

#57-02-24-93  
 ORDINANCE CONCERNING SOLICITATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPECT:

SECTION 1:

It shall be unlawful for any person over 16 years of age, who is not exempt under Sections 7 and 8, to solicit orders for sale of any goods, services, wares or other merchandise, including magazines and other printed matter, from door to door or on any street or highway within the Town of Prospect, without first registering with the Office of the Mayor of the Town of Prospect and having his credentials stamped as provided in Sections 2 and 3 hereof. Registration shall not constitute a permit to enter privately policed areas.

[ SECTION 2:

An applicant and other solicitors for permission to solicit orders hereunder shall complete an application provided by such Office of the Mayor, which application shall contain the following information:

- (a) Name, home address and local address, date of birth of the applicant;
- (b) Photograph of the applicant taken within sixty (60) days;
- (c) Name and address of person, firm or corporation for whom or through whom orders are to be solicited or cleared;
- (d) Nature of goods, wares or merchandise for which orders are to be solicited;
- (e) Names and addresses of two property owners or residents of the Town willing to serve as references or other evidence of the applicant's good character and business responsibility;
- (f) The towns or locations where the applicant has conducted door to door solicitations prior to coming to the Town;
- (g) A statement as to whether the applicant or any solicitors has been convicted of any crime or misdemeanor, and if so, what;
- (h) A statement as to the period during which the applicant or any solicitors intends to solicit orders, not to exceed 30 days;

[ (i) A valid Sales Tax Permit;

[ (j) Proof of liability insurance. ]

[ The applicant, or any solicitors, at the time of executing such application, shall also submit identification satisfactory to the Office of the Mayor which shall contain a specimen of the applicant's signature. The application may be held by the Office of the Mayor for up to ten (10) business days for check prior to approval. Such check shall include consideration of the truth of statements in the application and prior claims of fraud, misrepresentation, other unlawful conduct or intimidating tactics. ]

[ SECTION 3:

Upon compliance by the applicant with the provisions of Section 2 hereof and the payment of a license fee of \$5 per day with a five (5) day minimum for residents, a \$50 per day with a five day minimum for non-residents and no charge for veterans showing their DD214 in advance by the licensee to the Office of the Mayor of the Town of Prospect, said Office of the Mayor shall thereupon deny the application or grant the application and stamp the credentials of the applicant, which credentials

shall set forth the name and address of the applicant and of his employer, if any, the nature of the goods, wares or merchandise for which orders are to be solicited and the period during which the applicant may solicit orders, which shall not exceed 30 days provided however, that the Office of the Mayor shall not be required to grant such application of any person who shall have been convicted of any crime or misdemeanor involving moral turpitude or of any violation of this ordinance.]

SECTION 4:

Stamped credentials shall be non-transferable and shall entitle the holder thereof, for the period indicated therein, unless revoked, to solicit orders within the Town of Prospect for the purchase of the goods, wares or merchandise specified in his application, provided that the holder shall have his stamped credentials in his possession at all times while soliciting orders and shall exhibit the same at any time upon request by any Police Officer of the Town of Prospect or any purchaser or prospective purchaser.

[ SECTION 5:

Any person soliticiting within the Town of Prospect, whether or not required to register under the provisions of this ordinance, shall conform to the following regulations:

- [(a) The solicitor shall conduct himself at all times in an orderly and lawful manner. The licensee shall remove all waste and litter generated by the licensee and his customers on a daily basis. It shall be a violation of this ordinance for any licensee to dispose of litter in a municipal receptacle;
- (b) The solicitor shall leave the premises upon the request by the prospective purchaser;
- (c) The solicitor shall immediately identify himself and the product;
- (d) The soliticitor shall give a written receipt for all orders taken within the Town of Prospect, which receipt shall be signed by the solicitor and shall set forth a brief description of the goods, wares or merchandise ordered, the total purchase price thereof and the amount of the down payment received by the solicitor from the purchaser;
- [(e) No construction of a building of plaster, canvass, wood or metal without the consent of the Planning & Zoning or Building Inspector;
- [(f) No street vendor shall operate in any area, where his operation will be deemed by the issuing authority, any police officer, or state trooper to endanger or inconvenience the general public, including but not limited to sidewalk and roadside areas or in a manner that obstructs or prevents the free and convenient use of any street or sidewalk by pedestrain or vehicular traffic. ]

[ SECTION 6:

Any person violating any of the provisions of this ordinance or making false statements or misrepresentations of the fact for the purpose of obtaining permission to solicit orders shall, upon conviction, thereof and in addition to other penalties provided by law, be subject to a fine not to exceed fifty (50) dollars, each solicitation or sale being deemed a separate offense, and pending trial therefore the Office of the Mayor shall suspend such permission to solicit,

[ Upon any registered person being convicted of any crime or misdemeanor under this ordinance or involving moral turpitude, the stamped credentials of such person shall be delivered to the Office of the Mayor and his stamp thereon shall be cancelled and such person shall not thereafter solicit orders in the Town of Prospect. The Mayor may withdraw said permission to solicit for just cause and the fee is not refundable. ]

SECTION 7:

Permission granted under this article may be summarily suspended for a period of seventy-two (72) hours, excluding Sundays and holidays, upon receipt by the Mayor of information as to prior conduct, which if known at the time of the application would have been grounds for its denial under the standards set forth in Section 2 and 3, or on a sworn complaint by any citizen that the solicitor has failed to comply with the conditions of this ordinance, or has engaged in claimed fraudulent practices, misrepresentations, trespass, breach of the peace, or other unlawful practices, or intimidating conduct, in connection with making solicitations. Under such suspension, the applicant shall be so notified, and his stamped credentials shall be delivered to the Office of the Mayor and, at the same time, the applicant shall be given a date for a hearing by the town council as provided in Section 8, not later than thirty (30) days from the time of notice of said suspension. If the town council fails to provide a hearing within said thirty (30) days, the permission shall be reinstated for its original term.

SECTION 8:

Upon any denial or suspension of permission, the town council, within thirty (30) days of such denial or suspension, shall hold a hearing in connection therewith, and notice of said hearing shall be given to the applicant. At said hearing, the town council shall determine whether the permission should continue to be denied or should issue, or whether the suspended license should be reinstated, or permanently revoked.

SECTION 9:

This ordinance shall not apply to salesmen selling goods to retail or wholesale stores for resale or to wholesalers selling and delivering their wares and goods to the merchants of the Town of Prospect, or to goods, merchandise or food stuffs sold and delivered by the merchants of the Town of Prospect, or to vendors of newspapers or periodicals, or to the sale of goods by students of the schools of the Town of Prospect, providing said sales have been approved by the Board of Education, nor shall this ordinance apply to anyone conducting a regular place of business within the Town of Prospect for one year.

