

# TOWN OF MANCHESTER, CONNECTICUT



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## APPROVED CHARTER AMENDMENTS 11/8/2022

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AMENDED SECTIONS APPROVED BY REFERENDUM ON 11/8/2022  
ARE EFFECTIVE 12/7/2022, UNLESS OTHERWISE NOTED

## **Sec. 1-2 Rights and obligations.**

[Amended by referendum 11-8-2022]

All property, both real and personal, all rights and action and rights of every description and all securities and liens vested or inchoate in said Town as of the date when this Charter shall take effect are continued in said Town, and said Town shall continue to be liable for all debts and obligations of every kind for which said Town shall be liable on said date, whether accrued or not. Nothing herein shall be construed to affect the right of said Town to collect any assessment, charge, debt or lien. If any contract has been entered into by said Town prior to the effective date of this Charter or any bond or undertaking has been given by or in favor of said Town which contains provision that the same may be enforced by any officer, board, commission, bureau or department therein named, which is hereby abolished, such contracts, bonds or undertakings shall be in no manner impaired but shall continue in full force and effect and the powers conferred and the duties imposed with reference to the same upon any such officer, board, commission, bureau or department shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the [~~General~~] TOWN Manager

## **Sec. 2-1 Elective officers.**

[Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 341; 25 C.S.A. 1069, approved by referendum 3-25-1950, effective 10 days thereafter. Amended by referendum 4-30-1968; amended by referendum 11-5-1996; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

A meeting of the electors of the Town of Manchester for the election of Town officers shall be held on the first Tuesday after the first Monday in November 1969, and biennially thereafter. At each such meeting there shall be elected A MAYOR, [~~nine (9)~~] EIGHT (8) of the Board of Directors [~~a Town Clerk, two (2) Registrars of Voters elected in the manner prescribed by the General Statutes;~~] three (3) [~~Selectmen~~] MEMBERS OF THE SELECT BOARD, seven (7) Constables, and members of the Board of Education as hereinafter provided. PURSUANT TO SECTION 9-189a OF THE CONNECTICUT GENERAL STATUTES, ELECTORS OF THE TOWN OF MANCHESTER SHALL: (a) ELECT A TOWN CLERK IN THE ELECTION FOR TOWN OFFICERS HELD ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN NOVEMBER 1973, AND QUADRENNIALLY THEREAFTER; AND (b) ELECT TWO REGISTRARS OF VOTERS IN THE ELECTION FOR STATE AND FEDERAL OFFICERS HELD ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN NOVEMBER 1972, AND QUADRENNIALLY THEREAFTER. In the election for members of the Board of Directors, each political party may nominate A CANDIDATE FOR MAYOR AND not more than [~~six (6)~~] FIVE (5) candidates, and no elector shall vote for more than A CANDIDATE FOR MAYOR AND not more than [~~six (6)~~] FIVE (5) candidates for such office. THE CANDIDATE RECEIVING THE HIGHEST VOTE TOTAL AMONG MAYORAL CANDIDATES SHALL BE MAYOR. HOWEVER, THE UNSUCCESSFUL MAYORAL CANDIDATES SHALL HAVE THE VOTES RECEIVED FOR MAYOR INCLUDED IN THE COMPILATION AND THE DETERMINATION OF THE BOARD OF DIRECTORS MEMBERSHIP. No grand jurors shall be elected or appointed. Each person elected to office shall be a resident elector of the Town, and each elected officer, except as hereinafter expressly provided, shall assume [~~his~~] THEIR office on the third Monday in November in the year of [~~his~~] THEIR election and shall hold office until his successor is elected and has qualified.

**Effective December 8, 2022, Section 2-2 of the Manchester Town Charter is amended to read as follows:**

**Sec. 2-2 Officers appointed by the Board of Directors.**

[Amended by referendum 10-5-1964; amended by referendum 4-30-1968; amended by referendum 11-1978; amended by referendum 11-5-1996; amended by referendum 11-8-2022]

(a) There shall be appointed by the Board of Directors for the Town a [~~General~~] **TOWN** Manager, a Planning and Zoning Commission consisting of [~~five (5)~~] **SEVEN (7)** members **AND ALTERNATES AS PROVIDED BY STATUTE**, a Zoning Board of Appeals consisting of five (5) members, and alternates as provided by statute, a Library Board consisting of eleven (11) members, a Board of [~~Tax Review~~] **ASSESSMENT APPEALS** consisting of three (3) members, a Town Attorney, [~~an Advisory Recreation and Park Commission consisting of five (5) members;~~] **AND** an auditor or auditors [~~, and an Advisory Board of Health~~]. The Town may by ordinance or resolution approved by the Board of Directors provide for other offices, departments, boards and commissions and the duties and terms thereof and methods of appointment thereto. All of the officers appointed by the Board of Directors under the provisions of this section, except the [~~General~~] **TOWN** Manager and auditor or auditors, shall be electors of the Town at the time of their appointment, and, with said exceptions, all appointees except as hereinafter provided, regardless of the date of the original appointment, shall hold office until the Tuesday after the third Monday in November in the year in which their term expires and until their successors shall have been appointed and qualified. If any officer appointed by the Board of Directors under this section, who is required to be an elector of the Town, shall cease to be an elector during [~~his~~] **THEIR** term of office, then [~~his~~] **THEIR** office shall automatically become vacant and the Board of Directors shall appoint a successor.

**(b) APPOINTING AUTHORITIES FOR ANY BOARD OR COMMISSION SHALL CONSIDER THE INTERESTS OF GENDER IDENTITY AND RACIAL EQUITY AND MAKE A GOOD FAITH EFFORT TO SEEK OUT INDIVIDUALS FOR SUCH APPOINTMENT THAT REFLECT SUCH EQUITY. THE TOWN MANAGER SHALL CREATE, MAINTAIN AND MAKE ACCESSIBLE ON THE TOWN'S WEB SITE A SYSTEM THROUGH WHICH AN INDIVIDUAL MAY ELECTRONICALLY SUBMIT A NAME TO BE CONSIDERED FOR APPOINTMENT AS A PUBLIC MEMBER TO A BOARD OR COMMISSION AND SHALL COORDINATE PUBLIC EDUCATION AND OUTREACH STRATEGIES TO INCREASE AWARENESS OF, AND RECRUIT DIVERSE APPLICANTS FOR, SUCH APPOINTMENTS.**

**Effective November 17, 2025, Section 2-2 of the Manchester Town Charter is amended to read as follows:**

**Sec. 2-2 Officers appointed by the Board of Directors.**

[Amended by referendum 10-5-1964; amended by referendum 4-30-1968; amended by referendum 11-1978; amended by referendum 11-5-1996; amended by referendum 11-8-2022]

(a) There shall be appointed by the Board of Directors for the Town a Town Manager, a Planning and Zoning Commission consisting of [~~seven (7)~~] **NINE (9)** members and alternates as provided by statute, a Zoning Board of Appeals consisting of five (5) members, and alternates as provided by statute, a Library Board consisting of eleven (11) members, a Board of Assessment Appeals consisting of three (3) members, a Town Attorney, and an auditor or auditors. The Town may by ordinance or resolution approved by the Board of Directors provide for other offices, departments, boards and commissions and the duties and terms thereof and

methods of appointment thereto. All of the officers appointed by the Board of Directors under the provisions of this section, except the Town Manager and auditor or auditors, shall be electors of the Town at the time of their appointment, and, with said exceptions, all appointees except as hereinafter provided, regardless of the date of the original appointment, shall hold office until the Tuesday after the third Monday in November in the year in which their term expires and until their successors shall have been appointed and qualified. If any officer appointed by the Board of Directors under this section, who is required to be an elector of the Town, shall cease to be an elector during their term of office, then their office shall automatically become vacant and the Board of Directors shall appoint a successor.

(b) Appointing authorities for any board or commission shall consider the interests of gender identity and racial equity and make a good faith effort to seek out individuals for such appointment that reflect such equity. The Town Manager shall create, maintain and make accessible on the town's web site a system through which an individual may electronically submit a name to be considered for appointment as a public member to a board or commission and shall coordinate public education and outreach strategies to increase awareness of, and recruit diverse applicants for, such appointments.

### **Sec. 2-3 Restrictions on holding office.**

[Amended by referendum 11-5-1996; amended by referendum 11-8-2022]

No member of the Board of Directors during the term for which ~~[he is]~~ **THEY ARE** elected shall hold any other Town office, elective or appointive, nor act as counsel in any matter before the Board of Directors or any department, commission, board or bureau of the Town. Except as provided in § 4-1, nothing contained in this section shall preclude a member of the Board of Directors from accepting appointment to any other Town office, elective or appointive; however, such member's term on the Board of Directors shall end upon entering the duties of said office. No other commission or board shall appoint any of its members to any office or employment for which compensation is paid from Town funds during the term for which such member was appointed unless otherwise permitted by state law.

### **Sec. 2-4 Definitions; Ethics Commission; standards of official conduct.**

[Added by referendum 11-5-1991; amended by referendum 11-8-2022]

(a) Definitions.

1. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, investment property or any legal entity through which business is conducted for profit.
2. "Commission" means the Town Ethics Commission.
3. "Complaint" means a written statement alleging any person subject to the standards of official conduct has by act or omission violated said standards. Said complaint shall state the acts or omissions constituting the alleged violations and the approximate date or dates upon which the alleged violations occurred. The Commission may require the complaint to be under oath.
4. "Gift" means a payment, loan, subscription, advance, deposit of money, services, or anything of value, unless consideration of equal or greater value is received.
5. "Family" means a collective body of two (2) or more persons living in one (1) household.

6. "Income" means any money or thing of value received, or expressly or impliedly promised, whether in the form of a fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain or any other form of recompense or any combination thereof.
7. "Ministerial action" means an action that a person performs in a given state of facts in a prescribed manner in obedience to the mandate of legal authority, without regard to, or the exercise of, the person's own judgment upon the propriety of the action being taken.
8. "Person" means an individual, business, corporation, union, association, firm, partnership, committee, club or other organization or group of persons.
9. "Probable cause" means a finding that reasonable grounds exist to believe that a violation of the Standards of Official Conduct has occurred.
10. "Town agency" means any department, commission, board, bureau, committee, legislative body, agency, or other establishment of the executive or legislative branch of the Town, including the Board of Education to the extent that the provisions of this section may lawfully apply to the Board of Education.
11. "Town employee" means any individual who receives income, weekly or otherwise, from the Town or who is responsible for taking or recommending official action of a nonministerial nature with regard to: (i) contracting or procurements; (ii) administering or monitoring grants or subsidies; (iii) planning or zoning; (iv) inspecting; licensing or regulating any person; or (v) any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person.
12. "Town official" means an elected or appointed official in the executive or legislative branch of the Town, excluding members of purely advisory boards and other boards that have no authority to extend public funds or to otherwise exercise the power of the Town.

(b) Town Ethics Commission.

1. Creation. There is created an Ethics Commission consisting of seven (7) members who shall be electors of the Town of Manchester. Appointments to the Commission shall be made by the Board of Directors. No more than three (3) of the members of the Commission shall maintain the same voter affiliation. Any vacancy occurring on the Commission shall be filled by the Board of Directors within sixty (60) days by an elector maintaining the same voter affiliation as originally held by the vacating member.
2. Alternate members. The Board of Directors shall appoint alternate members to the Commission. Such alternate members shall be electors of the Town of Manchester. There shall be one (1) alternate for each voter affiliation represented on the Commission. An alternate member shall, when seated, have all the powers and duties as set forth herein for members. An alternate shall only be seated in the place of an absent member maintaining the same voter affiliation.
3. Terms. Members and alternates of the Commission shall serve for a three-year staggered term, each to commence on the Tuesday after the third Monday in November.
4. Officers. The Commission shall elect a [~~Chairman~~] CHAIR, [~~Vice-Chairman~~] VICE CHAIR and Secretary. In the absence of the [~~Chairman~~] CHAIR or in the event of a vacancy in that position, the [~~Vice-Chairman~~] VICE CHAIR shall serve as [~~Chairman~~] CHAIR.
5. Quorum. Any action by the Commission shall require the affirmative vote of a simple majority of its members, and a simple majority shall constitute a quorum.
6. Meeting. The [~~Chairman~~] CHAIR or any three (3) members of the Commission may call a meeting, provided that at least three (3) days' advance notice of the meeting is given to all members.

