

**AN ACT INCORPORATING  
THE POINT O'WOODS ASSOCIATION, INCORPORATED  
(Sub. For HB605)  
1925**

and

**INCORPORATING AMENDMENTS  
AS FOLLOWS**

|             |                |
|-------------|----------------|
| House Bill  | No. 923 – 1927 |
| Special Act | No. 226 – 1929 |
| Special Act | No. 360 – 1933 |
| Special Act | No. 40 – 1949  |
| Special Act | No. 265 – 1955 |
| Special Act | No. 149 – 1963 |
| Special Act | No. 397 – 1967 |

Amended 2017

**THE POINT O'WOODS ASSOCIATION, INCORPORATED**

**CHARTER**

|                                    | <b>PAGE</b> |
|------------------------------------|-------------|
| Chapter I – Incorporation          |             |
| Section 1.                         |             |
| 1. Name                            | 5           |
| 2. Body Politic                    | 5           |
| 3. Territorial Limits              | 5           |
| 4. Extension of Territorial Limits | 6           |
| 5. General Powers                  | 6           |
| 6. Provision for Water             | 10          |
| <br>                               |             |
| Chapter II – Board of Governors    |             |
| Section 2.                         |             |
| 1. Composition                     | 10          |
| 2. Powers                          | 10          |
| 3. Qualification                   | 10          |
| 4. Term of Office                  | 10          |
| 5. Vacancy                         | 11          |
| 6. Quorum                          | 11          |
| 7. Voting                          | 11          |
| 8. Meetings                        | 11          |
| 9. Notice of Meetings              | 11          |
| 10. Appointments and Commissions   |             |
| <br>                               |             |
| Chapter III – Officers             |             |
| Section 3.                         |             |
| 1. Number and Titles               | 11          |
| 2. Qualifications                  | 11          |
| 3. Method of Selection             | 11          |
| 4. Duties                          | 12          |
| 5. Other Employees                 | 12          |

|                                       |    |
|---------------------------------------|----|
| 6. Appointments by Board of Governors | 12 |
| 7. Duties of Appointees               | 12 |

Chapter IV – Association Meetings

Section 4.

|                       |    |
|-----------------------|----|
| 1. Annual Meeting     | 12 |
| 2. Special Meetings   | 12 |
| 3. Place of Meeting   | 13 |
| 4. Notice of Meetings | 13 |
| 5. Quorum             | 13 |

Chapter V – Finance

Section 5.

|                                     |    |
|-------------------------------------|----|
| 1. Preparation of Budget            | 13 |
| 2. Special Emergency Appropriations | 13 |
| 3. Unexpended Balances              | 13 |
| 4. Borrowing                        | 14 |
| 5. Fiscal year                      | 14 |

Chapter VI – Taxation

Section 6.

|                             |    |
|-----------------------------|----|
| 1. Power to Lay Tax         | 14 |
| 2. Assessment               | 14 |
| 3. The Tax                  | 15 |
| 4. Power to Lay Special Tax | 15 |
| 5. Collection of Taxes      | 15 |

Chapter VII – Ordinances and Bylaws

Section 7.

|   |    |
|---|----|
| 1. Ordinances                                       | 15 |
| 2. Ordinances when Required                         | 15 |
| 3. Form of Ordinance and Effective Date             | 15 |
| 4. Procedure for Passage of Ordinances              | 15 |
| 5. Emergency Ordinances                             | 15 |
| 6. Record, Publication & Codification of Ordinances | 16 |

Chapter VIII – Miscellaneous

Section 8.

|                               |    |
|-------------------------------|----|
| 1. Association Sign Post      | 16 |
| 2. Interpretation             | 16 |
| 3. Repeal of Prior Acts       | 16 |
| 4. Effective Date of this Act | 16 |

**ORDINANCES**

|   | PAGE |
|---|------|
| Title I - Definitions                           | 17   |
| Title II - General Regulations                  | 18   |
| Chapter 1. Campers                              | 18   |
| Chapter 2. Littering, Storage & Rubbish         | 18   |
| Chapter 3. Act of Nuisance                      | 18   |
| Chapter 4. Commercial Enterprises               | 20   |
| Chapter 5. No trespassing                       | 21   |
| Chapter 6. Alcoholic Beverages                  | 21   |
| Chapter 7. Building & Construction              | 21   |
| Chapter 8. Fences                               | 22   |
| Chapter 9. Septic Tanks                         | 22   |
| Title III - Boating Regulations                 | 23   |
| Title IV - Motor Vehicle Regulations            | 25   |
| Title V - Enforcement and Penalties             | 34   |
| Title VI - WPCA                                 | 35   |
| Title VII - Financial Controls                  | 36   |
| Title VIII - Nominating Committee Guidelines    | 37   |
| Title IX - Tributes, Memorials and Recognitions | 37   |
| Title X - Rooming House Ordinance               | 38   |

**GUIDELINES**

|                           |             |    |
|---------------------------|-------------|----|
| Pavilion Usage Guidelines | Appendix I  | 40 |
| Golf Cart Regulations     | Appendix II | 41 |

## Chapter I—Incorporation

SPECIAL ACT NO. 397

### AN ACT CONCERNING INCORPORATING

#### THE POINT O'WOODS ASSOCIATION, INCORPORATED

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

**SECTION 1.2 Body Politic:** All owners of land or cottages and dwellings or other real estate within the limits hereinafter specified, in the locality known as Point O'Woods, in the town of Old Lyme, are constituted a body politic and corporate by the name of The Point O'Woods Association, Incorporated, and they and their successors shall be a corporation in law with all the privileges set forth for corporations in the general statutes, and the rights, privileges and duties hereinafter set forth, and all owners of a cottage or dwelling, or other real estate, within said limits shall be entitled to vote in any meeting of such members and shall be eligible to any office provided for in this act.

**SEC. 1.3 Territorial Limits:** The limits and territory of said association are defined as follows:

First Section—Northerly by land of the New York, New Haven, and Hartford Railroad Company, and in part by estate of R. N. Champion; northeasterly by land now or formerly owned by Burton P. Stanhope; easterly in part by land now or formerly owned by said Stanhope and by Long Island Sound; southerly by Long Island Sound and westerly by land of the Hatchetts Point Improvement Company and Three Mile River.

Second Section—Annexed July 2, 1932. Bounded on the north by property of the New York, New Haven, and Hartford railroad Company, which point is in the northeasterly corner of Lot No. 6 as shown in a plot of the Hubbard Beach property on file in the town of Old Lyme; and from thence continuing in a generally southerly direction to a pin in the southeasterly corner of Lot No. 6 in the afore described plot; and thence in a southeasterly direction to a pin in the northeasterly corner of Lot No. 8 in the afore described plot; and thence in an easterly direction to the water front; and from thence in a southerly direction following the water front to a point in the southeasterly corner of Lot No. 26 in the afore described plot; from thence in a southerly direction along the water front to a point in the southeasterly corner of Lot No. 8 in the plot of the Point O'Woods Beach property at South Lyme, Connecticut, belonging to the Champion Point Realty Company, June, 1917, the Jas. Jay Smith Company, exclusive agents, 50 State Street, New London, Conn., as drawn by Diboll & Crandall, Civil Engineers and Surveyors, New London,

Conn., from thence in a northwesterly direction to a point marked "O H" on the aforesaid map of the Point O'Woods Association, which point is in Lot 5, from thence in a general northerly direction to a mere stone which is located in the northeasterly corner of Lot No 1; from thence in a general westerly direction along the northern boundary line of Lot No. 1 to a point fifty and five-tenths feet east from Seaview Road; and from thence in a general northerly direction, a distance of approximately two hundred fifty-eight feet, to a point in Lot No. 262, which point is the northeasterly corner of the land within the confines of the Point O'Woods Association; from thence in a general northerly direction to the land of the New York, New Haven and Hartford Railroad Company; and from thence in a generally easterly direction along the land of the New York, New Haven, and Hartford Railroad Company to the point of beginning.

**SEC. 1.4 Extension of Territorial Limits:** The limits and territory of said The Point O'Woods Association, Incorporated, may be extended at any time so as to include any other land adjacent thereto in one of the following methods: (a) By outright purchase of vacant land adjacent to property of The Point O'Woods Association, Incorporated; (b) by the written consent of the owner or owners of such land in an instrument describing the same and the terms of such annexation, and the acceptance of such land as a part of said territory by said association, which consent and acceptance shall be recorded on the records of said association. Territorial extension by either method shall be recorded in the land records of the town where such land is situated and thereupon such land shall be within the limits and territory of said association, and the owner or owners of such land while they are owners thereof shall be a part of said body politic and corporate.