SECTION 10:

This ordinance shall not apply to those persons exempted by the Statutes of the State of Connecticut; and further, the provisions of this ordinance shall not apply to civic, service, church or fraternal groups regularly organized and/or functioning in the Town of Prospect. However, such groups shall register, without fee, for any activity which comes within the scope of this ordinance. Such group shall have been in existence in Prospect for a period of at least twelve (12) months prior to application for such permit.

{ SECTION 11:

- (A) A special event license may be issued to persons as defined herein engaged in the sale of various products at parades, sidewalk sales, and other special events, as recognized and approved by the town council, Mayor. Application for said license shall be submitted along with One Hundred (\$100.00) dollar fee. Said license shall be displayed conspicuously at all times. All sales under this special event license will be limited only to the hours of the special event and shall be conducted where the special event is being held.
- (b) At the discretion of the town council, Mayor, the application fee may be reduced to a nominal fee and the licensing procedure under this Chapter may be curtailed in order to promote a special event which the town council, Mayor finds will benefit the entire community. In exercising its discretion, the town council, Mayor shall consider such factors as the cultural, educational, artistic, humanistic, charitable, scientific, literary, historic, and other benefits to the community of the special event. The sponsor of the special event shall maintain insurance coverage as required.

[ SECTION 12:

No person as defined hereinbefore in this ordinance shall solicit orders of purchase for future delivery of any goods, wares or merchandise, including magazines and other printed matter from door to door, nor on any street or highway within the Town of Prospect, before noon or after dusk or 6 p.m., whichever is earlier or on Sundays or holidays. ]

{ SECTION 13:

Separability - if any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance, which shall remain in effect.

{ SECTION 14:

This new revised ordinance will take effect on March 21, 1993 and replace previous ordinances. This ordinance supercedes the August 27, 1959 passage and revision of September 14, 1971 and the revision of April 2, 1985. The official numbers that are to be deleted are 13-08-27-59 and 30-09-14-71.

*Douglas B. Merriman*  
 Douglas B. Merriman  
 Prospect Town Council Chairman

Approved: February 24, 1993  
 Effective Date: March 21, 1993

Recorded: February 26, 1993  
*Thomas M. DeLacoste*

Publication date: February 28, 1993

TOWN OF PROSPECT

# 58-08-03-93 A

AMENDMENT TO PARK ORDINANCE

WHEREAS, the TOWN OF PROSPECT wishes to regulate the use of its parks; and

WHEREAS, the TOWN OF PROSPECT wishes to establish fines for any violation of the Town Ordinance Regulating The Use of the Town of Prospect Parks effective September 29, 1992, Ordinance No. 56-09-01-92.

IT IS NOW, THEREFORE, RESOLVED: That, the following penalty shall be imposed pursuant to Connecticut General Statute Section 7-148(c)(10):

Any person who shall violate any provision of the Town Ordinance Regulating the Use of the Town of Prospect Parks, No. 56-09-01-92, shall be fined not more than One Hundred Dollars (\$100.00) for each violation.

*Adopted Aug 3, 1993*  
*Douglas B. Merriman*

Douglas B. Merriman  
Prospect Town Council Chairman

Approved: August 3, 1993  
Recorded: August 5, 1993  
Publication Date: August 8, 1993  
Effective Date: August 29, 1993

*Patricia M. Vaillancourt*

Patricia M. Vaillancourt CMC/AAE  
Town Clerk

186984.1

Legal Notices	019
TOWN OF PROSPECT	
# 58-08-03-93 A	
AMENDMENT TO PARK ORDINANCE	
<p>WHEREAS, the TOWN OF PROSPECT wishes to regulate the use of its parks; and</p> <p>WHEREAS, the TOWN OF PROSPECT wishes to establish fines for any violation of the Town Ordinance Regulating The Use of the Town of Prospect Parks effective September 29, 1992, Ordinance No. 56-09-01-92.</p> <p>IT IS NOW, THEREFORE, RESOLVED: That, the following penalty shall be imposed pursuant to Connecticut General Statute Section 7-148(c)(10):</p> <p>Any person who shall violate any provision of the Town Ordinance Regulating the Use of the Town of Prospect Parks, No. 56-09-01-92, shall be fined not more than One Hundred Dollars (\$100.00) for each violation.</p>	
<p>Adopted Aug 3, 1993 Douglas B. Merriman Prospect Town Council Chairman</p>	
<p>Approved: August 3, 1993 Recorded: August 5, 1993 Publication Date: August 8, 1993 Effective Date: August 29, 1993</p>	
<p>Patricia M. Vaillancourt CMC/AAE Town Clerk</p>	

TOWN OF PROSPECT

# 59-08-03-93

ORDINANCE IMPOSING GENERAL PENALTIES

WHEREAS, the TOWN OF PROSPECT wishes to enforce its ordinances by applying a general penalty where no penalty is provided;

IT IS NOW, THEREFORE, RESOLVED: That, the following penalty shall be imposed pursuant to Connecticut General Statute Section 7-148(c)(10):

(a) Whenever any ordinance of the Town, or rule or regulation promulgated by any officer thereof under authority vested in him by law or ordinance, prohibits the commission of any unlawful or offensive act, or requires the commission of any act, where no specific penalty is provided, the violation of such ordinance, rule or regulation shall be punished by a fine not exceeding One Hundred Dollars (\$100.00) each. Any violation of any section of any ordinance and each day any such violation occurs shall constitute a separate offense.

(b) The imposition of any punishment hereunder shall not prevent the enforced abatement of any unlawful condition by the Town.

*Adopted Aug 3, 1993  
Douglas B. Merriman*

Douglas B. Merriman  
Prospect Town Council Chairman

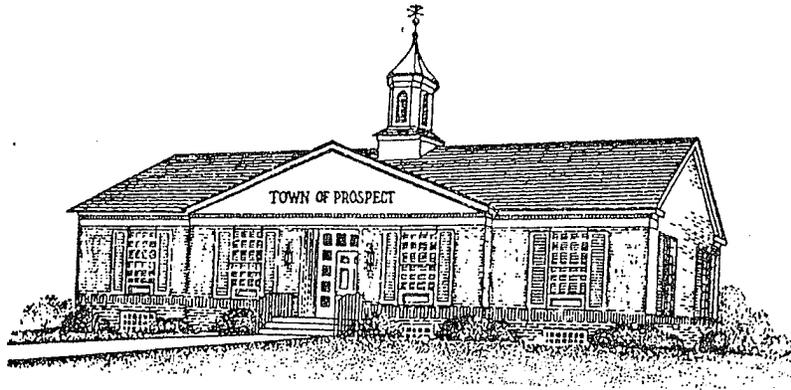
Approved: August 3, 1993  
Recorded: August 5, 1993  
Publication Date: August 8, 1993  
Effective Date: August 29, 1993

