

**SEC. 41          PARKING IN MUNICIPAL PARKING LOTS REGULATED**

Be it ordained by the Board of Selectmen of the Town of Winchester, Connecticut that Section 41 of the By-Laws and Ordinances is hereby amended as follows:

- a. When signs are erected giving notice thereof no persons shall park a motor vehicle in any municipally-owned parking lot within the limits of the Town of Winchester beyond the time limitations designated.
- b. Parking in areas adjacent to Town beaches and designated lots shall require a beach sticker. Beach stickers shall be issued only to residents of the Town of Winchester. The fee for issuance of such a sticker shall be \$15.00 or \$8.00 for residents age 65 or older.
- c. No person shall allow, permit or suffer any vehicle registered in his name to stand or park in violation of this ordinance.
- d. Any person in violation of this Ordinance shall be fined not more than \$25.00.

**OPERATIVE MARCH 1, 1949, AMENDED DECEMBER 20, 1954, AUGUST 1, 1989, MAY 18, 1992 AND FURTHER AMENDED APRIL 7, 2003, PUBLISHED IN THE REPUBLICAN-AMERICAN ON APRIL 9, 2003 TO BE EFFECTIVE APRIL 24, 2003.**

**SEC. 42      COLLECTION AND TRANSPORTATION OF GARBAGE**  
**REGULATED**

- a. No person, firm or corporation engaged in the business of collecting garbage, refuse or rubbish, or no person acting as employee, servant, or agent of such person, firm or corporation, shall haul over the streets of the Town unless the garbage, refuse or rubbish is properly covered at all times except while actually loading and unloading.
- b. No person shall transport by vehicle any refuse on the streets of the Town unless such refuse is properly contained or restrained in the vehicle used so as to prevent it from being blown, dropped or spilled.
- c. Any person, firm or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than fifty dollars for each violation.

**OPERATIVE JUNE 3, 1957.**

**SEC. 43      OPERATION OF WATER CRAFT AT HIGHLAND LAKE**  
**REGULATED**

Be it ordained by the Board of Selectmen of the Town of Winchester, Connecticut that the following ordinance is hereby amended:

- a. No person shall operate a motorboat upon the waters of Highland Lake in violation of State Boating Safety Regulation Section 15-121-B12 and 15-121-B14(a), as amended from time to time.
- b. No personal watercraft operator, motorboat operator, or water skier, may use any Town-owned public swimming beach or park, as a staging point or a landing point for their activities at any time.
- c. No person shall operate a motorboat upon the waters of Highland Lake from one-half hour after sunset until one-half hour before sunrise at a rate of speed exceeding six miles per hour or so as to create more than minimum wake.
- d. Subject to the restrictions above, no person shall operate a motorboat upon the waters of Highland Lake on Saturday, Sunday or those days designated by law as state holidays at a speed greater than 45 MPH.
- e. On those Sundays from the Sunday preceding Memorial Day to the Sunday preceding Labor Day, inclusive, no person shall operate a motorboat upon the waters of Highland Lake at a speed in excess of 6 MPH or so as to create more than minimum wake from 5:00 P.M. until one-half hour before sunrise Monday.
- f. No person shall operate a vessel upon the waters of Highland Lake that is of a length greater than 22 feet except for pontoon boats which may not exceed a length of 30 feet.
- g. Any person who violates any provision of this Ordinance shall be fined not more than ninety dollars (\$90.00).

**AS AMENDED EFFECTIVE OPERATIVE APRIL 1, 1962; AS AMENDED EFFECTIVE APRIL 1, 1987, AS AMENDED EFFECTIVE FIFTEEN (15) DAYS AFTER PUBLICATION; APPROVED BY THE BOARD OF SELECTMEN FEBRUARY 1, 1993; APPROVED BY THE DEP 4/93; PUBLISHED IN REGISTER CITIZEN APRIL 26, 1993; EFFECTIVE AS AMENDED MAY 11, 1993.**

**SEC. 44      REGISTRATION OF MOTORBOATS AT HIGHLAND LAKE**  
**REGULATED**

REPEALED EFFECTIVE APRIL 15, 1977.

**SEC. 45      CONSUMPTION OF INTOXICATING BEVERAGES IN PARKS**  
**REGULATED**

REPEALED EFFECTIVE NOVEMBER 4, 1995.

**SEC. 46      PLANNING COMMISSION CREATED**

There is hereby established in the Town of Winchester a Planning Commission. The Commission shall consist of five members who shall be appointed by the Board of Selectmen, in addition to the First Selectman and the Superintendent of Public Works who shall be ex-officio members of the Commission. The said five members shall serve for terms of five years, except that the members of this Commission first appointed shall be appointed for such terms that the term of one member shall expire at the end of each year for the next five years.

**OPERATIVE OCTOBER 13, 1948.**

**SEC. 47      DESIGNATION OF PLANNING COMMISSION AS THE  
PLANNING AND ZONING COMMISSION**

The Planning Commission of the Town of Winchester is hereby designated as the Planning and Zoning Commission for the Town.

