

**Legal Notice
Town of Woodstock
Notice of Special Town Meeting
Tuesday, February 27, 2024**

The Electors and Citizens qualified to vote in Town Meetings of the Town of Woodstock, Connecticut, are hereby notified and warned that a Special Town Meeting of said Town will be held in the Cafeteria of the Woodstock Middle School, 147B Route 169, Woodstock, CT on Tuesday, February 27, 2024 at 7:00 p.m. for the following purposes:

1. To choose a moderator for said meeting.
2. To consider the adoption of an Ordinance Concerning Property Tax Relief for Eligible Elderly Homeowners.
3. To consider an amendment to the Ordinance Concerning Appropriation of \$100,000 or More to increase the threshold for a required referendum to \$250,000
4. To consider an amendment to the Ordinance Concerning Fire Marshal, Fire Prevention and Protection Fees.
5. To consider an amendment to the Ordinance Concerning Building Code.
6. To consider an amendment to the Ordinance Creating a Municipal Economic Development Commission.

The full text of the proposed new ordinance and the proposed amendments to existing ordinances are available at the Office of the Town Clerk and on the Town website:
www.woodstockct.gov.

Dated at Woodstock, Connecticut this 15th day of February, 2024

Town of Woodstock, Its Board of Selectmen

/s/John Swan, First Selectman

/s/Chandler Paquette, Selectman /s/Kate McDonald, Selectman

Attest: /s/ Judy E. Walberg, Town Clerk

**TOWN OF WOODSTOCK
RETURN OF NOTICE**

I HEREBY CERTIFY THAT on February 15, 2024 I left a duplicate of the attached warning and notice of the Annual Town Meeting of the Town of Woodstock, Connecticut, with Judy E. Walberg, its' Town Clerk.

I FURTHER CERTIFY THAT I caused a copy of said warning and notice to be published in the Norwich Bulletin, a newspaper having substantial circulation in said Town, on February 22, 2024.

I FURTHER CERTIFY THAT on February 20, 2024 , I caused to be set upon the Legal Notice Board, a written copy of said warning and notice signed by the Selectmen.

I FURTHER CERTIFY THAT all the above acts were done at least five days before the holding of said meeting on February 27, 2024.

John V. Swan, Jr., First Selectman

I HEREBY CERTIFY THAT the foregoing Notice and Return of Notice are duly recorded in the records of the Town of Woodstock, Connecticut.

Judy E. Walberg, Town Clerk

**Minutes
Town of Woodstock
Notice of Special Town Meeting
Tuesday, February 27, 2024**

Karen Fitzpatrick moved with a second by Jay Swan to waive the reading of the notice.

The Electors and Citizens qualified to vote in Town Meetings of the Town of Woodstock, Connecticut, are hereby notified and warned that a Special Town Meeting of said Town was held in the Cafeteria of the Woodstock Middle School, 147B Route 169, Woodstock, CT on

Tuesday, February 27, 2024 at 7:00 p.m. with approximately 140 persons in attendance, for the following purposes:

1. On motion of Jay Swan with a second by Karen Fitzpatrick, Dawn Castiglia Adiletta was unanimously elected to act as Moderator for the meeting.

2. The Moderator asked for a motion and a second. On motion of Joseph Adiletta, second by Gail Dickinson, the following was considered:

To consider the adoption of an Ordinance Concerning Property Tax Relief for Eligible Elderly Homeowners.

The Moderator then asked for questions or comments.

The First Selectman explained that the ordinance creates a freeze or cap on ones Real Estate taxes if they qualify.

There is no claw back provision in the ordinance.

It must be renewed every 2 years

Why is there an age requirement? Statutes allow this ordinance only when you reach 65 and qualify.

Being no further discussion, The Moderator called for a voice vote and the Ordinance passed with 1 opposition.

3. Moderator Adiletta asked for a motion and second for Item three. On motion of Kate McDonald, second by Hans Frankhouser, the following was considered:

To consider an amendment to the Ordinance Concerning Appropriation of \$100,000 or More to increase the threshold for a required referendum to \$250,000.

The Moderator then opened the floor for discussion.

Several people urged the audience to turn down this amendment.

