

## **Southbury Town Charter**

### **Sec. 2-21. - Historic Buildings Commission's powers and duties.**

The Historic Buildings Commission, pursuant to the town charter, shall have the following powers and duties:

- (1) To take, hold, invest and reinvest such funds as the town shall appropriate or as private persons shall give for the restoration, preservation and maintenance of Bullet Hill School House, the Old Town Hall, and South Britain Library and other historic properties owned by the town, as designated by the board of selectmen from time to time.
- (2) To use and expend the principal and income of such funds in their discretion for the purposes listed in subparagraph (1) of this section; provided that, no such funds shall be so used or expended for any such purposes if the use thereof for such purpose shall be prohibited or restricted by the vote of appropriation or terms of the gift.
- (3) To investigate ways and means of carrying out such restoration and such purposes and to employ architects and other experts necessary to carry out such restoration, preservation and maintenance.
- (4) To adopt plans, let contracts and in its discretion proceed with such restoration, preservation and maintenance to the extent of funds in its hands.
- (5) To report and recommend to the town what further action should be taken and appropriations made.
- (6) To make, implement, and enforce rules and regulations for the use of such buildings, their equipment and contents.

### **Section 506. - Terms.**

All officers and all members of any board, commission or other appointed body having terms fixed by this Charter shall commence their terms on the 15th day of January and shall serve the term so specified until their successors have been appointed and qualified. Appointments made to all appointive positions, whether or not having fixed terms, shall be made prior to said January 15th and thereafter, provided however, that the Board of Selectmen may extend such time in the case of appointive officers having special qualifications in order to ensure that such offices shall be properly filled. A list of officials not appointed by said January 15th and upon the expiration of any term thereafter shall be posted in the Town Clerk's office and updated as required to show the current status.

### **Section 508. - Appointed boards, commissions, committees and agencies.**

Within the time specified in [Section 506](#) and thereafter, members shall be appointed to the following boards, commissions, committees and agencies:

B. Historic Buildings Commission, consisting of seven (7) members, shall be appointed for terms of four (4) years on a rotating basis as terms expire, to manage and ensure the preservation of historic properties owned by the Town.

### **Section 512. - Removal.**

A. Failure to Attend Meetings. Any member or alternate member of an appointed board, commission or committee (i) who does not attend at least two-thirds (2/3) of the regular meetings for a calendar year and (ii) who has not notified the Chairman of such board, commission or committee in a timely manner that he or she is seeking an excused absence, shall be subject to removal by the Board of Selectmen from such board, commission or committee, creating a vacancy which shall be filled in accordance with [Section 504](#) of this Charter. It shall be the duty of the Chairman of each board, commission or committee to give prompt written notice to the Board of Selectmen for action. An absence shall be excused if the member or alternate member will be absent due to his or her illness, the illness or death of a family member, the member's or alternate member's attendance at a funeral, the member's required attendance at another Town meeting, a business trip or scheduled vacation outside the Town of Southbury, or similarly critical event as determined in the reasonable discretion of the Chairman of the board, commission or committee.

B. Inability to Discharge Duties or Failure to Observe the Code of Ethics. Any member or alternate member of an appointed board, commission or committee who (1) is unable to discharge the powers and duties of his or her position or (2) violates this Charter or the Code of Ethics may, after notice and hearing, be removed from such board, commission or committee by the Board of Selectmen, creating a vacancy which shall be filled in accordance with [Section 504](#) of this Charter.  
 (Amended, eff. 12-1-14)

**Connecticut General Statutes 9-167a – Minority representation**

Current as of: 2014

(a)(1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

COLUMN I	COLUMN II
Total Membership	Maximum from One Party
3.....	2
4.....	3
5.....	4
6.....	4
7.....	5
8.....	5
9.....	6
More than 9.....	Two-thirds of total membership

(2) The provisions of this section shall not apply (A) to any such board, commission, committee or body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision, (B) to a legislative body of a municipality (i) having a town meeting as its legislative body or (ii) for which the charter or a special act, on January 1, 1987, provided otherwise or (C) to the city council of an unconsolidated city within a town and the town council of such town if the town has a town council and a representative town meeting, the town charter provides for some form of minority representation in the election of members of the representative town meeting, and the city has a city council and a body having the attributes of a town meeting or (D) to the board of directors and other officers of any district, as defined in section 7-324, having annual receipts from all sources not in excess of two hundred fifty thousand dollars.

(b) Prior to any election for or appointment to any such body, the municipal clerk, in cases of elections, and the appointing authority, in cases of appointments, shall determine the maximum number of members of any political party who may be elected or appointed to such body at such election or appointment. Such maximum number shall be determined for each political party in the following manner: From the number of members of one political party who are members of such body at the time of the election or appointment, subtract the number of members of such political party whose terms expire prior to the commencement of the terms for which such election or appointment is being held or made and subtract the balance thus arrived at from the appropriate number specified in column II of subsection (a) of this section.

(c) In the case of any election to any such body the winner or winners shall be determined as under existing law with the following exception: The municipal clerk shall prepare a list of the candidates ranked from top to bottom according to the number of votes each receives; when the number of members of any one political party who would be elected without regard to this section exceeds the maximum number as determined under subsection (b) of this section, only the candidates of such political party with the highest number of votes up to the limit of such maximum shall be elected, and the names of the remaining candidates of such political party shall be stricken from the list. The next highest ranking candidates shall be elected up to the number of places to be filled at such election.

(d) If an unexpired portion of a term is to be filled at the same time as a full term, the unexpired term shall be deemed to be filled before the full term for purposes of applying this section. At such time as the minority representation provisions of this section become applicable to any board, commission, committee or body, any vacancy thereafter occurring which is to be filled by appointment shall be filled by the appointment of a member of the same political party as that of the vacating member.

(e) Nothing in this section shall be construed to repeal, modify or prohibit enactment of any general or special act or charter which provides for a greater degree of minority representation than is provided by this section.

(f) Nothing in this section shall deprive any person who is a member of any such body on July 1, 1960, of the right to remain as a member until the expiration of his term.

(g) For the purposes of this section, a person shall be deemed to be a member of the political party on whose enrollment list his name appears on the date of his appointment to, or of his nomination as a candidate for election to, any office specified in subsection (a) of this section, provided any person who has applied for erasure or transfer of his name from an enrollment list shall be considered a member of the party from whose list he has so applied for erasure or transfer for a period of three months from the date of the filing of such application and provided further any person whose candidacy for election to an office is solely as the candidate of a party other than the party with which he is enrolled shall be deemed to be a member of the party of which he is such candidate.