**SEC. 1.5 General Powers:** In addition to such other powers as may be conferred upon the association by law, the association shall have the following powers:

(1) To contract and to be contracted with, to sue and be sued and to institute, prosecute, maintain and defend any action or proceeding in any court, administrative agency or other tribunal of competent jurisdiction; (2) to make, have and use and, from time to time, to alter a common seal; (3) to take, purchase, hold, lease, sell and convey such real and personal property as the purposes of the association require; (4) to provide for the authentication, execution and delivery of deeds, grants and releases of property of the association and evidences of debt issued by the association; (5) to take by gift, grant, including any grant from the United States or the state of Connecticut, bequest and devise and to hold real and personal estate absolutely or in trust for any use, including that of education, art, ornament, health, charity or amusement, for cemeteries, parks or gardens, or for the erection or maintenance of statues, monuments, buildings or structures upon such terms or conditions as are prescribed by the grantor or donor and accepted by the association and to provide for the proper administration of the same; (6) to manage, regulate and control the finances and property, real and personal, of the association and to regulate and

provide for the sale, conveyance, transfer and release of property of the association and to provide for the execution of contracts and evidences of indebtedness issued by the association; (7) to provide entertainments and amusements for the people of the association; (8) to lay out, construct, reconstruct, alter, maintain, repair, control and operate streets, alleys, boulevards, rights of way, passways, bridges underpasses, sidewalks, curbs, gutters, walks, garbage and refuse disposal facilities, cemeteries, parks, parkways, playgrounds, playfields, field houses, recreation centers, swimming pools, bath houses, beaches and beach facilities, boats, docks, piers, breakwaters, palisades, revetments, retaining walls, seawalls, markets, comfort stations, hospitals, clinics, institutions for children and aged, infirm and chronically ill persons, parking lots and other off-street parking facilities, bus terminals and airports and their accessories, wharves, school houses, clubs, libraries, wells, springs, swamps, lakes, streams, conduits, water mains, reservoirs, water supply systems and any and all buildings and improvements necessary or convenient for carrying on the government of the association; (9) to create, provide for, construct, regulate and maintain all things in the nature of works and improvements; (10) to lay out, construct, maintain, operate, alter, extend and discontinue sewer and drainage systems and sewage disposal plants; (11) to provide for lighting the streets, highways and other places of the association and for the care and preservation of lamps and lamp posts and fixtures (12) to provide for the planting, rearing and preserving of shade and ornamental trees on the streets and grounds; (13) to provide for and regulate the collection and disposal of all garbage, trash, waste, ashes, filth, nightsoil and other refuse matter, either by contract or otherwise, and prohibit and regulate the depositing of the same within the association; (14) to keep open and safe for use and travel and free from encroachment or obstruction the streets, sidewalks and places in said association; (15) to regulate the use and provide for the maintenance of sidewalks within the limits of the association; to provide for the construction of sidewalks by the owner of land abutting on any highway and in front of whose premises no artificial sidewalk has been constructed; to provide for the repair of sidewalks by the owner in front of whose premises any sidewalk is in need of repair; to provide for the removal of snow, ice, sleet, debris or other obstruction from such sidewalks by the owner, tenant or occupant of premises adjoining and fronting on such sidewalk, to construct or repair such sidewalk or remove any snow, ice, sleet, debris or other obstruction therefrom upon the default or neglect of the owner, tenant or occupant and to make the cost of such construction, repair or removal a lien upon the premises adjoining such walk by causing a certificate of lien to be recorded in the office of the town clerk of the town in which such premises are located within sixty days from the completion of such construction, repair or removal; (16) to regulate and prohibit the construction, excavation, altering, use or opening of streets, sidewalks, highways, places and grounds for private purposes and the location of any work or things thereon, whether temporary or permanent, upon or under the surface thereof; (17) to regulate the laying, location and maintenance of gas pipes, . water pipes, drains, sewers, poles, wires, conduits and other

structures in the streets and places of the association; to prohibit and regulate the discharge of drains from roofs of buildings over or upon the sidewalks, streets or other places of the association or into sanitary sewers; (18) to keep the streets, sidewalks, waterfront and other places free from undue noises and nuisances and prohibit loitering thereon; (19) to regulate and prohibit, in a manner not inconsistent with the general statutes, the operation of vehicles within the association; (20) to regulate the speed of vehicles, subject to the provisions of the general statutes relating to the regulation of the speed of motor vehicles, within the association; (21) to permit, regulate and prohibit games, coasting, sliding and, subject to the provisions of the general statutes, the use of velocipedes, bicycles and tricycles, on the streets or sidewalks of the association; (22) to provide for the protection of persons and property within the limits of the association by the establishment of a police force and to regulate and prescribe the duties of such police force, and such policemen as shall be appointed by said association shall have within the limits of the association such powers and duties as constables have in towns; (23) to preserve the peace and good order, to prevent and quell riots and disorderly assemblages and to prevent disturbing noises; (24) to make and enforce police, sanitary and other similar regulations and to protect or promote the peace, safety, good government and welfare of the association and its inhabitants; (25) to prevent trespassing on private lands and in buildings in said association; (26) to secure the safety of persons passing through or in the association by the regulation of shows, parades, processions and music; (27) to define, prohibit and abate within the association all nuisances, causes thereof and all things detrimental to the health, morals, safety, convenience and welfare of the inhabitants and to cause the abatement of any nuisance at the expense of the owner or owners of the premises on which such nuisance exists; (28) to prevent vice, suppress gambling houses, houses of ill fame and disorderly houses; (29) to prohibit, restrain, license and regulate all sports, exhibitions, amusements and performances and all places where games may be played; (30) to regulate and prohibit swimming or bathing in the exposed places within the association; (31) to regulate and prohibit the going at large of dogs and other animals in the streets and places of the association and to prevent cruelty to animals and all inhumane sports; to regulate the driving, riding or leading of animals through the streets; (32) subject to the provisions of the general statutes, to prohibit, restrain, license and regulate the business of peddlers, auctioneers and junk dealers; (33) to regulate and protect from injury or defacement all buildings, monuments, trees and ornaments in places and other property of the association; (34) to regulate the keeping of swine cattle, poultry and other animals within the association or portions thereof; (35) to regulate the mode of using and the number of persons using any buildings when such regulations seem expedient for the purpose of promoting the safety, health, morals and general welfare of the inhabitants of the association; (36) to establish lines beyond which no buildings, steps, stoop, veranda, billboard, advertising sign or device or other structure or obstruction may be erected; (37) to regulate and prohibit the placing, erecting or keeping of signs, awnings or other things upon or over the sidewalks, streets and other places



of the association; (38) to regulate and prohibit the carrying on within the association of any trade or manufacture, business or profession which is or may be so carried on as to become prejudicial to general health, conducive to fraud and cheating or dangerous to or constituting an unreasonable annoyance to those living or owning property in the vicinity; (39) to regulate the construction, reconstruction, demolition, removal, altering or repairing of buildings of any kind and materials used in, and the location, height, maintenance, use and occupancy of, buildings, and generally to regulate all building operations within the association, and to regulate plumbing and the installation, of heating apparatus, electrical wiring and all other construction work in any building in the association, and to regulate the number of buildings or other structures which may be constructed, altered, or used within the territorial limits of the association by prescribing minimum land area requirements therefor, which requirements may differ among classes of buildings or other structures which differ in size or use or both; (40) to regulate and prohibit the moving of buildings upon or through the streets or other places of the association and to cause the removal and demolition of unsafe buildings or structures; (41) to provide for the health of the inhabitants of the association and to do all things necessary or desirable to secure and promote the general health; (42) to regulate and prohibit the construction or use, and require the removal, of sinks, cesspools, drains, sewers, privies, barns, outhouses and poultry pens and houses; (43) to locate, construct, repair, maintain and regulate the use of wells, cisterns or waterworks for use in protecting the association from fire or for domestic use; (44) to regulate and prohibit the discharge of firearms within the association; (45) to regulate and prohibit the parking of vehicles within the association; (46) to regulate the removing of any offensive manure or other substance or dead animals through the streets of the association and to provide for the disposal of the same; (47) to regulate the emission of smoke from any chimney, smokestack or other source within the limits of the association and provide for proper heating of buildings within the association; (48) to require any officer or employee of the association to furnish a bond or undertaking conditioned upon honesty or faithful performance of duty and to determine the amount, form and sufficiency of the sureties thereof; (49) to prescribe the salaries, compensation and hours of employment of all officers and employees of the association and the duties of such officers and employees not expressly defined by law; (50) to borrow on the faith and credit of the association for any purpose for which taxes may be levied and to regulate the method of such borrowing; to issue notes or other evidence of indebtedness and to secure the repayment thereof by the hypothecation or mortgage of any property of the association; (51) to provide for the prompt payment of any penalty prescribed for the violation of any association regulation; (52) to provide, by association regulation, for the application for and the grant, denial, revocation, suspension, and reinstatement of permits in respect of any matter or conduct which the association is authorized by the provisions of this act to regulate; (53) to enact, in the exercise of its powers, association regulations and to prescribe, for their violation, penalties, none of which shall exceed one hundred dollars, for the violation of any single association regulation unless otherwise specifically provided by law; (54) to enforce association regulations prescribing penalties by criminal actions prosecuted in the circuit court for the circuit in which the association is located; (55) to enforce association regulations prescribing penalties by civil actions brought in the name of the association to recover such penalties in the circuit court for the circuit in which the association is located.

**SEC. 1.6 Provision for Water:** Said association may, at any time, contract with any individual or corporation for a supply of water for said association and the inhabitants thereof, or may at any time purchase the plant and equipment operated and used in furnishing water on land comprising said Point O'Woods, and may maintain, extend and operate reservoirs, water-works and pipe lines for supplying water to said association and the inhabitants thereof. Said corporation is authorized, for the purpose of conduction, constructing and maintaining water systems in said territorial limits, to open the ground of any streets, lanes, highways and grounds within said limits, including any property laid out and shown as streets on a map of The Point O'Woods Association, Incorporated, for the purpose of conducting and maintaining an adequate water system. Said corporation may, within said territory, enter upon the land of any person and exercise the authority hereby granted, without being liable to action for trespass, and, if at any time it is necessary for said corporation to enter upon such lands for the purpose of making repairs, any damage done thereby shall be paid for by said association. If said association is unable to purchase for a price deemed reasonable by it the property of an existing company supplying water within its limits or within the said territory or any land, water rights or easements in land or water rights required by it for the purpose of conducting, constructing or maintaining an adequate water system, it may apply to the superior court for New London county, and said court shall proceed in the same manner as by law provided for the taking of land for highway purposes.

## **Chapter II--Board of Governors**

**SEC. 2.1 Composition:** A board of nine governors shall be elected by the membership at their annual meetings in accordance with the following rules: (1) All present governors shall serve out their term of office; (2) At the annual meeting in June, 1967, four governors shall be elected, three for a term of three years and one for a term of one year. (3) At all following annual meetings, three governors shall be elected for a three-year term.

