

Legal Notice  
Public Hearing  
April 11, 2018  
Town of Haddam

Notice is hereby given there will be a Public Hearing on Wednesday, April 11, 2018 at 6:00 P.M. at the Haddam Volunteer Fire Company Community Hall, 439 Saybrook Road, Higganum for the following purposes.

1. An Ordinance regarding Sidewalk Maintenance
2. An Ordinance to repeal Haddam Code Chapter 52-13 regarding waiver of building permit fees for Class-1 renewable energy systems

**Town of Haddam**  
**Ordinance to Repeal Section 52-13 of the Haddam Town Code**

Be it ORDAINED by Town Meeting of the Town of Haddam, held April \_\_, 2018 that pursuant to its municipal powers set forth in the Town of Haddam Charter Section 3-7 , the Town of Haddam repeals that certain Ordinance adopted June 16, 2014 and such is hereby repealed, effective immediately upon passage by the Town Meeting:

[1. Ordinance that fees for processing building permit for:

(A) Section 4 of FEES FOR PROCESSING shall be amended with the following addition:

(B) For all Class 1 renewable energy systems as defined in the Conn. Gen. Stat. §16-1(a)

(26), the building permit fee shall be waived.

Section 1. Purpose.

It is the purpose of this regulation to reduce the cost of solar PV system installations and promote the use of renewable energy. This Ordinance seeks to:

(1) Provide property owners and business owners with flexibility in satisfying their on-site energy needs.

(2) Reduce overall energy demands within the Municipality and promote energy efficiency.

(3) Streamline the permitting process for rooftop solar PV systems by updating regulations and administrative procedures related to rooftop solar PV permitting and fees.

(4) Support the Municipality's conservation and sustainability goals.

Section 2. Applicability.

(1) This Ordinance applies to solar PV systems modified, upgraded or installed after the effective date of the Ordinance.

(2) This Ordinance is effective as of date of adoption unless another date is otherwise specified.

Section 3. Permit Fee.

For all Class 1 renewable energy systems as defined in the Connecticut General Statutes, the building permit fee shall be waived.

Section 4. Licensing.

For solar energy work, our Municipality does not require any community-specific licenses over and above current State of Connecticut licensing requirements defined by the Connecticut Department of Consumer Protection.]

**Town of Haddam  
Ordinance Regarding Sidewalk Maintenance**

Be it ORDAINED by Town Meeting of the Town of Haddam, held April \_\_, 2018 that pursuant to its municipal powers set forth in the Town of Haddam Charter, Section 3-7, and pursuant to Connecticut General Statutes 7-148(c)(6)(C), and 7-163a, the Town of Haddam adopts this Ordinance Regarding Sidewalk Maintenance.

Title

This Ordinance shall be known and be cited as the Ordinance Regarding Sidewalk Maintenance of the Town of Haddam, Connecticut.

Definitions

Owner: For purposes of this Ordinance the term “Owner” is defined to mean the record title owner of, or a tenant in possession and control of, any parcel of land which abuts or is immediately adjacent to a Public Sidewalk.

Public Sidewalk: For purposes of this Ordinance the term “Public Sidewalk” is defined to mean any path or walkway which is constructed or paved, regardless of construction or paving material, for the use, convenience and safety of the general public and which adjoins, or lays within the boundaries of, any public street, road or highway.

Effective Date: For purposes of this Ordinance, the term “Effective Date” is defined to mean April \_\_, 2018

Adoption of Statutory Provisions

The provisions of Connecticut General Statute Section 7-163a, as may be amended from time to time, are hereby adopted by the Town of Haddam as of the Effective Date hereof.

Maintenance Obligation

Each Owner, as defined herein, shall be responsible for maintaining that portion of any Public Sidewalk which abuts or is adjacent to such Owner’s property.

Each Owner, as defined herein, shall remove any accumulation of snow or ice within twelve (12) hours after such snow or ice has ceased to accumulate. If it is impractical to remove ice the Owner shall, within the time prescribed, treat the Public Sidewalk with sand or salt. If such Owner fails to treat such ice, or fails to remove such accumulation of snow or ice, within the time prescribed, the Town of Haddam may,

through its First Selectman, cause the Director of Public Works to undertake such treatment, or remove such accumulation of snow or ice, and the expenses therefore shall be charged against such Owner of the abutting property.

#### Enforcement; Lien

Notice of the imposition of the costs of such snow or ice removal or treatment upon the Owner shall be sent to the both the Owner of record and any tenant in possession and control of such property, and shall instruct such Owner to pay such costs within thirty (30) days of such notice. Upon failure of any Owner, as defined herein, to pay any charges assessed pursuant to this Ordinance, the First Selectman shall cause a lien to be placed upon the Land Records against the property of such Owner which abuts the Public Sidewalk in the amount of the costs of the treatment of ice, or removal of snow and ice, incurred by the Town of Haddam. Notice, collection and enforcement of such lien shall be in the same manner as is provided by law for the collection and enforcement of tax liens.

#### Liability of Town

Pursuant to Connecticut General Statutes Section 7-163a, as amended from time to time, and notwithstanding any contrary provisions of Connecticut General Statute Section 13a-149 or in any other General Statute or Special Act, the Town of Haddam shall not be liable to any person injured in person or property caused by the presence of snow or ice on a Public Sidewalk unless the Town of Haddam is the Owner or person in possession of control of the land abutting such Public Sidewalk, other than land used as a road, street or highway, provided the Town shall be liable for its affirmative acts with respect to such Public Sidewalk.

#### Liability of Owner

The Owner, as defined herein, of land abutting a Public Sidewalk shall have the same duty of care of that portion of any Public Sidewalk abutting the property of such Owner as the Town of Haddam had prior to the Effective Date hereof and shall be liable to any person injured in person or property where a breach of such duty of care is the proximate cause of such injury.

#### Limitation of Claims

No action to recover damages for injury to person or property caused by the presence of snow or ice accumulation in a Public Sidewalk against any Owner, as defined herein, shall be brought but within two (2) years from the date when such injury is first sustained.

Dated in Haddam, Connecticut this 4<sup>th</sup> day of April, 2018

Board of Selectmen, Lizz Milardo, Larry Maggi and Melissa Schlag

**RETURN OF POSTING AND PUBLICATION OF**

**NOTICE OF PUBLIC HEARING TO BE HELD**

I HEREBY CERTIFY that I caused a copy of the attached notice of public hearing to be published in **The Middletown Press**, a newspaper having a general circulation in said Town, on \_\_\_\_\_.

I FURTHER CERTIFY that on \_\_\_\_\_, I caused to be posted on the exterior bulletin board at the Town Office Building, and at the office of the Town Clerk, a written copy of said notice signed by the Board of Selectmen.

I FURTHER CERTIFY that all of the above acts were done by me at least five (5) days before the holding of said Public Hearing on \_\_\_\_\_.

I FURTHER CERTIFY that, on or before the date of the hearing, I caused a copy of the notice, along with this Return of Notice, to be filed with the Town Clerk's office.

Signed and sealed at Haddam, Connecticut, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
JoAnn Ricciardelli  
First Selectman's Assistant