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**RULES AND ORDINANCES COMMITTEE  
BRANFORD RTM  
Tuesday, September 18, 2018@ 7:00 PM**

2018 SEP 17 A 9:00  
TOWN CLERK'S OFFICE  
BRANFORD, CONNECTICUT

**MEETING AGENDA**

The Rules & Ordinances Committee of the Branford Representative Town Meeting will hold a regular meeting on Tuesday, September 18, 2018, at 11 Cherry Hill Road, Branford, CT at 7:00 PM

1. To consider and, if appropriate, create an ordinance enabling tax exemptions for Gold Star parents and spouses.
2. To consider and, if appropriate, create an ordinance enabling tax exemptions for handicap equipped vehicles.
3. To consider and, if appropriate, approve the creation of an advisory committee regarding sustainability.
4. To review and, if appropriate, propose changes to the Town of Branford Noise Ordinance.
5. To review and, if appropriate, revise the Town Dock Ordinance re: time limits and rights of appeal.
6. R&O's next regularly scheduled meeting: Tuesday, October 16, 2018.
7. Adjournment.

Dated this 17<sup>th</sup> of September, 2018.

Respectfully Submitted,

John F. Leonard  
Chair, R&O Committee

**Exemption for Gold Star parents and spouses.**

[Added]

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2018 SEP 17 A 9:00

**(a)** Effective October 1, 2018, and applicable to assessment years commencing on or after October 1, 2018, and pursuant to Public Act 17-65, upon application, as set forth in Subsection **(e)** of this section, to the Assessor, any parent whose child was killed in action or the surviving spouse of a person who was killed in action while performing active military duty with the armed forces, as defined in Subsection **(a)** of Section 27-103 of the Connecticut General Statutes, which parent or surviving spouse is a resident of the Town of Branford, shall be entitled to an exemption from property tax in the amount of \$10,000, provided that such parent's or surviving spouse's qualifying income does not exceed **(b)** the maximum amount applicable to an unmarried person as provided under section 12-811 of the Connecticut General Statutes plus \$12,500. The exemption shall be applied to the assessed value of any such eligible parent's or surviving spouse's property. The yearly application filing period shall be February 1<sup>st</sup> thru October 1<sup>st</sup> each year. Each application shall include a copy of such parent or surviving spouse's federal income tax return or, in the event such a return is not filed, such evidence related to income as may be required by the Assessor for the tax year ending immediately prior to the assessment date with respect to which such additional exemption is claimed.

**(b)** If both parents of any such child killed in action while performing active military duty with the armed forces are domiciled together, only one such parent shall be entitled to an exemption from property tax provided for under this section.

**(c)** The exemption provided for under this section shall be in addition to any exemption to which an eligible parent or surviving spouse may be entitled under Section 12-81 of the Connecticut General Statutes. No such eligible parent or surviving spouse entitled to exemption under Section 12-81f or 12-81g of the Connecticut General Statutes and this section shall receive more than one such exemption.

**(d)** Any parent whose child was killed in action or the surviving spouse of a person who was killed in action while performing active military duty with the armed forces and who claims an exemption from taxation under this section shall give notice to the Branford Town Clerk that he or she is entitled to such exemption.

**(e)** Any such parent or surviving spouse submitting a claim for such exemption shall be required to file an application, on a form prepared for such purpose by the Assessor, not later than the assessment date with respect to which such

exemption is claimed, which application shall include at least two affidavits of disinterested persons showing that the deceased child or person was performing such active military duty, that such deceased child or person was killed in action while performing such active military duty and the relationship of such deceased child to such parent, or such deceased person to such surviving spouse, provided that the Assessor may further require such parent or surviving spouse to be examined by such Assessor under oath concerning such facts. The Branford Town Clerk shall record each such affidavit in full and shall list the name of such parent or surviving spouse claimant, and such service shall be performed by the Branford Town Clerk without remuneration. The Assessor, Board of Assessment Appeals or other official of Branford shall not allow any such claim for exemption unless evidence as herein specified has been filed in the office of the Branford Town Clerk. When any such parent or surviving spouse has filed for such exemption and received approval for the first time, such parent or surviving spouse shall be required to file for such exemption biennially thereafter, subject to the provisions of Subsection **(h)** of this section.

**(f)**

The Assessor shall annually make a certified list of all such parents or surviving spouses who are found to be entitled to exemption under the provisions of this section, which list shall be filed in the Branford Town Clerk's office, and shall be prima facie evidence that such parents or surviving spouses whose names appear thereon are entitled to such exemption as long as they continue to reside in such municipality and as long as the legislative body of such municipality continues to provide for such exemption, subject to the provisions of Subsection **(h)** of this section. The Assessor may, at any time, require any such parent or surviving spouse to appear before such Assessor for the purpose of furnishing additional evidence, provided that any such parent or surviving spouse who by reason of disability is unable to so appear may furnish a statement from such parent's or surviving spouse's attending physician or an advanced practice registered nurse certifying that such parent or surviving spouse is totally disabled and is unable to make a personal appearance and such other evidence of total disability as the Assessor may deem appropriate.

**(g)**

No such parent or surviving spouse may receive such exemption until such parent or surviving spouse has proven his or her right to such exemption in accordance with the provisions of this section, together with such further proof as may be necessary under said provisions. Exemptions so proven shall take effect on the next succeeding assessment day.

**(h)**

Any such parent or surviving spouse who has submitted an application and been approved in any year for the exemption provided in this section shall, in

the year immediately following approval, be presumed to be qualified for such exemption. During the year immediately following such approval, the Assessor shall notify, in writing, each parent or surviving spouse presumed to be qualified pursuant to this subsection. If any such parent or surviving spouse has qualifying income in excess of the maximum allowed under Subsection **(a)** of this section, such parent or surviving spouse shall notify the Assessor on or before the next filing date for such exemption and shall be denied such exemption for the assessment year immediately following and for any subsequent year until such parent or surviving spouse has reapplied and again qualified for such exemption. Any such parent or surviving spouse who fails to notify the Assessor of such disqualification shall make payment to the Town of Branford in the amount of property tax loss related to such exemption improperly taken.

Aug. 1, 2018

Dennis Flanigan Branford RTM Moderator  
Branford Town Hall  
1019 Main St  
Branford ct, 06405

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2018 AUG 29 A 9 23

TOWN CLERK'S OFFICE  
BRANFORD, CONNECTICUT

Dear Moderator Flanigan

Please place on RTM agenda an item for Review of towns dock ordinance and its execution as it pertains to public spaces, paying specific attention to amount of time allotted for any boat tied to dock. If appropriate make adjustments that will ensure fair usage by all residents. If you could also correct an oversight of which there is no right of appeal. This currently means the ordinance is unenforceable.



Lawrence L. Warner  
Member of Board of Directors  
Thimble Island Association

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