7. Compensation. Members of the Commission shall not be compensated, but shall receive reimbursement for their actual and necessary expenses.

(c) Powers of Commission.

1. Rules and regulations. The Commission shall prescribe and publish, after notice and opportunity for public comment, rules and regulations to carry out the provisions of this Act.

2. Reports. The Commission shall prepare and publish such reports as it may deem appropriate.

3. Advisory. The Commission, on its own initiative or upon request, may issue and publish advisory opinions on the requirements of this Act for those who wish to use the opinion to guide their own conduct.

4. Complaints. The Commission, through its special counsel, shall conduct an investigation upon receipt of a written complaint by any elector or taxpayer of the Town of Manchester alleging, under oath or affirmation, a violation of the standards of official conduct.

5. Annual report. The Commission shall prepare an annual report for submission to the Board of Directors.

(d) Investigations and hearings by Commission.

1. Special counsel. The Commission shall appoint an attorney to act as special counsel to the Commission, which appointment shall continue at the pleasure of the Commission. The special counsel shall not be a member of the Town Attorney's staff. The special counsel shall be compensated for ~~his or her~~ **THEIR** services on a case-by-case basis at public expense.

2. Authority. The Commission shall refer any written complaint received by it to the special counsel for investigation. The Commission shall, not later than five (5) days after the receipt of such complaint, notify by registered or certified mail any person against whom such complaint was filed. A copy of such complaint shall accompany such notice.

3. Powers of special counsel. The special counsel shall conduct an investigation of each complaint to determine if probable cause exists and shall make recommendations to the Commission based upon the investigation. Special counsel shall recommend dismissal of the complaint in the event probable cause is not found. In the event the special counsel finds probable cause, ~~he~~ **SPECIAL COUNSEL** shall set forth the particular section or sections of the Standards of Official Conduct which ~~he~~ **SPECIAL COUNSEL** finds to have been violated and may (1) recommend the complaint be accepted as filed; (2) recommend amendments to the complaint; or (3) recommend additional charges be added to the complaint. The special counsel shall make recommendations to the Commission within the time limits set by the Commission but in no event more than ninety (90) days after receipt of the complaint. In unusual circumstances the Commission may grant an extension to special counsel, not to exceed an additional sixty (60) days.

4. Review by Commission. The Commission shall, within sixty (60) days of receipt of special counsel's recommendations, meet privately to review each recommendation. The Commission shall dismiss the complaint or set a date for a public hearing thereon or on the amended complaint, which hearing shall be held no later than sixty (60) days thereafter. The Commission shall give public notice of the date fixed for said hearing at least fourteen (14) days prior thereto. Notice of the Commission's decision to either dismiss the complaint or hold a public hearing on the complaint shall be given to the complainant and to the person subject to the investigation.

5. Confidentiality. Irrespective of any statute to the contrary, the complaint, the probable cause investigation, the recommendations of special counsel and the minutes of the meeting of the



Commission to receive special counsel's recommendations shall not be disclosed to the public unless and until the Commission sets a date for a public hearing on the complaint.

6. Witnesses to testify. Any person may be compelled, by subpoena signed by competent authority, to appear before the Commission to testify in relation to any complaint brought to the Commission, and may be compelled, by subpoena signed by competent authority, to provide before the Commission for examination any books or papers which in the judgment of the Commission are relevant to the inquiry or investigation.

7. Hearing procedure. Such hearing shall be open to the public and shall be conducted in accordance with the Commission's rules and regulations. Special counsel shall present evidence against the respondent. The respondent shall be entitled to counsel, to present evidence and to examine and cross-examine witnesses.

8. Recording of hearing. The public hearings of the Commission shall be recorded at public expense. A written transcription of the recording shall be available to the public at the requiring party's expense. A written transcription of the recording shall be available to the Commission, at its request, at public expense.

9. Memorandum of decision. The Commission shall, within thirty (30) days after conclusion of the public hearing, file a memorandum of decision containing its conclusions and recommendations and shall either dismiss the complaint or shall recommend appropriate action to the Board of Directors.

(e) Standards of official conduct.

1. No person shall offer or give to a Town official or Town employee or a member of [~~his or her~~] **THEIR** family and no Town official or Town employee shall solicit any gift to influence the official or employee in the performance of [~~his or her~~] **THEIR** official duties.

2. No Town official or Town employee shall accept any benefit or income in addition to that received in [~~his or her~~] **THEIR** official capacity for having exercised [~~his or her~~] **THEIR** official powers or performed his or her official duties.

3. No Town official or Town employee shall use or disclose information not available to the general public and gained in the course of, or by reason of, [~~his or her~~] **THEIR** official position or activities to further any person's financial interest.

4. Any Town official or Town employee who has, or whose family has, a financial interest, distinct from that of the general public, in any decision of any Town agency shall disqualify [~~himself or herself~~] **THEMSELVES** from participating in that decision. Any decision made as a result of a violation of this provision shall be voidable, at the option of the Town.

5. No Town official or Town employee shall knowingly have or acquire any financial interest or beneficial interest, direct or indirect, in any business that is incompatible with the proper discharge of [~~his or her~~] **THEIR** official duties or that may tend to impair [~~his or her~~] **THEIR** independence or judgment in the performance of his or her official duties.

6. No Town official or Town employee shall knowingly misuse or misappropriate any Town fund or Town asset.

**7. THE BOARD OF DIRECTORS SHALL HAVE THE AUTHORITY, PURSUANT TO SECTIONS 7-148 (c)(10)(B) AND 7-148h OF THE CONNECTICUT GENERAL STATUTES AS AMENDED, TO ESTABLISH ADDITIONAL STANDARDS OF OFFICIAL CONDUCT BY ORDINANCE.**

**Sec. 2-6 Additional compensation not to be paid.**

[Amended by referendum 11-5-1996; amended by referendum 11-8-2022]

Except for extraordinary service, and then only by a majority vote of the whole membership of the Board of Directors, no elected or appointed officer, superintendent, head of bureau, subordinate or employee of the Town shall have or receive to [his] **THEIR** own use any prerequisite, compensation or fees pertaining directly or indirectly to the duties of [his] **THEIR** office in addition to [his] **THEIR** approved compensation. All fees paid to and received by any salaried officer or employee of the Town for services rendered in [his] **THEIR** official capacity shall be paid by the officer or employee receiving the same to the Collector of Revenue for the use of the Town.

### **Sec. 2-7(a) Official bonds.**

[Amended by referendum 11-7-1978; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The Director of Finance, Collector of Revenue and Town Clerk shall, before entering upon their official duties, execute to the Town and file with the Town Clerk a surety company bond in a penal sum to be fixed by the Board of Directors, conditioned upon the faithful performance of [his] **THEIR** official duties, in the form to be prescribed or approved by the Town Attorney. Premiums for said bonds shall be paid by the Town.

### **Sec. 2-7(b) Blanket bonds.**

[Amended by referendum 11-8-1960; amended by referendum 11-7-1978; amended by referendum 11-8-2022]

The Board of Directors shall purchase two (2) blanket bonds, one (1) conditioned for faithful performance of duty which shall include the [~~General~~] **TOWN** Manager, Purchasing Agent, and such other officers and employees as may be designated by the Board of Directors; and one (1) conditioned to protect against loss occasioned by embezzlement or any other dishonest act and to include those eligible officers and employees not included in the faithful performance blanket bond. The penal sum of these blanket bonds shall be fixed by the Board of Directors and to be in a form to be prescribed or approved by the Town Attorney and filed with the Town Clerk. Premiums for said bonds shall be paid by the Town.

### **Sec. 2-8 Removal from office by Board of Directors.**

[Amended by referendum 10-1-1962; amended by referendum 11-4-2003; amended by referendum 11-8-2022]

Except as hereinafter provided, the Board of Directors may remove any officer or employee appointed by it, provided the officer or employee shall have been served with a written notice of the intention of the Board of Directors to remove [him] **SUCH OFFICER OR EMPLOYEE**, containing a clear statement of the grounds for such removal and of the time and place, not less than ten (10) days after the service of such notice, at which [he] **THEY** shall be given an opportunity to be heard thereon. For the purposes of this provision, absence of any appointee to a board or commission created by Charter or ordinance from more than three (3) consecutive regular meetings shall be considered grounds for removal. In the event this conflicts with any provisions of a board or commission currently operating under the Charter or an ordinance, it is intended that this provision shall control. After such hearing, which shall be public at the option of the officer or employee and at which [he] **THEY** may be represented by counsel, the action of the Board of Directors the officer or employee shall be ineligible to perform the duties of [his] **THEIR** office or employment but [he] **THEY** shall continue to receive his salary or wages pending such final action. Notwithstanding the foregoing provisions, if any officer or employee appointed by the Board of Directors shall be convicted by a final judgment of a felony, as deemed by the



Connecticut General Statutes, the office held by such officer and the position held by such employee shall become vacant forthwith upon such conviction.

**Sec. 2-9 Removal from office by [General] TOWN Manager.**

[Amended by referendum 10-1-1962; amended by referendum 11-8-2022]

The [General] TOWN Manager may remove any officer or employee appointed by [him] THE TOWN MANAGER when, in [his] THE TOWN MANAGER'S opinion, the best interests of the Town require such action, provided the officer or employee shall have been served with a written notice of the intention of the [General] TOWN Manager to remove [him] SUCH OFFICER OR EMPLOYEE, containing a clear statement of the grounds for such removal. Any officer or employee so discharged shall be entitled, upon request in writing to the Board of Directors, to a hearing before said Board under such procedure as said Board shall provide, which hearing shall be public at the option of such officer or employee and at which [he] THEY may be represented by counsel, but the final decision with respect to any such discharge or removal shall rest with the [General] TOWN Manager. The [General] TOWN Manager may suspend from duty for not more than thirty (30) days any such officer or employee pending final action. Notwithstanding the foregoing provisions, if any officer or employee appointed by the [General] TOWN Manager shall be convicted by a final judgment of a felony, as defined by the Connecticut General Statutes, the office held by such officer and the position held by such employee shall become vacant forthwith upon such conviction.

**Sec. 2-10 Resignations.**

[Amended by referendum 11-8-2022]

Resignations of all officers and members of boards and commissions appointed by the Board of Directors shall be presented to the Board of Directors, and resignations of all officers and members of boards and commissions appointed by the [General] TOWN Manager shall be presented to the [General] TOWN Manager. Resignations of elective officers shall be presented to the Board of Directors, except that resignations from the Board of Education shall be presented to that Board.

**Sec. 2-11 Vacancies.**

[Amended by referendum 10-5-1964; amended by referendum 4-30-1968; amended by referendum 11-5-1991; amended by referendum 11-8-2022]

Any vacancy in any elective Town office, from whatever cause arising, shall be filled by appointment by the Board of Directors for the unexpired portion of the term, except:

(a) If a vacancy occurs in the office of any member of the Board of Education, it shall be filled by the remaining members of said Board of Education until the next regular Town election, at which election a successor shall be elected for the unexpired portion of the term. The official ballot at such regular Town election shall specify the vacancy to be filled. The person so elected at such election shall take office in accordance with Chapter II, § 2-1 of this Charter; or

(b) As may otherwise be provided for by state statute.

