

**SUPPLEMENT TO THE COMPILATION OF ORDINANCES – TOWN OF  
WARREN  
1962 through March 1, 2007**

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A

SUPPLEMENT TO THE COMPILATION OF ORDINANCES

1962 through 1965

Discontinuation of Highways

Page 23, Vol 6

Resolved that the portion of the Old Tanner Hill Road running along the southerly boundary of land of the J.E. Bates, Inc., (formerly of William Hopkins, George Hopkins, et al) be closed and that portion of said road from the easterly line of #45 easterly to the southeasterly corner of land of the J.E. Bates Inc., (formerly Hopkins et al) be conveyed to said J.E. Bates, Inc.  
May 18, 1962

Page 31, Vol 6

Resolved that the section of highway from the southeast corner of land formerly of George Angevine, easterly and northeasterly to the Warren-Litchfield Town line at the northeast corner of land of Severin J. Fox, as distance of about 8,800 feet be discontinued  
November 23, 1962

Budget

Page 40, Vol 6

Resolved that the board of Finance be empowered to have copies of the annual budget printed and distributed instead of being published in a newspaper.  
May 8, 1964

Justices of the Peace

Page 40, Vol 6

REPEAL page 102

Resolved that until further action by the legislative authority of this town, the number of justices of the peace for this town be, and the same fixed at 4.  
May 8, 1964

Participation in the Northwestern Connecticut Planning Region

Page 117, Vol. 6

Pursuant to the provisions of Section 7-157 of the General Statutes, Revision of 1958 as amended, the following ordinance was adopted at a Town Meeting:

Section I. Adoption of Ordinance

Pursuant to the provisions of Chapter 127 of the General Statutes, Connecticut, revision of 1958, as amended, the Town of Warren hereby adopts the provisions of said Chapter and elects to participate in the regional planning agency now or henceforth existing under authority of said chapter in the Northwestern Connecticut Planning Region, as defined pursuant to the provisions of P. A. 628 of the Regular Session of the General Assembly.

Section II. Appointment of Representatives

The Town of Warren having a population of 827 according to the federal census of 1970, shall have two representatives on the Northwestern Connecticut Regional Planning Agency.

The Board of Selectmen shall appoint to the Northwestern Connecticut Regional Planning Agency one elector as representative of the Town of Warren for a term of four years.

The Planning and Zoning Commission of the Town of Warren, duly constituted, shall appoint one elector as representative to the Northwestern Connecticut Regional Planning Agency for an initial term of two years. Thereafter, the appointment shall be for a term of four years.

Members shall serve for the term of their office and until their successors shall have been appointed. Members may be reappointed by the Board of Selectmen or the Planning and Zoning Commission, as the case may be. The terms of office shall commence when the appointment is made or from the first organization meeting of the agency, whichever is later.

Section III. Vacancies

A vacancy created by the resignation or inability to serve of the member appointed by the Board of Selectmen shall be filled by said Board for the remainder of the unexpired term.

A vacancy created by the resignation or inability to serve of the member appointed by the Planning and Zoning Commission shall be filled by said Commission for the remainder of the unexpired term.

Section IV. Effective Date

This ordinance shall become effective June 23, 1972.

May 19, 1972

Town Clerk & Registrars of Voters, Term of Office

Page 102, Vol. 6

RESOLVED that under the authority of P. A. 494, 1971 session, the term of office of the Town Clerk and Registrars of Voters be extended from two to four years.

October 4, 1971

Recreation Commission (Creation of)

Page 107, Vol. 6

Pursuant to Section 7-148 - The Town of Warren shall establish a Recreation Commission for the supervision, development, maintenance and preservation of playgrounds, playing fields, bathing beaches, ice skating facilities and recreational areas owned or leased by the Town of Warren, except such areas designated as Open Space, which come under the supervision of the Warren Conservation Commission. The Recreation Commission shall have the power to accept in the name of the town material gifts for the use or benefit of Recreational areas and facilities and shall have the power to expend any funds appropriated by the Board of Finance for such purposes and funds collected, donated or bequeathed to the Town of Warren for recreational purposes by private individuals or organizations. Said Commission shall have the power to make and enforce such rules and regulations covering the use of such recreational facilities and areas as they deem proper which are owned by the Town of Warren.

Said Commission shall have the authority to make reasonable charges for the use of such facilities for amusement or entertainment and shall consist of seven (7) members who shall serve without pay to be appointed by the Board of Selectmen. The initial appointees of the Commission shall be two (2) electors who shall serve for a term of one (1) year, two (2) electors who shall serve for a term of two (2) years and (3) three electors who shall serve for a term of Three (3) years; such members to hold office to the first day of January in the year following the expiration of their term, and, thereafter, all appointments shall be for a term of three (3) years expiring on the 31st day of December.

Any vacancies shall be filled as provided by law for initial appointments.

December 17, 1971

Zoning & Planning Commission - Alternates

Page 57, Vol. 6

Pursuant to Section 8-1b of the General Statutes of Connecticut, Rev. 1966, it is resolved to provide three (3) alternates to the Zoning and Planning Commission. Said alternates to be appointed by the Selectmen to fill the term until October 1966, then are to be elected at the Annual Town Meeting.

May 14, 1966

1973 - 1982

SUPPLEMENT TO THE COMPILATION OF  
ORDINANCES--TOWN OF WARREN

Ordinance Concerning Acceptance of Roads  
Page 123, Vol. 6

I. No street or highway shall be open to the public until the grade, layout, location, width and improvements of such street or highway shall have received the written approval of the Board of Selectmen, have been accepted by the Town and a property survey map certified by a licensed professional engineer or land surveyor drawn to the scale of forty (40) feet equals one (1) inch placed on file in the Town Clerk's Office.

II. Before such street, or highway, shall be approved by the Board of Selectmen, a contour map and a profile of present ground surface and proposed road grade shall be submitted showing the right of way of fifty (50) feet in width and the proposed grade not to exceed ten (10) per cent. The requirements of this Section II may be modified when, in the opinion of the Board of Selectmen, their strict compliance would cause particular difficulty or unnecessary hardship and the public interest, convenience and welfare will not be adversely affected.

III.

1. Should the highway not be a through thoroughfare, a loop type turnaround of at least one hundred fifty (150) feet in diameter, shall be provided and the applicant shall agree to provide a right of way to adjoining land in the event a road should be accepted at some future time.

2. Cross culverts of not less than fifteen (15) inches of reinforced concrete pipe, asphalt coated metal pipe, or aluminum pipe, either of which shall have been approved by the Board of Selectmen before installation, shall be constructed where designated and the tops thereof shall be placed at a minimum of eighteen (18) inches below the surface of the road with sufficient pitch, and shall have headwalls, constructed of stone, poured concrete or eight (8) inch concrete solid block, and if the slope of the bank be over two (2) feet the retaining wall portion of the head-wall shall be a minimum of three (3) inches above the shoulder grade and set back off the shoulders. If drainage runs on private property drainage rights must be acquired.

3. The travelled portion shall be graveled - after all stumps, wood, etc., have been removed - to a width of not less than twenty-four (24) feet and a depth of not less than eighteen (18) inches graded and rolled with necessary crown, two coats of oil applied and curbing installed on each side where necessary for proper drainage control.

4. Any driveway, or intersecting road, at its intersection with any road which is now, or may become, a part of the highway system

of the Town of Warren, shall not exceed the level of the existing gutter line. Water from adjoining driveways or intersecting roads shall be so diverted as not to enter upon the travelled portion of the road. Where the contour of the adjoining land is such that, in the opinion of the Board of Selectmen, it may create a drainage problem, then the Board of Selectmen may order the installation of necessary catch basins, culverts and retaining walls. All intersecting road lay-outs shall have corner cutoffs, minimum radius to be fifteen (15) feet.

5. Monuments shall be set at intersections, points of tangency, points of curvature, and angle points. In the case of tangents or curves exceeding one thousand (1,000) feet in length intermediate monuments shall be set. Monuments shall be reinforced concrete or granite stones four (4) inches by four (4) inches by four (4) feet long set with an exposure of five (5) inches above ground level. All such monuments to be set along one side of the right of way.

#### IV.

1. No road shall receive final acceptance until one (1) full winter after its construction.

2. All of the above shall conform to State specifications in all cases, the Board of Selectmen have to be notified, and will have to inspect the proposed street or highway when it is first laid out, when it is subgraded with the grade stakes in for the finished gravel, when the storm water drains and catch basins are installed, when the finished gravel is rolled, when the oil is applied and the curbing and landscaping is finished.

This ordinance to take effect March 2, 1973.

February 8, 1973

#### Conservation Commission Authorized to Promulgate Regulations

Resolved that the Conservation Commission be authorized to promulgate regulations of the Inland Wetlands Act as authorized by Section 22-42(c).

February 8, 1973



Resolution for the Appointment of a Buildings Committee  
Pages 132-133, Vol. 6

There shall be a Committee for regulating the use of buildings belonging to the Town of Warren to be known as the Town Buildings Committee.

This Committee shall have power to regulate the use of the following buildings: the Town Hall, the Academy (Old Town Hall), the Brick School and Old Elementary School (attached to the Regional Elementary School) and such other buildings as may be designated by the Board of Selectmen except those in Warren Woods which are under the jurisdiction of the Recreation Commission.

The Committee shall have power to approve or disapprove applications for the temporary use of these buildings and shall set fees, hours, conditions and bonds where necessary. Other than temporary use of the above buildings any arrangements, for other than that, shall be subject to approval of a duly warned Town Meeting. Use of Town buildings, however, by duly elected officials and recognized Boards and Commissions shall not be subject to the authority of the Buildings Committee.

The Town Buildings Committee shall consist of one member appointed by each of the following: Recreation Committee, Wichita Grange, Bates-Schnell Post, Historical Society, Fire Company, Finance Board and one member-at-large elected at the Annual Town Meeting.

The Buildings Committee shall draw up regulations within thirty (30) days of the adoption of this resolution for use of buildings assigned to it and shall post same in the Town Clerk's Office. All applications shall be made in writing and delivered to the Town Clerk's Office. All approved applications will be posted on a calendar in the Town Clerk's Office.

Passed October 1, 1973.  
 Effective November 1, 1973.

Bingo  
Page 138, Vol. 6

RESOLVED: that the playing of Bingo within the Town of Warren be allowed under the provisions and subject to the restrictions of Section 7-169 of the Connecticut General Statutes.

Passed May 17, 1974  
 Effective June 12, 1974.

OFFICE OF TOWN CLERK  
TOWN OF WARREN  
P. O. Box 25  
WARREN, CONNECTICUT 06754

ORDINANCE CONCERNING THE CONSTRUCTION AND ACCEPTANCE OF ROADS  
Pages 142-147, Vol. 6

PURPOSE

For the proper design, construction and improvements of local roads, drainage and other facilities, the Town of Warren adopts the following Road Ordinance.

I. DEFINITIONS

- A. Board - shall mean the Board of Selectmen of the Town of Warren, Connecticut.
- B. Engineer - shall mean a professional engineer licensed in the State of Connecticut.
- C. Street or Road - shall mean a way, whether public or private, which affords the principal means of access to three (3) or more residential living units of separate ownership and it shall include the right-of-way and the traveled portion thereof.

II. GENERAL

No street or road, whether public or private, shall be constructed which does not conform to these regulations. No street shall be accepted by the Board or by the Town of Warren until such time as all construction has been completed as shown on the approved maps in accordance with the requirements of these regulations and subject to any conditions established in writing by the Board at the time of the plan approval.

III. MAP REQUIREMENTS

Before a street shall be approved for construction by the Board, the applicant shall submit the following maps as determined by the Board. All maps shall be prepared by and shall bear the name and seal of an engineer.

- A. Property Survey Map and Location Map - This map shall be drawn at a scale of 1"=40' on a good quality tracing cloth or mylar

Ordinance Concerning the Construction  
and Acceptance of Roads

Town of Warren  
Connecticut

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and shall show the following information. This map shall be required for all applications.

1. Name of land owner, name of applicant, if different than land owner.
  2. Date, scale, true north point.
  3. Existing and proposed property and street lines with dimensions, adjoining property lines for a distance of 200 feet and the names of adjacent property owners.
  4. Existing and proposed easements or right-of-ways including those for utilities and drainage within 200 feet of the proposed street right-of-way including accurate dimensions.
  5. Location Map - On a separate sheet or as an inset to the Property Survey Map the applicant shall show the general location of the site indicating surrounding streets at a scale of 1"=2,000'.
- B. Construction Plan Map - This shall be a plan and profile drawing of the proposed street and associated existing and proposed improvements including storm drains, catch basins, water lines, and other such improvements. This plan map shall be submitted on good quality mylar on sheets of a size not to exceed 25 inches wide and 37 inches long and drawn to a horizontal scale of 1"=40' and a vertical scale of 1"=4', and shall show the following information.
1. Name of proposed street.
  2. The existing and proposed street grades at the center line of the road, including delineation of all vertical curves and typical road sections.
  3. Location and size of existing improvements, such as water lines and appurtenances.
  4. Drainage calculations supporting design of all drainage structures.
  5. Depth, invert, slope and size of all pipes, ditches, culverts, catch basins, headwalls, and watercourses.
- C. Grading Plan Map - The area shown on the grading plan map may be limited to the portions of the street affected by proposed major

Ordinance Concerning the Construction  
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Town of Warren  
Connecticut

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regrading, cuts, fills or soil or rock removal as determined by the Board. The grading plan map shall be drawn on good quality mylar on sheets 25 inches wide by 37 inches long and to a scale of no less than 1"=100', and shall show at least the following information.

1. Name of road.
2. Date, scale.
3. Layout of existing and proposed lot lines and street lines.
4. Existing and proposed contours shown at an interval not exceeding two (2) feet.
5. Existing and proposed drainage and water courses.

IV. BOND OR DEPOSIT

The purpose of this provision is to provide a guarantee that work on a street or highway once undertaken will be completed in the appropriate manner according to the requirements of this ordinance.

- A. Prior to approval of such street or highway the Board may require the applicant to file a bond with corporate surety authorized to do business in this state, containing satisfactory conditions and in an amount adequate to provide for construction of the proposed road.
- B. In lieu of a surety bond the applicant may deposit with the Treasurer of the Town of Warren cash in an amount sufficient to guarantee completion of the work in the opinion of the Board.

V. ROAD CONSTRUCTION STANDARDS

A street or highway and associated improvements shall be constructed according to the following specifications.

A. Street - General

1. The entire traveled portion of twenty-four (24) feet shall be cleared of trees, roots and boulders to a depth of not less than eighteen (18) inches. The Board may direct that certain existing trees be left standing within the right-of-way.
2. The traveled portion of the right-of-way shall be graveled to a width of not less than twenty-four (24) feet (20 foot width of surfacing, 4 foot width of graded shoulders) and a depth

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and Acceptance of Roads

Town of Warren  
Connecticut

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of not less than eighteen (18) inches. It shall be graded and rolled with necessary crown, two coats of oil applied and curbing installed on each side where necessary for proper drainage control.

B. Monuments

1. Monuments shall be set at intersections, points of tangency, points of curvature, and angle points. In the case of tangents or curves exceeding one thousand (1,000) feet in length, intermediate monuments shall be set.
2. Monuments shall be reinforced concrete or granite stones four (4) inches by four (4) inches by four (4) feet long set with an exposure of five (5) inches above ground level. All such monuments to be set along one side of the right-of-way.

VI. DESIGN STANDARDS

The following standards shall apply in the design of streets and highways to provide for adequate standards of safety in the road system of the Town of Warren. These standards may be modified when, in the opinion of the Board of Selectmen, their strict compliance would cause particular difficulty or unnecessary hardship. These standards may also be modified to further the public interests, safety, and welfare.

A. Streets - Appendix A illustrates some of the following standards.

1. All streets shall have a minimum right-of-way of fifty (50) feet. The paved or traveled portion shall be a minimum of twenty-four (24) feet, including 20' width of surfacing, and 4' width of graded shoulders. (See Appendix A)
2. The grade of a street shall not exceed ten (10) percent except under conditions where a greater grade may be permitted if it does not create an unsafe street condition.
3. Dead End Streets shall terminate in a circle with a right-of-way not less than 75 feet in radius, shall be paved to an outside radius of not less than 60 feet, and shall not exceed 600 feet in length. Where such street is to be extended in the future to another outlet, this limitation may be waived.
4. To provide for safe street and driveway intersections the

Ordinance Concerning the Construction  
and Acceptance of Roads

Town of Warren  
Connecticut

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following standards shall apply: All street intersections shall not be less than  $75^{\circ}$  for a distance of at least one hundred (100) feet. In the case of an intersection of a State highway and a town road, there shall be a clear horizontal sight line of not less than 200 feet and not less than 75 feet at the intersections of a driveway and a State highway.

In the case of the intersection of two town roads, there shall be a clear horizontal sight line of not less than 100 feet, although if safety conditions require it a sight line of up to 200 feet may be required at the judgment of the Board.

At a street intersection for a distance of no less than 35 feet from the point of intersection there shall be a grade of no more than five (5) degrees. At an intersection of a driveway and a street for a distance of no less than twenty (20) feet there shall be a grade no less than five (5) degrees. All street intersection corners shall be rounded with a radius of not less than thirty (30) feet.

5. To avoid construction of dangerous roadway curves, the maximum degree of curvature allowed on any one hundred (100) foot portion of a roadway, curve shall be twenty-one (21) degrees.
6. To provide for proper slopes adjacent to the street, the following standards shall apply. (See Appendix A)
  - a. slope of 4:1 for earth fill not exceeding four (4) foot depth;
  - b. slope of 2:1 for earth cut;
  - c. slope of 2:1 for earth fill exceeding four (4) foot depth;
  - d. slope of 6:1 maximum allowable rock cut.

B. Drainage

1. Cross culverts of not less than fifteen (15) inches of reinforced concrete pipe, asphalt coated metal pipe, or aluminum pipe, either of which shall have been approved by the Board

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of Selectmen before installation, shall be constructed where designated and the tops thereof shall be placed at a minimum of eighteen (18) inches below the surface of the road with sufficient pitch, and shall have headwalls, constructed of stone, poured concrete or eight (8) inch concrete solid block, and if the slope of the bank be over two (2) feet, the retaining wall portion of the headwall shall be a minimum of three (3) inches above the shoulder grade and set back off the shoulders. If drainage runs on private property drainage rights must be acquired.

2. Any driveway, or intersecting road, at its intersection with any road which is now, or may become, a part of the highway system of the Town of Warren, shall not exceed the level of the existing gutter line. Water from adjoining driveways or intersecting roads shall be diverted as not to enter upon the traveled portion of the road. Where the contour of the adjoining land is such that, in the opinion of the Board, it may create a drainage problem, then the Board may order the installation of necessary catch basins, culverts and retaining walls.

VII. PROCEDURE FOR STREET APPLICATION  
APPROVAL, INSPECTION, AND ACCEPTANCE

- A. Submission of Application - Any application for a proposed street shall be submitted to the Board at least ten (10) days before a regularly scheduled meeting.
- B. Consideration of Application - The Board shall consider a proposed street application only when all the required maps have been submitted according to Section III of these regulations.
- C. Decision on Application - The Board shall approve, approve with written modifications, or deny an application for a proposed street no later than sixty (60) days after the application is submitted in a completed form. The reasons for the Board's decision shall be recorded in the Board's minutes.
- D. Referrals - The Board will refer maps, plans and documents to other officials and agencies, such as the following, for advisory reports and consultation and/or for approval as may be required by law.
  1. Planning and Zoning Commission - Upon receipt of a completed application the Board shall refer it to the Planning and

Ordinance Concerning the Construction  
and Acceptance of Roads

Town of Warren  
Connecticut

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Zoning Commission for advisory review and comment. Such comment shall be returned to the Board within thirty-five (35) days of its receipt by the Planning and Zoning Commission.

2. Town Counsel - bonds, easements, deeds and agreements.
  3. State Department of Transportation - Maps and plans, with particular regard to street and utility connections with State Highways.
  4. Conservation Commission - maps and plans, with particular regard to wetland areas affected by P. A. 155 and natural features of the site including conservation elements, water resources and soils.
- E. Acceptance by the Town - The Town shall consider acceptance of a street upon recommendation of the Board. No street shall be considered for acceptance by the Town until one (1) full winter after its construction.

