

TOWN OF ANDOVER, CONNECTICUT

ORDINANCE INDEX

TITLE	PAGE
 <u>ALTERNATE BOARD MEMBERS</u>	
Board of Selectmen authorized to make appointments	37
 <u>ASSESSMENT LIST</u>	
Act concerning validation of	5
 <u>BAZAARS</u>	
Raffles and Bazaars	1
 <u>BUILDING DEPARTMENT FEE</u>	
Permit and State fee	41
 <u>CAPITAL IMPROVEMENTS PLANNING COMMITTEE</u>	
Board of Selectmen will appoint	36
 <u>CAPITOL REGION PLANNING</u>	
Town of Andover membership in	2
Town of Andover joining	2
Fixing Terms of and method of choosing representatives	2
 <u>CIRCUIT COURT</u>	
Town of Andover inclusion in	2
 <u>CONSTRUCTION DEBRIS</u>	
Dumpsters required	41

DELINQUENT TAXES

Motor Vehicle fee	41
No building permit issued	37

DISPOSAL AREA

Recycling of solid waste	28
Regulation of	22

DRIVEWAYS

Regulations for installations connecting with town highways	3
---	---

EMPLOYEE PROBATION PERIOD

Thirty day payroll deduction probationary period	11
--	----

ETHICS COMMISSION

Establishment of	42
------------------	----

FEES

Board of Finance, First Selectman and P & Z Chair empowered to set	10
--	----

FIRE LANES

Establishment of	37
------------------	----

FLOOD PLAIN

Flood Plain Management	18
Fracking	44

GARDEN APARTMENT CODE

Housing code for garden apartments	5
------------------------------------	---

JUSTICE OF THE PEACE

Election of	34
-------------	----

MOTOR VEHICLE LISTING

Elimination of annual listing of	10
----------------------------------	----

MUNICIPAL AGENT

Establishment of	27
------------------	----

OFFICE HOURS

Board of Selectmen delegated and authorized to fix	21
--	----

PARK ACCEPTANCE

Acceptance of gift land	11
-------------------------	----

PEDDLERS/VENDORS

Licensing of	4
--------------	---

REFRIGERATORS

Convicting any person who abandons refrigerator	1
---	---

REGIONAL COUNCIL OF ELECTED OFFICIALS

Town of Andover joining of	5
----------------------------	---

Permanent alternate representative to	10
---------------------------------------	----

RENTAL HOUSING CODE

Rental housing standards and requirements	8
---	---

ROADS

Excavation prohibited on town roads or rights-of-way	14
--	----

Night Parking during winter storms	3
------------------------------------	---

Snow and ice thrown into	40
--------------------------	----

Town Road Specifications	1
--------------------------	---

Waste prohibited on	15
---------------------	----

SALARIES

Appointed Officers and Employees	21
----------------------------------	----

Elected Officials	21
-------------------	----

STREET NUMBERS

Assignment and Affixing of Visible street numbers	20
---	----

TAX ABATEMENT

Fire Department Volunteer Members	38
-----------------------------------	----

New Samaritan Housing	15 – 17
-----------------------	---------

TAX EXEMPTION

Solar Energy	17
--------------	----

Ambulance type and modified handicap accessible vehicles	42
--	----

TAX LIABILITY

Quarterly tax payments	40
------------------------	----

TAX REFUNDS

Refunds waived for under \$5	37
------------------------------	----

TAX RELIEF

Program for disabled and homeowners over 65	35
---	----

TOWN OWNED PROPERTY

Controlled by	14
---------------	----

Motorized vehicle presence regulated	26
--------------------------------------	----

VETERANS MEMORIAL

Signage prohibited except for town erected to identify	42
--	----

WETLANDS COMMISSION

Creation of and authorization to promulgate regulations	11
---	----

ZONING

Connecticut Zoning Enabling Act Adopted	1
---	---

Fee for Zoning Board of Appeals	1
---------------------------------	---

**ORDINANCES, BY LAWS, RULES AND SPECIAL ACTS
TOWN OF ANDOVER, CONNECTICUT**

CONNECTICUT ZONING ENABLING ACT ADOPTED

49-01

Moved and seconded that the Town of Andover adopt the Connecticut Zoning Enabling Act. (Chapter 43 of the 1949 Revised General Statutes.)

Voted: Effective July 6, 1949.

TOWN ROAD SPECIFICATIONS

53-01

Moved and seconded that all new roads have a minimum of 50 foot right of way with the necessary water rights for drainage; that a gravel surface 12 inches thick, 20 foot wide with 2 foot gravel shoulders, with 75 foot radius at the end and that plans be approved by the Selectmen before being constructed.

Voted: Effective January 8, 1953.

**ORDINANCE CONVICTING ANY PERSON LEAVING UNATTENDED OR
ABANDONING ANY ICEBOX OR REFRIGERATOR**

54-02

Any person convicted of leaving unattended or abandoning any icebox, refrigerator or similar airtight device without first removing the door or destroying the lock shall be fined not more than \$25.00.

Voted: Effective July 20, 1954.

AN ACT CONCERNING BAZAARS AND RAFFLES

55-03

A Referendum held for the adoption or rejection of Public Act No. 409 "An Act Concerning Bazaars And Raffles" as passed by the 1955 session of the General Assembly: "For allowing the operation of bazaars and raffles".

Voted: Effective August 23, 1955.

CHANGE OF THE FEE FOR AN APPEAL TO THE ZONING BOARD OF APPEALS

56-02

Moved and seconded to increase the fee for an Appeal to the Zoning Board of Appeals from \$2.00 to \$10.00.

Voted: April 5, 1956

CAPITOL REGION PLANNING AGENCY TOWN OF ANDOVER MEMBERSHIP

59-02

Moved and seconded the town petition the Capitol Region Planning Agency requesting the inclusion of the Town of Andover in the area of operation of said Agency.

Voted: October 5, 1959.

CIRCUIT COURT, MANCHESTER, REQUEST TO INCLUDE TOWN OF ANDOVER

59-03

Moved and seconded the town request the Executive Secretary of the Judicial Department to include the Town of Andover in the circuit of the new Circuit Court which will hold sessions in Manchester.

Voted: October 5, 1959.

ORDINANCE RE: JOINING CAPITOL REGION PLANNING AGENCY

60-01

Resolved that the Town of Andover adopt sections 8-31a to 8-37a, inclusive of the 1959 Supplement to the General Statutes, and join the Capitol Region Planning Agency.

Voted: May 7, 1960. Effective June 10, 1960.

ORDINANCE FIXING TERMS AND METHOD CHOOSING REPRESENTATIVES ON CAPITOL REGION PLANNING AGENCY

60-02

Ordinance regarding the choosing of the representatives of the Town on the Capitol Region Planning Agency: Resolved: That one Representative of the Town of Andover on the Capitol Region Planning Agency shall be appointed by the Planning Commission for a term ending June 30, 1961. Biennially, before June 15th in each odd year, the Planning Commission shall appoint a representative of the Town of Andover on the Capitol Regional Planning Agency, who shall serve for a term of two years from July 1st next ensuing. One representative of the Town of Andover on the Capitol Region Planning Agency shall be chosen at the Annual Budget Meeting held in each even year. The representative chosen in 1960 shall serve for a term of two years from July 1st next ensuing.

Any vacancy which shall occur during any term of any representative of the Town of Andover on the Capitol Region Planning Agency shall be filled by the Planning Commission.

Voted: May 7, 1960. Effective June 10, 1960

**ORDINANCE REGULATIONS CONCERNING INSTALLATIONS OF DRIVEWAYS
CONNECTING WITH HIGHWAYS MAINTAINED BY THE TOWN OF ANDOVER**

60-03

No person or corporation shall, for the purpose of constructing or installing a driveway, excavate, alter or change the grade of any land, impede or alter any ditch or watercourse, or install any bridge or culvert within the limits of any highway maintained by the Town of Andover, except in accordance with plans and specifications which have been approved by the Board of Selectmen and except upon receipt of a permit issued pursuant thereto by the Board of Selectmen.

The Board of Selectmen may refuse to approve any such plans and specifications which, in their opinion indicates that the driveway constructed in accordance therewith, would interfere with the use, safety, maintenance or drainage of said highway. No approval shall be given and no permit issued until the applicant shall file with the Board of Selectmen a performance bond in a sum sufficient to insure completion of the work according to plans and specifications."

Any person or corporation who violates the provisions of this ordinance shall be fined not more than \$100.00.

**To be added to ordinances currently in effect immediately following:...."a performance bond in a sum sufficient to insure completion of the work according to plans and specification."

"All bonding instruments must be able to be drawn on-site from a location within the State of Connecticut. The following are the only acceptable bonding instruments:

1. Cash or certified check,
2. Passbook with assignment to the Town of Andover,
3. Approved letter of credit from a bank located within the State of Connecticut."

**Passed by Town Meeting October 23, 1989.

Voted: May 7, 1960. Effective June 10, 1960.
Revision Voted Annual Budget Meeting May 3, 1969.
Published Manchester Herald May 9, 1969

**ORDINANCE CONCERNING NIGHT PARKING AND PARKING DURING WINTER STORMS ON
PUBLIC HIGHWAYS WITHIN THE TOWN OF ANDOVER**

61-01

SECTION 1. No person shall leave an unattended vehicle stationary upon any public street or public highway in the Town of Andover, between the hours of Two O'clock a.m. and Five O'clock a.m. of any day or at any time during or after any period of snowfall or icy conditions while said highways are hazardous to traffic.

SECTION 2. The parking of vehicles in such places and at such times is hereby declared to be a nuisance.

SECTION 3. Whenever any vehicle shall be found parked upon such street or highway at a time when parking is not permitted, such vehicle may be removed and conveyed by, or under the direction of a police officer, sheriff, or constable designated by the First Selectman by means of towing same, or otherwise, to a vehicle pound. Before the owner or person in charge of such vehicle shall be permitted to remove the same from such vehicle pound, he shall furnish to the First Selectman (or such police officer, sheriff or constable as the First Selectman shall designate) evidence of his identity, ownership or right of possession, and shall sign a receipt for the same, and he shall pay the costs of removal, plus the

reasonable cost of storage for each day, or portion of a day, said vehicle is stored in the vehicle pound, and shall pay a fine of ten(\$10) dollars for such illegal parking.

The owner of any impounded vehicle shall be duly informed as to the nature and circumstances of the violation on account of which such vehicle has been impounded. In case protest is made against the payment of any towing or storage fees, the person in charge of said pound shall mark upon the receipt evidencing payment of the towing and storage fees the words "Paid under protest". In such case it shall thereupon be the duty of the First Selectman, police officer, sheriff or constable designated by him having knowledge of the facts to forthwith institute the proper proceedings in the Circuit Court, charging the owner or driver of such vehicle with that violation of the ordinance or traffic regulations on account of which the vehicle was impounded. In the event the owner or driver of said vehicle is found not guilty of the offense charged he shall be reimbursed the sum so paid under protest by the Town of Andover.

It shall be the duty of the First Selectman, sheriff, police officer or constable, as he shall designate, to keep a record of the names of all owners of vehicles impounded, the nature and circumstances of such violation, and the disposition of each case.

SECTION 4. The First Selectman is hereby authorized to create a vehicle pound, or pounds, to which automobiles and other vehicles may be removed by a police officer, sheriff, or constable, or under the direction of a police officer, sheriff, or constable, in the manner hereinafter provided. Such pound, or pounds, shall be such storage garage or garages, or such other appropriate places as may be designated by the First Selectman. Before any such garage or place shall be authorized to be a vehicle pound as provided herein, such garage or designated place of storage shall furnish to the First Selectman satisfactory evidence of insurance coverage to protect the Town of Andover from any claims for damages arising from the towing or storage of any impounded vehicle.

SECTION 5. This Ordinance shall become effective fifteen (15) days after publication as required by Section 7-157 of the General Statutes of Connecticut, Revision of 1958. Published October 5, 1961. Effective October 20, 1961.

Amendments to Section 1 & Section 3 passed at Special Town Meeting March 25, 2966
Published in the Manchester Herald April 8, 1966
Amendments become effective 15 days after publication

AN ORDINANCE CONCERNING LICENSING OF PEDDLERS AND ITINERANT VENDORS WITHIN THE TOWN OF ANDOVER

62-02

SECTION 1. On and after the effective date of this ordinance no person, with or without a team or vehicle, except those exempted by the Statutes of the State, shall vend or hawk upon the public streets any goods, wares, or other merchandise at public or private sale or auction, or vend or peddle such articles from house to house within the town limits, unless he shall have obtained a license to do so from the Town Clerk. This section, however, shall not apply to occupants of stores or shops within the town, or to charitable, educational or religious and non-profit civic organizations within the town.

SECTION 2. The fee for such a license shall be \$5.00 for each year or portion thereof. The Town Clerk shall retain \$2.00 from the fee for each license issued. Each person so licensed shall be required to exhibit his license at the request of any citizen. All licenses shall be good for one year after the issuance, but no such license shall be issued by the Town Clerk until the weights and measures of the applicant, if any such are used by him in his business, have been approved and stamped by the State Sealer of Weights and Measures and a certificate to that effect from the State Sealer of Weights and Measures has been exhibited to the Town Clerk.

