



THE AMSTON LAKE DISTRICT HANDBOOK

Amston Lake District Board of Directors
Approved
Last Revised: October 6, 2014

The Amston Lake District
P.O. Box 95
Amston, CT 06231

www.amstonlake.org





Racing on Lake Day (Photo by Paul Oliver)

Dear Neighbor,

The Amston Lake District is a thriving community of over 700 homes surrounded by acres of undeveloped woodlands and, of course, our lovely 188-acre lake. We're an old-fashioned neighborhood where people can feel comfortable, get to know each other, and enjoy breathtaking scenic beauty. Our seasonal and full-time residents share a sheltered atmosphere where children can play and adults can socialize or enjoy the serenity of our region.

Our lake is carefully protected to preserve its pristine beauty and ecological health. Its clean water is great for swimming, boating, fishing, or just relaxing. Birds and other wildlife are plentiful. You can connect with nature and enjoy our streams, beaches, and recreational areas.

Our Clubhouse is the center of our neighborhood activities including meetings, parties, and special events sponsored by the Amston Lake Association (ALA). We publish an informative newsletter, *The Amston Laker*, and you can visit our website at www.amstonlake.org.

The Amston Lake District was created in 2002 by a special act of the Connecticut General Assembly which authorized the merger of the Amston Lake Hebron Tax District and the Amston Lake Lebanon Tax District. It is a full-fledged municipal government run by a nine-member board of directors elected to oversee lake management, community events, environmental monitoring, and neighborhood security.

This homeowner's manual contains important information about our community and its administration, including our Best Lake Practices, ordinances, and by-laws. We urge you to take full advantage of everything Amston Lake has to offer, and encourage you to become familiar with our rules to help keep our community safe and beautiful. Welcome to the neighborhood.

Board of Directors of Amston Lake District (ALD)



Main Beach Signage (Photo by Lynn Mika)

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Cover Photos by Paul Oliver • Illustrations by Lynn Mika• Layout by Deborah Sierpinski

Any recent amendments and supplements to these materials, plus the names and contact information of the District's current Officers, Directors, Tax Collector, and Lake Manager, are available online at www.amstonlake.org

BEST LAKE PRACTICES

The following “Best Lake Practices” are guidelines recommended by the Board to help all of our residents protect and enjoy Amston Lake.

● **Safety first.** Responsibility for safety and well-being always lies with the individual, not the District. We have no lifeguards and limited security personnel. Take common-sense measures to protect yourself, your family, your home, and your property at all times. Residents must monitor their children and pets, especially around water and roads, and are responsible for their actions under state law. Dial 911 in emergencies.

● **Local ecosystem.** Amston Lake is a watershed, a habitat, and the heart of our community. Never allow chemicals or foreign plant or aquatic species anywhere near District Waters. Septic systems should be professionally cleaned every 24 months and carefully monitored for leaks. Report all known or potential contamination to the state or local departments of health and environmental protection and the ALD Board of Directors.

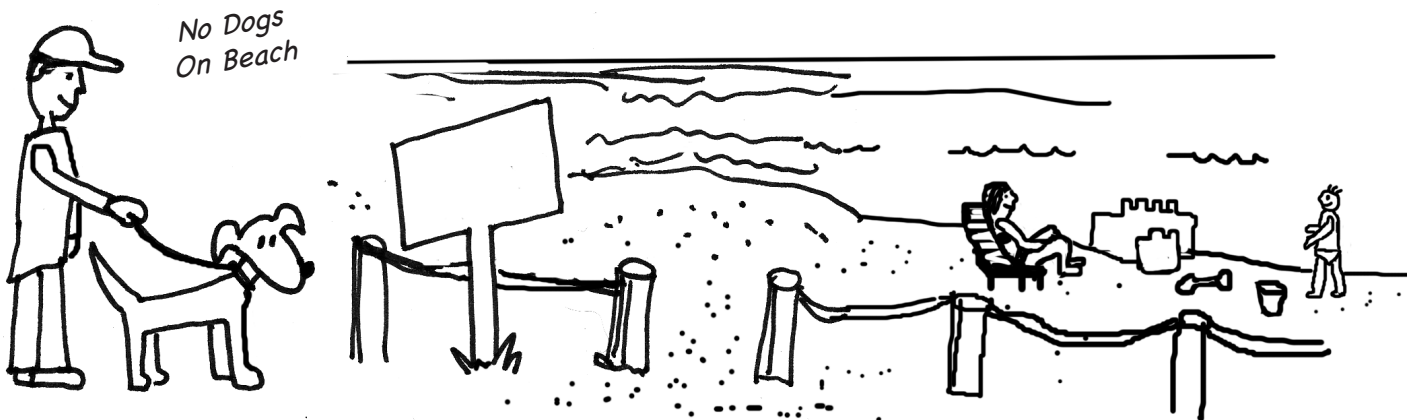
area already have enough phosphate. You may add lime to your lawn and this will make the existing phosphate more available for use by your lawn. Storm runoff may be slowed

Zero
Phosphate
Fertilizer



Only use fertilizers which have no phosphates (the middle number on the fertilizer bag) as even a little phosphate may contribute to algae and weed growth in the lake.

with water gardens (shallow ponding areas with flowers and shrubs which catch rain water and reduce the amount flowing into District Waters.) Shrubbery near the waterside also helps to reduce the nutrients flowing into District Waters. When grading or excavating utilize silt fences and hay bales. Remove only nuisance weeds from waterfront such as lily pads and large leaf pond weed. If you see any plants which you suspect



Pets can leave waste that pollute — and therefore are not allowed on beaches between April 1 and September 30.

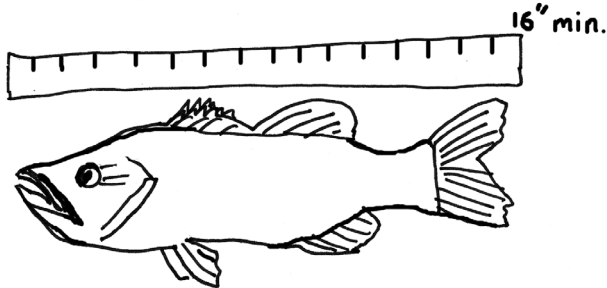
● **Beaches.** Beaches and their parking areas are open from 7:00 a.m. to 9:00 p.m. daily. Pets are not allowed on beaches between April 1 and September 30. Open fires, glass containers, grills, and gas powered vehicles are prohibited unless pre-approved by the ALD Board of Directors.

● **Lawn care.** Only use fertilizers which have no phosphates (the middle number on the fertilizer bag) as even a little phosphate may contribute to algae and weed growth in District Waters. Most properties in our

may be invasive, please bring this to the attention of the Board. Never use herbicides anywhere in the watershed.

● **Passes.** Storing and using any boat and parking any vehicle on District Properties and District Waters, and using any beach requires a valid pass or sticker. Lake use passes may be denied to residents who are late on their District taxes. Property owners are responsible for providing passes to their renters. Passes are not otherwise transferable or saleable.

● **Wildlife.** Hunting, trapping, and harming wildlife is prohibited on District Properties and District Waters. Catch-and-release fishing is recommended. Largemouth



Bass may not be taken from the lake unless they are at least 16 inches or longer. There is a limit of 2 bass per day.

Bass that are 12 to 16 inch are in a "protected slot limit" and should not be removed; daily creel limit is 2 with only one being greater than 16 inches (other fish must be less than 12 inches). It is suggested that a single barbless hook is used to catch fish. Keep current with state and local fishing regulations, as these regulations do apply to our lake, including requirements for fishing licenses. Ducks and geese pollute District Waters, so do not encourage them by giving or leaving them food.