*Patricia M. Vaillancourt*

Patricia M. Vaillancourt CMC/AEE  
Town Clerk

186991.1

TOWN OF PROSPECT	WHEREAS the TOWN OF PROSPECT wishes to enforce its ordinances by applying a general penalty where no penalty is provided;
# 59-08-03-93	IT IS NOW, THEREFORE, RESOLVED: That, the following penalty shall be imposed pursuant to Connecticut General Statute Section 7-148(c)(10):
ORDINANCE IMPOSING GENERAL PENALTIES	(a) Whenever any ordinance of the Town, or rule or regulation promulgated by any officer thereof under authority vested in him by law or ordinance, prohibits the commission of any unlawful or offensive act, or requires the commission of any act, where no specific penalty is provided, the violation of such ordinance, rule or regulation shall be punished by a fine not exceeding One Hundred Dollars (\$100.00) each. Any violation of any section of any ordinance and each day any such violation occurs shall constitute a separate offense.
	(b) The imposition of any punishment hereunder shall not prevent the enforced abatement of any unlawful condition by the Town.
Adopted Aug 3, 1993 Douglas B. Merriman Prospect Town Council Chairman	Recorded: August 3, 1993 Publication Date: August 8, 1993 Effective Date: August 29, 1993
Patricia M. Vaillancourt CMC/AEE Town Clerk	Patricia M. Vaillancourt CMC/AEE Town Clerk



**TOWN COUNCIL - TOWN OF PROSPECT, CONNECTICUT 06712-1699**

**36 CENTER STREET (203) 758-4461**

**ALARM SYSTEMS ORDINANCE**

**#60-10-05-93**

- (a) Intent and Purpose. It is the intent and purpose of this ordinance to provide minimum standards and regulations applicable to users and installers of burglar, fire, hold-up, and automatic telephone dialer alarms within the Town of Prospect, to provide penalties for non-compliance, and to encourage the installation of protective alarm systems in all dwellings and commercial structures.
- (b) Definitions. The following definitions shall apply to this ordinance:
- (1) ALARM SYSTEM means an assembly of equipment and devices (or a single device, such as a solid state unit, which may operate from a 110-volt AC line) arranged to signal the presence of a hazard requiring urgent attention and to which police or fire personnel are expected to respond. This includes all burglar alarms, fire alarms, hold-up alarms and automatic telephone dialer alarms, except this does not include smoke detectors which do not signal outside an alarmed premises or alarm systems on motor vehicles.
  - (2) ALARM USER means any person, firm or corporation on whose premises any alarm system is maintained within the Town.
  - (3) AUTOMATIC TELEPHONE DIALING DEVICE refers to an alarm system which automatically sends to the police department, fire department or other municipal emergency response facility or any commercial alarm company that alerts a municipal emergency response facility over regular telephone lines, by direct connection or otherwise, a pre-recorded voice message indicating the existence of the emergency situation that the alarm system is designed to detect.
  - (4) FALSE ALARM means the activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, lightning, earthquakes or other normally infrequent violent conditions or acts of God. Excluded from this section are false alarms that are transmitted with a criminal, malicious or mischievous intent. Such violations will be prosecuted under the applicable General Statutes of the State of Connecticut.

## (c) Requirements.

- (1) Any person, firm or corporation having an alarm system installed within the Town, shall register with the office of the Resident State Trooper at the time of installation. All existing alarm systems shall be registered with the Prospect Resident Trooper within sixty (60) days of the effective date of this section.
- (2) Every alarm system installed shall meet the requirements set forth in the building and electrical codes of the State of Connecticut, including any requirements with respect to the licensing of the persons installing such systems. An alarm system requiring an electrical permit to install shall be obtained from the Town building official, or his designated representative, as is required by the building and electrical codes of the State of Connecticut.
- (3) Alarm users having existing automatic telephone dialing devices shall comply with Section 7-282b of the General Statutes of the State of Connecticut.
- (4) All alarm systems, as defined by this section, which sound an audible signal which may be heard outside of the protected premises, shall be equipped with a device which shall limit the duration of such audible signal to not more than thirty (30) minutes in accordance with Section 22a-69-5 of the Administrative Regulations of the Department of Environmental Protection of the State of Connecticut.
- (5) FALSE ALARM PENALTIES:

5.1 After issuing a warning for the first (1st) false alarm, upon receipt of the second false alarm from any protected property, the Town of Prospect shall levy a penalty of \$25.00 each for said second and third false alarm in one calendar year. False alarms for the first month after installation or major upgrading of a system shall be waived. Any alarm that reoccurs within twenty-four (24) hours after the first shall be waived.

5.2 The penalty for the 4th and 5th false alarm shall be \$50.00 each.

5.3 Any false alarm after the 5th shall result in a \$100.00 fine.

## (d) Violations and penalties.

Any person, firm or corporation who shall fail to pay the penalty, which has been assessed as provided in Subsection (5) of this ordinance within thirty (30) days shall be fined one hundred dollars (\$100.00). Each delinquent user fee shall be a separate offense.

Any person, firm or corporation found to be in violation of any other provision of the ordinance shall be fined twenty-five (\$25.00).

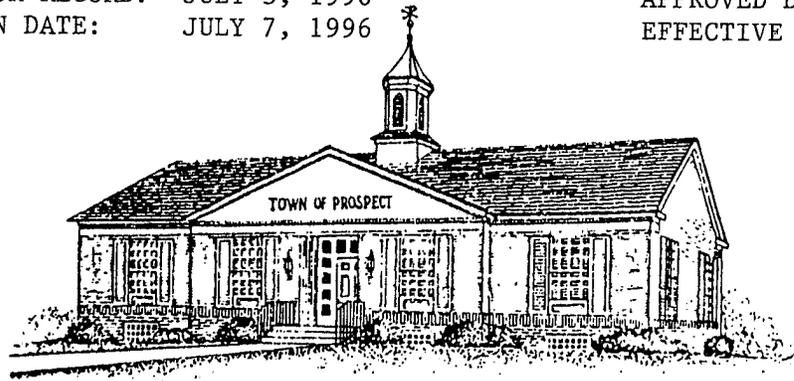
- (e) If any section or part of any section of this ordinance shall be held invalid by a court of competent jurisdiction, such holdings shall not effect the remainder of this ordinance, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with this section or part of a section to which such holdings shall directly apply.

