

POWERS, DUTIES, AND BY-LAWS

of

NOANK FIRE DISTRICT

Under the

GENERAL STATUTES

(Revision of 1918, unless otherwise indicated)

and

SPECIAL ACTS

(Through 2015, unless otherwise indicated)

POWERS

(1) TO EXTINGUISH FIRES;

(2) TO LIGHT STREETS;

These powers were acquired under **Section 519** of the General Statutes, by vote of the District on April 8, 1929, when the District was organized.

(3) TO EXERCISE ZONING POWERS;

Originally acquired by **Special Act No. 34 of the January 1947** session of the General Assembly. This was repealed by **Special Act No. 305 of the January 1951** session which also substituted a new act; amended to its present form by **Special Act No. 434 of the January 1959** session. See Appendix.

(4) TO ACQUIRE AND OPERATE A WATER SYSTEM;

Originally granted by **Special Act No. 103 of the January 1947** session of the General Assembly, this act was amended by **Special Act No. 436 of the January 1959** session of the General Assembly, and further amended by **Special Act No. 288 of the January 1961** session which replaced the original 1947 act as amended. See Appendix.

(5) TO ESTABLISH AND MAINTAIN PARKS, PLAYGROUNDS, ETC.;

Acquired under **Special Act No. 433 of the January 1959** session of the General Assembly. See Appendix.

(6) EXPANSION OF DISTRICT INTO CONTIGUOUS TERRITORY NOT OCCUPIED BY OTHER DISTRICTS;

Acquired under **Special Act No. 344 of the January 1961** session of the General Assembly. See Appendix.

(7) OTHER POWERS WHICH DISTRICT COULD ADOPT;

Sprinkle streets, establish building lines, plant and care for shade and ornamental trees, construct and maintain sidewalks, crosswalks, drains and sewers, appoint and employ watchmen or police officers, collect garbage, ashes, and other refuse matter in any portion of the district and provide for its disposal (**Sections 519 and 920** of the General Statutes). It should be noted that the exercise by the District of some of the powers enumerated in this paragraph may be affected by the charter of the Town of Groton, a Special Act of the 1957 General Assembly.

LEGAL VOTERS

Section 7-6 of the General Statutes, Revised to 2015, provides in relevant part as follows: "At ... any meeting of any fire ... district ..., any person who is an elector of such [district] may vote and any citizen of the United States of the age of eighteen years or more who, jointly or severally, is liable to the ... district ... for taxes assessed against him on an assessment of not less than one thousand dollars on the last-completed grand list of such ... district ..., or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (23), (25) or (26) of section 12-81, may vote, unless restricted by the provisions of any special act relating to such ... district" (The exemptions referred to above are those granted by Statute to blind persons, servicemen,

veteran's widows, and parents of veterans). Property owners and residents within the Noank Water District franchise shall be considered legal voters of the Noank Fire District.

EXECUTIVE COMMITTEE AND OFFICERS

Section 521 of the General Statutes provides that the officers of fire districts and their power and duties shall be the same as that provided in the statutes for school district officers, and except as otherwise provided, the laws relating to school districts shall apply to fire districts.

Section 941 of the General Statutes provides in part that each district "shall choose by ballot, at the annual meeting, a committee of not more than three persons, a clerk who shall be sworn, a treasurer and a collector, who shall hold their respective offices for a period of one year from the fifteenth day of July next succeeding, and until others are chosen and qualified. ... The members of the district committee shall be residents of the district; but the other offices may be filled by any inhabitants of the town in which said district belongs."

Section 946 of the General Statutes provides as follows: "The clerk, treasurer, and collector of each ... district shall exercise the same powers and perform the same duties, in their respective districts, as the clerks, treasurers, and collectors of the towns do in their respective towns."

Section 947 of the General Statutes provides as follows: "Any district may require the treasurer and collector respectively to give bonds to the district, to the approval of the district committee, for the faithful discharge of their respective offices, before assuming such duties."

The tax collector's office has in effect been abolished by special acts making the Tax Collector of the Town the Tax Collector of the District.

ANNUAL AND SPECIAL MEETINGS

Section 931 of the General Statutes provides as follows: "Every ... district shall hold an annual meeting in the month of June, for the choice of officers, and the transaction of any other business relating to [the district], and shall hold a special meeting when the same shall be duly called." Notwithstanding this statutory provision, the Noank Fire District has passed a by-law (Article II, Section 1), which sets the date of the District's annual meeting to be the third Tuesday of May.

