidders which submitted the lowest bid.
2. The low bidder.

Section c. On any project the cost of which is one hundred thousand dollars (\$100,000) or more, the provisions of section (b) above shall not apply.

Selectmen:

David C. Allard

George J. Krecidlo

Albert E. Brunsdon

Town Clerk:

Helen Francis Coombs

ORDINANCE 116.

AN ORDINANCE
REGULATING THE CONSTRUCTION OF DRIVEWAY APPROACHES
TO TOWN ROADS WITHIN THE TOWN OF PLAINFIELD

May 10, 1993

SECTION 1. No person, firm or corporation shall hereafter construct, build, establish or maintain any driveway approach to any portion of a town road without first having obtained a written permit to do so from the Town Engineer. No such permit shall be issued for construction or establishment of any such driveway approach except in accordance with the provisions herein contained. Application for permit must be made in writing on forms furnished by the Town of Plainfield. Said application shall contain the name and address of the person, firm or corporation having title to the premises over which the driveway approach is to be constructed or reconstructed, the name of the contractor or person who is to construct said driveway and the proposed location, specifications and dimensions of such driveway.

SECTION 2. The construction and reconstruction (except routine maintenance) shall conform to the following technical specifications:

- A. Driveway approaches shall be so constructed that they match the grade and the gutter line of the road. Driveway slopes shall be no greater than eight percent (8%) vertical, unless a waiver is obtained from the town engineer, the town engineer may, if circumstances demand, allow a waiver of the vertical slope up to a maximum of twelve percent (12%). A landing area equal to one (1) car length – (twenty feet) and no greater than three-percent (3%) slope shall be constructed adjacent to the town road, to facilitate sight distance exiting the driveway.
- B. Minimum dimensions for paved driveway aprons at curbside are ten (10) feet wide, twelve (12) feet long and two (2") thick on a 6" compacted gravel base (except in the case of Portland Cement Concrete driveways where the thickness shall be (4") minimum) on a 6" compacted base. In addition all driveways shall have two (2), five (5) foot radius at the road transition to the driveway. Driveway slopes that exceed plus ten-percent (+10%) shall be paved for the entire distance of such slope or to a minimum of sixty feet (60') whichever is greater. If the town engineer determines that driveway washout will not be a problem he may waive this pavement provision.
- C. Driveways shall be located to obtain adequate sight distances. The clearing of brush, trees and other vegetation to obtain adequate sight line exiting the driveway will be the responsibility of the property owner. A minimum of 200' sightline each direction will be required on roadways of 30 mph posted speed.
- D. Driveway construction shall not cause ponding or other drainage and icing problems on town roads, on the driveways and on adjacent properties. Roof leader(s) shall not discharge directly onto the driveway where the driveway slopes towards the road. A pipe under the driveway lateral to the roadway may be required to allow for free passage of roadway drainage.

SECTION 3. The Town Engineer shall from time to time inspect the construction or reconstruction of such driveway approach and shall have authority to revoke the permit in the event that said construction or reconstruction does not conform to the requirements of Section 2.

SECTION 4. There shall be a fee for issuing the permit. Such fee shall be set and revised by the Board of Selectmen from time to time.

SECTION 5. All persons performing work on driveway approaches shall provide the Town with a \$2,000. surety bond for each driveway or cash bond in the amount of \$400.00 for each driveway. A \$5,000. bond, however, shall suffice for multiple driveway construction.

SECTION 6. Any violation of this ordinance shall be punishable by a fine of not more than \$100.00 for failure to comply with the provisions hereof.

SECTION 7. The Town Engineer, or a person appointed by the Board of Selectmen, shall be responsible for the enforcement of this ordinance. On notification that a nonconforming driveway has been constructed the owner will have 30 days to correct the violation. Failure to correct the violation will result in forfeiture of bond or portion of bond required to correct the violation by town personnel or a town hired contractor. A certificate of occupancy will not be issued until the provisions of the driveway ordinance have been satisfied. Failure to correct an ordinance violation on an existing driveway constructed after adoption of this ordinance will result in a \$100 fine for failure to comply. Each day of violation shall constitute a separate violation of this ordinance. The property owner will receive a notice by mail and a grace period of 45 days to correct the violation before any fine would be imposed.

SECTION 8. Should any court of competent jurisdiction declare any section, clause or provision of this ordinance to be invalid, such decision shall affect only such section, clause or provision so declared unconstitutional and shall not affect any other section, clause or provision of this ordinance.

This ordinance shall become effective on passage.

Selectmen:

David C. Allard

George J. Krecidlo

Albert E. Brunsdon

Town Clerk:

Helen Francis Coombs

Repeals Ordinance 102

See also:

Ordinances 21 and 88

ORDINANCE 117.

AN ORDINANCE CONCERNING BUILDING PERMITS

May 30, 2002

The following ordinances are repealed and replaced with the following language:

Ordinance #6; #29; #72; #92; #99

Section 1 Short Title

This ordinance shall be known as the “Building Permit Ordinance of the Town of Plainfield, Connecticut”

Section 2 Policy Statement

It is declared to be in the best interest of the public health and safety of the Town of Plainfield to enforce the Building Code of the State of Connecticut.

Section 3 Definitions

The Connecticut State Building Code definitions, as amended, shall apply.

Section 4 General Provisions

- a. An application shall be submitted to the Building Official for all activities requiring a building permit under the Connecticut State Building Code, as amended. Activities shall not commence without a permit being issued by the Building Official.
- b. Fees: No permit to begin work for new construction, alteration, removal, demolition or other building operation shall be issued until the fees prescribed in this section shall have been paid to the Building Official or other authorized municipal agency, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid.
 1. New Construction and Alterations: For new or repair work of buildings, electrical, plumbing, heating or oil burner classification or any other class of work included in the Connecticut Basic Building Code: permits for the first one thousand dollars (\$1,000.) of construction, or fraction thereof: fifteen dollars (\$15.00); and for every additional one thousand dollars (\$1,000.) of costs or every fractional part thereof: eight dollars (\$8.00.) plus the state fee. In addition, each building, which is subject to the provisions of C.G.S. 29-276b, by virtue of meeting the threshold limit defined therein, shall be subject to an additional fee in an amount equivalent to the costs borne by the town in complying with the provisions of C.G.S. 29-276b in connection with that building.
 2. Demolition: The fee for a permit for the demolition of a building or structure shall be as follows: for the first one thousand dollars (\$1,000.) of construction, or fraction thereof: fifteen dollars (\$15.00); and for every additional one thousand dollars (\$1,000.) of costs or every fractional part thereof: eight dollars (\$8.00.) plus the state fee.
 3. Signs: The fee for signs, billboards and other display structures for which permits

are required under the provisions of the State of Connecticut Basic Building Code shall be as follows: permits for the first one thousand dollars (\$1,000.) of construction, or fraction thereof: fifteen dollars (\$15.00); and for every additional one thousand dollars (\$1,000.) of costs or every fractional part thereof: eight dollars (\$8.00.) plus the state fee.

4. Permit fees for projects involving free materials and/or free labor shall be calculated as follows: the value of the project will be based on the square footage of the project, multiplied by the market rate square footage cost, as determined by the Building Official, which shall be posted in Building Official's Office, and updated on an annual basis, or when necessary. The value of the project will then be charged in accordance with the above listed fee schedule.
- c. Permits for activities already undertaken by the applicant, prior to obtaining a building permit, demolition permit or other Building Official authorization, shall have the total fee, as determined above, plus 200% of the total fee.

Section 5 Demolition of certain buildings.

- a. In accordance with Section 29-202 of the Connecticut General Statutes as amended, the Building Official of the Town of Plainfield is hereby appointed to administer Section 29-406 to 29-413 inclusive, of the State Demolition Code.
- b. No person shall demolish or remove any building, structure, or part thereof without first obtaining a permit from the Building Official for the particular demolition or removal.
- c. If the building, structure or part thereof is listed in the historic resource surveys of the Town of Plainfield as defined in subsection d. of this section, the Building Official, prior to issuing the permit shall, within ten (10) working days of the receipt of the application, conduct the following activities:
 1. Publish in the newspaper having substantial circulation, a Notice detailing what is proposed. A fee shall be charged to cover the cost of all such notices.
 2. Notify the abutting property owners and owners of properties across any streets adjacent to the property.
 3. Post with the Town Clerk, a copy of said Notice for public viewing.
 4. Notification by mail, within seven days following the filing of the demolition permit application, of the following organizations:
 - a. Plainfield Board of Selectmen
 - b. Plainfield Planning & Zoning Commission
 - c. Plainfield Conservation Commission/Committee
 - d. Plainfield Economic Development Commission
 - e. Plainfield Municipal Historian
 - f. Plainfield Historical SocietyThe above organizations should submit any comments in writing to the applicant, with a copy provided to the Building Official.
 5. The completion of a waiting period of 30 days following the filing of the application for the demolition permit. No waiting period shall be required in any of the following circumstances:
 - a. The owner of the property obtains a written determination from the Plainfield Historical Society, and from the Connecticut Historical Commission, or from their successor agencies, that the structure to be demolished is of no historical significance.
 - b. The Building Official determines that the condition of the structure is such

that the delay of its demolition would pose significant risks to public safety. The Building Official shall notify the Plainfield Historical Society as soon as practicable after making such a determination.