*Douglas B. Merriman*  
 Douglas B. Merriman, Chairman  
 Prospect Town Council

*Approved 10/5/93 at Council Meeting*

APPROVED: OCTOBER 5, 1993  
 RECORDED: OCTOBER 8, 1993  
 EFFECTIVE DATE: OCTOBER 31, 1993  
 PUBLICATION DATE: OCTOBER 10, 1993

*Patricia M. Vaillancourt*  
 Patricia M. Vaillancourt CMC/AE



TOWN COUNCIL - TOWN OF PROSPECT, CONNECTICUT 06712-1699  
36 CENTER STREET (203) 758-4461

#61-07-02-96

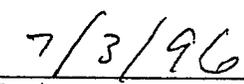
AN ORDINANCE REGARDING IMPROVEMENTS  
ON REAL PROPERTY WITH DELINQUENT TAXES

No official of the Town of Prospect shall issue a building permit, zoning permit, certificate of occupancy, a driveway permit or any other similar permit to authorize construction or occupancy of improvements pertaining to real property on which there are real property taxes which are past due; provided, however, that this ordinance shall not apply in instances when:

- (i) any governmental agency (such as, for example, the regional health district) has ordered such improvements in order to comply with applicable law or regulations pertaining to public health or safety; or
- (ii) such improvements are related to medical needs, such as ramps for access for the physically disabled; or
- (iii) non-payment of such past due taxes are attributable to extraordinary medical expenses, as established to the satisfaction of the Prospect Town Council.

This ordinance shall not apply to those properties for which a valid building permit has been issued as of the date of the adoption of this ordinance, but only as to the improvements which are the subject of such building permit.

  
Douglas B. Merriman, Chairman

  
Date

 7/3/96

## TOWN OF PROSPECT

ORDINANCE # 62-11-04-98

An ordinance regarding tax overpayments under \$5.00

WHEREAS, Public Act No. 95-283 authorizes the legislative body of a municipality to adopt an ordinance authorizing the Tax Collector to retain tax overpayments of less than five (\$5.00) dollars; and

WHEREAS, it is difficult and expensive to create refund checks and mail same for small amounts, often less than one dollar,

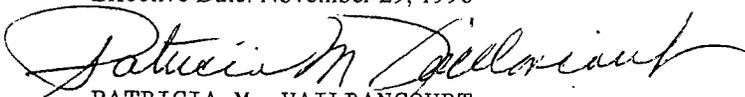
NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town council of the Town of Prospect that the Tax Collector is authorized to retain tax overpayments of less than five (\$5.00) dollars provided that any such overpayments first be utilized as a credit against any taxes due by the taxpayer.

Adopted: November 4, 1998



Dominic Moschella, Chairman  
Prospect Town Council

Approved: November 4, 1998  
Recorded: November 5, 1998  
Publication Date: November 8, 1998  
Effective Date: November 29, 1998



PATRICIA M. VAILLANCOURT  
TOWN CLERK

**TOWN OF PROSPECT****ORDINANCE #** 63-05-04-99**HISTORIC PROPERTIES ORDINANCE**

## Section 1.

This Ordinance is enacted pursuant to the provisions of Sections 7-147p through 7-147y inclusive of the General Statutes of Connecticut, as amended, herein sometimes referred to as the Act.

## Section 2.

The purpose of this Ordinance is to preserve and protect buildings and places of historic significance and their settings in Prospect, recognizing them as landmarks in the history of the Town.

The Hotchkiss House and its site, are hereby established as an historic property. the boundaries of this property are fixed and defined as follows:

a house known as the Hotchkiss house and approximately 1.8 acres of land more particularly shown and described on a map attached hereto and made a part hereof.

## Section 3.

An Historic Properties Commission (hereinafter called the Commission) is hereby established to promote the purposes set forth in this Ordinance and to perform all functions as provided in this Ordinance and as shall from time to time be prescribed under General Statutes of Connecticut. Said Commission shall consist of five (5) regular and three (3) alternate members, who shall be electors of the Town of Prospect, holding no salaried municipal office in said Town, to be appointed within thirty (30) days of the effective date of this ordinance by the Town Council in such a manner that the term of at least one member shall expire each year, and their successors shall be appointed in like manner for terms of five years. Vacancies shall be filled for the unexpired term and in the same manner as the original appointment.

## Section 4.

Within thirty (30) days after appointment of the original members of the Commission, and annually thereafter, the regular members shall meet and elect officers as specified in the Act. Alternate members shall not participate in the vote for election of officers of the Commission.

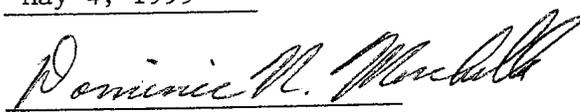
## Section 5.

The Commission shall have such powers, shall perform such functions and shall be subject to such limitations as shall from time to time be prescribed by the applicable General Statutes of Connecticut. The Commission shall adopt rules of procedure and regulations not inconsistent with the provisions of said Statutes and may, subject to appropriation, employ clerical and technical assistance or consultants and may accept money gifts and expend the same for purposes.

## Section 6.

This ordinance shall take effect at a Town Meeting following a favorable vote and after a favorable vote by the Town Council.