SECTION 3. The Town Clerk, before issuing a license under authority of this ordinance, shall refer the applicant to the Board of Selectmen who shall cause such investigation of the applicant's business and moral character to be made as it deems necessary for the protection of the public good. If as a result of such investigation the applicant's business or moral character shall be found to be unsatisfactory the Board of Selectmen shall transmit its disapproval and its reasons for the same to the Town Clerk who shall notify the applicant that no license shall be issued.

SECTION 4. The Town Clerk shall pay over all money received for such licenses less \$2.00 for each license issued, to the Town Treasurer not later than the 10th of the month following issuance of the licenses and shall keep a record of all licenses so issued, the date thereof, the name of licensee to whom given and the amount of money received therefore.

SECTION 5. Any person who shall violate any provision of this ordinance shall be fined not more than Fifty (\$50.00) Dollars. Should any section, paragraph or part of this ordinance be declared invalid for any reason, the remainder thereof shall not be affected thereby.

SECTION 6. This Ordinance shall become effective on June 15, 1962.
Voted: May 12, 1962.

SPECIAL ACT

SPECIAL ACT NO. 124 PASSED BY THE GENERAL ASSEMBLY OF THE STATE OF CONNECTICUT AT THE FEBRUARY 1965, SPECIAL SESSION

65-04

AN ACT CONCERNING VALIDATION OF THE ASSESSMENT LIST OF THE TOWN OF ANDOVER. The assessment list of October 1, 1964, of the Town of Andover otherwise valid except that the assessors may have omitted to sign or make oath to an abstract of said assessment list, or to lodge the same in the Town Clerk's Office by January 31, 1965, as required by law, is validated, and the same is ratified and made binding on said Town.

Approved: June 2, 1965.

ORDINANCE CONCERNING REGIONAL COUNCIL OF ELECTED OFFICIALS TOWN OF ANDOVER, CONNECTICUT

66-01

SECTION 1. The Town of Andover does hereby join the Regional Council of Elected Officials, as defined by Public Act 511 of the 1965 General Assembly created by ordinances of the towns, cities, and boroughs within its planning region as defined by the Connecticut Development Commission.

SECTION 2. The representative to said Regional Council shall be the First Selectman.

SECTION 3. The Regional Council shall have such powers, purposes, responsibilities and duties as stated in Public Act 511 of the 1965 General Assembly.

This Ordinance shall become effective fifteen days after publication.

Voted: Special Town Meeting March 25, 1966.

Published in Manchester Herald April 8, 1966.

GARDEN APARTMENT HOUSING CODE FOR THE TOWN OF ANDOVER

66-02

An ordinance establishing the minimum standards and requirements of space, use and location of garden apartments for the purpose of insuring their adequacy and safety for human habitation.

SECTION I. DEFINITIONS.

A. The following definitions shall apply in the interpretation and enforcement of this ordinance:

1. BASEMENT - means that portion of a building located partly under ground level and having less than one-half of its clear floor to ceiling height below the average grade of the adjoining ground.
2. CELLAR - means that portion of a building located entirely under ground level or partly under ground level and having one-half or more of its clear floor to ceiling height below the average grade of the adjoining ground
3. GARDEN APARTMENT - means a building or group of buildings not over two stories in height intended to be occupied by three or more families living independently of each other and so designed as to give the maximum amount of open space per family.
4. APARTMENT OR DWELLING UNIT - means a group of rooms, or portion of a garden apartment and forming a single unit for habitation by persons which is used or intended to be used for living, sleeping, cooking or eating.
5. HABITABLE ROOM - means a room or enclosed floor space for habitation by persons which is used or intended to be used for living, sleeping, cooking or eating, excluding, however, bathrooms, water closet, compartments, laundries, pantries, foyers, hallways, closets, recreation rooms, workshops, hobby and game rooms, storage rooms, and similarly used spaces which are accessory uses to conforming garden apartments.
6. OCCUPANT - means any person over one year of age, living, sleeping, cooking, or eating in or otherwise occupying or having possession of an apartment or dwelling unit.
7. RENT - means to lease or to let or hire out to a person not a member of the owner's family unit space for occupancy or use for living, sleeping, cooking or eating.

SECTION II. MINIMUM SPACE, USE AND LOCATION REQUIREMENTS.

1. No person shall rent, lease or let to another for occupancy any garden apartment or portion thereof which does not comply with the following requirements:
 - (a) No cellar, basement space or portion thereof shall be rented to be used as an apartment, dwelling unit or habitable room
 - (b) Every dwelling unit shall contain at least 400 square feet of floor space for the first occupant thereof and at least 125 additional square feet of floor space for each additional occupant, the floor space to be calculated on the basis of the total habitable room area.

SECTION III. INSPECTIONS.

1. The Building Inspector and/or his authorized agent is hereby authorized to make inspections for the purpose of determining compliance with the provisions of this ordinance and the safety and adequacy of garden apartments for human habitation. For the purpose of making such inspection, the Building Inspector and/or his authorized agent is hereby empowered to inspect and survey at all reasonable times all apartments, dwelling units or portions thereof. The owner and/or occupant of every apartment, dwelling unit or portion thereof, or person in charge, shall give the Building Inspector and/or his authorized agent access to such apartments, dwelling units or portion thereof at all reasonable hours for the purpose of such inspection and survey.

SECTION IV. ENFORCEMENT AND SERVICE OF NOTICE AND ORDERS.

1. The Building Inspector and/or his authorized agent is hereby given the power and authority to enforce the provision of this ordinance.
2. Whenever, the Building Inspector and/or his authorized agent determines that there are reasonable grounds to believe that there has been a violation of any provisions of this ordinance or of any rule or

regulation adopted pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefore, as hereinafter provided. Such notice shall:

- (a) Be in writing;
- (b) Include a statement of the reasons why it is being issued;
- (c) Allow a reasonable time for the doing of any act it requires
- (d) Be served upon the owner or his agent, or the occupant, as the case may require: Provided, that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally; or if a copy thereof is sent by certified mail to his last known address; or if a copy thereof is posted in a conspicuous place in or about the garden apartment affected by the notice; or if he is served with such notice by any other method authorized or required by the laws of this State; and
- (e) Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this ordinance and with rules and regulations adopted pursuant thereto.

3. The Building Inspector is hereby authorized to make and to adopt such written rules and regulations as may be necessary for the proper enforcement of the provisions of this ordinance, provided, that such rules and regulations shall not be in conflict with the provisions of this ordinance. The Building Inspector shall file a certified copy of all such rules and regulations which he may adopt with the Town Clerk of Andover and publish same in a newspaper having a general circulation in the Town of Andover before such rules and regulations become effective. Such rules and regulations shall have the same force and effect as the provisions of this ordinance, and the penalty for violation thereof shall be the same as the penalty for violation of the provisions of this ordinance as hereinafter provided

SECTION V. VIOLATIONS AND PENALTIES

1. Any person who shall violate any provision of this ordinance may, upon conviction, be punished by a fine of not less than Ten (\$10) Dollars or more than One Hundred (\$100) Dollars; and each day's failure to comply with any such provision shall constitute a separate violation.

SECTION VI. CONFLICT OF ORDINANCES AND EFFECT OF PARTIAL INVALIDITY

1. In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, health ordinance, code of the Town of Andover or State Statute existing on the effective date of this Ordinance the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other Ordinance or code of the Town of Andover existing on the effective date of this ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Ordinance shall be deemed to prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance.

2. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect and remaining portions of this Ordinance, which shall remain in full force and effect; and to this extent the provisions of this Ordinance are hereby declared to be severable.

SECTION VII. EFFECTIVE DATE.

- 1. This Ordinance shall be effective upon adoption.
- 2. This Ordinance shall not apply to any garden apartment rented at the time of the adoption of this ordinance, but no alteration thereof and no building permit therefore shall be issued hereafter except to make such garden apartment conform with the provisions of this ordinance.

Adopted by the Town Meeting of the Town of Andover on March 25, 1966.
Published Manchester Evening Herald April 21, 1966.

RENTAL HOUSING CODE FOR THE TOWN OF ANDOVER

66-03

An ordinance establishing the minimum standards and requirements of space, use and location of rental dwelling units or portions thereof for the purpose of insuring their adequacy and safety for human habitation.

SECTION I. DEFINITIONS

A. The following definitions shall apply in the interpretation and enforcement of this ordinance:

1. BASEMENT - means that portion of a building located partly under ground level and having less than one-half of its clear floor to ceiling height below the average grade of the adjoining ground.
2. CELLAR - means that portion of a building located entirely under ground level or partly under ground level and having one-half or more of its clear floor to ceiling height below the average grade of the adjoining ground.
2. DWELLING - means any building which is designed, used or intended to be used in whole or in part for living, sleeping, cooking or eating by human occupants.
4. DWELLING UNIT - means any room, group of rooms, or portion of a dwelling and forming a single unit for habitation by persons which is used or intended to be used for living, sleeping, cooking or eating.
7. HABITABLE ROOM - means a room or enclosed floor space for habitation by persons which is used or intended to be used for living, sleeping, cooking, or eating, excluding, however, bathroom, water closet compartments, laundries, pantries, foyers, hallways, closets, recreation rooms, workshops, hobby and game rooms, storage rooms, and similarly used spaces which are accessory uses to conforming dwellings, dwelling units and habitable rooms.
6. OCCUPANT - means any person over one (1) year of age, living, sleeping, cooking or eating in or otherwise occupying or having possession of a dwelling, dwelling unit or room.
7. RENT - means to lease or to let or hire out to a person not a member of the owner's family unit space for occupancy or use for living, sleeping, cooking or eating.

SECTION II. MINIMUM SPACE, USE AND LOCATION REQUIREMENTS.

1. No person shall rent, lease or let to another for occupancy any dwelling, dwelling unit or room which does not comply with the following requirements:
 - (a) No cellar or portion thereof shall be rented to be used as a dwelling, dwelling unit or habitable room.
 - (b) No basement space shall be rented to be used as a dwelling, dwelling unit or habitable room unless, (1) the floors and walls thereof are watertight and impervious to the leakage or seepage of underground and surface waters and insulated against dampness; (2) the minimum aggregate glass area of windows shall be not less than one-tenth (1/10) of the floor area of each room; (3) all windows shall be located above the grade of the adjoining ground; and (4) two (2) means of exit to the exterior shall be provided.
 - (c) Every dwelling unit shall contain at least One Hundred (100) square feet of floor space for the first occupant thereof and at least Eighty (80) additional square feet of floor space for each additional occupant, the floor space to be calculated on the basis of the total habitable room area. Every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor space and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet for each occupant thereof

SECTION III. INSPECTIONS.

1. The Building Inspector and/or his authorized agent is hereby authorized to make inspections for the purpose of determining compliance with the provisions of this ordinance and the safety and adequacy

of dwellings, dwelling units or portions thereof for human habitation. For the purpose of making such inspection, the Building Inspector and/or his authorized agent is hereby empowered to inspect and survey at all reasonable times all dwellings, dwelling units or portions thereof. The owner and/or occupant of every dwelling, dwelling unit or portion thereof, or person in charge, shall give the Building Inspector and/or his authorized agent access to such dwelling, dwelling unit or portion thereof at all reasonable hours for the purpose of such inspection and survey.

SECTION IV. ENFORCEMENT AND SERVICE OF NOTICE AND ORDERS.

1. The Building Inspector and/or his authorized agent is hereby given the power and authority to enforce the provisions of this ordinance.
2. Whenever the Building Inspector and/or his authorized agent determines that there are reasonable grounds to believe that there has been a violation of any provision of this ordinance or of any rule or regulation adopted pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefore, as hereinafter provided. Such notice shall:
 - (a) Be in writing;
 - (b) Include a statement of the reasons why it is being issued;
 - (c) Allow a reasonable time for the doing of any act it requires;
 - (d) Be served upon the owner or his agent, or the occupant as the case may require: Provided, that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally; or if a copy thereof is sent by certified mail to his last known address; or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice; or if he is served with such notice by any other method authorized or required by the laws of this State; and
 - (e) Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this ordinance and with rules and regulations adopted pursuant thereto.
3. The Building Inspector is hereby authorized to make and to adopt such written rules and regulations as may be necessary for the proper enforcement of the provisions of this ordinance, provided, that such rules and regulations shall not be in conflict with the provisions of this ordinance. The Building Inspector shall file a certified copy of all such rules and regulations which he may adopt with the Town Clerk of Andover and publish same in a newspaper having a general circulation in the Town of Andover before such rules and regulations become effective. Such rules and regulations shall have the same force and effect as the provisions of this ordinance, and the penalty for violation thereof shall be the same as the penalty for violation of the provisions of this ordinance, as hereinafter provided.

SECTION V. VIOLATIONS AND PENALTIES.

1. Any person who shall violate any provisions of this ordinance may, upon conviction, be punished by a fine of not less than Ten (\$10) Dollars or more than One Hundred (\$100) Dollars, and each day's failure to comply with any such provision shall constitute a separate violation.

SECTION VI. CONFLICT OF ORDINANCES AND EFFECT OF PARTIAL INVALIDITY.