Section 938 of the General Statutes provides as follows: "Upon the written request of twenty or more legal voters of any ... district ... to the committee to call a special meeting to vote by ballot and check list upon any resolutions appended to such request, said committee shall call such meeting within three weeks thereafter, at some suitable time and place in such district, to be particularly stated in the call, when and where such vote or votes shall be taken, and the results ascertained, declared and recorded in the manner provided in **Section 937**. Upon like request, the committee of any ... district ... shall cause all elections of officers of such district to be had by ballot and check list."

Section 933 of the General Statutes provides in part as follows: "Notice of the time, place, and object of each meeting of the district shall be given at least five days previous to holding it, including the day the notice is given, but not including the day of holding such meeting. The committee, or, if there is no committee, the clerk ... shall give notice of a district meeting by publishing the same in a newspaper published in the district or having a circulation therein and by posting notice on the [firehouse], if any there be, or on the signposts, if any there be, in the district, unless some other mode has been previously designated by the district, in which case notice in said mode may be substituted for such posting. ... The person or persons giving such notice shall, on the day of giving it, leave a duplicate of such notice with the clerk of the district ..."

TERRITORIAL LIMITS

Originally established under the General Statues by vote of the District on April 8, 1929, and with the changes adopted at the annual meeting of June 22, 1965, are as follows:

- (1) Beginning at a point on the shore of Beebe's Cove (formerly North Cove) where the northerly line of Fishtown Road extended southeasterly would intersect the shore of Beebe's Cove and thence northwesterly along said line so extended crossing Elm Street and continuing northwesterly with the northerly line of Fishtown Road to an angle therein;
- (2) thence northerly and northwesterly with the easterly line of Fishtown Road to land of Stephen T. Kelly, et al.;
- (3) thence northeasterly with said Kelly land 600 feet;
- (4) thence northwesterly with said Kelly land 300 feet;
- (5) thence southwesterly with said Kelly land 600 feet to Fishtown Road;
- (6) thence northwesterly with Fishtown Road to land of Thomas J. Schwartz, et al.;
- (7) thence northeasterly with said Schwartz land 200 feet;
- (8) thence northwesterly with said Schwartz land and land of Leonard W. Watrous 240 feet;
- (9) thence northeasterly with land of Louis A. Burke, et al. 25 feet;
- (10) thence northwesterly with said Burke land 100 feet;
- (11) thence southwesterly with said Burke land 225 feet, to Fishtown Road;
- (12) thence crossing said Road to the southwesterly side thereof and running northwesterly and northerly with the southwesterly and westerly side of said Road to the northeast corner of land of the Estate of Lucy H. Watrous, et al.;
- (13) thence westerly, southerly, westerly, southerly, westerly and southwesterly with said Watrous land to its northwest corner;
- (14) thence southerly along the westerly line of said Watrous, et al. land to land of Sven C. Erikson, et al.;
- (15) thence southerly with said Erikson land to land of Frank Sheetz;
- (16) thence westerly, southerly and easterly with said Sheetz land to the most northwesterly corner of land of Norma Atwood;
- (17) thence southerly with the westerly boundary of said Atwood land to its southwesterly corner at other land of Sven C. Erikson, et al.;
- (18) thence southeasterly with said Erikson land bounded northerly by said Atwood land, land of Jarvis Construction Company, and other Atwood land to an angle therein;

- (19) thence southwesterly and southerly with said Erikson land bounded easterly by said Atwood land to land of Edward A. Olds III;
- (20) thence westerly with said Olds land bounded north by land of Erikson to a corner;
- (21) thence southerly with Erikson land to a corner;
- (22) thence easterly with Erikson land to a corner;
- (23) thence southerly with Erikson land and land of Schramm to its southeast corner;
- (24) thence westerly bounded northerly by said Schramm land to New Brook Street;
- (25) thence southeasterly with New Brook Street to land of Stephen F. Godomsky, et al.;
- (26) thence westerly crossing New Brook Street to the southerly corner of Schramm land on New Brook Street;
- (27) thence southerly with Schramm land to its southeast corner;
- (28) thence westerly with Schramm land to land of Tupper;
- (29) thence southerly with Tupper land and land of Norton to Norton's southeast corner;
- (30) thence westerly with Norton's land to Brook;
- (31) thence southerly with said Brook to Palmer's Cove;
- (32) thence southerly following said Cove to Fisher's Island Sound;
- (33) thence easterly with Fisher's Island Sound to the Mystic River;
- (34) thence northerly with the Mystic River to the Railroad Bridge at the mouth of Beebe's Cove;
- (35) thence from said Railroad Bridge across said Cove in a northwesterly direction to the point and place of beginning.