If any vacancy in any elective office is not filled, as thus provided, within forty-five (45) days from the time of its happening, the Board of [Selectmen] SELECT BOARD shall fill the same. Any resignation by an elected official shall be deemed to have happened when written notice thereof is received by the Secretary of the Board of Directors. Any vacancy in any appointive office, from

whatever cause arising, shall be filled by the authority having the power of appointment to that office for the unexpired portion of the term if the vacancy be caused by resignation, death, removal or permanent disability or on a temporary basis in the event of the temporary absence, leave or temporary disability of the holder of the office.

**Sec. 2-12 Town Clerk.**

[Amended by referendum 11-8-1960; amended by referendum 11-8-2022]

**ON OR BEFORE JULY 1 OF YEAR OF AN ELECTION FOR THE OFFICE OF TOWN CLERK.** the Town Clerk's salary shall be fixed by the Board of Directors, except that it shall not be decreased at any time other than at the start of a new term of office. All fees, charges and compensation of any nature whatsoever paid to and received by the Town Clerk for services rendered in his official capacity shall be paid by said Town Clerk to the Collector of Revenue, together with an accompanying itemized statement, for the use of the Town. The Town of Manchester shall pay all expenses of the office of said Town Clerk, including salaries of employees, and the cost of materials and supplies reasonably required for the proper conduct of said office. The Town Clerk shall have the exclusive right to appoint, supervise and discharge the employees in the Town Clerk's office. Said employees shall be employees of the Town of Manchester.

**Sec. 2-14 Justices of the Peace.**

[Added by referendum 11-4-2008; amended by referendum 11-8-2022]

~~[Fifteen (15)]~~ **FORTY-FIVE (45)** Justices of the Peace shall be selected and their offices administered in accordance with state statutes.

**Sec. 3-1 Board of Directors; general powers.**

[Amended by referendum 10-1-1962; amended by referendum 10-5-1964; amended by referendum 4-30-1968; amended by referendum 11-5-1996; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The Board of Directors shall, except in matters under the jurisdiction of the Board of Education and except as otherwise specifically provided in this Charter, exercise all the legislative powers of the Town. Further, all legislative rights, powers and duties of the Town and the powers of appointment to all boards, agencies and commissions not otherwise vested by this Charter are exclusively vested in the Board of Directors. It shall have, in addition to all powers and duties conferred and imposed upon it by this Charter, all the powers and duties now or hereafter conferred or imposed by the General Statutes on Town boards of selectmen, relating to the abatement of taxes. The final authority concerning a budget and tax rate is vested exclusively in the Board of Directors subject to the provisions of §§ 3-10 and 3-13 of this chapter. The Board of Directors shall have the power to investigate any and all departments, offices and agencies of the Town. For the purposes of such investigation, the [~~Chairman~~] **CHAIR** or Acting [~~Chairman~~] **CHAIR** shall have the power to administer oaths and issue subpoenas and, at [~~his~~] **THEIR** request, any judge may issue a capias for the appearance of witnesses and the production of books and papers except as herein provided. The Board of Directors shall hold a special meeting to review the administrative performance of the [~~General~~] **TOWN** Manager between June 1 and July 31 of each year. Except to the extent to which such powers are conferred upon the Town Planning Commission, the Board of Directors shall exercise the powers hitherto possessed by the Town meeting and the Board of Selectmen relative to the collection of benefits due the Town from the establishment of any building, street, sidewalk or curb or tree line or benefits accruing from the opening or improvement of any street or highway, including the assessment of a portion of the cost

thereof on the owners of abutting property, and such powers are extended to include the construction and assessment of the cost of highways, sidewalks, curbs, gutters, sewers and drains. The Board of Directors shall have the power to make, alter and repeal ordinances and bylaws, not inconsistent with this Charter or the General Laws of the state, for the execution of the powers vested in the Town as provided in Chapter I of this Charter, for the government of the Town and the management of its business and for the preservation of the good order, peace, health and safety of the Town and its inhabitants. Such ordinances and bylaws shall be binding upon all the inhabitants of the Town and upon persons coming within its limits, and said Board may provide penalties for breaches thereof not exceeding one hundred dollars (\$100.00) for each offense. Notwithstanding any other provisions of this Charter, the Board of Directors, subject to the general laws of the state, shall have the authority **BY ORDINANCE OR RESOLUTION** to establish, delete or alter departments and divisions comprising the internal organizational structure of the Town deemed necessary to effectively and efficiently perform the duties of those departments and functions specifically mentioned within the provisions of this Charter and to make such rules and regulations:

- (a) Concerning the creating or abolishing of departments and offices,
- (b) Regulating the internal operation of departments, offices and personnel,
- (c) Fixing the compensation of officers and employees of the Town and the charges, if any, to be made for services rendered by the Town, as it may deem to be in the best interest of the Town. The Board of Directors shall have the power to designate the [~~General~~] **TOWN** Manager as the personnel and office manager for the Town and to require that all such office and personnel matters shall be administered by [~~him~~] **THE TOWN MANAGER** in accordance with the rules and regulations adopted by the Board of Directors.

The Board of Directors may fix the charges, if any, to be made for services rendered by the Town or for the execution of powers vested in the Town as provided in Chapter I of this Charter and the General Statutes, as amended. The Board of Directors shall establish ordinances and regulations regarding such charges.

The Board of Directors shall authorize all purchases of real estate by the Town and all sales of real estate owned by the Town by ordinance, which ordinance shall be enacted in compliance with § 3-8 and shall be subject to the provisions of §§ 3-9 and 3-10, except that all sales and purchases connected with redevelopment and urban renewal as provided in Chapter 130 of the Connecticut General Statutes, Revision of 1958, as amended, and all condemnation proceedings and acquisition, sale or exchange of easements necessitated by public improvement projects of the Town authorized by the Board of Directors are excluded from the operation of this section.

**Sec. 3-2 Number; election; term.**

[Amended by referendum 4-30-1968; amended by referendum 11-8-2022]

The Board of Directors shall consist of nine (9) members, **INCLUDING THE MAYOR AND EIGHT (8) MEMBERS** elected from the Town at large for terms of two (2) years, commencing on the third Monday in November in the year of their election and until their successors shall have been elected and have qualified.

### **Sec. 3-3 Compensation.**

[Amended by referendum 4-30-1968; amended by referendum 11-3-1981; amended by referendum 11-5-1996; amended by referendum 11-8-2022]

The compensation of the members of the Board of Directors shall be as follows: the [~~Chairman~~] CHAIR shall be paid three thousand dollars (\$3,000.00) annually, the [~~Deputy Chairman~~] VICE CHAIR and the Secretary shall be paid two thousand four hundred dollars (\$2,400.00) annually, and the other members of the Board shall be paid two thousand dollars (\$2,000.00) annually, which sums shall be in full compensation for services rendered.

### **Sec. 3-4 Organization.**

[Amended by referendum 4-30-1968; amended by referendum 11-7-1978; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The Board of Directors shall meet in the afternoon on the third Monday in November, 1969, and biennially thereafter and organize by electing one of its own members to be for a term of two years [~~Chairman~~] CHAIR of the Board of Directors; one of its own members to be for a term of two years Vice [~~Chairman~~] CHAIR of the Board of Directors; and one of its own members to be for a term of two years Secretary of the Board of Directors. The member elected as [~~Chairman~~] CHAIR shall be the member who received the highest vote count in the biennial election FOR THE POSITION OF MAYOR, irrespective of party affiliation or nonaffiliation. The Vice [~~Chairman~~] CHAIR and Secretary shall be elected by a majority vote of those present.

### **Sec. 3-5 [~~Chairman~~] CHAIR and Vice [~~Chairman~~] CHAIR.**

[Amended by referendum 10-5-1964; amended by referendum 11-7-1978; amended by referendum 11-8-2022]

The [~~Chairman~~] CHAIR, who shall be designated as Mayor of Manchester, shall preside at all meetings of the Board and may call special meetings thereof. [~~He~~] THE CHAIR shall call special meetings of the Board whenever requested in writing by the [~~General~~] TOWN Manager or four (4) members of the Board to do so. [~~He~~] THE CHAIR shall be recognized as head of the Town government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties. Whenever [~~he~~] THE CHAIR shall be absent or otherwise prevented from serving in any of his official capacities, the Vice [~~Chairman~~] CHAIR, who shall be designated as the Deputy Mayor of Manchester, shall be Acting [~~Chairman~~] CHAIR and shall have all powers of the [~~Chairman~~] CHAIR until the [~~Chairman~~] CHAIR is able to exercise them. IN CASE OF A VACANCY IN THE POSITION OF CHAIR, THE VICE CHAIR SHALL BECOME THE CHAIR. Whenever the [~~Chairman~~] CHAIR and Vice [~~Chairman~~] CHAIR shall both be absent or otherwise prevented from serving in any of their official capacities, an Acting [~~Chairman~~] CHAIR, who shall have all the powers of the [~~Chairman~~] CHAIR until either the [~~Chairman~~] CHAIR or Vice [~~Chairman~~] CHAIR is able to exercise them, shall be elected by the Board.

### **Sec. 3-6 Secretary.**

[Amended by referendum 4-30-1968; amended by referendum 11-8-2022]

The Secretary shall have charge of keeping a correct public record of all meetings of the Board, which record shall be open to inspection at all reasonable times by any taxpayer or elector of the Town. Upon authorization by the Board of Directors, the Secretary or the [~~Chairman~~] CHAIR may sign, on behalf of the Board, all formal notices and records. The Secretary shall have no power to sign contracts. The Town Clerk may certify the records of the Board of Directors as true copies of the records of the Board of Directors as kept by the Secretary.

### **Sec. 3-9 Petition for overrule.**

[Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 2, 25 C.S.A. 1193; amended by referendum, Ques. 7, 10-6-1958; amended by referendum 4-30-1968; amended by referendum 11-5-1991; amended by referendum 11-8-2022]

No ordinance or bylaw adopted by the Board of Directors, except those making appropriations, or fixing the tax rate, as provided in Chapter V of this Charter, shall become effective until it shall have been advertised in full or summarized in accordance with provisions contained in State Statutes at least three (3) times in a newspaper having a general circulation in the Town and a period of ten (10) days from the date of the third such advertisement shall have elapsed, during which ten (10) days no petition for a referendum on the ordinance shall have been filed in accordance with the provisions of this section. If, within ten (10) days after the third publication of any such ordinance, a petition signed by not less than five (5) percent of the electors of the Town, as determined from the latest official lists of the Registrars of Voters, is filed with the Town Clerk requesting its reference to a special Town election, the Town Clerk shall, within ten (10) days thereafter, fix the day and the place of such election and certify the same to the [General] **TOWN** Manager, and such election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding a Town election. Any ordinance so referred shall become effective upon the conclusion of such election unless a majority of those voting thereat shall have voted in the negative on a "yes" and "no" vote on the question as to whether the ordinance or bylaws should be adopted. Said petition for overrule may be submitted to the electors at a Town election if said Town election occurs within sixty (60) days of the filing of said petition.