● **Garbage.** Take pride in our community's appearance. Put litter in its place, and secure trash cans against wind and wildlife. Dispose of yard waste properly, not along the roadside or in a vacant or undeveloped lot, so that District



Do your part to help keep our community clean and beautiful. Don't litter.

Waters area remains attractive and unwanted nutrients do not end up in District Waters. Always carry out everything from the District Properties that you carry in.



All boats entering the lake must be inspected. Be sure the boat power is off when removing weeds from the boat and trailer.

● **Boats.** All boats must be launched, landed, operated, stored, and moored safely and never in prohibited areas. If you bring a boat from any other body of water, you must first either clean it thoroughly or dry it out for 3 days to prevent foreign species contamination by invasive weeds. Boat launching off trailers is prohibited from private property. All boats which are launched from trailers must be inspected first at the main beach boat launch area by ALD Board authorized inspectors to check for the presence of invasive weeds. You may wish to call the boat inspectors in advance to assure that someone is available. Their names and numbers are posted on the District web site, (amstonlake.org). The District may remove and dispose of boats that are abandoned, unregistered, or improperly stored. The operation of any internal combustion powered motorized vehicle on District Waters is prohibited. Exceptions: Fire Department rescue, property maintenance, and other special situations with permission from the Board.

● **Comply with all local, state and federal regulations.** It is required that district residents comply with all local, state, and federal regulations. This primarily relates to fishing, boating, zoning, wetland and related building regulations. It is required that residents or their agents secure all necessary permits, as appropriate. In addition, it is recommended that residents monitor zoning applications and housing development for nearby properties. Construction, lot size variances, new utilities, or site preparation could threaten our lake with runoff or hurt our property values. We have made a difference in the past by voicing objections at zoning hearings. Read our newsletter, *the Amston Laker*, and local papers for situations which might affect our community. And be sure to tell your town elected officials that you want your lake protected.

ORDINANCES OF THE AMSTON LAKE DISTRICT

Date Approved: September 18, 2013

Revised: June 12, 2021

The following ordinances are promulgated under authority of Connecticut Special Act 02-2 and Connecticut General Statutes Sections 7-157 and 7-328(a). All predecessor ordinances of the Amston Lake Hebron Tax District and Amston Lake Lebanon Tax District are hereby superseded.

2008.1 – Definitions. The following definitions apply to all ordinances:

- (a) “Board” means the District’s Board of Directors.
- (b) “Contaminants” include any substance which may be hazardous to water quality, fish, waterfowl, or area ecology, or the introduction of which into District Waters would be prohibited by federal, state, or local law. Examples may include septic leakage; human or animal bodily waste; herbicides and pesticides; paint and noxious chemicals; lawn refuse, organic fertilizer, and inorganic fertilizers “containing phosphate”; detergents, soaps, and cleaning materials; wastewater drained from a spa, hot tub, Jacuzzi, or pool; automotive fluids; solvents and corrosive liquids; medicines and poisons; and any foreign plant, animal, or microbial species.
- (c) “District” means the Amston Lake District.
- (d) “District Properties” include all lands, beaches, dams, roads, rights-of-way, facilities, buildings, and utilities owned or maintained by the District.
- (e) “District Waters” include Amston Lake and all ponds, wetlands, watercourses, and storm drains which are owned or maintained by the District.
- (f) “Vegetation” includes all trees, shrubs, undergrowth, and landscaping on District Properties; all aquatic plant life in and near District Waters; and all other flora otherwise owned or maintained by the District.
- (g) “Motor Vehicle” is defined as any vehicle propelled or drawn by any non-muscular power, i.e., any internal combustion powered motorized vehicle or electric powered motorized vehicle.
- (h) “Beaches” includes District Properties that consist of an expanse of sand or pebbles along the shore of Amston Lake. These properties include Lollipop

Beach, Main Beach, and the sand-covered swimming areas located at the ROWs.

- (i) “Mooring” is where a watercraft is attached to a buoy/weight in the water.
- (j) “Docking” is when a watercraft is attached to a dock. “Designated areas” are District Properties or District Waters designated by the Board for a particular use or function.
- (k) “Lake Pass, Car Pass and Boat Pass” are proof of residency and must be displayed on all appropriate vehicles.
- (l) “Authorized Agent” is anyone authorized by the ALD Board to perform an activity or task on the Board’s behalf.
- (m) “Dock” is a structure extending along shore or out from the shore into a body of water.
- (n) “Raft” is a flat buoyant structure, used as a boat or floating platform.
- (o) “ALA” is the Amston Lake Association.
- (p) “ROW” is a right-of-way.

2008.2 – Annual Meeting

The District’s annual meeting date shall be held during the month of May at a date decided at the previous Annual District meeting.

2008.3 – Conflicts of Interest

No Independent Contractor, Officer, or Director of the District shall directly or indirectly: (a) be financially interested or have any personal beneficial interest in any contract or purchase order for any supplies, materials, equipment, or contractual services furnished to or used by the District unless approved by the Board, or (b) accept or receive from any person, firm, or corporation to which any contract or purchase order may be awarded by the District, by rebate, gifts, or otherwise, any money, or anything of value whatsoever, or any promise, obligation, or contract for future reward or compensation. Any such transaction shall be void and unenforceable against the District unless ratified by a majority of the Board or voters at any duly called annual or special meetings upon full disclosure of the relevant facts. This provision does not apply to good faith expense reimbursements or compensation lawfully established by contract or ordinance.

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2008.4 – Independent Contractors

The District may retain independent contractors under such terms and at such compensation as the Board deems appropriate for managing and providing services to District Properties, District Waters, and/or the District's affairs.

2008.5 – District Properties

- (a) No person may build on, obstruct, alter, damage, or otherwise disturb District Properties without the approval of the Board.
- (b) No person may cause or permit litter, lawn refuse, discarded objects, or other unauthorized material or things to be left on any District Properties without the approval of the Board.
- (c) No unauthorized person may trim, alter, damage, remove, or affix anything to any vegetation without the approval of the Board.
- (d) Logging, hunting, and trapping are prohibited on any District Properties or District Waters. Open fires are prohibited on beaches and all other District Properties unless approved by the Board.
- (e) Fireworks are not permitted anywhere on District Properties.
- (f) Smoking is prohibited on any District Properties.
- (g) No person may use any District Properties for a party, concert, or other special event or to the exclusion of other residents without the Board's approval.
- (h) No trailer may be stored or left unattended anywhere on District Properties between April 1 and October 31 without special permission of the Board.

2008.6 – District Waters

- (a) No person may divert or obstruct District Waters without the approval of the Board. This includes demarcation of swimming areas and other restrictions to lake access. No one may cause or permit any litter, lawn refuse, discarded objects, contaminants, or other unauthorized material to enter District Waters except as directed by the Board or authorized agents.
- (b) No person may alter, excavate, or fill any shoreline, submerged grounds, or subsurface areas of District Waters without the written approval of the Board.
- (c) Swimming, fishing, boating, ice skating, and all other activities in and near District Waters are always at the user's own risk.

- (d) Any private dock or raft in District Waters which the Board determines to present a safety hazard may, if not repaired or relocated within 21 days of the Board's written instruction to do so, be removed at the owner's expense without further notice to the owner or liability to the District.
- (e) No person may fish in any District Waters except in accordance with all regulations of the state and town and all posted rules of the District. Catch-and-release fishing is recommended. Largemouth Bass that are 12 to 16 inches are in a "protected slot limit" and should not be removed; daily creel limit is 2 with only one being greater than 16 inches (other fish must be less than 12 inches). Artificial barbless lures and hooks and live bait which is approved by CT state regulations should be used. Existing state laws cover all other fish species.