**SEC. 2.2 Powers:** The board of governors shall constitute the governing body of the association and shall have charge of the execution of all charter provisions, ordinances, bylaws, rules and regulations or other acts adopted by the association. The board shall also make recommendations to the association for charter changes, new ordinances, new bylaws and rules and regulations to promote the general welfare of the association.

**SEC. 2.3 Qualification:** Any person who owns real property within the territorial limits of the association at the time of the annual meeting is eligible for election to the board of governors.

**SEC. 2.4 Term of Office:** The term of each governor shall commence upon his

election and shall continue for the term for which he is elected in accordance with section 2.1 of this chapter, provided he shall remain a property owner of said association. If he disposes of such property and fails to again become such a property owner within thirty days thereafter, his term of office shall cease, at which time the president of said association shall declare that a vacancy exists on the board of governors.

**SEC. 2.5 Vacancy:** A vacancy shall be filled by the nomination of any property owner within said association by and with an affirmative vote of the board of governors at the first regular meeting following the existence of a vacancy at which there is a quorum present.

**SEC. 2.6 Quorum:** At all meetings of the board of governors, the presence in person of a majority of the number of governors shall be necessary to constitute a quorum for the transaction of any business.

**SEC. 2.7 Voting:** Voting may be by voice vote with each governor present entitled to one vote. All matters shall be determined by a majority of those governors present, subject to section 2.6 of this chapter. Any governor present may demand a vote by ballot on any issue.

**SEC. 2.8 Meetings:** The board of governors shall hold regular meetings at such intervals and at such times as may be necessary or desirable for the transaction of association business.

**SEC. 2.9 Notice of Meetings:** Each governor shall be notified in writing of any meeting at his last-known address not more than fourteen nor less than three days prior to the time of such meeting.

**SEC. 2.10 Appointments and Commissions:** The board of governors shall create such commissions, as it shall deem necessary and desirable to carry out the administrative functions of the association. Each commission shall be headed by a member of the board of governors, who shall be appointed by the president.

### **Chapter III--Officers**

**SEC. 3.1 Number and Titles:** The officers of the association shall be a president and a vice president.

**SEC. 3.2 Qualifications:** No person other than a member of the board of governors of the association shall be eligible to serve as an officer.

**SEC. 3.3 Method of Selection:** The board of governors shall, as soon as possible following the annual meeting, hold an organizational meeting and elect from their number a president and vice president who shall serve for a period of one year and until such time as their successors are elected.

**SEC. 3.4 Duties:** (a) The president of said association shall be the chief executive officer thereof and shall preside at all meetings of the voters of said association and at all meetings of the board of governors. He shall be responsible for delegation of duties and correlating the activities of the board of governors. (b) The vice president shall, in the absence of the president, fulfill all the duties of the president, and carry out such special assignments as may be delegated to him by the president.

**SEC. 3.5 Other Employees:** The board of governors may hire and discharge such employees or independent contractors as may be necessary or desirable to carry on the work of the association.

**SEC. 3.6 Appointments by Board of Governors:** The board of governors shall, at their organizational meeting, appoint a qualified person to the positions of secretary and treasurer–tax collector, provided one person may be appointed by the board to fill both of said positions.

**SEC. 3.7 Duties of Appointees:** The secretary shall keep a record of the minutes of all meetings of the voters and of the board of governors and shall keep at all times a list of the members of said association, which list of members shall be brought up to date, as shown by the land records in the town of Old Lyme, through the fifteenth day before any special or regular meeting of said association. In the event of a vote of the legal voters of said association requiring a checklist, such list of members shall be the legal checklist to be used. Any property owner acquiring title after such checklist is compiled may vote as a legal voter on presentation of a deed of title or other evidence thereof to the secretary of the meeting. (b) The treasurer–tax collector of said association shall have charge of the collection and payment of all monies of said association under such rules and regulations as shall be prescribed by the board of governors.

#### **Chapter IV--Association Meetings**

**SEC. 4.1 Annual Meeting** The annual meeting of the legal voters of said association shall be held on the first Saturday of June, at which meeting said voters shall elect from their number by a plurality of ballots a board of governors in accordance with section 2.1 of this act, approve by a plurality of voters a budget for the coming year, establish a tax rate and transact such other business as may properly come before the meeting.

**SEC. 4.2 Special Meetings:** Special meetings of said association may be held between May first and October fifteenth and may be called by the president, or by a majority vote of the board of governors, or by written petition of fifty or more legal property owners of said association. Said petition shall specify the reason for such special meeting and the president shall establish a date for such special meetings within twenty days from the time of receiving such petition.

**SEC. 4.3 Place of Meeting:** All annual or special meetings will be held within the boundaries of the town of Old Lyme.

**SEC. 4.4 Notice of Meetings:** Notice of the holding of each annual or special meeting shall be given by posting a notice upon the public signpost within the territorial limits of said association, and by mailing a notice of such meeting to each property owner of record at least ten days before the day of such meeting, signed by the president, which notice shall designate the time and place of such meeting and the business to be transacted thereat.

**SEC. 4.5 Quorum:** Not less than fifty of the legal voters of said association shall constitute a quorum for the transaction of business at any meeting of said association; and, if fifty legal voters shall not be present at such meeting, the president of said association or, in his absence, the vice president may adjourn such meeting from time to time until at least fifty legal voters shall be present.

## **Chapter V--Finance**

**SEC. 5.1 Preparation of Budget:** The board of governors of said association shall annually prepare a printed budget to be submitted to the legal voters of said association. Said budget so presented or as amended or changed by the legal voters at such annual meeting, and approved by a majority vote of the legal voters present at such annual meeting, shall be the budget of said association for the next fiscal year.

**SEC. 5.2 Special Emergency Appropriations:** Except as authorized by the association budget for such year, no association expenditures shall be made unless: (a) The board of governors, at any meeting thereof, shall have determined either, (1) that through oversight or inadvertence a particular expenditure had been omitted from the appropriations approved in the budget; or (2) that as a result of the existence of any actual emergency arising subsequent to the adoption of such budget and prior to the next annual meeting a particular expenditure is necessary; and (b) thereafter a special appropriation for such expenditure has been approved at any special meeting of the association, by the affirmative vote of a majority of the voting members present. No special emergency fund shall be made in excess of unappropriated and unencumbered municipal funds except to the extent that the amount of such special emergency appropriation does not exceed the amount of a special tax levied to meet the same pursuant to section 6.4 of chapter 6 of this act.

**SEC. 5.3 Unexpended Balances:** Transfers--The board of governors may, at any time during a fiscal year, authorize the transfer of all or any portion of an unexpended balance from one appropriation approved in the municipal budget for such fiscal year to another appropriation approved in said budget, provided no single transfer of such an unexpended balance shall exceed five hundred dollars and the total of such transfers shall not exceed one thousand

five hundred dollars. Except as otherwise provided in this section, no amount appropriated for any purpose, whether general or special, shall be used for any other purpose.

**SEC. 5.4 Borrowing:** When approved by a majority of the voters of said association, at any annual or special meeting called for the purpose of defraying the cost of any work or improvement and for the acquirement of lands, easements or other property necessary and desirable for effectuating the provisions of this act, and for its other necessary and desirable expenses, said association may borrow money and may pledge the credit of said association for any money borrowed by it to be used for such purposes or expenses, and shall keep a record of all certificates or evidence of debt issued, disposed of or pledged by it; provided no bonds shall be issued by said association in excess of two and one-half per cent of the grand list of all real property located within the limits of said association, which moneys received by said governors on behalf of said association shall be paid to the treasurer of said association.

**SEC 5.5 Fiscal Year:** The fiscal year of the association shall be from the first day of July to the thirtieth day of June of the following calendar year.

## **Chapter VI--Taxation**

**SEC. 6.1 Power to Lay Tax:** The association shall have the power to lay an annual tax, at a rate not exceeding fifteen mills on the dollar, except that such limitation shall not apply to section 6.4 of this chapter, upon real estate, including buildings and other improvements, within the territorial limits specified in section 1.3 of this act, which tax shall be assessed against the record owners of such real estate on the first day of October in each year in accordance with the provisions of this chapter. When the title to property has passed between the first day of October next preceding and the time of laying such tax, said property may be listed by the clerk in the name of person owning it at the time of laying of such tax.

**SEC 6.2 Assessment:** The territorial limits of said association shall constitute a separate taxing district within the town of Old Lyme, and the secretary of the association shall annually, when requested by the board of governors, make an assessment list of all real estate within the limits of said association as shall appear by the assessment list of said town than last completed, and the list so prepared by the clerk shall correspond in description, amount and value of said real estate with said town list. The secretary shall return such list, when complete, duly signed and sworn to by him, to the board of governors of said association, and such list when accepted by said board of governors, shall be the assessment list of said association for the ensuing year. Any person, claiming to be aggrieved by the

doings of the secretary of said association in preparing such list, shall have the same right of appeal to the court of common pleas of the county in which the association is located, in the same form and manner as is provided by the general statutes for such appeal by persons claiming to be aggrieved by the action of the board of tax review in any town.

**SEC. 6.3 The Tax:** Prior to the annual meeting, the board of governors may establish a proposed rate of tax to be imposed pursuant to the provisions of this chapter and shall submit such proposed rate to the annual meeting of the association. At said meeting, such proposed tax may be revised by alteration in any manner by the affirmative vote of a majority of voting members present. The proposed rate of tax as so revised at said meeting shall be the annual association real estate tax laid and to be collected.

**SEC. 6.4 Power to Lay Special Tax:** For the purpose of meeting any special emergency appropriation described in section 5.2 of this act, the association may lay a special tax at any rate not exceeding five mills on the dollar, upon real estate including buildings and other improvements, in the same manner as provided in sections 6.1, 6.2 and 6.3 of this chapter.

**SEC. 6.5 Collection of Taxes:** Except as specifically provided in this chapter the collection of taxes shall be carried on as provided in the general statutes.