ADOPTED: May 4, 1999



DOMINIC N. MOSCHELLA  
PROSPECT TOWN COUNCIL CHAIRMAN

APPROVED: May 4, 1999

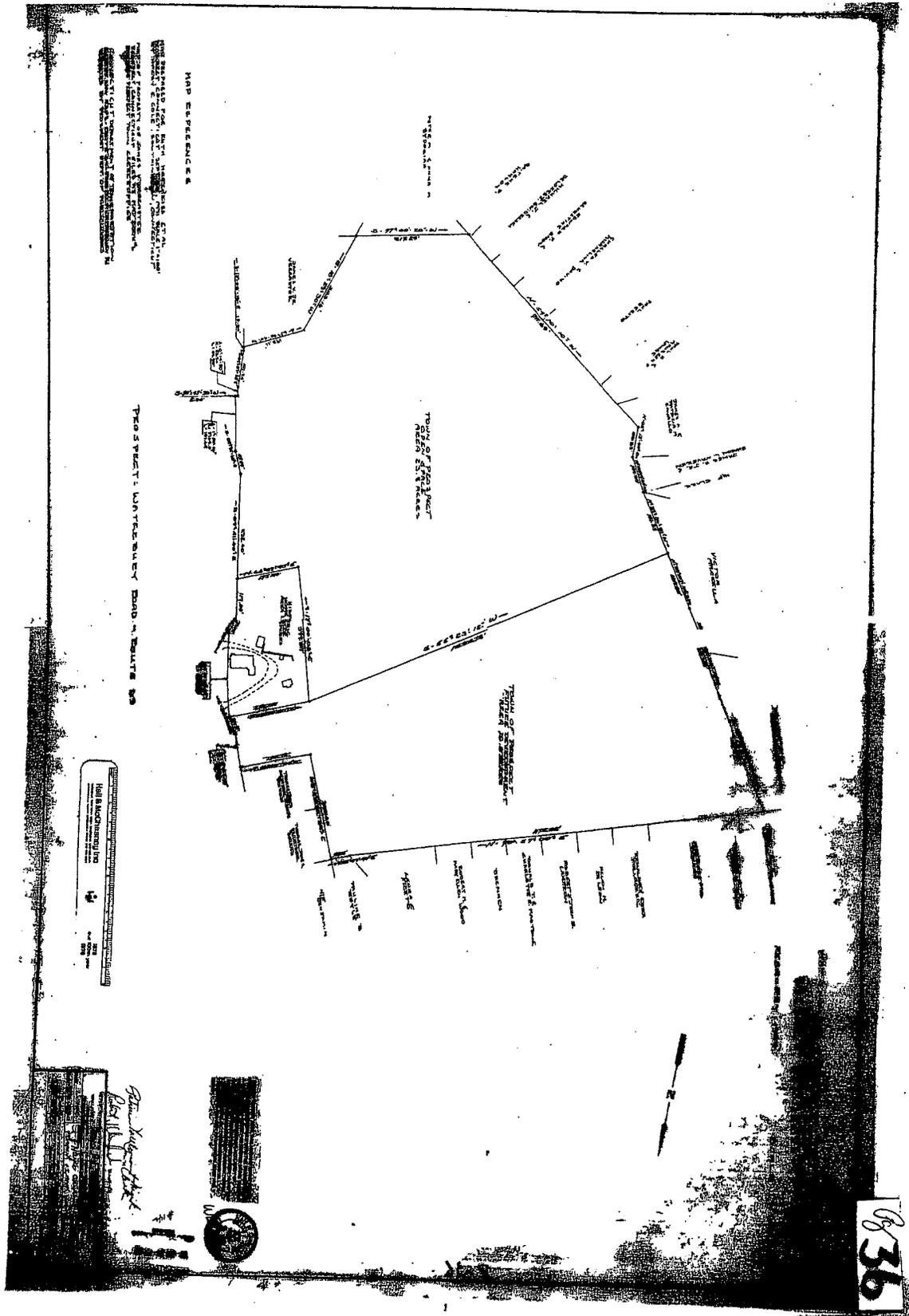
RECORDED: May 5, 1999

PUBLICATION DATE: May 6, 1999

EFFECTIVE DATE: May 27, 1999



PATRICIA M. VAILLANCOURT  
TOWN CLERK



TOWN OF PROSPECT

ORDINANCE # 64-06-06-00

An Ordinance regarding Tax-Exempt Organizations

- 1. Effective date of property tax exemption.

Pursuant to Section 12-81b of the Connecticut General Statutes, the property tax exemption authorized by Subsections 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of Section 12-81 of the Connecticut General Statutes shall be effective as of the date of acquisition of the property to which the exemption applies.

- 2. Reimbursement for overpayment.

In cases where, at the transfer of title of the property subject to a tax exemption (referred to in Section 1 above), the tax-exempt organization pays taxes on said property for a period subsequent to the date of acquisition, it shall be entitled to be reimbursed for the same upon submission of proof of said payment to the Tax Assessor. Upon receipt of said proof, the Tax Assessor shall notify the Tax Collector in writing of such reimbursement as may be due said tax-exempt organization, who shall make note of the same on his records and shall also notify the Town Council. Thereafter, upon confirmation by the Town Council of the reimbursement, the Treasurer shall disburse to said tax-exempt organization the amount of said reimbursement.

- 3. Reimbursement of prior owner.

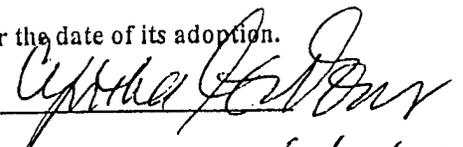
In cases where, at the transfer of title of the property subject to tax exemption, the tax-exempt organization reimburses the prior owner of said property for the amount of any tax paid by said owner for a period subsequent to the date of acquisition by said tax-exempt organization, it shall be entitled to be reimbursed for the same, upon submission of proof of said payment to the Tax Assessor, who shall notify the Tax Collector in writing of such reimbursement as may be due said tax-exempt organization, who shall make note of the same on his record and shall also notify the Town Council. Thereafter, upon confirmation by the Town Council of the reimbursement, the Treasurer shall disburse to said tax-exempt organization the amount of said reimbursement.

- 4. Application for reimbursement.

Application for reimbursement under Section 2 and 3 of this Ordinance must be made in writing by said tax-exempt organization within sixty (60) days of the transfer of title of the property subject to exemption.

- 5. Applicability.

This Ordinance shall only apply to acquisition occurring after the date of its adoption.

Adopted:   
 Cynthia Gibbons  
 Prospect Town Council 6/6/00

Approved: June 6, 2000  
 Published: June 8, 2000  
 Effective: June 29, 2000

RECEIVED FOR RECORD JUNE 7, 2000 by  PATRICIA M. VAILLANCOURT CCM  
 TOWN CLERK

**Town of Prospect**  
**Ordinance# 65-01-16-01**  
**An Ordinance Providing Town Clerk Salary**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPECT

Section 1, In accordance with Sec. 7-346b of the Connecticut General Statutes, the Town Clerk shall, effective February 01, 2001, receive a salary in lieu of all fees and other compensation provided for in the general statutes. Said salary is to be determined by the Town Council and to remain in effect until the conclusion of the current term. Pursuant to Sec. 3.14 of the Charter, the Town Council shall establish the applicable salary for each successive two-year term.

Section 2. The fees and other compensation provided by the Connecticut General Statutes to be paid to the Town Clerk shall be collected by the Town Clerk and shall be remitted at least monthly, on such day or dates as the Town Council may determine, to the Town Treasurer or such person lawfully designated by the Town Treasurer, to be added to the general revenues of the Town.

Adopted: January 16, 2001

*Cynthia L. Gibbons*

Cynthia L. Gibbons  
Prospect Town Council Chair

Approved: January 16, 2001  
 Recorded: January 17, 2001  
 Published: January 18, 2001  
 Effective Date: February 17, 2001

*Patricia M. Vaillancourt*  
 PATRICIA M. VAILLANCOURT  
 TOWN CLERK

<p style="text-align: center;">TOWN OF PROSPECT          ORDINANCE# 65-01-16-01          An Ordinance Providing          Town Clerk Salary</p> <p style="text-align: center;">BE IT ORDAINED          BY THE TOWN COUNCIL          OF THE          TOWN OF PROSPECT</p> <p>Section 1. In accordance with Sec. 7-346b of the Connecticut General Statutes, the Town Clerk shall, effective February 1, 2001, receive a salary in lieu of all fees and other compensation provided for in the general statutes. Said salary is to be determined by the Town Council and to remain in effect until the conclusion of the current term. Pursuant to Sec. 3.14 of the Charter, the Town Council shall establish the applicable salary for each successive two year term.</p> <p>Section 2. The fees and other compensation provided by the Connecticut General Statutes to be paid to the Town Clerk shall be collected by the Town Clerk and shall be remitted at least monthly, on such day or dates as the Town Council may determine, to the Town Treasurer or such person lawfully designated by the Town Treasurer, to be added to the general revenues of the Town.</p> <p style="text-align: right;">Adopted: January 16, 2001          Cynthia L. Gibbons          Prospect Town Council Chair</p> <p>Approved: January 16, 2001          Recorded: January 17, 2001          Published: January 18, 2001          Effective Date: Feb 17, 2001</p> <p style="text-align: right;">PATRICIA M. VAILLANCOURT          TOWN CLERK</p> <p style="text-align: right;">R-A JANUARY 18, 2001</p>
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Town of Prospect  
Ordinance # 66-02-06-01  
An Ordinance Providing Tax Abatement for Volunteer Members of *the  
Volunteer Fire Department of Prospect, Inc.*

