

**At an Adjourned Special Town Meeting held on July 27, 1987,
the following ORDINANCE was ADOPTED.**

ORDINANCE NO. 88

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

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 Conn. Gen. 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.

Dated at Plainfield, Connecticut, this 3rd day of August 1987.

Patricia Carroll, C.C.M.C.
Town Clerk
Town of Plainfield