

New Milford Zoning Commission Bylaws

ARTICLE I PURPOSE AND AUTHORIZATION

The objectives and purposes of the Zoning Commission of New Milford are those set forth in Chapter 124 of the Connecticut General Statutes (CGS), as amended, and those powers and duties delegated to the New Milford Zoning Commission by the aforementioned Statute by an ordinance creating a Zoning Commission and a Zoning Board of Appeals for the Town of New Milford. Adjourned by referendum and passed by a majority vote of legal voters of the Town of New Milford on May 2, 1970.

ARTICLE II NAME

The Commission shall be known as the New Milford Zoning Commission.

ARTICLE III OFFICE OF AGENCY

The Office of the New Milford Zoning Commission shall be at Town Hall, 10 Main Street where all Commission records will be kept.

Documents as required by CGS shall be filed with the Town Clerk.

ARTICLE IV MEMBERSHIP

The Membership and terms of office shall be as specified in the Town Charter establishing the Zoning Commission and in accordance with CGS.

ARTICLE V OFFICERS AND THEIR DUTIES

Section 1: The officers of the Commission shall consist of a Chairperson, Vice Chairperson and a Secretary.

Section 2: The Chairperson shall be a Commission member. He/She shall have the privilege of discussing all matters before the Commission and of voting thereon. The Chairperson shall also preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such office. The Chairperson shall have the authority to appoint committees, call special meetings and generally perform other duties as may be prescribed in these bylaws. The Chairperson may authorize professional staff to certify expenditures of funds up to \$500.00 and any expenses incurred for legal advertising without prior approval of the Zoning Commission.

Section 3: The Vice Chairperson shall be a Commission member. He/she shall act for the Chairperson in his/her absence and have the authority to perform the duties prescribed for that office.

Section 4: The Secretary shall be a Commission member. With the assistance of such staff as is available, he/she shall keep the minutes and records of the Commission and prepare the agenda of regular and special meetings under the direction of the Chairperson, provide notice of all meetings to the Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Commission, and such other duties as are normally carried out by a Secretary.

Section 5: In the absence of the Secretary, due to illness, personal, or disqualification reasons, the Chairperson shall appoint a Secretary pro tem.

ARTICLE VI ELECTION OF OFFICERS

Section 1: An annual organization meeting shall be held on the first meeting in December at which time officers will be elected and the bylaws reviewed and be made a part of the minutes of the annual meeting. Two-thirds (2/3) of the regular members must be present before election of officers can take place.

Section 2: Nominations shall be made from the floor at the annual organization meeting and elections of the officers specified in Section 1 of Article V shall follow immediately thereafter.

Section 3: A candidate receiving a majority vote from the entire membership of the Commission shall be declared elected and shall serve for one year or until his/her successor shall take office.

Section 4: Vacancies in offices shall be filled by regular election procedure as prescribed in Section 2 of Article VI.

Section 5: Resignation from the Commission shall be in written form and transmitted to the Town Clerk who will then forward same to the Mayor's Office. Vacancies shall be filled by Town Council as prescribed in the Town Charter establishing the Commission.

ARTICLE VII MEETINGS

Section 1: Regular meetings will be held on the 4th Tuesday of each month at 7:00 p.m. at Town Hall or such other place as the Chairperson may designate. The Secretary or staff shall notify the membership of regular meetings not less than 24 hours in advance of such meeting. Special Meetings shall be held as necessary in accordance with the requirements of CGS.

Section 2: A majority of the membership, excluding ex-officio members, shall constitute a quorum. Alternate members who are present at the meeting shall be included to constitute a quorum. The notices of a meeting shall specify the purpose of such meeting and no other business may be considered except by two-thirds (2/3) consent of the Commission.

Section 3: All Commission meetings shall be open to the public when in session and shall not be open to the public when in Executive Session (Chapter 14 Sections 1-225 & 1-226 of CGS, as amended)

Section 4: Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at the meetings of this Commission.

ARTICLE VIII ORDER OF BUSINESS

Section 1: Unless otherwise determined by the Chairperson, the order of regular meetings shall be:

- a. Call to Order
- b. Public Participation
- c. Public Hearings
- d. Old Business
- e. New Business
- f. Accept for Public Hearing
- g. Business Meeting
- h. Acceptance of Minutes
- i. Bills and Communications
- j. Any Business Proper to come before the Commission
- k. Adjournment

Section 2: A motion must be made and passed in order to dispense with any item on the agenda or change the order of business.