Passed Oct. 7, 1974

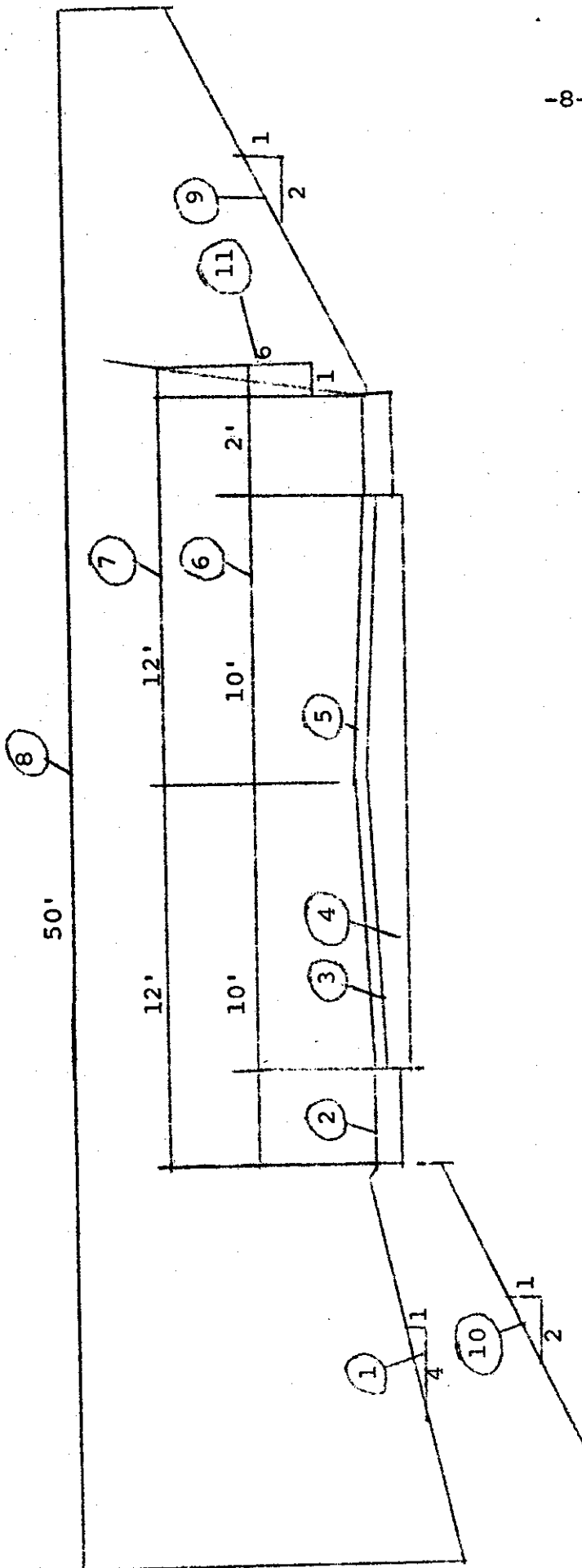
This ordinance is to take effect on October 7, 1974.



11.  
Ordinance Concerning the Construc-  
tion and Acceptance of Roads  
Town of Warren  
Connecticut

APPENDIX A

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- 1) Slope 4:1 for earth fill not exceeding 4' depth.
- 2) 2' shoulder
- 3) Two coats of oil applied at direction of Board.
- 4) Gravel subgrade minimum of 18" after compaction.
- 5) Typical crown 3 inches.
- 6) Pavement width shall be 20 feet.
- 7) Clear pavement width including shoulders shall be 24 feet.
- 8) Right-of-way shall be 50 feet.
- 9) Slope 2:1 for earth cut.
- 10) Slope 2:1 for earth fill exceeding 4 feet in depth.
- 11) Slope 6:1 maximum allowable in rock cut.

Acceptance of Town RoadsPage 151-152, Vol. 6

RESOLVED: to accept -

1. Laurel Mountain Road (formerly referred to as Allmand Road)  
 Laurel Mountain Road Extension (formerly referred to as the  
     Logan spur)  
 White Oak Lane (formerly referred to as Rosa Road)  
 as shown on a survey map, as public highways in the Town of  
 Warren and to accept a deed from George G. Keith & Sons, Inc.,  
 of said roads.
2. Birch Drive as shown on a survey map as a public highway  
 in the Town of Warren and to accept a deed from John Picz  
 of said Road.

Passed December 30, 1974

Revision to Ordinance Concerning Construction & Maintenance of RoadsPage 158, Vol. 6Section VI. Design Standards

The following standards shall apply in the design of streets and highways to provide for adequate standards of safety in the road system of the Town of Warren. These standards may be modified when, in the opinion of the Board of Selectmen and the Planning and Zoning Board, (changed to Commission) their strict compliance would cause particular difficulty or unnecessary hardship. These standards may also be modified to further the public interests, safety, and welfare.

A. Streets - Appendix A illustrates some of the following standards.

1. All streets shall have a minimum right-of-way of fifty (50) feet. The paved or traveled portion shall be a minimum of twenty-four (24) feet including 20' width of surfacing, and 4' width of graded shoulders. (See Appendix A)
2. The grade of a street shall not exceed ten (10) percent except under conditions where a greater grade may be permitted if it does not create an unsafe street condition.
3. Dead End Streets shall terminate in a circle with a right-of-way not less than 75 feet in radius, shall be paved to an outside radius of not less than 60 feet, and shall not exceed 600 feet in length. Where such street is to be extended in the future to another outlet, this limitation may be waived.

Passed August 29, 1975

OFFICE OF TOWN CLERK  
TOWN OF WARREN  
P. O. Box 25  
WARREN, CONNECTICUT 06754

NATIONAL FLOOD INSURANCE PROGRAM

Volume 6, Pages 163-165

Pursuant to the provisions of Section 7-157 of the General Statutes, Revision of 1958 as amended, notice is hereby given that the following Resolution A and B-I of the National Flood Insurance Program were adopted at a Town Meeting held in Warren on November 14, 1975 to become effective on December 15, 1975.

RESOLUTION A

WHEREAS, certain areas of the Town of Warren are subject to flooding and/or mudslides from STREAMS, RIVERS, LAKES causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Town of Warren to require the recognition and evaluation of flood and/or mudslide hazards in all official actions relating to land use in the flood prone and/or mudslide areas having special flood and/or mudslide hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Title Eight, Chapter 124, Connecticut General Statutes;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Warren hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force for those areas having flood or mudslide hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 1910 of the National Flood Insurance Program Regulations; and

2. Vests the Warren Planning and Zoning Commission with the responsibility, authority, and means to:

(a) Delineate or assist the Administrator, at his request, in delineating the limits of the areas having special flood and/or mudslide hazards on available local maps of sufficient scale to identify the location of building sites.

(b) Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain and/or mudslide area.

## OFFICE OF TOWN CLERK

## TOWN OF WARREN

P. O. Box 25

WARREN, CONNECTICUT 06754

Page 2

Flood Insurance

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain or mudslide areas, and cooperate with neighboring communities with respect to management of adjoining flood plain and/or mudslide areas in order to prevent aggravation of existing hazards.

(d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain and/or mudslide area management measures.

3. Appoints the Building Official to maintain for public inspection and to furnish upon request a record of elevations (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures located in the flood hazard areas. If the lowest floor is below grade on one or more sides, the elevation of the floor immediately above must also be recorded.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

RESOLUTION B-I

WHEREAS, the Town of Warren has adopted and is enforcing the Connecticut Building Code and local Zoning Ordinances, and

WHEREAS, Section X, Paragraph 3, of the aforesaid Zoning Ordinances prohibits any person, firm or corporation from erecting, constructing, enlarging, altering, repairing, improving, moving or demolishing any building or structure without first obtaining a separate building permit for each building or structure from the Building Official, and

WHEREAS, the Building Official must examine all plans and specifications for the proposed construction when application is made to him for a building permit.

NOW, THEREFORE, BE IT RESOLVED by the Town of Warren as follows:

1. That the Building Official shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must (i) be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii)

OFFICE OF TOWN CLERK

## TOWN OF WARREN

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Page 3

Flood Insurance

use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage; and

2. That the Warren Planning and Zoning Commission shall review subdivision proposals and other proposed new developments to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards; and

3. That the Warren Planning and Zoning Commission shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

Passed at Town Meeting November 14, 1975 effective December 15, 1975

Increase Membership of Recreation CommissionPage 163, Vol. 6

RESOLVED that the membership of the Recreation Commission be increased by two (2) members - one to December 31, 1975 and one to December 31, 1976. (Thereafter terms shall be for three (3) years.)

Passed November 14, 1975

Emergency Operations PlanP. 169, Vol. 6

Copy on File.

Passed May 21, 1976

Tax Collector TermPage 175, Vol. 6

RESOLVED that under authority of Section 9-189 of the Connecticut General Statutes, as amended, the term of office of the Tax Collector be extended from two to four years.

Passed January 21, 1977

Solar EnergyPage 178, Vol. 6

## BE IT ORDAINED THAT

1. Any building or addition to a building, the construction of which is commenced on or after October 1, 1976, and before October 1, 1991, which is equipped with a solar energy heating or cooling system, as defined in Section 12-81 (56) (b) of the Connecticut General Statutes, to the extent of the amount by which the assessed valuation of such real property equipped with such solar heating or cooling system exceeds the assessed valuation of such real property equipped with the conventional portion of the heating or cooling system, exclusive of any portion of such system related to solar energy, provided this exemption shall only apply to the first fifteen assessment years following construction of such building or addition.

2. Any person who desires to claim the exemption provided in this ordinance shall file with the Assessor or Board of Assessors of the Town of Warren a written application within the time and in the manner provided in Section 12-81 (56) (c) of the Connecticut General Statutes.

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

Passed May 20, 1977

Effective June 17, 1977 - PA 76-409.

Carter Road to Brick School RoadPage 184, Vol. 6

RESOLVED, that the Selectmen are hereby authorized to accept a deed from and to give a deed to Arthur V. McGowan of property on Carter Road to Brick School Road to establish the boundary lines of Carter Road right-of-way.

Passed November 10, 1977

Shepaug-Bantam River BoardPage 188, Vol. 6

WITHDRAWAL - 8/12/94 Page 101

## RESOLVED:

That the Board of Selectmen be empowered to appoint one member and one alternate to a Shepaug-Bantam River Board (hereinafter "the Board"). The purpose of this Commission shall be to provide LOCAL CONTROL of the Shepaug and Bantam Rivers. The Board shall have the following responsibilities:

1. to act in an advisory capacity on matters concerning the Shepaug and Bantam Rivers;
2. to encourage local adoption of measures, such as recommended in the Shepaug-Bantam River Report, which will provide basic local protection of land along the Rivers;
3. on the condition that it can be accomplished under local control, the Board shall within no more than one year present for vote of town meeting a comprehensive river management plan adequate to qualify the Shepaug and Bantam Rivers for designation under the National Wild and Scenic River Act.

Passed May 19, 1978 - Effective immediately.

Official Bulletin BoardPage 189, Vol. 6

RESOLVED that the Bulletin Board on the outside of the Town Hall be made the official sign board for the Town of Warren.

Passed May 19, 1978  
Effective immediately.

No Parking BanPage 193, Vol. 6

RESOLVED that there be a No Parking Ban put into effect during winter storm periods. (This endorses the Board of Selectmen action that No Parking ban on town roads be in effect from December 1 through March 31 and cars will be towed away at owners' expense.)

Passed September 22, 1978

Acceptance of Arrowpoint RoadPage 204, Vol. 6

RESOLVED to accept Arrowpoint Road as a public highway in the Town of Warren and to accept a deed from the Alwin Construction Company, Inc. for said Road.

Passed October 1, 1979

Resolution Creating Panel of Alternates  
Members to the Conservation Commission

Page 205, Vol. 6

Be and it is hereby resolved that: Pursuant to the provisions of Section 7-131a of the Connecticut General Statutes, the First Selectman is hereby authorized to appoint a panel of three alternate members to the Conservation Commission; one member is to serve until December 31, 1980, one member is to serve until December 31, 1981, and one member is to serve until December 31, 1982. Thereafter, successors shall be appointed for terms of three years. Such alternate members shall, when seated, have all the powers and duties of a member of the Conservation Commission.

Passed October 1, 1979

Ordinance Reorganizing the Conservation CommissionPage 209, Vol. 6

## BE IT ORDAINED THAT:

(a) The Conservation Commission for the Town of Warren, established for the development, conservation, supervision and regulation of natural resources, including water resources, within the limits of the Town of Warren, is hereby reorganized.

(b) Said Commission shall have the rights, powers and responsibilities enumerated in Section 7-131a of the Connecticut General Statutes.

(c) Said Commission shall be the Inland Wetlands Agency of the Town of Warren, as is authorized by the provisions of Section 22a-42a(c) of the Connecticut General Statutes.

(d) The Commission shall consist of seven members who shall be electors of the Town and who shall be appointed by the First Selectman. The existing members of the Commission shall fill out their existing terms of office, of which three terms expire on December 31, 1980, two terms expire on December 31, 1981, and two terms expire on December 31, 1982. Upon the expiration of such terms, members of the Commission shall be appointed for a term of three years, commencing January 1 and expiring December 31.

(e) A panel of alternates to the Conservation Commission, consisting of three members who shall be electors of the Town, shall be appointed by the First Selectman. The existing members of the



panel of alternates shall fill out their existing terms of office, of which one term expires on each of the following dates: December 31, 1980; December 31, 1981; and December 31, 1982. Upon the expiration of such terms, alternates shall be appointed for terms of three years, commencing January 1 and expiring December 31.

(f) Alternates to the Commission may attend all meetings and executive sessions of the Commission. If a regular member of the Commission is absent or is disqualified, the Chairman of the Commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. Alternate members, when seated as herein provided, shall have all the powers and duties of a regular member of the Commission.

(g) The First Selectman may remove any member or alternate for cause and fill any vacancy for any unexpired term.

(h) All prior ordinances and action of the Selectmen pertaining to the establishment of a Conservation Commission and the powers of such Commission are repealed and superseded by this ordinance.

(i) All regulations, actions and decisions of the Conservation Commission established pursuant to any prior ordinance or action of the Selectmen shall not be affected by this ordinance, but are hereby confirmed.

Passed February 15, 1980

Ordinance Reorganizing the Lake Waramaug Authority  
Page 210, Vol. 6

Full text on following page, 20.

Passed February 15, 1980

Resolution Regarding the Shepaug-Bantam River Management Plan  
and Ordinance Regarding the Shepaug-Bantam River Board  
Page 206-207, Vol.6

Full text on following pages 21-22.

Passed October 1, 1979

Effective November 9, 1979

Ordinance Reorganizing the Lake Waramaug Authority  
Page 210, Vol. 6

BE IT RESOLVED THE THE FOLLOWING ORDINANCE BE ADOPTED:

BE IT ORDAINED THAT:

1. PURSUANT TO THE PROVISIONS OF SECTION 7-15a OF THE CONNECTICUT GENERAL STATUTES, THE TOWN OF WARREN, ACTING CONCURRENTLY WITH THE TOWN OF WASHINGTON OR THE TOWN OF KENT, OR BOTH OF SAID TOWNS, HEREBY ESTABLISHES A LAKE AUTHORITY FOR LAKE WARAMAUG TO BE KNOWN AS THE LAKE WARAMAUG AUTHORITY.

2. SAID AUTHORITY SHALL HAVE ALL THE POWERS, DUTIES AND RESPONSIBILITIES PROVIDED BY SAID SECTION 7-15 1a OF THE CONNECTICUT GENERAL STATUTES FOR LAKE AUTHORITIES CREATED THEREUNDER, INCLUDING THOSE SET FORTH IN SUB-PARAGRAPH (a) and (c) OF SAID SECTION.

3. THE TOWN OF WARREN SHALL PAY ITS RESPECTIVE SHARE OF THE EXPENSES OF SAID AUTHORITY BASED ON THE FOLLOWING FORMULA;

a) MEMBERSHIP IN THE AUTHORITY BY THE TOWN OF WASHINGTON, THE TOWN OF WARREN AND THE TOWN OF KENT - THE TOWN OF WASHINGTON AND THE TOWN OF WARREN SHALL EACH PAY TWO-FIFTHS OF SAID EXPENSES AND THE TOWN OF KENT SHALL PAY ONE-FIFTH;

b) MEMBERSHIP IN THE AUTHORITY BY THE TOWN OF WARREN AND THE TOWN OF WASHINGTON - EACH TOWN SHALL PAY ONE-HALF OF SAID EXPENSES;

c) MEMBERSHIP IN THE AUTHORITY BY THE TOWN OF WARREN AND THE TOWN OF KENT - THE TOWN OF WARREN SHALL PAY TWO-THIRDS OF SUCH EXPENSES, AND THE TOWN OF KENT SHALL PAY ONE-THIRD.

4. SAID AUTHORITY SHALL BE COMPOSED OF THREE DELEGATES FROM EACH TOWN. THE BOARD OF SELECTMEN SHALL APPOINT THREE DELEGATES WHO SHALL BE ELECTORS OF THE TOWN OF WARREN, TO SERVE THE FOLLOWING TERM: ONE (1) MEMBER SHALL SERVE FOR A TERM EXPIRING ON THE 1ST DAY JANUARY, 1981; ONE (1) MEMBER FOR A TERM EXPIRING ON THE 1ST DAY OF JANUARY, 1982; AND ONE (1) MEMBER FOR A TERM EXPIRING ON THE 1ST DAY OF JANUARY, 1983; AND THEREAFTER, ALL MEMBERS SHALL SERVE FOR TERMS OF THREE (3) YEARS AS VACANCIES OCCUR.

5. THE AUTHORITY SHALL HOLD ITS FIRST MEETING WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE, AT A TIME AND PLACE TO BE SET BY THE FIRST SELECTMEN OF THE MEMBER TOWNS. AT ITS FIRST MEETING, SAID AUTHORITY SHALL ELECT A CHAIRMAN AND SECRETARY.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION BY THE TOWN OF WARREN AND EITHER THE TOWN OF WASHINGTON OR THE TOWN OF KENT.

Passed February 15, 1980

OFFICE OF TOWN CLERK  
TOWN OF WARREN

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WITHDRAWAL page 101

RESOLUTION REGARDING THE SHEPAUG-BANTAM RIVER MANAGEMENT PLAN  
AND  
ORDINANCE REGARDING THE SHEPAUG-BANTAM RIVER BOARD

WHEREAS, the Town of Warren along with the Towns of Washington, Roxbury, Morris, and Litchfield did appoint representatives to a temporary Shepaug-Bantam River Board for the purpose of preparing and presenting within one year period for vote of town meeting a comprehensive river management plan,

WHEREAS, the temporary Board after study has concluded that the Shepaug and Bantam River 'corridor' is a unique resource which demands careful conservation and permanent management exclusively under LOCAL CONTROL in a manner that will support personal property rights,

WHEREAS, the temporary Board has concluded to make no recommendation advising for or against designation of the Shepaug and Bantam Rivers as National Wild and Scenic Rivers this being a matter to be determined separately by each town at town meeting,

WHEREAS, the temporary Board has recommended acceptance of a local advisory Shepaug-Bantam River management Plan and the creation of a permanent, local, advisory Shepaug-Bantam River Board.

NOW THEREFORE,

BE IT RESOLVED that the Town of Warren does hereby acknowledge the need for the "Shepaug-Bantam River Management Plan" as presented to town meeting and recognizes said "Plan" as the guide for the permanent Shepaug-Bantam River Board.

NOW THEREFORE,

BE IT ORDAINED that the code of ordinances of the Town of Warren be and hereby is amended by adding the following:

1. The Town of Warren acting by its Board of Selectmen pursuant to Chapter 7-330, and 148 of the Connecticut General Statutes is hereby authorized with the Town of Washington and one or more of the following towns, Morris, Litchfield and Roxbury to create and participate in a permanent advisory Shepaug-Bantam River Board. Each of said towns participating in said Board shall be entitled to two members.

2. The members representing the Town of Warren shall be appointed within thirty days of the effective date of this ordinance. The Board shall, at its first meeting, determine by lot which members shall serve for one, two or three years, provided the terms of office of not more than fifty percent of the Board shall expire in any one year. Thereafter, the terms of office shall be for three years. Such Board shall choose by ballot from its membership a Chairman and a Secretary. Any vacancy in a town's representation on the Board shall be filled for the balance of the unexpired term by said town's Board of Selectmen. In the event of the absence, resignation, or incapacity of the Chairman or in the event the Chairman shall be unable to act, the Secretary shall assume the office and duties of the Chairman. In this instance a Secretary pro tem shall be elected by a majority vote of Board members present.