## **Chapter VII--Ordinances and Bylaws**

**SEC. 7.1 Ordinances:** The association may adopt bylaws or ordinances, with penalties to secure their enforcement, for the purpose of regulating the carrying out of the provisions of this act and defining the duties and compensation of its officers and the manner in which their duties shall be carried out.

**SEC. 7.2 Ordinances When Required:** In addition to such acts of the board of governors as are required by the general statutes or by other provisions of this charter to be by ordinance, every act establishing any rule or regulation for the violation of which a penalty is imposed or placing any burden upon or limiting the use of private property shall be by ordinance.

**SEC. 7.3 Form of Ordinance and Effective Date:** Every ordinance shall be confined to a single subject permitted by this act which shall be clearly expressed in its title. All ordinances which amend or repeal existing ordinances shall set forth in full the section or subsection to be amended or repealed and, if it is to be amended, shall indicate matter to be omitted from the revised section or subsection by enclosing the same in brackets and the new matter shall be indicated by underscoring.

**SEC. 7.4 Procedure for Passage of Ordinances:** (a) Introduction and publication: An ordinance may be introduced at any regular meeting of the association by any member, provided the proposed introduction of such

ordinance shall appear in the call of the meeting of the association by printing in the call of the meeting the general intent of the ordinance. (b) Every ordinance shall be approved by a majority of the members of the association present at the meeting of the association at which such ordinance is voted upon and shall become effective when, after approval as aforesaid, it has been posted on the association sign post for a period of seven days.

**SEC. 7.5 Emergency Ordinances:** Emergency ordinances for the immediate preservation of the public peace, health or safety may be introduced at any regular or special meeting of the association. An emergency ordinance shall contain a specific statement of the emergency and it shall take effect immediately upon the affirmative vote of the majority of the members of the association at such meeting.

**SEC. 7.6 Record, Publication and Codification of Ordinances:** Every ordinance shall be given a serial number and recorded by the clerk of the association in a book kept for that purpose which shall be properly indexed. All ordinances shall be published in their entirety after final passage by the association. A codification of all ordinances in force, eliminating all obsolete and conflicting provisions, may be passed by the association as a single ordinance without prior publication, provided, after passage, it shall be printed in loose-leaf form, copies of which shall be made available for distribution within a reasonable time after passage. Copies of all ordinances shall be printed for distribution as promptly as possible after their passage in the same loose-leaf form as the codification.

## **Chapter VIII--Miscellaneous**

**SEC. 8.1 Association Sign Post:** The board of governors shall designate a suitable place within the territorial limits specified in section 1.3 of this act for an association sign post and shall cause such sign post to be there established and maintained.

**SEC. 8.2 Interpretation:** As used in this act, words importing the masculine gender shall, unless otherwise required by the context, be construed to include the feminine gender as well.

**SEC. 8.3 Repeal of Prior Acts:** House Bill No. 605, 1925; House Bill No. 923, 1927; Special Act No. 226, 1929; Special Act No. 360, 1933; Special Act No. 40, 1949; Special Act No. 265, 1955; and Special Act No. 149, 1963 are hereby repealed.

**SEC. 8.4 Effective Date of this Act:** The provisions of this act shall take effect on its approval by a majority vote of the legal voters of said association present at a meeting called for that purpose by the president of The Point O'Woods Association, Incorporated, by mailing a notice of such meeting to each of said legal voters of said association at his or her last-known address and by posting a notice thereof on the sign post of said association ten days before the time of such meeting.



**ORDINANCES  
OF  
THE POINT O'WOODS ASSOCIATION, INCORPORATED  
South Lyme, CT  
(adopted June 4, 1988 and amended as noted)**

**TITLE I**

**DEFINITIONS**

**CHAPTER 1**

**ASSOCIATION:** The Point O' Woods Association, Incorporated as established by Special Act of the Legislature as the same may be amended from time to time

**CAMPER:** Any facility which is designed for sleeping, for living quarters, or for the storage of materials and which is and has been or may be mounted on wheels.

**BOARD:** The Board of Governors of the Association as shall be duly elected from time to time.

**COMMISSIONER:** Any Board member to whom the Board has delegated the responsibility to administer various Board duties.

**POLICE OFFICER OR OFFICER:** Any constable or police officer, state policeman or other official authorized by the Association or any other Governmental Authority to make arrests or to serve process.

**PRESIDENT, SECRETARY, TREASURER:** The Officers of the Association as they shall be elected from time to time.

**ASSOCIATION PROPERTY:** Any property owned by the Association including highways.

**ASSOCIATION MEMBERS:** All property owners shall be members of the Association.

## **TITLE II**

### **GENERAL REGULATIONS**

#### **CHAPTER 1**

##### **CAMPERS AND EXTRA DWELLINGS PROHIBITED**

No persons shall use, rent, lease or occupy, or cause to use or to be used, rent, lease or occupy for dwelling, sleeping or living purposes, any garage, out buildings, tent, house trailer, or camper within the territorial limits of the Point O'Woods Association.

#### **CHAPTER 2**

##### **LITTERING, STORAGE OR RUBBISH**

Section 1. No rubbish, building materials, garbage, cigarettes, cigars, bottles, broken glass, glass ware or metallic containers of any kind shall be placed on vacant lots, or any Association property.

Section 2. No person or persons shall leave any rubbish or garbage so exposed to the elements as to make said rubbish or garbage obnoxious or menace to the public health, and all rubbish and garbage must be placed in regulation containers provided with handles and covers.

Section 3. For the benefit of the community as well as the individual property owners, and in the absence of any fire fighting apparatus or equipment, it is absolutely necessary that all property be cleared at least once a year of material of any description which would constitute a fire hazard including but not limited to leaves, bushes, dead wood and other flammable material. The Board is authorized to notify in writing the owner or owners of property in the Association's territory of any dangerous and unsafe or hazardous condition that may be discovered on the property of such person or persons having in mind the health, safety and fire hazards which such condition may constitute. If the property owner shall fail to correct such condition within thirty (30) days from the date of notification by the Board, the Association will arrange to have it cleared and render a bill to the property owner to cover the work. In addition to the foregoing, failure to remedy such situation within thirty (30) days shall constitute a violation of this ordinance and the property owner shall be subject to penalty as provided herein.

#### **CHAPTER 3**

##### **ACTS OF NUISANCE**

The following acts are declared to be acts of nuisance and shall be subject

to fine or other penalty as herein provided:

#### 1. NOISE

Section 1. Excessive or offensive noise or noises.

#### 2. SIGNS

Section 2. The posting of bills, placards, or advertisement upon any building, wall, fence, post, vacant lot Right of Ways or other Association property is not allowed.

The following signs are allowed:

(1) Real Estate Signs "Open House", "For Sale" or "For Rent and Contractor signs are allowed during the term of the listing contracts or construction project. Such signs shall not exceed four (4) square feet in total and only one sign allowed per owner's property.

(2) "Tag Sale" signs are allowed for the day of the sale and the day before the sale

Notwithstanding the foregoing, no such sign shall be posted on any property for a period in excess of two (2) weeks. (rev. 6/4/16)

#### 3. FIRES

Section 3. The making or maintaining of any fires other than in appropriate stoves, grills or fireplaces.

#### 4 & 5. PUBLIC PROPERTY

Section 4. Extinguishing the light of any public lamp or damaging the same.

Section 5. Any act of vandalism to Association property including the destruction or removal of Association street signs, stops signs, etc. (Adopted 6/6/09)

#### 6. DOGS

Section 6. Failure to leash dogs as herein provided. All dogs are required to be properly leashed and said leash is not to be longer than ten (10) feet. Dogs or any other animals are not permitted on beaches, revetment or embankments leading to beaches or boardwalk. Any dogs found roaming the streets will be impounded. It shall be the responsibility of all dog owners, including guests of any Point O'Woods resident or tenant, to pick up after their dog relieves itself on any property within the territorial limits of the Association including but not limited to vacant lots and property belonging to others. Dog owners who fail to comply with this ordinance shall be subject to a fine determined by the Board in accordance with Title V, Chapter 2, Section 1 of the Ordinances. (Amended 6/3/2000)

7 – 11. BEACH

Section 7. Dressing or undressing in cars or other vehicles on the property owned or under the supervision of the Point O'Woods Association.

Section 8. Bathing or swimming other than between the hours of 6:00 A.M. and 10 P.M.

Section 9. The bringing of lunches, liquid refreshments, glass or snacks of any kind, other than ice cream or water in a clear plastic bottle to the beach. (Amended 6/6/09)

Section 10. Bathing, fishing and swimming in Three Mile River adjoining the beach at Champion Road to the end of the steel bulkhead discharging into Long Island Sound.

Section 11. Playing ball, throwing Frisbees or other recreational activities involving the throwing or hitting of objects on Association Beaches, except such areas, if any, specifically designated by the Association.

(Renumbered sections 6-11 on 6/6/09)

**CHAPTER 4**

**COMMERCIAL ENTERPRISES: VENDORS**

Section 1. No business shall be carried on in a residence or on the property within the limits of this Association. This ordinance shall not apply, however, to real estate agents or their affiliates whose business is solely limited to selling, renting or maintaining property within Point O'Woods. (Amended 6/6/09)

Section 2. No persons, except those exempted by the statute of the State, shall sell any goods, wares or merchandise unless such person shall have obtained a license to do so from the Board or its authorized agent.

Section 3. That the fee for such license shall be fixed by the Board for each year or portion thereof in all cases and, unless sooner revoked, all licenses shall expire the 30th day of May succeeding the date of issue thereof.

Section 4. That each person so licensed shall, on exercising his vocation, wear conspicuously on his left breast a suitable badge, designed and furnished by the Board, with the words "licensed vendor" and the number of this license and the year such license is in force, in numerals plainly inscribed thereon. The Board or its designate shall supply such certificates or badges as it deems appropriate and shall prescribe the manner in which each vendor shall display such certificate or badge.