Suggested to make the cap \$175,000 instead of \$100,000.

Sixteen years ago this ordinance was adopted and \$100,000 then is not the same as \$100,000 now.

Referenda are becoming more expensive to run.

Audience was reminded that we would still be required to take any expenditure to Town Meeting for approval.

After much discussion, the question was called. The Moderator asked for a vote by a show of hands and the Ordinance Amendment passed.

4. On motion of Chandler Paquette, second by Michael Dougherty, the following was considered

To consider an amendment to the Ordinance Concerning Fire Marshal, Fire Prevention and Protection Fees.

The Moderator then asked for questions or comments.

It was explained that this pertained to any structure that is not a one or two family home.

A question arose about Air B n B's. Fire Marshall William Skene indicated no, they are not covered by this ordinance.

Being no further discussion, Moderator Castiglia Adiletta called for a vote and the Ayes approved the ordinance amendment.

5. On motion of Chandler Paquette, second by Kate McDonald, the following was considered:

To consider an amendment to the Ordinance Concerning Building Code.

The Moderator asked for discussion or questions and being none, a vote was taken and the ordinance amendment passed.

6. On motion of Megan Bard Morse, second by Karen Fitzpatrick, the following was considered:

To consider an amendment to the Ordinance Creating a Municipal Economic Development Commission.

The moderator asked for questions and comments.

The First Selectman explained that the current members have asked for alternates so that more can be involved who have shown an interest.

The Town Clerk made a motions to add the following to the amendment in Item 6: The Board of Selectmen will appoint the alternates. Motion to amend the main motion was seconded by Paul Lynn.

Being no further discussion, a vote was taken on the amendment to amend the main motion. The motion passed.

Moderator Castiglia Adiletta then asked for a vote on the amended main motion. The Ayes have it and the above amended main motion is approved.

The full text of the proposed new ordinances and the proposed amendments follow these minutes.

Meeting was adjourned at 7:45pm.
Attest: Judy E. Walberg, Town Clerk

**ORDINANCE CONCERNING
APPROPRIATION OF \$100,000 OR MORE
Adopted: March 27, 2007
Effective: April 13, 2007**

**AMENDED ORDINANCE CONCERNING
APPROPRIATION OF \$100,000 OR MORE

Adopted: March 27, 2007
Amended: February 27, 2024
Effective: March 23, 2024**

Whenever a question on the call of a Town Meeting involves an appropriation or issuance of bonds or assumptions of debt, and the amount of such appropriation, bonds, or debt is \$250,000 or more, the Board of Selectmen shall submit such question to a vote at referendum.

**ORDINANCE CONCERNING BUILDING CODE
Adopted: June 26, 1975
Effective: July 16, 1975**

WHEREAS, the State of Connecticut Building Code is now in effect in the Town of Woodstock; and

WHEREAS, the various towns are authorized and empowered to establish a schedule of fees for building permits and to prescribe penalties for violations of the State Building Code; and

WHEREAS, establishing penalties will facilitate the enforcement of the Building Code by the Town Building Inspector.

It is therefore ordained by the Town of Woodstock:

AMENDMENT I: BUILDING CODE ORDINANCE

By Amending Section I as follows

Adopted: March 22, 1989

Effective: April 13, 1989

**AMENDMENT II: ORDINANCE CONCERNING BUILDING CODE
(WITHHOLDING OF BUILDING PERMITS WITH RESPECT TO REAL PROPERTY FOR WHICH REAL
PROPERTY TAXES ARE DELINQUENT)**

Adding Section 3

Adopted: March 27, 1996

Effective: April 19, 1996

AMENDMENT III – BUILDING CODE ORDINANCE

By re-amending Section I

Adopted: September 9, 1998

Effective: September 28, 1998

AMENDMENT IV – ORDINANCE CONCERNING BUILDING CODE

By amending Section 1.1. of Fees

Amendment Adopted: December 7, 2011

Amendment Effective: January 1, 2012

AMENDMENT V – ORDINANCE CONCERNING BUILDING CODE

Amendment Adopted: February 27, 2024

Amendment Effective: March 23, 2024

Sections 1.1, 1.2 and 2.1 are hereby amended and a new Section 1.4 is added as follows:

Section 1 – FEES

- 1.1 The minimum fee for issuance of any building permit in the Town of Woodstock shall be \$35.00 plus the state educational fee, except for a demolition permit, for which the fee is a flat fee of \$50.00. The fee for new construction or alterations to existing structures shall be computed at the rate of \$13.00 per thousand dollars of construction.
- 1.2 The fee for a building permit to move any structure over any town or State highway shall be \$200.00.
- 1.3 The fee for a building permit required to be issued for the erection of a sign shall be computed in the same manner as that for new construction or alterations to existing structures.
- 1.4 The schedule of valuations for various building permit fees, and for barns, sheds and pools shall be as established by the Town of Woodstock Building Department from time to time.

SECTION 2 – PENALTIES

2.1 Each violation of the State Building Code within the Town of Woodstock shall be a misdemeanor punishable by the maximum fine of \$1,000.00. Any person who shall continued any work in or about a building or structure, after having been served a stop work order, except such work as he is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than \$250.00 nor more than \$1,000.00. Each day that a violation continues shall be deemed a separate offense.

SECTION 3 – WITHHOLDING OF BUILDING PERMITS WITH RESPECT TO REAL PROPERTY FOR WHICH REAL PROPERTY TAXES ARE DELINQUENT.

3.1 No building permit shall be issued with respect to construction, renovation, alteration or any other activity with respect to real property for which real property taxes are delinquent.

3.2 In order to implement the provisions of Section 3.1, the building official shall require, as a condition precedent to the issuance of a building permit, that the applicant furnish satisfactory evidence from the Office of the Tax Collector of the Town of Woodstock that all real property taxes have been paid for the real property that is the subject of the building permit application.

3.3 Notwithstanding the foregoing, the building official may issue a building permit with respect to real property for which real property taxes are delinquent for activities that are deemed by the building official to be emergency repairs necessary to protect the health and safety of the public or the occupants of the real property in question.

**TOWN OF WOODSTOCK
ORDINANCE CONCERNING FIRE MARSHAL
FIRE PREVENTION AND PROTECTION FEE ORDINANCE**

Adopted: February 26, 2013

Effective: July 1, 2013

Amended: February 27, 2024

Effective: July 1, 2024

RESOLVED, the Town of Woodstock hereby amends the Ordinance Concerning Fire Marshal, Fire Prevention and Protection Fee Ordinance adopted on February 26, 2013 and effective July 1, 2013, for inspections of buildings and events used for public occupancy, manufacturing and occupancies regulated by the Connecticut Fire Safety & Prevention Codes.

SECTION 1: OCCUPANCIES

Pursuant to the provisions of C.G.S. 29-305 mandating inspections by the Fire Marshal of all buildings and facilities of public service, all buildings and facilities used for manufacturing, and all occupancies regulated by the Connecticut Fire Safety and Prevention Codes, the following fee schedule is established.

- Multi-Family Apartment / Condo Buildings, Greater than two (2) Units
- Gasoline Service Stations
- Convenience Stores, Mercantile Occupancies
- Assembly Occupancies
- Business Occupancies
- Industrial Occupancies
- Educational Occupancies
- Liquor permit renewals or application for one
- Restaurants/Food and Beverage Serving Establishments
- Hazardous Materials Inspections/Cargo Tank Vehicles
- Health care facilities – Hospitals, nursing homes, residential care homes
- Day Care facilities
- Outdoor activities such as but not limited to fireworks displays, carnivals with amusement rides, fairs, public bonfires, campgrounds, and other public events that require inspections for applicable fire safety codes or by Town of Woodstock Ordinance.