- d. The historic resource surveys of the Town of Plainfield include:
 1. "Historic Resource Survey: Central Village Community Development Area," Historic Resource Consultants/Town of Plainfield, 1980
 2. "Historic Resource Survey: Moosup Community Development Area," Historic Resource Consultants/Town of Plainfield, 1980
 3. "Historic Resource Survey: Plainfield Community Development Area," Historic Resource Consultants/Town of Plainfield, 1980
 4. "Historic Resource Survey: Wauregan/Nomination for Wauregan National Register District," State of Connecticut, 1979
 5. "Historic Resource Survey of Plainfield, CT, Phase II: Areas Outside the Villages," Plainfield Historical Society/Town of Plainfield, 1987
 6. Historic resource surveys compiled after the effective date of this ordinance.

Section 6 Procedures for denial of building permits when property has delinquent taxes

- a. No permit may be issued from the Building Department for a property on which there are delinquent taxes unless a waiver is obtained for the reasons stated in this Ordinance.
- b. The Tax Collector shall file with the Building Official a list of all properties and property owners who are delinquent in their real property taxes as of August 1st and February 1st of each year.
- c. Before approving any building application, the Building Official shall require any applicant for any building application for property which appears on the Tax Collector's delinquency list last filed, to obtain certification from the Tax Collector or Assistant, on a form, that such delinquent taxes (including interest, lien fees and litigation expenses, if applicable) have been paid in full, before a permit shall be issued. The form should be retained in the Building Official's file. If the property or owner does not appear on the last filed delinquency list, the Building Department shall so note on the building application on file in the Building Official's file.
- d. The Building Official may grant a building application without satisfaction of the above certification if he certifies in writing, and retains in the file, that the requested permit is to perform repairs to an existing structure which is unsafe within the meaning of the State Building Code, and that he has determined such repair should be performed immediately to protect the safety of either the building's occupants or the public.

Section 7 Enforcement

The Building Official, or his designee, shall be responsible for enforcing the provisions of this section.

Section 8 Violations

- a. Any person who shall violate a provision of the State Building Code or who shall fail to comply with any of the requirements thereof or shall erect, construct, alter or repair a building or structure in violation of any approved plan or directive of the Building Official or of a permit or certificate issued under the provisions of the Code shall be (guilty of a misdemeanor,) punishable (by a fine of not more than \$500 or by imprisonment not exceeding one year, or by both such fine and imprisonment) as provided in C.G.S. 29-254a.

Each day that a violation continues shall be deemed a separate offense.

- b. 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 or more than \$100. Each day that a violation continues shall be deemed a separate offense.

Section 9 Savings Clause and Repealer

All provisions of the Town Code in conflict herewith are hereby repealed, and if, for any reason, any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated, and the remainder of the Ordinance shall continue in effect. Any provision herein, which is in conflict with the Connecticut General Statutes, is hereby repealed, it being understood that said statutes shall take precedence over this Article.

Section 10 Effective Date

This ordinance shall become effective fifteen (15) days after publication, in accordance with the Charter of the Town of Plainfield.

Selectmen:

David C. Allard

George J. Krecidlo

Albert E. Brunsdon

Town Clerk:

Helen Francis Coombs

Repeals Ordinance 99

Amended by Ordinance 134

See also:

Ordinances 6, 29, 72, and 92

ORDINANCE 118.

AN ORDINANCE CONCERNING EMERGENCY WATER CONSERVATION

May 30, 2002

Section 1 Purpose

It is declared to be in the best interest of the public health and safety of the Town of Plainfield to regulate and restrict the use of water from Town water supplies during emergencies caused by drought.

Section 2 Definitions

“Town” is the Town of Plainfield

“Person” is any person, firm, partnership, association, corporation, company or organization of any kind.

“Town Water” is water utilized for domestic, commercial, or industrial use within the Town of Plainfield, from whatever source.

Section 3 General Provisions

- a. The Board of Selectmen of the Town of Plainfield is hereby authorized to declare a state of water emergency in and for the Town at any time upon its determination that continuing drought conditions threaten the water supply. The Board may impose water conservation regulations from those set forth in paragraph b. of this section. Imposition shall be effective 24 hours after publication in a newspaper having a general circulation in the Town.
- b. Water Conservation Regulations
 1. The sprinkling, watering or irrigating of landscaping, and lawns not used in the furtherance of a person's livelihood or enterprise.
 2. The filling or draining of pools, ponds, rivers or lakes used for private or public recreational purpose.
 3. The washing of automobiles if the same is not in the furtherance of a person's livelihood or enterprise.
 4. The allowance of plumbing to remain out of repair, resulting in the escape of water.
 5. The use of water from a fire hydrant, except by the fire departments or other person with permission granted by the Board of Selectmen.
 6. The flushing or wetting down of any streets, sidewalks, driveways, parking areas, roofs of any buildings of the Town.
 7. Any other use of water within the Town of Plainfield specifically designated by the Board of Selectmen in its imposition of water conservation regulations and specifically publicized as stated above.

Section 4 Enforcement and Penalty

- a. Any person, partnership or corporation who is found to have violated this ordinance shall be fined a definite sum not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00) for each such violation. Each day that a violation continues shall be

- deemed a separate offense.
- b. The Board of Selectmen, or their designee, shall be responsible for enforcing the provisions of this section.
 - c. The fine will be issued by the Board of Selectmen, or their designee, and collected by the Town Clerk's Office of the Town of Plainfield.

Section 5 Savings Clause and Repealer

If, for any reason, any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated, and the remainder of the Ordinance shall continue in effect. Any provision herein, which is in conflict with the Connecticut General Statutes, is hereby repealed, it being understood that said statutes shall take precedence over this Ordinance.

Section 6 Effective Date

This ordinance shall become effective fifteen (15) days after publication, in accordance with the Charter of the Town of Plainfield.

Selectmen:

David C. Allard
George J. Krecidlo
Albert E. Brunson

Town Clerk:

Helen Francis Coombs

ORDINANCE 119.

AN ORDINANCE CONCERNING THE REFUNDING OF TAXES

May 30, 2002

Pursuant to the Connecticut General Statutes and in order to avoid the expense of refunding de minimis amounts that may result from payments in excess of a tax amount due, the Town will retain such excess payments of less than five dollars.

This Ordinance shall become effective upon passage.

Selectmen:

David C. Allard

George J. Krecidlo

Albert E. Brunson

Town Clerk:

Helen Francis Coombs

ORDINANCE 120.

AN ORDINANCE CONCERNING THE OBSTRUCTION OF SIDEWALKS AND HIGHWAY RIGHT-OF-WAY

November 6, 2002

Section 1 Short Title

This Chapter shall be known as the “Sidewalk and Highway right-of-way obstruction Ordinance for the Town of Plainfield.”

Section 2 Policy Statement

The right-of-ways and other public places of the Town of Plainfield must be safely maintained for the safety and convenience of the public.