## **CHAPTER 5**

### **NO TRESPASSING**

Association property is for the use of the members of the Association, their guests and/or tenants exclusively and the use of such land by others is hereby forbidden and trespassing by others is hereby forbidden.

## **CHAPTER 6**

### **ALCOHOLIC BEVERAGES**

Section 1. TITLE. An ordinance to prohibit consumption and possession with intent to consume alcoholic beverages on Association property.

Section 2. DEFINITION. As used in the ordinance "Alcoholic Beverage" shall be as defined in the Liquor Control Act of the State of Connecticut as the same may be amended from time to time. "Highway" shall mean all roadways within and under the control of The Association and shall include all sidewalks and public property directly adjacent thereto. "Public Areas" shall mean all areas owned by the Association including, but not limited to, parking lots, playgrounds and parks. "Possession with intent to consume" shall mean having in one's possession, or control, alcoholic liquor in a glass, or an open bottle, can or other receptacle suitable to permit consumption.

Section 3. No person shall consume or possess with intent to consume any alcoholic beverage within the limit of the public highways and public areas of the Point O'Woods Beach Association.

Section 4. Subsection 3 of this ordinance shall not apply to special permits issued for the consumption of alcoholic beverages within the public areas of the Point O'Woods Beach Association as granted under Connecticut General Statutes or for special activities approved by the Board.

## **CHAPTER 7**

### **BUILDING AND CONSTRUCTION**

Section 1. No Construction shall be accomplished within Point O'Woods except in strict conformity with the applicable building code for the State of Connecticut and any regulations adopted by the Town of Old Lyme.

Section 2. There shall be no construction work performed inside or outside of a dwelling during the period from June 25th to Labor Day in each year. Provided however, that the Board, upon application by a property owner, may

authorize construction work between June 25 and Labor Day by majority of vote, and provided that the applicant shows an emergency condition exists.

Section 3. No construction, either inside or outside of a dwelling, which shall require that a building permit shall be commended unless such permit has been issued by the Town of Old Lyme, and a copy mailed to the Association at its post office box in South Lyme.

## **CHAPTER 8**

### **FENCES**

a. No new fences shall be constructed on any property not owned by The Point O' Woods Association, Incorporated. Legally existing fences on such property not owned by The Point O' Woods Association, Incorporated shall be permitted to remain subject to the provisions of Section (b) below.

b. Existing fences on property not owned by The Point O' Woods Association, Incorporated needing replacement shall not be replaced except by means of a living hedge.

c. Any such property owner who does not comply with this Ordinance shall be subject to an order from the Board for the immediate removal of any such fence and be further subject to a fine to be determined by the Board in accordance with Title V, Chapter 2, Section 1 of the ordinances.

This ordinance shall become effective on January 1, 2003. (Amended 6/1/2002)

## **CHAPTER 9**

### **SEPTIC TANKS**

Section 1. Property owners will cause their septic tank to be pumped out within two years from the adoption of this ordinance, enacted June 5, 1999.

Section 2. Thereafter all septic tanks must be pumped out no less frequently than every three years.

Section 3. A copy of the report of the pumping contractor must be mailed to the Association secretary within 30 days of receipt.

Section 4. As used herein, septic tank shall include septic tanks, cesspools and similar receptacles.

Section 5. Failure to adhere to the provisions of this Chapter may result in a fine upon the property owner in the amount of \$125.00 per week. (Effective 6/5/1999)

## **TITLE III**

### **BOATING REGULATIONS**

#### **CHAPTER 1**

Section 1. No power boat shall be allowed in the area designated by the Board as the swim/sailboat area, which areas shall be designated by appropriate markers and signs.

Section 2. All boats shall operate in the boat basin and channel areas at a speed which shall create no wake, but in no event shall any boat or jet ski exceed five(5)miles per hour in such areas.

Section 3. Jet skis shall not be used in the boat basin other than as shall be necessary as to idle in or out of the ramp area.

Section 4. No person shall operate a motor boat in a reckless manner as to endanger swimmers, sailboats or other boats using the boat basin or areas of Long Island Sound immediately in front of the Association property. For purposes of this ordinance, a jet ski shall be considered a power boat.

#### **CHAPTER 2**

Section 1. The Board is authorized to set a schedule of fees and regulations for the privilege of keeping a boat in the Association boat basin, launching boats and/or jet skis from the Association boat ramp or landing and storing boats on designated areas of the Association property. The Board shall establish such fees from time to time, and may establish said fees by the day, week or season, as the Board may deem advisable.

Section 2. Unless specifically authorized by the Board in establishing such fees, any fee paid in accordance with this Chapter will be nontransferable and shall relate only to a boat or jet ski owned by the applicant. If a sticker is issued by the Board, said sticker must be attached to any boat or jet ski to which it relates. All applicants shall be required to submit a boat registration number at the time of application so that the registration number may be affixed to any sticker.

Section 3.1 Boat Basin Eligibility: Beginning with the 2001 summer season, no boat shall be assigned a numbered slip unless all of the following requirements are met:

(1) The boat must be legally owned by the same POW real estate property owner of record.

(2) Only one slip may be assigned to all of the members of a single POW household.

(3) All outstanding taxes and fines levied on the homeowner (including family members occupying the same POW household) must have been paid by the response date identified by the Boat Basin Commissioner (typically 15 April of each year).

(4) The maximum overall length (not including the motor or the outdrive) and width of the boat is 21 feet and 8 feet respectively.

(5) The boat owner must submit a valid, signed Boat Basin application, a copy of current state processed boat registration form, and a check for the full amount due.

(6) Those boat owners who are assigned slips for the 2000 summer season will be granted the same privilege for the 2001 summer season provided that the other eligibility requirements are met. This same logic will continue in future years. (Amended 6/3/2000)

(7) It is expressly agreed and understood as a condition of a slip assignment that The Point O'Woods Association, Incorporated assumes no liability or responsibility for the safety or security of the boat, its occupants or equipment.

(8) Notwithstanding anything herein to the contrary, any boat owner having a boat legally assigned a slip prior to the 2001 summer season shall be entitled to continue to be assigned a slip for said boat for such time as said boat is owned by such owner.

**Section 3.2 Boat Basin Waiting List:** The Boat Basin Commissioner shall establish a waiting list of POW homeowners who wish to rent a slip. A copy of the current list shall be posted on the Boat Basin Bulletin Boards during the summer season. All applications must be written and in a format specified by the Commissioner. Applications will be accepted throughout the year in the order in which they are received. The Commissioner shall also post a notice on the Boat Basin Bulletin Boards during the summer season stating when the annual renewals of all applications are due. An applicant's position on the waiting list will be protected as long as the POW published requirements are being met. (Amended 6/3/2000, portion deleted 6/7/2008)

**Section 3.3 Slip Assignments:** The property owner indicated as the slip renter of record in 2007 will be deemed to be the slip renter for 2008 and beyond as long as they conform to the continuing requirements of the ordinances. Future assignments will be based on ordinance eligibility requirements (section 3.1) and allocated on this basis:

(1) Future applicants will be chosen from the latest posted Boat Basin Waiting List and in accordance with its procedural provisions.

(2) Regardless of how many people own a boat, the slip will be assigned



to a single individual who is a POW property owner of record and the boat owner of record.

(3) Once assigned, the individually named slip renter is entitled to continuing use of the slip until: one, they violate any of the other appropriate ordinance provisions, or, two, they no longer maintain their status as owner of record of both the POW property and the boat. If either occurs, the slip assignment will be automatically withdrawn at the end of the summer season and will revert to the control of the Boat Commissioner for further assignment.

(4) Slips will no longer be allowed to be transferred to other family members or property co-owners to perpetuate use of the slip. (3.3 effective 6/7/2008)

Section 3.4: Use of Slip by Another POW Homeowner: The owner of a boat with an assigned POW slip may allow the owner of another boat to occupy his/her slip for a period not to exceed seven consecutive days provided that (Renumbered from 3.3 to 3.4 6/7/2008):

(1) The second boat is less than 21 feet long and 8 feet wide.

(2) The second party is a POW real estate property owner.

(3) Prior notice is given to the Security Guard in the parking lot or to the Boat Basin Commissioner.

(4) The appropriate information is captured on a log and available for viewing in the parking lot Guard Shack. (Effective 6/3/2000)

Section 3.5 Use of the Boat Basin by Tenants: Tenants may not use the numbered boat slips although they may tie to open bulkhead space during the launching and pulling routine for a period not to exceed 20 minutes. (Effective 6/3/2000) (Renumbered from 3.4 to 3.5 6/7/2008)

## **TITLE IV**

### **MOTOR VEHICLE REGULATIONS**

#### **CHAPTER 1**

##### **DEFINITIONS**

(1) "Area" shall mean any area or place owned by or under the control of the Association and within the territorial limits thereof;

(2) "Commissioner of motor vehicles" shall refer not only to the commissioner of motor vehicles but also the deputy commissioner of motor vehicles, the attorney general and any assistance to the commissioner of

motor vehicles to him duly designated and authorized while acting in that capacity;

(3) "Curb" shall mean the boundary of the traveled portion of any highway, whether or not marked by a curbstone;

(4) "Highway" shall mean the traveled portion of any highway, street, road, avenue, alley, way or area owned by or under the control of the Association and within the territorial limits thereof;

(5) "Intersecting highway" shall mean any highway, which joins another at an angle whether or not it crosses the other;

(6) "Intersection" shall mean the area embraced within the prolongation of the lateral curb lines of two or more highways which join one another at an angle, whether or not one such highway crosses the other;

(7) "Motor vehicle" shall mean any vehicle propelled or drawn by any power other than muscular, except aircraft and motor boats but does not include electric battery-operated wheel chairs when operated by physically handicapped persons.