3. The members of said Board shall have the following responsibilities and duties when voting with a majority of the other member of the Board present at any meeting duly held providing a quorum is present:

- A. To adopt and, from time to time, to update, amend and revise the "Shepaug-Bantam River Management Plan" provided and on condition that such amendments and revisions are wholly advisory in nature.
- B. To consult with public and private agencies or organizations concerning river related matters and to review and provide advisory comments on plans or programs affecting the Shepaug-Bantam River and its associated land or 'corridor', and to make recommendations to public and private agencies or organizations concerning river related matters.

4. This ordinance shall become effective upon its adoption by the Towns of Roxbury, Washington and one or more of the following towns: Litchfield, Morris or Warren.

EFFECTIVE November 9, 1979

Passed October 1, 1979

Effective November 9, 1979

Ordinance Establishing a Flood & Erosion Control Board  
Page 214, Vol. 6

BE IT ORDAINED THAT:

(a) A Flood and Erosion Control Board of the Town of Warren, is hereby established for the purpose of planning, laying out, acquiring, constructing, reconstructing, repairing, maintaining, supervising, and managing a flood or erosion control system as defined in Section 25-85 of the Connecticut General Statutes, for the Town of Warren.

(b) Said Commission shall be the Flood and Erosion Control Board of the Town of Warren, and shall have the powers and responsibilities enumerated in Sections 25-84 through 25-94 of the Connecticut General Statutes.

(c) The Board shall consist of five members who shall be electors of the Town and who shall be the three Selectmen of the Town and a single representative from the Conservation Commission of the Town and a single representative from the Planning and Zoning Commission of the Town to be selected by the Chairman of the respective commissions to serve a one-year term from date of appointment.

Passed April 28, 1980  
 Effective immediately.

Resolution of the Lake Waramaug Task Force and the  
Northwestern Connecticut Regional Planning Agency  
Page 216, Vol. 6

BE IT RESOLVED that the Lake Waramaug Task Force join with the Town of Warren as a co-sponsor to enter into an agreement with the Soil Conservation Service, United States Department of Agriculture, hereinafter known as the Service, to carry out a Critical Area Treatment Measure Agreement to retard erosion within the Lake Waramaug Watershed.

Be it understood that the Lake Waramaug Task Force will provide necessary matching funds up to \$35,000 needed to execute this agreement with the Service providing the balance of funds. In addition the Lake Waramaug Task Force will provide necessary additional funds to cover all maintenance expenses of this project for a three year period following the project's completion in a total amount not to exceed \$3,000 without further approval of the Lake Waramaug Task Force. This agreement between the Lake Waramaug Task Force and the Town of Warren is subject to approval of a written agreement between the Town of Warren and the Service.

Passed April 28, 1980

Torrington Area Health District  
Page 229, Vol. 6

RESOLVED to authorize the Selectmen under provisions of Title 19, Chapter 336 of the Connecticut General Statutes to enter into agreement with the Torrington Area Health District and upon joining to make payment from the present Health and Sanitary Appropriations, and an annual contribution as required.

Passed December 15, 1980  
Effective January 1, 1981

Ordinance Concerning Construction of Driveways  
Page 232-233, Vol. 6

BE AND IT IS HEREBY ORDAINED THAT:

1. No driveway, permanent or temporary, abutting or intersecting any road which is now, or which may become part of the Town highway system shall be constructed, reconstructed or otherwise altered unless a permit for such construction, reconstruction or alteration has first been issued by the Board of Selectmen.
2. All such driveways shall be constructed in accordance with the design standards established by this ordinance and in accordance with such additional requirements as may be imposed by the Board of Selectmen.
3. To provide for the safety of the general public using town highways and to prevent the washing of sediment into and the erosion of such highways, the following standards shall apply to the design and construction:
  - a. All driveways shall have an adequate sight distance along the town highway in both directions;
  - b. No driveway shall be constructed with a grade greater than ten percent (10%), either ascending or descending, within 20 feet of the intersection of the driveway with the town highway;
  - c. All driveways shall be paved with asphalt for a minimum distance of 10 feet from the intersection of the driveway with the town highway;
  - d. No driveway shall be constructed so that its intersection with the town highway is above the level of the existing gutter line of the highway. Water from all driveways shall be diverted so as not to enter upon the traveled portion of such highway. Where the contour of the land is such that, in the opinion of the Board of Selectmen, the construction of a driveway may create a drainage problem, then the Board of Selectmen may order the installation of necessary catch basins, culverts, headers and retaining walls;
  - e. No driveway shall be constructed, reconstructed and/or altered if the proposed work affects or is located within

a wetland or water course as defined in the Inland Wetlands and Water Courses Regulations of the Town of Warren, unless a permit for such work has first been secured from the Conservation Commission of the Town of Warren.

f. The Board of Selectmen may waive any of the foregoing designs, standards when, in the opinion of the Board, it would be impractical to construct, reconstruct or alter a driveway in conformance therewith. The Board of Selectmen may also impose any additional requirements to insure that the purposes of this ordinance are fulfilled.

4. This ordinance shall take effect 15 days after its adoption by town meeting and publication thereof.

Passed February 20, 1981  
Effective March 13, 1981

Accept Laurenti Lane  
Page 239, Vol. 6

RESOLVED that Laurenti Lane be accepted as a public highway in the Town of Warren and to accept a deed from Panta Properties, Inc. of said Lane.

Passed May 22, 1981

Committee to Explore the Possibility of Inter-Local Agreement  
Page 246, Vol. 6

RESOLVED that two members from the Town of Warren, those being the First Selectman, or upon his inability at his choice another member of the Board of Selectmen, and Chairman of the Board of Finance, or upon his inability at his choice another member of the Board of Finance, be elected to serve on a committee to explore the possibility of establishing an Inter-Local Agreement Commission among the towns of Kent, Warren, and Washington to control water pollution in Lake Waramaug, to draw up a proposed Inter-Local Agreement, and to submit such a document to a subsequent town meeting for either ratification or rejection."

Passed February 11, 1982

Ordinance Establishing a Town Aid Highway Account  
Page 251, Vol. 6

BE IT ENACTED THAT: The Town of Warren, acting through the Town Treasurer, shall establish a Town Aid Highway Account, which shall consist of the following two funds:

1. Improved Road
2. Unimproved (Dirt) Road

All town aid highway funds received from the State of Connecticut pursuant to Sections 13a-175 through 13a-175j of the Connecticut Statutes shall be deposited in said account. The funds on deposit in such account, including any interest earned thereon, shall be used for the maintenance, improvement and construction of improved and unimproved town roads, and any other purposes permitted by Section 13a-175 et seq., including the purchase of supplies and equipment necessary for such purposes. Said funds shall be expended at the discretion of a majority of the Board of Selectmen by appropriation for such purposes.

Any portion of the town aid highway account, whether unappropriated or appropriated and unexpended, shall not revert to the general fund, but shall remain in said town aid highway account, and shall continue to be held in such account for expenditure in accordance with the provisions of this ordinance in ensuing fiscal years.

This Ordinance shall take effect fifteen (15) days after its adoption by Town Meeting and publication thereof.

Passed April 16, 1982  
 Effective May 13, 1982

Ordinance Concerning Lake Waramaug Interlocal Agreement  
Page 251-254, Vol. 6

This is an agreement entered into pursuant to the authority granted in Sections 7-339a through 7-339-1 of the Connecticut General Statutes, Revision of 1958, as amended, by and between the Towns of Kent, Warren and Washington, Connecticut (hereinafter referred to as "Towns" or, singularly, "Town") in which the Towns agree as follows:

1. Parties: The parties to this agreement are the Towns of Kent, Warren and Washington, Connecticut, each acting herein by a duly authorized officer. Each is a "contracting public agency"



as that term is defined by Section 7-339a. Pursuant to the requirements of Section 7-339a (a), (b) and (c), the Towns have duly appointed an interlocal agreement commission, which has conducted its affairs and deliberations according to the requirements of statute and has recommended the adoption of this interlocal agreement by each Town.

2. Purpose: The purpose of this agreement is to enable the Towns jointly to conduct a project or projects to control water pollution and improve the water quality of Lake Waramaug, Connecticut, portions of which are located in or abut each Town. The project will entail furnishing or providing services, personnel, facilities, equipment and other property and resources for the joint use or benefit of the Towns. The function of this agreement is to provide a mechanism whereby the above can be provided and whereby a project or projects to control water pollution and improve the water quality of Lake Waramaug may be planned, designed, permitted, financed, constructed, operated, monitored and maintained for a period of years.

3. Interlocal Advisory Board: There shall be an interlocal advisory board. Each Town shall be a member of the board. The members of the board shall number: Two members from the Town of Warren, two members from the Town of Washington, and one member from the Town of Kent. The members representing the Towns of Warren and Washington shall, in each case, be the First Selectman or other chief elected official and the Chairman of the Town Board of Finance, or its equivalent if the Town shall have no Board of Finance. The member from the Town of Kent shall be its First Selectman or other chief elected official. Each such official shall serve during his tenure in the office of the Town which he represents and shall be succeeded by his successor in such office. From within its membership, the board shall elect a chairman, a vice chairman and a secretary. Each member of the board shall be entitled to one vote, and the board shall act by majority vote. The board shall meet not less often than quarterly and it shall report to each of the Towns not less frequently than annually. The chairman or the secretary shall provide each member of the board with appropriate notice of each meeting. Within two weeks following each meeting of the board, copies of the minutes of that meeting shall be distributed to the town clerk of each of the Towns. The board may arrange for appropriate staffing, consulting and other necessary assistance in order to carry out its functions. The board shall study and recommend programs and policies and provide advice to the Towns on all matters relating to the purposes of this agreement. The board may appoint and consult with other advisory bodies in order to carry out the purposes of this agreement. Any member of the board may designate in writing a person to represent him on the board, and the

representative shall have all powers and authorities of the person designating him until the designation is revoked.

4. Financing: Each Town shall pay its appropriate share in consideration for receiving and obtaining services, personnel, facilities, equipment or other property or resources from other Towns, other contracting public agencies, as defined by statute, and others. Each town shall also pay its pro rata share of all expenses of the interlocal advisory board. The formula for assessing such pro rata shares of all such expenses, including the capital and operating and maintenance expenses of any project or projects which may be undertaken, shall be as follows: In the case of the Town of Kent, seven percent (7%); in the case of the Town of Warren, thirty-nine percent (39%); and in the case of the Town of Washington, fifty-four percent (54%). The basis of this division is the estimated percentage of shoreline which each of the Towns has on Lake Waramaug. In the event that any grant or grants are received to carry out the purposes of this agreement from the State of Connecticut or the United States or any other private or public sources, they shall reduce on a pro rata basis, as computed in accordance with this Paragraph 4, amounts for which the Towns would otherwise be liable.

5. Other Powers of the Advisory Boards: The interlocal advisory board may reimburse its representatives for expenses of travel, both within and without the State of Connecticut, incurred by them in connection with service on the board, and may pay such compensation to members as is prescribed by the legislative body of the Town which is represented. The board may claim and shall be eligible for any grants or other assistance which may be available from the State of Connecticut or the United States, or any other private or public sources. The board shall also have the power (1) to acquire and hold, sell or convey all rights of ownership or interest in any real or personal property and (2) to maintain bank accounts.

6. Indemnification: The interlocal advisory board shall indemnify and hold harmless the members of the board and other advisory bodies, if any, and the board's employees from and against any losses, damages or liabilities arising out of the receiving, obtaining, furnishing or providing of services, personnel, facilities, equipment or any other property or resources pursuant to this agreement.

7. Dispute Management: The Towns shall attempt to resolve differences arising under this agreement through recourse to the interlocal advisory board. If they are unable to do so, such disputes shall be resolved by reference to and in the manner prescribed by the rules of the American Arbitration Association. In the event of such a dispute, any party may request that the

issue be submitted to final and binding arbitration in a writing setting forth the issue or issues to be arbitrated, and the arbitrator shall be confined to the issue or issues so stated. In respect to disputes arising among other parties in connection with projects carrying out the purposes of this agreement, the interlocal advisory board shall make itself available for the resolution of such matters if the parties are so disposed.

8. Duration: The duration of this agreement shall be twenty-five (25) years unless sooner terminated pursuant to the terms hereof.

9. Termination: This agreement shall terminate when two of the Towns, pursuant to properly called meetings of their legislative bodies, shall have voted to withdraw and shall have communicated in writing the results of that vote to the chairman of the interlocal advisory board, provided that to effect a termination the votes of both withdrawing Towns must occur within twelve (12) months of one another. The termination shall be effective as of the date the chairman of the interlocal advisory board receives written communication of the vote of the second Town.

10. Five-Year Review: It is the intention of each of the parties to this agreement that a general review of the efficacy of this agreement be undertaken by each party in 1987. This provision neither modifies nor displaces any other provision of this agreement.

IN WITNESS WHEREOF, THE parties hereto have hereunto set their hands and seals this 21st day of April, 1982, at Warren, CT.

Alfred J. Nordland, Town of Warren  
John A. Marsh, Town of Washington  
Robert A. Ward, Town of Kent

Witnessed by:

D. Dickinson Henry, Jr.  
Percy Allmand  
Maureen Brody

Passed April 16, 1982  
Effective April 21, 1982

Ordinance Concerning Relocation of Portion of College Farms Road  
Page 258, Vol. 6

RESOLVED, to abandon and discontinue that section of College Farms Road in the Town of Warren near the road's current intersection with Connecticut Route 45 as designated "To be Conveyed to Herbert L. Curtiss et ux" on a map entitled, "Map Showing Boundary Line Agreements and Conveyances Between Herbert L. Curtiss et ux and the Town of Warren, College Farms Road and Connecticut Route 45, Warren, Connecticut, Scale 1" = 60', March, 1982" and certified substantially correct by Richard J. Adams, R.L.S. #9674, to be filed with the Town Clerk of said Warren.

Passed May 21, 1982  
 Effective June 7, 1982

And:

RESOLVED, to authorize and instruct the Selectmen to convey, by quit claim deed to Herbert L. Curtiss and Hattie Curtiss, that portion of College Farms Road abandoned and discontinued by Town Meeting this evening, in consideration of other lands to be conveyed by said Curtiss' to the Town for the purpose of relocating a portion of said highway as shown on a map entitled, "Map Showing Boundary Line Agreements and Conveyances Between Herbert L. Curtiss et ux and the Town of Warren, College Farms Road and Connecticut Route 45, Warren, Connecticut, scale 1" = 60', March, 1982" and certified substantially correct by Richard J. Adams, R.L.S. #9674, to be filed with the Town Clerk of said Warren.

Passed May 21, 1982  
 Effective June 7, 1982

Ordinance Concerning Nuclear Arms  
Page 264, Vol. 6

Resolution #1: BE IT RESOLVED that this Town Meeting expresses its support to the members of the Connecticut Congressional Delegation in their sponsorship of a resolution in Congress calling for an immediate and permanent verifiable United States - Soviet Union nuclear arms freeze, and that copies of this action be sent to said delegates and to the President of the United States.

Resolution #2: BE IT RESOLVED that this Town Meeting requests that the Connecticut Congressional Delegation and the President of the United States take all necessary steps to achieve a treaty with the Soviet Union for a verifiable reduction in nuclear arms leading to the ultimate goal of eliminating all nuclear weapons in the world, and that copies of this action be sent to the said delegates and to the President of the United States.

Passed June 4, 1982  
 Effective Immediately

Ordinance Creating Municipal District and Convention and  
Visitors Commission for Northwest Connecticut  
Page 265, Vol. 6

RESOLVED, that the Town of Warren, acting herein by Town Meeting, its legislative body, and pursuant to Section 7-330 of the Connecticut General Statutes, hereby VOTES to form and join a municipal district known as Litchfield Travel Commission for the purpose of establishing a convention and visitors commission pursuant to Section 7-136 (a) - (c) of the Statutes, as amended by Public Act 81-417.

Passed June 25, 1982  
Effective July 1, 1982

Ordinance Concerning Land of Warren Volunteer Fire Company  
Page 282, Vol. 6

VOTED to receive a deed from the Warren Volunteer Fire Company of land now owned by the Fire Company on Sackett Hill Road.

VOTED to enter into a lease to the Warren Volunteer Fire Company of land and buildings, now occupied by the Fire Company, and including any additions.

Passed October 21, 1983  
Effective December 19, 1983

Ordinance Concerning East Greenwich Road  
Page 282, Vol. 6

VOTED that the Town of Warren accept East Greenwich Road into the Town Highway System.

Passed October 21, 1983  
Effective Immediately

Vote of Board of Selectmen  
Concerning Laurenti Lane

VOTED unanimously to change name of Laurenti Lane to Evergreen Lane.

Passed November 7, 1983  
Effective Immediately

ORDINANCE CONCERNING A  
NORTHWESTERN CONNECTICUT REGIONAL COUNCIL OF GOVERNMENTS

BE IT ORDAINED THAT:

1. The Town of Warren does hereby seek to join with other towns within its planning region as defined by the Secretary of the Office of Policy and Management that may enact a similar ordinance to create a Regional Council of Governments as said Council is defined in Sections 4-124i to 4-124p inclusive of the 1983 supplement to the General Statutes of Connecticut as amended.
2. The Town of Warren does hereby authorize its Board of Selectmen to appoint any other Selectman as an alternate to serve as the Town's representative to a Council of Governments in the absence of the First Selectman, all in accordance with Section 4-124k of the 1983 supplement to the General Statutes of Connecticut as amended.
3. If and when the Town becomes a member of a Council of Governments that has been certified by the Secretary of Office of Policy and Management and when that Council of Governments completes the transition period called for in Section 4-124-1-c of the 1983 supplement to the General Statutes of Connecticut as amended, then the Town does hereby recind the ordinance enacted on May 19, 1972 that created the Town's participation in the Northwestern Connecticut Regional Planning Agency and any amendments thereto.

Unanimously passed May 18, 1984

Accept Reverie Lane  
Page 16 Vol. 7

Resolved that Reverie Lane be accepted into the Town road system, as per agreement between Town of Warren and Windy Ridge, Inc.

Passed May 23, 1986  
Effective September 17, 1986  
as per Warranty Deed Vol. 36 pg. 90

Ordinance Concerning Office of Constable

Vol. 7 pg. 26

BE IT ORDAINED that: 1) In lieu of election of constables as provided in Connecticut General Statutes sec. 9-200, constables shall be appointed by the Board of Selectmen pursuant to Connecticut General Statutes sec. 9-185 for such terms, under such arrangements, and in such number, not exceeding seven, as the Board of Selectmen may determine.

2) Removal of any appointed constable shall be at the discretion of the Board of Selectmen.

3) Following expiration of the term of any constable elected at the municipal election of November, 1985 there shall be no election of constable, and if the office of any such elected constable shall become vacant for any reason prior to expiration of that constable's term, that vacancy shall not be filled.

Passed October 30, 1986  
Effective November 21, 1986

Ordinance Concerning Solid Waste DisposalVol. 7 pg. 33

WHEREAS, the prevailing solid waste disposal practices in the Town of Warren and in certain nearby communities could potentially result in unnecessary environmental damage, waste valuable land and other resources, and constitute a continuing hazard to the health and welfare of the citizens thereof, and present technology permits the conversion of residential and commercial solid waste into commercially valuable resources including steam and electricity, in an environmentally sound manner;

WEREAS the Town of Warren has entered into discussions with the existing Housatonic Resources Recovery Authority, a resource recovery authority created and existing pursuant to the provisions of Chapter 103b, Sections 7-273aa to 7-273oo of the Connecticut General Statutes;

WHEREAS it is in the best interest of the Town of Warren to join in the plans of the Housatonic Resources Recovery Authority to provide a regional solution to the problems of residential and commercial solid waste management and disposal; and

WHEREAS various other Towns in the Northwestern Connecticut Planning Region, of which the Town of Warren is a part, have adopted or are expected to adopt ordinances providing for membership in the Housatonic Resources Recovery Authority pursuant to Chapter 103b;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF WARREN:

1. The provisions of Chapter 103b, Sections 7-273aa to Sections 7-273oo of the Connecticut General Statutes are hereby adopted.

2. The Housatonic Resources Recovery Authority is hereby designated as the resource recovery authority for the Town of Warren, and the Town of Warren hereby declares its intention of becoming a member of the Housatonic Resources Recovery Authority.

3. Membership of the Town of Warren in the Housatonic Resources Recovery Authority shall become effective upon determination by the Housatonic Resources Recovery Authority of the terms and conditions of membership, in accordance with Section 7-273aa(f) and agreement thereto by the Board of Selectmen of the Town of Warren, and the Board of Selectmen are hereby authorized on behalf of the Town of Warren to give such agreement in their discretion.