Section 3 General Provisions

- a. It shall be the duty of the occupant, owner, or person having the care of any building or land abutting any street in the Town where there is a foot path or public sidewalk, whether the same be paved or not, to keep said sidewalk free from snow, ice, sleet, mud, stone, rubbish, or any fixtures or materials including, vending machines, posts, dumpsters, retail merchandise, signs or any other Obstruction, so as to permit the free and safe passage of pedestrians through the same.
- b. No person shall place, store or display, on a public sidewalk, any object or material that may restrict the free and safe passage of pedestrians.
- c. No person shall permit any grass, weeds, brush, shrubbery, hedge, or rubbish to remain upon land immediately adjacent to any public sidewalk or public street in such a manner as to obstruct, impede, or hamper the free use of any sidewalk or street.
- d. No person, firm, corporation or company shall place, install, construct or store within the limits of a Town street or State highway right-of-way any post, fence, wall, sign, structures, vending machine or earth materials, including fill or boulders without a permit.
- e. No person, firm, corporation or company shall place, cause to be placed, or allow to be placed, temporarily or permanently, any object, in or upon any roadway or that projects into the space above the roadway within the Town of Plainfield that may reasonably be deemed to obstruct, or impede vehicular traffic, pedestrian traffic, bicycle traffic or road maintenance, without a permit.
- f. Trees and shrubs may be planted within a Town street right-of-way with the permission of the tree warden provided they are located at least three (3) feet from the edge of pavement and are of a species acceptable to the tree warden and such plantings will not hinder the line of sight on any Town street or access to or from any private driveway or public road.
- g. No wall, fence, or other structure shall be erected and no hedge, shrub, tree, or other growth or earth fill shall be maintained on a corner lot between the building line and the street line, so as to create a traffic hazard by obstructing the view.

Section 4 Enforcement

- a. The Police Department shall be responsible for enforcing the provisions of this section

relative to keeping sidewalks free from snow, ice, sleet, mud, stone, rubbish, fixtures, materials, vending machines, retail merchandise, signs, motor vehicles, or any other obstructions.

- b. The Town shall have the right to order the removal from the Town street, or right-of-way, including sidewalks and areas near intersections, any and all objects which may create an unsafe condition to the general public. The Director of Public Works, Town Engineer, or their agent shall notify the landowner or occupant in writing of the unsafe condition and order the responsible party to correct the condition within forty-eight (48) hours of such notification, or such other time as may be specified in the notice. The order and notification may be served by person or sent by certified mail.
- c. The land owner or occupant shall have the right to appeal an order of removal to the Board of Selectmen, which appeal must be filed with the Town Clerk within ten (10) days of the mailing of the original notice. The Board of Selectmen shall conduct a hearing on said appeal within thirty (30) days of the receipt of the appeal. The decision of the Board of Selectmen shall be final.

Section 5 Violations

- a. Any person willfully refusing to remedy any such conditions when notified shall be fined not more than fifty dollars (\$50.00) for such offense.
- b. Each violation of this chapter shall be considered a separate offense.
- c. Any condition found to violate this section shall be deemed to constitute a separate offense on each day during which it exists after notice to the violator has been provided.
- d. The fine will be issued by the Town of Plainfield Police Department and collected by the Town Treasurer.
- e. Nothing herein shall prohibit the Town of Plainfield from seeking costs and damages arising out of or relating to any violations of this ordinance.

Section 6 Savings Clause

- a. Nothing herein shall relieve the owner or person having control of the property of any liability he, she, or they might have pursuant to Ordinance No. 67 of the Town of Plainfield.
- b. Should any court of competent jurisdiction declare any section, clause, or provision of this chapter to be unconstitutional, such decision shall affect only such section, clause or provision so declared unconstitutional, and shall not affect any other section, clause or provision of this chapter.

Section 7 Effective Date

This ordinance shall become effective on passage.

Selectmen:

David C. Allard

George J. Krecidlo

Albert E. Brunson

Town Clerk:

Helen Francis Coombs

Repeals Ordinance 67

ORDINANCE 121.

AN ORDINANCE CONCERNING THE APPOINTMENT
OF ASSISTANT TOWN CLERKS

November 6, 2002

Be it ordained, the Town Clerk shall have the powers and duties as prescribed by law and may, with the approval of the Board of Selectmen, appoint Assistant Town Clerks who, having taken the oath provided to Town Clerks, shall, in the absence or inability of the Town Clerk, have all the powers and perform all duties of the Town Clerk.

This ordinance shall become effective on passage.

Selectmen:

David C. Allard

George J. Krecidlo

Albert E. Brunsdon

Town Clerk:

Helen Francis Coombs

ORDINANCE 122.

AN ORDINANCE CONCERNING THE DESIGNATION OF THE
PLANNING AND ZONING COMMISSION AS THE
TOWN'S AQUIFER PROTECTION AGENCY

April 29, 2004

WHEREAS, Section 22a-354o of the Connecticut General Statutes ("Conn. Gen. Stat.") provides that each municipality in which an aquifer protection area is located shall authorize by ordinance an existing board or commission to act as an aquifer protection agency; and

WHEREAS, it has been determined that it is in the best interest of the Town of Plainfield to designate the PLAINFIELD PLANNING & ZONING COMMISSION as the Town's aquifer protection agency.

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF PLAINFIELD THAT:

1. Designation and membership

- a. In accordance with the provisions of Conn. Gen. Stat. 22a-354a, *et seq.*, the PLANNING AND ZONING COMMISSION is hereby designated as the Aquifer Protection Agency (hereinafter the "Agency") of the Town of Plainfield.
- b. [The staff of the Planning Office shall serve as the staff of the Agency.]
- c. Members of the PLANNING AND ZONING COMMISSION shall serve coexisting terms on the Agency. The membership requirements of the Agency shall be the same as those of the PLANNING AND ZONING COMMISSION including, but not limited to the number of members, terms, method of selection and removal of members, and filling of vacancies.
- d. At least one member of the Agency or staff of the Agency shall complete the course in technical training formulated by the Commissioner of Environmental Protection of the State of Connecticut, pursuant to Conn. Gen. Stat. 22a-354v.

2. Regulations to be adopted

- a. The Agency shall adopt regulations in accordance with Conn. Gen. Stat. 22a-354p and R.C.S.A. 22a-354i-3. Said regulations shall provide for:
 - i. The manner in which boundaries of aquifer protection areas shall be established and amended or changed.
 - ii. Procedures for the regulation of activity within the area.
 - iii. The form for an application to conduct regulated activities within the area.
 - iv. Notice and publication requirements.
 - v. Criteria and procedures for the review of applications.
 - vi. Administration and enforcement.

3. Inventory of Land Use

- a. In order to carry out the purposes of the Aquifer Protection Program, the Agency will conduct an inventory of land use within the area to assess potential contamination sources.
- b. Not later than three months after approval by the Commissioner of the Connecticut Department of Environmental Protection of Level B Mapping of aquifers, the Agency will inventory land uses overlying the mapped zone of contribution and recharge areas of such aquifers in accordance with guidelines established by the Commissioner pursuant to Conn. Gen. Stat. 22a-354f. Such inventory shall be completed not more than one year after authorization of the Agency. [Conn. Gen. Stat. 22a-354e]

Selectmen:

Donald Gladding

Albert E. Brunson

David C. Allard

Town Clerk:

Helen Francis Coombs

ORDINANCE 123.

AMENDMENT TO ORDINANCE
REGULATING THE CONSTRUCTION OF DRIVEWAY APPROACHES
TO TOWN ROADS WITHIN THE TOWN OF PLAINFIELD

July 24, 2006

SECTION 1. No person, firm or corporation shall hereafter construct, build, establish or maintain any driveway approach to any portion of a town road without first having obtained a written permit to do so from the Town Engineer. No such permit shall be issued for construction or establishment of any such driveway approach except in accordance with the provisions herein contained. Application for permit must be made in writing on forms furnished by the Town of Plainfield. Said application shall contain the name and address of the person, firm or corporation having title to the premises over which the driveway approach is to be constructed or reconstructed, the name of the contractor or person who is to construct said driveway and the proposed location, specifications and dimensions of such driveway.

SECTION 2. The construction and reconstruction (except routine maintenance) shall conform to the following technical specifications:

- A. Driveway approaches shall be so constructed that they match the grade and the gutter line of the road. Driveway slopes shall be no greater than eight percent (8%) vertical, unless a waiver is obtained from the town engineer, the town engineer may, if circumstances demand, allow a waiver of the vertical slope up to a maximum of twelve percent (12%). A landing area equal to one (1) car length – (twenty feet) and no greater than three-percent (3%) slope shall be constructed adjacent to the town road, to facilitate sight distance exiting the driveway.
- B. Minimum dimensions for paved driveway aprons at curbside are ten (10) feet wide, twelve (12) feet long and two (2") thick on a 6" compacted gravel base (except in the case of Portland Cement Concrete driveways where the thickness shall be (4") minimum) on a 6" compacted base. In addition all driveways shall have two (2), five (5) foot radius at the road transition to the driveway. Driveway slopes that exceed plus ten-percent (+10%) shall be paved for the entire distance of such slope or to a minimum of sixty feet (60') whichever is greater. If the town engineer determines that driveway washout will not be a problem he may waive this pavement provision.
- C. Driveways shall be located to obtain adequate sight distances. The clearing of brush, trees and other vegetation to obtain adequate sight line exiting the driveway will be the responsibility of the property owner. A minimum of 200' sightline each direction will be required on roadways of 30 mph posted speed. At the discretion of the Town Engineer, the applicant may be required to provide a sight line demonstration.
- D. Driveway construction shall not cause ponding or other drainage and icing problems on town roads, on the driveways and on adjacent properties. Roof leader(s) shall not discharge directly onto the driveway where the driveway slopes towards the road. A pipe under the driveway lateral to the roadway may be required to allow for free passage of roadway drainage.

