

# Chapter 32 Education, Board of

*[See separate document with 3/9/2023 and 5/20/2024 town meeting ordinance changes]*

## Chapter 36 Elections

[**HISTORY:** Art. I, adopted by the Annual Town Meeting of the Town of Bethany 5-6-1968; Art. II, adopted by the Special Town Meeting of the Town of Bethany 4-13-1970. Amendments noted where applicable.]

### Article I Biennial Elections

[Adopted by the ATM 5-6-1968]

§ 36-1 **Date established.**

In accordance with the provisions of C.G.S. § 9-164, as amended by Public Act No. ~~675~~ 21-2, ~~January~~ June ~~Special~~ Session ~~1967~~ 2021, there shall be held in the Town of Bethany, biennially, a municipal election on the Tuesday after the first Monday of ~~May~~ November of the odd-numbered years.

### Article II Election Officials

[Adopted by the STM 4-13-1970]

§ 36-2 **Two shifts established.**

Pursuant to Section 1 of Public Act No. 500 of the 1969 Session Laws, the Town of Bethany does hereby establish two shifts of election officials for all future town elections and referenda consisting of 14 voting hours.

## Chapter 63 Planning and Zoning Commission

[**HISTORY:** Adopted by the Special Town Meeting of the Town of Bethany 12-7-1992. Amendments noted where applicable.]

#### GENERAL REFERENCES

Subdivision regulations — See Ch. 180.

Zoning regulations — See Ch. 204.

Zoning Board of Appeals — See Ch. 97.

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**§ 63-1 Ratification of former actions.**

The action of the Special Town Meeting on February 11, 1952, creating a Zoning Commission for the town is hereby ratified and confirmed. The action of the Annual Town Meeting on May 3, 1955, which designated the Zoning Commission as the Planning and Zoning Commission of the town, is hereby ratified and confirmed. The action of the Special Town Meeting on September 23, 1985, which provided for election of alternates, is hereby ratified and confirmed.

**§ 63-2 Membership; terms.**

- A. The Planning and Zoning Commission of the Town of Bethany shall be composed of five members who shall have all the powers and duties prescribed by the General Statutes of Connecticut.
- B. Members shall be electors of the town and shall be elected for terms of four years each, which terms shall begin on the first **Saturday** of **December** ~~July next~~ following the day of the municipal election at which the members are elected.

**§ 63-3 Alternate members.**

- A. There shall be three alternate members of the Planning and Zoning Commission who shall be qualified as provided in Section 8-1b of the General Statutes of Connecticut. Such alternate members shall be elected for terms of four years each and shall have the powers and duties prescribed by law.
- B. For each regular member of the Planning and Zoning Commission who is absent or disqualified, the Chairman of the Commission shall designate one alternate to be seated on the Commission. Said Chairman shall choose alternates in rotation so that they shall act as nearly equal a number of times as possible; and if any alternate is not available in accordance with such rotation, said fact shall be recorded in the minutes of the meeting, in accordance with the Connecticut General Statutes, as amended.
- C. To stagger the terms of the alternate members, two alternate members shall be elected to a four-year term commencing with the election of May 2019 and one alternate member shall be elected to a two-year term in the election of May 2019. The alternate member seat that is a two-year term shall be changed to a four-year term commencing with the election of May 2021. **[Added 7-27-2017 STM]**  
Members will be elected in November of odd-numbered years from 2023 onward.

**§ 63-4 Absence; resignation; vacancies.**

Any member of the Commission who is absent from three consecutive regular meetings and any intervening duly-called special meetings may be considered by vote of the Commission to have resigned from the Commission, and such vacancy, and any other vacancy occurring in the membership of said Commission, including the membership on the Board of Alternates, shall be filled for the unexpired portion of the term by appointment by the Commission. The foregoing provision concerning absences from three consecutive meetings shall not apply to the Board of Alternates.

**§ 63-5 Present members.**

All present members, including alternates, of said Planning and Zoning Commission shall continue to serve for their appointed terms.