### **Sec. 3-10 Petition for enactment.**

[Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 3, 25 C.S.A. 1193; amended by referendum, Ques. 7, 10-6-1958; amended by referendum 4-30-1968; amended by referendum 11-7-1978; amended by referendum 11-5-1991; amended by referendum 11-8-2022]

Whenever a petition signed by not less than five (5) percent of the electors of the Town, as determined from the latest official lists of the Registrars of Voters, proposing any lawful appropriation, ordinance or bylaw and including the complete text of any such ordinance or bylaw is filed with the Town Clerk requesting its passage, the Town Clerk shall, within ten (10) days thereafter, certify such petition and proposed ordinance or bylaw to the Board of Directors for its consideration. If, within forty-five (45) days from such certification, the Board of Directors shall not have made such appropriation or passed such ordinance or bylaw, or one substantially similar thereto, the Town Clerk shall submit such proposed ordinance or bylaw to the Town Attorney who shall, not later than thirty (30) days from the date the Town Clerk submits such proposed ordinance or bylaw to the Town Attorney, without materially changing its meaning and effect, correct the wording to avoid repetition, illegalities and unconstitutional provisions and assure accuracy and clarity. The Town Clerk shall thereupon fix the day and place of a special Town election and certify the same to the [General] **TOWN** Manager, and such special Town election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding Town elections. The [General] **TOWN** Manager shall advertise such proposed appropriation, ordinance or bylaw in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. If such appropriation, ordinance or bylaw is approved by a majority of those voting thereon at such special election, it shall become effective on the tenth day after such special election. Said petition for enactment may be submitted to the electors at a Town election if said Town election occurs within ninety (90) days of the filing of said petition.



**Sec. 3-11 Revision of existing ordinances.**

[Amended by referendum 11-8-2022]

The provisions of §§ 3-8 and 3-9 of this chapter shall not apply to any ordinance or bylaw adopted by the Board of Directors which is substantially similar in language to any ordinance or bylaw of the Town adopted prior to January 1, 1947, except that the Board of Directors or [General] TOWN Manager is substituted for the Board of Selectmen or the [Chairman] CHAIR of the Board of Directors is substituted for the [Chairman] CHAIR of the Board of Selectmen. Any such ordinance or bylaw shall be effective upon passage by the Board of Directors and filing with the Town Clerk without the necessity of public hearing or advertisement.

**Sec. 3-12 Joint annual meeting of Board of Directors and Board of Education.**

[Added by referendum 11-4-2003; amended by referendum 11-8-2022]

The Board of Directors and the Board of Education shall annually during the month of September attend a joint meeting of the Board of Directors and the Board of Education for the purpose of discussing the possible consolidation of similar functions performed independently by each unit of government. Within sixty (60) days of such meeting the [General] TOWN Manager and Superintendent of Schools shall prepare a written report addressing proposed consolidation efforts discussed by the Boards. Any action to consolidate efforts will require a two-thirds vote of each Board to implement and repeal.

**Sec. 3-13 Petition for budget referendum.**

[Added by referendum 11-4-2008; amended by referendum 11-8-2022]

If, not later than ten days after adoption of the budget in accordance with § 5-6, a petition signed by not less than seven percent of the electors of the Town, as determined from the latest official lists of the Registrars of Voters, is filed with the Town Clerk, to reject the budget adopted by the Board of Directors, the Town Clerk shall, within ten days thereafter, fix the day and place of a special Town election to vote on the petition to reject the adopted budget, and certify the same to the [General] TOWN Manager, and such election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding a Town election. The day of such special election shall be not more than 35 days after the date of adoption of the budget.

The petition for budget referendum shall be in substantially the following form and shall be approved by the Town Clerk in accordance with Section 7-9 of the General Statutes before circulation:

WARNING ALL SIGNATURES SHALL BE IN INK OR INDELIBLE PENCIL

We, the undersigned electors of the Town of Manchester, present this petition requesting that the following question be referred to the voters at a referendum: "Shall the annual budget adopted by the Board of Directors on (here insert date of adoption) take effect as adopted?" We certify that we are electors of the Town of Manchester, residing at the addresses set opposite our names, and that we have not signed this petition more than once.

SIGNATURE

PRINTED NAME

NUMBER STREET



At the referendum, the electors shall choose one of the following three responses to the ballot question.

Yes.

No; the adopted budget is too high.

No; the adopted budget is too low.

If a majority of the votes cast in the referendum are "Yes," or if the total number of votes cast in the referendum is less than 15% of the number of electors of the Town as determined from the latest official lists of the Registrars of Voters, the adopted budget shall take effect in accordance with the provisions of Chapter 5.

Provided that the total number of votes cast in the referendum is 15% or more of the number of electors of the Town, a combined "No" vote by a majority of the electors voting shall reject the adopted budget and require the Board of Directors to adopt a revised budget.

If the adopted budget is rejected, the Board of Directors shall, within seven days after the special election, adopt a revised budget, which may be less or greater than the adopted budget, as the Board shall deem appropriate based on the results of the referendum. The revised budget shall take effect in accordance with the provisions of Chapter 5.

There shall be no more than one budget referendum in any year.

#### **Sec. 4-1 Appointment.**

[Amended by referendum 11-4-2003; amended by referendum 11-8-2022]

At the meeting of the Board of Directors on the first Monday in November, 1948, or as soon thereafter as possible, the Board of Directors shall appoint a [General] TOWN Manager who shall be chosen on the basis of [his] THEIR executive and administrative qualifications with special reference to [his] THEIR actual experience in, and [his] THEIR knowledge of, accepted practices in respect to the duties of [his] THEIR office as herein set forth. At the time of [his] THEIR appointment, [he] THE TOWN MANAGER need not be a resident of the Town or state, but within one (1) year of appointment [he] THE TOWN MANAGER shall reside within the Town. No member of the Board of Directors shall receive such appointment during the term for which [he] THEY shall have been elected, nor within one (1) year after the expiration of [his] THEIR term.

#### **Sec. 4-2 Tenure and removal.**

[Amended by referendum 10-5-1964; amended by referendum 11-8-2022]

The [General] TOWN Manager shall be appointed for an indefinite term. [He] THE TOWN MANAGER may be removed by the affirmative vote of five (5) members of the Board of Directors. At least thirty (30) days before such removal may be made effective, the Board of Directors shall, by such a majority vote of its members, adopt a preliminary resolution stating the reasons for the proposed removal, and a copy of such resolution shall forthwith be mailed by registered mail to the [General] TOWN Manager at [his] THEIR usual place of abode. The [General] TOWN Manager may reply and may appear and be represented by counsel at a public hearing which shall be called by the Board of Directors if requested by the [General] TOWN Manager. Such a request shall be made by the [General] TOWN Manager not more than thirty

(30) days after the adoption of such preliminary resolution. Such hearing shall be held not more than twenty (20) days from the date of such request. After such public hearing, the Board of Directors, by majority vote of all its members, may adopt a resolution removing the [~~General~~] TOWN Manager from office, which may be made effectively immediately. If no request for a hearing is made by the [~~General~~] TOWN Manager, [~~his~~] THE TOWN MANAGER'S removal from office shall be effective thirty-one (31) days from the date of said preliminary resolution. By the preliminary resolution, the Board of Directors may suspend the [~~General~~] TOWN Manager from duty; but [~~he~~] THE TOWN MANAGER shall be entitled to his regular compensation until [~~he~~] THE TOWN MANAGER shall have been removed from office, and until such removal [~~he~~] THE TOWN MANAGER shall have access during regular business hours to all records, files and documents in the custody of any Town official pertaining to his conduct as [~~General~~] TOWN Manager. If the [~~General~~] TOWN Manager shall be found guilty by any court of misfeasance or malfeasance in office or of any felony, [~~he~~] THE TOWN MANAGER may be summarily dismissed by the Board of Directors, and [~~he~~] THE TOWN MANAGER shall not be entitled to any salary other than any unpaid balance which may be due [~~him~~] THE TOWN MANAGER.

#### **Sec. 4-3 Salary.**

[Amended by referendum 11-8-2022]

The salary of the [~~General~~] TOWN Manager shall be fixed by the Board of Directors, and it shall not be decreased except at the beginning of a fiscal year of the Town.

#### **Sec. 4-4 Absence or disability of [~~General~~] TOWN Manager.**

[Amended by referendum 11-8-2022]

To perform the duties of the [~~General~~] TOWN Manager pending the appointment of a [~~General~~] TOWN Manager or during [~~his~~] THE TOWN MANAGER'S temporary absence or disability, the Board of Directors may appoint an Acting Manager, who shall not be one of its own members, to perform the duties of the [~~General~~] TOWN Manager.

#### **Sec. 4-5 [~~General~~] TOWN Manager, powers and duties.**

[Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 4, 25 C.S.A. 1194, effective 7-1-1949; amended by referendum 10-1-1962; amended by referendum 10-5-1964; amended by referendum 11-5-1991; amended by referendum 11-8-2022]

The [~~General~~] TOWN Manager shall be the chief executive officer and the head of the administrative branch of the Town government, and none of the administrative duties of the Town shall be performed by any member of the Board of Directors. All administrative rights, powers and duties of the Town not otherwise vested by this Charter are exclusively vested in the [~~General~~] TOWN Manager. Except for the appointment of boards, agencies and commissions provided for by the General Statutes and except as herein provided, he shall exercise the powers and perform the duties in and for the Town of Manchester which are conferred and imposed by law upon selectmen, except as to the filling of vacancies in elective offices as set forth in § 2-11 hereof and to the delivery and filing of the welfare reimbursement agreements and liens referred to in Sections 17-280 and 17-281, 1958 Revision of the General Statutes.<sup>11</sup> The service of any process against or notice to the Town, and any notice which the General Statutes may provide, should be served upon the selectmen or any selectman of a Town shall, in the case of the Town of Manchester, be served upon the Town Clerk. The [~~General~~] TOWN Manager shall have charge of the preparation of the annual report of the Town required by law, shall attend meetings of the Board of Directors, may participate in any discussion and may make recommendations but shall not have the right to

vote at such meetings. In addition to the duties prescribed by this Charter, [he] THE TOWN MANAGER shall perform such other duties as may be required of [him] THE TOWN MANAGER by the Board of Directors not inconsistent with the provisions of this Charter.

**Sec. 4-6 Delegation of authority during vacancy of office.**

[Amended by referendum 11-8-2022]

Unless otherwise specially provided for in this Charter, the [General] TOWN Manager shall have the power to delegate any person to be the acting head of any department, commission, bureau or board appointed by [him] THE TOWN MANAGER during the period of any vacancy, absence or disability and until a new appointment shall have been made.

**Sec. 5-2(a) Preparation.**

[Amended by Sp. Act, Jan. Sess., 1957, Sp. No. 10, Sec. 2, 28 C.S.A. 11, approved 3-8-1957; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The [General] TOWN Manager shall prepare and, not ~~[less than 110 days prior to the beginning of each fiscal year]~~ LATER THAN MARCH 13 OF EACH YEAR, shall submit to the Board of Directors a tentative budget for the ensuing fiscal year and an explanatory budget message. Such tentative budget shall, where possible, include a statement of receipts during the last completed fiscal year, the receipts for the first six (6) months of the current fiscal year, an estimation of receipts for the entire fiscal year and an estimation of receipts during the ensuing fiscal year, all itemized in accordance with a classification approved by the Board of Directors. Such budget shall also, where possible, include a statement of the expenditures during the completed fiscal year, the expenditures during the six (6) months of the current fiscal year, an estimation of the expenditures for the entire current year, the appropriations requested and the recommendations of the [General] TOWN Manager, as itemized by departments and in accordance with a classification by object of expenditure approved by the Board of Directors. Said budget message shall state the reason for any material increase or decrease in the estimate for the coming year of any item of receipts or expenditures from that for the current fiscal year. The Board of Education and each office, department and agency of the Town which requires an appropriation shall, not later than February 14 of each year, submit to the [General] TOWN Manager a request for an appropriation for the ensuing year in accordance with a form prescribed by the [General] TOWN Manager and shall furnish the [General] TOWN Manager with such further information as to receipts and expenditures as [he] THE TOWN MANAGER shall require. The request for an appropriation filed by the Board of Education with the [General] TOWN Manager shall be accompanied by a copy thereof for each member of the Board of Directors. Within three (3) days of filing the request for an appropriation, the Chair of the Board of Education may submit a letter to the [General] TOWN Manager requesting joint meeting of the two (2) Boards for the purpose of discussing the appropriation request of the Board of Education and the recommendations of the [General] TOWN Manager. If the Chair of the Board of Education requests this initial joint meeting, the joint meeting shall be held not later than five (5) days before the [General] TOWN Manager submits [his] A tentative budget to the Board of Directors. Following the submittal of the [General] TOWN Manager's tentative budget, but not later than seven (7) days before the adoption of the final budget, a mandatory joint meeting of the two (2) Boards shall be held for the purpose of presenting and discussing the appropriation request of the Board of Education.