4. The Board of Selectmen of the Town of Warren shall appoint the Town of Warren member and alternate member representing the Town on the Housatonic Resources Recovery Authority. The Board of Selectmen shall fill any vacancy which occurs and may remove said member or alternate for cause satisfactory to the Board in its sole opinion. No person shall be eligible as a member or alternate unless at the time of his appointment he is an elector of the Town. Any such person who ceases to be an elector of the Town shall thereupon cease to hold said office.

5. Members of the Housatonic Resources Recovery Authority shall serve without compensation but shall be reimbursed for their necessary expenses.

6. This Ordinance shall become effective 15 days after publication of a summery thereof, pursuant to Section 7-157(b) of the Connecticut General Statutes, in a newspaper having a circulation in the Town of Warren.

Adopted this 22nd day of May, 1987  
Effective June 11, 1987

The Town withdrew from the Housatonic Resources Recovery  
Authority at a Town Meeting duly warned and held on October 2, 1987.  
Page 44, Vol. 7

## CONSTRUCTION AND ACCEPTANCE OF STREETS

Revision  
 Adopted 10/2/87  
 Page 43, Vol. 7

## IN THE TOWN OF WARREN

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REGULATIONS

## CONCERNING

## THE CONSTRUCTION AND ACCEPTANCE OF STREETS

## IN THE TOWN OF WARREN

Section I - General Provisions

- 1.1 General: These regulations set forth the policies, rules, procedures, standards and specifications of the Town of Warren for the administration and enforcement of the construction and maintenance of streets in the Town of Warren.
- 1.2 Title: These regulations are entitled, "REGULATIONS CONCERNING THE CONSTRUCTION AND ACCEPTANCE OF STREETS IN SUBDIVISIONS" and may hereinafter be cited as the "Road Regulations."
- 1.3 Definitions: Certain words used in these regulations are defined and explained as follows:
  - 1.3.1 A person designated by Agent: The Board of Selectmen, in their discretion, be responsible for the inspection of construction as carried out under these regulations who may also be made responsible for the issuance of permits and performance of duties, subject to the approval of the Board.
  - 1.3.2 Street: The term "street" shall mean a proposed public highway, street or road in a subdivision or resubdivision approved by the Planning and Zoning Commission. Streets shall be classified in accordance with the standards, if any, contained in Warren's Plan of Development adopted by the Commission.  
Amendment to 1.3.2 - Page 17A
- 1.4 Modifications and Variances: The Board of Selectmen shall have authority, in its sole and absolute discretion,
  - (a) to modify, amend or add to these regulations, including without limitation, increasing or decreasing the requirements thereof, and (b) to grant variances from these regulations, in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience and property values, solely with respect to a location where, because of conditions especially affecting such location but not affecting generally the district in which such location is situated, a literal enforcement of these regulations would result in exceptional difficulty or unusual hardship, so that substantial justice will be done and the public safety and welfare secured.

## SECTION 2 - APPLICATION PROCEDURE

- 2.1 Applicability: The provisions hereof are applicable to the construction of streets in an approved subdivision.
- 2.2 Maps: Maps, showing rights-of-way for streets and highways and rights-of-ways and easements for drainage shall be prepared in accordance with the standards for a SUBDIVISION MAP specified in the Subdivision Regulations. Construction plans for streets, drainage and other improvements, shall be prepared in accordance with the standards for construction plans specified in the Subdivision Regulations, as the same may from time to time be amended.
- 2.3 Plans: Plans of improvements and profile maps shall be prepared on the same size sheet, scale and quality as used for the rights-of-way maps and shall bear the seal of a professional civil engineer licensed to practice in the State of Connecticut. The plans shall be prepared on 24 x 36 inch sheet.
- 2.4 Application for Road Construction Permit: Application for a Road Construction Permit shall be made in writing to the Board of Selectmen and shall include the following documents:
- 2.4.1 Two (2) copies of the maps showing the street right-of-way and drainage easements and two (2) copies of the construction plans for street, drainage and other related improvements. Plans and maps submitted to the Planning and Zoning Commission as part of a subdivision application may be substituted for the purpose of this requirement.
  - 2.4.2 A fee of \$100.00; and
  - 2.4.3 In the event that such proposed construction is within or relates to an existing Town street, evidence of Workmen's Compensation and Contractors Liability insurance in amounts and with carriers acceptable to the Board of Selectmen with the Town named as an insured shall be presented.
- 2.5 Permit Procedures - Issuance: A road construction permit shall be issued in writing by the Board of Selectmen subject to:
- 2.5.1 The completion of plans for the construction of streets, drainage and other necessary plans requested and approved by the Board of Selectmen and which also may be required to be approved by the Planning Commission;
  - 2.5.2 Inspection Fee: Payment of the Town of Warren of an inspection fee equal to the cost incurred by the Town for the inspection of the proposed improvement.

2.5.3 The filing of a performance guarantee in the amount specified by the Board of Selectmen and in a form approved by Town Counsel.

2.6 Permit Procedure - Length of Permit: The Road Construction Permit shall be valid for a period of time designated by the Board of Selectmen. Permits may be extended for a period not to exceed one (1) year upon written approval of the Board of Selectmen. Upon the expiration of the extended time period, the Board shall either (a) require reapplication for the uncompleted work, or (b) pay for the completion of the work by calling the performance guarantee.

2.7 Performance Guarantee: The applicant shall execute an agreement and file a performance guarantee with the Board, said guarantee to be in the amount and with security in the form of a cash deposit or bank letter of credit and conditions satisfactory to the Board, securing to the Town of Warren the actual construction, installation, and completion of all improvements to the satisfaction of the Board of Selectmen including, without limitation, streets, drainage and placing of monuments, within a period not to exceed two (2) years from the filing of the guarantee. Said guarantee shall be in form and amount acceptable to the Board.

2.8 As-Built Plans: Upon the completion of any road or drainage improvements, the applicant shall file with the Board construction plans showing the streets, drainage and other subdivision improvements as built and also showing the location of any water mains, underground electric and telephone utilities. In lieu of such submission, the applicant's engineer may update and certify the mylar construction plans submitted under Section 2.2. of these regulations and approved by the Board of Selectmen. Such filing shall also include a certification, signed and sealed by an engineer licensed to practice in the State of Connecticut that such engineer has inspected all construction work and all improvements have been completed in accordance with plans and specifications approved by the Board.

2.9 Release of Performance Guarantee: Before the release of the Performance Guarantee provided for in Section 2.7 of these Regulations:

a. The streets, street improvements and street drainage

shall have been inspected and approved by the Board of Selectmen or its agent;

- b. As-Built Plan shall have been filed with the Board pursuant to Section 2.8, and approved by said Board; and
- c. The applicant shall execute an agreement and file a maintenance performance guarantee for maintenance of streets, drainage and other improvements. Said guarantee shall be in form and amount acceptable to the Board.

In the case of improvements which are not to be offered for acceptance by the Town, the maintenance guarantee must be in effect for a period of one (1) year from the release of the performance guarantee. In the case of improvements which are to be offered for acceptance by the Town, the maintenance guarantee shall be in effect for a period of fifteen (15) months from the release of the performance guarantee or until acceptance of the improvement by the Town, whichever period is lesser.

- 2.10 Acceptance of Streets: One (1) year after the release of the performance guarantee, a petition may be made in writing to the Board of Selectmen, for the acceptance of a street by the Town Meeting. Such petition shall be signed by the owner (s) of the street and shall include the following;

- 2.10.1 A copy of a map to be filed in the Town Clerk's office showing all street and drainage rights-of-way;
- 2.10.2 A mylar tracing showing as-built street, drainage and other improvements certified by a professional civil engineer;
- 2.10.3 Warranty Deed and Certificate of Title for the rights-of-way of the street and drainage structures and of any easements in support thereof. Deed and Certificate of Title shall include;
  - a. A Waiver of Mechanic's Liens or title insurance insuring against mechanic's liens,
  - b. Letter from the Tax Collector indicating full payment of taxes due; and
  - c. Any other certificates and documents required by the Board.

Upon receipt of the required documents, the Board shall refer said documents to the Planning and Zoning Commission for their review under Section 8-24 of the Connecticut General Statutes, as amended. The Board shall then place the petition for acceptance on the call of the next regular Town Meeting provided, however, that all requirements of these

regulations, and if applicable, the Subdivision Regulations, have been fulfilled.

**2.11 Liability Insurance:** The Manufacturers and Contractors Liability Insurance specified under Section 2.4.3 shall include no less than the following;

2.11.1 Public Liability of \$1,000,000/\$1,000,000 aggregate.

2.11.2 Property Damage limits of \$1,000,000/\$1,000,000 aggregate including blasting and underground damage (XCU) resulting from the use of mechanical equipment, on work covered by this document.

2.11.3 Coverage with respect to all subcontractors doing any part of the work covered by the Permit.

2.11.4 If the policy is changed or cancelled during the policy period, the policy shall provide that written notice will be given to the First Selectman of the Town of Warren at least 15 days before the effective date of such change of cancellation period.

2.11.5 The Town of Warren shall be named as an additional insured.

2.11.6 Such additional coverage as requested by the Board.

**2.12 Inspection Procedures:** The Board of Selectmen or its authorized agent, and where appropriate, the Planning and Zoning Commission, shall have free access to the construction work at all times and shall be authorized to take material samples, corings and other tests as deemed necessary to determine compliance with the standards of these Regulations. They may require the applicant at his own expense, to have such test made and certified by a Connecticut licensed professional engineer.

**2.13 Notification:** The applicant or contractor for the street, drainage or other subdivision improvements shall notify the Board of Selectmen in writing of his intention to start any construction project at least five (5) days prior to starting the work. Should the applicant or such contractor close down the construction project for a period exceeding one (1) week, due to weather conditions or other cause, the applicant or such contractor shall notify the Board of Selectmen in writing of such closing; he shall notify the Board in writing of his intention to resume the project at least two (2) working days prior to resuming the work. In addition, the applicant or such contractor shall give timely written notice to the Board of Selectmen for inspection purposes at least 48 hours before each of the following stage of work;

2.13.1 Commencement of site clearance and after the construction work has been staked out;



- 2.13.2 Commencement of excavation and grading of streets, and installation of embankments;
- 2.13.3 Commencement of installation of drainage and other utilities;
- 2.13.4 Commencement of backfilling structures and drainage pipes, facilities and other utilities;
- 2.13.5 Commencement of placement of the base course on the subgrade of a street; and
- 2.13.6 Commencement of construction of the paved surface of a street.

The Board of Selectmen or its agent shall have two (2) working days in which to inspect the completed work in each of the above stages of the project prior to approving the work. No work shall be commenced on succeeding stages of construction until the required inspection have been made and approval given in writing by the Board of Selectmen. The Board of Selectmen may issue a Stop Work Order and may suspend the Road Construction Permit, if in its judgment, the construction project or any stage thereof is not being carried out in accordance with this Ordinance or if unforeseen field circumstances are encountered for which the approved plans are insufficient; the Board shall withdraw such Order and reinstate the Permit when it determines that there is compliance with this Ordinance.

- 2.14 Barricade and Protection: When any excavation is made within the right-of-way of any Town street, the applicant or his contractor shall provide a railing or suitable barricade so as to enclose such excavation material placed in the right-of-way. The railing or barricade shall be continued and maintained during the whole time such excavation is exposed or open. A sufficient number of lighted flashing warning lights approved by the Board of Selectmen shall be provided for public safety, to be affixed to some part of such railing or barricade or in such other proper manner over or near such excavation and excavated material, and so kept from the beginning of the twilight of the evening through the whole of the night, and every evening and night during the time such excavation shall be open, exposed or in state of repair. The applicant or his contractor shall comply with any order of the Board or its authorized agent for provision of the barricades and shall furnish a Town constable or a State Trooper in uniform when so ordered.
- 2.15 Rights of Safe Passage: The applicant or his contractor shall provide safe and convenient passage for public travel around or over any excavation in a Town street or highway and shall keep such passage free from earth, stones, trenches or any other materials which may hinder travel of pedestrians or vehicles. The applicant or his contractor shall comply with

any order of the Board of Selectmen or its authorized agent for protection of safe passage. Street gutters shall not be obstructed in any manner so as to prevent or retard flow of water therein.

### SECTION 3 - STANDARDS AND SPECIFICATIONS

#### 3.1 Street Design: The following standards shall apply to the construction of streets:

3.1.1 Right-of-Way: Streets shall have a minimum width of 50 feet for the right-of-way.

3.1.2 Turnaround: A turnaround with a minimum radius of 75 feet for the right-of-way shall be provided at the closed end of all dead-end streets.

3.1.3 Width of Travelway: Streets shall be designed with the following width of pavement measured between curb faces:

- |                               |                        |
|-------------------------------|------------------------|
| a. Local Street . . . . .     | .24 feet               |
| b. Collector Street . . . . . | 26 feet                |
| c. Turnaround . . . . .       | 50 foot rad            |
| d. Curbs . . . . .            | 6" Bituminous concrete |

The Board of Selectmen may require a greater width of pavement as deemed necessary to accommodate the amount and type of traffic and turning movements to be generated by the intended use of the lots. Alternative designs for turnarounds compatible with site conditions which will minimize environmental impact while providing a functional and maintainable turnaround may be proposed, subject to review and approval by the Board of Selectmen and the Planning and Zoning Commission.

3.1.4 Gradient: The minimum grade for all streets shall be 1.0% except that a minimum grade of from 0.5% to 1.0% may be established for 100 feet or less and as tangents of vertical curves. The maximum grade for any street shall not exceed the following:

- |                          |     |
|--------------------------|-----|
| a. All streets . . . . . | 10% |
| b. Turnarounds . . . . . | 3%  |

3.1.5 Vertical Curvature: Appropriate vertical curves for transition, including superelevated curves meeting acceptable engineering standards, shall be established on all streets and at street intersections to insure adequate sight distance in accordance with the classification of the street. Except at intersections, vertical curves shall provide a minimum sight distance where any street approaches an intersection at a grade

4% or more, a transition area, having a maximum grade of 2%, shall be provided for a minimum of 50 feet measured from the right-of-way line of the street intersection.

**3.1.6 Horizontal Alignment:** Connecting curves between tangents shall be provided for all deflection angles in excess of five (5) degrees. Suitable tangents shall be provided between curves and the minimum radius of curvature at the centerline of streets shall be as follows:

a. Vertical gradient less than 5% - 150 feet.

b. Vertical gradient greater than 5% - 250 feet.

Tangents between curves shall not be less than 100 feet in length.

**3.1.7 Intersections:**

a. New road intersections shall be at least 200 feet from any existing intersection, or other proposed intersection, or shall be part of an existing or proposed intersection. Minimum stopping sight distances shall be 200 feet in each direction from the proposed intersection. Minimum intersection sight distances shall be 350 feet and be established by current accepted engineering standards. Greater distances may be required if the Board of Selectmen, in its sole discretion, shall so determine.

b. Roads shall intersect at 90° angles where feasible. Where unusual topographic conditions warrant, the Board of Selectmen may, through written approval, allow modification of this standard.

c. Intersections of right-of-way lines shall be connected with a curve having a radius of 35 feet. Edges of pavement at intersections shall be connected with a radius of 25 feet.

**3.1.8 Cross Section:** Local Streets, and Collector Streets shall be designed with a cross section in accordance with drawings entitled "Typical Street Cross Section Town of Warren", which drawings are hereby made a part of these regulations.

**3.2 Street Construction:** Streets shall be constructed in accordance with the following standards and procedures:

**3.2.1 Survey and Field Layout:** Instrument surveys shall be made, maintained and recorded as follows:

- a. A centerline survey of the street shall be run in the field and suitable construction ties established to all control points. Stations shall be established to all control points. Stations shall be established at 50 foot intervals and at all points of curvature and points of tangency. The beginning of this line shall be designated at Station 0 + 00 and shall be the intersection point of the proposed centerline with the centerline of the connecting street. Offset hubs shall be provided as part of the centerline survey.
  - b. A construction stake shall be placed perpendicular to the tangent, or radial in the case of curves, at each station on both side of the streets and clear of all construction. The construction stake shall be marked with the station, offset to centerline and cut or fill to profile grade as measured from the top of the stake.
  - c. A stake sheet showing the stations, profile grade, stake offsets and grades, and cuts or fills shall be prepared and presented to the Board of Selectmen before construction starts.
  - d. Permanent bench marks shall be established throughout the duration of the project and recorded with the Board of Selectmen throughout the length of the project at 1,000 foot intervals or as directed by the Board. The datum for bench marks shall be Town, State or U.S. datum; an assumed datum may be used only with the permission in writing from the Board.
- 3.2.2 Clearing and Grubbing: The entire area of the right-of-way required to be graded in accordance with the standard cross section shall be cleared of trees, stumps, brush, roots, large rocks, ledge and other unsuitable materials, except that trees suitable for street trees shall be left standing as directed by the Board of Selectmen.
- 3.2.3 Preparation of Subgrade: The subgrade will be prepared as follows:
- a. All trees and roots shall be stripped to below the base course of the pavement and for the full width of the pavement. All soft spots, peat,

loam, organic material, spongy soil, boulders, ledge and other unsuitable material shall be removed and replaced by material conforming to State of Connecticut Department of Transportation Standard Specifications for Roads, Bridges and Incidental Construction Form 813, 1985, as hereinafter referred to as Form 813, Section M.02.07. Where ledge rock is encountered, it shall be removed to a depth of 18 inches below subgrade, and the area backfilled with gravel.

- b. Embankments shall be constructed of suitable fill material deposited in successive layers not exceeding 12 inches in depth after compaction; embankments to an elevation of three (3) feet above free water surface at the time of filling shall be constructed of rock and/or free draining material conforming to Form 813, Section M.02.07. No stone over five (5) inches in its greatest dimension shall be placed within 18 inches of the elevation of the subgrade.
- c. The subgrade shall be compacted by distributing the hauling equipment over the area by the use of tread type equipment, or power rollers of at least 16 tons, or by other means approved by the Board or its agent. The subgrade shall be brought to a uniform surface to conform to the shape of the required cross section.
- d. Where rock fill is used, fill shall be installed in lifts no greater than three (3) feet to the desired depth.
- e. The Board of Selectmen may require the installation of underdrains beneath the street pavement or in the right-of-way where necessary to protect the stability of the pavement.

**3.2.4 Base Course:** The base course shall be constructed as follows:

- a. On the prepared and approved subgrade, a gravel base shall be constructed having a depth of 12 inches after compaction, and a finish course of processed aggregate base four (4) inches thick after compaction. The gravel material and construction methods shall conform to Section M.02.02 and 3.02 and the processed aggregate base to Section 3.04 and M.05.01 of Form 813.

**3.2.5 Surface Course:** On the prepared and approved base course there shall be constructed a two-course surface of bituminous concrete, a 2" Class I bituminous binder course and a 1" Class II bituminous

surface course. Construction methods and materials shall conform to Form 813, Section M.04.01 and Section 4.03, Bituminous concrete Paving Mixture Binder Course. The surface course shall be installed when the temperature is 40°F and rising unless written permission is obtained from the Board of Selectmen and unless a period of at least 60 days has elapsed with the drainage subgrade and base course in place where deemed necessary.

- 3.2.6 Curbs: Bituminous concrete curbs shall be constructed on the outer edge of the completed pavement. Curbs shall be machine formed, having a cross section approved by the Board of Selectmen, a height of six (6) inches and a base width of nine (9) inches. The curb material method of construction shall conform to Form 813, Section M.04.01 and Section 8.15. Where driveways exist or are planned, depressed curbing must be installed. The surface of the pavement where the curbing is to be constructed shall be cleared for all loose and foreign material, shall be dry and shall be coated with an R.C.-2 or other bitumen just before placing the material. The material shall be properly compacted to the required cross section by use of a suitable machine specifically designed for the purpose. After completion of the curbing, traffic shall be kept at a safe distance for a period of not less than 24 hours and until the curbing has set sufficiently to prevent injury to the work. The requirements of Connecticut General Statutes 7-118a shall be complied with wherever applicable.

- 3.2.7 Slopes: Cut or fill slopes beyond the sidewalk area shall not exceed one (1) foot of rise of fall for each three (3) feet of horizontal distance, but the Board of Selectmen may require a variation in the degree of slope to whatever extent is necessary to maintain the stability of the bank under the particular conditions. All earth surfaces of slopes, and areas that have been disturbed in any way due to grading and construction of the streets, shall be covered with a minimum of four (4) inches of top soils and suitably seeded or planted to prevent soil erosion. The Board of Selectmen may require the removal or lowering of embankments adjacent to street intersections in order to assure adequate sight distance at the intersection. No cut or fill sections beyond the right-of-way shall extend into property outside the subdivision or property not owned by the applicant, unless appropriate slope rights are obtained for the Town; in the absence of such slope rights, appropriate retaining walls shall be constructed within the subdivision to prevent encroachment upon adjoining property.

