

RULES AND ORDINANCES COMMITTEE
MINUTES OF MEETING – TUESDAY, October 16, 2018 @ 7:00 PM

At approximately 7:00 PM, Chairman Leonard opened the meeting and took attendance. Present were Representatives Anderson, Everlith, Hentschel, Ingraham & Sullivan. Present also were RTM representatives Riccio, Prete and Black.

1. To consider and, if appropriate, create an ordinance enabling tax exemptions for handicap equipped vehicles. After discussion and pending review of text submitted by the Assessor, the committee voted to re-refer.

Motion to re-refer the proposed Ordinance passed unanimously.

2. To review Branford's Town Dock ordinance and, if appropriate, revise relative to time limits and rights of appeal. Committee to review enforcement language (126-4, et al.). After discussion the committee voted to re-refer.

Motion to re-refer the proposed Ordinance passed unanimously.

3. To review Branford's noise ordinance and how it pertains to excessive dog barking in residential neighborhoods. After discussion, the committee agreed to seek additional input from Town officials and consider precise definitions of terms in the existing ordinance.

Motion to re-refer the proposed Ordinance passed unanimously.

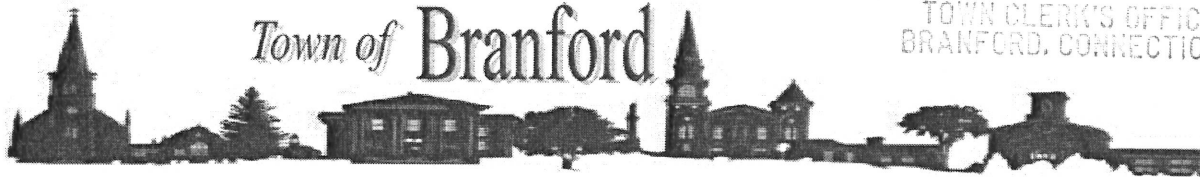
R&O's next regularly scheduled meeting: **Tuesday, November 20, 2018.**

Upon motion made and seconded, the meeting was adjourned.
Dated this 19th day of October, 2018.

John F. Leonard
Chairman, R & O Committee

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2018 OCT 19 P 12: 42

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BRANFORD, CONNECTICUT**State Authorizing Legislation:**

Sec. 12-81c. **Municipal option to exempt certain motor vehicles.** The legislative body of any municipality may, by ordinance, exempt from personal property taxation (1) any ambulance-type motor vehicle which is used exclusively for the purpose of transporting any medically incapacitated individual, except any such vehicle used to transport any such individual for profit. (2) any property owned by a nonprofit ambulance company, and (3) any motor vehicle owned by a person with disabilities, or owned by the parent or guardian of such person, which vehicle is equipped for the purposes of adapting its use to the disability of such person, provided the legislative body of the municipality adopts a definition of such vehicle.

Branford Town Ordinance:

§ **Exemption for handicapped vehicles.** There is hereby created Pursuant to General Statutes. § 12-81c, legislative adopted definitions for an exemption from personal property taxation for (1) any ambulance-type motor vehicle which is used exclusively for the purpose of transporting any medically incapacitated individual. If this vehicle is used in a manner that produces income/charges a fee for transportation this vehicle will not be eligible for this exemption. (2) any property owned by a nonprofit ambulance company and (3) any specially equipped motor vehicle owned by a person with disabilities, or owned by the parent or guardian of such person, which vehicle is specially equipped for the purposes of adapting its use to the disability of such person and for the transporting of such medically incapacitated individual. Vehicle must have a current Connecticut Handicapped Plate, and registration. The vehicle is required to fit the applicable definitions and pass inspection by the assessor. This local option will cease to exist if the 12-81c is no longer authorized by Connecticut State Statutes.

§ Definitions:

As used in this article, the following terms shall have the meanings indicated and attributed to the Exemption for handicapped vehicles (1), (2) and (3).

AMBULANCE-TYPE VEHICLE

Any motor vehicle specially equipped or modified in a significant way after its original manufacture for the purpose of transporting any medically incapacitated individual.

SPECIALLY EQUIPPED

Substantially modified, equipped or fitted with, but not limited to the following devices: special hand, foot or hand-and-foot controls, wheelchair lifts or hoists, ramps, stretchers, beds or other special seating or any significant modifications and alterations to accommodate medical or emergency equipment such as oxygen tanks or mechanical respirators.

GUARDIAN

A person lawfully invested with the power, and charged with the obligation of taking care of and managing the property and rights of a medically incapacitated individual.