1. In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, health ordinance code of the Town of Andover or State Statute existing on the effective date of this ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the Town of Andover existing on the effective date of this ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this ordinance shall be deemed to prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this ordinance.
2. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and to this extent the provisions of this ordinance are hereby declared to be severable.

SECTION VII. EFFECTIVE DATE.

1. This Ordinance shall be effective upon adoption.
2. This Ordinance shall not apply to any dwelling, dwelling unit or portion thereof, rented at the time of the adoption of this ordinance, but no alteration thereof shall be allowed and no building permit therefore shall be issued hereafter except to make such dwelling, dwelling unit or portion thereof, conform with the provisions of this ordinance.

Adopted by the Town Meeting of the Town of Andover on March 25, 1966.
Published Manchester Evening Herald April 21, 1966.

ELIMINATION OF ANNUAL LISTING OF MOTOR VEHICLES AND REAL ESTATE

67-03

The Town of Andover adopts the provisions of Sec. 12-41 (b) of the Connecticut General Statutes Revision 1958 concerning the elimination of annual listing of motor vehicles which are registered in the office of the State Motor Vehicle Commissioner. The Town of Andover adopts the provisions of Sec. 12-41 of the Connecticut General Statutes Revision 1958 concerning the elimination of the annual listing of real estate and to approve the request of the Board of Assessors to the State Tax Commissioner to compile the abstract of real estate from data contained on the owner's cards.

Voted: Special Town Meeting September 8, 1967.

ORDINANCE PROVIDING A PERMANENT ALTERNATE REPRESENTATIVE TO THE REGIONAL COUNCIL OF ELECTED OFFICIALS

68-01

The First Selectman shall appoint a permanent alternate representative to the Regional Council of Elected Officials.

Voted at Annual Budget Meeting May 4, 1968.
Effective June 1, 1968.

ORDINANCE AUTHORIZING AND EMPOWERING THE CHAIRMAN OF THE BOARD OF FINANCE, THE FIRST SELECTMAN AND THE CHAIRMAN OF THE PLANNING AND ZONING COMMISSION TO ESTABLISH FEES

70-01

The Chairman of the Board of Finance, the First Selectman and the Chairman of the Planning and Zoning Commission are hereby authorized and empowered to establish a schedule of fees for permits issued under the provisions of the State of Connecticut Building Code, adopted by the Town of Andover, and the Sewage Disposal Ordinance, adopted by the Town of Andover, and to amend the schedule from time to time as deemed necessary. This Ordinance shall become effective fifteen days after publication.

Voted at Annual Town Meeting October 5, 1970.
Published Manchester Herald October 12, 1970.

**ORDINANCE REGARDING ACCEPTANCE OF GIFT OF LAND
DESIGNATION OF PARK OF SIGNIFICANCE**

71-01

The Town of Andover hereby accepts the gift of land offered to the Town by Joseph B. Vinick, Raymond B. Porris and Oscar Porris, said land being approximately 4.5 acres located on Long Hill Road, Andover, Connecticut, lying Northeasterly of and adjacent to land of the Town of Andover and is bounded:

SOUTHEASTERLY: by Long Hill Road
NORTHEASTERLY: by land now or formerly of Joseph B. Vinick et al,
NORTHWESTERLY: by land now or formerly of Joseph B. Vinick et al,
SOUTHWESTERLY: by land of the Town of Andover.

The Town hereby designates said land as a park of significance to the Town of Andover.

This Ordinance shall become effective 15 days after publication.

Voted at Annual Budget Meeting May 1, 1971.

Published Manchester Evening Herald May 11, 1971.

**ORDINANCE PROVIDING FOR A THIRTY DAY PROBATIONARY PERIOD FOR NEW
EMPLOYEES BEFORE MAKING PAYROLL DEDUCTIONS FOR THE MUNICIPAL
EMPLOYEE'S RETIREMENT FUND**

72-05

There shall be a probationary period of thirty (30) days for new employees of the Town of Andover before payroll deductions for the Municipal Employee's Retirement Fund shall be made.

This Ordinance shall become effective fifteen (15) days after publication.

Voted at Annual Town Meeting October 11, 1972.

Published Manchester Evening Herald October 20, 1972.

**ORDINANCE CREATING A WETLANDS COMMISSION AND AUTHORIZING IT TO
PROMULGATE REGULATIONS PROTECTING THE WETLANDS AND WATER COURSES OF
THE TOWN OF ANDOVER**

74-01

BE IT ORDAINED BY THE TOWN MEETING of the Town of Andover: That the following ordinance is adopted pursuant to the provisions of An Act Concerning Inland Wetlands and Water Courses, Section 7-131 (a) of the Connecticut General Statutes.

SECTION 1. The inland wetlands and water courses of the Town of Andover 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 an adequate supply of surface and underground water; to hydrological purification of ground water and to the existence of many forms of animal, aquatic, and plant life.

Many inland wetlands and water courses 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 water courses. Such unregulated activity has had, and will continue to have a significant, adverse impact of the environment and ecology of the Town of Andover 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 Andover for its citizens now and forever more.

The preservation and protection of the wetlands and water courses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the 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 Andover by making provisions for the protection, preservation, and maintenance and use of the inland wetlands and water courses 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 water courses for their conservation, economic, aesthetic, recreational and other public and private uses and values; and protecting Andover'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 Andover and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of Andover the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.

SECTION 2. a. The Wetlands Commission shall consist of five regular members and three alternates. One of the five regular members shall be appointed by the Planning and Zoning Commission from among its own current membership. All other members and alternates shall be appointed by the Board of Selectmen. Regular members shall serve for two year terms. Alternates shall serve for three year terms. Subject to subsection c of this Ordinance, all members and alternates serving at the time of the enactment of this Ordinance may continue to serve until their terms are expired.

b. Vacancies shall be filled by the Board of Selectmen.

c. In the event that an Agency member misses four 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 Wetlands Commission 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 water courses, and define boundaries of inland wetland areas as defined by said Public Act No. 155, as amended, within the territorial limits of the Town of Andover. No such regulations of a Wetlands Commission including boundaries of inland wetland areas shall become effective or be established until after a public hearing in relation thereto held by the Wetlands Commission, 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 10 days before such hearing, and may be published in full in such paper.

b. Upon adoption by the Wetlands Commission, such regulations shall be forwarded to the Commissioner of Environmental Protection for approval. The regulations thus approved, together with any maps delineating wetlands and water courses 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 Andover no less than 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 Wetlands Commission shall only consider proposed regulations or amendments to 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 Wetlands Commission 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 Wetlands Commission may require a filing fee to be deposited with the agency to defray the cost of publication of the notice required for hearing. The Wetlands Commission 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 months.

SECTION 4. In exercising the authority granted herein, the Wetlands Commission 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 the furtherance of the purposes of this ordinance; to this end, all applications of building permits, subdivision plans or other permits which involve or may involve regulated activities in an inland wetland or water course made to any other Andover Board or Commission shall be subject to review of the Wetlands Commission.
- c. Encourage, participate in or conduct studies, investigations, research and demonstrations, and collect and disseminate information relating to the purpose 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 water courses or any of them individually or collectively;
- f. Inventory or index the inland wetlands and water courses in such form, including pictorial representations, and list of plant species, as the Wetlands Commission deems 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 Wetlands Commission shall have the right of appeal to the Court of Common Pleas of Tolland County as provided by Public Act 155 of 1972 and as amended.

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

SECTION 7. The invalidity of any word, clause, sentence, sectional 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 upon passage.

Voted at Special Town Meeting at Andover, Connecticut on January 28, 1974.

Published Manchester Evening Herald February 9, 1974.

Revision to Section 2a passed at Town Meeting January 30, 2007

Published in Rivereast 2-9-2007

Revised Ordinance becomes effective 21 days after publication

ORDINANCE PROHIBITING EXCAVATION OF TOWN ROADS OR RIGHTS-OF-WAY

74-02

SECTION 1. PERMITS REQUIRED

No person, firm or corporation shall excavate for any purpose in such a manner as to interfere with or endanger travel over any town road or right-of-way without first obtaining a permit.

To obtain a permit to excavate:

A. A written application shall be filed with the Board of Selectmen containing the location and plan of operation together with an outline of safety precautions to be used at the job site, and such other information as the Board of Selectmen may deem necessary.

B. A performance bond and a certificate of liability insurance acceptable to the Board of Selectmen shall be filed with the Board of Selectmen.

SECTION 2. OBLIGATIONS OF PERMITTEE

By acceptance of the permit the permittee agrees to save the Town harmless from any and all costs and damages, to complete the work within the time limit specified in the permit and to restore the area to its original or better condition. In the event the requirements of this Ordinance or the permit are not fulfilled such amount of said bond shall be forfeited, or the Permittee shall be billed, as is necessary to cover costs of having said work or necessary repairs completed by the Town. At least one way traffic shall be maintained at all times and protective barricades and lights that meet with the approval of the selectmen shall be placed by the permittee as are necessary to protect the public and suitable traffic control shall be maintained. After issuance of the permit the permittee shall notify the First Selectman 24 hours in advance of actual commencement of the work.

SECTION 3. FEES

A fee of \$5.00 shall be charged for the issuance of a permit.

SECTION 4. PENALTY

Any person, firm or corporation who violates the provisions of this Ordinance shall be fined the maximum allowed by law.

This Ordinance shall take effect 30 days after this meeting. (Nov. 6, 1974)

Voted at Annual Town Meeting October 7, 1974.

Published Manchester Evening Herald October 22, 1974

ORDINANCE CONTROLLING TOWN OWNED PROPERTY

76-01

All town-owned personal property and equipment, except items under the control of the Fire Commissioners, the Library Directors, and the Board of Education, shall be under the authority and control of the Board of Selectmen.

This Ordinance to be effective 15 days after publication.

Voted at Special Town Meeting February 9, 1976.

Effective March 2, 1976.

Published Manchester Evening Herald February 16, 1976.

AN ORDINANCE PROHIBITING THE THROWING OR PLACING OF WASTE MATERIALS ON ROADS OF THE TOWN OF ANDOVER, CONNECTICUT, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS

76-02

SECTION I. DEFINITIONS

- a) "Garbage" is the wastes resulting from the handling, preparation, cooking and consumption of food.
- b) "Refuse" is all solid wastes including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, discarded solid materials, and industrial wastes, paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.
- c) "Litter" is garbage and refuse as defined herein and all other waste materials.
- d) "Person" is any natural person, firm, partnership, association, corporation, company and organization of any kind.

SECTION II. No person shall throw or place any garbage, refuse, litter or other waste materials on any road, street or highway or within the right-of-way of any road, street or highway of the Town of Andover, Connecticut.

SECTION III. Any person convicted of violation of any of the provisions of this ordinance shall be fined \$10.00.

This Ordinance shall become effective 15 days after publication.
Published Manchester Evening Herald May 18, 1976.
Effective date June 2, 1976.

ORDINANCE CONCERNING TAX ABATEMENT FOR LOW AND MODERATE INCOME HOUSING FOR THE HOUSING FOR THE ELDERLY OWNED BY THE NEW SAMARITAN HOUSING CORPORATION

81-01

SECTION 1. DEFINITIONS. For the purpose of this Ordinance:

- (a) "Low and moderate income housing" means housing the construction or rehabilitation of which is aided or assisted in any way by any federal or state statute, which housing is subject to regulation or supervision of rents, charges or sales prices and methods of operation by a governmental agency under a regulatory agreement or other instrument which restricts occupancy of such housing to persons or families whose incomes do not exceed prescribed limits, and shall be deemed to include the land on which such housing is situated.

SECTION 2

An abatement of real estate taxes in excess of \$10,000.00 per year on real property located on Riverside Drive owned by the New Samaritan Housing Corporation is hereby granted for a period of five years beginning with the taxes due on the list of October 1, 1980, payable during the fiscal year July 1, 1981 - June 30, 1982.

SECTION 3.

All moneys equal to the amount of said tax abatement shall be used by the New Samaritan Housing Corporation for one or more of the following purposes:

1. To reduce rents below the levels which would be achieved in the absence of such abatement and to improve the quality and design of such housing;
2. To effect occupancy of such housing by persons and families of varying income levels within limits determined by the Commissioner of Housing by regulation; or
3. To provide necessary related facilities of services in such housing.

SECTION 4.

The tax abatement shall automatically terminate at any time when such housing is not solely for low or moderate-income persons or families.

SECTION 5.

In the event that said tax abatement is terminated from the date of the termination the New Samaritan Housing Corporation shall pay to the Town of Andover the full taxes what would be due to said town without the effect of any abatement.

SECTION 6.

The Board of Selectmen is authorized to enter into a contract with the New Samaritan Housing Corporation which contract shall provide the terms of the abatement that moneys equal to the amount of such abatement shall be used for any one or more of the purposes above stated and that such abatement shall terminate at any time when such housing is not solely for low or moderate income persons or families.

This Ordinance shall become effective fifteen (15) days after publication.

Passed at Annual Town Meeting May 2, 1981.

Published in Manchester Evening Herald May 13, 1981.

