

**VETERANS TAX EXEMPTION**

BE IT ENACTED BY THE TOWN COUNCIL IN SESSION:

That Article II, "Veterans Tax Exemption" of Chapter 203, "Taxation", of the Code of the Town of Wallingford is hereby repealed, and the following Article II is substituted in lieu thereof.

**ARTICLE II  
Veterans Tax Exemption**

**§203-2. Section 1. Additional Exemption.**

Any veteran entitled to an exemption from property tax in accordance with subdivision (19) of §12-81 of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property up to the amount of \$10,000.00 provided such veteran's qualifying income does not exceed the applicable maximum amount as provided under §12-811 of the Connecticut General Statutes.

**§203-2. Section 2. Veteran's surviving spouse.**

Any veteran's surviving spouse entitled to an exemption from property tax in accordance with subdivision (22) of §12-81 of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property up to the amount of \$10,000.00 provided such surviving spouse's qualifying income does not exceed the maximum amount applicable to an unmarried person as provided under 12-811 of the Connecticut General Statutes.

**§203-2. Section 3. Application process.**

Any such veteran or spouse submitting a claim for such additional exemption shall be required to file an application on a form prepared for such purpose by the assessor, not later than the assessment date with respect to which such additional exemption is claimed, provided when an applicant has filed for such exemption and received approval for the first time, such applicant shall be required to file for such exemption biennially thereafter, subject to the provisions of Section 4 of this Article. Each such application shall include a copy of such veteran's or spouse's federal income tax return, or in the event such a return is not filed, such evidence related to

ORDINANCE NO. \_\_\_\_\_

income as may be required by the assessor, for the tax year of such veteran or spouse ending immediately prior to the assessment date with respect to which such additional exemption is claimed.

**§203-2. Section 4. Presumed qualified; Notice and process when have excess income**

Any person who has submitted application and been approved in any year for the additional exemption under Section 1 or 2 of this Article shall, in the year immediately following approval, be presumed to be qualified for such exemption. During the year immediately following such approval, the assessor shall notify, in writing, each person presumed to be qualified pursuant to this Section. If any such person has qualifying income in excess of the maximum allowed under said Section 1 or 2, such person shall notify the assessor on or before the next filing date for such exemption and shall be denied such exemption for the assessment year immediately following and for any subsequent year until such person has reapplied and again qualified for such exemption. Any person who fails to notify the assessor of such disqualification shall make payment to the Town of Wallingford in the amount of property tax related to the exemption improperly taken.

I HEREBY CERTIFY that this Ordinance was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_, 2004, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
KATHRYN F. ZANDRI  
Town Clerk

APPROVED: \_\_\_\_\_  
William W. Dickinson, Jr., Mayor

DATE: \_\_\_\_\_

**AMENDMENT TO CHAPTER 190 OF THE CODE**

BE IT ENACTED BY THE TOWN COUNCIL IN SESSION:

That Chapter 190, "SOLID WASTE", of the Code of the Town of Wallingford is hereby repealed and the following Chapter 190, "SOLID WASTE", is substituted in lieu thereof.

**§190-1. PURPOSE.**

Pursuant to the authority of §22a-220 of the General Statutes, the Town of Wallingford, through the adoption of this ordinance, hereby makes provision for the safe and sanitary disposal of all solid wastes which are generated within its boundaries.

**§190-2. DEFINITIONS.**

*APPROVED PRIVATE CONTAINER* means a watertight, vermin-proof metal or plastic receptacle, with a tight fitting lid, of not over (30) gallon capacity, except that commercial collectors may provide for a larger covered container designed to be emptied into a refuse truck. Approved Private Container also means a watertight, plastic bag of not over (30) gallon capacity which is tied off and a paper bag used for the disposal of leaves.

*BULK CONTAINER* means any metal, or other structurally sound material, garbage, rubbish and/or refuse container which is equipped with fittings for hydraulic and/or mechanical emptying, unloading and/or removal.

*COLLECTOR* means any person who holds himself out for hire to collect solid waste from residential, commercial, industrial or other establishments. Person includes firms, partnerships, associations and corporations.

*CRRA* means the Connecticut Resources Recovery Authority established pursuant to §22a-261 of the General Statutes.

*DIRECTOR* means the Director of the Department of Public Works.

*GARBAGE* means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

*RECYCLABLE MATERIALS* means any solid waste items designated by the Department of Environmental Protection that are required to be recycled pursuant to §22a-241b of the General Statutes.

*REFUSE* means putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, yard clippings, leaves, abandoned automobiles, shopping carts, solid market

---

(waste resulting from handling, storing and selling of food) and industrial wastes, but shall not include properly maintained compost.

