

**AN ORDINANCE CREATING THE PLAINVILLE-SOUTHINGTON REGIONAL HEALTH
DISTRICT**

BE IT ORDAINED, by the Town Council of the Town of Plainville, in meeting duly assembled, that pursuant to the Charter of the Town of Plainville and the provision of Title 7 of the Connecticut General Statutes, the following Ordinance is adopted.

CREATION AND PURPOSE:

The Town of Plainville hereby unites with the Town of Southington to form the Plainville-Southington Regional Health District pursuant to the provisions of the Chapter 368f of the Connecticut General Statutes. It is hereby declared that the purpose of this Ordinance is to protect, preserve and improve the public health of the citizens of the municipalities of the Plainville-Southington Regional Health District.

REGIONAL BOARD OF HEALTH:

a. The affairs of the Health District shall be managed by a Board which shall have all the duties exercised or performed immediately prior to the effective date of the creation of this Health District by the Directors of Health of the constituent municipalities of the Health District.

b. The Health District Board shall exercise all the authority as to public health required of or conferred upon the constituent municipalities by law and shall have the powers set forth in Section 19a-243 of the Connecticut General Statutes, as amended.

c. **Appointment Board.** The appointment of the Board shall be governed by statutes and regulations for the State Department of Public Health. Based upon current guidelines, the Town Council for the Town of Southington shall appoint five (5) members to the Board and the Town Council for the Town of Plainville shall appoint two (2) members to the Board. Of the five (5) members to be appointed by the Town of Southington, one shall be its Town Manager and of the two (2) members appointed by the Town of Plainville, one shall be its Town Manager. The other appointments shall be in the discretion of the Town Council.

d. Term of Office: The term of office for members of the Health District Board shall be three (3) years, except that during the initial formation of the Board appointments shall be staggered into one, two or three year terms.

DIRECTOR OF HEALTH

a. Appointment. The Health District Board, with approval of the Commissioner of Health, shall appoint a full-time Director of Health for the Health District pursuant to the procedure and qualifications set forth in Section 19a-242 of the Connecticut General Statutes, as amended. The Board may also appoint an acting full-time Director of Health to serve in the Director of Health's absence or if a vacancy exists, provided such acting Director meets the same qualifications as the Director of Health as set forth in Section 19a-242 of the Connecticut General Statutes, as amended, or such qualifications as may be approved by the Commissioner of Health. Upon the appointment of a Director of Health for the Health district, the terms of office of the present Director of Health of each constituent municipality shall terminate.

The Health District shall also appoint the current Medical Advisor from Southington and the current Medical Advisor from Plainville for a period of at least two (2) years. After such time, it shall be in the discretion of the Board as to the appointment of the Medical Advisor(s).

b. Powers and Duties. The Director of Health shall perform all such duties as are required of Directors of Health by the Connecticut General Statutes or the State of Connecticut Public Health Code. In addition, the Director of Health shall enforce all ordinances of the constituent municipalities within said municipalities as long as such said ordinances do not conflict with the Connecticut General Statutes or the State of Connecticut Public Health Code, provided however, that any provision of a municipal ordinance which is more strict than the State of Connecticut Public Health Code shall not constitute a conflict and the provision of the municipal ordinance shall prevail.

c. Removal. The Director of Health may be removed upon vote of a majority of the members of the Health District Board upon a finding of misconduct, material neglect of duty, or incompetence in the conduct of this office in accordance with Section 19a-242 of the Connecticut General Statutes, as amended.

POWERS AND DUTIES OF THE BOARD:

a. General Powers. The Health District Board may make and promulgate reasonable rules and regulations for the promotion of general health within the district; such rules and regulations shall not be in conflict with the State of Connecticut Public Health Code or any municipal ordinance of each constituent municipality; provided however, that any provision of such rules and regulations which is more strict than the State of Connecticut Public Health Code shall not constitute a conflict and the provision of the rules and regulations shall prevail. No such rule or regulation shall be adopted until a public hearing has been held by the Board of the proposed rule or regulation. Notice of the time, place and purpose of the hearing shall be by publication in a newspaper having a substantial circulation in each constituent municipality at least seven (7) days prior to the hearing. The powers of the Board shall include, but not be limited to the following: to sue and be sued; to make and execute contracts and other instruments necessary or convenient to the exercise of powers of the Health District; to make and from time to time amend and repeal bylaws, rules and regulations; to acquire real estate; and to have whatever other powers are necessary to properly carry out its powers as an independent entity of government; to develop and implement a budget; and to develop and implement public health policy for the Health District.

b. Meetings, Chairperson. The Board shall meet at least quarterly and at other times determined by the chairperson. At the Board's initial meeting and thereafter at each Fall meeting, the Board shall elect a chairperson, and the Health District shall furnish the necessary offices and equipment to enable the Board to carry out its duties.

c. Fiscal Year, Budget. The fiscal year of the Health District shall be from July 1 to June 30, and by the thirty-first (31st) day of January in each year the Board shall estimate the amount of money required to pay the costs and expenses of the Health District during the ensuing fiscal year. Pursuant to Section 19a-243 of the Connecticut General Statutes, as amended, such Board shall hold a public hearing on its proposed budget, two weeks' notice of which shall be given in a newspaper having a circulation in each constituent municipality of such district. From time to time the Board shall draw upon the treasurer of each town within the district a proportionate share of the expenses of such district, from such funds as may have been appropriated by each, to pay the cost of operating the Health District, such apportionment to be made equitably on a per capita basis as established by the most recent annual population estimate by the state Department of Health. The Health District shall make timely applications to the state Department of Public Health for reimbursements for which it is entitled, as set forth in Section 19a-245 of the Connecticut General Statutes, as amended. The Health District shall provide said Department with all

budgetary and other information necessary for the Health District to qualify for any reimbursements or other funds allowable under State or Federal law.

SEVERABILITY:

Should any section, subsection, paragraph, sentence or clause of this ordinance be adjudged invalid, the remainder of this ordinance shall not be affected thereby and shall be deemed valid and effective.

EFFECTIVE DATE:

The effective date of this ordinance shall be 30 days after the Legal Notice of Adoption has been published.

Adopted by the Town Council April 18, 2011