BE IT RESOLVED THAT;

The First Selectman be authorized to implement the modification and renewal of the agreement with Eastern Connecticut Housing Organization, Inc., formerly known as the New Samaritan Housing Corporation, owners of Hop River Homes, as said agreement relates to Section 2 of Ordinance Number 81-01, as amended, an "Ordinance Concerning Tax Abatement for Low and Moderate Income Housing for the Elderly Owned by the New Samaritan Housing Corporation," to permit an abatement of real estate taxes in excess of \$12,000.00 per year on real property located on Riverside Drive, owned by said Eastern Connecticut Housing Organization, Inc., for a period of five years beginning with the taxes due on the Grand List of October 1, 2005, payable during the Fiscal Year July 1, 2006 to June 30, 2007."

Passed by Town Meeting on January 30, 2007

Published in Rivereast February 9, 2007

Becomes effective 21 days after publication

TAX ABATEMENT ORDINANCE REWORD

The tax abatement to New Samaritan, Hop River Homes shall be granted so that the total tax bill is \$10,000 per annum.

Passed at Board of Selectmen Meeting August 3, 2005

TAX ABATEMENT NEW SAMARITAN HOUSING

Mrs. Gasper moved that the town vote to amend Section 2 of the Ordinance concerning Tax Abatement for Low and Moderate Income Housing for the housing for the Elderly owned by the New Samaritan Housing Corporation, to extend the partial tax abatement set forth therein to the Grand Lists of October 1, 1980 through October 1, 1990. Seconded.

Mrs. Hutchinson moved an amendment to the motion that the date October 1, 1990 be changed to 1989 to conform with the action to be taken under Item A. Seconded. Passed by voice vote.

Mrs. Gasper moved that the Town renew the Agreement with the New Samaritan Housing Corporation as it relates to the Ordinance passed on May 2, 1981 at the Annual Town Meeting, for a period of five years beginning with the taxes due on the list of October 1, 1985, payable during Fiscal Year July 1, 1986 – June 30, 1987 and authorize the First Selectman to execute such renewal on behalf of the Town. Mr. Richards seconded. Passed by voice vote.

Town Meeting Vote October 2, 1985.

ANNUAL TOWN MEETING

TOWN OF ANDOVER, CONNECTICUT OCTOBER 23, 1989 AT 8:00 P.M.

Mrs. Haverl moved that the Town renew an agreement with the New Samaritan Housing Corporation as it relates to the Ordinance passed on May 2, 1981 at the Annual Budget Meeting, for a period of five years beginning with the taxes due on the list of October 1, 1989, payable during the Fiscal Year July 1, 1990 – June 30, 1991. Seconded by Nellie Boisvert. Passed by voice vote.

Mrs. Haverl moved that the Town act upon an amendment of Section 2 of the Ordinance Concerning Tax Abatement for Low and Moderate Income Housing for the Housing for the Elderly owned by the New Samaritan Housing Corporation to extend the partial tax abatement set forth therein to the Grand Lists of October 1, 1989 through October 1, 1993, and to authorize the First Selectman to execute such renewal on behalf of the Town. Seconded by Mrs. Kowalski. Passed by voice vote.

J.Russell Thompson moved that the Town grant tax exempt status for property owned by the First Congregational Church of Andover known as 19, Map 34 Block 25, consisting of 3.5 acres located on Long Hill. Seconded. Passed by voice vote.

ORDINANCE CONCERNING PROPERTY TAX EXEMPTION FOR SOLAR ENERGY ELECTRICITY GENERATING SYSTEMS, SOLAR ENERGY, HEATING OR COOLING SYSTEMS AND PASSIVE OR HYBRID SOLAR ENERGY HEATING OR COOLING SYSTEMS

80-01

The Town of Andover hereby authorizes the property tax exemption for solar energy electricity generating systems, as provided in Section 12-81 (57) (a) (b) (c) of the Connecticut General Statutes, for solar energy heating or cooling systems as provided for in Section 12-81 (56) (a) (b) (c) of the Connecticut General Statutes, and for passive or hybrid solar energy heating or cooling systems as provided for in Section 12-81 (61) (a) (b) (c) of the Connecticut General Statutes.

This Ordinance shall take effect fifteen days after publication
Published in Manchester Evening Herald September 2, 1980

TOWN OF ANDOVER, CONNECTICUT FLOOD PLAIN MANAGEMENT ORDINANCE

82-01

I. FLOOD PLAIN DISTRICT

There is hereby established within the Town of Andover a Flood Plain District within which certain activities hereinafter set forth are regulated.

The Flood Plain District includes all special flood hazard areas designated as Zone A, A1 – 30 on the Andover Flood Insurance Rate Maps, (FIRM), and the Flood Boundary and Floodway Maps, on file with the Andover Town Clerk. These maps as well as the accompanying Andover Flood Insurance Study are incorporated herein be reference

II. DEVELOPMENT REGULATIONS: The following regulations apply within Zone A, A1 – 30

A. RESIDENTIAL CONSTRUCTION: New construction and substantial improvement of any residential structures shall have the lowest floor, including basement, elevated to or above the base flood elevation.

B. NON-RESIDENTIAL CONSTRUCTION: New construction and substantial improvement of non-residential structures shall be constructed in accordance with II-A, or together with attendant utility and sanitary facilities shall:

- (1) be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- (2) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- (3) be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certification shall be provided to the Building Official.

C. WITHIN THE FLOODWAY, designated on the Flood Boundary and Floodway Map, all encroachments, including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the 100-year flood.

D. WITHIN ZONE A, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Official for its reasonable utilization toward meeting the elevation or flood proofing requirements of this district.

III. GENERAL STANDARDS: Within Zone A, A1 – 30 the following standards must be met prior to issuing permits for any proposed construction/development.

A. ANCHORING: All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

B. CONSTRUCTION MATERIALS & METHODS: (a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage, (b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. UTILITIES: (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system. (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters, and (3) On-site waste disposal systems shall be located to void impairment to them or contamination from them during flooding.

D. ALTERATION OF WATERCOURSE: (1) Adjacent communities and the Department of Water Resources Unit shall be notified prior to any alteration or relocation of a Watercourse, and evidence of such notification shall be submitted to the Federal Emergency Management Agency; and (2) Maintenance shall be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished

IV. ADMINISTRATION:

ESTABLISHMENT OF DEVELOPMENT PERMIT:

- A. A development permit shall be obtained from the Building Official before construction or development begins within Zone A, A1-30.
- B. Information to be Obtained and Maintained:
- (1) The Building Official shall obtain and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, which information shall be supplied and certified by certified professional engineer or registered land surveyor, and
 - (2) For all new or substantially improved flood proofed structures:
 - a. verify and record the actual elevation (in relation to mean sea level), which information shall be supplied and certified by a certified professional engineer or registered land surveyor, and
 - b. Maintain the flood proofing certifications required in Section II-B.
 - (3) The Building Official shall maintain for public inspection all records pertaining to the provisions of this ordinance
- C. The Building Official shall require that all other state and/or federal permits are obtained before a development permit is issued.
- D. The Building Official shall review all applications for permits to assure that sites are reasonably free from flooding.

V. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Compliance with all provisions of these regulations, however, is not intended to insure against actual flood damage to persons or property. Compliance with the provisions of these regulations is not to be considered an undertaking by the Town of Andover to indemnify or otherwise hold harmless any person from damage to person or property resulting from floods. Larger floods than anticipated by these regulations can and will occur on occasion. Flood heights may be increased by man made or natural causes. This regulation does not imply that land outside the limits of the specified recurrence-interval flood, or uses permitted within such areas, will be free from flooding or flood damage. These regulations shall not create liability on the part of the Town of Andover or any subdivision thereof, or any official or employee thereof or member of any town body or commission, or the Federal Insurance Administration for any flood damage which may result from compliance with these regulations or any administrative decision made there under.

VI. APPEAL:

Any party aggrieved by the implementation of this ordinance shall have the right to appeal directly to the Superior Court, Judicial District of Tolland.

VII. EFFECTIVE DATE:

This Ordinance shall be effective fifteen days after publication.
Voted at Annual Town Meeting October 26, 1981.
Published in Manchester Evening Herald, January 16, 1982.

AN ORDINANCE PROVIDING FOR THE ASSIGNMENT AND AFFIXING OF VISIBLE STREET NUMBERS

88-01

Be it ordained by the Town Meeting of the Town of Andover:

PURPOSE

The purpose of this ordinance is to promote public safety and convenience by requiring visible street numbering in order that addresses may be identified from town roads to ease and speed essential emergency services such as fire fighting, police and emergency medical care.

ASSIGNMENT OF STREET NUMBERS

Pursuant to Section 7-148 of the General Statutes of Connecticut, the Town shall assign street numbers to all property and structures fronting on any street or highway within the Town and may change numbers if necessary to have a more orderly numbering system. When new streets are laid out, the Town shall promptly assign numbers to each property or structure on said street. The Town may assign numbers to private roads which have not been accepted by the Town or which pass through private property. Such assignment of numbers shall not be construed as acceptance of such streets or highways or any portion thereof by the Town. The Town shall be required to notify persons of the number assigned to any property or structure.

The Town shall maintain maps showing the street numbers assigned to each property or structure and such maps and records shall be open for public inspection.

AFFIXING OF STREET NUMBERS

Each owner, agent or occupant shall affix to some portion of his property the street number or numbers assigned by the Town. All numbers shall be affixed so as to be visible from a town numbered street or highway. Numbers shall be affixed within 60 days of receipt of notice from the Town.

The Andover Planning and Zoning Commission shall have the authority to name streets with attention being given to avoiding street names which are similar to or may otherwise be confused with existing street names.

EFFECTIVE DATE

This ordinance shall become effective fifteen (15) days after publication hereof in a newspaper having circulation in the Town.

INITIAL NUMBERING

The numbering system as of the date of this ordinance is as shown on a set of maps on file in the office of the Town Clerk, entitled "Town of Andover - Street Numbering System, 1988" is hereby adopted as specified in Section 7-148 of the General Statutes as the Street Numbering System of the Town of Andover.

WORTHY OF NOTE

Certain streets and roads have been numbered which are not Town roads. This has been done for consistency and convenience and cannot be interpreted as acceptance of the street by the Town.

Passed October 24, 1988.

Published December 12, 1988, Manchester Herald.

ORDINANCE CONCERNING THE HOURS OF TOWN OFFICERS AND EMPLOYEES

89-02

Be it ordained by the Town of Andover:

That the Board of Selectmen is hereby delegated and authorized to fix the hours of employment for each official and employee of the Town of Andover, and the hours they are to be on duty at the Town Office Building.

Passed by Town Meeting Vote February 23, 1989

Published Manchester Herald March 2, 1989

ORDINANCE CONCERNING THE SALARIES OF APPOINTED OFFICERS AND EMPLOYEES

89-03

Be it ordained by the Town of Andover:

That the salaries or other compensation of all appointed officers and employees, including the following shall be fixed by the Board of Selectmen after consultation with the appointing authority, and approval by the Board of Finance.

Assessor, Building Official, Sanitarian, Health Officer, Assistant Town Clerks, Fire Marshall, Deputy Fire Marshall, Assistant Treasurer, Zoning Agent, Town Secretary, Clerk-Planning and Zoning Commission, Clerk-Zoning Board of Appeals, Clerk-Wetlands Commission, Clerk-Board of Finance.

The following Ordinance that was adopted by the Annual Town Meeting, on Wednesday, May 10, 1995 repealed Ordinance 89-03 above and replaced it with the following:

That the salaries or other compensation of all appointed officers and hired employees, shall be fixed by the Board of Selectmen after consultation with the appointing authority.

The effective date is July 1, 1995.

Revision Passed by Town Meeting Vote May 10, 1995.

Published Willimantic Chronicle June 12, 1995.

Passed by Town Meeting Vote February 23, 1989

Published Manchester Herald March 2, 1989

ORDINANCE CONCERNING THE SALARIES OF ELECTED OFFICIALS

89-04

Be it ordained by the Town of Andover:

That no change shall be made in the salaries of any elected official, including the following, except at a duly called Town Meeting. Such changed salaries shall not be more than recommended and approved by the Board of Finance.

First Selectmen, Two other Selectmen, Two Registrars of Voters, Tax Collector, Town Clerk, Treasurer, Chairman Board of Tax Review, Two Members of Tax Review.

Passed by Town Meeting Vote February 23, 1989.

Published Manchester Herald March 2, 1989.

ORDINANCE TO REGULATE ANDOVER DISPOSAL AREA

90-01

The present "Ordinance to Regulate Andover Disposal Area" is repealed and the following is substituted therefore:

SECTION 1. PURPOSE:

To regulate the use and maintenance of the Andover Landfill Area ("Landfill") in order to safeguard the health and safety of the people of the Town of Andover ("Town") and to comply with the State Statutes pertaining to disposing and recycling solid waste.

SECTION 2. DEFINITIONS:

LANDFILL: That property located on Shoddy Mill Road in the Town, commonly referred to in the past as "The Dump".

LANDFILL ATTENDANT:

"That person appointed by the Board of Selectmen to supervise the use and maintenance of the Landfill and to limit the use of the Landfill to those persons authorized under this ordinance".

HOUSEHOLD WASTE:

Biodegradable materials, animal and vegetable materials originating within households in the Town.

COMMERCIAL WASTE:

Waste, other than Household Waste, generated within the Town either by businesses located within the Town or by out-of-town contractors or subcontractors performing work within the Town.