Noank Fire District BY-LAWS

Article I - OFFICERS

Section 1. The Executive Committee

The members of the Executive Committee shall be legal voters of the Noank Fire District and each of them shall also be residents of said Fire District and/or residents of the Noank Water District franchise.

Section 2. Duties of the Executive Committee

- A) The Executive Committee shall be the business agent of the Noank Fire District.
- B) The Executive Committee shall make all contracts and order all just bills paid through the Treasurer.
- C) All bills shall be approved by at least two members of the Executive Committee, who shall indicate their approval thereon in writing, followed by their signatures, before said bills are paid.
- D) The Executive Committee shall not make unusual expenditures to exceed \$5,000.
- E) The Executive Committee may require the Treasurer to be bonded in an amount to be determined by the Executive Committee.
- F) All rules, regulations, orders, appointments or any changes therein pertaining to or affecting the fire department of the Fire District issued by the Executive Committee shall be posted on the fire department bulletin board.
- G) The Executive Committee shall issue all calls and notices for annual and Special Meetings, except as hereinafter provided.
- H) The Executive Committee will have the call of the annual meeting, the proposed budget, and expenditures of the previous year, published in *The Day* at least once and posted at the place of the annual meeting at least five days, and not more than ten days, prior to the annual meeting.
- I) The Executive Committee shall meet on the second Tuesday of each month at 7:00 p.m. in the building of the Noank Fire Department to transact the business of the Fire District; the proceedings of the Committee and any action taken by it shall be recorded in writing and filed with the Clerk of the Fire District.
- J) During the last three months of the fiscal year the Executive Committee may, by resolution, transfer any unencumbered appropriation, balance, or portion thereof from one account in the District's budget to any other account therein.

Section 3. Other Officers

All officers, except the Collector, of the Noank Fire District shall be legal voters of the Noank Fire District and each of them, except the Collector, shall be residents of said Fire District and/or residents of the Noank Water District franchise.

- A) The Clerk shall keep the records of said Fire District, shall act as Clerk at all district meetings and shall keep a record of all proceedings at said meetings, and the action of the officers relative thereto in a record book and/or digital media.

The Clerk may have prepared for each district meeting a list of those qualified to vote at said district meetings in order that said list may be used as a check list.

- B) The Treasurer shall receive all monies due and paid to the District and shall make disbursements from such monies in such amounts and to such persons as shall be ordered by the Executive Committee.
- C) The Tax Collector for the Town of Groton shall be the Tax Collector for the Noank Fire District.

Section 4. Vacancies

Should a vacancy occur in the Executive Committee, the remaining members of the Committee shall fill it, and if any other office becomes vacant, the Executive Committee shall fill it until the next annual district meeting when all vacancies shall be filled.

Article II - MEETINGS

Section 1. Annual Meeting

The annual meeting of the Noank Fire District shall be held on the third Tuesday of May.

Section 2. Election of Officers

The members of the Executive Committee and the other officers of the Fire District shall be elected at the annual meeting.

Section 3. Annual Meeting - Order of Business

The order of business at each annual meeting of the Fire District shall be as follows:

- A) Meeting called to order by the Clerk
- B) Election of Chairman
- C) Reading of call
- D) Reading of the minutes of the preceding annual meeting
- E) Reports of District Officers
 - 1. Executive Committee
 - 2. The Treasurer shall provide a current account of income and expenditures for the year. The Treasurer shall provide a statement of the assets and liabilities of the Fire District.
- F) Reports of Committees
- G) Levy of tax on the basis of the proposed budget

- H) Elections
 - 1. Zoning Commission
 - 2. Park Commission
 - 3. Executive Committee, Clerk, and Treasurer
- I) Miscellaneous business

Section 4. Special Meetings

Special Meetings of the Fire District may be called by the Executive Committee whenever said Committee shall deem it necessary, and Special Meetings shall be called by said Executive Committee upon the written petition of 20 or more legal voters of the Fire District; or if there is no committee, the Clerk, or if there is no committee or Clerk, the Treasurer shall call said Special Meeting. Notice of a Special Meeting shall be published in *The Day* at least once and shall be posted at the place of the Special Meeting at least five days and not more than ten days prior to said meeting; and if said meeting is held upon a petition of 20 or more legal voters of the Fire District, said meeting shall be called within 21 days from the filing of said petition with the officer or officers whose duty it is to call said meeting.

