

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWN OF WESTON, COUNTY OF FAIRFIELD, STATE OF CONNECTICUT; PROVIDING FOR THE MAINTENANCE OF THE CODE OF THE TOWN OF WESTON; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

BE IT ORDAINED by the Board of Selectmen of the Town of Weston, Connecticut, as follows:

Article II. Adoption of Code

§ 1-7. Adoption.

The compilation of the ordinances of the Town of Weston, codified and consolidated into chapters and sections in the form attached hereto and made a part hereof, is hereby approved, adopted, ordained and enacted as the "Code of the Town of Weston, Connecticut," hereinafter called the "Code." All provisions contained in the compilation provided for herein and known as the "Code of the Town of Weston" shall be in force and effect on and after the effective date of this ordinance.

§ 1-8. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town.

§ 1-9. Repealer.

All ordinances or parts of ordinances of the Town of Weston of a general and permanent nature in force on the date of the adoption of this ordinance which are inconsistent with any provisions of the Code are hereby repealed from and after the effective date of this ordinance. The adoption of this Code and the repeal of ordinances provided for in this section shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to December 20, 2012.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision.

- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Town's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any legislation relating to or establishing a pension plan or pension fund for municipal employees.

§ 1-10. Severability.

If any clause, sentence, paragraph, section, article or part of this ordinance or of any ordinance appearing in the Code or included in this Code through supplementation, or the application thereof to any person or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof and the persons and circumstances directly involved in the controversy in which judgment shall have been rendered.

§ 1-11. Copy of Code on file.

A copy of the Code has been filed in the office of the Town Clerk of the Town of Weston and shall remain there for use and examination by the public until final action is taken on this ordinance; if this ordinance shall be adopted, such copy shall be certified to by the Town Clerk of the Town of Weston, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this ordinance, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-12. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the ordinances in the Code of the Town of Weston, or any new ordinances, when enacted or adopted in such form as to indicate the intention that they be a part thereof, shall be deemed to be incorporated into such Code so that reference

to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be inserted in the Code as amendments and supplements thereto.

§ 1-13. Code to be kept up-to-date.

It shall be the duty of the Town Clerk to keep up-to-date the certified copy of the Code of the Town of Weston required to be filed in the office of the Town Clerk for use by the public. All changes in said Code and all ordinances adopted by the Town subsequent to the enactment of this ordinance in such form as to indicate the intention that they be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes until such changes are included as supplements to said Code.

§ 1-14. Sale of Code; supplementation.

Copies of the Code, or any chapter or portion of it, may be purchased from the Town Clerk of the Town of Weston or an authorized agent of the Town Clerk upon the payment of a fee to be set by the Town. The Town Clerk may also arrange for procedures for the periodic supplementation thereof.

§ 1-15. Penalties for tampering with Code.

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Town of Weston, or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Town of Weston to be misrepresented thereby, or who violates any other provision of this ordinance, shall, upon conviction thereof, be subject to a fine of not more than \$100.

§ 1-16. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for publication as the Code of the Town of Weston, no changes in the meaning or intent of such ordinances have been made, except as provided in Subsections B and C of this section. Certain grammatical changes and other minor nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Town that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.
- B. The following changes are made throughout the Code:
 - (1) References to specific chapters and sections of the Connecticut General Statutes are updated to reflect the numbering of the statutes as of the publication of this Code.
 - (2) References to the Department of Environmental Protection and the Commissioner of the Department of Environmental Protection are revised to refer to the Department of Energy and Environmental Protection and the Commissioner of the Department of Energy and Environmental Protection, respectively.
- C. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this

ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-17. When effective.

This ordinance shall take effect upon passage and publication as required by law.

ADOPTED by the Board of Selectmen at a meeting held on June 10, 2013