Whereas, Members of the Volunteer Fire Department of Prospect, Inc. provide an outstanding service to the Town of Prospect; and

Whereas, pursuant to Public Act 99-272, a municipality may by ordinance provide for an abatement of property taxes for volunteer members of *the Volunteer Fire Department of Prospect, Inc.; and*

Whereas, the Town of Prospect desires to show its appreciation for the faithful and courageous performance of their duties by the volunteer members of *the Volunteer Fire Department of Prospect, Inc.* in the Town of Prospect;

Section 1; Eligibility: Each volunteer member of the Volunteer Fire Department of Prospect, Inc., who has served as a volunteer member for the Town of Prospect for the preceding calendar year, and has served not less than two (2) years as of April 15th of the current calendar year, shall have any real and/or motor vehicle property taxes owed to the Town of Prospect by such member abated in an amount of up to one thousand dollars (\$1 ,000.00) for tax installments due in the fiscal year of the Town of Prospect commencing July 1 of such current calendar year.

Eligibility shall be based on all of the following:

1. **Participation in a minimum of twenty-five percent (25%) of Department activities. These activities consist of the following: Emergency Response to calls, drill attendance, training, work sessions, mutual aid, special standby requests, meetings, fundraising events, fire prevention, other non-emergency functions, holding special positions (Officers, Apparatus Foreman, Special Committees, etc)**
2. **State certification**
3. **Department dues in current status.**
4. **Satisfaction of the requirements of the department's constitution and by-laws.**
5. **Yearly physical.**

The amount to be abated shall be equal to the **lesser** of the total amount of real and/or motor vehicle property taxes (excluding commercial) owed to the Town of Prospect for such fiscal year or an amount as calculated in the following schedule:

Completed Years of Service	Tax Abatement
2	\$200.00
4	\$400.00
6	\$600.00
8	\$800.00
10 or more	\$1,000.00

Section II: To be eligible for the tax abatement pursuant to this Ordinance for any fiscal year, the current Fire Chief of the Volunteer Fire Department of Prospect, Inc. must present to the Tax Assessor a listing of eligible volunteer members no later than April 15<sup>th</sup>. This statement shall include the name and address of the Member, years of service and qualification status as identified in Section I for the previous calendar year.

Section III: The tax abatement under this Ordinance shall be applied first against any real property taxes (excluding commercial) owing to the Town of Prospect and then against motor vehicle taxes owing to the Town of Prospect. In the event that the tax to which the abatement is applied is paid in installments, then the exemption shall be applied fifty (50%) percent to each Installment.

**Section IV: Status of a member in good standing of the Volunteer Fire Department of Prospect, Inc. shall be based on the eligibility identified in section 1 of this ordinance. Records justifying this status must be maintained by the current Chief of the Volunteer Fire Department of Prospect, Inc., approved by the Executive Committee of the Volunteer Fire Department of Prospect, Inc. and made available to town officials upon request.**

Section V: The Tax Assessor of the Town of Prospect shall maintain a record of all taxes abated in accordance with this ordinance.

Section VI: The tax abatement under this Ordinance shall be applicable to any real property or motor vehicle of a volunteer eligible for such abatement, whether such property is owned individually, jointly, or as tenant in common with one or more other persons.

Section VII: Failure to make full utilization of the tax abatement (or any use whatsoever) because of grand list property of insufficient value, shall not be construed so as to create any carry-over abatement credit for use in subsequent fiscal years.

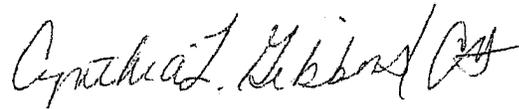
Section VIII: The tax abatement hereunder shall terminate at the end of the fiscal year in which a qualifying member dies.

Section IX: The tax abatement under this ordinance is personal to the volunteer member and shall not be assignable. Further, if the volunteer **member of the volunteer Fire Department of Prospect, Inc.** sells or transfers property within any fiscal year, any unused abatement shall not be applicable to any tax installments on such property coming due after the date of sale or transfer.

Section X: This Ordinance shall take effect and shall be applicable to taxes owing beginning with taxes on the Grand List of October 1, 2000.

Approved: February 6, 2001  
Recorded: February 7, 2001  
Publication Date: February 8, 2001  
Effective Date: March 9, 2001

*Maryann C. Anderson, asst.*  
MARYANN C. ANDERSON  
ASSISTANT TOWN CLERK



Adopted: February 6, 2001  
Cynthia L. Gibbons  
Prospect Town Council, Chair

TOWN OF PROSPECT  
Ordinance # 66-02-050  
An Ordinance Providing Tax Abatement  
for Volunteer Members of the Volunteer  
Fire Department of Prospect, Inc.

Whereas, Members of the Volunteer Fire Department of Prospect, Inc. provide an outstanding service to the Town of Prospect and

Whereas, pursuant to Public Act 99-272, a municipality may by ordinance provide for an abatement of property taxes for volunteer members of the Volunteer Fire Department of Prospect, Inc.;

Whereas, the Town of Prospect desires to show its appreciation for the faithful and courageous performance of their duties by the volunteer members of the Volunteer Fire Department of Prospect, Inc. in the Town of Prospect;

Section 1. Eligibility. Each volunteer member of the Volunteer Fire Department of Prospect, Inc. who has served as a volunteer member of the Volunteer Fire Department of Prospect for the preceding calendar year, and has served not less than two (2) years of April 15th of the current calendar year shall have any real and/or motor vehicle property taxes owned to the member abated in an amount equal up to one thousand dollars (\$1,000.00) for tax installments due in the fiscal year of the Town of Prospect commencing July 1st of such current calendar year.

Eligibility shall be based on all of the following:

1. Participation in a minimum of twenty five percent (25%) of Department activities. These activities consist of the following:
  - a. Emergency response to calls;
  - b. Fire prevention training, work sessions, mutual aid, and other fire raising events; fire prevention, other non-emergency functions, holding special positions (Officers, Apparatus Foreman, Special Committees, etc.)

