

SPECIAL ACTS AND RESOLUTIONS

OF THE

State of Connecticut

WITH

APPENDIXES

CONTAINING

**APPROPRIATIONS AND GRANTS FROM THE TREASURY
AND EXECUTIVE APPOINTMENTS**

VOLUME XVIII—PART 2

44294



HARTFORD
PUBLISHED BY THE STATE
1921

[House Bill No. 429.]

[248.]

AN ACT AMENDING AN ACT INCORPORATING THE
WINDSOR FIRE DISTRICT.

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

SECTION 1. The legal voters of the Windsor Fire District, incorporated by an act approved May 12, 1915, at the annual meeting of said district, to be held on the first Tuesday of June, 1921, or at any annual meeting of the voters of said district held thereafter, or at any adjournment thereof, may, by a majority vote, designate and appoint the commissioners of said district and their successors in office, elected in accordance with the terms of said act, a commission with full power and authority to act as hereinafter set forth. Said commissioners shall be sworn to the faithful performance of all their duties as provided for in said act and amendments thereto and shall receive no extra compensation for their services, but said district shall make suitable appropriations of money from time to time, for the necessary expenses to be incurred by said board of commissioners and said board shall incur no expenses in excess of said appropriations.

SEC. 2. Said commissioner shall make, from time to time, or cause to be made, surveys and maps of said district, section by section, as need therefor shall arise, showing locations for any public building, highway, street or parkway layouts, including street, building and veranda lines, and may obtain expert advice and assistance in so doing.

SEC. 3. When a survey and map of any section shall have been made in pursuance of section two or section six of this act, said commission shall lodge the original of said map for public inspection in the town clerk's office in the town of Windsor and give notice thereof by mail to every known owner of land in said section, and notice by advertisement in a daily newspaper having circulation in said district, of the place where and the time when, not less than two weeks after said mailing and publication, said commission will receive objections in writing to said map and to the location shown thereon, and hear evidence and argument thereon. Upon so receiving objections and evidence and argument at said hearing, or any adjournment thereof, said commission shall notify in writing each objector of its final action relating to said matter and in any event shall file a map in accordance with its final decision in the Windsor town clerk's office as a public record of said town.

SEC. 4. Any party interested may appeal from the action of said commission within thirty days after the notice, or before the decision of said commission and filing of said map, and as many of the parties interested as choose so to do, may join in such appeal, provided, where

separate appeals are taken by different parties from a single act of said commission, all such appeals shall be heard and treated as one cause. All such appeals shall be taken to the superior court for the county of Hartford and shall be by a suitable petition in writing setting forth the whole of said action appealed from and asking for a revision thereof with a citation attached thereto signed on behalf of the parties so appealing by any authority authorized by the general statutes or by the rules of said court to sign writs, and said appeal shall be returnable before said superior court of Hartford county in the same manner as are appeals in civil causes and a citation shall be served upon the clerk of said commission at least six days prior to the return day thereof. Said appeal may be heard by said court or, upon the action of any party thereto, may be referred to a committee for hearing and if upon such hearing the court or the committee shall find cause to alter said map and the action evidenced thereby, said court or committee shall proceed to revise said action and may cause a new map to be made in accordance with such decision, but the final action on such appeal shall be by said superior court for the county of Hartford which may render judgment upon said appeal and all proceedings thereunder among the parties thereto, and may tax the costs of the same and issue execution therefor. Said court when the proceedings in any such appeal are closed, either by the judge or the clerk thereof, shall return all papers connected therewith to the clerk of said commission to be by him filed in the office of the town clerk of said town of Windsor and said action as finally determined shall be conclusive upon all parties in interest.

SEC. 5. Whenever said commission shall wish to amend or change the map so made and filed by it, it shall proceed in all respects as is herein prescribed for the original making, revising and filing of said map, and in any such case any person aggrieved shall have the right to appeal from such amendment or change in the manner provided in section four of this act.

SEC. 6. Any owner of land in said district may show on map made by him, or at his instance in accordance with rules prescribed by said commission, locations for highway, streets and parkways on said land with street, building and veranda lines, and shall indicate in a written petition by said owner to said commission, the layout desired by him and file with said commission in connection with said written petition, a survey or map, showing such layout. Said commission shall, within sixty days after the receipt of such petition, surveys and maps, take action in connection therewith pursuant to section three of this act, and unless said surveys, plans and petitions are accepted or rejected by said commission within sixty days after their receipt, the months of July and August not to be counted in such reckoning, said location of highway, streets and parkways, with street, building and veranda lines, shall be considered as accepted by said commission for all purposes of this act.

SEC. 7. Said district shall not accept and the selectmen of said Windsor shall not lay out or open any street, highway, park or parkway, or permit a building for the public use to be erected, or permit the establishing of any street, building or veranda lines on any property within the limits of said district unless its location conforms to that shown on maps filed in the office of the town clerk in pursuance of the terms of this act, and the board of commissioners of said district shall close to public use any street, highway or parkway opened in violation of the provisions of this act, and shall institute proper proceedings to enforce such closing.

SEC. 8. Nothing herein shall be considered as granting to said district or said commission or said selectmen, any right to open and make any road, street, highway or parkway shown on such map and to take land therefor, except upon the terms and in conformity with the procedure set forth in the general statutes, and also in conformity with any vote, rule, regulation, ordinance or other method of procedure of said town.

SEC. 9. Before any person shall erect, add to or place any dwelling house, shop, store, barn or other building upon premises abutting on any street or proposed street, or highway in said district, whereon a building line has been established as hereinbefore provided, such person shall make written application to said commission for a building permit, which application shall describe in general terms the proposed location of such building and its character, and shall certify that such building will be so located as not to extend over any building line, street line or veranda line either established or proposed by layouts as hereinbefore provided. If such board shall find that such building will be so located as not to extend over any such line, it shall issue a written permit authorizing such applicant to erect, add to or place such building in the manner and location described in said application.

SEC. 10. Every person who shall erect, add to, move or place any dwelling house, shop, store, barn or other building upon premises specified in section nine hereof in said town, without making application and receiving permit provided for in said section, or any person who shall lay out or open up any street or tract of land within said district without having his plans approved by said commission and filed with the town clerk, as hereinbefore provided, shall pay the sum of twenty-five dollars to said district for the use of said district, and a further sum of twenty-five dollars for each week that said building shall remain without such permission or such street or development layout shall be opened to the public without a building permit or the approval of his plans as hereinbefore provided, and each week of continuance of such building without such permission shall be deemed a separate offense, and said sums may be collected in any proper suit by the district in the same manner as a town would collect an action of debt.

Approved, May 11, 1921.