MEDICALLY INCAPACITATED INDIVIDUAL

Any person for whose benefit certain special equipment or modification referenced in the definitions of "ambulance-type vehicle" and/or "Motor Vehicle" is necessary. As used in this Section, physical disability means quadriplegia, paraplegia, loss of arm or leg, or other disability that requires use of a specially equipped modified motor vehicle. However, an individual with minor non-chronic condition of short duration shall not be considered to be a person with disabilities for the purposes of this ordinance.

TRANSPORTING

The act or process of moving any such medically incapacitated individuals from one place to another using specially equipped motor vehicle.

USED EXCLUSIVELY

The vehicle is used and devoted primarily and inherently for the purpose of transporting one or more than one medically incapacitated individuals, and does not mean vehicles used partly for transporting medically incapacitated individuals and partly for other purposes.

MOTOR VEHICLE

For the purpose of this ordinance shall mean any motor vehicle which has been equipped after its original manufacture for purposes of adapting its use to the disability of such person and any property owned by a non-profit ambulance company.

§ Application for exemption

Applications for the exemption permitted by this article shall be filed annually with the Assessor of the Town of Branford and approved annually by the Assessor of the Town of Branford, in such manner and including such information as required by the Assessor, not later than October 1st which is the assessment date with respect to which such exemption is claimed or, for vehicles purchased on or after October 2nd and on or before July 31st of the assessment year for which such exemption is requested, not later than 30 days after such purchases and registration. Applications for exemption relative to the assessment year which commenced on October 1st, 2019, shall be made on or before 30 days of the effective date of this article or for vehicles purchased after said

effective date but on or before July 31st, 2020 not later than 30 days after such purchase and registration.

§ MEDICAL DOCUMENTATION; EXPIRATION OF EXEMPTION.

- A. The Assessor may require medical documentation verifying that the modifications to the vehicle are directly related to the medical incapacity or the physical disability of the individual seeking such exemption.
- B. Any such exemption shall expire when the applicable vehicle is sold or the annual application is not made in a timely and/or proper manner.
- C. The Assessor shall make the determination each year with respect to each such exemption.
- D. The exemption provided in this ordinance (a) shall be available commencing with the Grand List of October 1st, 2019 and shall continue until it ceases to be authorized by the Connecticut State Statute or is discontinued by Town Ordinance.



ASSESSOR'S OFFICE
1019 Main Street, Branford, Ct 06405
(203) 488-2039

APPLICATION FOR EXEMPTION FOR SPECIALLY EQUIPPED MOTOR VEHICLES

Application must be filed annually by October 1st

For ambulance-type vehicles used exclusively to transport medially incapacitated individuals for no fee

OR

For any vehicle owned by a disabled person or their guardian, which has been specially adapted to accommodate a person with disabilities.

See attached ordinance for specific definitions and legislation.

Exemption expires when annual application is not made or when vehicle is sold.

New application and inspection required for replacement vehicles.

Title of Ownership: _____

Mailing Address: _____

Number and Street

Town: _____ **State:** _____ **Zip:** _____

Email: _____ **Cell or Home Phone:** _____

Vehicles Garage Location: _____

Vehicle Description: Make: _____ **Model:** _____ **Year:** _____

Vin #: _____ **Handicap Plate #:** _____

Purchase Price: \$ _____ **Date of Purchase:** _____

Did the purchase price include special equipment? Yes: _____ **No:** _____

Was the vehicle modified after purchase: Yes: _____ **No:** _____

List all special equipment and cost: _____

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Is this vehicle used exclusively for transporting a medically handicap person?

Yes: _____ **No:** _____

Name of Disable Applicant: _____

Relationship of Disabled Person to Title Owner of vehicle: _____

Residence of Handicap Person: _____

Social Security Number of Disabled Applicant: _____

Is this vehicle use for transporting any individual for payment?

Yes: _____ **No:** _____

With this initial application the following information is mandatory:

- **Letter from a physician stating that the applicant is disabled and requires ambulatory modification to vehicle.**
- **Legal Guardianship documents if applicable.**
- **Copy of Current Motor Vehicle Registration**
- **Documents describing the ambulatory modifications attributed to the disabled applicant.**
- **If this vehicle is sold or replaced you must notify the Assessor's Office with a copy of the Bill of Sale, a plate receipt and information applicable to the replacement vehicle. The Replacement vehicle would need a new application per the town Ordinance.**

A person with disabilities means an individual that meets the definition in the ordinance of medically incapacitated individual. However, an individual with a minor non-chronic condition of short duration shall not be considered to be a person with disabilities for the purpose of this application.

Applicant's Signature _____ **Date:** _____

Title Vehicle Owner Signature: _____

Relationship to Applicant: _____

Approved After Inspection: _____ **Date:** _____ **Grand List Year:** _____

Assessor's Signature: _____ **Date:** _____