2008.7 – District Assets

No person may conceal, take for personal use, sell, alter, damage, or destroy any funds, tools, equipment, documents, records, or other items or assets owned by the District without the approval of the Board.

2008.8 – Boats

- (a) Persons who use or store boats on District Properties are responsible for them at all times, including monitoring the boat itself and protecting all people, property, and animals from them.
- (b) Boat passes are issued for a fiscal one-year period and are not transferable from one owner to another or from one boat to another.
- (c) No boat powered by an internal combustion engine, or which fails to display a current, valid, Board-approved boat pass is permitted anywhere on District Waters or Properties. Except in emergencies, no boat is permitted in District Waters unless it: (1) complies with all state and town regulations and registration requirements; (2) carries an approved flotation device for each occupant; and (3) has been dry for at least 72 hours or thoroughly cleaned after use in any other body of water to prevent the introduction of foreign plant, animal, or microbial species.
- (d) No person may launch, operate, or land any boat closer than 12 feet from swimmers or waders. The sails of any boat on District Properties must be down except while launching and landing.
- (e) No boats may be stored or left unattended on District

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Properties unless they are adequately secured between April 1 and October 31. Boats can be stored: (1) in Designated Areas on the beaches; (2) at the sides of ROWs in designated areas so as not to present an obstruction; or (3) properly moored in Board-designated areas.

- (f) Any boat which is abandoned, unregistered, or not stored in a designated area or is obstructing any District Properties or District Waters, or which otherwise violates any rule or ordinance of the District, may be removed at the Board's discretion at the owner's expense. If the owner does not pay that expense and retrieve the boat within 10 days of the Board's written instruction to do so, or if the owner is unknown, the District may dispose of the boat without further notice to the owner or liability to the District.
- (g) No person may moor, store, or operate on District Properties or District Waters any boat which the Board determines is unsafe as to its location, construction, or condition or otherwise adversely affects District Waters or other residents. The Board may remove and dispose of the boat at the expense of any person who fails to comply with a directive to do so, without further notice to the owner or liability to the District.
- (h) No boat and/or trailer may be stored or left unattended anywhere on District Properties between November 1 and March 31 without special permission of the Board.
- (i) All jet skis and personal watercraft, including those powered by electric motors, are banned from District Waters.
- (j) The total power output for boat motor(s) on one boat shall not exceed a thrust rating equivalent of 3 hp.
- (k) Boats shall not attain speeds greater than 5 miles per hour and shall not produce more than minimum wake.
- (l) Boats are to be operated so as not to endanger others. The boat must be able to stop safely within the clear distance ahead. When passing docks, beaches, mooring areas, ROWs, and other areas where people are active, boats must reduce speed. Operators are responsible for any damage caused by their boat or by reckless or negligent operation.
- (m) Except for emergencies or District-authorized maintenance, no boats greater than 20 feet in overall length shall be allowed on District Waters. This includes both commercially-manufactured and home-built craft.

- (n) Racing of any watercraft on the District Waters is prohibited unless the race is an organized and approved activity by the ALA and ALD Board.
- (o) Grandfathered Privileges. Sections (m) of this Ordinance does not apply to any boats existing on the date this Ordinance is adopted until 30 days after its owner and spouse die or the real property is conveyed to a new owner.

Design and Safety Requirements – Boats

Mandatory – boats violating the following requirements are prohibited from District Waters:

- No boats powered by internal combustion engines shall be allowed on District Waters.
- All boats shall comply with all appropriate local, state, and federal regulations.
- No boats shall have more than one level.
- No boat shall be longer than 20 feet and/or wider than 10 feet.
- Charcoal and propane grills are prohibited on boats.
- Batteries shall be permanently attached to the boat when in use or contained in a floating box.

Maintenance Standards – All Boats

Inspection/regulation to be complaint driven

- All boats must meet local, state, and federal regulations for safety, registrations, and periodic inspections.
- All deteriorating float material shall be replaced and removed from District Waters.
- All warped, splintering, or rotting deck or structural material shall be replaced and removed from District Waters.
- Entire deck surface shall be above water line under all loading conditions.
- All material fastened to or resting on a boat shall be in good repair – not rusted, or in a deteriorated condition.

2008.9 - Docks and Rafts

(a) Permitting

- The resident and/or the contractor must meet all applicable town permitting requirements for the town within which they live before constructing or

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modifying any dock. This includes meeting the requirements of the wetland commission, which has jurisdiction over any work being performed in or within 100 feet of the water.

- The owner of the dock or proposed dock must also submit plans and receive approval from the District's Board before constructing or modifying any dock.

(b) **Dimensions**

- The length of a side of a raft should be a minimum of 8 feet to a maximum of 14 feet.
- Docks should be a minimum of 3 feet wide.
- Docks should not extend more than 24 feet from the shore.
- Rafts should not be located more than 40 feet from shore.
- The size and placement of the dock should minimize negative impacts on District Waters, water views and boat access of neighbors, vegetation, wildlife, and the shores of District Waters.

(c) **Dock Configuration**

- Free-floating docks or removable docks are preferred because they can be removed in the winter to mitigate damage from ice.
- Railings that have minimal impact on the view are permitted provided they are safe and structurally sound.
- Dock pilings should not be installed using gasoline-powered equipment to minimize negative impacts on water quality, turbidity, and nutrient loading.
- Docks should be fastened to the shoreline in a manner that minimizes disturbance to the existing shoreline and using a method that securely anchors the dock in place.
- Docks should be located such that boats secured to them do not extend over the adjacent property line. In cases where one owner's ability to dock or moor is impinged upon by a neighboring property's use of the shoreline, the Amston Lake Board will determine the docking or mooring allowed by both owners if the owners cannot come to their own agreement.

(d) **Construction Materials**

- Harmful substances such as paint, stain and wood preservatives shall be prevented from entering District Waters or any storm drains. Stain/paint the dock away from District Waters and make sure it is completely dry when moved near District Waters.
- Flotation materials must be completely enclosed to maximize their useful life and to prevent them from breaking apart or floating away. Foam core, Styrofoam, metal drums and rubber tires are prohibited.
- Exterior grade paint/sealer should be used to preserve the dock.
- The use of chromate copper arsenate (CCA) or creosote-treated wood is prohibited because these chemical compounds may be toxic to the environment.
- Docks and rafts should be constructed from materials that are impact resistant and non-corrosive.

(e) **Maintenance**

- Docks and rafts must be maintained to ensure that there is no deterioration in the safety and structural soundness of the dock and/or raft.
- Dock and/or raft materials that have deteriorated to the point of being unsafe or which may pollute District Waters must be replaced, repaired, or removed. Failure to do so will be sufficient cause for the District to remove the dock at the owner's expense.
- No person may fail to remove, relocate, modify, or repair a dock or raft which the Board determines is unsafe as to its location, construction, or condition or otherwise adversely affects District Waters or other residents. The Board may remove, relocate, modify, repair, and/or dispose of the dock or raft at the expense of any person who fails to comply with a directive to do so, without further notice to the owner or liability to the District.

(f) **Grandfathered Privileges**

- Sections (a) and (e) of this Ordinance apply to all docks and rafts existing on the date this Ordinance is adopted.
- Sections (b), (c), and (d) of this Ordinance do not apply to any docks or rafts existing on the date this

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Ordinance is adopted until thirty days after its owner and spouse die or the real property is conveyed to a new owner.

until 30 days after its owner and spouse die or the real property is conveyed to a new owner.

2008.10 - Boat Moorings and Floating Rafts

- Amston Lake District will allow mooring of boats and rafts at designated areas on District Waters, subject to restrictions on space availability at each mooring site.
- Moored boats must display a current boat sticker issued by the District.
- A maximum swing radius equal to the length of the boat plus four feet shall be required as a safety zone around each mooring.

