

Harwinton Ordinance No. <sup>162</sup>\_\_\_\_\_

**ORDINANCE CHANGING THE POSITION OF TOWN CLERK  
FROM ELECTED TO APPOINTED**

**Section 1. Authorization**

This Ordinance is adopted pursuant to Connecticut General Statutes, Section 9-185 *et seq.*, which provides that, unless prohibited by special act or charter, a municipality may change the position of Town Clerk from an elected position to an appointed position. The legislative body of the Town of Harwinton, in town meeting assembled, adopts this ordinance for the appointment of the Town Clerk by the Board of Selectmen. The appointed Town Clerk shall carry out the same duties as those of an elected Town Clerk, as set forth in the Connecticut General Statutes and regulations.

**Section 2. Changing the Office of Town Clerk from Elected to Appointed Position**

A. The term of office for the Harwinton Town Clerk which began January 3, 2022, following the regular municipal election held November 2, 2021, shall expire on January 6, 2026. Effective with the adoption of this ordinance, the office of Town Clerk shall no longer be an elected position and shall not appear on the ballot for the regular municipal election on November 4, 2025, or at subsequent municipal elections.

B. Pursuant to Connecticut General Statutes, Section 9-185, 9-187a, 9-189, and 9-189a, the newly elected Board of Selectmen shall, by majority vote, appoint the Town Clerk for a four-year term commencing January 6, 2026. The newly elected Board of Selectmen, at its first regular meeting to be held fourteen (14) days after the municipal election and every four (4) years thereafter, shall appoint the Town Clerk for a term of four (4) years commencing on the first Monday of the following January and ending four (4) years thereafter and until a successor has been duly appointed and has qualified.

C. Any vacancy in the office of the Town Clerk shall be filled by majority vote of the Board of Selectmen for the remainder of the term.

D. Notwithstanding Connecticut General Statutes, Section 9-186, the appointed Town Clerk need not be an elector of the Town of Harwinton; provided, however, the appointed Town Clerk shall be a United States citizen, eighteen years of age or older, and a full-time resident of the State of Connecticut. The Town Clerk shall not hold any other municipal office in the Town of Harwinton as prescribed by Connecticut General Statutes, Section 9-210.

E. The Town Clerk shall be certified by the State of Connecticut to perform all duties of the Town Clerk within four (4) years of the date of appointment and shall remain certified during the term in office. Failure to become certified within four (4) years of appointment may be cause

for removal from office; provided, however, the Board of Selectmen may extend the certification period for just cause.

F. Pursuant to Connecticut General Statutes, Section 7-19, the Town Clerk shall have the authority to appoint one or more Assistant Town Clerk(s) within the limits of available appropriations for said office. The Assistant Town Clerk shall have the authority to perform all the duties of the Town Clerk as provided by law. The Assistant Town Clerk shall serve for a term of office concurrent with that of the Town Clerk. Any vacancy in the office of Assistant Town Clerk shall be filled by the Town Clerk for the remainder of the term. The Assistant Town Clerk may also be, or become, certified by the State of Connecticut to perform the duties of the Town Clerk as provided by law.

G. As defined herein, the office of Town Clerk shall include the office of Registrar of Vital Statistics, and the office of Assistant Town Clerk shall include the office of Assistant Registrar of Vital Statistics as authorized and referenced in the Connecticut General Statutes and regulations.

### **Section 3. Ordinance 107, Section 2 Amended**

This ordinance amends Section 2 of Ordinance No. 107 adopted October 28, 2003, as provided herein.

### **Section 3. Effective Date**

This ordinance shall take effect fifteen (15) days after publication of a summary of its provisions in accordance with Connecticut General Statutes, Section 7-157(b).

Adopted by town meeting on May 16, 2023.

Published in the Republican American, on May 18, 2023.

Effective date: June 1, 2023.

Recorded in the Harwinton Town Records: Vol. \_\_\_\_\_, Page \_\_\_\_\_.