SECTION 2: PERMITS

- 2.1 An inspection permit shall be required for any occupancy as listed in Section 1 or other event or venue open to the public or where a fee is charged for admission into the event or venue and occupancies regulated by the Connecticut Fire Safety & Prevention Codes as established by the Woodstock Fire Marshal.
- 2.2 Where there is LP gas fueled or electric appliances used for cooking or LP gas filling stations or where there will be erected carnival rides, or other amusements where the Fire Marshal deems an inspection is required for the interest of public safety, the sponsor of the event shall obtain an inspection permit from the Office of the Building Inspector.
- 2.3 The sponsor of the event shall obtain the permit at least thirty (30) days prior to the opening date of the event, seasoning opening, or venue so an inspection date can be scheduled and if applicable notify other Fire, Emergency Medical Departments, and Woodstock Constables that their services may be required for traffic flow considerations as it could affect emergency responses.
- 2.4 The sponsor of the event shall check with the applicable Town of Woodstock departments to determine if other permit fees are required.
- 2.5 The permit applicant shall waive all entry or admission fees for inspectors such as the Fire Marshal, Deputy Fire Marshals or other local and State inspection agency inspectors that are charged to the public and shall provide access in and out of the event or venue along with on-site parking.

- 2.6 Prior to signing the permit for inspections at an event or venue involving amusement rides, the amusement ride company shall add to their blanket liability insurance policy the Town of Woodstock, Fire Marshal, and Deputy Fire Marshals. A copy of the policy showing the addition of the Town of Woodstock, Fire Marshal and Deputy Fire Marshals shall be provided to the Fire Marshal at the time the amusement rides are approved to operate by the Connecticut State Fire Marshal's Office and the Town of Woodstock, Building Inspector.

The amusement company shall have on site during all inspections involving inspectors from the Office of the Connecticut State Fire Marshal, a third party, N.A.A.R.S.O. (National Association of Amusement Ride Safety Officials) Certified minimum Level 1 Inspector. All amusement rides shall be inspected by the N.A.A.R.S.O. certified Level 1 or greater inspector prior to and during the initial inspections performed by the inspectors from the Office of the Connecticut State Fire Marshal. The name of the person along with their certification providing the N.A.A.R.S.O. inspections, shall be provided and listed at the time the permit is requested from the Building Inspectors Office.

SECTION 3: FEES

- 3.1 **Base Fee Inspection \$40.00:** As required by the Fire Marshal and listed herein for occupancies listed in Section 1, including but not limited to the following:
- Some indoor assembly events including sales & assemblies
 - Outdoor various activities
 - Tents 1,200 sq ft or greater
 - Campground permits
 - LP gas transfer refill stations
 - Gasoline stations
 - Restaurants & food services
 - Bed & breakfast (Over 6 guests. 6 or less is considered a 1-2 family residence)
 - Day care facilities
 - Hazardous materials such as cargo tank truck, UST/AST
 - Gas piping / fire protection sprinkler system pressure testing inspections including residential 3 family or greater
 - Wood Stove/Pellet Stove-Insurance Inspections, Wood Burning furnaces, Insurance Inspections and Smoke Detection – Insurance Inspections
 - Events or venues with up to ten (10) vendors using LP gas or electric cooking appliances are included in the base fee of \$40.00. When there are more than ten (10) vendors there will be a \$12.00 fee for each vendor inspected in addition to the base permit fee.
 - For outdoor events or venues operating more than three consecutive days, the base fee of \$40.00 will be required for each day open to the public. For outdoor events or venues that are not continuous but operate on separate weekends or days the base fee of \$40.00 will be required for each collective group of days.
- 3.2 Blasting permits shall be \$60.00 or as set forth by the State of Connecticut.
- 3.3 For outdoor events such as carnivals or fairs involving amusement rides, a fee of \$60.00 will be charged to the amusement company for each day open to the public and each day of required inspections with the Connecticut, State Fire Marshal's Office.
- 3.4 For outdoor events involving the display of fireworks or other pyrotechnics either open to the public or a private showing, a permit fee of \$350.00 will be required from the sponsor of the display, being the same sponsor a listed on the permit approved by the Connecticut State Fire Marshal's Office. The sponsor will also be required to pay for fire protection at the site provided by one of the local fire departments as required by the Fire Marshal and any required overtime costs of the Fire Marshal's Office. The cost of the fire protection shall be worked out between the fire department providing the protection and the sponsor.
- 3.5 **The following fees shall be charged for the inspections, review, and issuance of the following classes of permits.**
- **Plan Reviews:** Fire Marshal review of building plans – for additions, renovations, and new buildings, a fee of \$65.00 per hour shall be charged to the submitter of the plans being reviewed for occupancies covered by the Fire Marshal. **Excluded are one- & two-family residential buildings.**
 - Plan Reviews: For large scale occupancy plan reviews, the Fire Marshal may require from the person / company / owner submitting the plans, a "third party" independent

certified plan reviewer approved by the Fire Marshal to complete the plan review and submit a detailed review as it pertains to all aspects of the Connecticut Fire Safety & Prevention Codes. The cost of this review shall be paid by the person / company or owner submitting the plans for review. This does not exempt the fees being charged by the Fire Marshal for time spent on the plan review.