(A) Privately owned lakefront property

Owners of privately owned lakefront property shall have the right to access District Waters directly via the shorefront located between their right and left property lines.

This use includes the right to exclusively moor boats and rafts in and on District Waters shoreline, subject to the rules below and all other applicable rules and regulations. The length of shoreline along which an owner may moor boats and rafts shall not exceed the length of the common property line(s) shared by District Waters and the owner's private property. In cases where one owner's ability to moor is impinged upon by a neighboring property's use of the shoreline, the Amston Lake Board will determine the mooring allowed by both owners if the owners cannot come to their own agreement.

1. Rules for Mooring: Privately Owned Lakefront Property

All initial private mooring plans must be submitted to the Board for review and approval.

- (a) A maximum of two moorings per lakefront residential unit may be moored seasonally, April 1 through October 31.
- (b) Boats and rafts may only be moored one-deep along the shoreline.
- (c) Only one boat is permitted per mooring.
- (d) Grandfathered Privileges. The sections of this Ordinance do not apply to any mooring existing on the date this Ordinance is adopted

(B) District Owned Properties and Waters

Owners of property in the Amston Lake District which does not abut District Waters shall have the right to access District Waters from the District owned beaches and ROWs.

This includes the right to moor boats on District Waters in District-approved mooring areas. Approved mooring areas exist for the protection of our residents.

1. Rules for Mooring: District-designated mooring areas

- (a) The Board will establish a designated area where residents who do not own lakefront property will be permitted to moor boats.
- (b) Mooring sites will be established by the Board within the Mooring designated area.
- (c) Mooring sites will be assigned by the Board on a first come, first served basis for a duration of one calendar year.
- (d) The Board will maintain a waiting list and available sites will be offered to the resident who has been waiting the longest. If a resident is offered a mooring site, their name will be removed from the list whether they accept or reject the offer.
- (e) Boats may be moored one-deep along the shoreline unless otherwise directed by the Board.

(C) Boat and Raft Condition

- Any boat or raft kept in District Waters must be safely maintained and in sound floating condition.
- If it is determined by the Amston Lake District that a boat or raft creates a safety or health hazard due to lack of maintenance or for any other reason, the District shall, in writing, mailed to the address of record, notify the owner of the boat that the boat creates such a hazard and describe to the owner on what basis that determination was made, and request the owner correct the problem within 30 days.
- If the owner fails to correct the condition and hazard within the 30-day time frame, the District may, in writing, mailed to the address of record by regular and certified mail, return receipt requested,

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notify the owner that the owner must remove the boat or raft at the owner's expense within 10 days or the District may remove the boat or raft or cause the boat or raft to be removed and that the costs of removing the boat or raft shall be assessed against the owner.

- If it is determined that an emergency (defined as an immediate health or safety risk) exists related to the condition of any boat or raft, the Board may address this situation immediately by directing immediate corrective action including shorter advance notice than provided above, or by dispensing with advance notice in lieu of proper post-action notice as conditions reasonably permit.

2008.11 – Beach Rules

- (a) No person may enter or use any beach on District Properties except: (1) in a safe and sanitary manner which does not interfere with the enjoyment or well-being of others; (2) with a current, valid, Board-approved lake use pass (or as a guest of a person who is present with a pass) which is displayed or presented upon request. Persons present on a beach in violation of this section are trespassing.
- (b) The following are prohibited on any beach or on District Properties and in District Waters: (1) children aged 12 and under unless accompanied by a responsible adult; (2) littering, and glass containers; (3) pets between April 1 and September 30; (4) open fires, charcoal and gas grills and stoves without the written approval of the Board; (5) vehicles and devices powered by internal combustion engines except in emergencies, for the handicapped, or with permission of the Board – this includes all-terrain vehicles, snowmobiles, and power augers; and (6) fireworks.
- (c) Between May 1 and September 30, the parking lots at the Main beach and Lollipop beach are open and the gates unlocked between 7:00 a.m. and 9:00 p.m.

2008.12 – Motor Vehicles

- (a) The operation of any motor vehicle on District Waters is prohibited. Exceptions: Fire Department rescue, property maintenance, and handicapped, with permission from the Board.
- (b) No unauthorized person may operate or park an automobile or other motorized vehicle on District Properties except: (1) on roadways and areas owned or maintained by the District which are designated for such use; (2) with a current, valid, Board-approved

car pass which is displayed or presented upon request; (3) in strict compliance with all posted signage (speed limit, one way, stop, no parking, and the like); and (4) in compliance with all applicable laws and regulations of the state and town.

- (c) No all-terrain vehicles, snowmobiles, go-carts, or other motorized recreational vehicles may be operated on District Properties.
- (d) Vehicles may only be parked in designated parking areas. Only between May 1 and September 30, parking is permitted in beach parking areas between the hours of 7:00 a.m. and 9:00 p.m. Double-parking is prohibited anywhere within the District.
- (e) Any abandoned, unregistered, vehicle on or obstructing any District Properties, and any vehicle which otherwise violates any ordinance of the District, may be towed at the owner's expense.

2008.13 – Animals

- (a) No person may own or keep any animal within the District except domesticated household pets in compliance with all applicable laws and regulations of the state and town.
- (b) No person may own or keep any animal within the District if it is bred or maintained for commercial purposes, intended for consumption, or actually or traditionally housed in outdoor caging or pens.
- (c) No person may introduce, feed, or harm any migratory or waterfowl or wild animal anywhere within the District. Feeding ducks, geese, and other nuisance birds is specifically prohibited.
- (d) Residents are responsible for their pets at all times, including monitoring the pet's own well-being, protecting all people, property, and other animals from them, and preventing any noise, odors, activities, or conditions disruptive to other residents. Dogs must be leashed when on District Properties.
- (e) Pets must be controlled at all times. Pet owners are responsible to immediately and completely clean up all pet droppings.
- (f) Any animal which the Board determines is causing or creating a nuisance or unreasonable disturbance as defined by the Town of Hebron and the Town of Lebanon Animal Control Officers shall be permanently removed from the District upon written notice to the resident by such deadline as the Board shall specify in the notice.

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2008.14 – Unsafe Conditions

No person may cause or permit any hazardous, unsanitary, or blight condition to exist within the District, including but not limited to refuse materials, improperly stored chemicals, rotten wood or food, accumulated junk, stagnant water, roadbed obstructions, abandoned vehicles, and feeding or breeding conditions for mosquitoes, vermin, or other pests.

2008.15 – Refuse

No person may cause or permit any refuse to remain outdoors within the District except:

- (a) in suitable containers properly sealed and secured against wildlife and the elements
- (b) within a reasonable time before scheduled pickups
- (c) with recyclable materials sorted apart, broken down, and in appropriate bins
- (d) in compliance with all applicable laws and regulations of the state and town

2008.16 – Taxes and Debts

- (a) Taxes are levied against each parcel of real property in the District annually as of October 1 based on the assessments of the town in which it is located. Each levy is due in a single installment on July 1. Taxes of more than \$200 may be split into two equal payments with the second installment coming due January 1st.
- (b) Special tax assessments may be imposed as provided by state law and shall be payable on a date and in such installments as determined by the Board.
- (c) All taxes, fines, restitution orders, and other debts owed to the District shall: (1) be collectable by the District in any manner available for collecting a delinquent real property tax under Connecticut Statute; (2) accrue interest at the rate of 1.5% for each whole or part month they remain unpaid; (3) be deemed increased by all the District's collection expenses including court costs and attorney's fees.
- (d) All payments made or recovered for amounts owed to the District shall be applied in the following order: (1) first, to all collection expenses including attorney's fees incurred by the District; (2) next, to any unsecured debts owed to the District by contract or otherwise; (3) next, to all fines and penalties in the chronological order in which they were imposed; and (4) last, to the interest accrued on, then lien fees incurred for, then

principal amounts of each respective year's unpaid taxes, in the chronological order in which they were levied.