(8) "Motor vehicle registration" or "registration" shall mean the certificate thereof and the number plates used in connection therewith;

(9) "Officers" shall mean any constable or police officer, state policeman or other official authorized by the Association or any other governmental authority to make arrests or to serve process;

(10) "Operator" shall mean any person who operates a motor vehicle or who steers or directs the course of a motor vehicle, which is being towed by another vehicle;

(11) "Owner of real estate" shall mean any person holding the legal title to a present possessory interest in a freehold estate in real property or to a lease hold for a term of thirty (30) years or more;

(12) "Person" shall mean any individual, corporation, association, co-partnership, company, firm or other aggregation of individuals;

(13) "Vehicle" shall mean any devise suitable for use on the highways for the conveyance, drawing or other transportation of person or property, whether operated on wheels or runners or by other means, except those propelled or drawn by human power or those used exclusively upon tracks;

(14) "Stop" shall mean complete cessation of movement.

## CHAPTER 2

### TRAFFIC CONTROL

Section 1. OPERATION WITHOUT OPERATOR'S LICENSE. — No person shall operate

any motor vehicle upon any highway unless he shall have obtained from the Connecticut Commissioner of Motor Vehicles or any other State Commissioner of Motor Vehicles with in the United States a license for such purpose, except that, any person who is permitted by any provision contained in Chapter 246 of Title 14 of the Connecticut General Statutes to operate a motor vehicle upon the public roads of the State of Connecticut without having obtained such license may operate a motor vehicle upon any highway without having obtained such license. (Amended 6/6/09)

Section 2. OPERATION WHILE LICENSE IS SUSPENDED. – No person shall operate any motor vehicles upon any highway in any manner, which contravenes any limitation imposed by the Connecticut Commissioner of Motor Vehicles or any other State Commissioner of Motor Vehicles with in the United States in any operator's license issued to such person. No person whose operator's License has been lawfully suspended or revoked by said commissioner of Motor Vehicles shall operate any motor vehicle upon any highway during the period of such suspension of revocation. (Amended 6/6/09)

Section 3. OPERATION OF UNREGISTERED MOTOR VEHICLE. – No person shall operate upon any highway any motor vehicle which has not been registered in the name of its current owner with the Connecticut Commissioner of Motor Vehicles or any other State Commissioner of Motor Vehicles with in the United States, except that any motor vehicle not required to be so registered under any provision contained in chapter 246 of Title 14 of the Connecticut General Statutes may be operated upon any highway without being so registered. No person shall operate or cause to be operated upon any highway any motor vehicle the registration of which has been lawfully suspended or revoked by said Commissioner of Motor Vehicles until the period of such suspension or revocation has terminated.

Section 4. OPERATION WITHOUT CARRYING OPERATOR'S LICENSE. – Each operator of a motor vehicle shall carry his operator's license while operating such motor vehicle upon any highway.

Section 5. OPERATOR TO GIVE NAME AND SHOW OR SURRENDER LICENSE. – No person who is operating or in charge of any motor vehicle, when requested by any officer in uniform, or, in the event of any accident in which the car he is operating or in charge of is concerned, when requested by any other person, shall refuse to give his name and address or the name and address of the owner of such motor vehicle or give a false name or address, or refuse, on demand of such officer or other person, to produce his motor vehicle registration certificate and operator's license or to permit such officer or such other person to take the operator's license and registration in hand for the purpose of examination, or refuse or demand of such officer or such other person, to sign his name in the presence of such officer or such other person.

Section 6. SPEED LIMIT. – No person shall operate any motor vehicle upon any highway at a rate of speed greater than 15 miles per hour.

Section 7. RECKLESS DRIVING. – No person shall operate any motor

vehicle upon any highway recklessly, having regard to the width, traffic and use of such highway, the intersection of streets and the weather conditions. The operation of a motor vehicle upon any highway in such a manner as to endanger the life of any person other than an occupant of such motor vehicle, or the operation, down grade, upon any highway, of any motor vehicle with the clutch or gears disengaged, or the operation knowingly of a motor vehicle with any defective mechanism, shall constitute a violation of the provisions of this section.

Section 8. DISOBEYING ORDERS OF OFFICER. – No person in the operation of any motor vehicle upon any highway shall fail to bring promptly such motor vehicle to a full stop upon the signal of any officer. No person shall disobey any direction of any officer.

Section 9. EVADING RESPONSIBILITY IN OPERATION OF MOTOR VEHICLES. – Each person who, in the operation of a motor vehicle upon any highway, knowingly is involved in any accident which causes injury whether or not resulting in death, to any other person or injury or damage to property shall at once stop and render such assistance as may be needed and shall give his name, address, and operator's license and registration number to the person injured or to the owner of the injured or damaged property, or to any officer in uniform or witness to the death of any person or the injury to person or injury or damage to property, and if such operator of the motor vehicle causing the death or injury of any person or injury or damage to any person injured or the owner of the property injured or damage, or to any witness or officer for any reason or cause, such operator shall immediately report such death or injury of any person or injury or damage to cause to an officer or an inspector of motor vehicles or at the nearest police precinct or station, and shall in such report the location and circumstance of the accident causing the death or injury of any person or the injury or damage to property and his name, address, operator's license number and registration number.

Section 10. DRIVING IN RIGHT-HAND LANE. – Upon all highways, each vehicle shall be driven upon the right, except (a) when overtaking and passing pedestrians, standing vehicles, animals or obstructions on the right side of the highway, (b) when the right side of a highway is closed to traffic while under construction or repair, or (c) on a highway designated and a sign posted for one-way traffic.

Section 11. VEHICLES IN OPPOSITE DIRECTIONS TO PASS ON RIGHT. – Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon highways having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main traveled portion of the highway as nearly as possible.

Section 12. PASSING. – Except as provided in Section 13(a) no vehicle shall be overtaken by another proceeding in the same direction, unless said vehicle is at a stop, at which time the overtaking vehicle shall pass to the left thereof at a safe distance and shall not again drive to the right side of the highway until safely clear of the overtaken vehicle. No vehicle shall be driven to the left side of the center of the highway in overtaking and passing stopped vehicle heading in the same direction unless the left side is

clearly visible, and is free of oncoming traffic for a sufficient distance ahead to prevent the passing to completely be made without interfering with the safe operation of any vehicle approaching from the opposite direction.

Section 13. PASSING ON RIGHT. - The driver of a vehicle may overtake and pass upon the right of another vehicle only when conditions permit such movement in safety and under the following conditions: (a) when the vehicle overtaken is making or has signified the intention to make a left turn (b) when lines of vehicles traveling in the same direction in adjoining traffic lanes have come to a stop (c) upon a one-way street free from obstructions and of sufficient width for two or more lines of moving vehicles. Such movement shall not be made by driving off the pavement or main-traveled portion of the highway.

Section 14. VEHICLE NOT TO BE DRIVEN ON LEFT SIDE OF HIGHWAY ON CURVE OR UPGRADE. - No vehicle shall be driven to the left side of the highway (a) when approaching the crest of a grade or upon a curve or elsewhere in the highway where a free and unobstructed view of the highway ahead may not be had for a sufficient distance to insure driving with safety or (b) when approaching within one hundred feet of or crossing any intersection or railroad grade crossing.

Section 15. VEHICLES TO BE DRIVEN REASONABLE DISTANCE APART. - No driver of a motor vehicle shall follow upon any highway another vehicle more closely than is reasonable and prudent, having regard for the speed of such vehicles, the traffic upon and the condition of the highway and weather conditions. No person shall drive a vehicle in such proximity to another vehicle as to obstruct or impede traffic.

Section 16. TURNS. - Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the highway. At any intersection where traffic is permitted to move in both directions on each highway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the highway nearest the center line thereof and by passing to the right of such center line where it enters the intersection, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the highway being entered. At any intersection where traffic is restricted to one direction or one or more of the highways, the driver of a vehicle intending to turn left shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable in the left-hand lane lawfully available to traffic moving in such direction upon the highway

being entered.

Section 17. TURNS RESTRICTED. SIGNALS TO BE GIVEN. STOPPING. U-TURNS. - No person shall turn a vehicle at an intersection unless the vehicle is in a proper position on the highway as required by Section 16, or turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a highway unless such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner provided in Section 19 if any other traffic may be affected by such movement. A signal of intention to turn right or left shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided in Section 19 to the driver of any vehicle immediately to the rear when there is opportunity to give such signal. No person shall turn a vehicle as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of, a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet, or at any location where signs prohibiting U-turns are posted.

Section 18. STARTING OR BACKING VEHICLE. - No person shall move a vehicle that is stopped, standing or parked unless such movement can be made with reasonable safety, nor without signaling as provided by Section 19. No person shall back a vehicle unless such movement can be made with reasonable safety and without interfering with other traffic.

Section 19. SIGNALS. - Any stop or turn signal required by Section 17 or 18 may be given either by means of the hand and arm or by signal lamp or lamps or mechanical signal device. Hand signals shall be as follows: (a) To stop or decrease speed: Hand and arm extended horizontally: (b) to turn left or to leave or draw away from a curb or the edge of the highway: Hand and arm extended horizontally with forefinger pointed: (c) to turn right: Rotary motion of extended hand and arm. Each operator of a motor vehicle who makes a turn signal by means or signal lamps or mechanical signal device shall turn in the direction indicated and return such signal to the nonoperation position immediately after completing the movement for which a signal has been given.

Section 20. RIGHT OF WAY. - Each driver of a vehicle approaching an intersection shall grant the right of way at such intersection to any vehicle approaching from his right when such vehicles are arriving at such intersection at approximately the same time, unless otherwise directed by an officer.

Section 21. RIGHT OF WAY AT INTERSECTION TURN. - The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but such driver, having so yielded and having given a signal as required by Section 17, may make such left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right of way to the vehicle making the left turn.

Section 22. RIGHT OF WAY AT DRIVEWAY OR PRIVATE ROAD. - The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right of way to all vehicles approaching on such highway.

