



**REPRESENTATIVE TOWN MEETING
TOWN OF GREENWICH**

**EXPLANATORY COMMENTS FOR
DECEMBER 2006 MEETING**

ITEM NO.: **1**
DEPARTMENT: Police Department 0403PD01
CONTACT: James A. Walters (203) 622-8010
jwalters@greewichct.org
REFERRED TO: Town Services Committee
VOTES: Board of Estimate and Taxation vote: yes (11-0-0)

RESOLVED, that the Greenwich Police Department accept \$614.00 awarded by order of Connecticut Superior Court to be appropriated to budget line item Code A213-35018 (Federal Asset Forfeiture Account).

EXPLANATORY COMMENTS

The Greenwich Police Department respectfully requests permission from the Representative Town Meeting to accept a cash award in the amount of \$614.00 by order of Connecticut Superior Court in connection with a narcotics arrest.

ITEM NO: **2**
DEPARTMENT: Board of Selectmen
CONTACT: Jim Lash 622-7710 jlash@greenwichct.org
Valerie Maze, Assistant Town Attorney 622-7877
REFERRED TO: All Committees
VOTES: Board of Selectmen prior vote 3 – 0.
Resubmitted to Board of Selectmen meeting on November 16,
2006

RESOLVED, that Article 15 of the Town of Greenwich Charter be amended to include the following section:

Sec. 217A. Town Administrator

RESOLVED, that Article 15 of the Town of Greenwich Charter be amended to include the following section:

Sec. ____. **Town Administrator**

(a) There shall be a Town Administrator. The Town Administrator shall be qualified in the administration and management of town or city government as evidenced by his/her experience and education. The Town Administrator shall be appointed by the Board of Selectmen upon recommendation of the First Selectman. The Town Administrator shall be an employee at will and may be removed from office by the Board of Selectmen upon recommendation of the First Selectman.

(b) Subject to the supervision and control of the First Selectman, the Town Administrator shall be responsible for the following: (i) Day-to-day administration of those departments and operations under the supervision and control of the First Selectman as provided in Section 217(a); (ii) Coordination of the annual budget process for the First Selectman; and (iii) Performance of such other duties as may be assigned by the First Selectman.

(c) The compensation of the Town Administrator shall be set by the Board of Selectmen upon the recommendation of the First Selectman. The First Selectman shall evaluate the performance of the Town Administrator annually. Such evaluation shall become a permanent part of the Town Administrator's personnel file.

(additions **bold**; deletions within [brackets])

Explanatory Comments

This proposed new section of the Charter creates the position of Town Administrator and sets forth the duties to be exercised by the Town Administrator under the supervision and control of the First Selectman. The Town Administrator is intended to be a professional position and the section sets forth certain qualifications required. In order to endow the position with potential of continuity from one administration to the next, the section empowers the Board of Selectmen to appoint and remove the Town Administrator upon recommendation of the First Selectman. The First Selectman evaluates the performance of the Town Administrator. Under all circumstances, the First Selectman retains all authority under Section 217 which is set forth below for reference.

Contact person:

James A. Lash, First Selectman, (203) 622-7710

Sec. 217. First Selectman; powers and duties.

(a) All administrative functions relative to police, fire, highways, sewers and other public works, building inspection, parks, recreation, law, human resources, fleet management, information technology, and purchasing for such purposes, shall be divided, under the supervision and control of the First Selectman, among administrative departments, which shall include the Department of Police, Fire, Public Works, Parks and

Recreation, Law, Human Resources and Fleet Management. The First Selectman shall have the supervision and control, and shall be responsible for the administration, of all the affairs of the Town in respect to such departments, and may fix and determine the internal organization of such departments, the number and kinds of offices and positions, the methods of procedure and, subject to appropriation as otherwise provided by law, the rates of compensation.

(b) First Selectman and board of selectmen. The First Selectman shall be the chief executive officer of the town and the town agent and shall devote his full time to the duties of his office. The two selectmen other than the First Selectman who are elected as provided in this act shall, together with the First Selectman, constitute the board of selectmen. The First Selectman shall chair the board of selectmen. The First Selectman shall hold at least one meeting each month with the other selectmen for the purpose of keeping them generally informed of the business of the town. Upon five days' written notice to the First Selectman, either of the two selectmen may place an item on the agenda of a meeting, which item shall be germane to the duties and responsibilities of the board of selectmen. Minutes of such meetings shall be taken and made available for public inspection. The First Selectman shall designate one of the other selectmen to act in his place and stead during his absence. Such Selectman when so acting shall have all of the powers and duties of the First Selectman.