**3.2.8 Guide Posts:** Guide posts shall be installed along all streets where there will be an embankment with a depth of four (4) feet or more within twenty (20) feet of the proposed pavement. Posts shall conform to Form 813, Section M.10.01 and shall be installed in accordance with Form 813, Section 9.01 space six (6) feet on center with a minimum top diameter of six (6) inches and a minimum length of seven (7) feet.

**3.2.9 Site Clean Up:** All large rocks, boulders, felled trees, stumps and brush shall be removed from the street right-of-way and shall be deposited and suitably covered at an approved location on the property.

**3.3 Storm Drainage Design:** Storm drainage for streets shall be planned and designed in accordance with the following standards:

**3.3.1 General:** Sufficient pipe shall be installed to carry existing water courses in the street right-of-way and to drain both the proposed street or streets and extensions thereof or other streets which, based on topography, will be serviced by the same drainage system. No open ditches or channels shall be provided in the street right-of-way unless (a) sufficient additional right-of-way, in excess of the minimum standard width, is provided so as to maintain the standard cross section and (b) property provision is made for protective guide posts or rails. Street drainage systems shall take into account the effects upon downstream systems, shall be coordinated with general drainage requirements for the use and development of the abutting land and shall provide for the follows:

a. Use and protection, and improvement if needed, of the natural drainage system;

b. Interception of channel drainage coming from any adjoining property or street;

c. Protection of locations in use or proposed necessary for on site sewage disposal and water supply facilities and;

d. Prevention of flooding and soils erosion.

**3.3.2 Runoff Calculations:** The method to be used in determining runoff for drainage areas of less than 200 acres is the Rational Method.



For drainage areas greater than 200 acres, the S.C.S. (Soils Conservation Service) TR #55 and/or TR #20 is to be used. All storm drainage facilities shall be designed based on the following storm return frequency criteria

- a. Drainage System: All drainage systems shall be designed for a storm return frequency of 10 years.
- b. Discharge Pipe at Outlet: All outlets shall be designed for a storm return frequency of 10 years.
- c. Cross Culverts: All culverts crossing any street shall be designed for a storm return frequency of 25 years.
- d. Minor Streams (Watershed Area 200 to 1,000 acres): All minor streams shall be designed for a storm return frequency of 50 years.
- e. Major Streams (Watershed Areas more than 1,000 acres): All major streams shall be designed for a storm return frequency for 100 years.

The applications Consultant shall provide the Board of Selectmen with drainage computations to determine the adequacy of storm water systems, including the spacing of catch basins and the need for double basing in roadway sags.

**3.3.3 Pipe Design:** The minimum size of storm water pipe shall be 15" in diameter. Co-efficients used in design for reinforced concrete pipe shall be  $N = 0.015$  and for asphalt coated corrugated metal pipe  $N = 0.021$ . The minimum slopes of pipes shall be 0.5%. Pipe size and slope shall be such that the head on the invert will not exceed 1.5 diameters at design storm and this head shall be contained without damage to any adjacent property. Pipe, except for underdrains, shall be laid on straight alignments, both horizontally and vertically, with manholes, spaced not more than 400 feet apart, providing access at all deflection points or at the junction of two (2) or more lines. The open end cover over the top of the pipe shall be 24 inches. Culverts under streets shall extend to the edge of the right-of-way.

- 3.3.4 Discharge: The discharge of all storm water that has been collected or otherwise artificially channeled shall be into suitable natural streams or into Town or State drainage systems with adequate capacity to carry the discharge. Otherwise there shall be no discharge onto or over private property within or adjoining the street unless (a) property easements and discharge rights have been secured by the applicant, (b) such easements and rights are transferable to the Town and (c) there will be adequate safeguards against soil erosion and flood danger. Easements shall be at least thirty (30) feet in width, offset 10 feet and 20 feet respectively on the storm drain and extended to a suitable existing storm drain or an adequate natural water course. Greater easement width may be required for ditches/channels or unusual site conditions. No storm water shall be diverted from one watershed to another. Discharge shall be made in a manner that protects streams, ponds and swamps from pollution.

- 3.4 Drainage Construction: Storm drainage shall be constructed in accordance with the following standards:

- 3.4.1 Pipe: All storm drainage pipe shall be either Class 4 reinforced concrete pipe (RCP), asphalt coated corrugated metal pipe (ACCM) and shall conform to the requirements of Form 813, Section 6.51. The minimum cover over all storm drainage within the right-of-way lines shall be two (2) feet. Where water is encountered in the pipe trenches, or where the Selectmen shall direct storm drains shall be either slotted RCP, perforated ACCM or perforated aluminum pipe and shall conform to the requirements of Form 813, Section 7.51. In general, underdrain shall be installed on the uphill side of the road. Reinforced Concrete Pipes (RCP) Class IV shall normally be specified for storm drainage systems except when fill heights require Class V. Asphalt coated Corrugated Metal Pipe (ACCM) with paved inverts should be used where clearance is limited by utilities, on grades over 10%, and where uneven support is expected. Gauges for corrugated metal pipe shall be as suggested by the manufacturers and approved by the Board of Selectmen depending on fill heights above top of pipe.

- 3.4.2 Methods: Storm drainage pipe shall be laid in accordance with the following procedures:

- a. Prior to laying pipe, the trench shall be excavated to the required depth, the bottom of which shall be graded to afford a uniformly firm bearing for the pipe throughout its length. Where rock is encountered, it shall be excavated

to not less than 6" below the bottom of the trench and this depth shall be refilled with crushed stone and thoroughly tamped and shaped. Where the nature of the foundation material is poor, it shall be removed and backfilled with gravel or crushed stone approved by the Board of Selectmen, or its agent.

- b. All pipe shall be carefully laid, true to the lines and grades given, hubs up grade and with the ends fully entered into adjacent hubs.
- c. Line and grade stakes shall be set by a Connecticut licensed land surveyor and shall be maintained in good order until the work has been inspected and approved by the Board of Selectmen. Where necessary, three (3) batter boards shall be maintained in place at all times when laying pipe and shall not be spaced more than 30 feet apart.
- d. In sandy, silty or other soil in which there is a danger of washing or cave -ins, the joints of concrete pipe shall be thoroughly wetted and caulked.
- e. All metal pipe shall be carefully joined and firmly clamped together by approved connecting bands which shall be properly bolted in place before any backfill is placed.
- f. The backfill around the pipe and to a depth of at least eight (8) inches on top of pipe shall consist of crushed stone; where the drainage pipe is necessary to serve as an under drain for the street or to control the water table, the remainder of the trench may be backfilled with bank run gravel upon approval of the Board of Selectmen.
- g. "Riprap" conforming to the requirements of Form 813, Section 7.03 and M.12.02-3, shall be placed at inlets, outlets, in channel beds at bends or curves as required to prevent scouring, erosion and/or siltation of streams and culverts. Computations shall be submitted for sizing riprap.
- h. The inlets and outlets of all exposed drainage culverts shall be protected by concrete or steel flared ends, endwalls, and, where necessary, appurtenant wingwalls. All endwalls shall conform to the requirements of Form 813, Section 5.06.

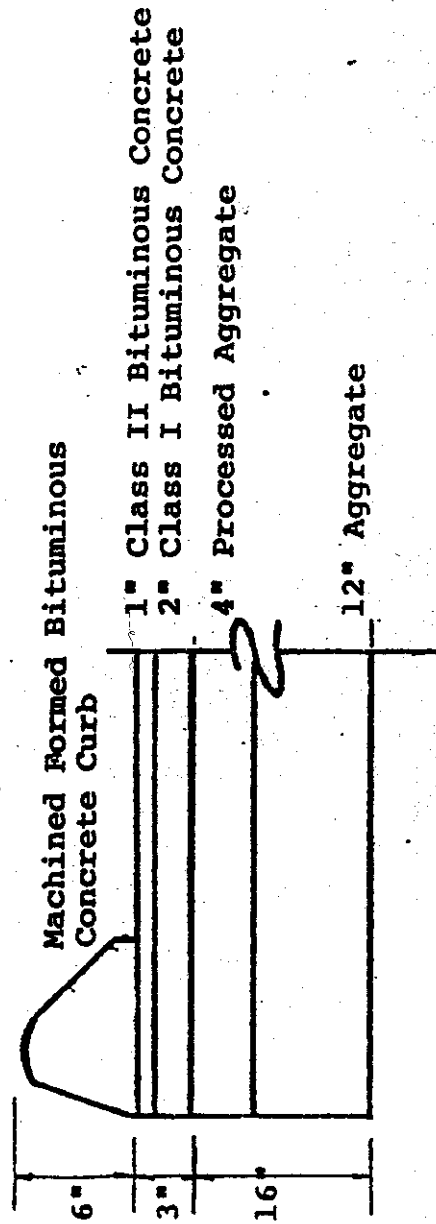
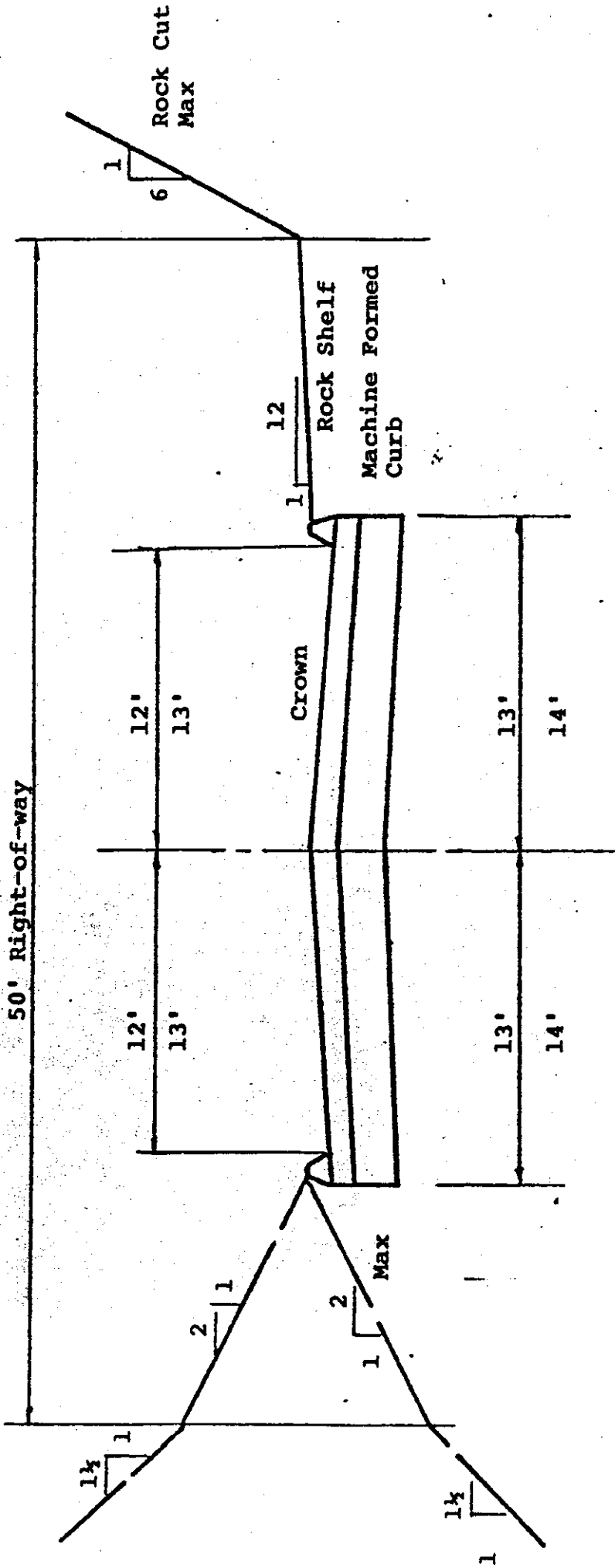
- i. All drainage easements shall be a minimum of 20 feet in width, unless extenuating circumstances do not allow 20 feet, in which case the Town engineer may accept a lesser width. The developer shall give to the Town an unrestricted right to discharge storm water over any land over which water may flow from any outlet of the pipe.
- j. Minimum grade of storm water pipes shall be 0.5% wherever possible. Cover shall be three (3) feet minimum. Pipes shall be laid on one side of the street wherever possible.
- k. Catch basins or manholes shall be located at changes of grade or alignment of the storm water drain. Maximum distance between catch basins and manholes shall be 300 feet minimum. They shall be CHD standard M.08.02. In general, catch basins shall be set with the face of curb 12 feet off the center line of the pavement, for a 24' pavement width.

### 3.5 Miscellaneous

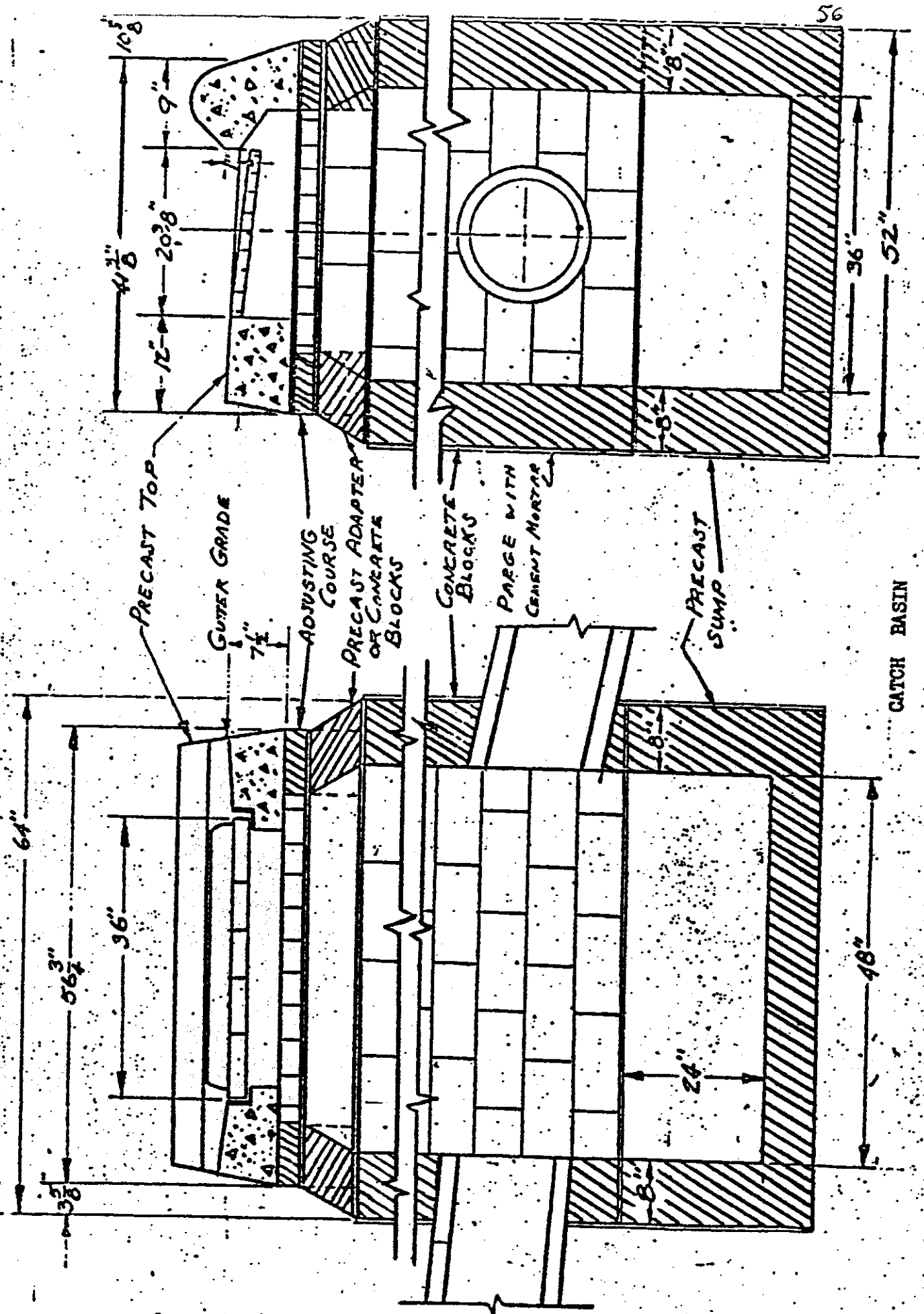
- 3.5.1 Street Signs: Street signs shall be provided by the developer and shall conform to the requirements of the Selectmen.
- 3.5.2 Monuments and Pins: Monuments shall be set at the PC, PT and all angle points of street line and the boundaries of the subdivision in accordance to the town plan regulations of the Town of Warren. They shall be four (4) feet long, eight (8) inches square at the bottom and six (6) inches square at the top. They shall be of first class concrete reinforced by four 1/4" (4 $\frac{1}{4}$ ") steel rods and shall have a brass marker in the top bearing the words "Town of Warren Highway Bound". Monuments shall be set with approximately four (4) inches protruding from the ground. If buried, they must be provided with a cast iron monument cover.

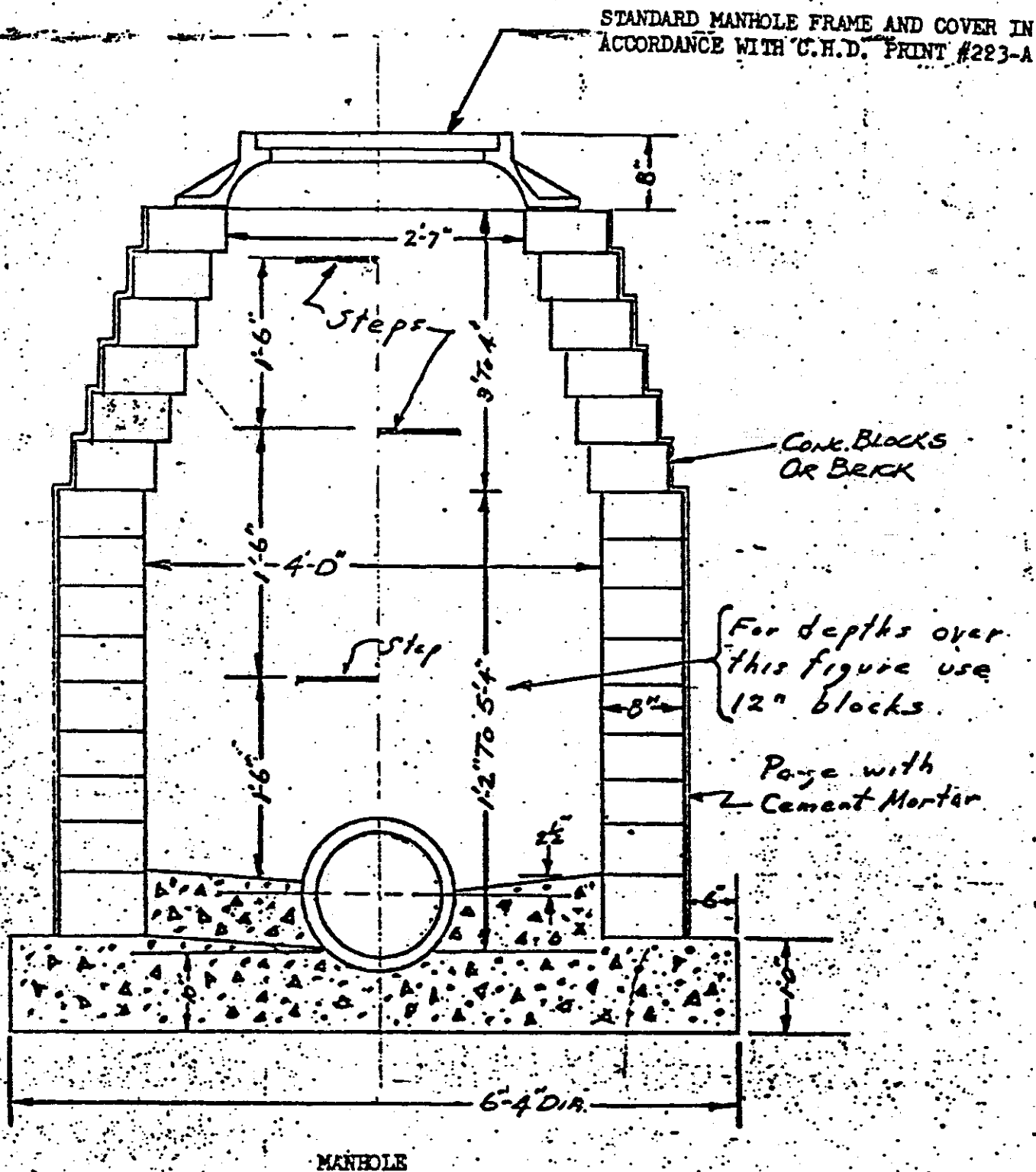
Amendment to Sec. 3.5.2 - Page 17A

50' Right-of-way



TYPICAL STREET  
CROSS SECTION  
TOWN OF WARREN





PRECAST MANHOLES MAY BE USED WITH THE APPROVAL OF THE TOWN ENGINEER.