Section 23. CROWDED FRONT SEATS. RIDERS ON OUTSIDE OF VEHICLE. AISLE SEATS. - No person shall operate any motor vehicle upon any highway when the operator of such vehicle is crowded by reason of having more than the number of persons for which reasonable and safe space is provided in the front seat thereof and no person shall operate any motor vehicle, except one in use by a fire or police department, when any person, except a person acting as a repairman, is riding upon the running board, mudguard, tail gate, hood or top of such vehicle.

Section 24. STOP STREETS. - The Board of Governors or its delegates may designate from time to time any intersecting highway as a stop street. Whenever any highway shall be so designated, a sign or signs shall be posted, bearing the legend "Stop" at or near the intersection and facing the traffic entering the intersection from such stop street. Each person operating a motor vehicle upon such stop street shall bring such motor vehicle to a full stop before entering the intersection. (Amended 6/6/09)

Section 25. YIELD STREETS. - The Board of Governors or its delegates may designate from time to time any intersecting highway as a yield street. Whenever any highway shall be so designated, a sign or signs shall be posted, bearing the legend "Yield Right of Way," at or near the intersection and facing the traffic entering the intersection from such yield street. Each person operating a motor vehicle upon such yield street shall slow such motor vehicle to a speed of not more than five (5) miles per hour, or stop if necessary, before entering the intersection and shall yield the right of way to pedestrians and to such other vehicles as may be necessary to avoid a collision. (Amended 6/6/09)

Section 26. ONE-WAY STREETS. - The Board of Governors or its delegates may designate from time to time any highway as a one-way street. Whenever any highway shall be so designated a sign or signs shall be posted, bearing the legend "One-Way", and an arrow pointing in the direction of permitted travel on such one-way street, at or near each intersection formed by such one-way street with any other highway or highways and facing the traffic entering

such intersection from such other highway or highways. No person shall operate any motor vehicle contrary to the direction of such signs upon any highway so designated. (Amended 6/6/09)

Section 27. PEDESTRIANS. - The Board of Governors or its delegates may designate, from time to time and by appropriate devices, markers or lines on the surface of the highway, crosswalks for pedestrians. No pedestrian shall disobey any direction of any officer in uniform relating to crossing any highway. (Amended 6/6/09)

Section 28. VEHICLES ON BEACH. - No person shall operate any motor vehicle on the bathing beach adjacent to Long Island Sound which area is further defined as being land owned by the Association, and south of the boat basin and Champion Road and extending to the waters of Long Island Sound. This ordinance does not apply to construction equipment being operated on any project for the Association.

### CHAPTER 3

#### PARKING REGULATIONS

Section 1. NO PARKING ZONES. - The Board of Governors or its delegates may designate, from time to time, any area or areas within the limits of the Association as a "No Parking Zone". Whenever any area shall be so designated, a sign or signs, bearing the legend "No Parking" or some other appropriate legend shall be posted at or near and indicating the area so designated. No motor vehicle shall be permitted to remain stationary contrary to the direction of such signs. (Amended 6/6/09)

Section 2. PARKING ON HIGHWAYS OR SO AS TO CREATE A TRAFFIC HAZARD PROHIBITED. - No motor vehicle shall be permitted to park or remain stationary within the limits of any highway and no motor vehicle shall be permitted to park or remain in such a manner as to constitute a traffic hazard or to obstruct the free movement of traffic, provided that a vehicle which has become disabled to such an extent that it is impossible or impracticable to remove it may be permitted to so remain for a reasonable time for the purpose of making repairs thereto or of obtaining sufficient assistance to remove it.

Section 3. PERMIT PARKING AREAS. - The Board of Governors or its delegates may designate, from time to time, any area or areas within the limits of the Association as a "Permit Parking Area." Whenever any area shall be so designated, a sign or signs bearing the legend "Parking by Permit Only" or some other appropriate legend shall be posted at or near and indicating the area so designated. No motor vehicle shall be permitted to remain



stationary within any Permit Parking Area unless it shall have affixed thereto in some prominent place a tag or sticker issued pursuant to this Chapter evidencing the privilege of parking such motor vehicle within such Permit Parking Area. (Amended 6/6/09)

Section 4. PARKING OF BOAT TRAILER. - No boat trailer shall be parked in any permit parking area of the Association including but not limited to the main parking area adjoining the boat basin.

Section 5. ISSUANCE OF PARKING PERMITS.- The Board of Governors or its delegates shall be authorized to issue to any person tags or stickers evidencing the privilege of parking motor vehicles within a permit Parking Area designated pursuant to Section 2 of this Chapter and shall also be authorized to exact a fee therefore. Subject to the following provisions of this Section, the issuance of such tags or stickers and the amount of the fee shall be within the discretion of the Board of Governors or its delegates. (Amended 6/6/09)

5.1 Parking within any designated parking area is restricted to property owners and tenants, providing proper parking stickers are properly affixed, or displayed in the location specified by the Board of Governors or its delegates: (Amended 6/6/09).

5.2 Each owner or owners are entitled in the aggregate to a maximum of two (2) property owners' stickers per property. Such stickers shall be limited to the use of the immediate family of such owner, and may be transferred among cars owned by such immediate family members. At the time of application for such stickers, the property owners shall give evidence of the vehicles to which such stickers may apply including their registration number(s).

5.3 The Board of Governors or its delegates is authorized to put into effect a schedule of fees for the privilege of parking tenant's automobiles in designated parking areas, said fees to be applicable to all cars so parked. Tenant's stickers may only be obtained by presentation of a rental receipt and each sticker shall be limited to dates shown on the rental receipt. (Amended 6/6/09)

5.4 CONTENTS OF TAGS OR STICKERS. Each tag or sticker shall bear upon its face the registration number(s) of the motor vehicle(s) in respect of which the privilege of parking is granted thereby;

5.5 NON-TRANSFERABLE. Neither a tag or sticker nor the privilege evidenced thereby shall be transferable, except as provided in Section 5.2 herein.

## **TITLE V**

### **ENFORCEMENT AND PENALTIES**

#### **CHAPTER 1**

##### **ENFORCEMENT OF ORDINANCES**

Section 1. ISSUANCE OF NOTICE OF VIOLATION. - Any police officer may attach to any motor vehicle found in violation of any provision contained in Chapter 3 of Title III, a notice to the owner or operator that such motor vehicle has been parked in violation of law.

Section 2. CONTENTS OF NOTICE. - The notice prescribed in Section 1 of this Chapter IV shall indicate the nature of the violation and shall instruct the owner or operator to pay the penalty for such violation to the Secretary of the Association or his delegate by mailing such notice together with the amount of such penalty to Box 152, South Lyme, Connecticut.

Section 3. PAYMENT OF PENALTY. - The owner or operator of any motor vehicle to which any notice prescribed in Section 1 hereof shall have been attached shall, at or prior to 12:00 noon Eastern Standard Time (or Eastern Daylight Time if then in effect in Connecticut) on the tenth (10th) day following the day of which such notice was attached, pay the penalty provided herein. Failure to pay such fine within the time prescribed will result in such additional penalties and/or fines as the board shall from time to time prescribe.

Section 4. OTHER ORDINANCE VIOLATIONS. Any police officer shall also be empowered to serve any individual who shall violate any ordinance with a notice of such violation, and the fine due in respect hereof, and such fine shall be paid in the same manner and time as prescribed in Section 3. Such service may be in person, by mail or by leaving such notice at the usual place of abode of such individual.

#### **CHAPTER 2**

##### **PENALTIES**

Section 1. BOARD TO ESTABLISH PENALTIES. The Board of Governors is authorized to establish penalties for the violations of all ordinances as contained herein. Such penalties shall not exceed two hundred fifty (\$250.00) per violation. Each day on which a violation occurs or, if applicable, continues after the time of violation given in any order has elapsed, shall be considered a separate violation of this ordinance. (Amended 06/04/2011)

Section 2. RELEASE. Any person who has been arrested by an officer for a violation of any provision of these ordinances may be released, upon his own recognizance, by such officer in his discretion.

Section 3. TEMPORARY PENALTIES. Until such time as the Board shall establish penalties for the violations of the ordinances, a fine of fifty (\$50.00) dollars is hereby established for the violation of any and all ordinances. (Amended 6/6/09)

Section 4. Any member who owes the Association money for such as but not limited to, back taxes, interest, fines for violation of ordinances etc. shall not be permitted to renew their boat basin slip nor will parking permits be issued. (Effective 6/5/1999)

## **TITLE VI**

### Chapter I

#### Water Pollution Control Authority (WPCA)

Section 1: Pursuant to the provisions of Connecticut General Statutes Section 7-246(a), as amended, The Point O' Woods Association, Incorporated hereby adopts an ordinance establishing a Water Pollution Control Authority for The Point O' Woods Association, Incorporated.

Section 2: The Water Pollution Control Authority shall consist of five (5) members, and one (1) alternate, each of whom shall be an owner(s) of real estate in The Point O' Woods Association, Incorporated's territorial limits, to be appointed by the Board of Governors as follows: two (2) of said members shall be appointed for a term of three (3) years; two (2) of the said members shall be appointed for a term of two (2) years; and one (1) member and said alternate shall be appointed for a term of one (1) year. At least one (1) member of said authority shall at all times also be members of the Board of Governors of The Point O' Woods Association, Incorporated (Amended 6/2/2012). The terms of the original members and alternate appointed to said Authority shall all commence July 1, 2002 and all subsequent appointments upon said terms expiring shall be for a term of three (3) years. Any vacancy in the membership of the authority shall be filled for the unexpired portion of the term by the Board of Governors. The President of The Point O' Woods Association, Incorporated shall be a non-voting, ex-officio member of the Authority. The Authority may adopt rules for the conduct of its business and prescribe all necessary rules and regulations to carry out its functions. Any member may be removed by the Board of Governors for cause after hearing.

Section 3: The members and alternate of the Authority shall receive no compensation for their services but shall be reimbursed for necessary expenses incurred in the performance of their official duties, provided such expenses were authorized by said Authority.

