

STATE OF CONNECTICUT
An Act Incorporating
THE GROVE BEACH POINT ASSOCIATION
During General Assembly Session January 1945
Approved May 11, 1945
Amended by an ACT approved June 9, 1947
Amended August 20, 2003
Amended by an ACT approved June 6, 2005
Amended by an ACT approved June 11, 2018

SEC. 1 All owners of cottages and dwellings or other real estate specifically located within the limits herein-after specified in the locality known as Grove Beach Point, Grove Beach, In the Town of Westbrook, are constituted a body politic and corporate by the Name of THE GROVE BEACH POINT ASSOCIATION.

SEC. 2 The limits and territory of said associations are defined and established as follows: Northerly by the southerly side of the Boston Post Road; Easterly by the Menunketesuck River; southerly by Long Island Sound; and westerly by Grove Beach Terrace, or however otherwise bounded and described by a map of Grove Beach Point dated October 15, 1927, designated as number 26 and on file in the office of the Town Clerk of the Town of Westbrook. The Limits and territory of said association may be extended at any time upon written application of the owner or owners of other lots or adjoining property, provided such application shall have the approval of a majority of the members present at any annual or special meeting warned for that purpose, and thereupon such land shall be incorporated within the limits and territory of said Association, and the owner or owners thereof shall be a part of said body politic and incorporate.

SEC. 3 The objects of said Association shall be: To provide for the improvement of the land within the limits of said Association, its maintenance as a residential community and for the health, comfort, protection, safety and welfare of the Inhabitants thereof. All owners of a cottage or dwelling or other real estate within said limits shall be members of said The Grove Beach Point Association and shall be entitled to vote in any meeting of such members and shall be eligible to any office provided for in this charter. Joint owners of any cottage, dwelling or other real estate within said limit shall be considered for voting purposes as one member of said Association. The husband or wife of an owner shall be a member of said Association but shall not be empowered to vote at any meeting of said Association except by proxy of such owner.

SEC. 4 The Board of Governors shall consist of nine members, three of whom shall be elected at each annual meeting to serve a term of three years or until others shall be chosen in their stead.

SEC. 5 Annual Meetings of said Association shall be held during the month of May in each year, at such time and place within the limits of said Association as said Board of Governors shall direct. Such meeting shall choose a moderator and clerk for such meeting and shall elect members of the Board of Governors by ballot, unless otherwise specified by a majority of those members present.

SEC. 6 Any vacancy occurring in the membership of said Board of Governors between annual meetings shall be filled by a majority of the remaining members of the board of governors, until the next annual meeting, at which time the members of the Association on shall elect as above prescribed, a member of the Board of Governors for the unexpired portion of the term. Any vacancy occurring in any office between annual meetings shall be filled by the Board of Governors for the unexpired portion of the term. In the event of a tie vote among the remaining members, the chairman's vote shall determine the outcome.

SEC. 7 Said Association shall have the power to hold, purchase, sell and convey such real and personal estate as the purposes of said Association shall require. It shall have the power to adopt such regulations as it may deem expedient respecting the removal of all garbage, filth, ashes and other refuse matter, within the limits of said Association. Said Board of Governors shall examine into all nuisances and courses of filth injurious to the public health and cause to be removed all filth found within said limits, which, in its judgment, may endanger the health of the inhabitants or render the occupation of any dwelling undesirable and may notify all persons causing or maintaining any such nuisance to abate the same within such time as the Board of Governors shall order, and if the same shall not abated as ordered said Board may abate the same and recover the expense thereof from any person so causing or maintaining the same by an action in the name of said Association. Said Board of Governors may employ one or more persons to handle the removal of the same under its authority, which persons or persons shall be authorized to make entry upon any private property within said limits for the purpose of removing the same.

Said Board of Governors shall employ one or more persons to carry out the activities approved by said Association. It may employ one or more persons to act as a special police or watchmen of the property within its limits, who shall be empowered to enter upon any of the private property within said limits whenever it shall be necessary for the protection of the same from fire, theft, loss or injury; and the Judiciary and the police authorities of the Town of Westbrook and/or the State of Connecticut shall punish for the resistance to or obstruction of such special police

while in the proper performance of their official duties in the same manner as though they were duly constituted police officers of the Town of Westbrook and/or the State of Connecticut.

Said Association shall make all necessary rules and regulations for the care and protection of all Association owned property, including the open beach above high water mark as described in the Town of Westbrook Tax Records.

SEC. 8

The Board of Governors shall prepare and submit to said Association at each annual meeting a budget and shall recommend a tax for the purpose of and based on such budget, of not more than five mills on the dollar of the total value of real estate within the limits of said Association as shown by the last-completed grand list of the town of Westbrook, which budget and tax rate shall be posted on a sign post of said Association and mailed to each member of the Association not less than ten days before such Annual Meeting. Said Association, according to its best judgment shall have the power to decrease such budget and rate of taxation recommended by said Board of Governors, but in no case shall it have power to increase such budget and rate of taxation.

Said Board shall appoint a tax collector to collect such taxes. Said Board shall have prepared a rate bill, signed by the clerk, on or before the 3rd Saturday of June each year and shall deliver the tax warrant to the appointed Tax Collector for the collection of monies due, pursuant to the provisions of the General Statutes of the State of Connecticut.

Said Boards of Governors shall have the power to transfer expenditures from the sums adopted in the annual budget from any one item to any other item in the budget. Said Board of Governors shall have the power to borrow money from a bank with interest if necessary, on account of anticipated collection of taxes, but not exceeding a sum equal to 50% of the anticipated collection of taxes for any one year.