**§ 63-6 Aquifer Protection Program.**

**[Added ATM 5-17-2004; amended STM 1-26-2006]**

Designation; membership; training requirements

- A. In accordance with the provisions of C.G.S. § 221-354a, et seq., the Planning and Zoning Commission is hereby designated as the Aquifer Protection Agency (hereinafter the "Agency") of the Town of Bethany.

- B. Members of the Planning and Zoning Commission shall serve coexisting terms on the Agency. The membership requirements of the Agency shall be the same as those of the Planning and Zoning Commission, including, but not limited to, the number of members, terms, method of selection and removal of members, and filling of vacancies.
- C. At least one member of the Agency or staff of the Agency shall complete the course in the technical training formulated by the Commissioner of Environmental Protection of the State of Connecticut, pursuant to C.G.S. § 22a-354v.
- D. The Agency shall adopt regulations in accordance with C.G.S. § 22a-354p and R.C.S.A. 22a-354i-3.
- E. Inventory of land use. Not later than three months after approval of the Commissioner of the Department of Environment Protection of Level B Mapping of aquifers, the Agency will inventory land uses overlying the mapped zone of contribution and recharge areas of such aquifers in accordance with guidelines established by the Commissioner pursuant to C.G.S. § 221-354f.
- F. The Board of Selectmen may designate an alternative local agency to enforce the Aquifer Protection Program.

## Chapter 92

# Terms of Office

*[See separate document with 5/20/2024 town meeting ordinance changes]*

## Chapter 97

# Zoning Board of Appeals

**[HISTORY: Art. I, adopted by the Special Town Meeting of the Town of Bethany 2-11-1952; Art. II, adopted by the Special Town Meeting of the Town of Bethany 11-30-1959. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Planning and Zoning Commission — See Ch. 63.

Zoning regulations — See Ch. 204.

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### Article I

## Establishment

**[Adopted by the STM 2-11-1952]**

**§ 97-1 Creation.**

**[Amended 12-7-1992 STM]**

There is hereby created a Zoning Board of Appeals to be composed of five electors of the Town of Bethany who are not members of the Planning and Zoning Commission.

**§ 97-2 Membership.**

**[Added 3-14-1955 STM]**

~~At the regular town election next succeeding the adoption of this section, there shall be elected three members of the Zoning Board of Appeals to serve for two years and two members to serve for four years, commencing on the first day of July next succeeding said election. Thereafter, at At each regular town election there shall be elected such number of members of said Zoning Board of Appeals as there are members whose terms expire the first Saturday of December ~~July next~~ succeeding such election, and those so elected shall serve for four years from the first Saturday of December ~~July next~~ succeeding such election.~~

§ **97-3 Vacancies.**

[Added 3-14-1955 STM]

If there shall be a vacancy on said Zoning Board of Appeals, the Board of Selectmen shall appoint an elector of the town to serve until the first Saturday of December ~~July next~~ succeeding the next regular town election following the creation of said vacancy, and at said election a member shall be elected to fill the balance of said unexpired term from the first Saturday of December ~~July next~~ succeeding said election.

§ 97-4 **Voting.**

[Added 3-14-1955 STM]

At any election, if the number of members of the Zoning Board of Appeals to be elected for the same term is odd, no elector shall vote for more than a simple majority of said number, and if the number of members to be elected is even, no elector shall vote for more than one-half (1/2) of said number.

## Article II Alternates

[Adopted by the STM 11-30-1959]

§ 97-5 **Naming of alternates by Board of Selectmen.**

The Board of Selectmen shall, pursuant to statute, promptly name three alternate members of the Zoning Board of Appeals, no more than two of which persons so named shall be of the same political party. All of said persons shall serve until the first of July 1961.

§ **97-6 Election.**

[Amended 7-27-2017 STM]

At the next biennial Town election, two alternate members shall be elected to a four-year term and one alternate member shall be elected to a two-year term. The alternate member elected to a two-year term shall be elected to serve a four-year term commencing with the election of May 2021. Members will be elected in November of odd- numbered years from 2023 onward.