Section 5. Location of Meetings

All meetings, Annual and Special, shall be held within the territorial limits of the Fire District, except that when the fire house is not large enough to accommodate the audience for a particular meeting, the location may be moved to a suitable location within the Town of Groton, but outside the territorial limits of the Fire District.

Section 6. Rules of Parliamentary Procedure

The parliamentary procedure at all meetings shall follow the rules in the latest revised edition of Robert's *Rules of Order*.

**Article III – THE FIRE DEPARTMENT
OF THE NOANK FIRE DISTRICT**

Section 1. Members

All members in good standing of the Noank Fire Company shall be members of the fire department of the Noank Fire District.

Section 2. Appointments

- A) The Executive Committee shall annually appoint a Fire Chief, a Deputy Fire Chief, and an Assistant Fire Chief for the fire department and said Fire Chief, or in their absence, the Deputy Fire Chief, or in their absence, the Assistant Fire Chief shall have general authority and supervision over the Noank Fire Company insofar as it affects the interests and purposes of the Noank Fire District, and said Fire Chief, or in their absence, the Deputy Fire Chief, or in their absence, the Assistant Fire Chief shall be in command of all personnel and have control over all firefighting equipment at all fires and fire drills. In the absence of the Fire Chief, Deputy Fire Chief, or the Assistant Fire Chief, the powers of these officers shall be exercised by the next officer highest in rank in the fire department, who is present at the fire.

- B) The Executive Committee shall annually appoint an Engineer and an Assistant Engineer for the fire department and said Engineer or in his absence, the Assistant Engineer, shall have the duty to care for, maintain, and keep in good operating condition all of the apparatus, equipment and other personal property belonging to the Fire District for the purpose of controlling or extinguishing fires.
- C) The Executive Committee shall annually appoint for the term of one year, fire police as needed. The Executive Committee shall designate a Captain of the Fire Police for the issuing and carrying out of orders in connection with the functions and duties of said Fire Police, and said Fire Police shall have the powers and perform the duties of special constables at any incident in said fire district, as directed by the Executive Committee, Fire Chief, or other incident commander; the Executive Committee, however, shall have the power to remove any or all of said Fire Police from office at any time at their discretion. The Chairman of the Executive Committee shall be the Chief of the Fire Police.
- D) The Executive Committee and the Fire Chief, or in their absence, the Deputy Fire Chief, or in their absence, the Assistant Fire Chief, shall use reasonable discretion in the event that the fire department is called to use the fire apparatus or other equipment to control or extinguish fires in the areas outside of the territorial limits of the Noank Fire District.
- E) The Executive Committee shall, on nomination of the fire department of the Fire District, appoint a reasonable number of drivers for the fire apparatus, who shall serve for one year from the date of their appointment.

Section 3. Discipline of Members

If any member belonging to the fire department, when in or at the fire house, be guilty of disorderly conduct, disobedience to the officers or to the fire district Committee, he may for such offense be given a hearing by the fire department, and if found guilty he may be suspended or discharged from the fire department.

Article IV – SALARIES

Section 1. Amount; How Determined

The officers of the fire district and the fire department shall receive salaries as to be determined by the Executive Committee.

Proposed stipend increases for the Executive Committee shall be voted upon at the Annual Meeting.

Article V – AMENDMENT

Section 1. Procedure

The by-laws of the Noank Fire District may be amended at any meeting of the Fire District legally warned for the purpose by a two-thirds vote of the legal voters present and voting at said meeting.

**Article VI – THE ZONING COMMISSION
OF THE NOANK FIRE DISTRICT**

Section 1. Members

The Zoning Commission of the Noank Fire District shall consist of five electors who shall be elected at any Annual or Special Meeting of the district. The terms of office of the members of said commission

shall be established by the district at any such meeting. No more than three of such members may also be members of the Executive Committee. (**Special Act No. 305 of 1951** as amended by **Special Act No. 434 of 1959.**)

Section 2. Election of Members; Term of Office

Members of the Zoning Commission are elected at the Annual Meeting of the District. The term of office for each regular member of the Zoning Commission is five years. The five seats on the Zoning Commission are elected on a revolving basis, with only one seat up for election at any Annual Meeting, unless a special election is called to fill an unexpired term as provided for in Section 3, below. At the Annual Meeting, the one expiring term will be filled with a member who will hold office for five years. There is no restriction on the number of terms a person may serve on the Zoning Commission.