(c) Compensation of First Selectman and selectmen. The First Selectman shall be paid a salary appropriate for the chief executive officer and town agent, and the other two selectmen shall be paid salaries commensurate with their duties and responsibilities, but the salary of each of the two selectmen shall be not less than ten percent of the salary of the First Selectman, subject to the approval of appropriations by the Representative Town Meeting pursuant to Section 23 of the Charter. Provision for such salaries shall be included in the budget report submitted annually by the First Selectman to the board of estimate and taxation.

(S.A. 444 § 23, 1939; as amended by S.A. 71 § 1, 1955; RTM, 4/27/1970; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) (RTM, 1/21/1985.) (Board of Selectmen 9/17/1997) (RTM, 6/12/2006.) (Char.Rev. 11/7/2006.)

ITEM NO.: **3**
DEPARTMENT: Selectmen

CONTACT: Edward Gomeau 622-7710
REFERRED TO: Appointments, Education Committees
VOTES: Board of Selectmen 3-0-0

RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Glenville School Building Committee.

STEVEN LoPARCO

Explanatory Comments

Steven LoParco. 12 Charles Street, Greenwich. Greenwich High School Graduate, Columbia University Graduate. President and Owner LoParco Associates - construction company in Town. Past Board of Education Member and member of the Hamilton Avenue School Building Committee.

ITEM NO: **4**
DEPARTMENT: RTM Appointments Committee
CONTACT: Coline Jenkins, 637-5872, cocococo@juno.com
REFERRED TO: Appointments, Legislative & Rules Committees
VOTES: 9-0-0

RESOLVED, that the following named persons, nominated by the RTM Appointments Committee, be appointed a member of the RTM Claims Committee for terms expiring 12/31/07.

JANE WEISBECKER ARNONE

EXPLANATORY COMMENTS

JANE WEISBECKER ARNONE, 14 Pemberwick Road,

EXPERIENCE:

BENANTI & ASSOCIATES, Stamford, 1991 - Present

Senior Litigation/Bankruptcy Associate: Responsible, as senior associate in a specialized creditors' rights boutique firm, for the representation of nationally prominent lenders, lessors and corporations in complex commercial litigation, real estate and bankruptcy matters. In connection with such representation, have extensively practiced before the state courts of Connecticut and New York, the United States District Courts for the District of Connecticut and the Southern and Eastern Districts of New York, and the United States Bankruptcy Courts for the District of Connecticut and the Southern District of New York. Excellent legal research, writing and oral advocacy skills.

BAER MARKS & UPHAM, New York, New York, 1989 - 1991

Litigation Associate: Responsible for the representation of institutional and individual clients in complex foreclosure, securities litigation and commercial matters. Appeared regularly before the New York State Courts in New York, Brooklyn, Queens and Westchester Counties, and the United States District Courts for the Southern and Eastern Districts of New York.

WEIL GOTSHAL & MANGES, New York, 1987 – 1989

Litigation Associate: Represented institutional clients in complex commercial matters, including foreclosure and antitrust proceedings.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK,
New York, New York, 1986 – 1986

Law Clerk for the Honorable Naomi Reice Buchwald

EDUCATION:

BROOKLYN LAW SCHOOL, Brooklyn, New York, Juris Doctor 1987

Editor In Chief, *Brooklyn Journal of International Law*, 1986-1987

Brooklyn Law School Annual Writing Award, 1987

Top 15%

SARAH LAWRENCE COLLEGE

ADMISSIONS State of New York; State of Connecticut; United States District (and Bankruptcy) Courts for the District of Connecticut, and the Southern, Eastern and Northern Districts of New York; Court of Appeals for the Third Circuit.

ITEM NO: **5**

DEPARTMENT: First Selectman's Office November 17, 2006

CONTACT: Contact's name Edward B. Gomeau 618-7683

egomeau@greenwichct.org

Daniel Warzoha 622-2222

emoc@greenwichct.org

REFERRED TO: Finance, Town Services Committees

VOTES: The Board of Estimate and Taxation will vote on the RTM's action at their meeting of December 19, 2006.