**OPERATIVE OCTOBER 15, 1955.**

**SEC. 48          ZONING BOARD OF APPEALS REGULATED**

The Zoning Board of Appeals of the Town of Winchester shall consist of five regular members and three alternate members, also referred to as "the panel of alternates". Such Board shall be appointed by the Board of Selectmen, one of the original regular members to serve for one year, one for two years, one for three years, one for four years and one for five years, and one of the original alternate members to serve for three years, one for four years and one for five years, and thereafter each new regular member and alternate member shall be appointed for a term of five years.

**OPERATIVE OCTOBER 15, 1955, AS AMENDED EFFECTIVE JANUARY 27, 1960.**

**ARTICLE I**

Sec. 1-1. There is hereby enacted an ordinance regulating the use of public and private sewers and drains, sewage disposal, the installation and connection of building and house sewers, the discharge of waters and wastes into the public sewer system and providing penalties for violation thereof; and for the establishment of rates and charges for the connection to and use of, the public sewer system in the Town of Winchester, County of Litchfield and State of Connecticut.

**ARTICLE II**

*Definitions*

Unless specifically indicated otherwise in the content, terms used in this ordinance shall have the following meaning:

1. "B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees C., expressed in parts per million by weight.
2. "Building Code" shall mean the Building Code of the Town of Winchester, including amendments or additions thereto and shall include the Plumbing Code therein contained.
3. "Building Drain" shall include, where appropriate, the house drain, and shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.
4. "Building Sewer" shall include the term house sewer where appropriate and shall mean the extension from the building drain to the public sewer or other place of disposal.
5. "Garbage" shall mean said wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce; and shall include such wastes as defined above, which have been shredded to such degree that all particles will be carried freely under normal flow conditions in the public sewer with no particle greater than 1/2 inch in any dimension.
6. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
7. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
8. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
9. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
10. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

11. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage, and shall include both public and private sewage facilities within the Town of Winchester.
12. "Sewer Commission" shall mean the Board of Sewer Commissioners of the Town of Winchester as defined in Section 71 as amended of the Town Charter.
13. "Superintendent" shall mean the Superintendent of Public Works of the Town of Winchester, or his authorized assistant, deputy, agent, or representative.
14. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

### **ARTICLE III**

#### *Use of Public Sewers Required*

- Sec. 3-1. It shall be unlawful to discharge from any source within the Town of Winchester, any sanitary sewage, garbage, industrial wastes, or other polluted waters except in accordance with the provisions of this ordinance.
- Sec. 3-2. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- Sec. 3-3. The owner of each house, building or property intended or used for human occupancy, employment, recreation, or other purposes within the Town of Winchester bordering or abutting upon streets, roads and highways within said Town in which there is now constructed or in which there may hereafter be constructed a public sanitary sewer, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly to the public sewer in accordance with this ordinance within ninety (90) days after official written notice to do so; provided, however, that no such connection to the public sewer shall be required where the building sewer would exceed one hundred (100) feet in length.

### **ARTICLE IV**

#### *Private Sewage Disposal*

- Sec. 4-1. Where no connection to any public sewer shall be required as set forth in Article III Section 3-3, the building drain may be connected to a private disposal system, constructed and maintained in accordance with the provisions of the Building Code of the Town of Winchester, or at his own expense the owner may connect the building drain into the public sewer system.

## ARTICLE V

### *Building Sewers and Connections*

- Sec. 5-1. No person shall uncover, make connection with, or opening into, use, alter, or disturb any part of the public sewage works without first obtaining a written permit from the Superintendent of Public Works.
- Sec. 5-2. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of five (\$5.00) dollars for a residential or commercial building sewer permit and fifteen (\$15.00) dollars for an industrial building sewer permit shall be paid to the Town Treasurer at the time the application is filed.
- Sec. 5-3. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- Sec. 5-4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- Sec. 5-5. Old house sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Ordinance.
- Sec. 5-6. The building sewer shall be cast iron soil pipe, current ASTM specification or equal; vitrified clay sewer pipe, current ASTM specification or equal; or other suitable material approved by the Superintendent. Joints shall be tight and waterproof. Any part of the building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipe with leaded joints may be required by the Superintendent where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Superintendent.
- Sec. 5-7. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but the diameter shall not be less than six (6) inches, except that in connection with dwelling houses of not exceeding two families four (4) inch heavy duty cast iron pipe may be used. The slope of such pipe shall be not less than one-eighth (1/8) inch per foot.
- Sec. 5-8. Jointing materials and methods shall be approved by the Superintendent.