- **Overtime:** Fire Marshal & Deputy Fire Marshal Inspection hours shall take place Monday through Friday between 6:00 am to 6:00 pm excluding Holidays and weekends. If the inspection cannot be completed during the normal listed inspection hours or that require continued inspections as deemed required by the Fire Marshal, such as but not limited to carnivals, fairs, fireworks show, outdoor events and large assembly gatherings, an additional overtime fee of \$40.00 per hour, per person, up to a maximum of 4 hours per person, per day shall be charged to the responsible party of the event. The Fire Marshal has the authority to waive the overtime fees depending on the circumstances of the inspections.
- **Residential Apartment / Condo Buildings (3 Family or More) Required Inspections:** An inspection fee of twenty dollars (\$20.00) per unit shall be paid by the responsible party of the building (owner / agent) for the annual required inspection. The building responsible party shall request the annual inspection or as scheduled by the Fire Marshal and pay the appropriate fee depending on the number of units in each building at the Woodstock Building Inspectors Office.
- **Liquor License Permits:** The permit fee for annual liquor license inspections shall be \$100.00. For Hotels and Bed & Breakfast establishments with more than 3 rooms requesting a liquor permit, an additional fee of \$65.00 shall be charged for the inspection of the hotel & Bed & Breakfast.
- **Healthcare facilities such as residential board & care:** The annual inspection fees for healthcare facilities are \$40.00 up to 16 residents and \$80.00 for greater than 16 residents.
- **Educational Occupancies:** There will not be an annual inspection fee for the Woodstock Elementary, Middle and Woodstock Academy. Other events held at these locations may be subject to an inspection fee as required by the Fire Marshal depending on the event.

3.6 Penalties:

Any person or persons who open, allow to occupy, operate, or conduct an event, campground or various outdoor venues or blasting without first being granted the proper permit and paying the appropriate permit fee, shall be in violation of this Ordinance within the Town of Woodstock, which shall be deemed an infraction offense, punishable by the maximum fine of \$250.00 and shall immediately stop the function taking place without the proper permit. Any person or persons who continue to operate the event, campground, venue or blasting after having been served with a stop order from the Woodstock Fire Marshal, Woodstock Building Inspector or Connecticut State Police, shall be liable to a fine of not less than \$100.00 or more than \$250.00 for each day that such violation continues, each violation shall be deemed a separate offense or any other C.G.S. applicable to the offense and issued by the Connecticut State Police or other State of Connecticut, enforcement agency. The fine shall be paid directly to the Town of Woodstock.

SECTION 4: OPERATIONS; TRAFFIC CONTROL

4.1 Traffic control on local town roads: Any Town of Woodstock Constable or Connecticut State Police Officer at the request of a Chief Officer from any of the three fire departments in the Town of Woodstock, Fire Marshal or Deputy Fire Marshal, First Selectmen or Road Foreman, has the authority to control the movement of traffic including parking on town roads. This includes any of the events within the scope of this ordinance along with private functions which may restrict the movement of emergency vehicles as requested, due to unapproved parking on town roads. This authority includes but is not limited to clearing traffic where deemed necessary and to have vehicles towed from the scene with the owner of the vehicle responsible for all fees incurred, including but not limited to the cost of removal, storage or damage.

This ordinance shall become effective July 1, 2024, having been published in a newspaper having a circulation in the Town of Woodstock.