RESOLVED, that the Town of Greenwich hereby accepts a grant in the amount of \$222,786 from the Connecticut Department of Homeland Security. Said grant to be appropriated to Account F130 for Homeland Security Grant.

EXPLANATORY COMMENTS

ITEM NO.: **7**
DEPARTMENT: Inland Wetlands & Water Courses Agency
CONTACT: Mark G.Massoud 622-6464
REFERRED TO: Land Use Committee
VOTES: Inland Wetlands and Watercourses Agency 5-0-0
Board of Selectmen 3-0-0

RESOLVED, that the following Ordinance establishing a municipal fine for inland wetlands violations be approved.

§ 6-238 Purpose

This article establishes a means by which the Town of Greenwich may more effectively enforce the Inland Wetlands and Watercourses Regulations of the Town of Greenwich, with the implementation of fines for violations of the regulations. This article shall not be construed to limit or alter the authority, duty and responsibility of the Greenwich Inland Wetlands and Watercourses Agency as granted and established under Connecticut’s Inland Wetlands and Watercourses Act, Sections 22a-36 through 22a-45 of the Connecticut General Statutes, Greenwich’s Inland Wetlands and Watercourses Regulations and other legislation that may apply.

§ 6-238.1 Authority

This article is adopted pursuant to Connecticut General Statute, Section 22a-42g. In accordance with this statute, the Inland Wetlands and Watercourses Agency, acting on behalf of the Town of Greenwich, is hereby authorized to develop procedures for the issuance of citations and the setting of fines for violations of the Agency’s regulations.

§ 6-238.2 Definitions

The following words, terms and phrases used in this article shall have the following meanings:

“Agency” – The Town of Greenwich Inland Wetlands and Watercourses Agency, acting as the inland wetlands agency under Section 22a-42 of the Connecticut General Statutes.
“Director” – The employee of the Town of Greenwich responsible for the supervision of the Agency. The term “Director” shall also include any employee executing any duties expressly delegated by the Director.

“Continuing Violation” – Ongoing work, which has not ceased to the satisfaction of the Director within two calendar days of receipt of a Stop Work Order.

“Person” – Any person, firm, partnership, association, corporation, limited liability company, company, organization or legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof.

“Regulations” – The Inland Wetlands and Watercourses Regulations of the Town of Greenwich as may be amended from time to time.

“Violation” – Any activity conducted without prior permit or approval of the Agency that adversely impacts or potentially adversely impacts an inland wetland or watercourse.

§ 6-238.3 Issuance of Citations

A. The First Selectman of the Town of Greenwich hereby authorizes the Director, with the prior consent of the Chair of the Agency, to issue a citation to any person

who commits a violation or a continuing violation of the town's Inland Wetlands and Watercourses Regulations. Any such citation may be issued either by hand delivery or by certified mail to the person named in such citation. In such instances, each citation will apply jointly and severally to the owner of the property in question and his/her agents, contractors and subcontractors. An original or certified copy of the initial citation issued by the issuing official shall be filed and retained by the Town of Greenwich and shall be deemed to be a business record within the scope of Section 52-180 of the Connecticut General Statutes and evidence of the facts contained therein.

- B. The citation shall inform such person:
- (1) Of the allegations against him or her for which the citation is issued pursuant to this Article and the amount of the fines, penalties and costs, as fees due;
 - (2) That the person has a period of 30 days from the date of the citation (i.e., the date of hand delivery or the date the citation was mailed) to make an uncontested payment of the fines;
 - (3) That payments shall be submitted to the Agency by check made payable to the Town of Greenwich.
 - (4) The citation notice shall also inform the person cited that he/she may contest his liability before a citation hearing officer by delivering in person or by mail written notice within 10 days of the date thereof. The notice shall also inform the person cited that if he/she does not demand such a hearing, an assessment and judgment shall be entered against him/her and that such judgment may issue without further notice.
- C. Each violation of the Inland Wetlands and Watercourses Regulations shall be a separate and distinct offense. In the case of a continuing violation, at the discretion of the Director and with the prior consent of the Chair of the Agency, daily citations may be issued commencing two calendar days from receipt of the Stop Work Order.
- D. Preexisting violations. This article shall only apply to violations that occur after this article's effective date.