2. State certification;
3. Department dues in current status;

4. Satisfaction of the requirements of the department's constitution and by-laws;

5. Yearly Physical

The amount to be abated shall be equal to the lesser of the total amount of real and/or motor vehicle property taxes, including company owned property, of the Prospect for such fiscal year or an amount as calculated in the following schedule. Completed Years of Service and Tax Abatement amounts follow.

2	\$200.00
4	\$400.00
6	\$600.00
8	\$800.00
10 or more	\$1,000.00

Section 2. To be eligible for the tax abatement pursuant to this Ordinance, any applicant to this current Fire Chief of the Volunteer Fire Department of Prospect, Inc. must present to the Tax Assessor a listing of eligible volunteer members no later than April 15th. This statement shall include the name and address of the Member, year of certification, qualification status as identified in Section 1 for the previous calendar year.

TOWN OF PROSPECT  
ORDINANCE # 67-08-27-02

ORDINANCE REGARDING  
WATER POLLUTION CONTROL AUTHORITY

BE IT RESOLVED that the Town of Prospect adopts the following ordinance:

That the Prospect Water Pollution Control Authority is hereby granted the power to adopt regulations, levy benefit assessments for sewer construction and set the due dates thereof, provide for collection of delinquent assessments, establish and revise fair and reasonable charges for connection with and the use of a sewerage system and provide for the collection of delinquent charges for connection or use of a sewerage system, all in accordance with the provisions of Chapter 103 of the General Statutes of the State of Connecticut, as amended.

Adopted: August 27, 2002

*Cynthia L. Gibbons*

Cynthia L. Gibbons  
Prospect Town Council Chair

Approved: August 27, 2002  
Recorded: August 28, 2002  
Published: August 29, 2002  
Effective Date: Sept. 28, 2002

*Maryann C. Anderson*  
Maryann C. Anderson  
Prospect Town Clerk

TOWN OF PROSPECT  
ORDINANCE # 67-08-27-02  
ORDINANCE REGARDING  
WATER POLLUTION  
CONTROL AUTHORITY  
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sions of Chapter 103 of the Gen-  
eral Statutes of the State of Con-  
necticut, as amended.  
Adopted: August 27, 2002  
Cynthia L. Gibbons  
Prospect Town Council Chair  
Approved: August 27, 2002  
Recorded: August 28, 2002  
Published: August 29, 2002  
Effective Date: Sept. 28, 2002  
Maryann C. Anderson  
Prospect Town Clerk  
R-A AUGUST 29, 2002

PROSPECT, CONN  
TOWN CLERKS OFFICE  
RECEIVED FOR RECORD  
2002 AUG 28 AM 8:41  
*Maryann C. Anderson*  
TOWN CLERK

## ORDINANCE No. 68-07-01-03B

TOWN ORDINANCE REGULATING THE USE OF  
TOWN OF PROSPECT PARKS

BE IT ENACTED BY THE PROSPECT TOWN COUNCIL that the "Town Ordinance Regulating the Use of Town of Prospect Parks" (#56-09-01-92) and the "Amendment to Park Ordinance" (#58-08-03-93A) are HEREBY REPEALED and the following ordinance is substituted in lieu thereof:

## I. DEFINITIONS.

A. As used in this ordinance, the following terms shall have the following meanings:

1. *Mayor* shall mean the Mayor of the Town of Prospect.
2. *Commission* shall mean the Recreation Commission of the Town of Prospect.
3. *Program Director* shall mean such individual as appointed by the Commission and approved by the Mayor to direct and carry out the day-to-day functions and responsibilities of the Commission.
4. *Town* shall mean the Town of Prospect.
5. *Park* shall mean any and all parks or any other areas in the Town, owned or used by the Town, and devoted to active or passive recreation, including any area temporarily devoted to recreational use, so long as that area is under the jurisdiction of the Recreation Commission.
6. *Person* shall mean any individual, firm, partnership, corporation, limited liability company, student group or organization or association of persons, and the singular number shall include the plural.
7. *Vehicle* shall mean every device in, upon or by which a person or property is or may be transported.
8. *Adult* shall mean any person 18 years or older.

## **II. PARK OPERATING POLICY – HOURS OF OPERATION.**

- A. No person, whether on foot or in a vehicle, shall enter or remain within the confines of any park between the hours of 11:00 pm and 5:00 am, except in an emergency or with special permission from the Mayor or his/her designee.
- B. The Mayor or his/her designee may close any park or portion thereof to the public in an emergency or under circumstances where the public interest demands such closing until it is deemed prudent to re-allow admission.
- C. The condition of the field will be paramount in any decision to allow or disallow use of a park due to inclement weather. The Mayor or his/her designee will make any decision on cancellations. Standing water on the turf areas of any field may result in its use being cancelled.

## **III. RESERVED USE OF THE PARKS**

### **A. Permits and Fees.**

- 1. Any softball, baseball, soccer or football fields and basketball, volleyball or tennis courts may be reserved for special events or recurring sports. Additionally, any open spaces in the parks may be reserved for special activities subject to the conditions set forth herein.
- 2. Any person desiring to reserve the use a park for such a special or recurring event shall apply for a permit at the Town Hall at least seven (7) days prior to the date(s) being requested so that the Town may determine the availability of the park requested and to allow for the scheduling of required Town personnel. Such application shall be upon a form supplied by the Mayor's office, which shall gather information reasonably necessary to determine whether a permit should be issued and what restrictions or conditions, if any, should be imposed thereon. Applications may be obtained at the Mayor's office Monday through Friday from 8:30 a.m. to 4:00 p.m., excluding holidays. Applications made less than seven (7) days before an event may be granted in the discretion of the Program Director or his/her designee if the desired facility is available for the requested date.
- 3. Any such permit issued by the Program Director or his/her designee shall only cover the use of the site described in the permit and shall only be valid for the date(s) indicated. No area will be held for a postponement date. In the process of issuing a permit where team sports are to be

played, the Program Director or his/her designee will check a roster to be provided by the applicant to ensure a majority of the participants are residents of the Town of Prospect. In the case where a majority of participants are not residents, the provisions of paragraph 4 below shall apply.

4. All applicants representing teams not having a majority of Prospect residents shall pay a fee for the use of the field(s) or court(s) at the time the permit is obtained. The Commission, in conjunction with the Mayor, shall establish the fee schedule.
5. The decision of the Program Director or his/her designee regarding the granting of a permit shall be final.
6. Any person using a park without a permit must relinquish its use to a person who has reserved its use through a permit.

#### **B. Preferences as to Reservation of Permits.**

1. The Program Director or his/her designee shall maintain separate calendars for purposes of scheduling activities at each park and, generally, reservations for use of a park shall be taken on a first come, first served basis.
2. In issuing permits for the use of any park facility, preference shall be given to the Commission's programs, any Prospect children's or adult athletic organizations, Region 16 events, clubs and organizations and other educational institutions and/or organizations from the Town of Prospect.
3. The request for fields or courts for town affiliated leagues will be addressed as follows:
  - a. Fall requests may be made anytime after June 1; and
  - b. Spring requests may be made anytime after January 1.
4. Every attempt will be made to accommodate all requests equitably. However, Prospect Town sports organizations engaging in traditional in-season sports shall take precedence over other sports.