Section 3: No new applications or new business, including plan revisions and supplemental information submitted for action by the Commission shall be acted upon unless it is submitted on the Wednesday of the week prior to the next Tuesday Meeting before 10:00 a.m. Provisions of this section may be waived by the two-thirds (2/3) vote of the members present.

ARTICLE IX HEARINGS

Section 1: The Commission may hold public hearings in addition to the required hearings, when it is decided that such hearings will be in the public interest.

Section 2: All public hearings prescribed by law shall be held in accordance with the requirements set forth for such hearings in the New Milford Zoning Regulations and CT General Statutes.

Section 3: The matter before the Commission shall be presented in summary by a member of the Commission designated by the Chairperson, or staff member, and interested parties shall have the privilege of the floor.

Section 4: A competent recording secretary shall take the evidence, and the evidence shall also be recorded by a sound-recording device, at each hearing before the Commission in which the right to appeal lies to the Superior Court. (Chapter 124 Section 8-7a, of CGS)

Section 5: Visual aids for display and presentation during the discussions of the hearing shall be provided by the person presenting the information.

ARTICLE X CONDUCTING THE PUBLIC HEARING

Section 1: The Chairperson of the Commission shall preside at the public hearing. In the event of his/her absence, the Vice-Chairperson shall act as presiding officer and in the event of both the Chairperson's and the Vice-Chairperson's absence, the secretary shall act as presiding officer.

Section 2: The Secretary shall read the legal advertisement and note the dates and or newspapers in which the advertisement appeared.

Section 3: A summary of the question or issue shall be stated by the presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for hearing. In any event, the Commission shall have the privilege of speaking first. The Commission shall describe the method of conduct of the hearing.

Section 4: The Chairperson shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. The order is reversible, and/or intermixable, the discretion of the Commission prevailing. Whichever format is chosen shall remain consistent throughout the hearing.

Section 5: It shall be made clear at the hearing that all questions and comments must be directed through the Chairperson only after being properly recognized by the presiding officer.

Section 6: All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting on the matter before the hearing each person shall give his name and address.

Section 7: The presiding officer shall assure an orderly hearing and shall take necessary steps to maintain order and decorum of the hearing at all times. The presiding officer shall reserve the right to modify the nature of the discussion or terminate the hearing in the event the discussion becomes unruly or unmanageable.

Section 8: The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations of the regular meeting of the Commission.

ARTICLE XI EMPLOYEES

Section 1: Within the limits of the funds available for its use, the Commission may employ such staff personnel and/or consultants as it seems fit to aid the Commission in its works. Appointments shall be made by a two-thirds (2/3) majority vote of the entire regular membership. The Chairperson is authorized to sign contracts for employing personnel and contracting for planning services as are approved by the Commission.

ARTICLE XII COMMITTEES

Section 1: Standing committees may be appointed at a regular meeting, following that of the Commission election of officers, by the Chairperson. The duties of each committee shall be prescribed by the Commission as need for such arise(s).

Section 2: Committees shall be appointed for one year and shall consist of as many members as deemed needed by the Chairperson. Vacancies shall be filled immediately by the Chairperson of the Commission. The Chairperson may terminate the Committee once said Committee has performed its function and reported to the Commission.

Section 3: Special committees may be appointed by the Chairperson for purposes and terms, which the Commission approved.

ARTICLE XIII PUBLIC RELATIONS

Section 1: The Chairperson or duly appointed Commission member or staff personnel shall act as Public Relations or Publicity Director for the Commission. His/Her duties include the preparation of all news releases to be distributed to the communications media. All information released shall reflect the thinking of the majority of the Commission.

Section 2: In the matter of the press, radio and television representatives, the Commission shall comply with Chapter 14, Sections 1-210 & 1-211 and 1-225 & 1-226 of the CGS, as amended.

ARTICLE XIV AMENDMENTS

These bylaws may be amended by a two-thirds (2/3) vote of the entire voting membership of the Commission, only after the proposed change has been read and discussed at a previous regular meeting except that the bylaws may be changed at any meeting by the unanimous vote of the entire voting membership of the Commission

Amended July 14, 1987
Amended December 12, 1990
Amended December 13, 1990
Amended January 10, 1995
Amended March 28, 1995
Amended January 26, 1999
Amended June 10, 2003
Amended January 10, 2006
Amended December 12, 2006
Amended January 22, 2008
Amended January 4, 2011

Amended December 13, 2016
Amended December 14, 2017
Amended January 28, 2020
Amended January 12, 2021
Amended January 28, 2025