RECYCLABLE MATERIALS:

Solid waste which through the process of recycling may be separated, extracted, refined or utilized to produce energy or materials which may be reused in manufacturing, agriculture or in other processes, to include, but not limited to, cardboard, dry cell batteries, glass food containers, high density polyethylene plastic containers, meat food containers, newspapers, office paper, polyethylene terephthalate ("PET") plastic food containers, scrap metal, scrap tires, storage batteries, waste oil and yard waste and leaves.

HAZARDOUS WASTE:

Any waste material, except radioactive material referred to in Section 22a-151 of the General Statutes, which may pose a present or potential hazard to human health or the environment when improperly disposed of, treated, stored, transported or otherwise managed, including (a) hazardous waste identified in accordance with Section 3001 of the Federal Resource Conservation and Recovery Act of 1976, (b) hazardous material identified by regulation by the Department of Environmental Protection and (c) polychlorinated biphenyl's in concentrations greater than fifty parts per million.

REFUSE COLLECTORS:

Those persons allowed by permit issued by the Board of Selectmen to collect solid waste on a commercial basis within the Town and to deposit refuse in the Landfill generated in the Town from residences and businesses.

RESIDENT: Any person who resides within, or who owns or rents property within the geographical limits of the Town.

BUSINESS: Any business entity or institution located within the geographical limits of the Town or any out-of-town contractor or subcontractor performing work within the Town.

SECTION 3. HOURS OF OPERATION:

The landfill shall be open on such days and hours as determined by the Board of Selectmen.

SECTION 4. PERSONS AUTHORIZED TO USE THE LANDFILL AREA:

Only Residents, Businesses and Refuse Collectors as defined in this Ordinance may dispose of materials in the Landfill. No one shall be allowed to use the Landfill without showing authorization (a ticket, pass or sticker) obtained from the Board of Selectmen.

SECTION 5. PERMITS FOR REFUSE COLLECTORS:

The Board of Selectmen shall issue and revoke permits authorizing Refuse Collectors to dispose at the Landfill refuse collected from Residents and Businesses as defined in this Ordinance. Such permits shall be revocable for cause at the discretion of the Board of Selectmen. No Refuse Collector shall collect within the Town or dispose of refuse in the Landfill without first having obtained a permit from the Board of Selectmen. The Board of Selectmen may issue identification stickers to those persons permitted to use the disposal area.

SECTION 6. CONTRACTORS AND SUBCONTRACTORS:

Those persons whose business may be located within or outside of the Town who generate waste in the course of work being performed within the Town.

SECTION 7. PERMITS FOR BUSINESS AND FOR CONTRACTORS AND SUBCONTRACTORS:

The Board of Selectmen shall issue and revoke permits authorizing Businesses, Contractors and Subcontractors to dispose of solid waste originating within the Town.

SECTION 8. PERMITS FOR RESIDENTS:

Each Resident of the Town as defined in this ordinance shall be entitled to deposit waste in the Landfill in accordance with this ordinance and in accordance with such regulations relating to recycling as may be adopted.

SECTION 9. PERMIT FEES:

RESIDENT FEES: There will be no fee charged to Residents.

BUSINESS, CONTRACTORS AND SUBCONTRACTOR FEES:

The amount of the fee to be collected before a permit is issued to a Business, Contractor or Subcontractor as defined in this Ordinance shall be determined By the Board of Selectmen.

REFUSE COLLECTORS FEES:

The amount of the fee to be collected before a permit is issued to a Refuse Collector as defined in this Ordinance shall be determined by the Board of Selectmen.

SECTION 10. STICKERS:

RESIDENTIAL:

Stickers shall be issued to Residents for each registered motor vehicle. Stickers are to be placed on the windshield of each registered motor vehicle on the driver's side near the emissions sticker.

BUSINESS, CONTRACTOR AND SUBCONTRACTOR:

Stickers, upon payment of the appropriate permit fee, shall be issued to Businesses, Contractors and Subcontractors for only those vehicles that will be utilized in transporting solid waste to the Landfill. The sticker shall be placed in clear view on the vent window on the driver's side of the vehicle.

REFUSE COLLECTORS:

Stickers, upon payment of the appropriate fee, shall be issued to Refuse Collectors for only those vehicles which will be collecting solid waste in the Town and transporting solid waste to the Landfill. The sticker shall be placed in clear view on the vent window on the driver's side of each vehicle.

All stickers will expire on June 30 of each year and new stickers will be issued upon proof of registration of the vehicle and upon payment of the appropriate permit fee. Stickers issued before or after July 1, 1990 will expire on June 30, 1991.

SECTION 11. DUTIES OF LANDFILL ATTENDANT:

THE LANDFILL ATTENDANT SHALL:

- (a) Open and close the Landfill at the designated times.
- (b) Keep unauthorized persons from trespassing on or depositing solid waste in the Landfill.
- (c) Designate the place where and the manner in which recyclable materials shall be deposited at the Landfill.
- (d) Burn combustible materials in a manner recommended by the Town Fire Marshall.
- (e) Supervise the maintenance and use of the Landfill so as to maintain it in a sanitary and orderly condition in accordance with the provisions of this ordinance, other rules and regulations which may be adopted by the Board of Selectmen or by other proper authority.

SECTION 12. MAINTENANCE OF LANDFILL:

The Town through the Board of Selectmen, shall maintain in a safe condition the approaches and driveways regularly used by persons depositing solid waste at the Landfill, shall plow and sand said approaches and driveways as may be required, shall erect gates, fences and other proper barriers at the entrance and exit of the Landfill and shall post ordinances, rules and regulations governing the use of the Landfill in a conspicuous place at the Landfill. In addition, the Town of Andover, through the Board of Selectmen or its designated agent, shall institute and continue a program for the control of pests and vermin at the Landfill in accordance with generally accepted vermin control practices. It shall designate the area where solid waste shall from time to time be deposited; shall cover all wastes deposited in the Landfill as required, and shall do any and all things necessary to maintain the Landfill in as orderly, sanitary and suitable condition as practicable.

SECTION 13. RECYCLING PROGRAM:

The recycling program shall be put into effect in steps over the next year until the program mandated by the State of Connecticut shall be in full operation as of January 1, 1991. Initially there will be containers and designated deposit areas for newspapers, cans, glass, plastic milk containers, P.E.T. soda containers, tires, waste oil and batteries.

For the purposes of the recycling program, recyclable materials shall be broken down and defined as follows:

- (a) CARDBOARD means corrugated boxes and similar corrugated and Kraft paper materials which have a minimum of contamination by food or other material.
- (b) DRY-CELL BATTERY means a device used for generating electric current through a chemical reaction, including, but not limited to, nickel-cadmium batteries, carbon batteries and alkaline batteries.
- (c) GLASS FOOD CONTAINER means a glass bottle or jar of any size or shape used to package food and beverage products suitable for human or animal consumption.
- (d) HDPE PLASTIC CONTAINER means a high-density polyethylene bottle or jar of any size or shape used to package food, household laundry products, or crankcase oil.
- (e) METAL FOOD CONTAINER means an aluminum, bimetal, steel, tin-plated steel, or other metallic can, plate or tray of any size or shape used to package food and beverage products suitable for human or animal consumption.
- (f) NEWSPAPER means used or discarded newsprint which has a minimum of contamination by food or other material.
- (g) OFFICE PAPER means used or discarded high-grade white paper and manila paper including, but not limited to, paper utilized for file folders, tab cards, writing, typing, printing, computer printing, and photocopying, which is suitable for recycling and which has a minimum of contamination. For the purposes of this Ordinance, office paper generated by households is excluded.
- (h) P.E.T. PLASTIC FOOD CONTAINER means a polyethylene terephthalate container of any size or shape used to package beverages.
- (i) SCRAP METAL means used or discarded items which consist predominately of ferrous metals, aluminum, brass, copper, lead, chromium, tin nickel or alloys thereof, including but not limited to, white goods and metal food containers.
- (j) SCRAP TIRES means discarded rubber or synthetic rubber tires used by or manufactured for vehicles including, but not limited to, automobiles, trucks, buses, and trailers.
- (k) STORAGE BATTERY means lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors and like applications.
- (l) WASTE OIL means crankcase oil that has been utilized in internal combustion engines.
- (m) YARD WASTE AND LEAVES means brush and the boughs and foliage of trees. For the purposes of this Ordinance, lawn clippings are excluded.

The recycling program shall become mandatory upon a date established by the Board of Selectmen. From time to time the Board of Selectmen shall issue regulations governing the handling and deposit of recyclable materials.

SECTION 14. PROHIBITED USES:

The following uses and items are prohibited at the Landfill:

- (a) Hunting.

- (b) Disposal of dead animals, pesticides, explosives, high flammable chemicals, combustibles, reactive toxic substances, other inherently dangerous materials and all hazardous materials.
- (c) Any disposal of solid waste in violation of this ordinance or any rules and regulations adopted by the Board of Selectmen or instructions of the Landfill Manager.
- (d) Sewer effluence or unsanitary substances.
- (e) Tree stumps and logs in excess of six inches in diameter,
- (f) Motor vehicles, and all parts thereof,
- (g) Any solid waste or refuse not generated within the Town.

SECTION 15. PENALTIES:

Any person, firm or corporation in violation of any provision of this Ordinance including rules and regulations established there under, shall be fined not more than one hundred dollars (\$100) for every such violation. Each separate violation shall constitute a separate violation subject to this penalty. Any violation shall constitute good cause for the revocation of the permit of a Refuse Collector.

Passed by Town Meeting Vote February 22, 1990.
Published Manchester Herald March 14, 1990.

Revision of Section 5 passed at Annual Town Meeting October 4, 1965
Published in the Manchester Herald

AN ORDINANCE REGULATING THE OPERATION AND/OR PRESENCE OF MOTORIZED VEHICLES ON TOWN PROPERTY

91-01

BE IT ORDAINED BY THE TOWN MEETING:

SECTION 1. DEFINITIONS:

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- A. "Motorized Vehicle" shall mean any vehicle (except Town owned vehicles) propelled or drawn by any power other than muscular power and shall include, but is not limited to, automobiles, trucks, buses, motorcycles, mini-bikes, go-carts, snowmobiles, three-wheel vehicles, trailers and campers;
- B. "Town Property" shall mean any and all real property owned by, leased to, or in the possession and/or under the control of the Town of Andover or any agency, board, commission or committee of the Town;
- C. "Person" means any individual, corporation, association, partnership, company, firm or other aggregation of individuals.

SECTION 2. LIMITED OPERATION ON TOWN PROPERTY:

No person shall permit or cause a motorized vehicle to be on Town Property and no person shall operate or cause to be operated a motorized vehicle on Town property except that a properly registered motorized vehicle may be on and/or may be operated on Town roads and parking lots so designated by the Town for the purposes authorized by the Town.

SECTION 3. SNOWMOBILES:

Notwithstanding any other provisions herein, snowmobiles may be operated on those areas of Town property which have been so designated by the Board of Selectmen at such times as three or more inches of snow cover the area.

SECTION 4. CLOSING HOURS:

No person shall permit or cause a motorized vehicle to be on Town property between the hours of sunset and sunrise, except in authorized areas.

SECTION 5. SUSPENSION OF ORDINANCE FOR SPECIAL TOWN EVENTS AND ACTIVITIES AND EMERGENCIES.

If there is need for motor vehicles to be on, or to be operated on, Town property in connection with special town events and activities and in case of an emergency, the First Selectman is authorized to suspend the application of this Ordinance for such time and for such Town property as may reasonably be required.

SECTION 6. VIOLATIONS:

Any person or owner of any motorized vehicle violating the provisions of this Ordinance shall be fined not more than \$100.00.

Passed by Town Meeting Vote January 10, 1991.
Published Manchester Herald January 17, 1991.

ORDINANCE ESTABLISHING MUNICIPAL AGENT FOR ELDERLY PERSONS

91-02

BE IT HEREBY ORDAINED BY THE TOWN OF ANDOVER:

1. ESTABLISHMENT OF MUNICIPAL AGENT FOR ELDERLY PERSONS.

In accordance with the provisions of Section 7-127b of the Connecticut General Statutes, Revision of 1958, as amended, there is hereby established a municipal agent for elderly persons for the Town of Andover. Such municipal agent shall be a member of the Town's Commission on the Aging, a member of another Town agency that serves elderly persons, an elected official of the State of Connecticut or the Town or a responsible resident of the Town who has demonstrated an interest in the elderly or has been involved in programs in the field of aging.

2. TERM OF OFFICE.

Each municipal agent shall be appointed by the First Selectman and shall serve for a term of two years or until a successor has been duly appointed and qualified, and may be re-appointed. The term of the initial municipal agent appointed by the First Selectman pursuant to this Ordinance shall commence on February 1, 1991, and expire on January 31, 1993. Vacancies for an unexpired term of any municipal agent shall be filled by the First Selectman.

3. ASSISTANT MUNICIPAL AGENTS.

If in the sole discretion of the First Selectman more than one agent is necessary to carry out the powers and duties of the municipal agent as described in Section 4 below, the First Selectman from time to time may appoint one or more assistant agents, to serve a term of office coextensive with the term of office of the municipal agent.

