

1893 Charter of the Woodmont Improvement Association

[House Joint Resolution No. 412.]

[208.]

INCORPORATING THE WOODMONT IMPROVEMENT ASSOCIATION.

Resolved by this Assembly: SECTION 1. That all of the owners of cottages and dwellings within the limits hereinafter specified, in the locality known as Oyster River, and Merwin's Point, in the town of Milford, New Haven county, are hereby constituted a. body politic and corporate, by the name of the Woodmont improvement Association, and by that name they and their successors shall be a. corporation in law capable of suing and being sued, pleading and being impleaded, in all courts of whatever nature, and shall be vested with and possess those powers hereinafter specified.

SEC. 2. The limits and territory of said Woodmont Improvement Association are hereby defined and established as follows, to wit: All that territory in said town of Milford on the shore of Long Island Sound bounded northerly and westerly by a line beginning at a point in the center of the bridge over Oyster river near the property of the Rcv. Dr. Anderson, thence from said bridge northerly at right angles to said bridge until the line reaches a point two hundred feet northerly of the northerly side of the highway on which said bridge is located; Thence southwesterly parallel to and two hundred feet distant from said highway, to intersect the highway near the house of John W. Merwin, and thence westerly in the center of said highway to the center of the new road laid out running from near the new chapel until the shore hack of the grove is reached ; thence southerly, easterly, and northerly, by low-water line of said sound and Oyster river, to the northerly side of said bridge and place of starting.

SEC. 3. All electors of this state now owning a cottage or dwelling within said limits, and all electors of this state who shall own any cottage or dwelling within said limits shall be freemen of said Woodmont Improvement Association, and entitled to vote in any meeting of such freemen, and shall be eligible to any office provided for in this charter. If the owner of any cottage or dwelling within said limit shall not be an elector of this state, then such owner may select and appoint by proxy someone who shall be an elector of this state to act instead of and for said owner.

SEC. 4. The first meeting of the freemen of said corporation shall be held in July or August, 1893, at such time and place within the limits of said Woodmont Improvement Association as the committee herein named shall appoint.; in the notice warning such meeting, for the purpose of electing a sanitary board to consist of five freemen of said Woodmont Improvement Association, who shall hold office until the first day of October, 1894, and until others shall be chosen in their places, unless they shall sooner sell their property or from the limits of said association. Annual meetings shall thereafter be held in August, at such time and place as the sanitary board shall direct; and warn, and shall elect a sanitary board, to consist of five persons, who shall hold office for one year from the first day of October next succeeding.

SEC. 5. R A. Chapman, W. N. Buttricks, George II Peck, William H. Downes, and Thomas S. Birdseye or majority of them, shall have full power and authority to warn of the first meeting of the freemen of said association, for the purpose of electing five freemen to form a sanitary board, which warning shall be written or printed, signed by a majority of said board; and three copies at least shall be posted in public places in each of the localities known as Oyster River and Merwin's Point., at least three days before such meeting; and either one of said committee may call such meeting to order and lead the same to the choice of a moderator and clerk, in the absence of any motion to elect a moderator, may lend such meeting to the choice of a clerk and the election of a sanitary board. All subsequent meetings, annual or special, shall be warned by said sanitary board in the manner by them prescribed in rules or by-laws made by said board.

SEC. 6. Any vacancy in said board occurring by death, resignation, or removal from said limits between April and November, in any year, may be filled by the majority of the remaining members, and such member appointed shall hold office for the unexpired term.

SEC. 7. Said sanitary board shall have full power and authority to employ one or more persons to remove all garbage, filth, night-soil, ashes, and other refuse matter within said limits, and authorize such person to make entry on any private property within said limits outside of any occupied dwelling-house, store, hotel, saloon, barn, or restaurant and remove all filth, garbage, ashes, and night-soil, or other offensive matter; and said board may assess and apportion the expense and cost of such removal among all of the cottage, dwelling-house, and hotel owners, and other buildings within said limits, provided that no one building shall be assessed to exceed ten dollars for said purpose in any one season, except that any hotel having a greater amount of garbage or night-soil to be removed than any private residence, may be assessed by said board a sum not exceeding twenty-five dollars for such purpose. Said board may collect all such assessments from the several owners of such properties, by suit at law if need be, in the name of said corporation.

Sec. 8. To prevent nuisances and promote the health of the place and facilitate the removal of all garbage and night-soil, said board shall have full power and authority to dictate how and where and in what vessels garbage from the various cottages and dwellings shall be deposited, and may prescribe and direct what vessels or receptacles shall be provided and used at the various privies within said limits, and may enforce such order by proper rules and regulations.

Sec. 9. Said sanitary board shall, within said limits, examine into all nuisances and sources of filth injurious to the public health, and may cause to be removed all filth found within said limits, whether public or private property, which, in their judgment, shall endanger the health of the inhabitants or render the occupation of any dwelling materially uncomfortable; and may notify all persons causing or maintain such nuisances to abate and remove and discontinue the same within such time as the board shall order, and if the same shall not be removed and discontinued as ordered, said board may remove the same and recover the expense of such removal from any person so causing or maintaining the same, in any proper action in the name of said corporation. If any property-owner shall refuse to furnish, or, after five days' notice, neglect

to provide the proper receptacles ordered by said board, for privies and outhouses, such board may provide the same and recover the cost thereon against the owner of the property by an action in the name of said corporation; and when a proper receptacle for night-soil shall be provided as directed by said board, any occupant of the property neglecting to deposit the night-soil from such property in such receptacle, and depositing the same on the ground, shall be liable to pay to said association five dollars for every week such night-soil shall be deposited on the ground in violation of the order of said board, such penalty to be recovered in the name of the said association in a proper action at law.

Sec. 10. All general by-laws, rules, and orders made by said sanitary board may be published by printing in any newspaper having a circulation within the limits of said association, or by posting printed or written copies of the same in public places within said limits, and after three days, by such publication, such by-laws, rules, and orders shall be in force.

Sec. 11. Said board may from its own members appoint a clerk and treasurer; and all warnings, notices, orders, and by-laws may be signed by such clerk, and such clerk shall keep a record of all notices, orders, and votes of said board. The treasurer shall keep an account of all moneys received, and of all moneys paid out, and shall report the same to the next annual meeting.

Approved, April 19, 1893.