*RUBBISH* means nonputrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, wrappings, cigarettes, cardboard, tin cans, wood, glass, bedding, crockery and similar materials, but shall not include properly maintained compost.

### **§190-3. STORAGE OF REFUSE.**

A. All refuse shall be stored in the rear of premises or other suitable location approved by the Director and shall be kept in approved private containers or bulk containers sufficient for receiving and holding such refuse during the intervals between collections.

B. Refuse containers shall be maintained in a clean and sanitary condition; shall be watertight, rodent proof, insect proof, structurally strong and sound; and shall not allow leakage of their contents.

C. Garbage shall not be stored by any person for more than seven (7) days. All other refuse shall not be stored for more than thirty (30) days.

D. Any uncontainerized accumulation of refuse for any length of time and/or any containerized accumulation of refuse for more than the time limited by this Section is hereby declared a nuisance and is prohibited. Failure to remove any such accumulation of refuse shall be deemed a violation of this ordinance.

### **§190-4 REFUSE DISPOSAL.**

A. Every person residing or having a place of business in the Town of Wallingford shall be responsible for the removal of his refuse to a lawful place either by himself or by a lawful collector.

B. Refuse shall be disposed of at regular and frequent intervals, but no less frequently than within the time periods prescribed by §2-C of this ordinance.

C. The transportation of refuse by any person not a collector shall be subject to the provisions of §5-E of this ordinance.

### **§190-5. COLLECTION PERMIT; FEES; VEHICLES.**

A. Any person in the business of collecting, hauling or transporting garbage, refuse, rubbish or recyclable solid waste within the Town of Wallingford shall register with the Director and permit each vehicle used for such purpose.

B. Collection permits shall be valid for one (1) calendar year from June 30 and shall expire on June 29 of the year following. All currently permitted Collectors are hereby granted a temporary one-time permit to continue their operations from April 15, 2004 to June 29, 2004.

C. All permits shall be issued by mail and the information required by the Director for the issuance of permits is as follows:

1. Valid Connecticut motor vehicle registration for each vehicle for which a permit is sought;
2. The CRRA Wallingford Facility Authorization Letter;
3. The CRRA Permit Listing By Customer; and
4. The required permit fee.

D. The required permit fee shall be published in a fee schedule set by resolution of the Town Council. No proration of the permit fee shall be allowed for late registration.

E. All vehicles permitted to collect and transport refuse shall be maintained in good and sanitary condition and shall be constructed and/or equipped so as to prevent the loss of refuse, including liquid waste, when in use, provided, however, that when any such vehicles are being used solely to collect and transport rubbish, they shall not be required to be constructed and/or equipped to prevent the escape of liquid waste.

#### **§190-6. REVOCATION OR SUSPENSION OF PERMIT.**

A. The failure of any Collector to comply with the provisions of this ordinance shall be grounds for the revocation or suspension of any permit issued hereunder.

B. The Director shall give written notice of any violation to the Collector setting forth the specific violation and the period of time within which such violation must be corrected.

C. Revocation or suspension shall become effective five (5) calendar days after the receipt of written notice from the Director. Any such notice shall be by certified mail or by service by a Connecticut Marshal and shall include information on how the Collector may petition for review of the Director's action.

D. If the Collector objects to the Director's action to revoke and suspend his permit, he may, within ten (10) calendar days of receipt of the notice of said action, file a written request for review of such action addressed to the Citation Hearing Officer, Room 308, Town Hall, 45 South Main Street, Wallingford, CT 06492, setting forth his reasons for questioning the action to revoke or suspend the permit involved.

**§190-7. RECYCLING SOLID WASTE REQUIRED.**

A. In conformance with §22a-241b and 22a-220(f) of the General Statutes, each person who generates solid waste within the boundaries of the Town of Wallingford shall separate recyclable materials from other solid waste.

B. The Mayor, subject to the approval of the Town Council, shall prepare regulations to implement the requirements of §22a-220 of the General Statutes.

C. In conformance with §22a-220c, Collectors shall make provision for the separate collection of materials designated for recycling in accordance with §22a-241b of the General Statutes and with the regulations prepared by the Mayor and approved by the Town Council

**§190-8. VIOLATION.**

Any person who violates this ordinance shall be guilty of an infraction and shall be fined \$90.00.

I HEREBY CERTIFY that this Amendment to the Code was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_, 2004, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
KATHRYN F. ZANDRI  
Town Clerk

APPROVED: \_\_\_\_\_  
William W. Dickinson, Jr., Mayor

DATE: \_\_\_\_\_