2008.17– Enforcement

- (a) The Board may enforce its Special Act, Bylaws, and Ordinances and protect the interests of the community by imposing fines; by prosecuting litigation in the District's name; by abating any violation without breaching the peace; and as otherwise allowed by law.
- (b) At any hearing of which the accused has been given at least five days' notice and an opportunity to be heard and present evidence and witnesses, the Board may impose fines of up to \$100 for a first offense or up to \$500 for subsequent offenses plus order full restitution of any actual losses, abatement costs, repair expenses, and attorney's fees.
- (c) If a fine has been imposed and the violator does not take appropriate actions to rectify the violation within 30 days of the imposition of the fine, the Board may convene a new special Board meeting and impose additional fines (\$100 for a first offense or up to \$500 for subsequent offenses) for the original violation. The Board may impose additional fines every 30 days until the original violation has been rectified.
- (d) The Board may, upon written request, convene a Board of Appeals which will consist of special meeting of the full Board. This Board will review the outcome of the original hearing, permit new and additional information to be presented by all appropriate parties, will evaluate the total body of information, and will reach a final determination in the issue at hand. The decision of the Board is final and binding on all parties involved. Any additional expenses or costs incurred by the Board related to the appeal process shall be the sole responsibility of the person responsible for the violation.
- (e) Passes for lake use, vehicles, and boats are invalid if: (1) transferred to anyone other than the immediate family member or tenant of the property owner to whom they were issued; or (2) the Board, at any hearing of which the resident has been given at least five days' notice and an opportunity to be heard and present evidence and witnesses, suspends such privileges.
- (f) The Board will notify federal, state, and/or local administrative agencies and law enforcement authorities of criminal violations and regulatory

ORDINANCES OF THE AMSTON LAKE DISTRICT

infractions. The District will seek to prosecute trespassing, environmental contamination, and other crimes committed against it, to the fullest extent of the law.



Lake Day (Photo by Clyde Arnold)

BYLAWS OF THE AMSTON LAKE DISTRICT

Date Approved: August 16, 2014

ARTICLE I - AUTHORITY

Section 1 – The Amston Lake District was established by the merger of the Amston Lake Hebron Tax District, created as stated in its notices of organization dated August 9, 1984 and the Amston Lake Lebanon Tax District, created as stated in its notices of organization dated June 4, 1987, as authorized by Connecticut Special Act 02-2 adopted by the Connecticut General Assembly on April 30, 2002. The following bylaws are promulgated under authority of Section 6 of Special Act 02-2. All predecessor bylaws of the Amston Lake Hebron Tax District and Amston Lake Lebanon Tax District are hereby superseded.

ARTICLE II - PURPOSES

Section 1 – The purposes of the District are:

- (a) to promote, study, and foster environmental awareness and protection of Amston Lake and its watershed;
- (b) to construct, repair, manage, and supervise lake facilities and operations such as recreational facilities and erosion/flood control systems;
- (c) to construct, repair, and maintain roads, accessways, drains, and sewers;
- (d) to provide information to District residents and liaison with federal, state, and local governments and officials on issues related to its purposes; and
- (e) such other lawful purposes provided in Connecticut General Statutes Section 7-326, Connecticut Special Act 02-2, and any other applicable general or special act, as amended.

Section 2 – The District shall not assume or supersede any powers or responsibilities exclusively reserved by law to other municipal or state authorities, except by inter-local agreement or as otherwise allowed by state law.

ARTICLE III - JURISDICTION

Section 1 – The territorial limits of the District are: (a) Within the Town of Hebron, Connecticut: beginning at the point where the borders of the Town of Colchester, the Town of Hebron and the Town of Lebanon intersect; thence NORTHERLY along the Hebron-Lebanon Town Line to a point which is 250' northerly of the northerly shoreline of Amston Lake; thence WESTERLY to a point which is the northeasterly corner of property now or formerly of Lawrence E. and

Janet M. Hangland and which property is identified on the Hebron Assessors Map #65 as parcel 8A; thence SOUTHWESTERLY to a point 250' northerly of the center line of Ames Road; thence WESTERLY along a line 250' northerly of the center line of Ames Road and paralleling said road to a point 250' easterly of the center line of North Pond Road; thence NORTHERLY, NORTHWESTERLY AND WESTERLY along a line 250' easterly from the center line of North Pond Road and paralleling said road to a point in Route 85; thence SOUTHERLY along the center line of Connecticut Route 85 to the center line of Lake Road; thence EASTERLY along the center line of Lake Road to a point 280' westerly of the center line of Hillcrest Road; thence SOUTHERLY, SOUTHWESTERLY AND SOUTHERLY along a line 280' westerly of the center line of Hillcrest Road running parallel to said road to a point in the Colchester-Hebron Town Line; thence NORTHERLY along the town line to the point and place of beginning; and (b) Within the Town of Lebanon, Connecticut: beginning at the point where the borders of the Town of Colchester, the Town of Hebron and Town of Lebanon intersect; thence NORTHERLY along the Hebron-Lebanon Town Line to a point which is 500' northerly of the northerly shoreline of the Amston Lake; thence NORTHERLY, EASTERLY, and SOUTHEASTERLY along a line 500' from and paralleling the shoreline of Amston Lake to a point at the northeasterly corner of lot #417 and the northwesterly corner of lot #416 both of which lots are part of Section "C" of the Amston Lake Subdivision as is set out on a map entitled "Subdivision of Property N/F The Amston Lake Company, Lebanon, Conn. Scale: 1=100' Date, Sept. 1959 by Primus & Welti, Engrs., Glastonbury, Conn.". filed as Map #284 in the Town of Lebanon and filed on 10/14/59; thence SOUTHERLY and WESTERLY along the easterly boundary of Section "C" of the Amston Lake Subdivision to a point in the southwest line of lot #135 in section "C" and which point is the easterly corner of lot #94 in subsection "B" of the Amston Lake Subdivision as is set out on a map entitled: "Map of Lake Amston Sections A & B preliminary map. Sept. 1934 H. E. Daggett; Civil Engineer, Meriden, Conn., Scale 1= 100 developed by the Amston Lake Co." filed in the Town of Lebanon 10/8/34 and indexed as Map #273; thence SOUTHERLY, SOUTHWESTERLY, and WESTERLY along the easterly and southerly boundary of Section "B" of the Amston Lake Subdivision to a point where the boundary of Section "B" intersects the Lebanon, Colchester Town Line; thence NORTHERLY along the town line to the point and place of beginning.

Section 2 – The District may enlarge or reduce its territorial limits solely in accordance with the procedures set forth under Connecticut General Statutes Section 7-325, as amended.

Section 3 – The District may terminate its existence solely in accordance with the procedures set forth under Connecticut General Statutes Section 7-329, as amended.

ARTICLE IV – GOVERNING BODY

Section 1 – The District’s Board of Directors shall be its governing body, manage the District and conduct its affairs, appoint its committees and officials, hire and terminate contractors, execute and perform its contracts, and exercise all other powers provided by its Bylaws, Ordinances, Special Act, and all applicable general or special acts, as amended, not otherwise specifically reserved to the voters.

