

REPEALED BY ORDINANCE 145

84. ORDINANCE CREATING THE SHORELINE DISTRICT DEPARTMENT OF HEALTH

(OCTOBER 5, 1992)

Section 1.00. SHORT TITLE

This Ordinance shall be known and may be cited as the "Shoreline District Department of Health Ordinance."

Section 2.00. CREATION AND PURPOSE

BE IT HEREBY ORDAINED that, pursuant to the provisions of Chapter 368f of the Connecticut General Statutes, the City of Groton hereby unites with the Town of Groton to form the Shoreline District Department of Health (hereinafter the "Health District"). It is hereby declared that the purpose of this ordinance is to protect, preserve, and improve the public health of the citizens of the municipalities of the Shoreline District Department of Health.

Section 3.00. DISTRICT BOARD OF HEALTH

3.1 The affairs of the Health District shall be managed by a Board which shall have all the duties exercised or performed immediately prior to the effective date of the creation of this Health District by the Directors of Health of the constituent municipalities of the Health District.

3.2 The Health District Board shall exercise all the authority as to public health required of or conferred upon the constituent municipalities by law and shall have the powers set forth in Section 19a-243 of the Connecticut General Statutes, as amended.

3.3 **Appointment to Board.** The Council, Board of Selectmen, or Board of Burgesses for each constituent municipality shall each appoint one person per municipality to be a member of such Board. In addition, if the population of either municipality exceeds 10,000 inhabitants, as annually estimated by the Department of Health Services, such municipality shall be entitled to one additional representative for each additional 10,000 inhabitants or part thereof provided no such municipality shall have more than five (5) representatives on the health District Board. The Board shall initially consist of four (4) members from the Town of Groton and one (1) member from the City of Groton.

3.4 **Term of Office.** The term of office for members to the Health District Board shall be three (3) years, except that, during the initial formation of the Board, appointments shall be so made that the member of the Board appointed by the City shall serve for three (3) years, two (2) members shall serve for two (2) years, and two (2) members shall serve for one (1) year. A board member may serve no more than three (3) consecutive terms.

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Section 4.0. DIRECTOR OF HEALTH

4.1 **Appointment.** The Health District Board, after the approval of the Commissioner of Health Services, shall appoint a Director of Health for the Health District pursuant to the procedure and qualifications set forth in Section 19a-242 of the Connecticut General Statutes, as amended. The Board may also appoint an acting director of health to serve in the director of health's absence or if a vacancy exists, provided such acting director meets the same qualifications as the director of health as set forth in Section 19a-242 of the Connecticut General Statutes, as amended, or such other qualifications as may be approved by the Commissioner of Health Services. Upon the appointment of a director of health for the Health District, the term of office of the present Directors of Health of each constituent municipality shall terminate.

4.2 **Powers and Duties.** The Director of Health shall perform all such duties as are required of Directors of Health by the Connecticut General Statutes or the Public Health Code. In addition, the Director of Health shall enforce all ordinances of the constituent municipalities within said municipalities as long as said ordinances do not conflict with the Connecticut General Statutes or the State of Connecticut Public Health Code. In cases of conflict the Connecticut General Statutes and the State of Connecticut Public Health Code shall prevail over any conflicting municipal ordinance. Provided, however, that any provision of a municipal ordinance which is more strict than the Public Health Code shall not constitute a conflict and the provision of the municipal ordinance shall prevail.

4.3 **Removal.** The Director of Health may be removed upon vote of a majority of the members of the Health District Board upon a finding of misconduct, material neglect of duty, or incompetence in the conduct of his office in accordance with Section 19a-242 of the Connecticut General Statutes, as amended.

Section 5.0. POWERS AND DUTIES OF THE BOARD

5.1 **General Powers.** The Health District Board may make and promulgate reasonable rules and regulations for the promotion of general health within the district; such rules and regulations shall not be in conflict with the State of Connecticut Public Health Code or any municipal ordinances of each constituent municipality. Provided, however, that any provision of a municipal ordinance which is more strict than the State of Connecticut Public Health Code shall not constitute a conflict and the provision of the municipal ordinance shall prevail. No such rule or regulation shall be adopted until a public hearing

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has been held by the Board on the proposed rule or regulation. Notice of the time, place, and purpose of the hearing shall be by publication in a newspaper having a substantial circulation in each constituent municipality at least seven (7) days prior to the hearing.