4. **POWERS AND DUTIES.**

Each municipal agent shall (1) disseminate information to elderly persons in the Town and assist such persons in learning about the community resources available to them and publicize such resources and benefits; (2) assist elderly persons in applying for federal and other benefits available to such persons; and (3) on January 1, 1992, and at least annually thereafter, submit written reports to the First Selectman, the Town Meeting, the Town's Commission on the Aging and the State Department on Aging regarding the services that the municipal agent has provided, the needs and problems of the elderly and any recommendations for municipal action with regard to elderly persons. Each municipal agent shall attend at least one training session sponsored by the State of Connecticut Department on Aging pursuant to Section 7-127b(d) of the Connecticut General Statutes, Revision of 1958, as amended.

5. **COMPENSATION.**

Each municipal agent and each assistant agent shall serve without compensation. Necessary resources for each such municipal agent or assistant agent to perform the duties of the office shall be provided by the Town through proper appropriation procedures.

Signed at Andover, Connecticut, this 15th day of January, 1991.
Passed by Town Meeting Vote January 10, 1991.
Published Manchester Herald January 17, 1991.

**AN ORDINANCE REGULATING THE RECYCLING OF SOLID WASTE
IN THE TOWN OF ANDOVER**

91-03

BE IT ORDAINED BY THE TOWN MEETING:

SECTION 1. ESTABLISHMENT OF TOWN RECYCLING PROGRAM. There is established a Town Solid Waste Recycling Program with standards to affect the maximum level of recycling of Solid Waste and source separation.

SECTION 2. ADMINISTRATOR OF TOWN RECYCLING PROGRAM. The Board of Selectmen shall appoint an Administrator of the Recycling Program who shall be vested with full powers to develop and operate a recycling program consistent with this Ordinance and the laws and regulations of the State.

SECTION 3. DECLARATION OF POLICY. The recycling of Solid Waste is a responsibility of the Town of Andover and of each resident and business within the Town as contained in Connecticut General Statutes (Conn. Gen. Stat.) Section 22a-241 to 22a-241h inclusive, and 22a-220 to 22a-220a inclusive, as amended by Public Acts Nos. 90-220 and 90-249. It is consequently found and declared that:

- (a) Pursuant to Conn. Gen. Stat. Section 22a-241b as amended by Public Act No. 90-220, on and after January 1, 1991 each person who generates Solid Waste from residential property shall separate from other Solid Waste the items designated for recycling pursuant to said statute and every other person (business or institution) who generates Solid Waste shall make provision for the separation from other solid waste of the items so designated;
- (b) Under Conn. Gen. Stat. Section 22a-241(b), as amended, the Town shall adopt an ordinance to assure that persons, businesses and waste haulers comply with recycling requirements and the Town shall provide the Department of Environmental Protection with the name address and phone number of the person to receive information and respond to questions regarding recycling from the Department on behalf of the Town:

- (c) The public health, safety and welfare of the Town shall be best served by the recycling of those items so designated by the Department of Environmental Protection and by disposing of such other Solid Waste in accordance with Town Ordinance "Ordinance to Regulate Andover Disposal Area", as amended;
- (d) The enactment of this ordinance will enable the Town to effectuate the separation and collection of certain recyclable materials, thereby fulfilling the Town's obligations under applicable State Law and Regulations; and
- (e) The successful operation of the Recycling Program may require the issuance of regulations and instructions setting forth procedures to be followed by residents, businesses and institutions, collectors and others. The Administrator of the Recycling Program is authorized and directed to promulgate such regulations and instructions which shall be binding upon all persons within the Town in order to effect an efficient and economical recycling program consistent with this ordinance and applicable State Law and Regulations.

SECTION 4. DEFINITIONS.

For the purpose of this Ordinance, the terms below shall have the following meanings:

- (a) "CARDBOARD" means corrugated boxes and similar corrugated and Kraft paper materials which have a minimum of contamination by food or other material.
- (b) "COLLECTOR" means any person who holds himself out for hire to collect Solid Waste from residential, business, commercial and other establishments within the Town and, particularly such person who has been authorized by the Town to collect Solid Waste within the Town.
- (c) "COMMISSIONER" means the Commissioner of Environmental Protection of the State of Connecticut, or his authorized agent.
- (d) "GENERAL STATUTES" means the General Statutes of Connecticut as amended.
- (e) "GLASS FOOD AND BEVERAGE CONTAINER" means a glass bottle or jar of any size or shape used to package food or beverage products suitable for human or animal consumption.
- (f) "INTERMEDIATE PROCESSING FACILITY" or "INTERMEDIATE PROCESSING CENTER", means a facility where glass, metals, paper products, batteries and other items are removed from the waste stream for recycling or reuse.
- (g) "LEAVES" means foliage of trees.
- (h) "METAL FOOD AND BEVERAGE CONTAINER" means an aluminum, bimetal, steel, tin-plated steel, or other metallic can, plate or tray of any size or shape used to package food or beverage products suitable for human or animal consumption.
- (i) "NEWSPAPER", means used or discarded newsprint, which has a minimum of contamination by food or other material.
- (j) "OFFICE PAPER" means used or discarded high-grade white paper and manila paper including, but not limited to, paper utilized for file folders, tab cards, writing, typing, printing, computer printing and photo-copying, which is suitable for recycling and which has a minimum of contamination, excluding office paper generated by households.
- (k) "PERSON" means any individual, organization, corporation, trust, partnership, foundation, group, association, or establishment or any combination of them.
- (l) "RECYCLABLES" or "ITEMS REQUIRED TO BE RECYCLED" or "STATUTORY RECYCLABLE MATERIALS" means cardboard, glass food and beverage containers,

metal food and beverage containers, newspaper, office paper, scrap metal, storage batteries and waste oil, as defined herein and such other items as may be designated by the Commissioner.

- (m) "RECYCLE" means to separate or divert an item or items from the solid waste stream for the purposes of processing it or causing it to be processed into a material product, including the production of compost, in order to provide for disposition of the item or items in a manner other than incineration or land filling, which will best protect the environment.
- (n) "RECYCLING" means the processing of Solid Waste to reclaim material there from.
- (o) "RECYCLING BOX" or "RECYCLING CONTAINER" means any box or container designated as a recycling container by the Town.
- (p) "RECYCLING FACILITY", or "RECYCLING CENTER" or "RECYCLING DROP-OFF CENTER" means land and appurtenances thereon and structures where recycling is conducted including, but not limited to, and Intermediate Processing Center. The Town's Recycling Drop Off Center shall be the Landfill site on Shoddy Mill Road.
- (q) "RESIDENTIAL PROPERTY" means real estate containing one or more dwelling units excluding hospitals, institutions, motels and hotels.
- (r) "RESOURCES RECOVERY FACILITY" means a facility utilizing processes to reclaim energy from municipal Solid Waste.
- (s) "SCRAP METAL" means used or discarded items which consist predominately of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel, or alloys thereof, including but not limited to; "white goods" and metal food containers.
- (t) "SCRAP TIRES" means discarded rubber or synthetic rubber tires used by or manufactured for vehicles including, but not limited to, automobiles, trucks, buses and trailers.
- (u) "SEPARATE" means to prepare items for recycling by dividing them into designated categories.
- (v) "SOLID WASTE" means solid, liquid, semisolid or contained gaseous material that is unwanted or discarded including, but not limited to, material processed at a recycling facility.
- (w) "SOLID WASTE FACILITY" means any Solid Waste disposal area, volume reduction plant, transfer station, wood burning facility, or biomedical waste treatment facility.
- (x) "SOLID WASTE DISPOSAL AREA" means land and appurtenances thereon and structures including, a landfill or other land disposal site used for the disposal of more than ten cubic yards of Solid Waste.
- (y) "STATE" means the State of Connecticut.
- (z) "STORAGE BATTERY" means lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors and like applications.
- (aa) "TOWN" means the Town of Andover, and includes authorized officers, boards, commissions and agencies of the Town.
- (bb) "TRANSFER STATION" means the site and depository to which solid waste and items to be recycled may be deposited for hauling to such place designated or approved by the Town.

- (cc) "WASTE OIL" means crankcase oil that has been utilized in internal combustion engines.

SECTION 5. OPERATION OF RECYCLING PROGRAM.

- (a) Each person owning or occupying property, whether it be residential, business or institutional, shall separate or cause to be separated from other Solid Waste the following items for recycling:
- (1) Cardboard,
 - (2) Glass food and beverage containers,
 - (3) Metal food and beverage containers,
 - (4) Newspaper,
 - (5) Scrap Metal,
 - (6) Storage Batteries,
 - (7) Waste Oil,
 - (8) Office paper (business and institutional users only), and
 - (9) Such other items as may be designated in the future by the Town or the State.
- (b) All persons shall either use the Town's Recycling Drop Off Center or engage the services of collectors or other person authorized hereunder to dispose of recyclable items.
- (c) The Town shall cause containers designated for recycling items to be located at the Town's Recycling drop-off Center.
- (d) Items To Be Recycled shall no longer be commingled with other Solid Waste and neither Solid Waste containing Items To Be Recycled or Items To Be Recycled containing other Solid Waste shall be accepted at the Town's Recycling Drop-Off Center or by Collectors or by any other person authorized hereunder to receive Items To Be Recycled.
- (e) All persons disposing of Items To Be Recycled at the Town's Recycling Drop Off Center or disposing of Items To Be Recycled through Collectors, shall place such Items To Be Recycled in appropriate recycling containers.
- (f) Collectors shall deliver Items To Be Recycled to an Intermediate Processing Center or to such other locations authorized by the State or by the Town and shall pay or otherwise arrange for payment of recycling charges.
- (g) It shall be a violation of this Ordinance for any person not authorized by the Town to collect or pick up, or cause to be collected or picked up, any Items To Be Recycled which have been deposited at the Town's Recycling Drop Off Center or which have been placed outside or otherwise set aside for collection. From the time of deposit at the Town's Recycling Drop-Off Center recyclable items become the property of the Town.
- (h) Nothing in this Ordinance shall abridge the right of any person, partnership, firm or corporation to give or sell their Recyclables, including deposit beverage containers, to any person, partnership, firm, corporation or recycling program lawfully operated for profit, non-profit or charitable purposes, provided that such Recyclable shall not have been deposited at the Town's Recycling Drop Off Center set out on the curb, or placed at any designated collection or pick-up site authorized by the Town or its designated agent.
- (i) The Administrator of the Recycling Program shall be responsible for and shall arrange for the items for recycling listed above generated from residential properties to be collected and delivered to a site in accordance with the provisions of this Ordinance and applicable State Law and Regulations.

- (j) The Administrator of the Recycling Program shall take appropriate action to cause each owner of property used for business, institutional and/or other nonresidential purposes, at such owner's expense, to collect and have recycled the items listed above in accordance with the provisions of this Ordinance and applicable State Laws and Regulations.
- (k) The Administrator of the Recycling Program may require non-residential generators to submit to the town plans for recycling and periodic reports setting forth specified data relating to the amount and nature of items recycled.
- (l) The Administrator of the Recycling Program, with the consent of the Board of Selectmen, may require the separation and recycling of items in addition to those designated above.

SECTION 6. REGULATION OF COLLECTORS:

- (a) Any Collector hauling Solid Waste generated by residential, business or other establishments within the Town shall register in the Town within 30 days of the effective date of this Ordinance and shall disclose the name of any other municipality in which such Collector hauls Solid Waste. The Administrator of the Recycling Program is authorized and directed to establish reasonable requirements and qualifications for a person to be a Collector of Solid Waste within the Town. A permit and payment of a permit fee may be required.
- (b) The door of any private vehicle used to haul Solid Waste generated with the Town shall be clearly marked with the business name and address of the hauler.
- (c) The Administrator of the Recycling Program shall, by mail, give notice of this Ordinance, and any other provisions promulgated for the collection, hauling, processing and marketing of Items Required to be Recycled, to all Collectors registered under Subsection (a) of this section. After such notice, any Collector who has reason to believe that a person from whom he has collected Solid Waste has discarded Items Required to be Recycled with such Solid Waste, shall promptly notify the Administrator of the Recycling Program of the alleged violation. Upon request by the Administrator of the Recycling Program, a Collector shall provide a warning notice, by tag or other means, to any person suspected by the Collector or by the Town of violating separation requirements. Each Collector shall also assist the Town to identify any person responsible for creating loads containing significant quantities of Items Required to be Recycled mixed with Solid Waste which are delivered to a Resources Recovery Facility or Solid Waste Facility by the Collector.
- (d) On and after January 1, 1991, as required by Section 4(b) of Public Act No. 90-220, the owner or operator of each Resources Recovery Facility or solid waste facility who has reason to believe, upon visual inspection, that a load of Solid Waste which is delivered to the Facility, contains significant quantities of any Items Required to be Recycled, is required to provide prompt notification of such belief to the driver of the vehicle delivering the load and to the Administrator of the Recycling Program if the load originated within the Town. Under said Section 4(b) of Public Act 90-220, the owner or operator of each Resources Recovery Facility or Solid Waste Facility is also required to conduct unannounced inspections of loads delivered to Resources Recovery Facilities or Solid Waste Facilities.
- (e) Any Collector who dumps more than one cubic foot in volume of Solid Waste at one time in an area not designated for such disposal or who knowingly mixes other Solid Waste with Items Required to be Recycled shall for a first violation be liable for a civil penalty of one thousand dollars and for a subsequent violation will be liable for a civil penalty of five thousand dollars. The Town or the Attorney General, at the request of the Commissioner, may bring an action under Section 3(f) of Public Act 90-220, which action shall have precedence in the order of trial as provided in Section 52-191 of the General Statutes.