**Sec. 5-2(b) Submission to Board of Directors.**

The **TOWN** Manager shall prepare and submit to the Board of Directors a six-year capital improvement program as part of the tentative budget.

### **Sec. 5-3 Publication.**

[Amended by Sp. Act, Jan. Sess., 1957, Sp. No. 10, Sec. 3, 28 C.S.A. 12, approved 3-8-1957; amended by referendum 4-30-1968; amended by referendum 11-5-1991; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The budget and budget message and all supporting data shall be a public record in the office of the **[General] TOWN** Manager and shall be open to inspection at any reasonable time by any elector or taxpayer. The **[General] TOWN** Manager shall cause a summary of the tentative budget and budget message to be advertised in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. The third such advertisement of the tentative budget and budget message shall appear not ~~[less than 105 days prior to the beginning of the ensuing fiscal year]~~ **LATER THAN MARCH 18 OF EACH YEAR.**

### **Sec. 5-4 Public hearings.**

[Amended by Sp. Act, Jan. Sess., 1957, Sp. No. 10, Sec. 4, 28 C.S.A. 12, approved 3-8-1957; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The Board of Directors shall hold a public **BUDGET** hearing not ~~[less than 100 days prior to the beginning of the fiscal year]~~ **LATER THAN MARCH 23 OF EACH YEAR** at which any elector or taxpayer may have an opportunity to be heard. The Board of Directors shall determine the date of the hearing and shall cause a notice of the hearing to be published in a newspaper having a general circulation in the Town not less than three (3) times and not less than five (5) days prior to the date of the hearing. The hearing may be adjourned from time to time by the Board of Directors as it shall deem necessary.

### **Sec. 5-5 Consideration by the Board.**

[Amended by referendum 10-5-1964; amended by referendum 4-30-1968; amended by referendum 11-8-2022]

After the conclusion of the public hearing the Board of Directors shall continue its consideration of the tentative budget. The Board of Directors may revise any of the estimates of receipts or of expenditures for the ensuing fiscal year except that before inserting any new item of expenditure or increasing any item of expenditure either over the amount requested by any department or recommended by the **[General] TOWN** Manager, whichever amount shall be greater, it must call another public hearing, giving notice of such hearing in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. The notice of such hearing shall state the nature of the proposed additions or increases.

### **Sec. 5-6 Adoption.**

[Amended by Sp. Act, Jan. Sess., 1957, Sp. No. 10, Sec. 5, 28 C.S.A. 13, approved 3-8-1957; amended by referendum 11-5-1991; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

~~[The final budget shall be adopted by the Board of Directors not less than 75 days prior to the beginning of the fiscal year]~~ **THE BOARD OF DIRECTORS SHALL CONVENE TO VOTE ON THE ADOPTION OF A FINAL BUDGET NOT LATER THAN APRIL 17 OF EACH YEAR.** Should the Board of Directors take no final action to adopt the budget on or before ~~[the forty-fifth day prior to the beginning of the ensuing fiscal year]~~ **MAY 17 OF EACH YEAR**, the tentative budget submitted by the **[General] TOWN** Manager shall be deemed to have been finally adopted by the Board of Directors, and it shall be the legal budget of the Town for the fiscal year

ensuing, unless a petition for a budget referendum shall be filed and certified in accordance with § 3-13.

**Sec. 5-7 Certification.**

[Amended by referendum 11-8-2022]

A copy of the budget as finally adopted shall be certified by the [General] TOWN Manager and recorded in a book kept for that purpose in the office of the Town Clerk. From the date of the beginning of the fiscal year the several amounts stated in the budget as proposed expenditures shall be and become appropriated to the several objects and purposes therein named.

**Sec. 5-11(a) Appropriation of gifts or other aid.**

[Added by referendum 4-30-1968; amended by referendum 11-8-2022]

Any gift, contribution, income from trust funds, or other aid or income from any private source or from the federal or state governments, which is carried upon the records of the Town or is received after July 1, 1968, shall be entered upon the records of the General Fund in a manner recommended by the [General] TOWN Manager and approved by the Board of Directors. When so recorded, such amounts shall be deemed to be appropriated to the purposes of such gift, contribution or other aid or income.

**Sec. 5-13 Director of Finance to assume former powers and duties of Town Treasurer.**

[Amended by referendum, Ques. 9, 10-6-1958; amended by referendum 11-5-1996; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The Director of Finance shall have all the powers and perform all the duties which are vested by statute in town treasurers, and, except as otherwise provided in this Charter, as amended, all the powers and duties which were formerly vested in the Town Treasurer by this Charter. [He] THE DIRECTOR OF FINANCE shall have custody of and disburse all funds belonging to the Town and shall deposit the same in such banks and trust companies as may be designated by the Board of Directors on the recommendation of the [General] TOWN Manager. [He] THE DIRECTOR OF FINANCE shall keep such books and records as the Board of Directors shall prescribe. [He] THE DIRECTOR OF FINANCE shall be the Treasurer of the Town Deposit Fund and shall have authority to invest and reinvest the same in securities legal for investment of trust funds under the General Statutes. Nothing herein shall be construed to prevent sinking funds and trust funds from continuing to be managed by any trust company managing them at the effective date of this Charter unless the appointment is revoked by the Board of Directors. Whenever a vacancy occurs, or any trust fund is hereafter created, the Board of Directors shall have power on the recommendation of the [General] TOWN Manager to designate a trust company or trust companies to manage the same, which designation shall continue until revoked. The Director of Finance or Acting Director of Finance and the [General] TOWN Manager or Acting [General] TOWN Manager jointly shall have the power to endorse, negotiate, sign and transfer, on behalf of the Town, any securities in order to effectuate the transfer thereof.

**Sec. 5-16 Director of Finance.**

[Amended by referendum 11-5-1991; amended by referendum 11-8-2022]

The [General] TOWN Manager shall appoint a Director of Finance who shall keep such accounts as may be necessary to maintain a constant record of the condition of each budget appropriation and item and shall keep complete accounts of all financial transactions of the Town. Such accounts shall be kept in accordance with an accounting system which has the approval of the Board of



Directors. At least once during each month he shall submit to the [General] TOWN Manager and the Board of Directors a statement showing the condition of the budget for the portion of the fiscal year which ended the last day of the previous month and showing the general financial condition of the Town as of the same date. Such monthly statements shall be public records.

**Sec. 5-17 Purchases and contracts.**

[Amended by Sp. Act, Jan. Sess., 1955, Sp. No. 600, 27 C.S.A. 526, approved 8-5-1955; amended by referendum 10-5-1964; amended by referendum 11-5-1991; amended by referendum 11-8-2022]

With the exception of the Board of Education, no officer or employee of the Town shall make any purchase or any contract, including contracts for service, or any commitment for any purchase or contract, including contracts for service, until the Director of Finance shall have certified that there is a sufficient unexpended and unencumbered balance of the appropriation and appropriation item against which the expense is to be charged. Whenever any such requisition has been so certified, the Director of Finance shall record the amount of the requisition as an encumbrance against such appropriation and appropriation item. Except as otherwise provided in this Charter, the Board of Directors shall have power to make such other rules and regulations concerning purchases and contracts including contracts for service as it may deem to be in the best interest of the Town. There shall be a Purchasing Agent for the Town who shall be the [General] TOWN Manager or someone appointed by [him] THE PURCHASING AGENT. All purchases, except those for the Board of Education, shall be made by [him] THE PURCHASING AGENT in accordance with the rules and regulations adopted by the Board of Directors.

**Sec. 5-29 Assessor.**

[Added by referendum 10-5-1964; amended by referendum 11-8-2022]

The [General] TOWN Manager shall appoint an Assessor who shall, except as otherwise provided in this Charter, have such powers and duties as are conferred or imposed on assessors of Towns by the General Statutes.

**Sec. 6-1 Collector of Revenue.**

[Amended by referendum, Ques. 1, 10-6-1968; amended by referendum 11-8-2022]

The Collector of Revenue shall be appointed by the [General] TOWN Manager and shall receive and collect all taxes and assessments payable to the Town and such other fees and charges as may be assigned to [him] THE COLLECTOR OF REVENUE for collection by the Board of Directors on the recommendation of the [General] TOWN Manager. Except as otherwise provided in this Charter, [he] THE COLLECTOR OF REVENUE shall have such powers and duties as are conferred or imposed on tax collectors of towns by the General Statutes. In addition to any other persons designated by the Charter, the Collector of Revenue shall have the power to execute and release all liens provided for by the Charter.

**Sec. 7-2 Voting districts.**

[Amended by referendum 11-8-2022]

The Town may by ordinance establish voting districts. Whenever voting districts are established, each elector of the Town shall vote in the district in which [he] SUCH ELECTOR resides. The Registrars of Voters of the Town shall prepare a list of the electors in each voting district, listing the name of each such elector and [his] THEIR residence by street and number, if possible. The Registrar of Voters shall prepare similar lists of electors who are registered with each political party, or may combine such registration list with the list of the electors by indicating on the list of



electors the political party affiliation, if any, of such elector. Any elector who shall move [~~his~~] **THEIR** residence from one voting district to another voting district in the Town shall notify the Registrars of Voters of such removal, giving the street and number from which [~~he~~] **THEY** moved, the street and number of [~~his~~] **THEIR** new residence, and the date of such removal.

### **Sec. 8-1 Powers and duties.**

[Amended by referendum 11-5-1996; amended by referendum 11-8-2022]

The powers and duties of the **SELECT** Board [~~of Selectmen~~] shall be limited to those specifically set forth in § 2-11 of this Charter.

### **Sec. 10-1 Chief of Police.**

[Amended by referendum 4-30-1968; amended by referendum 11-4-2003; amended by referendum 11-8-2022]

The [~~General~~] **TOWN** Manager shall appoint a Chief of Police who at the time of [~~his~~] **THEIR** appointment need not be a resident of the Town or state but within one (1) year of appointment shall reside within the Town. The Chief of Police shall be the executive head of the Police Department and, as such, shall have charge and control, under the direction of the [~~General~~] **TOWN** Manager, of the administration and discipline of the Police Department and of its buildings, property, apparatus and equipment. The Chief shall appoint such subordinate officers and members of the personnel in the Police Department, including supernumerary and special police, as [~~he~~] **THE CHIEF** may deem necessary and shall fix their compensation within a scale of wage rates recommended by [~~him~~] **THE CHIEF** and approved by the [~~General~~] **TOWN** Manager and within the appropriations made by the Board of Directors. The Chief shall have control over traffic and traffic regulations and shall be the traffic authority of the Town with all the powers and duties within the Town vested in and imposed upon traffic authorities by the General Statutes. [~~He~~] **THE CHIEF** shall make and enforce such reasonable rules, orders and regulations, not inconsistent with the General Statutes and the provisions of this Charter, as may be necessary efficiently to exercise all the powers and duties imposed upon and vested in [~~him~~] **THE CHIEF** and the Department, including the duties and discipline of the personnel of the Department. [~~He~~] **THE CHIEF** shall have authority to administer oaths and take evidence in all proceedings relating to the direction and control of the Police Department.