The powers of the Board shall include, but not be limited to, the following: To sue and be sued; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Health District; to make and from time to time amend and repeal bylaws, rules and regulations; to acquire real estate; and to have whatever other powers are necessary to properly carry out its powers as an independent entity of government.

5.2 **Meetings, Chairperson**. The Board shall meet at least quarterly and at other times determined by the chairperson. At the Board's initial meeting and thereafter at each Fall meeting, the Board shall elect a chairperson, and the Health District shall furnish the necessary offices and equipment to enable the Board to carry out its duties.

5.3 **Fiscal Year, Budget**. The fiscal year of the Health District shall be from July 1 to June 30, and, by the thirtieth (30th) of January in each year, the Board shall estimate the amount of money required to pay the costs and expenses of the Health District during the ensuing fiscal year. Such Board shall hold a public hearing on its proposed budget, two weeks' notice of which shall be given in a newspaper having a circulation in each constituent municipality of such district. From time to time the Board shall draw upon the treasurer of each town within the district a proportionate share of the expenses of such district, from such funds as may have been appropriated by each, to pay the cost of operating the Health District, such apportionment to be made equitably on a per capita basis as established by the most recent annual population estimate by the Department of Health Services. The Health District shall make timely applications to the State Department of Health Services for reimbursements for which it is entitled, as set forth in Section 19a-245 of the Connecticut General Statutes, as amended. The Health District shall provide said Department with all budgetary and other information necessary for the Health District to qualify for any reimbursements or other fundings allowable under State or Federal law.

Section 6.0. SEVERABILITY

Should any section, subsection, paragraph, sentence, or clause of this Ordinance be adjudged invalid, the remainder of this ordinance shall not be affected thereby and shall be deemed valid and effective.

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Section 7.0. EFFECTIVE DATE

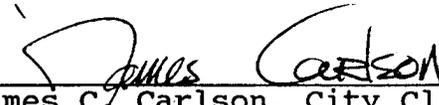
This Ordinance (#84) shall be effective upon final approval.

Initially approved September 8, 1992

Finally approved October 5, 1992



Catherine Kolnaski, Mayor



James C. Carlson, City Clerk

(SEE ATTACHED AMENDMENT)

REPEALED BY ORDINANCE 145

86. ORDINANCE AMENDING ORDINANCE NO. 84 "ORDINANCE CREATING SHORELINE DISTRICT DEPARTMENT OF HEALTH" (DECEMBER 7, 1992)

WHEREAS, on October 5, 1992, the City of Groton finally approved Ordinance No. 84 creating the Shoreline District Department of Health, and

WHEREAS, the Town of Groton has adopted an Ordinance creating the Ledge Light District Department of Health, and

WHEREAS, it was the intent of both the City and Town of Groton to adopt a joint Department of Health pursuant to Connecticut General Statutes Section 19a-240 et. seq., and

WHEREAS, the provisions of the City of Groton Ordinance and the Town of Groton Ordinance are exactly the same with the exception of the name of the district, and

WHEREAS, it is the desire of the Town and City of Groton to name their joint District Department of Health the "Ledge Light District Department of Health,"

THEREFORE BE IT RESOLVED that the City Council of the City of Groton initially approve amending Ordinance No. 84 "Ordinance Creating the Shoreline District Department of Health" as follows:

1. The name of the joint Town and City of Groton District Department of Health shall be changed from the "Shoreline District Department of Health" to the "Ledge Light District Department of Health."

2. All other conditions and provisions of Ordinance No. 84 finally approved by the City Council of the City of Groton on October 5, 1992 shall remain in full force and effect.

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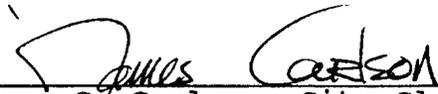
86. ORDINANCE AMENDING ORDINANCE NO. 84 "ORDINANCE CREATING SHORELINE DISTRICT DEPARTMENT OF HEALTH" (DECEMBER 7, 1992)

Effective date of this amendment (Ordinance #86) shall be January 7, 1993.

Initially approved: November 2, 1992
Finally approved: December 7, 1992



Catherine Kolnaski, Mayor



James C. Carlson, City Clerk