**ORDINANCE CREATING
A MUNICIPAL ECONOMIC DEVELOPMENT COMMISSION**

Adopted: December 12, 1969

Effective: January 1, 1970

**AMENDMENT I:
ECONOMIC DEVELOPMENT ORDINANCE**

Adopted: May 3, 1977

Effective: May 26, 1977

**AN AMENDMENT TO THE ORDINANCE
CREATING A MUNICIPAL
ECONOMIC COMMISSION FOR THE TOWN OF WOODSTOCK**

Adopted: December 7, 2011

Effective: January 1, 2012

BE IT HEREBY RESOLVED THAT:

The ordinance creating a municipal economic development commission adopted December 12, 1969, effective January 1, 1970 and Amendment 1 to the ordinance adopted May 3, 1977, effective May 26, 1977 are hereby repealed and the elective offices created in the ordinance are hereby abolished and replaced with the following:

SECTION 1. There is hereby established, pursuant to the authority contained in Section 7-136, of Connecticut General Statutes, a municipal economic development commission, to be designated Town of Woodstock Economic Development Commission.

**AN ORDINANCE CONCERNING THE ADDITION OF THREE ALTERNATES TO THE ECONOMIC
DEVELOPMENT COMMISSION**

ADOPTED: February 27, 2024

EFFECTIVE: March 23, 2024

SECTION 2. The Town of Woodstock Economic Development Commission shall be composed of five members and three alternate members, together with the First Selectman of the Town of Woodstock as an ex-officio member.

Of those originally appointed, one member shall serve until January 1, 2013; one member shall serve until January 1, 2014, one member shall serve until January 1, 2015; one member shall serve until January 1, 2016; and one member shall serve until January 1, 2017. Thereafter appointments shall be for 3-year terms beginning on January 1. The Board of Selectmen will appoint alternates. The three alternate members will be appointed so that one of whom shall be designated to serve for a term ending January 1, 2024, one member to serve for a term ending January 1, 2025, and one member to serve for a term ending January 1, 2026. Thereafter, appointments for the alternate members shall likewise be for 3-year terms beginning on January 1.

SECTION 3. The members of the Commission shall be appointed (and any vacancies in membership filled) by the First Selectman. No more than a bare majority of members (aside from the ex-officio member) shall be enrolled in one political party.

The members shall receive no compensation for service. The commission shall establish by-laws for its operation consistent with the ordinance and the enabling statute. The members shall elect their own officers and establish their meeting schedule, provided that the Commission shall meet no less than once in three months.

SECTION 4. The Town of Woodstock Economic Development Commission shall have the duties designated by General Statutes Section 7-136(b) and Section 7-136(c).

The Commission shall, at least annually, prepare and transmit to Board of Selectmen, a report of its activities and of its recommendations for improving the economic conditions and development of Town of Woodstock.

SECTION 5. The Commission shall be authorized to receive appropriations for its operation as provided in Section 7-136(d) of General Statutes.

AN ORDINANCE CONCERNING PROPERTY TAX RELIEF FOR ELIGIBLE ELDERLY HOMEOWNERS

ADOPTED: February 27, 2024

EFFECTIVE: March 23, 2024

1. Declaration of Purpose.

A. This Ordinance is enacted pursuant to authority granted to the Town of Woodstock under C.G.S. 12-170v et seq.

B. The Town of Woodstock finds that it is fair and equitable and in the best interests of the Town and its residents to provide property tax relief to certain eligible elderly homeowners as permitted by State law. Pursuant to Section 12-170v et seq. of the General Statutes of the State of Connecticut, the Town of Woodstock seeks to improve the quality of life for its senior residents and encourage continued residence and property ownership in the Town of Woodstock by enacting this Ordinance Concerning Property Tax Relief for Eligible Elderly Homeowners.

2. Eligibility and Benefits.

A. (1) An owner of real property in the Town of Woodstock or any tenant for life or for a term of years liable for property taxes to the Town of Woodstock under Section 12-48 of the General Statutes of the State of Connecticut who meets the qualifications stated in this subsection shall be entitled to pay the tax levied on such property, calculated in accordance with the provisions of subsection (b) of this section for the first year the claim for such tax relief is filed and approved in accordance with the provision so section 3 of this ordinance, and such person shall be entitled to continue to pay the amount of such tax or such lesser amount as may be levied in any year, during each subsequent year that such person meets such qualifications, and the surviving spouse of such owner or tenant, qualified in accordance with the requirements pertaining to a surviving spouse in this subsection, or any owner or tenant possessing a joint interest in such property with such owner at the time of such owner's death and qualified at such time in accordance with the requirements in this subsection, shall be entitled to continue to pay the amount of such tax or such lesser amount as may be levied in any year, as it becomes due each year following the death of such owner for as long as such surviving spouse or joint owner or joint tenant is qualified in accordance with the requirements in this subsection.