Section 2 – The Board shall consist of nine Directors, three of whom shall be elected by the voters at the annual meeting to serve staggered three-year terms from July 1 to June 30. Any voter of the District is eligible to serve as an Officer or Director except no two officers on the Board may reside in the same household, be married to each other or be parent/child. Any Officer or Director of the District may resign by notifying the Board in a writing which states the effective date of resignation. Any vacancy on the Board occurring between annual meetings may be filled until the next annual meeting by a voter appointed by a majority of the remaining Directors at a regular or special meeting of the Board, even in the absence of a quorum.

Section 3 – A Director can be removed from the Board at any time, with or without cause, by a majority of the voters at a duly-called general or special meeting. A Director may also be removed by a majority of the other Directors if they determine that the Director either has become ineligible to be a voter or has been absent from three consecutive meetings of the Board without acceptable excuse. A removed Director shall immediately return all property and papers of the District to the President of the Board.

Section 4 – Except as otherwise provided by law, the District’s ordinances shall be deemed enacted upon the approval of a majority of the Directors at any duly-called annual or special meeting of the Board. An ordinance shall become effective 30 days after publication of its full text in a local newspaper if enacted at a Board meeting, or 15 days after such publication if enacted at a meeting of the voters. A summary of the ordinance may be published in lieu of its full text so long as (a) the ordinance does not make or require an appropriation, (b) the summary adds, “This document is prepared for the benefit of the public, solely for purposes of information, summarization, and explanation. This document does not represent the intent of the legislative body of the District for any purpose,” and (c) the District’s Clerk will provide for inspection or mailing at no charge a copy of the full text to any authorized voter so requesting.

Section 5 – The Directors shall hold regular meetings on such dates and at such times and locations as they determine. At these meetings, the Directors shall conduct

such business as is either stated in the meeting’s agenda or, if not stated in the meeting’s agenda, approved for consideration by two-thirds of the Directors present.

Section 6 – The Directors shall hold a special meeting at the request of the President or any three members of the Board. At such a meeting, the Directors shall act only upon the business stated in the request.

Section 7 – By January 31 of each year, a schedule shall be filed with the District’s Clerk stating the dates of all regular meetings of the Board anticipated for that calendar year and of the District’s annual meeting. Absent an emergency, the District’s Clerk shall prepare and file an agenda for each meeting of the Board with the Town of Hebron at least 24 hours in advance.

Section 8 – The presence of five Directors shall constitute the quorum necessary to conduct business at any Board meeting. Meetings may be adjourned for lack of a quorum until such time as a quorum is present. When a quorum is present, the affirmative vote of a simple majority (or such higher proportion required by law or these Bylaws) of the Directors present and voting shall be deemed the approval of the Board for all questions arising. The President shall conduct all meetings, and may impose and enforce such rules, procedures, and directives as are reasonably necessary for the orderly transaction of business.

Section 9 – Board meetings shall be open to the public, unless two-thirds of the Directors vote to hold a closed executive session for the stated purpose of discussing: (a) appointment, contractor performance, evaluation, health or dismissal of a public officer or contractor unless that individual requests an open meeting; (b) strategy and negotiations with respect to pending claims or pending litigation to which the District or any voter thereof, because of the voter’s conduct as a voter, contractor, appointee, or Director of the District, is a party until such litigation or claim has been finally adjudicated or otherwise settled; (c) matters concerning security strategy or the deployment of security personnel, or devices affecting public security; (d) discussion of the selection of a site or the lease, sale, construction, or purchase of real estate by the District when publicity would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning it have been terminated or abandoned; (e) any matter which would result in the disclosure of records exempt from public disclosure under state or federal law; and (f) any other matter for which executive session is permitted under applicable law.

Section 10 – All records relating to the conduct of the voters’ business which are maintained or kept on file by the District, and not exempt from disclosure by state or federal law, shall be available to the general public for inspection during regular office or business hours. Within four business days after

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receiving both a written request for specified non-exempt records and prepayment of the actual reproduction costs up to fifty cents per page, the District shall provide either (a) copies of the records requested; (b) the date by which the records can be promptly compiled and copied; or (c) the reasons why the records are exempt from disclosure along with a refund of the prepayment.

Section 11 – Other than executive sessions, minutes of all Board meetings shall be taken which reflect the votes of each Director and which are made available for public inspection within 48 hours.

Section 12 – The Board may create such committees and subcommittees as it deems appropriate and appoint any number of voters to serve on them for designated or indefinite terms. All committee and subcommittee meetings shall be noticed and conducted in accordance with Sections 4 through 10 of this Article insofar as they are applicable.

Section 13 – The Board is required to purchase and maintain insurance for the Officers and Directors (Errors and Omissions) and additional liability, property, and/or other insurance on the District's behalf as is deemed necessary and prudent to ensure that the Board adequately protects the assets of the District (District owned Lands/Lake Waters and Capital Assets (cash in Bank, etc.) from all risks and liabilities.

Section 14 – The Board shall have all powers, and may employ all remedies and mechanisms, which are available by law for enforcing the District's Special Act, Bylaws, ordinances, and lawful rights and interests in the District's name and for collecting its taxes and other debts owed along with its attorney's fees and expenses incurred except as prohibited by law.

ARTICLE V – OFFICERS

Section 1 – Four Directors shall be elected by the voters at the annual meeting to serve as the District's President, Vice President, Clerk, and Treasurer. A person may only serve as an Officer of the District if, and for so long as, the person is a member of the Board of Directors. The Board may, in its discretion, appoint a Tax Collector.

Section 2 – The President shall be the District's chief executive officer; preside at all meetings of the voters and of the Directors; vote at meetings only when necessary to dissolve a tie; serve as or appoint a parliamentarian at meetings; approve all bills for payment by the Treasurer,

serve as an ex officio member of all committees and boards of the District; and designate the duties of each Director consistent with those provided in these Bylaws.

Section 3 – The Vice President shall have all the authority, power, and duties of the President whenever the President vacates office, is absent, or is otherwise unable to perform the duties of the President for any reason, and perform such other duties as are assigned by the President.

Section 4 – The Clerk shall keep a record of the minutes of all meetings of the voters and of the Directors; request and keep a list of the voters of the District from the registrars of voters and the assessors of the Town of Hebron and the Town of Lebanon; serve as or supervise the District's Recording Secretary; maintain, file, and disclose all of the District's public records as required by law; receive and catalogue correspondence to the District and transmit it to the Board; and annually receive from the assessors of each Town and provide to the District's Treasurer a copy of the grand list of all property in the District after it has been completed by each Town's board of assessment appeals. The Clerk shall transmit copies of the minutes to each Director at least one week before the next meeting of the Board.

Section 5 – The Treasurer shall be in charge of the collection and payment of all moneys of the District under the Board's direction; maintain a ledger of the District's liabilities and assets and provide the Board with a monthly written report of the same; and serve as or supervise the District's Tax Collector. By September 28 of each year, the Treasurer shall file with the clerk of the Town of Hebron and the Town of Lebanon a statement of the District's accounts and finances for the prior fiscal year, including major disbursements, sources of receipts, and such other information as may be required by law or deemed relevant by the Treasurer. The Treasurer will also timely send, by certified return-receipt mail, all 1099 forms and summary 1096 form to the United States Internal Revenue Service, and maintain proof of mailing.

Section 6 – The Tax Collector shall collect all tax revenues due to the District in accordance with state law under the supervision of the Treasurer.

Section 7 – The Recording Secretary, if one is appointed or employed by the District, shall perform such duties related to the taking, keeping, and distributing of the minutes of meetings of the voters and of the Directors as assigned under the supervision of the Clerk.

Section 8 – Directors shall serve without compensation unless, at a duly-called annual or special meeting, the voters authorize the Board to establish such compensation

by ordinance. Contractors shall receive such compensation as provided by written contract with the Board. Directors, contractors and appointees shall be reimbursed for their reasonable expenses incurred in connection with their duties with Board approval. The Treasurer shall prepare and send an IRS form 1099 Misc. to any person receiving more than \$600.00 in remuneration from the District during any calendar year.