Adopted October 2, 1987  
Effective October 2, 1987

Amendment to Section 3.5.2

Motion made and approved that the Board of Selectmen amend the Warren Town Road Ordinance to provide for 36" concrete monuments instead of 48" concrete monuments effective at this meeting of May 16, 1988, under Section 3.5.2 of the ordinance. This motion was made because of the unavailability of 48" monuments.

Passed and effective May 16, 1988

Amendment to 1.3.2

"Street" for the purpose of acceptance into the town road system shall mean a street which affords the principal means of access to 3 or more occupied residential living units of separate ownership, in addition to meeting the other requirements of these regulations.

Passed and effective September 5, 1989



ORDINANCE  
ON  
COLLECTION AND DISPOSAL OF SOLID WASTE

1. Definitions. For purposes of this ordinance:

(a) "Acceptable Solid Waste" means the type of Solid Waste normally collected and disposed of in the town, including, but not limited to: garbage, trash, rubbish, refuse, offal, beds, mattresses, sofas, bicycles, baby carriages, automobile or small vehicles tires, as well as processible portions of commercial and industrial Solid Waste, and logs if no more than four (4) feet long and/or six (6) inches in diameter, branches, leaves, twigs, grass and plant cuttings, excepting, however, Unacceptable Waste and Hazardous Waste.

(b) "Hazardous Waste" means that portion of Solid Waste which by reason of its composition or characteristics, is (a) hazardous waste as defined in the Solid Waste Disposal Act, 42 U.S.C. SS 6901 et seq., and the regulations thereunder, or in Section 22a-209-1 of the Regulations of Connecticut State Agencies, and any succeeding legislation or regulations or amendments to the foregoing; or (b) any other materials which any governmental agency or unit having appropriate jurisdiction shall determine from time to time is harmful, toxic or dangerous, or otherwise ineligible for disposal through a resource recovery facility.

(c) "Person" means a natural person, corporation, trust, estate, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(d) "Solid Waste" means all discarded materials or substances including, but not limited to, garbage, refuse, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous materials, incinerator residue, demolition and construction debris, offal and other discarded materials and substances resulting from industrial, commercial, mining, and agricultural operations and from community activities, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form or solid or dissolved materials in irrigation return flows or industrial discharges, or source, special nuclear or by-product materials within the meaning of the Atomic Energy Act of 1954, as amended.

(e) "Solid Waste Collector" means a person engaged in the business of collecting, transporting or disposing of solid waste generated within the boundaries of the Town.

(f) "Town" means the town of Warren.

(g) "Unacceptable Waste" means that portion of Solid Waste, excluding Hazardous Waste, but including, without limitation, explosives, pathological and biological waste, radioactive materials, ashes, foundry sand, sewage sludge (unless processed to permit incineration), cesspool and other human waste, human remains and animal carcasses, motor vehicles, including such major motor vehicle parts as automobile transmissions, rear ends, springs and fenders, agricultural and farm machinery and equipment, marine vessels and major parts thereof, any other large machinery or equipment (including white goods), liquid wastes, or nonburnable construction materials and/or demolition debris, that (a) may present a substantial endangerment to public health or safety, (b) may cause applicable air quality or water

effluent standards to be violated by the normal operation of a resource recovery facility, or (c) has a reasonable possibility of adversely affecting the operation of a resource recovery facility, unless such Unacceptable Waste is delivered in minimal quantities and concentrations as part of normal collections in which case it shall constitute Acceptable Waste.

2. Obligation to Register.

Any person who operates or wishes to operate as a solid waste collector in the Town shall apply for registration as a solid waste collector with the Town in the manner prescribed by this ordinance. Any person operating as a solid waste collector within the Town thirty days after the effective date of this ordinance will be subject to the requirements and penalties provided in this ordinance.

3. Registration Forms and Fees.

(a) All persons desiring to register as solid waste collectors must apply to the First Selectman's office on forms provided by that office. Those forms shall require the registrant to furnish all information requested, including but not limited to:

- (1) the name of the business;
- (2) the names of all partners, officers or proprietors of the business;
- (3) a listing and description of the vehicles to be used for solid waste hauling in the Town;
- (4) a statement certifying that all solid waste collected has been generated within the Town of Warren.
- (5) the approximate tonnage of solid waste expected.

to be collected each week;

(6) the names of all other communities serviced by the registrant; and

(7) evidence of general and auto insurance in the amount of \$500,000.00.

(b) A registered solid waste collector shall update the information required by subsection (a) at least once a year at the time the registration is renewed.

(c) Registration shall be effective until the following June 30 and shall be renewed on an annual basis during the month of June of each year.

(d) The initial registration fee shall be \$10.00 and each annual renewal fee shall be \$10.00. The annual registration period shall be from July 1 to June 30 of the following year and registration fees shall not be prorated.

#### 4. Administrative Enforcement.

(a) The First Selectman's office shall mail written notice of the approval or denial of an application for registration as a solid waste collector to the applicant within seven (7) days after submission of the application. Registration is effective when the notice of approval is mailed.

(b) The First Selectman may refuse to grant registration to any applicant, or may suspend the registration or any registered solid waste collector, if that persons violates any provision of this ordinance, is not insurable in accordance with this ordinance, or is otherwise deemed to be unsuitable. A denial or suspension of registration may not exceed a period of 180 days for any one violation, provided that repeated or willful violations of this

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ordinance may result in permanent refusal or revocation of registration.

5. Penalty. Every person who violates any provision of this ordinance shall be guilty of a violation, as defined in SS53a-27(a), CGS, and shall be subject to a maximum fine of Two Hundred Dollars (\$200.00) for each day that the violation continues.
6. Prohibition on Collection, Transportation and Disposal by Unregistered Collectors.

Beginning thirty days after the effective date of this ordinance,

all unregistered solid waste collectors and all solid waste collectors whose registration has been suspended or revoked are prohibited from engaging in the business of collecting, transporting or disposing of solid waste generated within the Town.

7. Location for Disposal. Every solid waste collector and every other person disposing of solid waste generated within the Town shall dispose of that solid waste as follows:
  - (a) Until one or more sites have been designated for disposal of the Town's acceptable solid waste in accordance with the procedures of Section 22a-220a, CGS, and until notice has been given under subsection (c) requiring use of any such disposal site, all solid waste shall be disposed of in accordance with the Town's existing solid waste plan and existing agreements, as those plans and agreements may be modified from time to time;
  - (b) After a disposal site for the Town's acceptable solid waste has been designated, and after the Town has been notified

in accordance with its contracts that the site is available for use, the First Selectman shall give notice of those facts as provided in subsection (c). After the notice is published, all persons collecting, transporting or disposing of acceptable solid waste in the Town must comply with the requirements of that notice not later than the date specified for compliance in the notice.

(c) Notice that a designated disposal site for acceptable solid waste is available for either partial or full use shall be published in the same manner as is required for hearings before ordinances are adopted by the Town. In addition, individual notice of those facts shall be mailed to every person who is registered in the Town as a solid waste collector. The notice shall specify that the date after which all persons disposing of acceptable solid waste in the Town must use that disposal site, and shall generally state any other necessary requirements for that disposal, such as limitations on the amount of acceptable solid waste which may or must be delivered, or the dates or times at which delivery must be made.

(d) In addition to designating a disposal site for acceptable solid waste, the Town may from time to time designate or identify additional sites for disposal of unacceptable waste, hazardous waste, or acceptable solid waste in excess of the amount to be disposed of at the primary designated site. Those sites may include transfer stations for the convenience of residents, landfills, or any other type of facility deemed appropriate by

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the Town. If any person will be required to use a particular site, that site shall be designated in the manner provided in Section 22a-220a, CGS.

8. Severability. If any provision of this ordinance is declared invalid, that decision shall not affect the remaining provisions of this ordinance, which shall continue in full force and effect.
9. Effective Date. This ordinance shall become effective fifteen (15) days after publication as required by law.

PASSED December 4, 1987  
EFFECTIVE December 29, 1987  
Page 47, Vol. 7

Revision

Adopted Jan. 19, 1988

## T O W N O F W A R R E N

D R I V E W A Y O R D I N A N C E

BE AND IT IS HEREBY ORDAINED THAT:

1. No driveway, permanent or temporary, abutting or intersecting any road which is now, or which may become part of the town highway system shall be constructed, reconstructed or otherwise altered unless a permit for such construction, reconstruction or alteration has first been issued by the Board of Selectmen.

2. All such driveways shall be constructed in accordance with the design standards established by this ordinance and in accordance with such additional requirements as may be imposed by the Board of Selectmen.

3. To provide for the safety of the general public using town highways and to prevent the washing of sediment into and the erosion of such highways, the following standards shall apply to the design and construction:

a. All driveways shall have an adequate sight distance along the town highway in both directions;

b. No driveway shall be constructed with a grade greater than ten percent (10%), either ascending or descending, within 20 feet of the intersection of the driveway with the town highway;

c. All driveways shall be paved with asphalt for a minimum distance of 10 feet from the intersection of the driveway with the town highway and the asphalt shall be a minimum of 3 inches in compacted thickness, applied on a compacted 12" layer of gravel.



d. No driveway shall be constructed so that its intersection with the town highway is above the level of the existing gutter line or the highway. Water from all driveways shall be diverted so as not to enter upon the traveled portion of such highway. Where the contour of the land is such that, in the opinion of the Board of Selectmen, the construction of a driveway may create a drainage problem, then the Board of Selectmen may order the installation of necessary catch basins, culverts, headers and retaining walls:

e. No driveway shall be constructed, reconstructed and/or altered if the proposed work affects or is located within a wetland or water course as defined in the inland Wetlands and Water Courses Regulations of the Town of Warren, unless a permit for such work has first been secured from the Conservation Commission of the Town of Warren;

f. The Board of Selectmen may waive any of the foregoing designs, standards when, in the opinion of the Board, it would be impractical to construct, reconstruct or alter a driveway in conformance therewith. The Board of Selectmen may also impose any additional requirements to insure that the purposes of this ordinance are fulfilled.

g. The First Selectman may issue a permit conditioned on completion of any part of the work required by this ordinance by a time, not later than six months, after issuance of the permit, when hardship would otherwise result. As part of such conditional permit the First Selectman may require a cash bond to be deposited with the Town in the amount of not more than \$1,000 to secure the completion of such work. On failure of completion within the time required the Selectman may either declare the amount to be forfeited as liquidated

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damages for the harmful effects which may have been or will be caused by such failure or may enter on the property and perform the uncompleted work, applying the amount toward the expenses of such completion. In case of forfeiture the property owner shall nevertheless remain obligated to complete the work as promptly as possible and in the case of completion by the Town any excess of the bond amount over the expenses of completion shall be returned to the property owner and any excess of expenses over the bond amount shall be payable immediately by the property owner to the Town and such excess shall be a lien on the property until paid.

4. This ordinance shall take effect 15 day after its adoption by the town meeting and publication. Effection March 13, 1981

5. In accordance with the authority vested in them by the Town of Warren driveway ordinance adopted on February 21, 1981, the Board of Selectmen enact the following requirements under the ordinance, at their meeting of January 19, 1988, effective immediately: Paragraph 3c is revised as well as the addition of paragraph 3g.

Revision - Passed January 19, 1988  
Effective January 19, 1988  
Selectmen's Minute Book Pg. 215

SOLID WASTE DISPOSAL SITE DESIGNATION

69

PASSED February 16, 1988 - Vol. 7 pg. 59

EFFECTIVE March 6, 1988

RESOLVED:

To designate the Bristol Resource Recovery Facility in Bristol, Connecticut, as the exclusive site for disposal of all Acceptable Solid Waste generated within the Town of Warren. "Acceptable Solid Waste" shall have the meaning as set forth in Paragraph 1(a) of the Town Ordinance On Collection And Disposal Of Solid Waste. The date upon which delivery of Acceptable Solid Waste to the Facility shall commence shall be determined by the Warren Board of Selectmen, and that notice shall be given as provided in the Ordinance On Collection And Disposal Of Solid Waste.

EFFECTIVE MARCH 6, 1988

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Ordinance Concerning Bazaars and Raffles

Vol. 7 pg. 70

BE IT ORDAINED that: conducting Bazaars and Raffles within the Town of Warren be allowed under the provisions of Section 7-170 to 7-186 inclusive, of the Connecticut General Statutes.

Passed September 9, 1988  
Effective October 4, 1988

Resolution Concerning Abolishing of Tax Lists


Vol. 7 pg. 70-71

Be it resolved that the Town of Warren adopt the provisions of Section 12-41 (d) of the General Statutes concerning the annual listing of real estate by persons liable to give in a list and pay taxes to the Town, and to approve the request of the Board of Assessors to the Secretary of Office of Policy & Management if and when made to compile the abstract of real estate from data contained on the owner's cards, all subject to approval by the Secretary of the Office of Policy and Management.

That the Board of Assessors are and they hereby are authorized and directed subject to the approval of the Secretary of the Office of Policy and Management, to compile the abstract of real estate from data compiled on the owner's cards.

Adopted at a Special Town Meeting, September 9, 1988,  
8:00 p.m. at the Warren Town Hall.

Attest:

  
Carolyn E. Reynolds  
Town Clerk of Warren

AN ORDINANCE OF THE  
TOWN OF WARREN  
ESTABLISHING AN ADDRESS SYSTEM

In order to provide for the public health, safety and welfare, including police and fire protection and emergency medical services, and in order to carry out its responsibilities under chapter 518a, "Emergency Telecommunications", and exercise its powers under chapter 98, "Municipal Powers", of the Connecticut General Statutes,

BE IT ORDAINED THAT:

1. Streets and roads in the Town of Warren, both public and private, shall be known by the names designated for them on the cover sheet map entitled "Property Map Index - Town of Warren - Litchfield County, Connecticut - 1988 - James W. Sewall Company, Old Town Maine", together with the tax maps appended to such cover sheet, numbered 1 through 51, all of which are filed in the offices of the Town Clerk and of the Board of Assessors of the Town of Warren, except, however, as follows:

a) The name "Kent Road" is designated for State Highway Route No. 341 from its intersection with Sackett Hill Road and State Highway Route No. 45, at the present traffic light in the center of Warren, westerly to the Warren-Kent town boundary;

b) The name "Cornwall Road" is designated for State Highway Route No. 45 from its intersection with Sackett Hill Road and State Highway Route No. 341, at the present traffic light in the center of Warren, northerly to the Warren-Cornwall town boundary;

c) The name "Lake Road" is designated for State Highway Route No. 45 from its intersection with Sackett Hill Road and State Highway Route No. 341, at the traffic light in the center of Warren, southerly to the Warren-Washington town boundary;

d) The name "Woodville Road" is designated for State Highway Route No. 341 from the point where it diverges from State Highway Route No. 45 (approximately one and one-half miles southerly of the aforementioned traffic light in the center of Warren) southeasterly to the Warren-Washington town boundary.

2. The Board of Selectmen is authorized to designate names for streets and roads, if any, which may not be covered by the designations made above and also to designate names for

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future streets and roads, such authorization to apply to both public and private streets and roads.

3. Neither the designation, present or future, of a name for a private street or road nor the assignment of a number, as provided below, to premises on a private street or road shall be construed as an acceptance of, or evidence of an intent to accept, such street or road into the Town road system. Acceptance of a street or road into the Town road system shall continue to be governed by ordinances of the Town of Warren other than this one.

4. The Board of Selectmen, in consultation as it may feel advisable with other authorities, organizations and interested parties, shall assign numbers to public and private structures, existing and future, and is authorized to require property owners to display such numbers in such size and in such manner as the Board may find advisable, all as may be necessary or desirable in the opinion of the Board to implement the provisions of chapter 518a, "Emergency Telecommunications", also known as Enhanced 9-1-1 Service, as such chapter may be from time to time amended. The acquisition, installation, maintenance and replacement of such numbers shall be performed by the property owner at his expense.

5. The funds necessary or desirable to implement this Ordinance, including acquisition and installation of street and road signs and notification of premises number assignments, shall be taken from Town surplus in an amount not to exceed \$5,000.

The foregoing Ordinance was adopted at the Annual Town Meeting of the Town of Warren, Connecticut, held on October 21, 1988.

Effective date November 15, 1988

Local Housing Partnership

## First of three part resolution

RESOLVED, by the TOWN OF WARREN, CONNECTICUT, at a Town Meeting held on October 21, 1988:

1. The Board of Selectmen is authorized and directed a) to form a Local Housing Partnership in accordance with P.A. 88-305, based upon the existing Town Affordable Housing Committee; b) to take such further actions and conduct such activities as may be necessary or desirable to receive an initial designation and a development designation from the State Commissioner of Housing under the Partnership Housing Program in accordance with said Act.
2. The Board of Selectmen with the concurrence of the Board of Finance may expend such amounts as are necessary or desirable to implement paragraph 1 of this Resolution in an amount not to exceed \$5,000\*\*\*\*\*, in addition to any amounts heretofore authorized in connection with the Affordable Housing Committee.

Adopted at the Annual Town Meeting, held on October 21, 1988  
Vol. 7 pg. 75

REPEAL OF OUTDATED ORDINANCE FOR LAKE PATROL

Page 83, Vol. 7

As required by the State. This is Boat Ordinance - April 2, 1956 and Change in Boat Licensing Ordinance - October 6, 1958.

Passed May 19, 1989

ORDINANCE CONCERNING KEITH ROAD

Page 63, Vol. 7 Town Meeting Book  
Page 247, Vol. 1 Selectmen's Meeting Book

Voted that the Town of Warren accept Keith Road into the Town Highway System.

Passed May 20, 1988  
Effective July 17, 1989

ORDINANCE OF TOWN OF WARREN FOR SALE OF SURPLUS PERSONAL  
PROPERTY

Page 90, Vol. 7

BE IT ORDAINED THAT:

The Board of Selectmen shall have authority on behalf of the Town of Warren to sell any article of personal property owned by the Town which in its opinion is not required for Town use and does not exceed in value \$10,000 at the time of the sale, provided that prior approval of such sale has been given by the Board of Finance. Such sale may be on the basis of negotiation or of solicitation, with or without public advertisement, of formal or informal proposals, as the Board of Selectmen may in its discretion deem in the best interest of the Town.

Whenever the Board of Selectmen purports to act under the provisions of the Ordinance, all third persons shall be entitled to rely on such action.

Passed October 27, 1989



ORDINANCE ADOPTED AT TOWN MEETING OF OCTOBER 27, 1989

FLOOD DAMAGE PREVENTION ORDINANCE

ARTICLE I. STATUTORY AUTHORIZATION, FINDING OF FACT, PURPOSE AND OBJECTIVES

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Connecticut has in Section 7-148 (c) (7) of the General Statutes delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Town Meeting of Town of WARREN, Connecticut, does ordain as follows:

SECTION B. FINDINGS OF FACT

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

SECTION C. STATEMENT OF PURPOSE

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

1. restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

3. control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accomodation of flood waters;
4. control filling, grading, dredging and other development which may increase erosion or flood damage, and;
5. prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

SECTION D. OBJECTIVES

The objectives of this ordinance are:

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

ARTICLE 2. DEFINITIONS

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

"Addition (to an existing building)" means any walled or roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

"Appeal" means a request for a review of the Zoning Enforcement Officer's interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of special flood hazard" is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

"Building" means any structure built for support, shelter, or enclosure for any occupancy or storage.

"Coastal High Hazard Area" means the area subject to high velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on a FIRM as Zone VI - 30, VE or V.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

"Elevated building" means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. the overflow of inland or tidal water;
2. the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood Boundary Floodway Map and the water surface elevation of the base flood.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floor" means the top surface of an enclosed area in a building, (including basement) i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"Functionally Dependent Facility" means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities.

"Manufactured Home Park or Subdivison" a parcel, or contiguous parcels, of land divided into two or more manufactured home lots for rent or sale.