### **Sec. 10-2 Qualifications of policemen.**

[Amended by referendum 11-8-2022]

No person shall be appointed to the police force nor as a supernumerary or special policeman unless [~~he is~~] **THEY ARE** of good moral character and habits and in good health and until [~~he~~] **THEY** shall have passed such examination respecting his educational, physical and general qualifications as may be prescribed by the Chief of Police with the approval of the [~~General~~] **TOWN** Manager.

### **Sec. 10-3 Removal of policemen.**

[Amended by Sp. Act, Jan. Sess., 1955, Sp. No. 589, approved 8-5-1955; amended by referendum 11-6-1973; amended by referendum 11-8-2022]

The Chief of Police shall have the power to remove, expel, suspend, reduce in rank or otherwise deal with officers of all ranks and regular, supernumerary and special members of the police when in [~~his~~] **THE CHIEF'S** opinion the best interests of the Department require such action. Any officer or member of the Police Department thus subjected to disciplinary action shall be entitled

upon request in writing to the [General] TOWN Manager to a public hearing before the [General] TOWN Manager under such procedure as the [General] TOWN Manager shall provide.

#### **Sec. 10-4 Powers and duties of policemen.**

[Amended by referendum 11-8-2022]

The Chief, officers and members of the Police Department shall have in criminal matters all the powers of police officers under the General Statutes, and shall also have the power to arrest any person found by them violating any of the laws of the state or the penal ordinances of the Town. Such person shall be dealt with in the same manner as if [he] THEY had been arrested upon a warrant theretofore duly issued. All criminal process for any offense committed within the Town, and all process to recover or to enforce any penalty for the violation of any Town ordinance issued out of any court, or by any judge within the Town, and each process, subpoena or bench warrant issued by the State's Attorney of Hartford County, relating to any offense committed within said Town, may be served by any member of the Police Department. The members of said Department shall possess such powers and perform such other duties as may be provided by law or ordinance.

#### **Sec. 10-5 Political activity prohibited.**

[Amended by referendum 11-8-2022]

No officer or member of the Police Department shall be a member of any political committee or delegate to any political convention, nor shall he hold any elective or other appointive position in the local government except that of Animal Control Officer or Assistant Animal Control Officer. [He] THEY shall not solicit any person to vote at any political primary, caucus or election, nor in any way or manner attempt to influence the vote of any elector thereat. Violation of any provision of this section shall constitute a cause for dismissal or suspension.

#### **Sec. 10-9 Areas outside fire districts.**

[Amended by referendum 11-8-2022]

The [General] TOWN Manager shall have power, with respect to all portions of the Town not included within the limits of any Fire District, to make rules and regulations relating to fire protection therein and to enter into agreements with any municipality, fire district or voluntary fire company for aid in extinguishing fire in the Town outside of any fire district and shall appoint a Fire Marshal for such portions of the Town.

#### **Sec. 10-12 Town Fire Department.**

[Amended by referendum 4-30-1968; amended by referendum 11-4-2003; amended by referendum 11-8-2022]

The [General] TOWN Manager shall appoint a Fire Chief who at the time of [his] THEIR appointment need not be a resident of the Town or state, within one (1) year of appointment shall reside within the Town. [He] THE CHIEF OF THE FIRE DEPARTMENT shall be the executive head of the Fire Department and as such shall have charge and control, under the direction of the [General] TOWN Manager, of the administration and discipline of the Fire Department and of its buildings, property, apparatus and equipment. The Chief of the Fire Department shall appoint such subordinate officers and members of the personnel of the Fire Department as he may deem necessary and shall fix their compensation within a scale of wage rates recommended by him and approved by the [General] TOWN Manager and within the appropriations made by the Board of Directors. The Chief of the Fire Department shall make and enforce such reasonable rules, orders and regulations, not inconsistent with the General Statutes and the provisions of this Charter, as may be necessary efficiently to exercise all the powers and

duties imposed upon and vested in him and the Department, including the duties and discipline of the personnel of the Department. Nothing herein shall be construed to prevent the continuance of volunteer fire companies, together with such paid assistants as may be deemed advisable.

### **Sec. 11-1 Establishment of Department.**

[Amended by referendum 11-7-1978; amended by referendum 11-5-1991; amended by referendum 11-8-2022]

There shall be a Department of Public Works which shall have supervision and control of the maintenance of all Town-owned structures, including Town-owned cemeteries, except such structures as are under the control of the Board of Education [~~and the Library Board~~], except as otherwise specifically provided by this Charter. The Department of Public Works shall also have supervision and control of the surveying, planning, laying out, opening, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspection of highways, bridges, sidewalks and curbs, water and sewer operations under the jurisdiction of the Town, stormwater sewers, public drains, snow and ice removal, street name signs, preservation, care and removal of trees within highways or public places, all engineering and architectural work of the Town and the collection and disposal of garbage, rubbish and ash. The Department of Public Works shall supervise the enforcement of all Subdivision Regulations adopted by the Town. The Department shall also have all the powers and duties conferred and imposed on Selectmen respecting highways and bridges, on superintendents of highways by the General Statutes, by any Special Act relating to the Town of Manchester and Home Rule action pursuant thereto. The Department shall administer all laws, ordinances and regulations governing the construction of buildings and other structures, including all plumbing, electrical, mechanical, gas and oil burner installations therein. Any provisions of this section to the contrary notwithstanding, the Department of Public Works may maintain and care for school and library buildings and grounds, but only if and to the extent and for the period requested by the Board of Education or the Library Board and approved by the Board of Directors.

### **Sec. 11-3 Director of Public Works; powers and duties.**

[Amended by referendum 4-30-1968; amended by referendum 11-4-2003; amended by referendum 11-8-2022]

The [~~General~~] **TOWN** Manager may appoint and may remove a Director of Public Works who at the time of [~~his~~] **THEIR** appointment need not be a resident of the Town or state but within one (1) year of appointment shall reside within the Town. The Director of Public Works shall be experienced in the management of municipal public works projects and shall be responsible for the efficiency, discipline and good conduct of the Department and in accordance with such personnel rules and regulations as may be adopted by the Board of Directors or included in this Charter, shall appoint and may remove such deputies, assistants and employees as [~~he~~] **THEY** may deem necessary within budget appropriations and shall prescribe their duties. [~~He~~] **THE DIRECTOR OF PUBLIC WORKS** shall exercise [~~his~~] **THEIR** powers and discharge [~~his~~] **THEIR** duties under the general supervision of the [~~General~~] **TOWN** Manager. [~~He~~] **THE DIRECTOR OF PUBLIC WORKS** shall organize the work of the Department and establish such divisions within the Department in such manner as [~~he~~] **THEY** shall deem most economical and efficient, provided the Director of Public Works may, at [~~his~~] **THEIR** discretion, serve as head of any such divisions. The Director of Public Works shall make recommendations as to the acceptance of streets sought to be dedicated to public use. [~~He~~] **THE DIRECTOR OF PUBLIC WORKS** shall supervise the granting of all permits to excavate or disturb any highway or other public property or to make any special use thereof and shall exercise such supervision and control over all public utilities in the Town as is accorded by law to the Town.

The Director of Public Works may select and employ engineering and architectural or other qualified firms or individuals to assist in the preparation of surveys, designs, plans and specifications when in ~~his~~ THEIR judgment such assistance is necessary, in accordance with § 5-17 of this Charter.

**Sec. 11-4 Building Inspector Officer; Zoning Enforcement Officer; powers and duties.**

[Amended by referendum 10-5-1964; amended by referendum 11-6-1973; amended by referendum 11-5-1991; amended by referendum 11-8-2022]

The Director of Public Works shall appoint and may remove, subject to such personnel rules and regulations as may be adopted by the Board of Directors or included in this Charter, a Building Inspector, and such assistants as may be necessary. The ~~General~~ TOWN Manager or ~~his~~ THE TOWN MANAGER'S designee shall appoint a Zoning Enforcement Officer and such assistants as may be necessary.

**Sec. 12-1 Water and sewer utilities.**

[Amended by referendum 10-5-1964; amended by referendum 11-4-2003; amended by referendum 11-8-2022]

The Town of Manchester shall continue to have and possess all the rights, powers, franchises and property, real, personal and mixed, of the South Manchester Water Company and the South Manchester Sanitary and Sewer District and all other property heretofore and hereafter acquired by the Town for the purpose of supplying water or sewer facilities and may continue to hold and operate all of said property under such regulations and conditions as it may establish. The South Manchester Water Company and the South Manchester Sanitary and Sewer District shall be managed in accordance with and under the direction of a plan established by the ~~General~~ TOWN Manager with the approval of the Board of Directors, and this Department shall be constituted to perform such functions and have such powers and duties as are imposed by the Connecticut General Statutes, Special Acts applicable thereto, this Charter and ordinances approved by the Board of Directors.

**Sec. 12-3 Bills.**

[Amended by Sp. Act, Jan. Sess., 1955, Sp. No. 281, Sec. 3, 27 C.S.A. 232, approved 6-3-1955; amended by Sp. Act, Jan. Sess., 1957, Sp. No. 52, Sec. 4, 28 C.S.A. 74, approved 4-8-1957; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

All bills for the use of the waterworks system and for the use of the sewerage system and sewage treatment works shall be prepared under the direction of the Superintendent of the Water and Sewer Department and paid to the Collector of Revenue. Separate accounts shall be kept of the funds derived from each of the utilities and of the disposition thereof, which account shall be audited annually, and the report of such audits shall be open to public inspection. The Director of Finance of the Town shall be the custodian of such funds, which shall be kept separate from other funds of the Town, and shall be used for such utilities, respectively, and for no other purpose, except that any surplus funds derived from either of said utilities may be transferred to the general funds of the Town, on the recommendation of the ~~General~~ TOWN Manager, by a vote of the Board of Directors, and may then be used for the general purposes of the Town.

**Sec. 12-4 Superintendent of Water and Sewer Department.**

[Amended by Sp. Act, Jan. Sess., 1957, Sp. No. 52, Sec. 28 C.S.A. 75, approved 4-8-1957; amended by referendum 4-30-1968; amended by referendum 11-8-2022]

The [General] TOWN Manager shall appoint a Superintendent of the Water and Sewer Department who at the time of [his] THEIR appointment need not be a resident of the Town or state, but during the tenure of office shall reside within the Town. The Superintendent of the Water and Sewer Department shall be the executive head of the Department and, as such, shall have charge and control, under the direction of the [General] TOWN Manager, of the administration and discipline of the Department and of the buildings, machinery, equipment and property of all kinds used by the Department. The Superintendent shall appoint, with the approval of the [General] TOWN Manager and within the limits of the appropriations made by the Board of Directors, such employees of the Department as [he] THEY may deem necessary for its proper management and operation, and shall fix their compensation within a scale of wage rates recommended by the [General] TOWN Manager and approved by the Board of Directors.

### **Sec. 13-1 Director and employees.**

[Amended by referendum 11-6-1973, amended by referendum 11-8-2022]

The [General] TOWN Manager shall appoint a Director of the Department of [Social] HUMAN SERVICES who shall be trained in [~~welfare work~~] THE FIELDS OF SOCIAL AND HUMAN SERVICES. The Director shall appoint, with the approval of the [General] TOWN Manager, [~~such physicians,~~] social service workers and other employees as shall be necessary for the administration of the Department, define their duties and fix their compensation within a scale of wage rates recommended by [him] THE DIRECTOR and approved by the [General] TOWN Manager and within the appropriations made by the Board of Directors. All employees of the Department engaged in social service and public welfare work shall be trained and qualified therein.