(2) After the first year a claim for such tax relief is filed and approved, application for such tax relief shall be filed biennially on a form prepared for such purpose by the Assessor of the Town of Woodstock.

(3) Any such owner or tenant who is qualified in accordance with this section and any such surviving spouse or joint owner or joint tenant surviving upon the death of such owner or tenant, shall be entitled to pay such tax in the amount as provided in this section for so

long as such owner or tenant or such surviving spouse or joint owner or joint tenant continues to be so qualified.

(4) To qualify for the tax relief provided in this section a taxpayer shall meet all the following requirements: (1) On December thirty-first of the calendar year preceding the year in which a claim is filed, be (A) sixty-five years of age or over, (B) the spouse of a person, sixty-five years of age or over, provided such spouse is domiciled with such person, or (C) sixty-two years of age or over and the surviving spouse of a taxpayer who at the time of such taxpayer's death had qualified and was entitled to tax relief under this section, provided such surviving spouse was domiciled with such taxpayer at the time of the taxpayer's death, (2) occupy such real property as his or her home, (3) either the taxpayer or spouse shall have resided within the state for at least one year before filing the claim under this section and Section 3 of this Ordinance, (4) the taxable and nontaxable income of such taxpayer, the total of which shall hereinafter be called "qualifying income", in the tax year of such homeowner ending immediately preceding the date of application for benefits under the program in this section, was not in excess of limits set forth in Section 12-170aa of the General Statutes of the State of Connecticut, as adjusted

annually, evidence of which income shall be submitted to the Assessor of the Town of Woodstock in such form and manner as the Assessor may prescribe.

(5) The amount of any Medicaid payments made on behalf of such homeowner or the spouse of such homeowner shall not constitute income.

(6) The income of the spouse of such homeowner shall not be included in the qualifying income of such homeowner for purposes of determining eligibility for tax relief under this section, if such spouse is a resident of a health care or nursing home facility in this state, and such facility receives payment related to such spouse under the Title XIX Medicaid program.

B. (1) The tax on the real property for which the benefits under this section are claimed shall be the lower of the tax due with respect to the homeowner's residence for the assessment year commencing October first of the year immediately preceding the year in which the initial claim for tax relief is made, or the tax due for any subsequent assessment year.

(2) If title to real property is recorded in the name of the person or the spouse making a claim and qualifying under this section and any other person or persons, the claimant hereunder shall be entitled to pay the claimant's fractional share of the tax on such property calculated in accordance with the provisions of this section, and such other person shall pay the person's or persons' fractional share of the tax without regard for the provisions of this section.

(3) For the purposes of this section, a "mobile manufactured home", as defined in Section 12-63a of the General Statutes of the State of Connecticut, shall be deemed to be real property.

C. (1) If any person with respect to whom a claim for tax relief in accordance with this section and Section 3 of this Ordinance has been approved for any assessment year transfers, assigns, grants or otherwise conveys subsequent to the first day of October, but prior to the first day of August in such assessment year the interest in real property to which such claim for tax relief is related, regardless of whether such transfer, assignment, grant or conveyance is voluntary or involuntary, the amount of such tax relief benefit, determined as the amount by which the tax payable without benefit of this section exceeds the tax payable under the provisions of this section, shall be a pro rata portion of the amount otherwise applicable in such assessment year to be determined by a fraction the

numerator of which shall be the number of full months from the first day of October in such assessment year to the date of such conveyance and the denominator of which shall be twelve.

(2) If such conveyance occurs in the month of October the grantor shall be disqualified for such tax relief in such assessment year.