SECTION 3. The Town Engineer shall from time to time inspect the construction or reconstruction of such driveway approach and shall have authority to revoke the permit in the event that said

construction or reconstruction does not conform to the requirements of Section 2.

SECTION 4. There shall be a fee for issuing the permit. Such fee shall be set and revised by the Board of Selectmen from time to time.

SECTION 5. All persons performing work on permitted driveways shall provide the Town with a \$2,000.00 bond for a single driveway or a \$5,000.00 bond for multiple driveways, a current certificate of insurance for bodily injury, liability and property damage liability in the type and amount required, and would be required to reimburse the Town of Plainfield for expenses and damages caused by the execution of the work. In the event a certificate of occupancy is required prior to paving of the driveway apron or driveway, the applicant shall post a cash bond of \$1,000.00 for each driveway apron to be paved and an additional cash bond of an amount sufficient to cover the cost of final driveway construction, preparation and paving the driveway or driveways prior to receiving the certificate of occupancy.

SECTION 6. Any violation of this ordinance shall be punishable by a fine of not more than \$100.00 for failure to comply with the provisions hereof.

SECTION 7. The Town Engineer, or a person appointed by the Board of Selectmen, shall be responsible for the enforcement of this ordinance. On notification that a nonconforming driveway has been constructed the owner will have 30 days to correct the violation. Failure to correct the violation will result in forfeiture of bond or portion of bond required to correct the violation by town personnel or a town hired contractor. A certificate of occupancy will not be issued until the provisions of the driveway ordinance have been satisfied. Failure to correct an ordinance violation on an existing driveway constructed after adoption of this ordinance will result in a \$100 fine for failure to comply. Each day of violation shall constitute a separate violation of this ordinance. The property owner will receive a notice by mail and a grace period of 45 days to correct the violation before any fine would be imposed.

SECTION 8. Should any court of competent jurisdiction declare any section, clause or provision of this ordinance to be invalid, such decision shall affect only such section, clause or provision so declared unconstitutional and shall not affect any other section, clause or provision of this ordinance.

This ordinance shall become effective on passage.

Selectmen:

Kevin M. Cunningham

Albert E. Brunsdon

Carolanne Rowe

Town Clerk:

Louisa R. Trakas

Amends Ordinance 116

See also:

Ordinances 21 and 88

ORDINANCE 124.

AMENDMENT TO AN ORDINANCE CONCERNING THE FIXING OF
ASSESSMENTS ON REAL PROPERTY
LOCATED IN THE ENTERPRISE CORRIDOR ZONE

July 24, 2006

SECTION 1: The Town of Plainfield shall defer any increase in real estate assessments attributable to improvements to real property located within that area designated as an enterprise corridor zone according to the following schedule:

<u>Year of Improvement</u>	<u>Assessment Increase</u> <u>Deferred</u>
First	50%
Second	40%
Third	30%
Fourth	20%
Fifth	10%
Sixth	0%

SECTION 2: Any fixed assessment on any residential property shall cease if

- A. Any dwelling unit in such property is rented to any person whose income exceeds two hundred percent of the median family income in Plainfield; or
- B. Any unit is sold to any person whose income exceeds two hundred percent of the median family income in Plainfield.

SECTION 3: In the event of a general revaluation by Plainfield in the year in which such improvement is completed, only that portion of the increase resulting from such improvement shall be deferred. In the event of a general revaluation in any year after the year in which such improvement is completed, such "deferred" assessment shall be adjusted accordingly.

SECTION 4: No improvement of any real property which qualifies as a manufacturing facility under Section 32-9p(d) of the Connecticut General Statutes shall be eligible for any fixed assessment pursuant to this section.

SECTION 5: The Board of Selectmen shall issue rules and regulations for any tax deferrals as it deems necessary for any property located in the Enterprise Corridor Zone.

1. The determination by the Board of Selectmen of the eligibility of an applicant is based on the applicant receiving a Certificate of Occupancy before October 1, of the year in which the application is made by the building owner and approved by the Board of Selectmen.
2. Property tax payment must be kept current to remain eligible for the Assessment Increase Deferment.
3. To begin to receive deferment, owner must complete and file an application with the Town

Assessor and must attach a zoning map showing the location of the proposed site.

Selectmen:

Kevin M. Cunningham

Albert E. Brunson

Carolanne Rowe

Town Clerk:

Louisa R. Trakas

Amends Ordinances 105 and 106

ORDINANCE 125.

AN ORDINANCE CONCERNING THE EXERCISE OF EMINENT DOMAIN
FOR ECONOMIC DEVELOPMENT PURPOSES

November 29, 2006

The Town of Plainfield shall not utilize the power of eminent domain, granted it by C.G.S. Section 48-6 or any other authority for economic development. Any vote of the Town Meeting authorizing such action shall be deemed void and without authority. For purposes of this ordinance, a taking for economic development shall be defined as a condemnation of property for the purpose of selling or transferring it to any party for economic development.

This ordinance shall take effect 15 days after publication.

Selectmen:

Kevin M. Cunningham

Albert E. Brunsdon

Caroleanne Rowe

Town Clerk:

Louisa R. Trakas

ORDINANCE 126.

AN ORDINANCE TO PROVIDE TAX RELIEF FOR
ELDERLY AND TOTALLY DISABLED

January 5, 2009

Eligibility for relief.

Any person who is liable for taxes assessed on real property located in the Town of Plainfield, which real property is occupied by such person as his/her personal residence, whether such person is an owner of the real property or is liable for taxes therein under the provisions of Connecticut General Statutes 12-48 as a tenant for life or for a term of years, shall be entitled to tax relief in the form of tax credit, provided that:

A The person is:

(1)

Sixty-five years of age or over, or his/her spouse is 65 years of age or over and resides with such person or the person is 60 years of age or over and the surviving spouse of a taxpayer who would have qualified for tax relief under this Ordinance at the time of his/her death; or

(2)

Under the age of 65 years and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under social security, or has not been engaged in employment covered by social security and accordingly has not qualified for benefits thereunder, but has become qualified for permanent total disability benefits under any federal, state, or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teacher's retirement plan, in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under social security.

B The person has been a real property taxpayer of the Town of Plainfield for one year immediately preceding the receipt of tax benefits.

C The property for which the tax relief is claimed is the legal domicile of such person and is occupied by such person for at least 250 days of each year.

D the person has applied for and has current approval for the State of Connecticut homeowners tax credits provided through 12-129b to 12-129d inclusive or Sections 12-170aa to 12-170cc inclusive of the Connecticut General Statutes.

E The person is not delinquent in payment of any taxes to the Town of Plainfield.

F The person submits in such form and with such exhibits as the Town of Plainfield may from time to time require, an application for tax relief afforded under this program between February 1 and May 15 for the following fiscal year, which begins on July 1. The person must apply biennially to be entitled to tax relief set forth herein, or whatever application schedule is employed by the State of Connecticut.

Amount of tax credit.

The amount of tax credit afforded under this program shall be \$100 per property and shall apply only to owner-occupied dwellings and to the homesite lot on which the dwelling is situated, along with one

outbuilding on the homesite used with the dwelling, which is not an additional dwelling. In any case where title to such real property is reported in the names of more than one taxpayer, the amount of the credit shall be provided in accordance with the fractional share such eligible owner holds in the property.

Pro rata Town of Plainfield tax reduction upon transfer of property.

The Town of Plainfield reduction offered and approved under this Ordinance shall be pro rated based on the same criteria and in the same manner as the State of Connecticut tax reductions are pro rated in accordance with Sec. 12-170aa (I) of the Connecticut General Statutes.

Administration of program.