Section 9 – The District shall protect and save harmless its Directors, and appointees from financial loss and expense, including legal fees and costs, arising out of any claim, demand, suit, or judgment for acts or omissions in the discharge of their duties in accordance with Section 7-101(a) of the Connecticut General Statutes.

ARTICLE VI – VOTERS AND DISTRICT MEETINGS

Section 1 – Except as otherwise provided by law, the voters of the District shall be all persons who are at least 18 years old, citizens of the United States, and either (a) bona fide residents of the District lawfully registered to vote in the Town of Hebron or Town of Lebanon, or (b) individually or jointly liable to or statutorily exempted from taxes upon property located within the District on an assessment of at least \$1,000 on the last grand list. Each voter shall be entitled to a single vote regardless of the amount or number of properties the voter owns or occupies within the District.

Section 2 – The voters shall hold an annual general meeting each May on a date provided by ordinance. At this meeting, the voters shall elect the District’s Directors, adopt the budget for the following fiscal year, and conduct such other business as is either stated in the meeting’s agenda or, if not stated in the meeting’s agenda, approved for consideration by two-thirds of the voters.

Section 3 – The voters shall hold a special meeting within 21 days after receiving an application to do so from either (a) ten percent of the District’s voters, (b) twenty of the District’s voters, (c) the District’s President, or (d) any three members of the Board. At such a meeting, the voters shall act only upon the business stated in the application.

Section 4 – All meetings shall be held at a time and location selected by the Board and published, along with the purposes of the meeting, in a local newspaper at least 10 days in advance and signed by the Clerk or any three Directors. The District’s Clerk shall prepare and file an agenda for each meeting of the Board with the Town of Hebron at least 24 hours in advance.

Section 5 – The presence of fifteen voters shall constitute the quorum necessary to conduct business at any District meeting. When a quorum is present, the affirmative vote of a simple majority (or such higher proportion required by law or these Bylaws) of the voters present and voting shall be deemed the approval of the voters for all questions arising. Meetings may be adjourned for lack of a quorum until such time as a quorum is present.

Section 6 – District meetings shall be open to the public. The President may impose and enforce such procedures and directives as are reasonably necessary for the orderly transaction of business at all meetings.

ARTICLE VII – BUDGET AND TAXATION

Section 1 – The fiscal year of the District shall be from July 1 to June 30.

Section 2 – In accordance with Chapters 204 and 205 of the Connecticut General Statutes and all other applicable laws, the District shall annually levy and collect taxes, along with delinquency interest and fees, upon all non-exempt real property within the District, and also such other taxes as the Board may by ordinance lawfully impose, to raise revenue for the District’s governmental purposes and general public welfare.

Section 3 – By the first day of each May, the Treasurer in conjunction with the President shall prepare and present an annual budget for the following fiscal year to the Board of Directors for review. The budget shall: (a) be prepared in accordance with Section 3 of Special Act 02-2; (b) contain itemized estimates of anticipated receipts and expenditures for the following fiscal year, and of anticipated surpluses or deficits after the prior fiscal year, and such other information as may be required by law or deemed relevant by the Treasurer; and (c) be presented, along with any comments and recommendations of the Board, at the District’s annual meeting.

Section 4 – A majority of the voters at the annual meeting may approve the budget for the following fiscal year in full or with any lawful changes. If two consecutive meetings of the voters called for this purpose fail to attract a quorum, the budget may be approved by a majority of the Directors at a duly-called regular or special meeting of the Board. The annual budget last ratified by the voters shall be continued until a new budget is approved.

Section 5 – After the District’s tax rate is fixed, the Tax Collector shall prepare a rate bill apportioning to each property owner his or her proportionate share of taxes in the form required by law and transmit a copy to the

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Treasurer. The Tax Collector shall also prepare a notice of the tax, its due date, and payment instructions on at least one bulletin board within the District, and in a local newspaper at least five days before and seven days after its due date as well as at least five days before it would become delinquent.

Section 6 – Annual taxes shall be payable in an initial installment on July 1 or, if the District’s tax bills have not yet been issued by that date for any reason, 30 days after they are mailed or otherwise distributed. Special taxes may be levied according to law and shall be payable on a date and in such installments as determined by the Board.

Section 7 – As it deems appropriate and as allowed or required by law, the Board may establish and maintain funds and accounts, and transfer surplus funds from one budget item, fund, or account to another.

Section 8 – Except in the event of an emergency, no unbudgeted expenditure which exceeds \$2,500 and no budgeted expenditure which exceeds its line item by \$2,500 may be made without approval at a special meeting of the voters. Any resulting deficit will be a mandatory item in the following year’s budget.

Section 9 – No contract or obligation which involves an expenditure by or loan to the District of \$10,000 or more in any year in which the District’s grand list is less than or equal to twenty million dollars, or \$20,000 or more in any year in which the District’s grand list is greater than twenty million dollars, shall be made by the Board unless specifically authorized by the voters in the budget or any other duly-called annual or special meeting. The District’s Clerk shall give written notice to the treasurers of the Town of Hebron and the Town of Lebanon within 30 days after any final decision of the Board to borrow money.

Section 10 – The Treasurer shall cause all of the District’s accounts to be audited at least once annually by an independent auditor in accordance with Chapter 111 of the Connecticut General Statutes. By May 31 of each year, the District’s Treasurer shall file the name of the independent auditor with the Secretary of the Office of Policy and Management for the State of Connecticut. The Treasurer shall present the result of the audit to the Board and voters, respectively, at their following regularly-scheduled meetings.

Section 11 - Contracts shall not be binding on the District unless they are both approved by a majority vote of the Board of Directors at a duly-noticed meeting and also signed by: (a) the President, the Treasurer, or another Officer designated by the Board

for contracts up to \$1,000; (b) the President and the Treasurer, or any two Officers designated by the Board for contracts over \$1,000 up to \$5,000; or (c) the President, the Vice President, and the Treasurer, or any three Officers designated by the Board for contracts over \$5,000.

ARTICLE VIII – AMENDMENTS

Section 1 – Article 1, Section 1 of these Bylaws may be amended in whole or part pursuant to the procedures set forth in Section 7-325(b) of the Connecticut General Statutes.

Section 2 – Any other section of these Bylaws may be amended in whole or part upon the approval of a simple majority of the voters at any duly-called annual or special meeting.

Section 3 – Within 30 days after any vote to amend these Bylaws, the District’s Clerk shall file copies of the amendments with the clerks of the Town of Hebron and Town of Lebanon.

Bridgeport/70415.1/AJC/675761v1



Photo by Paul Oliver



House Bill No. 5067

Special Act No. 02-2

**AN ACT AUTHORIZING THE AMSTON LAKE
HEBRON TAX DISTRICT AND THE AMSTON
LAKE LEBANON TAX DISTRICT TO MERGE
INTO THE AMSTON LAKE DISTRICT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (Effective from passage) The Amston Lake Hebron tax district, located in the town of Hebron, and the Amston Lake Lebanon tax district, located in the town of Lebanon, are authorized to merge and form a single Amston Lake District if the boards of directors of both tax districts approve such merger. Upon approval of such merger, the boards shall meet in joint session and choose necessary officers to hold office until the first annual meeting of the Amston Lake District. Not more than seven days after the approval of the merger by the boards of directors under this section, the clerk of Amston Lake District shall cause a notice of such merger to be recorded in the land records of the towns of Hebron and Lebanon and indexed under the names of the Amston Lake Hebron Tax District and the Amston Lake Lebanon Tax District, respectively, as grantors, and under the name of the Amston Lake Tax District as grantee. The recording information of the Amston Lake Hebron Tax District and the Amston Lake Lebanon Tax District required by subsection (a) of section 7-325 of the general statutes shall be recorded in the same form as the initial recording by the clerk. At the same time, an initial report pursuant to the requirement of subsection (c) of section 7-325 of the general statutes and containing the information required by said subsection (c) for an initial report of a district created pursuant to chapter 105 of the general statutes shall be filed by the clerk with the town clerk of Hebron and the town clerk of Lebanon and annually thereafter a report shall be filed required by said subsection (c).

