

**Proposed Code Adoption Ordinance
Town of Sterling**

Be it enacted and ordained by the Town of Sterling in Town Meeting assembled:

§ 1-11. Code adopted; existing ordinances continued.

The compilation of the ordinances of a general and permanent nature of the Town of Sterling, Windham County, Connecticut, codified and consolidated into chapters and sections in the form attached hereto and made a part hereof, and consisting of Chapters 1 through 318, plus an appendix, is hereby approved, adopted, ordained and enacted as the Code of Ordinances of the Town of Sterling, Connecticut, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town.

§ 1-12. Code on file; additions and amendments.

- A. A copy of the Code has been filed in the office of the Town Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance such copy shall be certified to by the Town Clerk as provided by law, and such certified copy shall remain on file in the office of the Town Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Town to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Town of Sterling" shall be understood and intended to include such additions and amendments.

§ 1-13. Notice; publication.

The Town Clerk shall cause this ordinance or a summary of this ordinance to be published in the manner required by law. The enactment and publication of this ordinance coupled with the filing of the Code in the office of the Town Clerk as provided in § 1-12 shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-14. Severability.

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-15. Repealer.

Ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Sterling which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

§ 1-16. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-15 **Error! Bookmark not defined.** of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to May 17, 2022.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Town's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease, dedication or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- K. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.

§ 1-17. Changes in previously adopted ordinances.

- A. In preparing the revision and codification of the ordinances, certain minor grammatical and nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Town Meeting that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.
- B. The changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-18. Altering or tampering with Code; penalties for offenses.

It shall be unlawful for anyone to change, alter or tamper with the Code in any manner which will cause the laws of the Town of Sterling to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to a fine of not more than \$250.

§ 1-19. When effective.

This ordinance shall take effect 15 days after publication of the full text or a summary thereof pursuant to law.

Schedule A
(As referenced in § 1-17B)

Chapter 7, Boards, Commissions and Committees.

Article III, Inland Wetlands Commission.

Sections 7-21 and 7-22 are amended to change the word "Board" to read "Commission."

Chapter 160, Excavations.

Section 160-1B is amended as indicated:

These regulations have been promulgated in accordance with and under the authority prescribed by C.G.S. Chapter 98, § 7-148(c)(8)(C), and pursuant to that subsection, these regulations will not be enforced so long as a zoning commission exists in the Town.

Chapter 215, Littering and Dumping.

Section 215-3C is amended as indicated:

Any person who engages in an activity which violates ~~subsection (f) of 22a-220 of the Connecticut general statutes~~ C.G.S. § 22a-220a(i) shall be assessed a civil penalty of up to \$1,000.

Chapter 226, Mobile Homes and Trailers.

Section 226-11 is amended as indicated:

The Selectmen of the Town of Sterling are hereby authorized to bring any civil action in the appropriate court of the State of Connecticut to enforce this chapter. Pursuant to C.G.S. § 7-148(c)(7)(A)(iv), the provisions of this chapter regarding trailers and mobile homes will not be enforced so long as there exists a zoning commission in the Town.

Chapter 262, Sand or Gravel Pits and Quarries.

Section 262-2 is added to read as follows: "Pursuant to C.G.S. § 7-148(c)(8)(C), these regulations will not be enforced so long as a zoning commission exists in the Town."

Chapter 271, Sewers.

Section 271-7C is amended as indicated:

All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Chapter 284, Streets and Sidewalks.

Article I, Street Construction and Acceptance.

Section 284-3H(1) is amended as indicated: "The roadbed shall ~~not~~ be graded with a crown on the average of 1/4 inch per foot."