- A The Assessor of the Town of Plainfield is hereby authorized to implement this program, and to execute such rules and regulations as may be adopted by the Board of Selectmen from time to time and deemed necessary for the proper administration of this program.
- B The Assessor of the Town of Plainfield, acting as an agent of the Board of Selectmen, shall determine eligibility for tax relief under this program. He/she shall compute the amount of credit due each qualified taxpayer, and make proper record thereof, and so inform the Director of Finance.

Waiver of right to establish lien.

To the extent of the maximum annual benefit afforded under this program, the Town of Plainfield hereby waives any right to establish a lien, which it may have under the provisions of Connecticut General Statutes 12-1 29n(f).

Limitation on credits granted.

The total of all credits granted under the provisions of this article shall not exceed \$25,000 annually. If the total of all credits to be granted, except for this section, would exceed said amount, then such credit shall be reduced on a pro-rata basis so that the total credits equal \$25,000.

Confidentiality.

Affidavits, applications or other documents presented in support of the application for tax relief shall remain confidential and shall not be disclosed except in connection with an investigation of fraud or other misrepresentation as to eligibility or except as may otherwise be required by law.

When effective.

This Ordinance shall apply commencing with the taxes due on the October 1, 2008 Grand List.

Selectmen:

Paul E. Sweet
Albert E. Brunsdon
George J. Krecidlo

Town Clerk:

Louisa R. Trakas

ORDINANCE 127.

AN ORDINANCE CONCERNING REGIONAL REVALUATION

August 2, 2010

The purpose of the ordinance is to authorize the Town to enter into a regional revaluation program as provided for in Section 2 of Public Act 09-60, codified as Section 12-62q of the Connecticut General Statutes. The full text of the ordinance is available in the office of the Town Clerk.

Selectmen:

Paul E. Sweet

Albert E. Brunson

George J. Krecidlo

Town Clerk:

Louisa R. Trakas

ORDINANCE 128.

AN ORDINANCE CONCERNING THE WAIVING OF TAXES DUE
IN AN AMOUNT LESS THAN \$5.00

March 29, 2012

Pursuant to Section 12-114c of the Connecticut General Statutes, the Town of Plainfield shall waive any property tax due in an amount less than five dollars before the date such tax is due.

This ordinance shall become effective upon passage.

Selectmen:

Paul E. Sweet

Albert E. Brunsdon

George J. Krecidlo

Town Clerk:

Louisa R. Trakas

ORDINANCE 129.

AN ORDINANCE CONCERNING THE USE OF MOTORS ON MOOSUP POND, THE SIZE OF WATERCRAFT AND MOTORS ON MOOSUP POND, AQUATIC INVASIVE SPECIES ON WATERCRAFT IN MOOSUP POND, THE WASHING OF ANIMALS AND LAUNDRY IN MOOSUP POND, THE CONTAMINATION AND POLLUTING OF MOOSUP POND, FIRES ON MOOSUP POND, AND THE CLOSING OF MOOSUP POND AND ITS SURROUNDING AREAS

May 2, 2013

Section 1. Purpose

Ordinance No. 70, enacted September 27, 1984, is hereby repealed, and this Ordinance No. 129 is hereby adopted in its place as part of a continuing effort by the Town of Plainfield to protect and preserve Moosup Pond and the properties around the pond. The Town has made improvements in the form of a sewer extension, the practice of modified storm runoff measures, and the treatment of invasive aquatic plants. However, it is necessary to continue to be vigilant in order to protect this natural resource. This necessitates the adoption of reasonable regulations that guarantee the future enjoyment of passive recreation, which includes boating, swimming, fishing and canoeing, in a healthy environment.

Section 2. Definitions

- a. Personal watercraft shall mean any vessel that uses an inboard motor powering a jet pump as the vessel's primary source of propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than the conventional manner of sitting, standing, or kneeling inside the vessel.
- b. Watercraft shall mean any boat or vessel used for traveling on water.

Section 3. General Provisions

- a. The use of an inboard motor on any watercraft on Moosup Pond is prohibited. The use of personal watercraft on Moosup Pond is prohibited.
- b. The operation of an outboard motor in excess of ten (10) horsepower on any watercraft on Moosup Pond is prohibited. The launching or setting afloat of a watercraft with an outboard motor in excess of ten (10) horsepower is permitted, provided the outboard motor is kept above the surface of the water and is not operated.
- c. Watercraft in excess of eighteen (18) feet in length are prohibited on Moosup Pond.
- d. No person shall transport a watercraft, or any trailer used to transport such watercraft, to Moosup Pond without first inspecting such watercraft for the presence of vegetation and aquatic invasive species, as determined by the State of Connecticut Invasive Plants Council pursuant to Connecticut General Statutes Section 22a-381, et seq., and properly removing and disposing of any such vegetation and aquatic invasive species that are visible and identifiable without optical magnification from such watercraft or trailer. No motor craft shall be operated and no trailer shall enter Moosup Pond with vegetation and aquatic invasive species that are visible and identifiable without optical magnification.
- e. No person shall wash anything in Moosup Pond, including, without limitation, animals and

- laundry.
- f. Fires are prohibited at all times on Moosup Pond and on all premises owned or maintained by the Town of Plainfield in the area of Moosup Pond, including without limitation, the Town Beach at Moosup Pond and during ice fishing season.
 - g. No person shall deposit debris, litter, or garbage in or on Moosup Pond or on the premises at Moosup Pond that are owned by the Town of Plainfield, including the Moosup Pond Town Beach.
 - h. The Moosup Pond Town Beach shall be open to both residents and nonresidents of the Town of Plainfield. For purposes of protecting Moosup Pond as a natural resource, the Board of Selectmen reserves the right to issue and enforce reasonable regulations pursuant to this ordinance regarding the use of Moosup Pond Town Beach and to assess a user fee for nonresidents.
 - i. With the exception of fishing, no activities are permitted between sunset and sunrise on the premises at Moosup Pond that are owned by the Town of Plainfield, including the Moosup Pond Town Beach.

Section 4. Enforcement and Penalty

Violation of this Ordinance shall be punishable by removal from the premises and a fine of \$50.00 for an individual's first offense and \$100.00 a day for any repeat offense. If any such offense continues for more than five days, it shall constitute a new offense for each day it continues to exist thereafter. The Board of Selectmen of the Town of Plainfield shall have the authority to permanently ban from Moosup Pond any individual who has violated the provisions of this section three or more times.

Section 5. Effective Date

This Ordinance shall become effective upon passage.

Selectmen:

Paul E. Sweet

Albert E. Brunsdon

George J. Krecidlo

Town Clerk:

Louisa R. Trakas

Repeals Ordinance 70

See also:

Ordinances 7 and 34

ORDINANCE 130.

AN ORDINANCE ESTABLISHING THE
PLAINFIELD AGRICULTURE COMMISSION

June 29, 2015

ESTABLISHED:

CHARGES/DUTIES: The Agriculture Commission shall be an advisory/non-regulatory board with the following charges and duties:

General

- a. To foster agricultural viability and preservation of agricultural land in Plainfield.
- b. To serve as a conduit between local farmers and non-profit agencies, civic organizations, municipal boards and commissions, elected officials, and non-farm residents.
- c. To advocate for agriculture before land use and other relevant boards, commissions and/or committees.
- d. To act as a resource for agriculture information.

Education and Outreach

- a. To increase awareness of agriculture enterprises in the community.
- b. To promote the value of agriculture viability in the areas of employment, property taxes, environment and open space preservation.
- c. To provide information and guidance on agriculture-related issues to town departments and other commissions, committees, and residents as necessary.
- d. To support young farmers and 4-H programs.
- e. To recognize and support new farming operations.
- f. To act as a sounding board and provide review to town departments, boards and committees concerning the impact of proposed town policies on agricultural activities.
- g. To promote opportunities for Plainfield's agricultural community to collaborate and coordinate activities with each other and with others in the region.
- h. To encourage and promote generally accepted management practices for farming and celebrate successful ones.

Economic Opportunities

- a. To identify opportunities to preserve and expand agriculture in Plainfield.
- b. To promote opportunities for residents and local businesses to support farming.
- c. To provide information regarding available financial support related to agricultural viability.
- d. To support efforts to secure the land base necessary for future agricultural uses.
- e. To foster, with the support of residents, boards, commissions, and the town planner, a climate that supports the economic viability of farming as a career in Plainfield.