- Sec. 5-9. The connection of the building sewer into the public sewer shall be made at a Y branch if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less and no properly located Y branch is available, the owner shall, at his expense, install a Y branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than 12 inches in diameter and no properly located Y branch is available, a neat hole may be cut into the public sewer to receive the building sewer. Each such connection shall be made in a manner and with such fittings as shall be approved by the Superintendent and no such connection shall be covered until inspected and approved by the Superintendent.
- Sec. 5-10. A house trap shall be placed immediately within the building wall and connected to the building drain except where the owner shall, for good cause shown, receive permission from the superintendent to place said trap at another point along the building drain or sewer. The trap shall be of cast iron, with two hand-holes furnished with brass screw-top cleanouts. A fresh air inlet branch shall be placed on the house side of the trap, with a pipe of the same diameter and material as the trap and building drain extended to a point five (5) feet outside the building and to a point not less than six (6) feet distant from any door, window or other opening in the building. The pipe may finish in the wall of the building, with a suitable barred grating or may be extended above the surface of the ground to a height of not less than one (1) foot and finished with a bell top or return bend of the same diameter as the pipe.
- Sec. 5-11. Where the building drain passes through the wall of the building to the connection to the building sewer it shall be cast iron. No tile or fabricated pipe will be permitted.

## ARTICLE VI

### *Use of Public Sewers*

- Sec. 6-1. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.
- Sec. 6-2. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- (a) Any liquid or vapor having a temperature higher than 150 degrees F.
  - (b) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.
  - (c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
  - (d) Any garbage that has not been properly shredded.
  - (e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
  - (f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

- (g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

Sec. 6-3. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water tight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

Sec. 6-4. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Sec. 6-5. The admission into the public sewers of any waters or wastes having

- (a) A 5 day biochemical oxygen demand greater than 300 parts per million by weight, or
- (b) Containing more than 350 parts per million by weight of suspended solids, or
- (c) Containing any quantity of substance having the characteristics described in Section 6-2, or
- (d) Having an average daily flow greater than 2% of the average daily sewage flow of the Town,

shall be subject to the review and approval of the Superintendent.

Where necessary in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:

- (a) Reduce the biochemical oxygen demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or
- (b) Reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 6-2, or
- (c) Control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the State Water Commission and Department of Health of the State of Connecticut, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- Sec. 6-6. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.
- Sec. 6-7. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
- Sec. 6-8. All measurements, tests, and analyses of the characteristics of water and waste to which reference is made in Section 6-2 and 6-5 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", and shall be determined at the control manhole provided for in Section 6-7, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
- Sec. 6-9. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength of character may be accepted by the Town for treatment subject to payment therefore by the industrial concern.

## **ARTICLE VII**

### *Protection From Damage*

- Sec. 7-1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, and subject to fine of not more than \$100.00 for each violation.

## **ARTICLE VIII**

### *Powers and Authority of Inspection*

- Sec. 8-1. The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this Ordinance.

## ARTICLE IX

### *Penalties*

- Sec. 9-1. Any person who shall violate any provisions of this Ordinance shall be served with written notice setting forth the nature of this violation and requiring that the same be satisfactorily corrected within a time set forth in said notice, which time shall be reasonable considering the nature and circumstances of the violation. Any person so served shall, within the time stated in such notice, permanently cease all violations of this Ordinance.
- Sec. 9-2. Any person who shall continue any violation beyond the time set forth in any notice served upon him in accordance with the provisions of Section 9-1 of this article shall forfeit to the Town and pay to the treasurer thereof, the sum of \$50.00 for each such violation, and may be prosecuted criminally for such violation and fined not more than \$7.00 for each offense; provided however, that each day in which any such violation shall continue shall be deemed a separate offense; and, provided further that no person shall be sued in a civil action and prosecuted criminally by the Town for the same offense.
- Sec. 9-3. Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation.

## ARTICLE X

### *Liens*

- Sec. 10-1. Whenever any person shall be ordered to make any connection as set forth in Article III, Section 3-3 of this Ordinance, and when any person shall have been ordered to discontinue any violation as set forth in Article IX, Section 9-1 and shall fail to do so within the time set forth in said notice the Superintendent may cause the same to be done, and collect the expense thereof from such person, and such expense shall become a lien against the property of such person until paid, and all provisions of the General Statutes relating to the recording, continuing and releasing of property tax liens shall apply.
- Sec. 10-2. The provisions of Section 10-1 of this Article shall be in addition to, and not in derogation of, the provisions of Article XVI of the Charter of the Town of Winchester as amended.

## ARTICLE XI

### *Assessments, Charges and Rentals*

Be it hereby enacted and ordained by the Selectmen of the Town of Winchester that Section 49 of the Bylaws and Regulations is hereby amended as follows:

To repeal Article XI of Section 49 and to substitute the following in lieu thereof:

Sec. 11-1. The Sewer Commission shall have the authority to establish assessments, charges, rentals, and connection fees in accordance with the provisions of the Connecticut General Statutes.

**OPERATIVE JANUARY 1, 1953, AS AMENDED EFFECTIVE JUNE 1, 1955 AND AUGUST 1, 1989.**

**SEC. 50      PARKING ON SIDEWALKS PROHIBITED**

(a) It shall be unlawful for any person to park a motor vehicle on any of the sidewalks of the Town.

(b) Any person convicted of a violation of this Ordinance shall be punished by a fine of not more than twenty dollars.

**OPERATIVE JULY 10, 1961**