§ 6-238.3.1 Establishment of Fine

- A. No fine shall exceed the maximum permitted under state law. Fines for violations will be determined by the Agency and published in the Regulations. Fines imposed will not exceed the maximum permitted by Connecticut General Statute, Section 22a-42g at the time the violation occurred.
- B. No such fine may be levied against the State of Connecticut or any employee of the state acting within the scope of her/his employment.
- C. Any fine collected by the Town of Greenwich pursuant to this article shall be deposited into the Town of Greenwich's general fund account

§ 6-238.4 Hearing procedure for citations

- A. In accordance with Section 7-152c of the Connecticut General Statutes, as the same may be amended from time to time, there is hereby established a wetland citation hearing procedure.

- B. The First Selectman shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this article.
- C. Admission of liability by payment of fine.
 - (1) If any person who is sent notice pursuant to Subsections A and B of Section 6-238.3 wishes to admit liability for any alleged violation, he/she may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to the Greenwich Inland Wetlands and Watercourses Agency. Checks should be made payable to the Town of Greenwich.
 - (2) Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment.
- D. Any person may demand a hearing by delivering a written request for the same to the Director within 10 days of the date of the first notice provided for in Subsections A and B of Section 6-238.3. Any person who does not deliver such written request shall be deemed to have admitted liability, and the Director shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by this article and shall follow the procedures set forth in section 6-238.4.1.
- E. Any person who requests a hearing shall be given written notice by certified mail of the date, time and place for the hearing. Such hearing shall be held not less than 15 days nor more than 30 days from the date of the mailing of notice, provided that the hearing officer shall grant upon good cause shown a postponement or continuance for any reasonable request by any interested party. Once a hearing has been requested, no additional citations shall be issued.
- F. The presence of the issuing official shall be required at the hearing if such person so requests. A person wishing to contest his/her liability shall appear at the hearing and may present evidence in his/her behalf.
- G. If the person that demanded a hearing fails to appear, the hearing officer may enter an assessment by default against him/her upon finding of proper notice and liability under this article.
- H. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality.
- I. The hearing officer may accept from the designated municipal official copies of police reports, investigatory and citation reports and other official documents by mail and may determine thereby that the appearance of such person is not necessary.
- J. The hearing officer shall conduct the hearing in the order and form, and with such methods of proof, as he/she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation.
- K. The hearing officer shall announce his/her decision at the end of the hearing.

- (1) If the hearing officer determines that the person is not liable, he/she shall dismiss the matter and enter his/her determination, in writing, accordingly.
- (2) If the hearing officer determines that the person is liable for the violation, he/she shall then enter and assess the fines, penalties, costs or fees against such person as provided by this article.

§ 6-238.4.1 Failure to Pay Fine

If such assessment is not paid on the date of entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court facility designated by the Chief Court Administrator together with the applicable entry fee. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk of the Court shall enter a judgment, in the amount of the assessment plus court costs against such person in favor of the Town of Greenwich. Notwithstanding any other provisions of the Connecticut General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment, and a levy of execution on such judgment may be issued without further notice to such person

§ 6-238.4.2 Appeals

A person against whom an assessment has been entered pursuant to this article is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to Section 52-259 of the Connecticut General Statutes, in the Superior Court, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

§ 6-238.4.3 Public Notification

Notice of (i) issuance of an initial citation, (ii) payment of a fine, and (iii) an appeal pursuant to this article shall be published by the Director at least once in a newspaper having a general circulation in the Town of Greenwich.

§ 6-238.5 Effective date

This article shall become effective on _____, 2006.

Explanatory Comments

The Greenwich Inland Wetlands & Watercourses Agency has prepared the enclosed ordinance proposing the establishment of a municipal fine process for repeat, egregious or commercial violators of inland wetland and watercourse regulations.

The Agency held a public hearing to solicit input from the community on November 28, 2005.

After meeting with the Board of Selectmen on approved and forwarded the proposed ordinance to the Board of Selectmen at its regular meeting held on September 25, 2006

The Board of Selectmen reviewed and approved the proposed ordinance at their regular meeting held on October 19, 2006.

The ordinance is in accordance with Section 22a-42g of the Connecticut General Statutes, and includes both a procedure for issuing citations and the mechanism by which a citation may be appealed, and has been reviewed and approved by the TOG Law Department.