SECTION 7. CHARGE FOR RECYCLING SERVICES.

The Town, by action of the Board of Selectmen, may levy a charge for the collection and/or processing of Solid Waste brought to the Town's Recycling Drop Off Center for recycling.

SECTION 8. POWER TO CONTRACT FOR SERVICES.

The Town may contract with other persons for assistance in complying with the provisions of this Ordinance.

SECTION 9. LIAISON WITH THE STATE.

- (a) The Administrator of the Recycling Program shall serve as the Town Liaison Agent with the Commissioner with respect to receiving information and responding on behalf of the Town to questions regarding recycling from the Department of Environmental Protection. In the event that the person serving as the Town Liaison Agent with the Commissioner is changed, the Town, within thirty days of change, shall provide the Commissioner with the name, address and telephone number of the newly designated person.
- (b) Notices from Collectors, operators of Resources Recovery Facilities and Solid Waste Facilities referred to in Section 6(c) and (d) above, shall be submitted to the Administrator of the Recycling Program.

SECTION 10. ANNUAL REPORT TO DEPARTMENT OF ENVIRONMENTAL PROTECTION.

On or before July 1, 1991, and annually thereafter, the Town, or its designated regional agent, shall provide a report to the Commissioner of Environmental Protection describing the measures taken during the preceding year to meet its obligations under Section 2 of Public Act 90-220. The Commissioner shall provide the Town with a form for such report. The report shall include, but not be limited to the following:

- (a) A description of the efforts made by the Town to promote recycling;
- (b) A description of the Town's efforts to ensure compliance with separation requirements;
- (c) The amount of each recyclable item contained in its Solid Waste stream which has been delivered to a recycling facility as reported to the Town or its designated regional agent by the owner or operator of the recycling facility or by a scrap metal processor; and
- (d) The amount of Solid Waste generated within the Town's boundaries which has been delivered to a Solid Waste facility.

SECTION 11. PENALTIES

- (a) Notwithstanding any other sections of the General Statutes to the contrary, the Town, acting by its Administrator of the Recycling Program, may impose a penalty not to exceed \$500.00 for each violation by a commercial establishment of the requirements of Subsection (c) of Section 22a-241b of the General Statutes as amended by Section 1 of Public Act 90-220 as set forth in Section 5 of this ordinance.
- (b) The owner or operator of a Solid Waste facility who fails to notify the Town about the delivery of loads of Solid Waste originating from the Town containing significant quantities of Items to be Recycled as required by this Ordinance, shall be subject to a

warning by the Town or the Commissioner for a first violation and to a civil penalty of \$500.00 for any subsequent violation. If the Town fails to receive such notification as required, the Town, or the Attorney General, at the request of the Commissioner, may bring an action under Section 3 of Public Act 90-249.

- (c) Any person who violates the provisions of this Ordinance shall, in addition to other legal remedies available to the Town, be cited or fined not more than one hundred dollars for each offense, and each violation of this Ordinance or of regulations and instructions promulgated pursuant to this Ordinance, shall be a separate violation.

This Ordinance and the regulations and instructions promulgated pursuant to this Ordinance may be enforced by citations issued by the Administrator of the Recycling Program. Before issuing any citation the Administrator of the Recycling Program shall issue a written warning providing notice of the specific violation in accordance with Conn. Gen. Stat. Section 7-148(c)(10)(A).

- (d) The citation hearing procedure provided in Conn. Gen. Stat. Section 7-152c is established as the Town's citation hearing procedure, which may be followed when citations pursuant to Section 15(c) of this Ordinance are issued. The chief executive officer of the Town is authorized to issue such rules and regulations governing the operation of the citation hearing procedure so long as such rules and regulations are consistent with Conn. Gen. Stat. Section 7-152c.

SECTION 12. SEVERABILITY.

If any word, clause, section or provision of this Ordinance is found to be invalid, such finding shall not affect the validity of any other part provided that such other part may be given effect without reference to the invalid part or parts.

SECTION 13. EFFECTIVE DATE.

The effective date of this Ordinance shall be the sixteenth day following the date of publication in a newspaper of the Ordinance or a summary of the Ordinance as adopted by the Town Meeting. Pursuant to Conn. Gen. Stat. Sec. 7-157(b) a summary of the Ordinance may be published in lieu of the Ordinance.

Passed Town Meeting January 10, 1991.

Published Manchester Herald February 15, 1991.

ORDINANCE PROVIDING FOR THE ELECTION OF JUSTICES OF THE PEACE FOR THE TOWN OF ANDOVER

96-01

The number of Justices of the Peace for the Town of Andover to be elected at the next regular meeting for such office and thereafter shall be fifteen. Such election shall be held in accordance with applicable State Statutes.

Voted at Annual Budget Meeting May 8, 1996.

Published in Rivereast May 17, 1996.

Became effective fifteen (15) days after publication.

**TOWN OF ANDOVER
ORDINANCE PROVIDING FOR PROPERTY TAX RELIEF PROGRAM FOR CERTAIN
HOME OWNER'S AGED 65 OR OVER OR PERMANENTLY AND TOTALLY DISABLED**

96-02

BE IT ORDAINED BY THE TOWN MEETING OF THE TOWN OF ANDOVER:

SECTION 1. PURPOSE.

There are property owners within the Town of Andover ("Town") who face hardship and difficulties in paying real property taxes even though they may be receiving some real property tax relief by virtue of other existing tax relief programs. Conn. Gen. Statute 12-129n authorizes a Town, by vote of its legislative body on recommendation of its Board of Finance to provide additional tax relief for certain home owners who are age 65 or permanently and totally disabled. The purpose of this ordinance is to implement the additional property tax relief program for elderly and disabled persons authorized by said Statute.

SECTION 2. ELIGIBILITY.

Requirements for participating in the real property tax relief program established by this Ordinance are as follows:

- (a) Participants shall be residents of the Town who (1) are sixty-five years of age and over, or (2) whose spouses, living with them, are sixty-five years or over or (3) who are sixty-five years of age or over and the surviving spouse of a taxpayer qualified under this Ordinance at the time of the taxpayer's death;
- (b) Participants shall be residents of the Town and under the age of sixty-five and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security or under any federal, state or local government retirement or disability plan;
- (c) The real property for which tax relief is available under this Ordinance shall be occupied as the principal residence by the taxpayers who have been taxpayers in the Town for at least one year immediately preceding receipt of tax benefits under this Ordinance;
- (d) An applicant who is not the record owner of a principal residence but who holds a life use in said property or who is the beneficiary of a trust holding such property, shall be eligible to participate if applicant meets all other requirements and establishes that applicant is responsible for payment of taxes assessed against the property;
- (e) All participants shall not exceed the income standards set forth in the "Circuit Breaker" Tax Relief application with respect to maximum income allowable during the calendar year preceding the year in which application is made for tax relief by more than 10% for married couples and 15% for a single person.
- (f) No property tax relief under this Ordinance when combined with tax relief under CT General Statutes Sections 12-129b to 12-129d, inclusive, 12-129h and 12-170aa shall exceed the aggregate of the total amount of the tax which otherwise would be laid against the taxpayer;
- (g) All applicants shall declare all sources of income received during the prior calendar year as part of their application. Total income shall include, but not be limited to all income derived from wages, social security, interest and dividends.

SECTION 3. TAX RELIEF.

Tax Relief Eligible taxpayers shall be entitled to an exemption of \$12,000.00 in the assessment valuation of the qualifying real property.

SECTION 4. APPLICATIONS.

Applications for property tax relief shall be filed by eligible persons during the period commencing on February 1 and continuing through May 15. Participants in the program shall re-file their application with the Town Assessor biennially.

SECTION 5. LIMIT ON TOTAL ABATEMENT OF TAXES UNDER TAX RELIEF PROGRAM.

The total abatement of property tax revenues under this program shall not exceed 10% of the total real property tax assessed within the Town in the preceding tax year.

SECTION 6. TAX LIENS.

The Town shall not establish a tax lien in the amount of the tax relief granted except in the situation where the total tax relief benefiting a taxpayer under this program and under other tax relief programs provided by Conn. Gen. Stat. 12-129b to 12-129d, inclusive, 12-129h and 12-170aa exceeds 75% of the property tax for which such taxpayer would be liable but for the tax relief benefits, in which case, the Town shall establish a lien on such property in the amount of the total tax relief granted, plus interest applicable to the total of such unpaid taxes of 6% per annum. Any such lien shall have priority in the settlement of a taxpayer's estate.

SECTION 7. TRANSFER OF PROPERTY OR DEATH OF PARTICIPANT.

Unless otherwise provided in this Ordinance, the real property tax relief provided by this Ordinance shall terminate upon the death of the participant or upon the sale or transfer of the property by the participant. In such a case, the relief shall be prorated to reflect the fractional portion of such property occupied by the participant.

Passed by Special Town Meeting September 17, 1996.
Published in Rivereast September 20, 1996.

Revision to Section 2E & Section 3 passed at Town Meeting September 9, 2008
Effective beginning with the 2009-2010 Budget
Published in the Rivereast September 12, 2008
Ordinance revisions become effective 21 days after publication

ESTABLISHMENT BY ORDINANCE A CAPITAL IMPROVEMENTS PLANNING COMMITTEE

97-01

The Selectmen will appoint a Capital Improvement Planning Committee for the purpose of creating a 6-10 year Capital Improvement Plan, updating it annually and making recommendations to the Board of Finance for Capital Expenditures.

Passed at Annual Town Meeting October 27, 1997.
Published in Rivereast November 7, 1997.
Ordinance to become effective 15 days after publication.

**ORDINANCE FOR APPOINTMENTS OF ALTERNATE
MEMBERS TO APPOINTED BOARDS**

99-01

BE IT ORDAINED BY THE TOWN OF ANDOVER:

That the Board of Selectmen be authorized to make appointments of alternate members to appointed boards delineated in Section 606 of the Town Charter.

Passed at Town Meeting October 25, 1999.

Published in Rivereast October 29, 1999.

Ordinance to become effective 15 days after publication.

**IT IS HEREBY RESOLVED THAT THE FOLLOWING
BE ENACTED AS AN ORDINANCE;**

00-01

1. No building permit shall be issued for the improvement of property when taxes or water or sewer rates, charges or assessments imposed by the Town of Andover are delinquent for such property.
2. The provisions of Section 1 notwithstanding, the Building Official, after consultation with the Town Sanitarian, may issue a building permit when the interests of public health, safety or welfare would be better served as the result of the improvements sought to be made pursuant to such building permit application.

Passed by Selectmen's Meeting Vote February 2, 2000.

Published in Rivereast February 11, 2000.

Became effective fifteen (15) days after publication.

TAX REFUNDS UNDER \$5.00

00-02

This Ordinance waives refunds for excessive tax payments under \$5.00 as provided by Section 12-129 of the General State Statutes.

Approved Board of Selectmen Meeting Wednesday, October 4, 2000.

Effective 15 days after publication – October 20, 2000

ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF FIRE LANES

00-03

a) Upon finding that the parking of any vehicle in any area would hinder or obstruct the free access of fire fighting equipment to any commercial structure or building otherwise open to the public, the Andover Fire Marshal may designate any portion of any roadway or driveway as a Fire Lane. No person shall permit any vehicle to remain stationary within the limits of any such designated Fire Lane.

b) Upon establishment of any such Fire Lane, the Andover Fire Marshal shall send written copy of such order to the owner of the location or to the agent of such owner. Upon receipt of such order the owner shall cause to be erected or installed, adequate signs, markings or other devices to delineate said Fire Lane.

c) Any motor vehicle found standing in a Fire Lane which has been established in accordance with this Ordinance may be towed upon the direction of the Fire Chief or their designee, to any public or private parking facility, and any towing or subsequent storage fees shall be borne by the registered owner of such vehicle.

Passed by Selectmen's Meeting Vote November 1, 2000.
Ordinance to become effective 21 days after publication.

TAX ABATEMENT PROGRAM FOR THE ANDOVER VOLUNTEER FIRE DEPARTMENT

01-01

Purpose

The Town of Andover in recognition of the benefits provided to the community by the dedicated residents of the Town of Andover who volunteer their time and service as firefighters, emergency medical technicians, and ambulance drivers, hereby establishes pursuant to CGS Sec. 12-81w, a tax abatement program as an incentive in recruiting and retaining such volunteers.

Scope

All firefighters, emergency medical technicians and ambulance drivers who are volunteer members of the Andover Volunteer Fire Department who own real or personal property within the Town of Andover and who meet the criteria established below are eligible to participate in the tax abatement program.

