

SECTION III

SPECIAL ACTS OF THE TOWN OF PLAINVILLE

Listed below are the special acts relating to the Town of Plainville which were adopted by the Connecticut General Assembly and are still in effect. Special Act 67-379, "An Act Authorizing the Extension of Water Lines and the Installation of Water Pipes in the Town of Plainville", as amended, is quoted in the pages which follow. The full texts of all other special acts are available for public examination in the office of the Town Clerk.

AN ACT INCORPORATING THE TOWN OF PLAINVILLE - approved July 6, 1869.

AN ACT VALIDATING THE VOTE OF THE TOWN OF PLAINVILLE TO UNITE ITS SCHOOL DISTRICTS - approved July 18, 1872.

AN ACT AUTHORIZING THE TOWN OF PLAINVILLE TO ISSUE SIDEWALK CONSTRUCTION BONDS - Special Act #29-462, approved June 18, 1929.

AN ACT CONCERNING THE VESTING OF TITLE TO CERTAIN REAL ESTATE LOCATED IN THE TOWN OF PLAINVILLE - Special Act. #41-19, approved March 12, 1941.

AN ACT VALIDATING CERTAIN TAX SALES AND TAX DEEDS IN THE TOWN OF PLAINVILLE - Special Act #41-24, approved March 12, 1941.

AN ACT VALIDATING ACTS AND DEEDS, VALID EXCEPT FOR CERTAIN IRREGULARITIES AND OMISSIONS - Special Act #51-558, approved July 9, 1951.

AN ACT PLACING THE TOWN CLERK OF PLAINVILLE ON SALARY - Special Act #57-202, approved May 9, 1957.

AN ACT CONCERNING THE MAINTENANCE OF PINE STREET, WOODFORD AVENUE AND WHITE OAK AVENUE IN THE TOWN OF PLAINVILLE - Special Act #57-420, approved May 28, 1957. The portion of the Act relating to Pine Street and Woodford Avenue is still in effect; the portion relating to White Oak Avenue has been superseded by an agreement between the Town and the State Department of Transportation.

AN ACT EXEMPTING THE PLAINVILLE POLICE ASSOCIATION, INCORPORATED, FROM TAXES - Special Act #63-160, approved June 11, 1963.

AN ACT AUTHORIZING THE EXTENSION OF WATER LINES AND THE INSTALLATION OF WATER PIPES IN THE TOWN OF PLAINVILLE - Special Act #67-379, approved July 6, 1967. Amended by Special Acts 69-135, 71-146 and 76-26.

AN ACT AUTHORIZING THE EXTENSION OF WATER LINES AND THE INSTALLATION OF WATER PIPES BY THE TOWN OF PLAINVILLE AND THE ASSESSMENT AGAINST PROPERTY BENEFITTED THEREBY - Special Act #69-135, approved May 22, 1969. Amends Special Act 67-379; amended by Special Act 76-26.

AN ACT CONCERNING THE INTEREST CHARGE ON WATER LIEN ASSESSMENTS BY THE TOWN OF PLAINVILLE - Special Act #71-146, approved July 6, 1971. Amends Special Acts 69-135 and 67-379; amended by Special Act 76-26.

AN ACT CONCERNING INSTALLATION OF WATER LINES IN THE TOWN OF PLAINVILLE - Special Act #76-26, approved April 20, 1976. Amends Special Acts 67-379, 69-135 and 71-146.

**AN ACT AUTHORIZING THE EXTENSION OF WATER LINES AND
THE INSTALLATION OF WATER PIPES BY THE TOWN OF
PLAINVILLE AND THE ASSESSMENT AGAINST PROPERTY
BENEFITTED THEREBY**

Be it enacted by the Senate and House of Representatives in General Assembly convened.

SECTION 1. Whenever in the opinion of the Town Council of the Town of Plainville, public necessity and convenience require the extension of any water main, it shall first ascertain that the Plainville Water Company does not intend to make such extension. Upon written notice from said company that it does not intend to make such extension, the Council shall give at least ten days written notice of the proposed extension to said company and the owner or owners of the land and buildings against which the cost of such water mains may be assessed and of the time and place when objections to such extensions will be heard by said Council, and notice thereof shall also be published in a newspaper published in the town of Plainville. If after such hearing said Council finds that public necessity and convenience require the extension of such water main, it may vote to make such extension.

