

Chapter 1

GENERAL PROVISIONS

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[HISTORY: Adopted by the Board of Selectmen of the Town of Granby as indicated in article histories. Amendments noted where applicable.]

ARTICLE I Adoption of Code [Adopted 2-16-2010]

§ 1-1. Adoption.

The compilation of the ordinances of the Town of Granby of a general and permanent nature, codified and consolidated into chapters and sections in the form attached hereto and made a part hereof, and consisting of Chapters 1 through 173, is hereby approved, adopted, ordained, and enacted as the "Code of the Town of Granby, Connecticut," hereinafter called the "Code." All provisions contained in the compilation provided for herein and known as the "Code of the Town of Granby" shall be in force and effect on and after the effective date of this ordinance.

§ 1-2. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-3. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance. All such provisions are

hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town.

§ 1-4. Copy of Code on file; publication.

A copy of the Code has been filed in the office of the Town Clerk of the Town of Granby and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Town Clerk of the Town of Granby, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this ordinance, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held, and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-5. Amendments to Code.

Any and all additions, deletions, amendments, or supplements to any of the ordinances in the Code of the Town of Granby, or any new ordinances, when enacted or adopted in such form as to indicate the intention that they be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments, or supplements. Whenever such additions, deletions, amendments, or supplements to the Code shall be enacted or adopted, they shall thereafter be inserted in the Code as amendments and supplements thereto.

§ 1-6. Code to be kept up-to-date.

It shall be the duty of the Town Clerk, or someone authorized and directed by the Town Clerk, to keep up-to-date the certified copy of the Code of the Town of Granby required to be filed in the office of the Town Clerk for use by the public. All changes in said Code and all ordinances adopted by the Town subsequent to the enactment of this ordinance in such form as to indicate the intention that they be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes until such changes are included as supplements to said Code.

§ 1-7. Sale of Code; supplementation.

Copies of the Code, or any chapter or portion of it, may be purchased from the Town Clerk of the Town of Granby or an authorized agent of the Town Clerk upon the payment of a fee to be set by regulation of the Board of Selectmen. The Town Clerk may also arrange for procedures for the periodic supplementation thereof.

§ 1-8. Altering or tampering with Code.

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Town of Granby, or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the

Town of Granby to be misrepresented thereby, shall, upon conviction thereof, be subject to a fine of not more than \$250.

§ 1-9. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof. If any provision of this Code or the application thereof to any person or circumstance is held invalid, the remainder of this Code and the application of such provision to other persons or circumstances shall not be affected thereby.

§ 1-10. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-11. Repealer.

All ordinances or parts of ordinances of a general and permanent nature adopted and in force on the date of the adoption of this ordinance and not contained in the Code are hereby repealed as of the effective date of this ordinance, except as hereinafter provided.

§ 1-12. Ordinances saved from repeal.

The adoption of this Code and repeal of ordinances provided for in § 1-11 of this ordinance shall not affect the following ordinances, rights, and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to May 20, 2008.
- B. Any right or liability established, accrued, or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provisions or any penalty, punishment, or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit, or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement, or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, changing of boundaries,

improvement, acceptance, or vacation of any right-of-way, easement, street, road, highway, park, or other public place or any portion thereof.

- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money, or authorizing the issuance and delivery of any bond or other instruments or evidence of the Town's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease, or transfer of property or any lawful contract or obligation.
- I. The levy or imposition of taxes, assessments, or charges or granting of tax exemptions for certain property.
- J. Ordinances providing for local improvements or assessing taxes or special assessments therefor.
- K. The annexation or dedication of property or approval of preliminary or final subdivision plats.
- L. Ordinances accepting gifts of property or other items to the Town.
- M. Any ordinance relating to or establishing a pension plan or pension fund for Town employees.
- N. Any ordinance relating to or establishing a retirement system for Town employees.

§ 1-13. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Board of Selectmen that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. Nomenclature. Throughout the Code, references to the following terms are updated as indicated:
 - (1) "Building Inspector" is changed to "Building Official."
 - (2) "Superintendent of Public Works" is changed to "Director of Public Works."
 - (3) "Sewer Commission" is changed to "Water Pollution Control Authority."
 - (4) "Recreation Director" is changed to "Director of Recreation and Leisure Services."
 - (5) "Office of State Planning" is changed to "Office of Policy and Management."
 - (6) "Park Superintendent" is changed to "Superintendent of Parks."
 - (7) "Zoning Commission" or "Zoning and Planning Board" is changed to "Planning and Zoning Commission."

- C. The amendments and additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)¹

§ 1-14. When effective.

This ordinance shall take effect upon passage and publication as required by law.

1. Editor's Note: In accordance with § 1-13C, the chapters, parts and sections which were added, amended, adopted or deleted by this ordinance are indicated throughout the Code by a footnote referring to Chapter 1, General Provisions, Article I. During routine supplementation, footnotes indicating amendments, additions or deletions will be replaced with the following history: "Amended (added, deleted) 2-16-2010." Schedule A, which contains a complete description of all changes, is on file in the Town offices.