"Mean Sea Level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means structures for which the "start of construction" commenced on or after the effective date of this ordinance (not the revision date).

"Sand dunes" means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Start of construction" (for other than new construction or substantial improvements under the coastal barrier resources act (P.L. 97-348) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Structure" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

"Substantial improvement" means any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during (the life of a structure) (A one (1) year period), in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

"Variance" is a grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

ARTICLE 3. GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of The Town of Warren.

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study to be dated January 3, 1990, with accompanying maps and other supporting data, and revisions thereto, are adopted by reference and declared to be a part of this Ordinance.

SECTION C. ESTABLISHMENT OF THE FLOODPLAIN MANAGEMENT

A Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

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

SECTION G. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This

ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of The Town of Warren or of any officer or employee thereof or member of any commission thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

#### SECTION H. PENALTIES FOR VIOLATION

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

#### ARTICLE 4. ADMINISTRATION

##### SECTION A. DESIGNATION OF THE ORDINANCE ADMINISTRATOR

The Zoning Enforcement Officer is hereby appointed to administer and implement the provisions of this ordinance.

##### SECTION B. PERMIT PROCEDURES

Application for a building permit shall be made to the Zoning Enforcement Officer on forms furnished by him prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically, the following information is required, in addition to flood elevations in the area, any as-built elevations of structures, and notation of any encroachments or alterations in the 100-year floodplain such as fill, excavation, placement of fences, stock piles, accessory structures, etc.:

##### 1). Application Stage

- a. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures  
(Article 5, Section B (1);
- b. elevation in relation to mean sea level to which any non-residential structure will be flood-proofed  
(Article 5, Section B (2);

- c. description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
- d. a statement as to whether or not the proposed alterations to an existing structure meets the criteria of the substantial improvement definition (Article 2);
- e. a statement as to whether there will be dry access to the structure during the 100-year storm event.

Where applicable the following certifications by a registered engineer or architect are required, and must be provided to the Zoning Enforcement Officer. The design and methods of construction must be certified to be in accordance with accepted standards of practice, and with the provisions of Article 5, Section B.

- f. non-residential flood proofing - must meet the provisions of Article 5, Section B (2) (b).
- g. enclosed areas below the base flood elevation - if the minimum design criteria in Article 5, Section B (3) (a)-(d) is not used then the design and construction methods must be certified as explained in Article 5, Section B(3);
- h. no increase in floodway heights may be allowed. Any development in a floodway must meet the provisions of Article 5, Section 4.

## 2). Construction Stage

Upon completion of the applicable portion of construction the applicant shall provide verification to the Zoning Enforcement Officer of the following as is applicable:

- (a) lowest floor elevation - the elevation to be verified for a;
    - i) a structure in a numbered A zone is the top of the lowest floor (including basement) (5 B (1) );
    - ii) a structure which has been floodproofed is the elevation to which the floodproofing is effective (5B (2)).
- Deficiencies detected by the review of the above listed shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.



**SECTION C. DUTIES AND RESPONSIBILITIES OF THE ZONING ENFORCEMENT OFFICER.**

Duties of the Zoning Enforcement Officer shall include, but not be limited to:

- 1) review all permit applications to determine whether proposed building sites will be reasonably safe from flooding;
- 2) review all development permits to assure that the permit requirements of this ordinance have been satisfied;
- 3) advise permittee that additional Federal or State permits may be required, and if specific Federal or State permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. Possibly including but not limited to: Coastal Area Management Permit, Water Diversion, Dam Safety, Corps of Engineers 404 and 401.
- 4) notify the Regional Planning Agency and the affected municipality at least 35 days prior to the public hearing if any change of regulation or use of a flood zone will affect an area within 500 feet of another municipality.
- 5) notify adjacent communities and the Department of Environmental Protection, Water Resources Unit prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- 6) assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- 7) verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Article 5, Section B (1).
- 8) verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed, in accordance with Article 5, Section B(2).
- 9) when flood-proofing is utilized for a particular structure, the Zoning Enforcement Officer shall obtain certification from a registered professional engineer or architect, in accordance with Article 5, Section B(2).
- 10) where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard, (for example

where there appears to be a conflict between a mapped boundary and actual field conditions), the Zoning Enforcement Officer shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

- 11) when base flood elevation data or floodway data have not been provided in accordance with Article 3, Section B, then the Zoning Enforcement Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source in order to administer the provisions of Article 5.
- 12) all records pertaining to the provisions of this ordinance shall be maintained in the office of the Zoning Enforcement Officer.

#### SECTION D. VARIANCE PROCEDURES

1. The Zoning Board of Appeals as established by The Town of Warren shall hear and decide appeals and requests for variances from the requirements of this ordinance.
2. The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Zoning Enforcement Office in the enforcement of administration of this ordinance.
3. Any person aggrieved by the decision of the Zoning Board of Appeals or any person owning land which abuts or is within a radius of one hundred feet (100) of the land in question may appeal within 15 days after such decision to the State Superior Court, District of Litchfield, as provided in Section 8-8 of the General Statutes.
- 4.a. Variances may or may not be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section, except for Article 4, Section D. (8) (a) (d), and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical character.
- b. Variances may be issued by a community for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with Article 4, Section D(8) (a)-(d).

- c. Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, create no additional threat to public safety and meet the requirements of Article 4, Section D(8) (a) - (d).
5. In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
- (a) the danger that materials may be swept onto other lands to injury of others;
  - (b) the danger to life and property due to flooding or erosion damage;
  - (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (d) the importance of the services provided by the proposed facility to the community;
  - (e) the necessity of the facility to waterfront location, in the case of a functionally dependent facility;
  - (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - (g) the compatability of the proposed use with existing and anticipated development;
  - (h) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (j) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;
  - (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

6. Upon consideration of the factors listed above, and the purposes of this ordinance, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
7. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
8. Conditions for Variances
  - a). Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and design of the building;
  - b) variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - c) any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as \$25 for \$100 of insurance coverage.
  - d) the Zoning Enforcement Officer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

## ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION

### SECTION A. GENERAL STANDARDS

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

- 1) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
- 2) new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- 3) new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

- 4) electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- 5) new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- 6) new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters;
- 7) on-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- 8) a) all manufactured homes (including "mobile" homes placed on a site for 180 consecutive days or longer) to be placed, or substantially improved shall be elevated so that the lowest floor is above the base flood elevation;  
  
b) it shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors;  
  
c) it shall be installed using methods and practices which minimize flood damage.  
  
(i) Adequate access and drainage should be provided.  
  
(ii) Elevation construction standards include, piling foundations placed no more than 10 feet apart, and reinforcement is provided for piers more than six feet above ground level.
- 9) In any portion of a watercourse which is altered or re-located and flood carrying capacity shall be maintained and;
- 10) a structure already in compliance with the provisions of this ordinance shall not be made non-compliant by any alteration, repair, reconstruction or improvement to the structure.

11) STANDARDS FOR STREAM WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODING

Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to Section 6.4 of this ordinance, as criteria for requiring that new construction, substantial

improvements, or other development in Zone A on the Community's FIRM meet the standards in Section 6, Article 5, Section B, and Section C.

(i) In A Zones where base flood elevations have been determined, but before a floodway is designated, require that no new construction, substantial improvement, or other development, (including fill) be permitted which will increase base flood elevations more than one (1) foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.

(ii) Should data be requested and/or provided, adopt a regulatory floodway based on the principal that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1) foot at any point along the watercourse.

#### SECTION B. SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data has been provided, as set forth in Article 3, Section B, or Article 4, Section C (10), the following provisions are required:

(1) Residential Construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation. The lowest point that may be below the base flood elevation for a residential structure in an A Zone, is the top of the lowest floor, for a residential structure, in a V Zone it is the bottom of the lowest structural member, and for a non-residential structure which has been floodproofed it is the point to which the structure has been floodproofed. Certification by a registered architect, engineer or land surveyor must be provided by the permittee to the official as set forth in Article 4 (B) (a) (b).

(2) (a) Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential structure shall have the lowest floor, including basement, elevated no lower than one foot above the level of the base flood elevation.

(b) Structures located in all A zones may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall (new) review and/or develop structural

design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this sub-section. Such certification shall be provided to the official as set forth in Article 4, Section B (1)(f).

(NEW) (3) Elevated Buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

(a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(i) provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed areas subject to flooding;

(ii) the bottom of all openings shall be no higher than one foot above grade, and;

(iii) openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

(b) Electrical, plumbing, and other utility connections are prohibited below the base flood elevation;

(c) access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and

(d) the interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(4) Floodways. Located within areas of special flood hazard established in Article 3, Section B, areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:

(a) prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification

(with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any (0.00) increase in flood levels during occurrence of the base flood discharge;

(b) if Article 5, Section B(4)(a) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5;

(c) prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Article 5, Section A(2), and the elevation standards of Article 5, Section B (1) are met.

**SECTION C.        STANDARDS FOR SUBDIVISION PROPOSALS**

- 1) All Subdivision proposals shall be consistent with the need to minimize flood damage;
- 2) all subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- 3) all subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
- 4) base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) which is greater than the lesser of fifty lots or five acres.

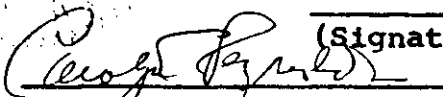
Adopted on May 19 and October 27, 1989.    Effective April 3, 1990.

By: Town Meetings

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\_\_\_\_\_  
\_\_\_\_\_

(Signatures of Governing Board)

Certified by:



Carolyn E. Reynolds, Town Clerk

Date: December 20, 1989



**ORDINANCE IMPLEMENTING**  
**THE REQUIREMENTS OF CONNECTICUT GENERAL STATUTES 22a - 220**  
**AND OTHER RELATED LEGISLATION**

Section 1. **Purpose.** This ordinance is adopted by the Town of Warren as part of a long term plan to provide for safe and sanitary disposal of solid waste and to establish measures to assure compliance by persons within the Town boundaries and by collectors with the requirements of State statutes for separation, collection, purchasing and marketing of recyclable solid waste.

Section 2. **Definitions.** For the purposes of this Ordinance:

(a) "Solid Waste" means all discarded materials or substances, including but not limited to garbage, refuse, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous materials, incinerator residue, demolition and construction debris, offal and other discarded materials and substances resulting from industrial, commercial, mining, and agricultural operations and from community activities, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form or solid or dissolved materials in irrigation return flows or industrial discharges, or source, special nuclear or by-product materials within the meaning of the Atomic Energy Act of 1954, as amended.

(b) "Recyclable Solid Waste" means the type of Solid Waste normally generated, collected or disposed of in the Town, which is, has been, or may hereafter be designated by the Commissioner of Environmental Protection to be recycled including, but not limited to: cardboard, glass food and beverage containers, metal food and beverage containers, newspapers, office paper, waste oil, leaves, scrap metal, and storage batteries, excepting Unacceptable Waste and Hazardous Waste.

(c) "Hazardous Waste" means that portion of Solid Waste as defined in the Service Agreement for the operation of the Bristol trash-to-energy plant.

(d) "Unacceptable Waste" means that portion of Solid Waste

as defined in the Service Agreement for the operation of the Bristol trash-to-energy plant.

(e) "Town" means the Town of Warren

(f) "Person" means an individual, natural person, corporation, trust, estate, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal entity.

(g) "Collector" means any person who holds himself out for hire to collect, haul, transport or dispose of solid waste or recyclable solid waste from residential, business, commercial or other establishments.

(h) "Residential Property" means real estate containing one or more dwelling units but shall not include hospitals, motels or hotels.

(i) "Center" means the Tunxis Regional Processing Center located in the Town of Berlin, Connecticut.

(j) "Residue" means solid waste remaining after any recycling facility holding a permit has processed the waste, but excluding wastes which are toxic or hazardous.

**Section 3. Registration of Collectors.** Any person who intends to operate as a Collector in the Town shall register in advance with the Town in the manner prescribed by this ordinance. Any person who operates as a Collector without proper registration within the Town thirty days after the effective date of this ordinance will be subject to the penalties provided in this ordinance.

**Section 4. Registration: Forms, Fees and Frequency.**

(a) All persons intending to act as Collectors shall apply for registration before July 1 of each year with the Town Clerk on forms provided. These forms shall require the applicant to furnish all information requested, including but not limited to:

(1) the name of the business and whether a corporation, partnership or sole proprietorship;

(2) the names of all stockholders (if Corporation not publicly held), directors, partners, officers or proprietors of the business;

(3) a listing and description of the vehicles to be used

for hauling Solid Waste or recyclable Solid Waste;

(4) the names and addresses of all customers presently served, if any, within the Town;

(5) the approximate tonnage of Solid Waste and recyclable Solid Waste expected to be collected each week;

(6) the names of all other communities served by the applicant;

(7) evidence of general and auto insurance in an amount of at least \$500,000 Dollars or such other amounts as the Board of Selectmen shall determine.

(8) whether the applicant plans to collect Recyclable Solid Waste generated from Residential Property or from commercial, business, municipal and other sources within the Town, or both.

(b) A registered Collector shall update the information required by subsection (a) at least once each year at the time of registration renewal.

(c) Once approved, the registration shall be effective until the following June 30, and, unless properly renewed, shall then lapse.

(d) The initial registration fee shall be \$25.00 and each annual renewal fee shall be \$25.00 Dollars. Registration fees shall not be prorated.

#### **Section 5. Administrative Enforcement.**

(a) The Town Clerk shall mail written notice of the approval or denial of an application for registration as a Collector to the applicant within sixty days after the submission of the completed application. Registration is effective only upon approval and issuance of the notice of approval.

(b) The Town Clerk may refuse to grant registration to any applicant, or may suspend the registration of any registered Collector, if that person (i) has violated or does violate any provision of State law pertaining to Solid Waste or Recyclable Solid Waste, (ii) violates this ordinance, (iii) is not insured in accordance with this ordinance, or (iv) is otherwise deemed unsuitable as a collector. A suspension of registration may not exceed a period

of 180 days for any one violation; provided, that repeated or willful violation of this ordinance may result in permanent revocation of registration without right to reapply.

(c) No denial, suspension or revocation notice will be effective until the person adversely affected has been notified in writing of that decision and the reasons for it, and has been afforded a reasonable opportunity to appear at an informal hearing before the Town Clerk to respond.

(d) Any person aggrieved by an initial denial, a suspension or a revocation of registration may appeal that decision to the Board of Selectmen by filing a notice of appeal with the Town Clerk within fifteen days after either (i) notice of the initial decision is mailed to that person, or (ii) the informal hearing provided under subsection (c) of this section is held and the decision affirmed by the Town Clerk. The Town Clerk shall immediately notify the Board of Selectmen of any appeal.

(e) A hearing shall be scheduled before the Board of Selectmen for a date not more than thirty days after the notice of appeal is filed. The hearing may be postponed or continued to a later date not more than one time, and the later date shall be no more than two weeks after the original date. Written notice of the hearing shall be given by the Town Clerk to the person taking the appeal and to any person who requests notice of the hearing. The hearing may be held at a regular or special meeting of the Board of Selectmen.

(f) At the hearing, the person aggrieved shall be permitted to present evidence and cross-examine witnesses. No formal rules of evidence shall apply, but the Board of Selectmen may exclude irrelevant or duplicative evidence. The Board of Selectmen shall make its decision within forty-five days of the date the notice of appeal is filed. That period may, but need not be, extended by any period of postponement which is requested by the person bringing the appeal. The decision may (1) affirm the decision denying, suspending or revoking the registration, (2) reverse the decision and order the registration granted or reinstated, or, (3) order the registration granted or reinstated with modifications or conditions.

The decision of the Board of Selectmen shall be final.

**Section 6. Prohibition of Unregistered Collectors.**

Beginning thirty days after the effective date of this ordinance, all persons not properly registered as collectors and all Collectors whose registrations have been suspended or revoked are prohibited from engaging in collecting, hauling, transporting or disposing of Solid Waste generated within the Town.

**Section 7. Scavenging Prohibited.**

(a) It shall be a violation of this ordinance for any person, other than the generator of the Solid Waste or a registered collector, to scavenge solid waste for pecuniary gain or any other purpose. Scavenging shall include collecting, recovering, hauling, storing or disposing of solid waste other than as authorized by this ordinance.

(b) Each occurrence of scavenging in violation of this ordinance shall constitute a separate offense.

**Section 8. Residential Recyclable Solid Waste.**

(a) On and after January 1, 1991, any person who generates solid waste from residential property shall separate from other solid waste those items designated for recycling by the Commissioner of Environmental Protection.

(b) Notwithstanding Section 8(a), the following items shall be separated from other solid waste generated from Residential property and recycled:

- (1) cardboard;
- (2) glass, food and beverage containers;
- (3) leaves;
- (4) metal food and beverage containers;
- (5) newspaper;
- (6) storage batteries;
- (7) waste oil;
- (8) scrap metal, including "white goods"; and
- (9) office paper.

(c) All Residential recyclable solid waste shall be separated by the generator and then placed at or brought to locations designated

in accordance with section 10 of this ordinance.

**Section 9. Other Recyclable Solid Waste.**

(a) On and after January 1, 1991, any person who generates solid waste from other than a residential property shall separate from other solid waste those items designated for recycling by the Commissioner of Environmental Protection.

(b) Notwithstanding Section 9(a), the following items shall be separated from other solid waste and recycled:

- (1) cardboard;
- (2) glass, food and beverage containers;
- (3) leaves;
- (4) metal food and beverage containers;
- (5) newspaper;
- (6) storage batteries;
- (7) waste oil;
- (8) scrap metal, including "white goods"; and
- (9) office paper.

(c) Any person who generates Recyclable Solid Waste from commercial, industrial, business or non-residential property shall dispose of such items at his own expense in a safe and sanitary manner in designated receptacles for recyclable products.

(d) Owners of commercial, industrial, business, or non-residential property where Recyclable Solid Waste is generated shall provide sufficient and adequate areas and/or receptacles on the premises for the separation and storage of recyclable products. All recycling receptacles shall be clearly labeled as to type of recyclable product to be deposited in the receptacle and the address of the property.

(e) Recyclable Solid Waste shall be segregated and packaged as required by the collector so as to be accepted for processing at a site determined by the Collector, or at any other site or recycling solid waste facility as may be designated by the Town Board of Selectmen.

(f) Owners of commercial, industrial, business or non-residential property shall make sure that all receptacles are

maintained in a safe and sanitary manner.

(g) Notwithstanding the provisions of subparagraphs (c) through (f) immediately preceding, the Board of Selectmen may, in its sole discretion and upon such terms as it may deem in the best interest of the Town, make arrangements with any person who generates Recyclable Solid Waste from commercial, industrial, business or non-residential property for disposal of such Recyclable Solid Waste or portion thereof in conjunction with Recyclable Solid Waste generated from Residential property.

#### Section 10. Location for Disposal.

(a) Every Collector and every other person disposing of Recyclable Solid Waste generated within the Town shall dispose of Recyclable Solid Waste as follows:

(1) The Board of Selectmen shall from time to time designate and publish which items of Recyclable Solid Waste shall be disposed of at the Center and which items shall be disposed of at other sites and what procedures shall be followed for separation and presegregation of categories of Recyclable Solid Waste.

(i) Those items of Recyclable Solid Waste generated from Residential Property and designated to be taken to the Center shall be taken directly to the Center or to a location or locations within the Town boundaries for later delivery to the Center, as may be designated by the Board of Selectmen.

(ii) All other presegregated Recyclable Solid Waste generated from Residential Property shall be taken to disposal sites designated by the Board of Selectmen. The Collector, if any, shall keep and maintain records of the quantity and type of recyclable waste delivered to each disposal site, the location and date of delivery of such items to the site.

No Recyclable Solid Waste from any other Town shall be disposed of at any Town disposal site, other than the Center, unless express advance written permission is first obtained from the Board of Selectmen. The Collector shall comply with all requirements pertaining to such alternate disposal.

(iii) All other Solid Waste generated within the Town and

collected from any other source shall be separated by the Collector into Recyclable Solid Waste and other Solid Waste. The Recyclable Solid Waste shall be further segregated and packaged to be disposable at the Center or at such other designated disposal sites for the particular type and category of Recyclable Solid Waste as may be designated and published by the Board of Selectmen.

(2) Any Collector who is requested or contracted to transport Residue remaining after the Center or other Recyclable Solid Waste disposal area has processed any portion of the Town's Recyclable Solid Waste shall transport such Solid Waste to the Solid Waste disposal facility designated by the Board of Selectmen. The Collector shall comply with all reporting and record keeping requirements of the Center and of any other Recyclable Solid Waste disposal facility designated by the Board of Selectmen.