Definitions

1. A firefighter, emergency medical technician, or ambulance driver shall be a regular, active volunteer member of the Andover Volunteer Fire Department who provides at least one of the aforementioned services for the Fire Department.
2. Emergency incidents are events that the Fire Department responds to with emergency services and for which all members of the Department receive notification. No credit will be awarded for non-emergency events e.g. drills or meetings.
3. Firefighter 1 certification is defined as certification to the Firefighter 1 level by the State of Connecticut Commission on Fire Prevention and Control or equivalent based on NFPA Standard 1001. Emergency Medical Technician-Basic (EMT-B) level by the Connecticut Office of Emergency Medical Services.
4. A year of service shall be defined as the 12 month period commencing from the March 1st immediately following the date that the Firefighter or Emergency Medical Technician became a volunteer member of the Fire Department or the 12 month period from the anniversary date thereof.
5. Property shall be defined as the real estate taxes, motor vehicle taxes and personal property taxes for the property in the Town of Andover that is owned by the member either individually, jointly, or as a tenant in common.

Eligibility

In order to be eligible for this program a member must be a regular active member of the Fire Department. A regular active member shall attend at least 15% of the Department's emergency incidents. If any member does not meet his/her 15% of calls he/she will not be eligible for the tax abatement for that year, nor will he/she receive credit for an active year of service. However, he/she will not lose any years already earned should he/she become active again. Any member with 25 years of active service and who has been recognized as a Life Member in the organization shall continue to receive an abatement of \$1,000.00 annually for as long as he/she continues to reside and own property in the Town of Andover.

Notice of Eligibility

No later than January 1st of each year the Chief of the Department shall provide to the Board of Selectmen and the Tax Collector a written list of the Fire Department's members who are eligible for the tax abatement program for the taxes due July 1 of that year. This list shall contain the home address of each eligible member, the eligible member's years of active service as of March 1st of that year and shall specify the maximum abatement, as set forth below, for which the member is eligible.

Abatements

Abatements shall be granted to eligible members as follows;

1. Members who have met the eligibility requirements set forth above, but who have less than five (5) years of active service and are not certified as a Firefighter 1 or an Emergency Medical Technician, shall be eligible for a tax abatement of \$250.00
2. Members who have met the eligibility requirements set forth above, but who have less than five (5) years of active service and are certified as a Firefighter 1 or an Emergency Medical Technician shall be eligible for a tax abatement of \$500.00
3. Members who have met the eligibility requirements set forth above, but who have at least five (5) years of active service but less than seven (7) years of active service and are not certified as a Firefighter 1 or an Emergency Medical Technician shall be eligible for a tax abatement of \$500.00
4. Members who have met the eligibility requirements set forth above, and who have at least five (5) years of active service but less than seven (7) years of active service and are certified as a Firefighter 1 or an Emergency Medical Technician shall be eligible for a tax abatement of \$750.00
5. Members who have met the eligibility requirements set forth above, and who have at least seven (7) years of active service but less than ten (10) years of active service and are not certified as a Firefighter 1 or an Emergency Medical Technician shall be eligible for a tax abatement of \$750.00
6. Members who have met the eligibility requirements set forth above, and who have at least seven (7) years of active service but less than ten (10) years of active service and are certified as a Firefighter 1 or an Emergency Medical Technician shall be eligible for a tax abatement of \$1,000.00
7. Members who have met the eligibility requirements set forth above, and who have at least ten (10) years of active service shall be eligible for a tax abatement of \$1,000.00
8. The tax abatement will only be applied towards personal property or real estate taxes, not business property taxes
9. Any unused portion of the abatement shall not be carried over into subsequent years, but may be applied to real property owned by qualified member's spouse if both reside in said property.
10. The tax abatement shall be credited toward the eligible member's tax liability at the beginning of each Fiscal Year.
11. No eligible member shall receive any abatement if **any** tax in that member's name is delinquent as of July 1.

ABATEMENT SCHEDULE

ACTIVE YEARS	BASE AMOUNT	CERTIFIED EMT-B AND/OR FF1
UNDER 1	\$0	\$0
1	\$250	\$500
2	\$250	\$500
3	\$250	\$500
4	\$250	\$500
5	\$500	\$750
6	\$500	\$750
7	\$750	\$1,000
8	\$750	\$1,000
9	\$750	\$1,000
10	\$1,000	\$1,000

Passed at Annual Budget Meeting vote May 8, 2001
Passed by Referendum vote May 15, 2001
Ordinance to become effective 21 days after publication
Sections 9 & 11 Revised Selectmen's Meeting August 3, 2005
Published September 2, 2005 in the Journal Inquirer
Revised Ordinance becomes effective 21 days after publication

PLOWING AND THROWING SNOW AND ICE INTO THE STREET

01-02

BE IT ORDAINED:

Section #1 – No person shall plow, throw or cause to be thrown or put any snow or ice from private property into any public highway in the town.

Section #2 – The penalty for violation of this ordinance shall be \$50.00 for each violation.

Approved Board of Selectmen's meeting December 5, 2001
Published December 14, 2001 in the Rivereast
Ordinance becomes effective 21 days after publication

PROPERTY TAX LIABILITY ORDINANCE

01-03

BE IT ORDAINED BY THE TOWN OF ANDOVER:

Property tax liability shall be incurred as of July 1. Real Estate and Personal Property taxes greater than \$100.00 shall be due 25% on July 1, 25% on October 1, 25% on January 1, and 25% on April 1. Real Estate and Personal Property taxes of \$100.00 or less shall be paid on July 1. One hundred percent of motor vehicle taxes shall be due on July 1. Supplemental motor vehicle taxes shall be due on January 1.

Approved Special Town Meeting July 30, 2003
Published August 8, 2003 in the Rivereast
Ordinance becomes effective 21 days after publication

DELINQUENT MOTOR VEHICLE TAX ORDINANCE

02-03

BE IT ORDAINED BY THE TOWN OF ANDOVER;

That any taxpayer whose vehicle tax has been reported as delinquent to the Department of Motor Vehicles is charged a \$5.00 fee.

Passed by Selectmen's Meeting September 3, 2003
Published September 12, 2003 in the Rivereast
Ordinance becomes effective 21 days after publication

BUILDING DEPARTMENT FEE ORDINANCE

03-03

BE IT ORDAINED BY THE TOWN OF ANDOVER;

That the Building Department shall charge a \$140.00 permit fee and a \$10.00 state tax fee for all applications for variance, appeal of decision of Zoning Agent, special permit, site plan review and zone changes which require Zoning Board of Appeals or Planning & Zoning Commission action.

Passed by Selectmen's Meeting October 1, 2003
Published October 10, 2003 in the Rivereast
Ordinance becomes effective 21 days after publication

CONSTRUCTION DEBRIS ORDINANCE

01-04

BE IT ORDAINED BY THE TOWN OF ANDOVER;

On-site dumpsters will be required to contain all debris for construction, demolition, and renovation projects which require a permit.

Original Resolution passed December 1, 1999
Ordinance passed at Selectmen's meeting February 4, 2004
Published February 13, 2004 in the Rivereast
Ordinance becomes effective 21 days after publication
Revised February 2, 2005 Board of Selectmen
Published May 23, 2005 in the Journal Inquirer
Ordinance becomes effective 21 days after publication

CREATION OF AN ETHICS COMMISSION FOR THE TOWN OF ANDOVER

05-01

BE IT ORDAINED BY THE TOWN OF ANDOVER THAT;

Not later than January 1, 2006, Andover shall establish an agency to investigate allegations of unethical conduct, corrupting influence or illegal activities against public officials, public employees and paid consultants of the municipality pursuant to Section 7-148h of the General Statutes as amended by Public Act. Such agency, in conjunction with the Board of Selectmen and Legal Counsel, shall establish a procedure for investigating and deliberating on such allegations. Two or more municipalities may jointly establish such procedure. The Ethics Commission consisting of not less than 3 and not more than 5 members shall be appointed by the Board of Selectmen and shall serve 2 year terms beginning July 1, 2005. Members shall be chosen from the community at large and shall neither be employees or contractors for the municipality nor serve on any elected or appointed municipal agency.

Approved at Public Hearing/Special Town Meeting June 1, 2005
Published June 10, 2005 in the Rivereast
Ordinance becomes effective 21 days after publication

VETERANS MEMORIAL SIGNAGE ORDINANCE

05-02

No signage shall be allowed on the Veterans' Memorial at Route 6 and Route 316 except town erected signage to identify the Veteran's Memorial.

Passed at Selectmen's Meeting August 3, 2005
Published September 2, 2005 in the Journal Inquirer
Ordinance becomes effective 21 days after publication
Revised Selectmen's Meeting September 1, 2010
Published April 8, 2011 in the Rivereast
Revised Ordinance becomes effective 21 days after publication

EXEMPTION FOR AMBULANCE-TYPE AND MODIFIED HANDICAP ACCESSIBLE VEHICLES

01-06

Section 1 – Exemption granted

In accordance with the provisions of Section 12-81c of the Connecticut General Statutes, the Town of Andover authorizes and directs the Assessor to exempt from personal property taxation:

A. Commencing with the October 1, 2006 Grand List, any ambulance-type motor vehicle which is used exclusively for the purpose of transporting any medically incapacitated individual, except any such vehicle used to transport any such individual for profit; and

B. Commencing with the October 1, 2006 Grand List, any motor vehicle owned by a person with disabilities, or owned by the parent or guardian of such person, which vehicle is equipped, after it's original manufacture, for the purpose of adapting its use to the disability of such person (such vehicle shall be known as a "modified handicap accessible vehicle" as further defined below in Section 2.

Section 2 – Qualifying vehicle modifications

A. For the purposes of this article, vehicle modifications or adaptations qualifying a vehicle as a modified handicap accessible vehicle shall include, but not be limited to:

- (1) Wheelchair or scooter loaders which mount on the roof, in the passenger area or in the trunk or other storage areas of a motor vehicle; or
- (2) Any automotive adaptive control device which is installed in the motor vehicle and includes any mechanical or electrical device added to the standard motor vehicle to enable an individual with mobility restrictions to control the accelerator, floor brake, turn signals, dimmer switch, steering wheel and/or parking brake.

B. The Assessor shall determine whether modifications not specifically listed in this section qualify the vehicle under this definition.

Section 3 – proof required annually; consequences of failure to provide

An owner of such vehicle must show proof annually to the Assessor that the vehicle meets the criteria listed in Section 2A(1) or (2) above. Such proof must be submitted prior to 90 days from the date in which the tax was due. Failure to provide the required proof within the time limit prescribed shall be a waiver to the right to such exemption in that year.

Passed by Selectmen's Meeting June 24, 2006
Published June 30, 2006 in the Rivereast
Ordinance becomes effective 21 days after publication

**ORDINANCE PROHIBITING THE STORAGE, DISPOSAL OR USE OF WASTE FROM OIL AND GAS
EXPLORATION ACTIVITIES OR ANY DERIVATIVE THEREOF, IN THE TOWN OF ANDOVER, CT**

Section 1. Prohibitions

1. The application of natural gas waste or oil waste, whether or not such waste has received Beneficial Use Determination or other approval for use by DEEP (Department of Energy & Environmental Protection) or any other regulatory body, on any road or real property located within the Town for any purpose is prohibited.
2. The introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the Town is prohibited.
3. The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town is prohibited.
4. The storage, disposal, sale, acquisition, handling, treatment and/or processing of waste from natural gas or oil extraction is prohibited within the Town.

Section 2. Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the Town.

1. All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be provided to the Town.
2. All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town shall included a provision stating that no materials containing natural gas or oil waste shall be utilized in providing such a service.
3. The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and or maintained road or real property within the Town and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town:

"We _____ hereby submit a bid for materials, equipment and/or labor for the Town of Andover. The bid is for bid documents titled _____. We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor, sub-contractor, agent or vendor agent in connection with the bid, nor will the undersigned bidder or any sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property with the Town of Andover as a result of the submittal of this bid if selected."

Section 3. Penalties

This ordinance shall apply to any and all action occurring on or after the effective date of this ordinance. The Town is empowered to issue "Cease and Desist" orders in case of any violation of the Prohibitions and Provisions stated above in Sections 1 and 2. It is further empowered to require remediation of any damage done to any land, road, building, aquifer, well, water course, air quality or other asset, be it public or private, within the Town of Andover. *Pursuant to Connecticut General Statutes section 7-148(c)(10), no later than forty-five days following the effective date of this ordinance, the Board of Selectmen is required to enact a schedule of penalties and system of enforcement of same for any violation of this ordinance.*

Section 4. Effective Date

Within ten (10) days after the final passage, the ordinance shall be published in its entirety in a newspaper having circulation within the town. It shall become effective on the twenty-first (21st) day after such publication following its final passage.

Section 5. Definitions

1. As used in this Ordinance the term "hydraulic fracturing" shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.
2. As used in this Ordinance the term "natural gas extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.
3. As used in this Ordinance the term "oil extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited to, core and rotary drilling and hydraulic fracturing.
4. As used in this Ordinance the term "natural gas waste" shall mean:
 - a. any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
 - b. leachate from solid wastes associated with natural gas extraction activities;
 - c. any waste that is generated as a result of or in association with the underground storage of natural gas;
 - d. any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and
 - e. any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
5. As used in this Ordinance the term "oil waste" shall mean:
 - a. any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
 - b. leachate from solid wastes associated with oil extraction activities; and
 - c. any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
6. As used in this Ordinance the term "application" shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town of Andover.
7. As used in this Ordinance, the term "Town" shall mean the Town of Andover