#### **C. Liability and Certificates of Insurance.**

1. Any person to whom a permit has been issued for use of a park facility shall be liable for any loss, damage or injury sustained by any person, including a Town employee, or for any loss, damage or injury to any park

or other Town property, by reason of such person's negligence in the use of such park.

2. Any person to whom a permit has been issued for use of a park facility shall, before the date of the event, or, in the case of recurring events, before the date of the first such occurrence, provide the Town with a certificate of insurance. Such certificate shall evidence public liability coverage for the event(s) set forth in the permit for personal injury and property damage in coverage amounts to be determined from time to time by the Commission and shall name the Town as an additional insured.

#### **D. Presentation of Permit.**

1. Any person to whom a permit has been issued for use of any park shall have such permit available at such event(s) and shall produce such permit upon the request of any Town official or police officer so that such authority may verify compliance with the provisions of this section, other ordinances or with any restrictions imposed by the permit. Failure to so produce any permit upon request will void the permit and may result in the immediate termination of the privileges granted thereby.

### **IV. RULES AND REGULATIONS.**

A. Any person using a park shall adhere to the following rules and regulations:

#### **1. In General**

- a. No person shall hold any sponsored gathering, function or event in any park without a permit.
- b. No person shall camp overnight or construct tents, stands, benches, shelter or any other structure of a temporary or permanent nature without a permit. Any such permitted camping shall be at sites designated for that use and under such regulations as may be prescribed by the Mayor or his/her designee.
- c. No alcoholic beverages are allowed in a park or open space without the express written permission of the Mayor or his/her designee.
- d. No glass containers or glass utensils shall be carried into or used in any public parking area in a park. (This section shall not prohibit a concessionaire from using glass containers in the conduct of his business, provided no food or refreshments are sold or dispensed in glass containers or glass utensils.)

- e. No person shall light, kindle or use any fire in any park or open space without the express written permission of the Mayor or his/her designee, except in receptacles installed for this purpose.
- f. No person shall ignite, set off or discharge any firecracker, torpedo, rocket, or any other fireworks in any park or open space, except under special permit issued by the Mayor or his/her designee.
- g. No weapons or any kind shall be allowed in a park. Weapons shall include, but not be limited to, guns, pistols, air guns, rifles, knives, archery and/or any forward projectile and shall further include any weapons as defined by Town of Prospect Police and the Connecticut State Police.
- h. Whenever police are required to be in attendance at an event, they shall be hired and paid for by the person holding the event.
- i. No person in any park shall willfully mark, deface, disfigure, injure, tamper with, displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parts or appurtenances whatsoever, either real or personal.
- j. No person shall willfully frighten, hunt, capture, trap, wound or kill any bird or animal in any park.
- k. No person shall cut, dig, damage, disturb, deface, or remove any sand, soil, rock, stones, trees, shrubs, plants, flowers, foliage, grass, timber, or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency in any park. The picking or flowers and foliage and the collecting of rocks and minerals may be allowed by special permission of the Mayor or his/her designee.

## 2. Recreational Activities.

- a. Any person using or attending a function in a park shall comport him/herself in a manner so as to respect the safety and general well being of others in the park. Activities such as driving golf balls, the operation of model airplanes or other flying objects or other similar activities, which may be hazardous to pedestrian traffic, shall not be allowed in pedestrian areas.
- b. Ice-skating in a park or open space shall only be allowed where Town officials have posted that a body of water is "Safe for Skating".

- c. Bicycling shall not be permitted in any park, provided, however, that bicycles may be ridden to a park and parked in designated bicycle racks, which shall be provided by the town.

### **3. Sanitation.**

- a. No person shall throw, discharge, or otherwise place, or cause to be placed, in any park waters or in any park storm sewer or drain flowing into such waters, any substance that will or may result in the pollution of said waters.
- b. No person shall dump, throw, deposit or leave any refuse in any park except in a proper receptacle where such is provided. If no such receptacle is provided, the person responsible for its presence shall carry all such refuse away.

### **4. Traffic.**

- a. No person shall drive or park any motor vehicle (or any motorized vehicle) in any park area except on roads or in established or designated parking areas or in or on such other areas as may on occasion be specifically designated as temporary parking areas. Any such driving and/or parking shall be in accordance with any posted directions at such area or the instruction of any attendant who may be present. Emergency and maintenance vehicles are exempt from the provisions of this paragraph.
- b. No person shall leave any motor vehicle, trailer or other vehicle within any park after closing hours except in an emergency and only after obtaining permission from the Mayor or his/her designee. Any such vehicle left in a park after closing hours without permission shall be removed from the park at the vehicle owner's expense. Emergency and Maintenance vehicles are exempt from the provisions of this paragraph.

### **5. Dog Control.**

- a. No person owning, keeping, or having custody of any dog shall permit such dog to roam or wander unrestrained in any park. Dogs shall at all times be restrained on an adequate leash. Any such person owning, keeping, or having custody of any dog shall be responsible for cleaning such dog's waste products should said products be deposited on normal walking or running areas.

**6. Solicitation And Promotion.**

- a. No person shall sell or offer for sale any merchandise or article or carry on, conduct or solicit any trade, occupation, business or profession in any park without the written consent of the Mayor or his/her designee.
- b. No person shall distribute any advertising material in any park without the written consent of the Mayor or his/her designee.

**7. Parental Responsibilities.**

- a. No parent, guardian or custodian of any minor child shall permit or allow such child to do or engage in any act which would constitute a violation of this chapter.
- b. No parent, guardian or custodian of any minor child shall leave a child in a park unattended.

**8. Recreation Commission**

- a. In addition to the rules and regulations herein set forth, the Commission is authorized to adopt additional rules and regulations for the care, safety, management and control of all parks, which do not conflict, with the provisions of this ordinance.

**V. PENALTIES FOR VIOLATION OF ORDINANCE OR REGULATIONS**

- A. Any person who shall violate any provision of this ordinance or any of the regulations adopted by the Commission pursuant hereto shall be guilty of a violation, shall forfeit any permits he/she may have to use a park and any fees paid therefore, and shall be fined not more than One Hundred Dollars (\$100.00) for each such violation.

Adopted: July 1, 2003

*Cynthia L. Gibbons*  
 Cynthia L. Gibbons  
 Prospect Town Council Chair

Approved: July 1, 2003  
 Recorded: July 3, 2003  
 Published: July 11, 2003  
 Effective: August 10, 2003

*Maryann C. Anderson*  
 Maryann C. Anderson  
 Prospect Town Clerk