Section 3. Filling of Vacancies

When a vacancy occurs in one of the five regular member seats on the Zoning Commission, the Executive Committee may appoint one of the alternate members of the Zoning Commission to serve for the remaining unexpired term of the vacated seat. The Executive Committee may only appoint an alternate member, who was elected pursuant to Section 4, below, to fill a vacated regular member seat on the Zoning Commission. If a vacated regular member seat is not filled before the next regularly scheduled Annual Meeting, and if such seat is not scheduled to expire at said Annual Meeting, a special election to fill the unexpired term of the vacated seat will be held at said Annual Meeting. Any such special election will be in addition to the election to fill the one regularly-scheduled expiring term of office provided for in Section 2, above.

If the Zoning Commission is unable to conduct business because vacancies have made it impossible to obtain a quorum, counting both regular and alternate members, the Executive Committee shall call a special meeting of the District to conduct a special election to fill enough regular and/or alternate member seats on the Zoning Commission as necessary to allow it to obtain a quorum. In any such special election held between Annual Meetings, if there is more than one vacated regular seat on the Zoning Commission, the first person elected to fill a vacated seat will fill the seat with the longest unexpired term. If additional elections are required, the second person elected will fill the seat with the second longest unexpired term, the third person elected will fill the seat with the third longest unexpired term, the fourth person elected will fill the seat with the fourth longest unexpired term, and the fifth person elected will fill the seat with the fifth longest unexpired term. Any alternate member(s) elected at a special election shall serve only until the next regularly scheduled Annual Meeting. Pursuant to Section 4, below, the District shall elect no more than five (5) alternate members of the Zoning Commission, so the number of alternate members elected at a special election shall not cause the total number of alternate members to exceed five (5).

Section 4. Alternate Members; Term of Office; Filling of Vacancies

At the Annual Meeting of the District, in addition to the election of one regular member of the Zoning Commission, as provided in Section 2, above, the District shall elect no more than five (5) alternate members of the Zoning Commission to serve when a regular member is unable to do so. Alternate members shall serve a term of one year. There is no restriction on the number of terms a person may serve as an alternate member on the Zoning Commission.

APPENDIX

ZONING

Special Act No. 305 of 1951 General Assembly as amended by **Special Act No. 434 of 1959**.

The provisions of Chapter 43 of the General Statutes relating to boroughs shall apply to the Noank Fire District. The Zoning Commission of the Noank Fire District shall consist of five electors who shall be elected at any Annual or Special Meeting of the district. The terms of office of the members of said commission shall be established by the district at any such meeting. No more than three of such members may also be members of the Executive Committee.

RECREATION

Special Act No. 433 of 1959 General Assembly.

Section 1

The Noank Fire District may, by ordinance adopted at any regular or Special Meeting of the district, establish, maintain, and conduct parks, playgrounds, baths, swimming pools, gymnasiums, recreation places and facilities, and public gardens and improve waterfronts and make appropriations therefor.

Section 2

The appointment of a Park Commission heretofore made by the district, through which the district shall exercise the powers described in Section 1 of this Act, and the appropriation of \$5,000 made by the district at a meeting held on September 23, 1958, for use for recreational facilities, is hereby validated.

TERRITORY

Special Act No. 344 of 1961 General Assembly.

A majority of the voters residing in the Town of Groton within an area contiguous to the Noank Fire District, but not within any other fire district, may petition that the territory within which they reside be admitted as a part of said Noank Fire District. At a meeting called for such purpose, the voters residing within the territorial limits of the Noank Fire District may, subject to such condition as they may require, admit such additional territory.

WATER

Special Act No. 288 of 1961 General Assembly.