MEMBERSHIP: The Agricultural Commission will consist of five (5) regular members and up to three (3) alternate members, appointed by the Board of Selectmen, who shall be residents and voters of

the town and be persons with interest and involvement in the viability, sustainability, and protection of agriculture as defined by Connecticut General Statutes 1-1(q) and 19a-341. The failure of a voting member to attend four (4) consecutive meetings of the commission may constitute cause for the Agricultural Commission to recommend removal of the member and fill the position thus vacated from a list of residents recommended to the Board of Selectmen by the Agricultural Commission. The members of the Commission shall receive no compensation for service. Members shall elect their own officers and establish their meeting schedule.

LENGTH OF TERM: Initial appointments will be as follows: Three (3) members to be appointed for a period of three (3) years; two (2) members to be appointed for a period of two (2) years; one (1) alternate member to be appointed for a period of three (3) years; and two (2) alternate members to be appointed for a period of two (2) years. Thereafter, appointments shall be for three (3) year terms.

This ordinance shall become effective upon passage.

Selectmen:

Paul E. Sweet

Albert E. Brunsdon

George J. Krecidlo

Town Clerk:

Louisa R. Trakas

ORDINANCE 131.

AN ORDINANCE CONCERNING THE REGULATION OF CLOTHING DONATION BINS

February 23, 2016

Section 1. Purpose

The Board of Selectmen has found that the unregulated placement of clothing donation bins in the Town of Plainfield and the accompanying accumulation of donations and discarded items around said clothing donation bins have become a nuisance in the Town. The purpose of this Ordinance is to ensure that clothing donation bins are regulated, well maintained and do not become nuisances.

Section 2. Definitions

Clothing donation bin shall mean any enclosed container or receptacle held out to the public for the donation of clothing and the temporary secure storage of donated clothing.

Section 3. General Provisions

- a. No person or other legal entity shall place or maintain any clothing donation bin on any premises open to the public unless issued a Zoning Permit by the Zoning Officer as required by Section 15.8 of the Zoning Regulations.
- b. Clothing donation bins shall be permitted only on a commercially zoned parcel where there exists an occupied commercial building. Clothing donation bins shall not be allowed on vacant lots or lots where a commercial building is unoccupied. Should a building become vacant after a Zoning Permit has been issued for the placement of a clothing donation bin, the bin shall be removed from the property within thirty (30) days. The Zoning Officer shall approve the location of the clothing donation bin on the property such that it does not interfere with parking, traffic flow, pedestrian traffic, and sightlines. The application for a Zoning Permit shall include contact information for the owner of the bin and the property owner. Should the contact information change, the Zoning Officer shall be notified in writing of the new contact information within seven (7) days of the change. Both the owner of the clothing donation bin and the property owner shall sign the Zoning Permit application.
- c. Clothing donation bins shall be emptied at regular intervals so that there is sufficient storage space in the bin for the public to place new donations.
- d. Any and all items left outside a clothing donation bin shall be removed within twenty four (24) hours of being placed there.
- e. Clothing donation bins shall be:
 1. Constructed of steel or fireproof material and designed in a way that is weatherproof and secured from entry by the public;
 2. Be no longer than seventy two (72) inches tall, seventy one (71) inches wide. And sixty (60) inches deep; and
 3. Maintained in good condition, free from damage, weathered surfaces and corrosion.

- f. All clothing donation bins shall clearly display a notice in block letters at least two inches high stating:
 - 1. If the donation is for a charitable purpose:
 - i. The name of the nonprofit organization that will benefit from the donation;
 - ii. The name and telephone number of the owner of such bin; and
 - iii. That the public may contact the Department of Consumer Protection for further information, or
 - 2. If not intended for a charitable purpose:
 - i. That such donation is not for a charitable purpose; and
 - ii. The name and telephone number of the owner of such bin.
 - 3. Such notice shall be on the same side of the bin where the donation is likely to be made.
- g. The Zoning Permit applicant may apply for two (2) clothing donation bins on a single parcel of land if the volume of donations warrants the extra storage capacity; however, no more than two (2) clothing donation bins shall be allowed on a single parcel.
- h. No owner shall be permitted to place more than ten (10) clothing donation bins in the Town.
- i. Property owners having clothing donation bins on their property at the time this Ordinance is adopted shall be notified by certified mail that a Zoning Permit is required. Permits for such unregulated bins must be obtained from the Zoning Office within thirty (30) days of receipt of the mailing of said notices or the person(s) responsible for such unregulated bins will face enforcement proceedings and penalties, pursuant to Section 4 of this Ordinance.

Section 4. Enforcement and Penalty

- a. The owner, lessee, or other person or legal entity in control of the property where the clothing donation bin is being maintained and the person or entity which owns, maintains, or operates the clothing donation bin in violation of this Ordinance shall be jointly and severally liable for such violation(s) therefor.
- b. Any person who violates any provision of this Ordinance shall be fined one hundred dollars (\$100.00) for each offense. Any such violation of this Ordinance shall constitute a new offense for each day it continues to exist thereafter.
- c. The Zoning Officer shall reserve the right to revoke the Zoning Permit for any clothing donation bin which has been the subject of three (3) fines pertaining to violations of any provision of this Ordinance.
- d. The Plainfield Police Department shall be responsible for the enforcement of this Ordinance.

Section 5. Effective Date

This Ordinance shall become effective upon passage.

Selectmen:

Paul E. Sweet

Albert E. Brunson
George J. Krecidlo

Town Clerk:
Louisa R. Trakas

ORDINANCE 132.

AMENDMENT TO AN ORDINANCE CONCERNING INSPECTION OF
STRUCTURES CONTAINING MULTIPLE DWELLING UNITS

October 22, 2019

Enacted September 8, 1985

Section 1. The provisions of Town Ordinance Number 69 are hereby repealed and the following is substituted in lieu thereof.

Section 2. For the purpose of this Ordinance a multiple dwelling unit is defined as a building or structure containing two (2) or more rental housing units.

Section 3. No multiple dwelling unit, once vacated, shall be re-occupied before the owner of the building containing such dwelling unit shall obtain from the Building Inspector or his designate a "permit for multiple dwelling unit occupancy" for the particular unit.

Section 4. Any such permit so obtained for a particular unit shall be valid only for a period of one (1) year from the date of issue or until the particular unit is vacated, whichever is longer.

Section 5. No such permit shall be issued until the Building Inspector or his designate has inspected the dwelling unit and approved such unit and its appurtenant facilities as being in conformity with all applicable State and Town codes and until a fee for each dwelling unit per inspection has been paid to the Building Inspector's Office. The fee is set by the Building Inspector and Board of Selectmen.

Section 6. Any violation of a provision of this ordinance shall require upon conviction, a fine of \$99.00 for each day that violation occurs.

Section 7. Exempted from the application of this Ordinance shall be buildings less than five (5) years old, hotels, motels, inns, lodging houses and rooming houses.

Section 8. Any person aggrieved by the action of the Building Inspector's office in enforcing this Ordinance shall have the right to appeal to the Superior Court as provided by the Connecticut State Statutes.

Section 9. Any owner of a building containing multiple dwelling units, which is not exempted from the application of this Ordinance, shall notify the Building Inspector's office within three (3) working days of any fire and obtain a new permit or permits of multiple dwelling unit occupancy as applicable, upon payment, for each dwelling unit.

Section 10. Each section, provision or requirement of this ordinance shall be considered separable, and the invalidity of any portion of this ordinance shall not affect the validity or enforceability of any other portion.

This ordinance will become effective November 1, 2019

Selectmen:

Cathy M. Tendrich
Virginia Sampietro
Madeleine E. Krecidlo

Town Clerk:
Louisa R. Trakas

Amends Ordinance 77
See also:
Ordinance 69

ORDINANCE 133.

AMENDMENT TO AN ORDINANCE REGULATING THE CONSTRUCTION
OF RESIDENTIAL DRIVEWAY APPROACHES TO TOWN ROADS

October 22, 2019

Enacted 5/30/02 – Effective 6/23/02

SECTION 1. No person, firm or corporation shall hereafter construct, build, establish or maintain any driveway approach to any portion of a town road without first having obtained a written permit to do so from the Selectman's designated agent – Planning and Zoning Dept. or Town Engineer. No such permit shall be issued for construction or establishment of any such driveway approach except in accordance with the provisions herein contained. Application for permit must be made in writing on forms furnished by the Town of Plainfield. Said application shall contain the name and address of the person, firm or corporation having title to the premises over which the driveway approach is to be constructed or reconstructed, the name of the contractor or person who is to construct said driveway and the proposed location, specifications and dimensions of such driveway.