Section 4: The Water Pollution Control Authority shall have all the rights, powers, duties and obligations set forth in the Connecticut General Statutes, Sections 7-245 at seq as amended.

Section 5: This ordinance shall become effective on June 15, 2002.  
(Effective 6/15/2002)

## TITLE VII

### Financial Controls

(New ordinance approved June 2, 2007)

Section 1. All expenditures will be made by check and require two signatures, the President or Vice President and Treasurer, for amounts in excess of \$7,500. (Amended 6/4/16)

Section 2. All expenditures to be paid must be approved, in writing, by the board member whose area will be charged and must be within the budgeted amount as approved at the annual meeting except as provided for in the Charter of the Association. Payments will be made against approved invoices only, not against a statement of account with the exception of professional services.

Section 3. All expenditures over \$7,500 will require that at least three competitive bids be solicited. Where possible, local contractors are to be given preference and the bids are to be from the same written bid specifications. (Amended 6/4/16)

Section 4. All expenditures for a project are to be accumulated in the total project cost regardless of the cost center that the expenditures will be included in.

Section 5. All expenditures in excess of \$100 requested by a Board member or a member of his family or a business controlled by that board member must be approved by two of the following: the President, Vice President or one other member of the Board of Governors, with the consultation of the Treasurer.

Section 6. Budget request submitted for annual meeting approval must detail all line item expenditures in excess of \$2,500.

Section 7. All cost center budgets will be reviewed and approved by the Board of Governors prior to submission for Annual Meeting approval.

Section 8. Gifts in excess of \$25 must be approved by the Board of Governors.

Section 9. All contracts for goods and services costing in excess of \$7,500 are to be authorized by the Board and executed by the President or Vice President. (Amended 6/4/16)

## **Title VIII**

### **Nominating Committee Guidelines (New ordinance approved June 2, 2007)**

**Purpose:** To identify, screen and select qualified individuals to become candidates to serve on the Point O' Woods Association Board of Governors.

**Process:** The process is affected through a formal search for candidates who are Point O' Woods property owners, have a high energy level, are objective thinkers, can operate in a team environment, and have a desire to serve on the Board. The Committee is responsible to present qualified candidates to the Board following due diligence that includes recommendations from Association Members and candidate interviews, followed by a thorough review of strengths and weaknesses.

The Committee is responsible to provide a list of nominees to the Board each year for inclusion in the Call to the Annual Property Owners Meeting. The list will include incumbent and or new candidates.

If a member of the Board should resign during their term, the Nominating Committee will provide a list of candidates to the next meeting of the Board, as outlined in the charter. (Amended 6/6/09)

**Eligibility:** In order to be eligible to serve on the Nominating Committee, a candidate must be a Point O' Woods property owner. Appointment to serve on the Nominating Committee will be made by the Board of Governors.

The Committee will operate independently of the Board of Governors, consisting of three members including a designated chairman. Said designation shall be made by the Board of Governors. Members will serve for a term of three years, with one member's term expiring annually.

**Expenses:** Administrative costs incurred, not to exceed a total of \$250, will be submitted to the treasurer for payment or reimbursement.

## **Title IX**

### **Tributes, Memorials and Recognitions (New ordinance approved June 2, 2007)**

**Section 1:** The Point O' Woods Association, Incorporated adopted a set of standard guidelines of all tributes, memorials and recognitions. Any and all such recognitions will be governed by these standards and will be subject to approval by the Board.

**Section 2:** Grandfather in all existing memorials and recognitions, which include, inter alia, Anderson Park, Hennessey Recreation Bulletin Board, Playground Plaque and the Symond's Rock on the Beach.

**Section 3:** Individuals or families would be able to recognize individuals by making donations (minimum \$250) towards a board-approved list of Recognition

Gifts. The list will consist of items, which will add to the beatification and overall enhancement of the community. Annually, the Board will create the Recognition List, including any and all specifications, designs and locations of such items.

Section 4: Donations would be recognized by publication of names through the web site and Annual Call. In addition, the donors would be presented with a plaque at the Annual Meeting.

## **Title X**

### Association Rooming House Ordinance (New Ordinance approved 6/4/2011)

Chapter 1. That the ordinances of the Point O' Woods Association, Inc. be amended by adding a section to read as follows:

Section 1. TITLE. This ordinance is entitled to Association Rooming House Ordinance. The purpose of this ordinance is to prohibit the ownership of, or operation of, a rooming house within the Point O' Woods limits.

Section 2. DEFINITIONS. For purposes of this ordinance, the following terms shall have the following meanings:

A. "ROOMING HOUSE" shall mean any dwelling, or part of any dwelling, containing one or more ROOMING UNITS, in which space is let or rented by the owner or operator of the property to two (2) or more persons on either a transient or permanent basis, with or without meals, who are not husband, wife, son, daughter, mother, father, sister or brother of the owner or operator.

B. "ROOMING UNITS" shall mean a room or group of rooms forming a single habitable unit used or intended to be used as private living and sleeping quarters and accommodations but not for cooking or eating purposes.

Section 3. The ownership of, or operation of, a Rooming House within the limits of the Point O' Woods Association shall be prohibited.

Section 4. Any person who violates any provision of this ordinance shall be fined Two Hundred Fifty (\$250.00) Dollars. Each day on which a violation occurs or, if applicable, continues after the time for correction of violation given in any order has elapsed, shall be considered a separate violation of this ordinance.

Chapter 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Chapter 3. If any provision of this ordinance or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not

affect other provisions or applications of any other part of this ordinance that can be given affect without the invalid provisions or applications; and to this end, the provisions of this ordinance and the various applications thereof are declared to be severable. (Adopted: June 6, 2011)

## APPENDIX I

### PAVILION USAGE GUIDELINES

The Pavilion at POW has been constructed for the benefit and enjoyment of all property owners, guests or tenants. The following guidelines have been adopted by the Board of Governors for its usage.

The POW Recreation Program has priority for the use of the pavilion.

Gathering and picnicking is allowed on a space-available basis. Please keep the area clean and remove all trash when departing.

No glass containers are allowed in the pavilion.

Alcoholic beverages are not to be consumed in the pavilion (or on any POW association property). Exceptions may be made by the Board of Governors for community-wide events (such as the annual dinner dance) or for certain Women's Club events, but will not be made for private groups.

Out of respect for our neighbors, please do not congregate at the pavilion after 10 p.m.

Cars parked in the beach lot for pavilion gatherings must display proper POW parking permits.

From Labor Day to June 24:

Any POW property owner who would like to use the pavilion for a personal event that includes more than 20 people must request permission from a board member at least 14 days prior to the event. The board member approached will then poll other members for approval or denial. Out of respect for our neighbors, no groups larger than 50 will be allowed.

Cars parked in the beach lot for such gatherings must display proper POW parking permits.

The Board of Governors may, at its discretion, grant parking privileges during the off season for non-property owners for a fee, if the event is being held for a POW property owner and is considered personal in nature, such as a wedding, birthday party or anniversary party. Club functions do not apply.



## Appendix II

### Amended Golf Cart Regulations (amended June, 2, 2012)

Golf Cart Regulations have been amended as follows:

With regard to registration:

- 1) All registrations for seasonal registration must be POW property owners.
- 2) Golf cart owner will receive, and acknowledge receipt of, the Golf Cart regulations upon registration.
- 3) Registration application must state capacity of golf cart (weight and/or number of passengers).
- 4) Insurance – proof of insurance including company and policy # with copy of insurance certificate w/min coverage of \$300,000 (this is typically an amendment to a home owners' policy).
- 5) Assignment of a golf cart identification # that is to be displayed at all times.

During the registration process each cart will be inspected for the following:

- 1) Proof of proper lighting (front and rear)
- 2) Proof of insurance (presentation of insurance certificate)
- 3) Display of proper identification number on both sides of golf cart below the seat on the side panel.

### Golf Cart Parking

An area in the existing parking lot will be designated for golf cart parking only. It is intended to expand the current area for more golf cart parking. Security will be instructed to keep watch for all parking violations including monitoring handicap areas for proper stickers and overcrowding in limited designated areas. Note: Golf carts are not required to park in this designated area.

### Enforcement

- 1) **Golf carts (within POW) are considered motor vehicles and as such must follow all POW motor vehicle ordinances.** Note: A first violation is subject to fine. POW security is NOT required to issue a "warning" for violations of these, or any, POW ordinances.

The enforcement of the following is particularly important for golf cart safety:

- a. All drivers must have a valid state driver's license (any US state) and all Connecticut laws for 16 and 17 year old drivers will apply, which means, curfews and passenger restrictions shall

apply. Under-age drivers are strictly prohibited to operate vehicles at POW.

- b. Speed limit is no greater than 15 mph
  - c. All vehicles must stop at stop signs and adhere to other rules of the road (e.g. turn signals, safe distance between vehicles, no talking on cell phones while driving, etc.)
  - d. Reckless or careless driving which puts pedestrians or passengers at risk is prohibited
  - e. Carry more passengers than the cart is rated for, also overloading carts with beach gear, tubes and floatation equipment, which makes driving unsafe is prohibited (definition or overloading shall be developed)
  - f. Driving while under the influence of drugs or alcohol is prohibited
- 2) All golf carts must be registered with POW security at the beginning of each season and prior to use on POW roads
  - 3) Registration identification number must be displayed on the carts at all times
  - 4) Fines will be issued for violations of these regulations. Unpaid fines will result in loss of parking permits and boat basin eligibility. Property owners are responsible for any unpaid fines issued to anyone residing at, visiting or renting their property.
  - 5) If a golf cart is issued 2 violations, in one year regardless of the drivers, the right to use that golf cart will be denied. Appeals may be made to the BOG to reinstate this privilege in the future. In the case of underage driving and/or driving while under the influence of drugs or alcohol, golf cart privileges will be revoked immediately (1 violation)
  - 6) Excessive noise and horseplay on golf carts is not allowed.