

Candlewood Point Homeowners Tax District

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CANDLEWOOD POINT HOMEOWNERS TAX DISTRICT

BY-LAWS

Welcome to Candlewood Point

Here are Bylaws and Ordinances for our neighborhood as specified by Connecticut General Statutes. The Board of Directors approved these on March 10, 2010 so the residents at the Annual Meeting May 22, 2010 can ratify them.

I. PURPOSE AND POWERS

The Candlewood Point Homeowners Tax District was established to levy and collect property taxes in order to maintain, preserve, safeguard and improve community property, facilities, infrastructure and the quality of life within the boundaries of the Tax District. The Tax District hereby has the authority to undertake all powers and purposes set forth in Conn. Gen. Stat. § 7-326, and as amended from time to time.

II. TAX DISTRICT MEETINGS

A. Annual Meeting

The annual meeting of the Tax District shall be held in May of each year for the purpose of adopting the annual budget, laying the tax and fixing the tax rate and for such other business as may be properly acted upon by the voters of the Tax District at such meeting.

B. Special Meetings

Special meetings of the Tax District may be called in accordance with the provisions of Conn. Gen. Stat. § 7-327, and as amended from time to time.

C. Notice of Meetings

Notice of the annual meeting and all special meetings shall be given by publication of the notice of such meeting in a newspaper having a general circulation within the Tax District at least ten (10) days before the date scheduled for the meeting. The notice shall be signed by the President or any three (3) members of the Board of Directors. The notice must state the time and place of the meeting and the business to be transacted at the meeting. In addition to the notice required as set forth herein, the Board of Directors may require such additional notice as it may deem appropriate.

D. Quorum

The minimum quorum necessary for action at any Tax District meeting is fifteen (15) voters.

E. Voter Eligibility

A person is eligible to vote on all issues to be decided by the Tax District if that person is an elector residing within the Tax District boundaries or is a citizen eighteen (18) years of age or older who, jointly or severally, owns property valued at \$1,000.00 or more on the Grand List of the Tax District. (See Conn. Gen. Stat. § 7-6). There is no statutory authorization for any type of "per lot" voting process.

III. OFFICERS AND BOARD OF DIRECTORS

The Board of Directors shall consist of the President, Vice President, Tax District Clerk/Secretary and the Tax District Treasurer/Tax Collector and five (5) additional directors, all of whom must be eligible voters within the District and persons in good standing with the Tax District. "Good standing" means that the Officer or Director does not owe taxes or fines to the Tax District on the date of election.

A. President

The President of the Tax District shall be the Chief Executive Officer of the Tax District and shall have all the powers and duties conferred upon the President pursuant to Conn. Gen. Stat. §§ 7-324 et seq. The President shall preside over all meetings of the Tax District and meetings of the Board of Directors. At all meetings where he presides, the President shall have the right to vote and to vote a second time only to dissolve a tie. The President shall designate the duties to be assigned to each of the five (5) additional members of the Board of Directors, shall approve all bills for payment by the Treasurer and shall be an ex-officio member of all committees and boards of the district, except where the Board of Directors appoints him or her to a committee or board and designates that he or she be a voting member of such committee or board.

Committees. The President may appoint, with the approval of the Board of Directors, the following committees to be filled by eligible voters of the Tax District, such as:

1. Nominating Committee
2. Road Committee
3. Beach Committee
4. Such other Committees as the Board of Directors shall approve.

B. Vice President

The Vice President shall have all of the authority, power and duties of the President whenever the President vacates his office, is absent or for any cause is unable to perform his duties.

C. Tax District Clerk/Secretary

The Tax District Clerk/Secretary shall keep a record of the minutes of all meetings of the

Tax District and of the Board of Directors and shall, at all times, keep a list of the eligible voters of the Tax District. The Clerk/Secretary shall have all the duties and responsibilities as set forth in Conn. Gen. Stat. §§ 7-324 et seq. The Clerk/Secretary shall send out notices of all meetings and any other notices or correspondence pertaining to Tax District affairs and shall be the custodian of all official records and documents of the Tax District which shall be turned over to him or her with the exception of those documents and records necessarily controlled or possessed by the Treasurer/Tax Collector.

D. Treasurer/Tax Collector

The Treasurer/Tax Collector of the Tax District shall have charge of the collection of all taxes and payment of monies of the Tax District, shall have all powers and duties established for this office pursuant to Conn. Gen. Stat. § 7-324 et seq., and as amended from time to time. The Treasurer/Tax Collector shall prepare the annual budget, which shall be reviewed by the Board of Directors and transmitted with the Board's comments and recommendations to the annual meeting of the Tax District for adoption. The Tax District and the Tax District Treasurer/Tax Collector shall have all the powers and duties conferred by the Connecticut General Statutes. The Tax District and the Treasurer/Tax Collector shall have the same powers as municipalities and municipal tax collectors to collect and enforce payment of taxes. When taxes are set and laid, those taxes shall become a lien upon the property in the same manner as municipal taxes and such liens may be continued by Certificates of Tax Liens recorded in the Land Records of the Town of New Milford and foreclosed upon in the same manner as any municipal tax lien. When the annual Tax District meeting has fixed the tax rate, the Clerk/Secretary of the Tax District shall prepare a rate bill, apportioning to each owner of property his proportionate share of the taxes, which rate bill, when prepared, shall be delivered to the Treasurer/Tax Collector.