SEC. 9

Written notice of the rate of such tax and of the amount apportioned To each member of the Association shall be sent by the Tax Collector on or before the Thirtieth of June following the Annual Meeting and such tax shall due and payable on July First thereafter and if such tax be not paid on or before the following August First, it shall bear Interest from the July First due date at the same rate per annum, until paid, as Imposed on delinquent taxes by the Town of Westbrook. The Tax Collector shall have all the powers of collectors of town taxes and shall pay over the taxes as soon as collected to the Treasurer of the Association.

Each such tax, If not paid when due, shall be a lien upon the property upon which it shall be laid for one year from the time of the laying of such tax.

SEC. 10 Said Associations may collect all such taxes from the several owners of such properties by action at law in the name of said Association and any money due on any such tax shall be a lien upon the property of any such owner, provided a tax lien has been filed on the land records in the office of the Town Clerk in the Town of Westbrook. Such lien may be foreclosed in the same manner in which liens for taxes due the town of Westbrook are foreclosed.

The Board of Governors may abate any tax if any taxable property shall be destroyed by fire, or by the elements prior to the date when such tax was due, or by a three-quarters vote of those present at any meeting may abate the taxes assessed as aforesaid upon any such person or persons as are poor and Indigent and unable to pay the same, causing a proper entry to be made on its records.

SEC. 11 Fifteen members of said Association shall constitute a quorum for the transaction of business at any meeting of said Association, and any member may designate in writing any person to act as his or her proxy at any meeting of said Association, provided such proxy shall be valid only for the next meeting subsequent to the execution of such proxy, unless otherwise designated in such proxy. Unless otherwise specifically set forth herein, all matters to be decided by the members of the Association shall be decided by a majority vote of the members present.

SEC. 12 Notice in writing of each meeting of the Association stating the purpose of the meeting shall be given by the clerk by letter or card postage paid addressed to each member of the Association in accordance with addresses of such property of owners appearing on the records of the Tax Collector of the Town of Westbrook and mailed at least ten days before such meeting.

SEC. 13 Said Association shall have the same powers and privileges regarding fires, swears and health as towns.

SEC. 14 By-laws, rules and regulations of said Association may be enacted, altered, amended and repealed at any meeting of the Association, Provided due notice of the same is properly given in the call for such meeting. The Board of Governors shall enforce the same in the name of the Association.

SEC. 15 Said Board of Governors shall elect from its members a chairman, a vice chairman, a clerk and a treasurer.

The chairman shall preside over all meetings of the Board and the Association and be the chief executive officer of the Association.

In the absence of the chairman, the vice chairman, clerk or treasurer shall preside.

The clerk shall sign all warnings, notices, orders and by-laws, and shall keep a record of all actions of the Association and the Board of Governors.

The Treasurer shall keep an account of all moneys received and paid out and shall report at each annual meeting, and at other times at the request of a majority of the Board of Governors.

Unless otherwise specifically set forth herein, all matters to be decided by the Board of Governors shall be decided by a majority vote of the members present. Five members shall constitute a quorum.

The Association shall purchase liability insurance which insures each member of the Board of Governors against errors, omissions and other acts performed in their capacity as a member of the Board of Governors. Such policy or policies shall be in such amounts, and shall contain such terms, conditions and limitations, as the Board shall determine.

SEC. 16 Said Association shall have no jurisdiction of the limits herein described between high and low water mark, except to abate nuisances, prevent the depositing of sewage or garbage and quell disturbances and breaches of the peace.

SEC. 17 Said government so established shall have all of the powers and authority conferred by law upon like Associations by any general or special laws of the State.

SEC. 18 To promote and maintain the objects of said Association, to secure safety and promote health and the general welfare of the community, to conserve the value of buildings and encourage the most appropriate use the land, the following restrictions and conditions have been imposed upon all of the land within the territorial limits of said Association.

Said conditions and restrictions are as follows:

1. No more than one single-family dwelling house, for use and occupancy of one family only, and one private garage shall be erected on any one of the lots within the limits of said Association; no garage shall be erected on any lot until the dwelling house on said lot

has been completed. Such garage shall not include living quarters.

2. No tents or temporary buildings, or mobile homes shall be erected, located, or maintained on any lot.
3. Houses, cottages or dwellings shall be restricted to location and erected only on the main numbered lots, thus 1, 121, etc. No house, cottage or dwelling shall be located or erected on sub lettered lots, thus 95-A, 121-A, etc. 95-B, 101-B, etc. These lots are available only for garages, docks, etc., depending upon location.
4. No land or buildings constructed thereon shall be used for any other purpose than occupancy as a residence. Advertising signs of any nature shall not be erected thereon.

Said conditions or restrictions may be altered or amended in whole or in part by a two-thirds vote of the Association at a meeting duly warned, if new or additional facts appear or other considerations materially affecting the merits thereof have intervened provided, at said meeting, the owner of any land within the limits of said Association shall be entitled to a hearing thereon, and provided any person aggrieved by the vote of said Association may appeal therefrom with ten days of such vote to a court of appropriate jurisdiction. Said Association or any member thereof shall have the right to restrain any violation of the above restrictions by way of injunction and recovery of damages, or both, by the Institution of legal action in a court of competent Jurisdiction.

In the event any conditions or restrictions adopted by the Association shall conflict with any ordinance of the Town of Westbrook, the more restrictive ordinance, condition, or restriction shall prevail.