(3) The grantee shall be required within a period not exceeding ten days immediately following the date of such conveyance to notify the Assessor thereof, or in the absence of such notice, upon determination by the Assessor that such transfer, assignment, grant or conveyance has occurred, the Assessor shall determine the amount of tax relief benefit to which the grantor is entitled for such assessment year with respect to the interest in real property conveyed and notify the Woodstock Tax Collector of the reduced amount of such benefit.

(4) Upon receipt of such notice from the Assessor, the Tax Collector shall, if such notice is received after the tax due date in the municipality, not later than ten days thereafter mail or hand a bill to the grantee stating the additional amount of tax due as determined by the Assessor.

(5) Such tax shall be due and payable and collectible as other property taxes and subject to the same liens and processes of collection, provided such tax shall be due and payable in an initial or single installment not sooner than thirty days after the date such bill is mailed or handed to the grantee and in equal amounts in any remaining, regular installments as the same are due and payable.

3. Application

A. (1) No claim shall be accepted under Section 2 of this Ordinance unless the taxpayer or authorized agent of such taxpayer files an application with the Woodstock Assessor, in such form and manner as the Assessor may prescribe, during the period from February first to and

including May fifteenth of any year in which benefits are first claimed, including such information as is necessary to substantiate such claim in accordance with requirements in such application.

(2) An extension to August fifteenth may be granted by the Assessor in the case of extenuating circumstance due to illness or incapacitation as evidence by a physician's certificate to that extent, or if it is determined there is good cause for doing so.

(3) The taxpayer shall present to the Assessor a copy of such taxpayer's federal income tax return and the federal income tax return of such taxpayer's spouse, if filed separately, for such taxpayer's application, or if not required to file a federal income tax return, such other evidence of qualifying income in respect to such taxable year as may be required.

(4) Each such application, together with the federal income tax return and any other information submitted in relation thereto, shall be examined and a determination shall be made as to whether the application is approved.

(5) Upon determination that the applying homeowner is entitled to tax relief in accordance with the provisions of Section 2 of this Ordinance and this section, the homeowner and the Tax Collector shall be notified of the approval of such application.

(6) The Tax Collector shall determine the maximum amount of the tax due with respect to such homeowner's residence and thereafter the property tax with respect to such homeowner's residence shall not exceed such amount.

(7) After a taxpayer's claim for the first year has been filed and approved such taxpayer shall file such application biennially.

(8) In respect to such application required after the filing and approval for the first year the Assessor shall notify each such taxpayer concerning application requirements by regular mail not later than February first of the assessment year in which such taxpayer is required to reapply, enclosing a copy of the required application form.

(9) Such taxpayer may submit such application by mail provided it is received not later than March fifteenth in the assessment year with respect to which such tax relief is claimed.

(10) Not later than April first of such year the Assessor shall notify, by certified mail, any such taxpayer for whom such application was not received by said March fifteenth concerning application requirements and such taxpayer shall submit not later than May fifteenth such application personally or for reasonable cause, by person acting on behalf of such taxpayer as approved by the Assessor.

B. (1) Any person knowingly making a false application for the purpose of claiming property tax relief under Section 1 of this act and this section shall be fined not more than five hundred dollars.

(2) Any person who fails to disclose all matters relating thereto or with intent to defraud makes a false statement shall refund to the municipality all tax relief improperly taken.

C. Any such property tax relief granted to any such resident in accordance with the provisions of Section 2 of this Ordinance and this section shall not disqualify such resident with respect to any benefits for which such resident shall be eligible under the provisions of Sections 12-129b to 12-129d, inclusive, of the Connecticut General Statutes, Section 12-129n and section 12-170aa of the General Statutes, and any such property tax relief provided under this section shall be in addition to any such benefits for which such resident shall be eligible under said Sections 12-129b to 12-129d, inclusive, and Sections 12-129n and 12-170aa of the Connecticut General Statutes.

4. Severability of Provisions.

Should any court of competent jurisdiction declare any section or clause or provision of the Ordinance to be unconstitutional or ultra vires, such decision shall affect only such section, clause, provision so declared unconstitutional and shall not affect any other section, clause or provision of this Ordinance.

5. Construction.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.

6. Effective Date.

Upon adoption by the Town Meeting, this Ordinance shall become effective on the fifteenth day after publication in a newspaper having circulation within the Town of Woodstock