SECTION 2. The construction and reconstruction (except routine maintenance) shall conform to the following technical specifications:

- A. Driveway approaches shall be so constructed that they match the grade and the gutter line of the road. Driveway slopes shall be no greater than eight percent (8%) vertical, unless a waiver is obtained from the Selectman's designated agent. The Selectman's designated agent may, if circumstances demand, allow a waiver of the vertical slope up to a maximum of fifteen percent (15%). A landing area equal to one (1) car length – (twenty feet) and no greater than three-percent (3%) slope shall be constructed adjacent to the town road, to facilitate sight distance exiting the driveway.
- B. Minimum dimensions for paved driveway aprons at curbside are ten (10) feet wide, twelve (12) feet long and two (2") thick on a 6" compacted gravel base (except in the case of Portland Cement Concrete driveways where the thickness shall be (4") minimum) on a 6" compacted base. In addition all driveways shall have two (2), five (5) foot radius at the road transition to the driveway. Driveway slopes that exceed plus eight-percent (8%) shall be paved for the entire distance of such slope or to a minimum of sixty feet (60') whichever is greater. If the town engineer determines that driveway washout will not be a problem he may waive this pavement provision.
- C. Driveways shall be located to obtain adequate sight distances. The clearing of brush, trees and other vegetation to obtain adequate sight line exiting the driveway will be the responsibility of the property owner. A minimum of 200' sight line each direction will be required on roadways of 30 mph posted speed. At the discretion of the Selectman's designated agent, the applicant may be required to provide a sight line demonstration.
- D. Driveway construction shall not cause ponding or other drainage and icing problems on town roads, on the driveways and on adjacent properties. Roof leader(s) shall not discharge directly onto the driveway where the driveway slopes towards the road. A pipe under the driveway lateral to the roadway may be required to allow for free passage of roadway drainage.

SECTION 3. The Selectman's designated agent – Planning and Zoning Dept. or Town Engineer, shall

from time to time inspect the construction or reconstruction of such driveway approach and shall have authority to revoke the permit in the event that said construction or reconstruction does not conform to the requirements of Section 2.

SECTION 4. There shall be a fee for issuing the permit. Such fee shall be set and revised by the Board of Selectmen from time to time.

SECTION 5. All persons performing work on permitted driveway shall provide the Town with a \$2,000.00 surety bond for a single driveway or a \$5,000.00 bond for multiple driveways, a current certificate of insurance for bodily injury, liability and property damage liability in the type and amount required, and would be required to reimburse the Town of Plainfield for expenses and damages caused by the execution of the work. In the event a certificate of occupancy is required prior to paving of the driveway apron or driveway, the applicant shall post a cash bond of \$2,000.00 for each driveway apron to be paved and an additional cash bond of an amount sufficient to cover the cost of final driveway construction, preparation and paving the driveway or driveways prior to receiving the certificate of occupancy.

SECTION 6. Any violation of this ordinance shall be punishable by a fine of not more than \$100.00 for failure to comply with the provisions hereof.

SECTION 7. A person appointed by the Board of Selectmen, from the Planning and Zoning Dept. or the Town Engineer, shall be responsible for the enforcement of this ordinance. On notification that a nonconforming driveway has been constructed the owner will have 30 days to correct the violation. Failure to correct the violation will result in forfeiture of bond or portion of bond required to correct the violation by town personnel or a town hired contractor. A certificate of occupancy will not be issued until the provisions of the driveway ordinance have been satisfied. Failure to correct an ordinance violation on an existing driveway constructed after adoption of this ordinance will result in a \$100 fine for failure to comply. Each day of violation shall constitute a separate violation of this ordinance. The property owner will receive a notice by mail and a grace period of 45 days to correct the violation before any fine would be imposed.

SECTION 8. Should any court of competent jurisdiction declare any section, clause or provision of this ordinance to be invalid, such decision shall affect only such section, clause or provision so declared unconstitutional and shall not affect any other section, clause or provision of this ordinance.

This Ordinance will become effective November 1, 2019

Selectmen:

Cathy M. Tendrich
Virginia Sampietro
Madeleine E. Krecidlo

Town Clerk:

Louisa R. Trakas

Amends Ordinance 123

See also:

Ordinance 116

ORDINANCE 134.

AMENDMENT TO AN ORDINANCE CONCERNING BUILDING PERMITS

October 22, 2019

Enacted June 23, 2002

The following ordinances are repealed and replaced with the following language:
Ordinance #6; #29; #72; #92; #99

Section 1 Short Title

This ordinance shall be known as the “Building Permit Ordinance of the Town of Plainfield, Connecticut”

Section 2 Policy Statement

It is declared to be in the best interest of the public health and safety of the Town of Plainfield to enforce the Building Code of the State of Connecticut.

Section 3 Definitions

The Connecticut State Building Code definitions, as amended, shall apply.

Section 4 General Provisions

- a. An application shall be submitted to the Building Official for all activities requiring a building permit under the Connecticut State Building Code, as amended. Activities shall not commence without a permit being issued by the Building Official.
 1. Fees: Building permit fees are calculated by the Building Official based on the estimated cost of construction.
 2. New construction and Alterations: The fees for a building permit shall be based upon the estimated costs of the structure or building of all groups and types of construction as classified and defined in the current Building Code of the State of Connecticut as may be amended from time to time.
 3. Demolition Permit Fee: No building or structure shall be demolished until a permit is obtained and the fee prescribed herein paid to the Building Official or other authorized town agent.
- b. The fees shall be presented to the Board of Selectmen for approval.

Section 5 Demolition of certain buildings.

- a. In accordance with Section 29-202 of the Connecticut General Statutes as amended, the Building Official of the Town of Plainfield is hereby appointed to administer Section 29-406

to 29-413 inclusive, of the State Demolition Code.

- b. No person shall demolish or remove any building, structure, or part thereof without first obtaining a permit from the Building Official for the particular demolition or removal.
- c. If the building, structure or part thereof is listed in the historic resource surveys of the Town of Plainfield as defined in subsection d. of this section, the Building Official, prior to issuing the permit shall, within ten (10) working days of the receipt of the application, conduct the following activities:
 1. Publish in the newspaper having substantial circulation, a Notice detailing what is proposed. A fee shall be charged to cover the cost of all such notices.
 2. Notify the abutting property owners and owners of properties across any streets adjacent to the property.
 3. Post with the Town Clerk, a copy of said Notice for public viewing.
 4. Notification by mail, within seven days following the filing of the demolition permit application, of the following organizations:
 - a. Plainfield Board of Selectmen
 - b. Plainfield Planning & Zoning Commission
 - c. Plainfield Conservation Commission/Committee
 - d. Plainfield Economic Development Commission
 - e. Plainfield Municipal Historian
 - f. Plainfield Historical SocietyThe above organizations should submit any comments in writing to the applicant, with a copy provided to the Building Official.
 5. The completion of a waiting period of 30 days following the filing of the application for the demolition permit. No waiting period shall be required in any of the following circumstances:
 - a. The owner of the property obtains a written determination from the Plainfield Historical Society, and from the Connecticut Historical Commission, or from their successor agencies, that the structure to be demolished is of no historical significance.
 - b. The Building Official determines that the condition of the structure is such that the delay of its demolition would pose significant risks to public safety. The Building Official shall notify the Plainfield Historical Society as soon as practicable after making such a determination.
- d. The historic resource surveys of the Town of Plainfield include:
 1. "Historic Resource Survey: Central Village Community Development Area," Historic Resource Consultants/Town of Plainfield, 1980
 2. "Historic Resource Survey: Moosup Community Development Area," Historic Resource Consultants/Town of Plainfield, 1980
 3. "Historic Resource Survey: Plainfield Community Development Area," Historic

Resource Consultants/Town of Plainfield, 1980

4. "Historic Resource Survey: Wauregan/Nomination for Wauregan National Register District," State of Connecticut, 1979
5. "Historic Resource Survey of Plainfield, CT, Phase II: Areas Outside the Villages," Plainfield Historical Society/Town of Plainfield, 1987
6. Historic resource surveys compiled after the effective date of this ordinance.