Section 1

The Noank Fire District, in addition to the powers granted to fire districts by the General Statutes, is authorized to acquire, construct, or contract for the installation and maintenance of a system of water supply, either by taking and using the water of any stream, lake, or pond, or by taking and converting water from the ocean by means of a salt water conversion system, or by contracting for the purchase of water from any municipality or water company, and to distribute water into and through the district by means of reservoirs, pipes, aqueducts and other suitable works for the purpose of supplying water within the district for domestic, business, municipal, industrial or other

use in such quantities as the necessities and convenience of the district shall require; to extend, improve, maintain, alter and repair such system; and to issue its general obligation bonds and notes from time to time to finance the cost of acquiring, constructing, extending, improving, maintaining, altering and repairing any such system or systems of water supply.

Section 2

The district is empowered to enter upon and take and hold by purchase, condemnation or otherwise the whole or any part of any real property or interest therein which it determines is necessary or desirable for use in connection with any water system, including land necessary for the construction of any canals, pipelines, aqueducts, stand-pipes, reservoirs or other works for conveying or containing water, or for the erection or construction of any buildings or machinery to install and maintain said water system, to establish public hydrants, and in general to do any other act necessary or convenient to supply the district with water.

Section 3

The district is authorized to enter into and upon any land or water for the purpose of making surveys and to agree with the owner or owners of any property or franchise which may be required for the purposes set forth in Section 1 as to the compensation to be paid therefor. Whenever the Executive Committee of the district, acting on behalf of the district, is unable to agree with the owner of any such property as to the compensation to be paid for the taking of such property, the Executive Committee may proceed to determine the compensation to be paid in the manner provided for determining the compensation paid for property taken for a municipal sewerage system in Chapter 103 of the General Statutes.

Section 4

In accomplishing the purposes set out in Section 1, the district is authorized to open and to make use of the ground or soil under any public highway, road, street, railroad, bridge, private way, lane or alley, and shall thereafter restore the surface to its former condition, and shall repair all damage done thereto.

Section 5

At any time after the district has determined to acquire, construct, or contract for a system of water supply or a portion thereof or an improvement or extension thereto, the Executive Committee may apportion and assess the whole or any portion of the cost thereof upon the lands or upon the lands and building in the district which, in its judgment, are benefited thereby, whether abutting on said system or not, and upon the owners of such properties, according to such rules as the Executive Committee may adopt. Such assessments shall be made and collected by the Executive Committee in the manner provided by Chapter 103 of the General Statutes for the making and collecting of assessments for a municipal sewerage system by a municipal sewer authority, except that the Executive Committee may provide for the payment of any assessment in substantially equal annual installments, not exceeding 30, and may provide for interest charges on any deferred payments at a rate not exceeding six percent per annum. Liens for delinquent assessments shall arise and shall be perfected and foreclosed in the manner provided for delinquent water rents in Section 7. Assessments may be made against such property of the Town of Groton and the State of Connecticut and such other tax-exempt property in the district as the Executive Committee may determine.

Section 6

The district shall have power to maintain and operate any such system of water supply acquired or constructed pursuant to this act. The Executive Committee of the district shall have and exercise the exclusive control, care and management of said system of water supply and of all property rights and

interest thereto related. The Executive Committee shall appoint and prescribe the powers and duties of a Superintendent of such system of water supply, and may make rules and regulations for the care, management, operation and maintenance of such water system and the use and conservation of water and may establish water rents and connection and other charges, the manner of the payment and method of collection and penalties for nonpayment of the same, and may make all contracts and perform all acts necessary and convenient for such purposes. Such rents or charges shall be sufficient in each year with other available funds to pay the expense of operation, repair, replacements and maintenance of such system and to pay the principal and interest on indebtedness of the district incurred for such system.

Section 7

The Executive Committee may provide that, upon the nonpayment of rents, rates or charges for water within the time prescribed and limited for payment, the district may charge and receive an additional percentage for collecting the same, and may, at the option of the district, refuse to furnish additional water until all unpaid bills and charges shall have been satisfied. All rents, rates and charges for water shall be a lien upon the real estate wherein or in connection with which such water shall have been used by the owner or occupier thereof and, if not paid when due, shall constitute a lien upon the premises served and a charge against the owners thereof, which lien and charge shall bear interest at a rate to be fixed by the Executive Committee; such lien shall take precedence over all other liens or encumbrances except tax liens and may be foreclosed against the land or building served in the same manner as a lien for taxes; provided such lien shall not continue for more than one year after the time when such rents, rates or charges are due, unless within that period the district shall lodge with the Town Clerk of the Town of Groton a certificate in writing, stating the amount due as nearly as the same can be ascertained and a general description of such premises; provided that water shall not be introduced into any building or premises occupied by a tenant without the written consent of the owner or owners thereof. The amount of any such rent, rate or charge which shall remain due and unpaid for 30 days, with reasonable attorneys' fees, interest and other charges, may be recovered in a civil action in the name of the district against the owner or owners or person liable therefor.