The Agency respectfully requests that the Representative Town Meeting approve adoption of the proposed ordinance as part of the Greenwich Municipal Code.

Enabling Legislation-

The Connecticut Legislature granted authority to municipalities to adopt ordinances under which violations are subject to fines that are collected by the municipality. The legislature also passed parallel legislation intended to address zoning violations.

The legislation is codified as Connecticut General Statute 22a-42g passed in 1996 and provided below in its entirety:

Sec. 22a-42g. Municipal Fine for Violation of Wetlands Regulations.

(a) Any municipality may establish, by ordinance, a fine for violations of regulations adopted pursuant to section 22a-42 provided the amount of any such fine shall be not more than one thousand dollars and further provided no such fine may be levied against the state or any employee of the state acting within the scope of his employment.

(b) Any police officer or other person authorized by the Chief Executive Officer of the municipality may issue a citation to any person who commits such a violation. Any municipality which adopts an ordinance pursuant to subsection (a) of this section shall also adopt a citation hearing procedure pursuant to section 7-152c by which procedure such fine shall be imposed.

(c) Any fine collected by a municipality pursuant to this section shall be deposited into the General Fund of the municipality or in any special fund designated by the municipality.

The Agency will set specific fine amounts, to be listed in its regulations; in any case the maximum fine currently allowed by regulation is \$1,000 per violation.

The majority of violations that the Agency encounters each year are resolved through the normal Agency violation handling process.

In 2005, Agency staff issued 28 Stop Work Orders, one of the initial Agency mechanisms for identifying and correcting violations that staff deemed serious enough to warrant further review. In most cases the property owner or contractor resolves these orders by directly addressing the concern that prompted the order, or by filing an application for regulated activity.

The Agency issues approximately 6 Cease and Correct Orders (the next step in the enforcement process) per year, for situations where staff deemed the nature of the violation serious enough for active Agency participation.

Municipal fines are not intended to replace the above process, but to afford the Agency an additional tool to address circumstances staff discovers within the scope of the

enforcement process described above, where a contractor or person other than the property owner is responsible for the violation.

The ordinance will enable the IWWA to fine a contractor who has performed work without an owner's permission that is in violation of the IWWA regulations, and thus is an added protection for an innocent homeowner.

Anticipated application of the ordinance is estimated at less than 10 cases per year. Other than the restrictions set forth in the legislation and ordinance, the hearing officer should be a person who has the appearance of relative impartiality from the perspective of affected individuals.

Similar ordinances adopted by other towns, such as New Canaan and Westport, have proven to be extremely effective in deterring property owners, contractors, and others from violating the regulations.

According to the Connecticut Department of Environmental Protection, approximately ½ of the municipalities in Connecticut have instituted such an ordinance.

ATTACHMENTS

Section 7-152c

Sec. 7-152c. Hearing procedure for citations. (a) Any municipality as defined in subsection (a) of section 7-148 may establish by ordinance a citation hearing procedure in accordance with this section. The Superior Court shall be authorized to enforce the assessments and judgments provided for under this section.

(b) The chief executive officer of any such municipality shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this section.

(c) Any such municipality, at any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that such judgment may issue without further notice.

(d) If the person who is sent notice pursuant to subsection (c) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by such municipality. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person

making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (c) of this section shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (f) of this section.

(e) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the municipality.

(f) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(g) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to section 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

(P.A. 88-221, S. 2; P.A. 94-200, S. 2; P.A. 00-191, S. 4, 16; P.A. 02-132, S. 63; P.A. 03-278, S. 13.)

History: P.A. 94-200 amended Subsec. (c) to include enforcement of ordinances adopted under Sec. 22a-226d; P.A. 00-191 amended Subsec. (f) by changing provision that copy of notice of assessment be filed with clerk of superior court facility designated by the Chief Court Administrator within boundaries of judicial district instead of superior court for the geographical area, effective September 1, 2000; P.A. 02-132 amended Subsec. (f) by deleting "within the boundaries of the judicial district in which the municipality is located" and making a technical change and amended Subsec. (g) by replacing "in the superior court for the geographical area in which the municipality is located" with "at a superior court facility designated by the Chief Court Administrator"; P.A. 03-278 made a technical change in Subsec. (f), effective July 9, 2003.