SECTION 2. Said Council may open the ground in any streets, lanes, avenues, highways and public grounds within said town for the purpose of laying water mains and installing hydrants, building services and such other works as may be necessary in accordance with this act, and may reopen such streets, lanes, avenues, highways and public grounds as may be necessary to repair such works from time to time, provided the same are left in as good condition as before installing or repairing such works, for so long as said town owns such installation. To repair all defects or injuries to such areas which are caused by its use of the same for the purposes of this act, said town may carry and conduct any aqueduct or other works to be made or constructed by it or under or over any water course, street, highway, private way or public grounds, provided it restores the same as speedily as possible to as good condition as before the laying and constructing of such works.

SECTION 3. Said Council shall assess against the land and buildings found to be specially benefited and to abut upon the road, street or highway or easement under which a water main is laid, a share of the cost of such water main according to such rule as said Council may adopt and said Council may, in its discretion, make reasonable allowances in the case of properties having a frontage on more than one road or street or highway or easement, frontage on a curve, or when for any reason the situation of the frontage of the property shall require such allowance; provided no property shall be assessed for a greater amount

than the special benefit to accrue to such property. All property benefited by the laying of such water mains shall together bear as nearly as possible the total cost of the laying and construction of such water main. Upon the final completion of the construction of any such water main, said Council shall give written notice thereof to the owners of the land and buildings assessed therefor and that the assessments are due and payable on the date of such notice. Any such owner may pay the amount of any such assessment within thirty days from the date of such notice without the addition of any interest charge, or shall, within said thirty days, notify said Council of his election to pay the amount so assessed in equal installments, the first installment to be paid within said period of, thirty days, and subsequent installments to be paid in substantially equal annual installments beginning not later than one year and ending not later than ten years from the date of said notice. All assessments unpaid after thirty days from the date of such notice, unless the owner assessed had elected installment payments, shall bear interest at the rate provided by Section 12-146 of the General Statutes, as amended, for delinquent taxes from the date of such notice. If such owner has elected installment payments, all unpaid balances shall bear interest at such rate as the Council determines, not to exceed such rate as is permitted pursuant to Section 7-253 of the General Statutes, as amended, provided the accrued interest on any such installment shall be payable concurrently with each a such installment. The amount so assessed shall be a lien upon the lands and buildings against which it was assessed, which lien shall commence and attach to said land and buildings from the time of the passage by said Council of the vote to extend the water main, provided a certificate of such lien, describing the property on which the same exists, which description may be by reference to street address and to volume and page in the land records of the Town Clerk at which fuller description is found, and the amount thereof, shall be filed with the Town Clerk of the Town of Plainville, such certificate to be signed by the Town Manager or other authorized representative of said council and to be filed within one year after the assessment or charge shall have become payable. The Tax Collector of the Town of Plainville may collect such assessment in accordance with any mandatory provision of the General Statutes for the collection of property taxes, and the municipality may recover any such assessment in a civil action against any person liable therefor. Whenever any person has become delinquent in the payment of any installment and has paid all such past-due installments together with any interest or other charges, the Town Council shall permit such person to pay any remaining installments without additional penalty, except for subsequent default, in accordance with the original installment schedule.

SECTION 4. To put into operation any water main extension constructed by said town, said Council may purchase water from the Plainville Water Company or from any other water supplier. Said Council may set the rates to be charged the users of water purchased by it and delivered through mains constructed by it, provided such rates are no higher than necessary to cover the cost of the water, the maintenance of

the mains and the administration of such water supply service and may bill the users of such water and collect such bills in the same manner as any property tax is collected. Any person aggrieved by any charge for connection with or for the use of such a water main may appeal to the court of common pleas for the county or judicial district wherein the municipality is located and shall bring such appeal to the next return day of said court, or the next but one. The judgement of the court shall be final.

SECTION 5. If after public hearing said Council finds it to be in the interest of the residents of the Town of Plainville to lease or convey water mains constructed by said town to the Plainville Water Company or its successors or assignees, said Council may so lease or convey its rights and interest in such water mains to said company upon mutually acceptable terms.