Section 8

Revenues derived from the operation of the water system and benefit assessments, whenever paid, and from service charges shall be collected and held in a special fund or funds. The Superintendent shall be the custodian of such fund and shall give bond to the satisfaction of the Executive Committee for the faithful discharge of his duties. The Superintendent, subject to such rules as the Executive Committee may from time to time adopt, may make payment from such fund to defray the operating expenses of the water system, to pay principal and interest on indebtedness of the district incurred for the water system and to pay for extensions, improvements, maintenance, alterations and meet other expenditures of the district for the water system and to pay for extensions, improvements, maintenance, alterations and repairs to said system, provided that no improvements or extensions exceeding the sum of \$5,000 in any one year shall be undertaken without approval of the district meeting. The Superintendent may invest any portion of the water fund which is not required to meet current expenses in direct obligations of the United States of America or in any bonds or securities which are legal investments for savings banks in this state.

Section 9

Before any system of water supply is acquired, constructed or contracted for, the district shall, at a meeting called and held for such purpose, determine to acquire, construct or contract for such system of water supply. This action may be taken at the same meeting at which the district approves this act, as hereinafter provided.

Section 10

Whenever the district has authorized the acquisition or construction of all or any part of a system of water supply and has made an appropriation or had incurred debt therefor, it may issue general obligation bonds or notes, subject to the provisions of the General Statutes. At a meeting called and held for such purpose, the district shall determine the amount of each issue of bonds or notes and may determine or may authorize the Executive Committee to determine the form of such bonds or notes, their date, the dates of principal and interest payments, the manner of issuing such bonds or notes and by whom such bonds or notes shall be signed or countersigned, and all other particulars thereof. The bonds of each issue shall mature in annual installments, the first of which shall mature not later than two years after the date of such bonds and the last of which shall mature not later than 30 years after the date of such bonds. The district may determine or may authorize the Executive Committee to determine the rate or rates of interest for such bonds or notes. All such bonds shall be issued in the name of and on behalf of and upon the credit of the district and, when so issued, shall be obligatory upon the district and upon the inhabitants thereof according to the tenor and purport of the same. Any bonds issued pursuant to and in accordance with this act shall be negotiable instruments. The district may authorize the issuance of temporary notes in anticipation of the receipt of the proceeds from the sale of such bonds.

Section 11

In addition to the power to issue bonds as provided in Section 10, the district may, from time to time, by vote of its Executive Committee, borrow money (a) to pay current expenses for the operation of the water system in anticipation of water revenues estimated to be received and to evidence such borrowing by the issue of notes maturing in one year or less from date of issue; (b) to pay for the services of engineers and professional consultants for the planning of a water system and extensions and improvements thereto in an amount which shall not exceed at any time the sum of \$50,000 and to evidence such borrowing by the issue of notes maturing not later than five years from date of issue. Such note or notes may be general obligations of the district issued in the name of and on behalf of and upon the credit of the district and the inhabitants thereof and shall be signed by the Chairman and Treasurer of the district. Notes which mature not later than one year from their date may be sold at a discount and the amount of the discount shall be treated as interest paid in advance.

Section 12

The district may, at a meeting called and held for such purpose, determine to sell or transfer the system of water supply to any municipality or water company. The terms of such sale or transfer, as determined by the Executive Committee, shall be approved at referendum by a majority vote of those persons entitled to vote in district meetings.

Section 13

Any power granted by this act shall be in addition to, and not in derogation of, any power granted to fire districts by the General Statutes.

Section 14

This act shall take effect upon its approval by the electors of the district at a district meeting warned and held for such purpose.

Approved at district meeting held on July 27, 1961.

Special Act No. 62 of 1965 General Assembly.

All certificates of lien of the Noank Fire District filed in the Groton land records prior to January 1, 1965, pursuant to the provisions of **No. 288 of the Special Acts of 1961**, otherwise valid except that they were not filed within the time provided by said Special Act, are validated; and all liens claimed thereunder are valid and enforceable.