(3) Until one or more sites have been designated for disposal of the Town's Recyclable Solid Waste in accordance with the procedures of Section 22a-220a, C.G.S., and until notice has been given under subsection (b) requiring the use of any such disposal site, all Recyclable Solid Waste shall be disposed in accordance with the Town's existing solid waste plan and existing agreements, as those plans and agreements may be modified from time to time.

(4) After a disposal site for the Town's Recyclable Solid Waste has been designated, and after the Town has been notified in accordance with its contracts that the site is available for use, the Town Clerk shall give notice of the requirements for solid waste disposal. After the notice is published, all persons collecting, transporting or disposing of Recyclable Solid Waste in the Town shall comply with the requirements of that notice not later than the date specified for compliance in the notice.

(5) Notice that a designated disposal site for Recyclable Solid Waste is available for either partial or full use shall be published as required by law. In addition, individual notice of those requirements shall be mailed to every person who is registered in the Town as a Collector. The notice shall specify the date after which all persons disposing of Recyclable Solid Waste in the Town



must use that disposal site, and shall generally state any other necessary requirements for that disposal, such as limitations on the amount of Recyclable Solid Waste which may or must be delivered or the dates or times at which delivery must be made.

(6) In addition to designating a disposal site for Recyclable Solid Waste, the Board of Selectmen may from time to time designate or identify additional sites for disposal of Unacceptable Waste, Hazardous Waste, or Recyclable Solid Waste in excess of the amount to be disposed of at the primary designated site. Those sites may include transfer stations or drop-off sites for the convenience of residents, landfills, or any other type of facility deemed appropriate by the Board of Selectmen. If any person will be required to use a particular site, that site shall be designated in the manner provided in Section 22a-220a, C.G.S.

#### Section 11. Enforcement.

(a) All Recyclable Solid Waste is subject to inspection at curbside or designated pick-up locations by the Collector and/or the First Selectman to determine proper separation and segregation of Recyclable Solid Waste and Solid Waste as set forth in this ordinance.

(b) The Collector shall notify the First Selectman of any violation of this Ordinance within twenty-four hours of its discovery. Notification shall be in a manner and fashion prescribed by the First Selectman.

(c) The First Selectman, upon learning of a violation, shall give written notice to the generator of the Solid Waste that a violation has occurred. Upon learning of a second violation as to the same generator, the First Selectman shall issue a second notice of violation which shall advise the generator that subsequent violations shall be cause for penalties in accordance with this ordinance, and that future Recyclable Solid Waste from said source shall not be collected, at the sole option of the First Selectman.

#### Section 12. Reporting Requirements.

(a) Every Collector shall obtain and utilize reporting forms provided by the Town Clerk.

(b) Every Collector shall keep and maintain full and accurate records.

(c) Every Collector shall complete such report forms and shall submit them periodically to the Town Clerk with information requested, including but not limited to, the following:

(1) The amount of recyclable solid waste derived from each municipality recorded by truckload;

(2) The disposal facility to which the waste is taken and the total tonnage disposed of at such facility(ies); and

(3) The amount of solid waste derived from a recycling facility which has processed the Town's Recyclable Solid Waste, transported from that facility to the Bristol trash-to-energy facility.

**Section 13. Penalty.** Every person who violates any provision of this ordinance shall be guilty of a violation, as defined in Section 53a-27(a), C.G.S. and shall be subject to a maximum fine of Two Hundred (\$200.00) Dollars for each violation. Every day that a person continues in violation of this ordinance shall be deemed a separate violation.

**Section 14. Prior Ordinances.** To the extent that the provisions of the ordinances entitled "Collection and Disposal of Solid Waste" and "Solid Waste Disposal Site Designation", passed December 4, 1987 and February 16, 1988, respectively, may be inconsistent with those of this ordinance, the provisions of this ordinance shall control.

**Section 15. Severability.** If any provision of this ordinance is declared invalid, such declaration shall not affect the remaining provisions of this ordinance, which shall continue in full force and effect.

**Section 16. Effective Date.** This ordinance shall become effective 15 days after publication of a summary thereof as provided by law.

Passed: October 19, 1990

Effective - December 24, 1990

ORDINANCE CONCERNING SUNSET LAKE ROAD

Page 101-102, Vol. 7 Town Meeting Book

Page 281, Vol. 1 Selectmen's Minutes Book

Voted that the Town of Warren accept Sunset Lake Road into the Town Highway System.

Page 622, Vol. 41 Warren Land Records

Passed May 18, 1990

August 5, 1991

Effective August 22, 1991

**SHEPAUG-BANTAM RIVER PROTECTION COMMISSION**  
(formerly known as Shepaug-Bantam River Board)

**WITHDRAWAL**

BE IT RESOLVED BY THE TOWN OF WARREN ACTING BY ITS LEGISLATIVE BODY, A TOWN MEETING HELD ON AUGUST 12, 1994, AS FOLLOWS:

1. The Town of Warren does hereby elect to withdraw, effective immediately, from the Shepaug-Bantam River Protection Commission, in accordance with section 25-102rr of chapter 477d, entitled "River Protection", of the Connecticut General Statutes.
2. Such withdrawal from the Shepaug-Bantam River Protection Commission shall also be deemed a withdrawal, effective immediately, from the Shepaug-Bantam River Board authorized by resolution adopted at Town Meeting held on October 1, 1979, to the extent, if any, that such River Board may still be deemed to exist.
3. The following resolutions relating to the Shepaug-Bantam River Protection Commission and the Shepaug-Bantam River Board are hereby repealed: (a) resolution adopted at Town Meeting held on May 19, 1978, (b) resolution adopted at Town Meeting held on October 1, 1979, (c) resolution adopted at Town Meeting held on September 9, 1988, and the ordinance adopted as part of said resolution adopted at Town Meeting held on October 1, 1979 is also repealed.

Passed August 12, 1994.

**TOWN OF WARREN**  
**JUSTICES OF THE PEACE**

**REPEAL OF ORDINANCE OF MAY 8, 1964**

WHEREAS, by Town ordinance adopted on May 8, 1964 the Town of Warren provided that the authorized number of Justice of the Peace positions in the Town should be four; and

WHEREAS, such provision has now been superseded by Connecticut Public Act No. 94-230, "An Act Concerning Justices of the Peace", which act provides in effect that the authorized number of Justice of the Peace positions in the Town shall be fifteen;

NOW THEREFORE, BE IT RESOLVED THAT:

The ordinance adopted on May 8, 1964 relating to Justices of the Peace is hereby repealed, in accordance with Connecticut General Statutes section 9-183a, as amended by Public Act 94-230.

Passed August 12, 1994

Vol. 8 Page 49

**ORDINANCE ADOPTED AT WARREN TOWN MEETING**  
**MAY 24, 1996**  
**REGARDING JUSTICES OF THE PEACE**

BE IT RESOLVED THAT, pursuant to Connecticut General Statutes sec. 9-183a, the total number of Justices of the Peace for the Town of Warren that may be selected beginning in 1996, and quadrennially thereafter, shall be 15.

PASSED 5/24/96

Page 86 Vol 8 - October 30, 1998

ORDINANCE  
CONCERNING  
LAND USE APPLICATIONS AND SURCHARGE FEES

BE IT ORDAINED BY THE VOTERS OF THE TOWN OF WARREN AT  
TOWN MEETING HELD ON OCTOBER 30, 1998:

When the actual expenses of processing any land use application (including a road construction agreement in connection with such an application) can be expected to exceed the fees set forth in the regulations of any Town of Warren land use agency, including the Planning and Zoning Commission, the Conservation and Inland Wetlands Commission and the Zoning Board of Appeals (any of which may be referred to herein as the "Permit Granting Authority"), the Permit Granting Authority shall charge the applicant a surcharge fee equal to said Authority's estimate of such excess expenses as set forth below. "Processing" includes review and evaluation by consultants. "Consultant" means a professional who is not an employee of the Town, including, but not limited to, engineering, traffic, environmental, wetlands, planning and legal professionals.

The expenses for any consultants in connection with processing the application may be estimated by the Permit Granting Authority following receipt of the application. The amount of such estimate, in addition to the application fee required by the regulations of such Authority, shall be paid to the Authority by the applicant within 10 days of transmittal of the bill therefor, and the application shall be deemed incomplete until such amounts have been paid.

If at any time it appears that the actual expenses of processing the application will increase over the previously estimated expenses, the Permit Granting Authority shall bill the applicant for the amount of such increase, and the applicant shall pay such amount within 10 days of transmittal of such bill and in any case prior to issuance of any permit.

Any portion of the surcharge fee not expended in connection with the application shall be repaid to the applicant upon final disposition of the application.

This Ordinance is adopted pursuant to section 8-1c of the Connecticut General Statutes and shall be effective 15 days after publication, as provided by law.

Adopted at Town Meeting held on October 30, 1998.

Effective November 24, 1998

## ORDINANCE - TOWN OF WARREN

## Amendments to Regulations for Use of Warren Woods

## 1. Change 7.1 to read:

7.1 [left blank]

## 2. Add the following Article:

ARTICLE X: ASSUMPTION OF RISK

10.1 As between (1) the Town and its officers (including members of the Parks and Recreation Commission), agents and employees on the one hand and (2) all persons using or entering the Park on the other hand, such persons assume the risk of injury to themselves and damage to their property, and such persons waive all claims against the Town and said officers, agents and employees which such persons might otherwise have on account of such injury or damage, except only to the extent, if any, that the foregoing assumption of risk and waiver may be void under law. Such assumption of risk and waiver apply to said Town officers, agents and employees in both their official and individual capacities. Such assumption of risk and waiver do not apply, however, in any case of intentional, malicious wrongdoing. This Article X is not intended for the benefit of anyone other than the Town and its officers, agents and employees as above provided.

## 3. Change Article VIII, paragraph 8.1a. to read:

- a. Applicants requiring a permit for use of the Park must disclose at the time of permit application the types of alcoholic beverages to be dispensed, if any.

The existing Warren Woods regulations, as above amended, are confirmed.

The foregoing ordinance shall become effective 15 days after publication, in accordance with CGS 7-157.

Adopted at Town Meeting, February 26, 1999 Vol. 8 page 89-90  
Published: March 11, 1999  
Effective: March 25, 1999

ORDINANCE CONCERNING WINTERGREEN LANE

Vol. 8 page 89 Town Meeting Book  
Vol. 2 page 60 Selectmens Minute Book

Voted that the Town of Warren accept Wintergreen Lane into  
the Town Highway System.

Vol 51 pages 466-467 Warren Land Records  
Passed February 26, 1999  
Effective: May 20, 1999

## TOWN OF WARREN

## ORDINANCE SETTING BUILDING PERMIT FEES

The following is adopted as the schedule of fees required for building permits issued in accordance with the State Building Code, such fees to be payable before the building permit is issued.

Building Permit: \$20 for the first \$1,000 of estimated construction cost plus \$6 for each additional \$1,000, or portion thereof, of estimated construction cost.

Mechanical Permit: \$20 for the first \$1,000 of estimated construction cost plus \$6 for each additional \$1,000, or portion thereof, of estimated construction cost.

For ex post facto building and mechanical permits, the fee for the first \$1,000 of estimated construction cost shall be \$100 in lieu of \$20.

File Close Out with Inspection: \$100.

File Close Letter: \$25.

Tent Permit, per Tent: \$25.

The above fee schedule shall become effective 15 days after publication, in accordance with CGS 7-157.

Adopted at Town Meeting, February 26, 1999. Vol. 8 page 89-90  
Published: June 11, 1999  
Effective: June 25, 1999



ORDINANCE PROPOSED FOR ADOPTION AT  
WARREN TOWN MEETING HELD ON JUNE 22, 1999

CREATION OF CEMETERY COMMISSION

Acting under the powers conferred by section 7-148 of the Connecticut General Statutes, the Town of Warren hereby establishes a Cemetery Commission for the purpose of exercising the powers of the Town with respect to cemeteries under the Connecticut General Statutes, provided that the Cemetery Commission shall not have power to acquire or sell real property or to obligate the Town for expenditures in excess of (a) funds in the hands of the Commission and (b) funds for cemetery purposes appropriated by the Town, its Board of Finance and its Board of Selectmen. The Cemetery Commission shall have authority on behalf of the Town to accept from the Warren Cemetery Association, Inc. any funds, assets, or rights and obligations which said Association may transfer or assign to the Cemetery Commission.

This Ordinance is not intended to preclude the Town, and its Board of Selectmen, from exercising such powers with respect to cemeteries under the Connecticut General Statutes, and in case of conflict between any action by the Town or its Board of Selectmen and an action by the Cemetery Commission, the action of the Town or its Board of Selectmen shall be controlling.

The Cemetery Commission shall consist of nine members who shall be appointed by the Board of Selectmen, shall be electors of the Town, and shall serve without pay. The initial appointments to the Commission shall consist of three members who shall serve for terms expiring on December 31, 1999, three members who shall serve for terms expiring on December 31, 2000, and three members who shall serve for terms expiring on December 31, 2001. Subsequent appointments shall be for terms of three years expiring on December 31 of the third year. Vacancies occurring during any term shall be filled by appointment by the Board of Selectmen for the remainder of the term.

Published: June 25, 1999  
Effective: July 9, 1999

AN ORDINANCE REGULATING PARKING

BE IT ORDAINED BY THE VOTERS OF THE TOWN OF WARREN AT TOWN MEETING HELD ON NOVEMBER 5, 1999:

SECTION 1: Any vehicle that is parked or left within the limits of any highway or thoroughfare within the Town of Warren (a) during the hours of darkness or (b) at any hour during the period from November 15 through April 15, may be deemed a menace to traffic or public health or safety within the meaning of section 14-150(b) of the Connecticut General Statutes, and all provisions of section 14-150 shall be applicable in such case.

SECTION 2: "Vehicle" as used in this Ordinance shall include motor vehicles as defined in section 14-1 of the Connecticut General Statutes and trailers as defined in said section 14-1 whether or not attached at the time to a motor vehicle.

SECTION 3: Any person violating the provisions of this Ordinance shall be fined not more than Twenty-Five Dollars (\$25.00).

SECTION 4: This Ordinance shall control over any prior resolutions or ordinances inconsistent herewith. This Ordinance is adopted pursuant to section 7-148 of the Connecticut General Statutes and shall be effective 15 days after publication hereof pursuant to law.

Adopted at Town Meeting held on November 5, 1999.  
Effective November 24, 1999

ORDINANCE CONCERNING COLLECTION AND REFUND OF TAX DUE

BE IT ORDAINED BY THE VOTERS OF THE TOWN OF WARREN AT TOWN MEETING  
HELD ON MAY 24, 2002:

1. The town may waive any property tax due in an amount less than five dollars pursuant to Section 12-144C of the General Statutes of Connecticut.
2. The Tax Collector is authorized to retain tax payments in excess of the amount due provided that the amount of the excess payment is less than five dollars, pursuant to Section 12-129 of the General Statutes of Connecticut.

Effective June 9, 2002

Vol. 8, page 131

Ordinance concerning construction within 15 feet of paved edge  
of road.

Vol. 8 Page 137-138

BE IT ENACTED THAT, no wall, fence, structure or other  
permanent object shall be constructed, erected or placed  
within fifteen feet of the paved edge of a town road  
without a written permit being issued by the First Selectman,  
Highway Superintendent, or Road Foreman.

The foregoing ordinance shall become effective 15 days after  
publication, in accordance with OGS 7-157.

Adopted at Town Meeting, October 24, 2002

Effective November 12, 2002

BE IT ORDAINED BY THE VOTERS OF THE TOWN OF WARREN AT

TOWN MEETING HELD ON OCTOBER 23, 2003. Vol. 8 page 153

1.

Resolved that there be no use of motorized recreational vehicles (such as all terrain vehicles, snowmobiles, dirt bikes, motor boats) on any town owned land except with special written permission from the First Selectman. Any infraction shall carry a \$75.00 fine.

2.

Resolved that the tax collector collect a \$5.00 fee for each motor vehicle that has been reported to CT Department of Motor Vehicles as having unpaid motor vehicle property taxes.

These ordinance shall become effective fifteen (15) days after publication in accordance with CGS 7-157.

Dated at Warren, CT 10/29/03 Effective November 14, 2003

Rescinded Oct. 28, 2004

**BE IT ORDAINED BY THE VOTERS OF THE TOWN OF WARREN AT TOWN  
MEETING HELD ON OCTOBER 28, 2004: VOL 8/PAGE 160**

1. Resolved: that no building or driveway permit shall be issued for construction of any building or driveway on any lot or parcel of land within the Town of Warren where past taxes are owed to the town in regard to such lot or parcel of land, except that the Board of Selectmen may specifically vote to authorize the building official to issue such permit for emergency circumstances.

This ordinance shall become effective fifteen (15) days after publication in accordance with CGS 7-157.

Dated at Warren, CT 11/09/04 Effective 11/24/04

WARREN LEGAL NOTICE  
OPEN SPACE ORDINANCE

Be it Ordained by Voters of the Town of Warren at Town Meeting held June 30, 2005...

1. Resolved: Each parcel of record, as recorded in the assessment records, shall be treated as a separate parcel. No tacking or combination of separately assessed parcels shall be permitted to determine the eligibility of parcels for Open Space Classification. That portion of a parcel deemed excess acreage, as determined in the assessments records, is eligible for treatment as Open Space for assessment purposes, provided it is equal to, or more than, the zone requirement. If the portion of the parcel in excess acreage is less than the zone requirement, the excess acreage shall not be eligible for Open Space Classification. (Example: 3.8 acre parcel in a 2 acre zone. The 1.8 excess acres is not eligible for Open Space Classification). No property for which the assessment is determined pursuant to the terms of Section 12-76 of the Connecticut General Statutes, as it may be amended from time to time, shall be eligible. The property owner must make application for Open Space assessment as provided in the Connecticut General Statute 12-107e, as it may be amended from time to time.

Dated Warren, CT  
1 July, 2005  
Joanne C. Tiedmann  
Town Clerk

WARREN PUBLIC NOTICE

**AN ORDINANCE REGARDING DECLARATION OF LOCAL DISASTER  
EMERGENCY**

Be it Ordained by Voters of the Town of Warren at Town Meeting held May 18, 2006:

Resolved that the chief executive officer (CEO) of the municipality is authorized to declare a local disaster emergency in accordance with the terms of Conn. Gen. Stat. Section 28-8a(a) and 28-1(8). Upon the declaration of a local disaster emergency by the CEO of the municipality, the CEO and the local emergency management director shall exercise all powers and authority granted to the municipality and/or its CEO under Title 28 of the Conn. Gen. Statutes.

In times of serious disaster or civil emergency, the CEO of the municipality is authorized to activate the municipal emergency operations center. The commander of CT State Police Troop L, the chief of the Warren Volunteer Fire Co., the Torrington Area Health District, the emergency management director, or their designated representatives, shall assist the CEO in evaluating the need for the declaration of a local disaster emergency.

In times of serious disaster or civil emergency, the CEO of the municipality will coordinate his or her response activities with the appropriate Area Coordinator from the Connecticut Department of Emergency Management and Homeland Security.

Dated Warren, CT  
May 19, 2006  
Joanne C. Tiedmann  
Town Clerk

MODIFICATION TO AN ORDINANCE REORGANIZING THE CONSERVATION  
COMMISSION

The Ordinance Reorganizing the Conservation Commission which is filed in Volume 6 page 209 of Town Records, is modified to change from seven regular members to five regular members, and from three alternate members to two alternate members.

Adopted at Town Meeting November 30, 2006  
Published December 9, 2006  
Effective December 24, 2006

ORDINANCE REGARDING POSITION OF TOWN CLERK

Resolved that under authority of section 9-185 of the Connecticut General Statutes as amended, the office of Town Clerk and Registrar of Vital Statistics be an appointed position by the town's chief of executive authority. This ordinance shall take effect upon expiration or resignation of present clerk's elected term.

Adopted at Town Meeting November 30, 2006  
Published Dec. 9, 2006  
Effective Dec. 24, 2006

ORDINANCE REGARDING POSITION OF TAX COLLECTOR

Resolved that under authority of section 9-185 of the Connecticut General Statutes as amended, the office of Tax Collector be an appointed position by the town's chief of executive authority. This ordinance shall take effect upon expiration or resignation of present tax collector's elected term.

Adopted at Town Meeting November 30, 2006  
Published Dec. 9, 2006  
Effective Dec. 24, 2006