STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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JAMES M. PRICHARD

LEGAL NOTICE OF PUBLIC HEARING
TOWN OF ELLINGTON
Monday, May 15, 2006

Notice is hereby given that the Board of Selectmen will hold a public hearing on Monday, May 15, 2006 at 7:30 p.m. prevailing time at the Ellington Town Hall for the purpose of allowing citizens to comment upon the following:

New Ordinances:

1. An Ordinance Concerning Identification of Landlords
2. An Ordinance to Create a Flood and Erosion Control Board

All interested parties are encouraged to attend.

The above-noted new ordinances are available to review in the Town Clerk's Office and First Selectman's Office.

DATED at Ellington, Connecticut, this 2nd day of May, 2006.

BY ORDER OF THE
BOARD OF SELECTMEN

Michael P. Stupinski
First Selectman

Published 5/8/06 – Journal Inquirer

DRAFT

AN ORDINANCE CONCERNING IDENTIFICATION OF A LANDLORD

BE IT ORDAINED BY TOWN MEETING:

PURSUANT TO THE AUTHORITY GRANTED TO THE TOWN OF ELLINGTON BY PUBLIC ACT 05-223

Section 1. Definitions: "Address" means a location as described by the full street number, if any, the street name, the city or town, and the state, including zip code and not a mailing address such as a post office box number; "Dwelling Unit" means any house or building or portion thereof which is rented, leased or hired out to be occupied, or is arranged or designed to be occupied, or is occupied, as the home or residence of one or more persons, living independently of each other, and doing their cooking upon the premises, and having a common right in the halls, stairways or yards; "Agent in Charge" means one who manages real estate including, but not limited to, the collection of rents and the supervision of property.

Section 2. Address Filing:

(A) Each non-resident owner of occupied or vacant rental real property shall maintain on file in the office of the Ellington tax assessor the current residential address of the nonresident owner of such property, if the owner is an individual, or the current residential address of the agent in charge of the building or property, if the nonresident owner is a corporation, partnership, trust or other legally recognized entity owning rental real property in the state.

(B) If such residential address changes, notice of the new residential address shall be provided by such nonresident owner or agent in charge of the building or property to the office of the Ellington tax assessor not more than twenty-one (21) days after the date that the address change occurred.

(C) If the nonresident owner or agent fails to file an address pursuant to this Ordinance, the address to which the Town of Ellington mails property tax bills for the rental real property shall be deemed to be the nonresident owner or agent's current address. Such address may be used for compliance with the provisions of Section 2(A) of this Ordinance;

Section 3. Service of Notices: Service of State or municipal orders relating to maintenance of such rental real property or compliance with state law and local codes concerning such real property directed to the nonresident owner or agent at the address on file, or deemed to be on file in accordance with the provisions of section 2, shall be sufficient proof of service of such orders in any subsequent criminal or civil action against the owner or agent for failure to comply with the orders. The provisions of this section shall not be construed to limit the validity of any other means of giving notice of such orders that may be used by the state or the town of Ellington.

Section 4. Penalty: Notwithstanding the provisions of Connecticut General Statute Section 51-164p the Town of Ellington hereby establishes a civil penalty for a violation of any provision of this ordinance which penalty shall be two hundred fifty dollars ($250.00) for the first violation and one-thousand dollars ($1,000) for any subsequent violation.

Section 5. Appeal: Any person who is assessed a civil penalty pursuant to this ordinance may appeal therefrom to the Superior Court not later than 30 days after the mailing of notice of such assessment of the civil penalty by filing a petition to reopen the assessment together with an entry fee on an amount equal to the entry fee for a small claims case pursuant to Connecticut General Statute Section 52-259 at the Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

APPROVAL RECORD FOR ORDINANCES

Board of Selectmen Approved for Public Hearing: _____

Public Hearing Notice Published On: _____

Public Hearing Held On: _____

Board of Selectman Recommend Adoption: _____

Town Meeting Notice Published On: _____

Approved by Town Meeting On: _____

Effective Date: _____

DRAFT

AN ORDINANCE CREATING A FLOOD AND EROSION CONTROL BOARD

BE IT ORDAINED BY TOWN MEETING:

PURSUANT TO THE AUTHORITY GRANTED TO THE TOWN OF ELLINGTON BY CONNECTICUT GENERAL STATUTES, SECTION 25-84:

Section 1. Establishment. Flooding and erosion control are issues of concern to the citizens and government of the Town of Ellington which need to be addressed in cooperation with the Connecticut Department of Environmental Protection.

Section 2. Designation of Board. Pursuant to the specific authority of Connecticut General Statutes, Section 25-84(a), since the Town of Ellington has a population of less than fifty thousand, the Board of Selectmen is hereby designated as the Ellington Flood and Erosion Control Board.

Section 3. Powers and Duties. The Flood and Erosion Control Board shall have all the powers and duties set forth in Chapter 477 of the General Statutes which includes Section 25-84 et. Seq. and such other powers and duties as the Board may from time to time find necessary or convenient to address the specific conditions found within the Town of Ellington which may cause flooding of property or erosion and to contract with the Commissioner of Environmental Protection to join with or accept payments or grants to assist in the accomplishment of the purposes set forth in the statutes or this Ordinance.

APPROVAL RECORD FOR ORDINANCES

Board of Selectmen Approved for Public Hearing: _____

Public Hearing Notice Published On: _____

Public Hearing Held On: _____

Board of Selectman Recommend Adoption: _____

Town Meeting Notice Published On: _____

Approved by Town Meeting On: _____

Effective Date: _____