### **Sec. 13-2 Director; Duties.**

[Amended by referendum 10-1-1962; amended by referendum 11-6-1973; amended by referendum 11-5-1991; amended by referendum 11-8-2022]

The Director of the Department of [Social] HUMAN SERVICES shall have [~~control,~~] THE RESPONSIBILITY OF THE management and supervision of the affairs of the Town relative to [~~poor, needy and indigent persons and relative to aged and mentally ill and mentally retarded persons and incompetents~~] IMPOVERISHED PERSONS, OLDER ADULTS, PERSONS WITH MENTAL HEALTH DISABILITIES, PERSONS WITH DEVELOPMENTAL DISABILITIES AND PERSONS LACKING THE MEANS TO BE SELF-SUFFICIENT. [He] THE DIRECTOR shall [~~be overseer of the poor~~] OVERSEE THE EFFORTS OF THE TOWN RELATIVE TO THE IMPOVERISHED, shall have charge of the Town almshouse, if there be one, and, at the expense of the Town, shall [~~provide and maintain the necessary places, means and supplies for the subsistence of the poor and needy~~] SEEK TO ENSURE THAT ADEQUATE RESOURCES EXIST TO MEET THE NEEDS OF THE IMPOVERISHED AND THOSE WHO LACK THE MEANS TO BE SELF-SUFFICIENT AND and shall exercise all the powers and perform all the duties, except the release of the welfare reimbursement agreements and liens referred to in [~~§§17-280 and 17-281~~] CHAPTER 319s of the General Statutes, given or delegated by the General Statutes to selectmen of towns relative to the support [~~control and removal~~] of aged and [needy] persons IN NEED [and indigents] and relative to charities, [~~almshouses, bastardy~~] SHELTER, EMERGENCY HOUSING OR HOUSING FOR HOMELESS PERSONS, PARENTAGE proceedings, commitments, removals, burials, Town charges, [~~mentally ill persons, mentally retarded persons, inebriates, epileptics, indigents and incompetents~~] PERSONS WITH MENTAL HEALTH DISABILITIES, PERSONS WITH



**DEVELOPMENTAL DISABILITIES, PERSONS WITH DISABLING CONDITIONS AND THE IMPOVERISHED.** ~~[He]~~ **THE DIRECTOR** shall cooperate with **AND SUPPORT THE WORK OF** the agencies of the state and private organizations engaged in social service and welfare work within the Town in order that the work of the Department may be coordinated with the work of said agencies and private organizations, and for that purpose the Director may avail ~~[himself]~~ **THE DEPARTMENT** of and exchange with such agencies and organizations all data of common interest respecting social service and welfare work. **THE DIRECTOR SHALL RESEARCH, PROPOSE AND ADVOCATE FOR NEW PROGRAMS, EFFORTS AND SERVICES AS NECESSARY IN ORDER TO ENSURE THAT THE ADEQUATE RESOURCES EXIST TO MEET THE NEEDS OF OLDER ADULTS, IMPOVERISHED PERSONS, PERSONS WITH DISABILITIES AND PERSONS WHO LACK THE NECESSARY RESOURCES TO BE SELF-SUFFICIENT.**

**Sec. 14-1 Recreation and ~~[Park Commission]~~ **PARKS.****

[Amended by referendum 11-5-1991; amended by referendum 11-8-2022]

The public parks and all public lands, equipment and facilities for passive or active recreation in existence and those which may hereafter be established, whether within or without the corporate limits of the Town, shall be under the care, management and control of the ~~[General]~~ **TOWN** Manager. ~~[There shall be an Advisory Recreation and Park Commission consisting of seven (7) members who shall be appointed by the Board of Directors and who shall serve without compensation. The five (5) members previously appointed shall serve until their present term expires. The two (2) remaining members shall be appointed, effective within the first fifteen (15) days of November, 1991. One (1) member shall serve for a term to expire on the first Monday of November, 1992, and one (1) member shall serve for a term to expire on the first day of November, 1993. Annually thereafter, as the foregoing terms expire the Board of Directors shall appoint members for the terms of three (3) years each. The members of said Commission shall serve until their successors have been appointed and have qualified, provided any member of said Commission may be removed as provided in § 2-8, Chapter II.]~~

**Sec. 14-2 Organization and duties.**

[Repealed by referendum 11-8-2022]

~~[The Recreation and Park Commission shall elect from its membership a Chairman and such other officers as it shall deem necessary and shall study the recreation and park facilities and program of the Town and shall, from time to time, confer with the General Manager and advise him with respect to the development and use of the Town's parks and its recreation program.]~~

**Sec. 14-3 Management of parks and recreation.**

[Amended by referendum 11-8-2022]

The ~~[General]~~ **TOWN** Manager, with the advice of the Commission, shall have the care, management and control of all public parks and grounds, equipment and facilities used for park purposes, playgrounds and athletic fields, shall provide regulations for their use and shall arrange for a balanced passive and active recreational program. In carrying out such program, he may equip and maintain land and buildings with recreational and park equipment and facilities for the welfare of the residents of the Town, all within the appropriations made by the Board of Directors.

**Sec. 14-4 Superintendent.**

[Amended by referendum 11-8-2022]



The [General] TOWN Manager may appoint a Superintendent of Recreation, a Superintendent of Parks, or a Superintendent of Recreation and Parks, any of whom, with the approval of the [General] TOWN Manager, may appoint such employees as [he] THEY may deem necessary within the appropriations made by the Board of Directors.

#### **Sec. 14-5 Tree Warden.**

[Amended by referendum 11-8-2022]

The [General] TOWN Manager shall appoint a Tree Warden who shall be the Tree Warden for the Town of Manchester and shall have, as such, all the powers and duties imposed upon Tree Wardens in the various towns as provided by the General Statutes.

#### **Sec. 14-7 Gifts.**

[Amended by referendum 11-8-2022]

Real and personal property which has been or shall be granted, bequeathed, devised or conveyed to the Town of Manchester for the purpose of improvement or ornamentation of said parks or purposes, or for the establishment or maintenance thereon of objects of interest, may be accepted by the Town, upon such trusts and conditions as may be prescribed by the grantors or devisers thereof. All property so devised, granted, bequeathed or conveyed, and the rents, issues, proceeds and income therefrom, shall be subject to the exclusive management, direction and control of the [General] TOWN Manager.

#### **Sec. 15-1 Board of Health.**

[Repealed by referendum 11-8-2022]

~~[There shall be an Advisory Board of Health in the Town of Manchester, consisting of five (5) members appointed by the Board of Directors to serve for terms of three (3) years each. Within the first fifteen (15) days of November, 1948, the Board of Directors shall appoint one (1) member for a term of five (5) years, one (1) for four (4) years, one (1) for three (3) years, one (1) for two (2) years and one (1) for one (1) year, and annually thereafter the Board of Directors shall appoint a member for a term of three (3) years.]~~

#### **Sec. 15-2 Director of Health.**

[Amended by Ord. No. 53-1; amended by referendum 11-8-2022]

The Director of Health shall be appointed by the [General] TOWN Manager, with the approval of the Public Health Council of the State Department of Health. The Director of Health may be a practicing physician, devoting but part of [his] THEIR time to Town public health work, except that at any time the [General] TOWN Manager may require the Director of Health to give full time to the office. In either case, the salary of the Director of Health shall be fixed by the Board of Directors upon recommendation of the [General] TOWN Manager, except that it may be reduced only at the start of a fiscal year.

#### **Sec. 15-3 Absence or inability of Director of Health.**

[Amended by ordinance of 8-7-1956; amended by referendum 11-4-2003; amended by referendum 11-8-2022]

To perform the duties of the Director of Health during a vacancy or [his] THEIR temporary absence or inability to serve, the [General] TOWN Manager may appoint some suitable person to act as Director of Health, with the approval of the State of Connecticut Commissioner of Health, and the person so appointed shall have all the powers and be subject to all the duties of the Town Director of Health while acting as such.

#### **Sec. 15-4 Powers and duties.**

[Amended by ordinance of 8-7-1956; amended by referendum 11-8-2022]

The Director of Health is vested with the exercise of all jurisdiction, powers and duties vested in and imposed upon Town Directors of Health by General Statute. ~~[He]~~ **THE DIRECTOR OF HEALTH** shall have the authority ~~[, with the approval of the Board of Health,]~~ to make such reasonable rules and regulations as in ~~[his]~~ **THEIR** judgment are required for the preservation of the public health, and such rules and regulations, when ~~[approved by the Board of Health and]~~ advertised at least three (3) times in a newspaper having a general circulation within the Town, shall have the full force and legality of local ordinances. The Director of Health shall do and cause to be done whatever is prescribed by the bylaws or ordinances of the Town and the provisions of the Sanitary Code of the State to preserve the public health. The Director of Health shall have authority to appoint, with the approval of the ~~[General]~~ **TOWN** Manager, such deputies, inspectors, assistants and subordinates as may be necessary and to fix their compensation within the appropriation made for such purpose by the Board of Directors.

#### **Sec. 15-5 Orders of Director of Health.**

[Amended by Ord. No. 53-1; amended by referendum 11-8-2022]

Every order of the Director of Health shall be in writing, signed by ~~[him]~~ **THE DIRECTOR**, and shall set a reasonable time within which compliance therewith is required, and a true copy thereof shall be served on each person or ~~[his]~~ **THEIR** agent who shall be required to comply with such order. If such person or ~~[his]~~ **THEIR** agent shall not be a resident of the Town, such copy may be served by sending the same by registered mail to his last-known address and, if no address shall be known, then by publishing the same once in a newspaper having a circulation in the Town. On the failure of any person to comply with such order, the Director of Health may execute such order and the expense thereof may be collected as a debt against such person and may be filed as a lien in favor of the Town until the payment thereof and may be enforced in a civil action in the name of the Town or by foreclosure or by any other remedy provided by the General Statutes for the collection of taxes and charges.

#### **Sec. 16-1 Library Board.**

[Amended by referendum 11-5-1996; amended by referendum 11-4-2003; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The Library Board shall consist of nine (9) voting members appointed by the Board of Directors. The Library Board shall elect from its membership a ~~[Chairman]~~ **CHAIR** and such other officers as it shall deem necessary and may from time to time adopt regulations for its own government. Upon adoption of this section, the terms of the current Library Board shall be terminated, and the Board of Directors shall appoint three (3) electors of the Town for a term of one (1) year, two (2) electors for a term of two (2) years and two (2) electors of the Town for a term of three (3) years. Thereafter each voting member shall be appointed to a three-year term. Terms of office for current and subsequent members of the Library Board shall expire in the month of November.

#### **Sec. 16-3 Management of libraries.**

[Amended by referendum 11-4-2003; amended by referendum 11-8-2022]

The ~~[General]~~ **TOWN** Manager shall have the care, management, and control of all public libraries in Town and shall provide regulations for their use. ~~[He]~~ **THE TOWN MANAGER** shall have overall responsibility for library operations and may equip and maintain land and buildings for

library purposes within the appropriations made by the Board of Directors. The [~~General~~] TOWN Manager may appoint a Library Director who, with the approval of the [~~General~~] TOWN Manager, may appoint such employees as he may deem necessary within the appropriations made by the Board of Directors.

**Effective December 8, 2022, Section 17-1 of the Manchester Town Charter is amended to read as follows:**

**Sec. 17-1 Planning and Zoning Commission.**

[Amended by referendum 11-8-2022]

(a) There shall be a Planning and Zoning Commission which shall have all the powers and duties conferred and imposed by the General Statutes upon zoning commissions and planning commissions, subject to the limitations and exceptions stipulated in this Charter, and all of the powers and duties conferred and imposed by this Charter.

