

## Article I

### East Weatogue Historic District

[Adopted 12-16-1987]

#### § 25-1 District and Commission established; purpose.

In order to perpetuate and preserve the historic features of Simsbury and to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places associated with the history of or indicative of a period or style or architecture of Simsbury, of Connecticut or of the nation, there is hereby established an historic district to be known as the "East Weatogue Historic District" and an Historic District Commission.

#### § 25-2 Boundaries.

The boundaries of the East Weatogue Historic District shall be those described on Schedule A attached hereto and made a part hereof and are shown on a map entitled "East Weatogue Historic District," which map is incorporated herein by reference.<sup>(1)</sup>

[1]

*Editor's Note: Schedule A and the map are on file in the office of the Town Clerk.*

#### § 25-3 Historic District Commission.

**A.**

~~At least two regular members and one alternate member of the Commission shall be owners of record or residents within an historic district under the jurisdiction of the Commission, and at least one such~~ One or more of the members or alternates of the historic district commission shall reside ~~in any such district~~ in an historic district under the jurisdiction of the commission and be willing to serve on the Commission.

~~[Amended 3-23-1992]~~ [Amended XX, 2021]

**B.**

Within 15 days of the effective date of this Article,<sup>(1)</sup> the Board of Selectmen shall appoint five regular members to the Commission, whose terms shall expire five years, four years, three years, two years and one year from the effective date of this Article. The Board of Selectmen shall also appoint three alternate members to the Commission, whose terms shall expire three years, two years and one year from the effective date of this Article. Thereafter, the Board of Selectmen shall appoint successors to regular and alternate members to terms of five years, except that an appointment to fill a vacancy shall be for the duration of the unexpired term of a

regular or alternate member. Any member or alternate may be appointed for another term or terms. All regular and alternate members shall serve without compensation.

[1]

*Editor's Note: The ordinance appearing in this Article took effect December 16, 1987.*

**C.**

Within 30 days after appointment of the members of the first Commission and annually thereafter on a date that the Commission shall establish, the members shall meet, organize and elect a Chairman, Vice Chairman and a Clerk from its own number. Alternate members shall not participate in any election of officers of the Commission.

**D.**

The presence of ~~four~~ three regular or alternate members shall constitute a quorum. ~~No resolution or vote, except a vote to adjourn or to fix the time and place of the Commission's next meeting, shall be adopted by less than three affirmative votes.~~ No action shall become valid unless authorized by a vote of the majority of the total membership present and voting.

**E.**

Any member of the Commission may be removed by the Board of Selectmen, upon the recommendation of the Town Manager, for cause. Such member will be afforded an opportunity for a public meeting with the Board of Selectmen prior to a final decision being made regarding their status for removal. The purpose of the public meeting is to give the member an opportunity to be heard in person before the Board of Selectmen prior to a final decision being made.

Any Commission member who is absent from more than fifty (50) percent of Commission meetings during any twelve (12) month period may be removed from the Commission, and the vacancy shall be filled by the Board of Selectmen. An exception may be granted by and at the discretion of the Town Manager due to a member's illness or other exigent circumstances.

**§ 25-4 Powers and duties.**

The Commission shall have such powers, shall perform such functions, shall have such duties and shall be subject to such limitations as shall from time to time be prescribed by the enabling legislation, Title 7, Chapter 97a, Sections 7-147a through 147k, of the Connecticut General Statutes, as amended from time to time. Without limiting the powers and duties of the Commission as set forth in the enabling

legislation, as it may be amended from time to time, the Commission's powers and duties shall include the following:

**A.**

To hear and determine applications for certificates of appropriateness regarding the erection, alteration or demolition or removal of a building or structure or the use of premises for parking within the East Weatogue Historic District.

**B.**

To adopt rules of practice and regulations to provide guidance to property owners as to factors to be considered in preparing an application for a certificate of appropriateness.

**C.**

In the performance of its duties, the Commission may ~~To~~ employ clerical and technical assistants or consultants. However, the Commission shall not incur any expense, or obligate the Town to pay any expense, unless funds have been appropriated by the Town specifically for the use of the Commission and authorized in advance by the Director of Planning.

**D.**

~~To accept grants and gifts.~~

**E.**

~~To incur expenses appropriate to the carrying on of its work, subject to appropriation by the municipality or receipt of grants or gifts.~~

**F.**

To take action to prevent illegal acts and to enforce its regulations and the enabling legislation.