Section 6 Procedures for denial of building permits when property has delinquent taxes

- a. No permit may be issued from the Building Department for a property on which there are delinquent taxes unless a waiver is obtained for the reasons stated in this Ordinance.
- b. The Tax Collector shall file with the Building Official a list of all properties and property owners who are delinquent in their real property taxes as of August 2nd and February 2nd of each year.
- c. Before approving any building application, the Building Official shall require any applicant for any building application for property which appears on the Tax Collector's delinquency list last filed, to obtain certification from the Tax Collector or Assistant, on a form, that such delinquent taxes (including interest, lien fees and litigation expenses, if applicable) have been paid in full, before a permit shall be issued. The form should be retained in the Building Official's file. If the property or owner does not appear on the last filed delinquency list, the Building Department shall so note on the building application on file in the Building Official's file.
- d. The Building Official may grant a building application without satisfaction of the above certification if he certifies in writing, and retains in the file, that the requested permit is to perform repairs to an existing structure which is unsafe within the meaning of the State Building Code, and that he has determined such repair should be performed immediately to protect the safety of either the building's occupants or the public.

Section 7 Enforcement

The Building Official, or his designee, shall be responsible for enforcing the provisions of this section.

Section 8 Violations

- a. Any person who shall violate a provision of the State Building Code or who shall fail to comply with any of the requirements thereof or shall erect, construct, alter or repair a building or structure in violation of any approved plan or directive of the Building Official or of a permit or certificate issued under the provisions of the Code shall be (guilty of a misdemeanor,) punishable (by a fine of not more than \$500 or by imprisonment not exceeding one year, or by both such fine and imprisonment) as provided in C.G.S. 29-254a. Each day that a violation continues shall be deemed a separate offense.
- b. 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 or more than \$100. Each day that a violation continues shall be deemed a separate offense.

Section 9 Savings Clause and Repealer

All provisions of the Town Code in conflict herewith are hereby repealed, and if, for any reason, any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated, and the remainder of the Ordinance shall continue in effect. Any provision herein, which is in conflict with the Connecticut General Statutes, is hereby repealed, it being understood that said statutes shall take precedence over this Article.

Section 10 Effective Date

This ordinance will become effective November 1, 2019

Selectmen:

Cathy M. Tendrich
Virginia Sampietro
Madeleine E. Krecidlo

Town Clerk:

Louisa R. Trakas

Amends Ordinance 117

See also:

Ordinances 6, 29, 72, 92 and 99

ORDINANCE 135.

AN ORDINANCE CONCERNING MANAGEMENT OF STORMWATER

October 22, 2019

I. Purpose

In accordance with the provisions of Chapters 98, 124, 126, 440, 444, 446H and 446K of the General Statutes of the State of Connecticut, as amended, the Town of Plainfield hereby adopts the following Stormwater Management Ordinance for the following purposes:

Development without proper consideration of stormwater impacts can be a significant source of pollution to water bodies. The protection and preservation of local waters is in the public interest and is essential to the health, welfare, and safety of the citizens of the state. The purpose of this ordinance is to protect and preserve the waters within Plainfield from sources of pollution through the proper management of stormwater flows and the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law.

This ordinance establishes the Plainfield Board of Selectmen as the legal authority to protect water quality by prohibiting and elimination illicit connections and discharges to the municipal separate storm sewer system (MS4) and to establish inspection, surveillance and monitoring procedures to ensure compliance with the Connecticut Department of Energy and Environmental Protection General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems, as amended, within the Town of Plainfield.

This ordinance shall apply to all water entering the MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

This ordinance shall become effective upon passage.

II. Authority

The Board of Selectmen shall administer, implement, and enforce the provisions of this ordinance. Any powers granted, or duties imposed upon the Board may be delegated in writing by the First Selectman to persons or entities acting in the beneficial interest of or in the employ of the Board.

The Board of Selectmen will implement and have the authority to amend from time to time regulations to further define stormwater management requirements.

The Plainfield Board of Selectmen shall have the legal authority to:

- Prohibit and eliminate direct discharge of untreated surface water runoff into the municipal drainage system or waters of the State through low impact development;
- Prohibit and eliminate illicit discharges into the municipal drainage system or waters of the State;
- Find the source of any illicit discharges, eliminate those illicit discharges, and ensure ongoing screening and tracking to prevent and/or eliminate future illicit discharges;
- Require and inspect stormwater runoff control practices at construction sites;
- Carry out all inspection, surveillance and monitoring procedures necessary to determine

compliance with municipal regulations, ordinances or programs or institutional requirements related to the management of the Town of Plainfield's MS4. Specifically, inspections shall be conducted, where allowed. To inventory the number of privately-owned retention ponds, detention ponds and other stormwater basins that discharge to or receive drainage from the permittee's MS4;

- Control through interagency or inter-jurisdictional agreements, the contribution of pollutants between the Town of Plainfield's MS4 and MS4's owned or operated by others;
- Establish a procedure to order compliance with the Ordinance when violations of prohibitions or failure to meet requirements of this Ordinance are found;
- Establish a schedule of fines or penalties to recoup costs incurred by the Town of Plainfield when the Board of Selectmen finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance.

The Board of Selectmen reserves the right to implement additional measures to protect and/or improve water quality as it deems necessary.

III. Illicit Discharge Detection and Elimination

A. Prohibition of Illegal Discharges

No person shall discharge or cause to be discharged into the MS4 or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards other than storm water. The dumping or disposal of materials (including but not limited to the following examples: residential, industrial, and commercial wastes; trash; used motor vehicle fluids; pesticides; fertilizers; food preparation waste; leaf litter; grass clippings; and animal waste) into the MS4 is prohibited.

The commencement, conduct or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:

- i The following discharges are exempt from discharge prohibitions established by this ordinance:
 - a. uncontaminated ground water discharges including, but not limited to, pumped ground water, foundation drains, water from crawl space pumps and footing drains;
 - b. irrigation water including, but not limited to, landscape irrigation and lawn watering runoff;
 - c. residual street wash water associated with sweeping;
 - d. discharges or flows from firefighting activities (except training); and
 - e. naturally occurring discharges such as rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), springs, diverted stream flows and flows from riparian habitats and wetlands.
- ii. Any non-stormwater discharge to the MS4 authorized by a permit issued pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes is also authorized under this ordinance.

B. Prohibition of Illicit Connections.

- i The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

- ii. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- iii. A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

IV. Construction and Post-Construction

A. Requirements

All development, regardless of the area of disturbance, must implement erosion and sedimentation controls prior to and during construction. Additionally, temporary controls shall be removed from a site and disposed of properly after the site has been stabilized.

The owner(s) of a site seeking development approval from the Town of Plainfield must provide and comply with a long term maintenance plan and schedule to ensure the performance and pollutant removal efficiency of privately-owned retention ponds, detention ponds and other stormwater basins that discharge to or receive discharge from the Town of Plainfield's MS4, including short-term and long-term inspection and maintenance measures to be implemented by the private owner.

Developers, construction site operators, and/or contractors shall maintain consistency with the following:

- meet or exceed the standards of the latest edition of the Connecticut Stormwater Quality Manual;
- meet or exceed the standards of the Guidelines for Soil Erosion and Sedimentation Control, as amended;
- meet requirements of all stormwater discharge permits issued by the DEEP within the Town of Plainfield pursuant to Connecticut General Statutes Sections 22a-430 and 22a-430b.

Project applications shall include or comply with the following:

- the stormwater management design for each project shall incorporate low impact design and disconnect impervious areas from the municipal drainage system;
- the location of the municipal drainage system and any waters of the State that accept runoff from the site;
- the proposed stormwater management systems for both construction activities and post-construction;
- the maintenance and operation requirements for the on-site stormwater management systems;
- a sediment and erosion control plan pursuant to the latest edition of the Connecticut Guidelines for Soil Erosion and Sediment Control, and;
- compliance with standards established in the Connecticut Department of Energy and Environmental Protection General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems, as amended, for redevelopment or new development of a site with directly connected impervious area.

Low impact development and runoff reduction site planning and development practices shall be included to the maximum extent practicable as a part of any application seeking approval of a building permit, zoning approval, subdivision approval, or an inland wetlands permit where:

- development or construction will disturb one or more acres of total land area on a site or;
- the site has a proposed increase in impervious area or;

- residential development of three (3) or more units is proposed or;
- any new industrial, commercial, or redevelopment project in proposed or;
- the commission or office which has jurisdiction over the application has required submission of a stormwater management plan pursuant to written findings that the activity proposed in the application has the potential to pollute waters of the State.

This Ordinance will become effective November 1, 2019

Selectmen:

Cathy M. Tendrich

Virginia Sampietro

Madeleine E. Krecidlo

Town Clerk:

Louisa R. Trakas