(b) The Planning and Zoning Commission shall consist of [~~five (5)~~] SEVEN (7) electors of the Town AND ALTERNATES AS PROVIDED BY STATUTE,, and the Town Planning Commission, as constituted at the time of approval of this Charter amendment by the electorate, shall be the Planning and Zoning Commission. ON OR AFTER THE EFFECTIVE DATE OF THIS CHARTER AMENDMENT, THE BOARD OF DIRECTORS SHALL STAGGER THE TERMS OF MEMBERS OF THE PLANNING AND ZONING COMMISSION WITH THE TERMS OF NOT MORE THAN TWO MEMBERS EXPIRING IN ANY YEAR. At the expiration of the respective terms of the members thereof, their successors shall be appointed by the Board of Directors for terms of five (5) years each and all future appointments to the Commission shall be made by the Board of Directors. No salaried Town officer may be appointed to membership on said Planning and Zoning Commission.

**Effective November 17, 2025, Section 17-1 of the Manchester Town Charter is amended to read as follows:**

**Sec. 17-1 Planning and Zoning Commission.**

[Amended by referendum 11-8-2022]

(a) There shall be a Planning and Zoning Commission which shall have all the powers and duties conferred and imposed by the General Statutes upon zoning commissions and planning commissions, subject to the limitations and exceptions stipulated in this Charter, and all of the powers and duties conferred and imposed by this Charter.

(b) The Planning and Zoning Commission shall consist of [~~seven (7)~~] NINE (9) electors of the Town and alternates as provided by statute, and the Town Planning Commission, as constituted at the time of approval of this Charter amendment by the electorate, shall be the Planning and Zoning Commission. ON OR AFTER NOVEMBER 17, 2025, THE BOARD OF DIRECTORS SHALL STAGGER THE TERMS OF MEMBERS OF THE PLANNING AND ZONING COMMISSION WITH THE TERMS OF NOT MORE THAN TWO MEMBERS EXPIRING IN ANY YEAR. At the expiration of the respective terms of the members thereof, their successors shall be appointed by the Board of Directors for terms of five (5) years each and all future appointments to the Commission shall be made by the Board of Directors. No salaried Town officer may be appointed to membership on said Planning and Zoning Commission.

**Sec. 17-5 Public hearings on building lines.**

[Amended by referendum 4-30-1968; amended by referendum 11-8-2022]

Before establishing or altering any building or veranda line, and before making any appraisal of damages or assessment of benefits therefor, a public hearing shall be given by the Commission to all parties in interest, and notice of the time and place of such hearing shall be given by causing a copy of the proposed order designating and establishing or altering any building or veranda line, with a notice of the time and place of hearing thereon, to be filed in the Town Clerk's office and published in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter, and by depositing a like copy in any post office in said Town, postage prepaid, directed to the person or persons interested at [~~his or~~] their last-known post office address.

**Sec. 17-16 Planning Director.**

[Amended by referendum 10-5-1964; amended by referendum 11-8-2022]

(a) There may be, at the discretion of the Board of Directors, a Planning Department under the direction and control of a Director of Planning. Such Director of Planning shall be appointed by the [~~General~~] TOWN Manager and may be removed by the [~~General~~] TOWN Manager at [~~his~~] THE TOWN MANAGER'S discretion.

(b) The Planning Director shall:

(1) Assist the [~~General~~] TOWN Manager in the preparation of all recommendations by the [~~General~~] TOWN Manager to the Planning and Zoning Commission respecting a plan of development for the Town, zoning regulations and subdivision regulations, and any amendments or additions thereto;

(2) Assist the [~~General~~] TOWN Manager and the Board of Education in the annual preparation of a capital improvements program as herein provided, insofar as it is related to the plan of development;

(3) Advise the [~~General~~] TOWN Manager, the Planning and Zoning Commission, Board of Directors, Board of Education, Redevelopment Agency, Housing Authority, and any department or other Town agency respecting any matter relating to the physical development of the Town on which [~~his~~] THEIR opinion has been requested or on which [~~he~~] THE PLANNING DIRECTOR deems it advisable to report;

(4) Advise the Planning and Zoning Commission and the Zoning Board of Appeals in the exercise of their functions and serve as principal technical advisor to the Planning and Zoning Commission and in connection therewith to provide necessary staff assistance;

(5) Review and make recommendations regarding any proposed action implementing the plan of development.

(c) The Director of Planning shall appoint and remove such professional staff and employees as [~~he~~] THEY may deem necessary and shall prescribe their duties. [~~He~~] THE DIRECTOR OF PLANNING may contract with professional consultants as [~~he~~] THEY deems necessary to carry out the duties and responsibilities here above set forth in accordance with § 5-17 of this Charter.

**Sec. 18-1 Town Attorney; powers and duties.**

[Amended by Sp. Act, Jan. Sess., 1955, Sp. No. 617, 27 C.S.A. 558, approved 8-11-1955; amended by referendum 10-1-1962; amended by referendum 10-5-1964; amended by referendum 11-7-1978; amended by referendum 11-5-1991; amended by referendum 11-5-1996; amended by referendum 11-4-2003; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

The Board of Directors shall appoint a Town Attorney, whose compensation shall be fixed by the Board of Directors, and when the need exists, the Board of Directors shall appoint a Bond Counsel. The Town Attorney shall be the head of the Department of Law. [He] THE TOWN ATTORNEY shall be the legal adviser for the Town, the [General] TOWN Manager, Board of Directors, Board of Education, and all departments, boards, commissions, bureaus and other officers in all matters affecting the Town or relating to their official duties. [He] THE TOWN ATTORNEY shall appear for and protect the rights and interests of the Town in all actions, suits and proceedings brought by or against it or any of the departments, boards, commissions, bureaus, or officers on account of matters involving the performance of their official duties or affecting the Town, and discharge such other legal duties as may be prescribed by law or by ordinance. [He] THE TOWN ATTORNEY shall have power, subject to the approval of the [General] TOWN Manager, to appeal from orders, decisions and judgments in which the Town, or any department, commission, board, bureau or officer is a party. [He] THE TOWN ATTORNEY shall also have the power to enter into any agreement, compromise or settlement of any claims against the Town in an amount not to exceed [~~seven thousand five hundred dollars (\$7,500.00)~~] TEN THOUSAND DOLLARS (\$10,000.00). [He] THE TOWN ATTORNEY shall have the power, subject to the approval of the [General] TOWN Manager, to enter any agreement, compromise or settlement of claims against the Town in an amount not to exceed [~~fifteen thousand dollars (\$15,000.00)~~] TWENTY THOUSAND DOLLARS (\$20,000.00). Any agreement, compromise or settlement of claims against the Town exceeding [~~fifteen thousand dollars (\$15,000.00)~~] TWENTY THOUSAND DOLLARS (\$20,000.00) shall require the approval of the [General] TOWN Manager, Town Attorney and the Board of Directors. Notwithstanding the above, the Town Attorney, with the concurrence of the [General] TOWN Manager, may enter into any agreement, compromise or settlement of any land use appeals, tax appeals, medical insurance claims, workers' compensation or heart and hypertension claims (excluding full and final stipulations), and all other claims for which settlement authority is vested in an entity other than the Board of Directors. [He] THE TOWN ATTORNEY shall prepare or approve all forms of contracts and other instruments to which the Town is a party or in which it has an interest. [He] THE TOWN ATTORNEY may, with the approval of the [General] TOWN Manager, employ special counsel to assist [him] in the conduct of important cases or proceedings to which the Town is a party or in which it has an interest. Except on behalf of the Town, the Town Attorney shall not appear as Counsel before any board, commission, officer or other agency of the Town.

### **Sec. 18-2 Opinions.**

[Amended by referendum 11-7-1978; amended by referendum 11-8-2022]

The Board of Directors and [General] TOWN Manager, Board of Education and Director of any department, commission, board, bureau or officer, or committee appointed pursuant to law or ordinance, may request in writing and the Town Attorney thereupon shall render [his] THEIR written opinion upon any question of law involving their respective powers and duties.

### **Sec. 18-3 Assistants.**

[Amended by referendum 11-7-1978; amended by referendum 11-8-2022]

The Town Attorney may appoint such assistant or assistants as the Board of Directors may authorize to aid [him] THE TOWN ATTORNEY in the discharge of [his] THEIR duties, and any such assistant shall perform such duties as may be imposed upon him by the Town Attorney and shall receive such compensation as the Board of Directors shall provide. The Town Attorney may remove any such assistant at any time.



**Sec. 19-4 Formalities in execution.**

[Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 10, 25 C.S.A. 1196, effective 7-1-1949; amended by referendum 11-7-1978; amended by referendum 11-4-2008; amended by referendum 11-8-2022]

Each note and bond of the Town issued hereafter shall be signed by any two (2) of the following Town officers: the Director of Finance, the [General] TOWN Manager and the [~~Chairman~~] CHAIR of the Board of Directors. In event of the incapacity or unavailability of any of said officers, the Board of Directors may by vote designate some other Town officer for said purpose.

**Sec. 20-1 Records to be evidence in all courts.**

[Amended by referendum 11-8-2022]

All records of the Town, including those of all its departments, commissions, boards, bureaus and other officers, shall have the same validity as records of Town Clerks and shall be, either by themselves or by certified copies thereof under the hand of the [General] TOWN Manager and the Seal of the Town, evidence in all courts of the truth of the matters contained therein.

**Sec. 20-4 Savings clause.**

[Amended by referendum 11-8-2022]

The powers which are conferred and the duties which are imposed upon any commission, board or office under the General Statutes or Special Acts concerning the Town, or any ordinance or regulation in force at the time this Charter shall take effect, if such commission, board or office be abolished by this Charter, shall be thereafter exercised and discharged by the department, commission, board, bureau or office upon which are imposed corresponding or like functions, powers and duties under the provisions of this Charter. All commissions, boards or officers, whether elected or appointed, abolished by this Charter, or whose method of appointment is changed by the provisions of this Charter, shall continue in the performance of their duties only until provision shall have been made for the discontinuance of such commissions, boards or officers, and the performance of their duties by other departments, commissions, boards, bureaus or officers created under this Charter and until the [General] TOWN Manager shall have notified the members of such commissions, boards or officers that their successors have been appointed.

**Sec. 20-6 Filing copies of regulations.**

[Amended by referendum 11-8-2022]

Each department, commission, board and bureau of the Town when it shall have adopted any rules or regulations for the conduct of its affairs or for the administration of matters within its jurisdiction shall, within thirty (30) days after the adoption of such rules and regulations or any amendments thereto, file the same with the Town Clerk and with the [General] TOWN Manager where they shall be open for inspection at any reasonable time by any elector or taxpayer.

**Sec. 20-7 Notice of special election.**

[Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 11, 25 C.S.A. 1196, effective 7-1-1949; amended by referendum 4-30-1968; amended by referendum 11-8-2022]

Each special election, except special elections subject to the provisions of § 9-164(b) of the General Statutes, shall be called by a warning which shall specify the objects for which such election is to be held. Notice of a special election shall be given by a printed or written warning signed by the [General] TOWN Manager and published in a newspaper having a circulation in the Town, such publication to be at least five (5) days previous to holding the election, including the day that notice is given and any intervening Sunday, but not including the day of holding such election. The person

who shall cause to be published the warning for any special election shall make a return in writing to the Town Clerk, showing the notice given of such warning, and such return shall be kept on file and recorded at length with the record of such election.

Proposed deletions are enclosed in brackets with ~~striketrough~~. Proposed additions are indicated by underline and in UPPERCASE.