New

PROPOSED CODE ADOPTION ORDINANCE

ARTICLE I

Adoption of Code

§ 1-1. Adoption of Code.

The codification of the ordinances of a general and permanent nature of the Town of Voluntown, as revised, codified and consolidated into chapters and sections by General Code, LLC, and consisting of Chapters 1 through 330, is hereby approved, adopted, ordained and enacted as the "Code of the Town of Voluntown, Connecticut," hereinafter called the "Code." All provisions contained in the codification provided for herein and known as the "Code of the Town of Voluntown" shall be in force and effect on and after the effective date of this ordinance.

§ 1-2. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of the 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 ordinances.

§ 1-3. Copy of Code on file.

A copy of the Code, in loose-leaf form, has been filed in the office of the Town Clerk 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, 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.

§ 1-4. Publication; filing.

The Clerk of the Town of Voluntown shall cause to be published, in the manner required by law, a copy of this Adoption Ordinance. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. 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 the Code, when adopted in such form as to indicate the intention of the Town to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Town of Voluntown" shall be understood and intended to include such additions, deletions, amendments or supplements.

§ 1-6. Supplementation of Code. Added

A. Supplements to this Code shall be prepared and printed whenever authorized or directed by the Town. A supplement to the Code shall include all substantive permanent and general parts of ordinances passed by the Town and all changes made thereby in the Code.

B. In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from the chapters/sections affected.

C. When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into the Code. For example the codifier may:

(1) Organize the ordinance material into appropriate subsections;

(2) Provide appropriate headings and titles for sections and other subsections of the Code, and make changes in such headings and titles;

(3) Assign appropriate numbers to chapters and sections to be inserted in the Code and, where necessary to accommodate new material, change existing or other section numbers;

(4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this section," etc., as the case may be, or to "§§ _____ to _____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and

(5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already in the Code.

§ 1-7. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Town of Voluntown to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to a fine of not more than $250.

§ 1-8. Severability.

A. 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.

B. 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.

§ 1-9. Repealer.

All ordinances or parts of ordinances of the Town of Voluntown of a general and permanent nature in force on the date of the adoption of this ordinance which are inconsistent with any provisions of the Code are hereby repealed from and after the effective date of this ordinance.

§ 1-10. Certain ordinances not affected by Code.

A. Nothing in this Code or the ordinance adopting this Code shall be construed to repeal or otherwise affect the validity of any of the following:

(1) Any ordinance promising or guaranteeing the payment of money for the Town, or any evidence of the Town's indebtedness;

(2) Any appropriation ordinance providing for the levy of taxes or for any annual budget;

(3) Any order annexing territory to the Town or excluding territory as a part of the Town;

(4) Any ordinance granting any franchise, permit or other right;

(5) Any Zoning Regulations or amendments thereto;

(6) Any Subdivision Regulations or amendments thereto;

(7) Any ordinance creating a special services district;

(8) Any ordinance approving, authorizing or otherwise relating to any contract, agreement, lease, deed or other instrument;

(9) Any ordinance adopting a preliminary or development plan;

(10) Any temporary or special ordinance.

B. All ordinances pursuant to this section are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this section.

§ 1-11. Effect of repeal of ordinances.

A. The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect, unless expressly stated.

B. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the ordinance repealed.

§ 1-12. Changes in previously adopted ordinances.

A. In compiling and preparing the ordinances for publication as the Code of the Town of Voluntown, no changes in the meaning or intent of such ordinances have been made, except as provided for in Subsection B hereof. Certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Town that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.

B. In addition, the amendments and/or 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.)

Reference to Subsection C ommitted