IV. FISCAL YEAR

The fiscal year of the Tax District shall begin on July 1 and shall end on the following June 30. As set forth in these By-Laws, the annual meeting of the

Tax District to adopt the budget, lay the tax and fix the tax rate for the subsequent fiscal year, shall be held no later than May 31.

V. EXPENDITURES

The Officers and Board of Directors shall not borrow money without proper authority from the Tax District pursuant to the Connecticut General Statutes. All monies received by the Board of Directors on behalf of the Tax District shall be immediately paid over to the Treasurer/Tax Collector. No contract or obligation which involves an expenditure in the amount of \$10,000 or more in any one year shall be made by the Board of Directors unless such expenditure is specifically authorized by a vote of the eligible voters of the Tax District.

VI: ORDINANCES

The Tax District has the power to and may adopt ordinances, with penalties to secure their enforcement, for the purpose of regulating the carrying out of the purposes, powers and provisions of §§ 7-324 to 7-329, as amended from time to time, of the Connecticut General Statutes. The adoption of ordinances shall be by a majority vote of those voters present and voting at a properly called meeting of the Tax District voters.

VII. FREEDOM OF INFORMATION

All Freedom of Information statutes apply to the Tax District as a matter of law.

VIII. RULES OF ORDER

All parliamentary questions or rules of order not otherwise determined by these By-Laws shall be decided in accordance with Roberts Rules of Order.

IX. CONFLICTS

This set of By-Laws supersedes any prior By-Laws adopted and governing the Candlewood Point Homeowners Tax District. In the event the provisions of these By-Laws conflict with state statute, state statute shall prevail. In the event that these By-Laws conflict with any ordinances adopted by the Tax District, these By-Laws shall prevail.

X. ADOPTION AND AMENDMENT

The adoption of these By-Laws and any amendments thereto shall be by a majority vote of those voters present and voting at a properly called meeting of the Tax District voters.

March 8, 2010 Board approved

CANDLEWOOD POINT HOMEOWNERS TAX DISTRICT
ORDINANCES

The following ordinances, duly adopted in accordance with Conn. Gen. Stat. § 7-328, shall be enforceable by a \$75.00 per violation fine. For a continuing violation, each day upon which said violation occurs shall constitute a separate violation. The following ordinances may also be enforced by injunction or pursuant to any other available legal remedy.

1. Except where specifically governed by a Candlewood Point Homeowners Tax District Ordinance, the Connecticut Motor Vehicle Code is adopted as an ordinance governing the roadways within the Candlewood Point Homeowners Tax District.\

2. The speed limit on all roads within the Tax District is fifteen (15) miles per hour.

3. Unregistered motor vehicles and similar vehicles including all-terrain vehicles (ATVs), dirt bikes, go-carts and the like, shall not be operated on the roads within the Tax District or on any other property owned by the Tax District.

4. No more than one unregistered motor vehicle may be stored out of doors.

5. No business signs may be erected on any property within the Candlewood Tax District unless the sign is approved by the Tax District Board of Directors and the sign pertains to a business use of the subject property which has all required zoning and other approvals.

6. All property owners must keep all vegetation, including, but not limited to, tree branches, shrubs and plants, trimmed back so that the vegetation or any portion thereof does not hang over into or on the traveled portion of any Tax District road. In addition, the Board of Directors may direct any property owner to similarly remove or trim back any vegetation which encroaches upon any Tax District road right-of-way or any other property owned by the Tax District.

7. No motor vehicle, trailer, boat or similar item may be parked or left unattended on any of the traveled portions of any of the roads within the Tax District.

8. All property owners and/or their representatives, agents, and contractors, when constructing or reconstructing homes, driveways, parking areas, drainage improvements, or other alterations to a property within the Tax District, shall not interfere with, block or hamper use of the Tax District roads, or existing drainage and/or culvert systems without prior written authorization from the Tax District Board of Directors. In addition, said owners, representatives, agents and contractors shall not cause any damage to the roads, road right-of-ways or other Tax District property, including any drainage and/or culvert systems, and, if any such damage is caused, the property owner upon whose property the work occurred which resulted in damage described above, shall cause the damage to be properly fixed or shall be directly responsible to the Tax District to pay for the cost of fixing the damage. This same law shall apply to any utility company including, but not limited to, water, electric, gas, telephone, cable or similar services providers. Such utility companies must, after completion of any utility work on or within Tax District property, fix and repair and return the Tax

District property to the same condition it was in prior to the work within six months of completion.

9. No items, including, but not limited to, motor vehicles, vehicles, boats, trailers, rafts, chairs, inflatables or toys or other items may be placed on or remain on Tax District property unattended by the owner thereof except in such areas as may be designated by the Tax District Board of Directors for that purpose. Tax District property includes, but is not limited to, roads, road right-of-ways, beach areas, parking areas and other property owned by the Tax District. No boat racks, boat docks or similar items may be installed or constructed on tax district property without the written permission of the Tax District Board of Directors. Any such items may be removed by the Tax District, at the direction of the Board of Directors, from its property at the sole cost and expense of the owner thereof and such removal may include towing and/or storage charges. Unless waived by the Board of Directors, any such items so removed shall not be returned to the owner thereof until any costs and expenses incurred by the Tax District for the removal and storage thereof have been paid.

10. Property of Candlewood Point Homeowners Tax District is for the use of District residents, their guests and invitees. Use by others is prohibited and subject to fines and other actions.

11. Dogs must be kept on leashes. Pets are never allowed on the community beach.

12. Exterior construction and renovations must be completed within three years of the date of issuance of the building permit for the particular construction or renovation work.

March 8, 2010 Board approved