Sec. 2. Upon approval of such merger and the filing of the notice required by section 1 of this act, the Amston Lake District shall be a body, corporate and politic and shall thereupon and thereafter succeed to and possess all the title to real and personal property, rights, privileges, immunities, and franchises of the Amston Lake Hebron Tax District and the Amston Lake Lebanon Tax District. All property, real, personal and mixed, and all debts due on whatever account, all other choses in action, and all and every other interest of or belonging to or due to each of said tax districts merged shall be taken and transferred to, vested in, and assumed by the Amston Lake District without further act or deed. The title to any real or personal property, or any interest therein, vested in either of said tax districts so merged shall not revert or be in any way impaired by reason of such merger. The Amston Lake District shall, after such merger, be responsible and liable for all the liabilities, obligations, and penalties of each of the tax districts merged. Any claim existing and any action or proceeding pending by or against either of said tax districts merged may be prosecuted as if such merger had not taken place. Any judgment rendered against either of said tax districts merged may be enforced against the Amston Lake District. Neither the rights of creditors nor any liens upon the property of either of said tax districts merged shall be impaired by such merger.

Sec. 3. (a) For the purpose of determining an equitable distribution of the budget of the Amston Lake District against the grand lists prepared by the tax assessor of Hebron and the tax assessor of Lebanon and furnished to the District for the territory of the District within the town of Hebron and the town of Lebanon pursuant to section 7-328 of the general statutes, tax rates shall be calculated in accordance with the provisions of this section.

(b) (1) As used in this subsection, "public works" means improvements and activities of the Amston Lake District over, across, upon, under, and through the ROWs for public streets and roads and appurtenant easements and ways, within the territory of the Amston Lake District for all purposes for which the ROWs may be used, including, but not limited to, the placement, installation, maintenance, repair, and replacement of pavement, structures, ways, pipes, ducts, cables, and utilities for parking and passage by foot, horse, or vehicle, for drainage, for safety, and for the movement

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or delivery of potable water, non-potable water, sewage, gas, electricity, and telecommunications. Repair and maintenance of pavement shall be construed to include (A) removal of snow and ice and control of snow and ice by application of sand, salt, and other means, and (B) removal or remediation of other obstructions to the use of the ways for their intended purpose. Utilities shall be construed to include, without limitation, future means for provision of drainage, communications, energy, water, and waste removal.

(2) The budgets for expenses for public works, including expenses for proposed capital projects and allocations for reserves and sinking funds for public works for the budget year, for the territory of the Amston Lake District within the town of Hebron and for the territory within the town of Lebanon shall be subtracted from the budget of total expenses for the district. Fifty per cent of the difference shall be added to the expenses for public works for the territory of the district within the town of Hebron, and fifty per cent of the difference shall be added to the expenses for public works within the territory of the district within the town of Lebanon. The resulting sum for the territory of the district within the town of Hebron shall be divided by the grand list as derived from the tax assessor of Hebron's grand list for the territory of the district within the town of Hebron. The resulting sum for the territory of the district within the town of Lebanon shall be divided by the grand list as derived from the tax assessor of Lebanon's grand list for the territory of the district within the town of Lebanon. The resulting quotients shall each be multiplied by one thousand to complete the calculation of the tax rates in mills for the territory of the district within the town of Hebron and the territory of the district within the town of Lebanon.

(3) Taxes of the Amston Lake District shall be levied against the grand list and assessed valuations of property within the town of Hebron at the tax rate established for the territory of the district within the town of Hebron, and they shall be levied against the grand list and assessed valuations of property within the town of Lebanon at the tax rate established for the territory of the district within the town of Lebanon. The Amston Lake District shall comply in all other aspects

with the provisions of chapter 105 of the general statutes and shall have all the powers and duties of a district under said chapter 105.

(4) Any reserve funds for public works existing as of the date of creation of the Amston Lake District or levied or assessed hereafter, shall be allocated solely to expenses for public works in the territory of the District from which the reserves originated, in such amounts and at such times, as the Board of Directors shall decide.

Sec. 4. The Amston Lake District shall give written notice to the Town of Lebanon and to the Town of Hebron no less than ten days prior to any meeting of the Amston Lake District called for the purpose of adopting any resolution providing for the borrowing of a sum in excess of one per cent of the then current grand list of the Amston Lake District.

Sec. 5. Notwithstanding the provisions of chapters 3, 90, 105, 110 and 112 of the general statutes, and sections 12-129d, 12-130, 21-136, 12-144a, 12-145, 12-147, 12-151 and 12-155 to 12-159, inclusive, of the general statutes, as amended, actions of the meetings, boards of directors, tax collectors, and officials of the Amston Lake Hebron Tax District and the Amston Lake Lebanon Tax District organized and existing under chapter 105 of the general statutes pursuant to notices of organization dated August 9, 1984, and recorded in Volume 8 Page 134 of the Hebron land records and dated June 4, 1987, and recorded in Volume 3 Page 2 of the Lebanon land records, respectively, in the calling of meetings, holding of votes, passage of ordinances, execution of contracts and agreements, establishment of budgets, assessment, levy and collection of taxes, issuance of bonds and notes of indebtedness, conveyance of mortgages securing such bonds or notes, and definition of territorial limits, and the establishment of and actions by the joint council on Amston Lake, as the interlocal advisory board created under the interlocal agreement made between the Amston Lake Hebron Tax District and the Amston Lake Lebanon Tax District dated on May 23, 1996, amended February 17, 1999, pursuant to sections 7-339a to 7-339l, inclusive, of the general statutes, in the calling of meetings, holding of votes, passage of resolutions, execution of contracts and agreements, and establishment of budgets, are hereby validated.

Sec. 6. Any ordinances, contracts, bylaws, actions, and documents shall remain in full force and effect with respect to the inhabitants, occupants, and citizens and the territory of each of the former Amston Lake Hebron Tax District and the Amston Lake Lebanon Tax District, respectively, unless and until the Board of Directors of the newly merged Amston Lake District, by resolution, makes effective such ordinances which were identical in both districts, with respect to the territory of both former tax districts. Until such time, the Board of Directors of the newly formed Amston Lake District shall effectuate the ordinances, contracts, actions, and documents and enforce the terms and conditions of the documents with respect to such inhabitants, occupants, and citizens and within such applicable separate territories. Ordinances, contracts, bylaws, actions and documents which were not identical for both former tax districts will remain in effect for their applicable territories, until superseded by ordinance, contracts, bylaws and actions of the Amston Lake District, pursuant to the authority of its meeting of voters. Thereafter, all applicable actions affecting the new Amston Lake District shall be taken under the authority of the ordinances established by the meeting of the voters of the District which shall supersede any previous ordinances of the separate, former districts where inconsistent therewith. Contracts, actions, resolutions, and documents of the joint Council on Amston Lake shall become the contracts, actions, resolutions, and documents of the Amston Lake District without further action and the Amston Lake District will assume all liabilities and retain all the rights and duties of the joint Council on Amston Lake as an advisory board under sections 7-339a to 7-339l, inclusive, of the general statutes.



(Photo by Paul Oliver)

Approved April 30, 2002