

**Special acts and resolutions of the General Assembly of the state of Connecticut.
v.21 (v.XXI) 1931-1933**

AN ACT INCORPORATING THE BLACK POINT BEACH CLUB ASSOCIATION

Be it enacted by the Senate and House of Representatives in General Assembly convened:

SECTION 1. The owners of a freehold interest in any land within the limits specified in section two of this act, in the locality known as Black Point in the town of East Lyme, shall be, while they continue to be owners of such land, a body politic and corporate by the name of The Black Point Beach Club Association, and by that name they and their successors shall be a corporation in law capable of suing and being sued and pleading and being impleaded in all courts, and shall be vested with and possess the powers hereinafter specified. All persons who are over twenty-one years of age who own or who may own any land within said limits shall, while they continue to be owners of such land, be members of The Black Point Beach Club Association and entitled to vote at any meeting of said association and shall be eligible to any office in said association. This section shall become operative on its approval by a majority vote of the qualified members of the association at a meeting thereof called and held for that purpose.

SEC. 2. The limits and territory of said The Black Point Beach Club Association are defined and established as follows: All that territory in the town of East Lyme bounded easterly by the mean high water mark of Niantic bay, which is part of Long Island sound; southerly in part by land formerly known as the land of the estate of Norman J. Bond, in part by land of the Payne heirs, in part by land of Gamble Rogers, in part by land of John Manwaring and in part by land of Thomas Watrous; westerly in part by land of the Payne heirs, in part by land of John Manwaring, in part by land of Thomas Watrous and in part by the highway known as Black Point road and northerly in part by land of Mrs. Calvin S. Davis, in part by land of F. H. Dart and in part by land of George Geer; being all the land plotted as shown on a map entitled "Black Point Beach Club Property at Niantic, Town of East Lyme, Conn., Owned by Jas. Jay Smith", and all the land plotted as shown on a map entitled "Plan No. 2, Black Point Beach Club Property at Niantic, Town of East Lyme, Conn., Owned by Jas. Jay Smith", to be filed in the town clerk's office in East Lyme, and all the land on the east side of East Shore drive north of the north line of the estate formerly of Norman J. Bond.

SEC. 3. The objects of said association shall be to provide for the improvement of the lands in said territory and for the health, comfort and protection and convenience of the inhabitants thereof.

SEC. 4. The first meeting of the members of said corporation shall be held not later than September 8, 1931, at such time and place within the limits of said The Black Point Beach Club Association as the committee hereinafter named shall appoint in a notice warning such meeting, for the purpose of electing a governing board to consist of seven members of The Black Point Beach Club Association, who shall hold office until the first day of October, 1932, and until others shall be chosen in their places, unless they or any of them shall sooner cease to be property owners within the limits of said association. Annual meetings shall thereafter be held not later than the eighth day of September, at such time and

place as the governing board shall direct and warn, and shall elect a governing board to consist of seven members, who shall hold office from the first day of October next succeeding.

SEC. 5. Henry Cave of Hartford, William J. Wilson of Suffield, J. S. Wagner of Hartford, Francis S. Murphy of West Hartford, T. Eben Reeks of New Britain and John H. Hunt of Niantic, or a majority of them, shall have full power to warn the first meeting of the members of said association for the purpose of electing seven members to form a governing board, which warning shall be written or printed, signed by a majority of said board, and three copies at least posted in public places within the limits of said association, at least three days before such meeting; and either one of said committee may call such meeting to order and may lead the same to the choice of a moderator and clerk and to the election of a governing board. All subsequent meetings, annual or special, shall be warned by said governing board in the manner prescribed by it in rules or by-laws made by said board.

SEC. 6. Any vacancy in said board, occurring during the year, may be filled by a majority of the remaining members, and such member so appointed shall hold office for the unexpired portion of the term.

SEC. 7. Said association may purchase, acquire or own real estate, and the governing board may enact by-laws or ordinances for the following purposes: To regulate travel over the highways within the limits of the association when, in the opinion of said board, the free and unrestricted use of said highways may become dangerous or inconvenient; to appoint and remove police officers to act within the limits of said association, who shall have the powers of constables within said limits for the purpose of making arrests for violations of any law or regulation or by-laws of said association; to clean and improve any and all ditches; to care for beaches and water fronts; to keep the streets and all public places within the limits of said association quiet and free from noise; to regulate the parking of motor vehicles; to build, repair and improve highways, roads and sidewalks within the limits of said association; to require owners or lessors of land or buildings within the limits of said association to remove leaves and other inflammable material or obstructions from the highway adjacent to or in front of property owned, leased or occupied by them; to prevent the deposit upon the property within the limits of said association of any refuse, garbage or waste material of any kind which, in the opinion of said board, may endanger the public health or safety or which may become a nuisance; to remove garbage, filth, nightsoil, ashes and other refuse matter within said limits, and to authorize such person as the board may designate to make entry on any private property within said limits for the purpose of taking and removing all filth, garbage, ashes, nightsoil or any other offensive matters; to establish building lines; to protect any property from danger by fire, including the regulation of the number of cottages and structures that may be erected or placed on a single building lot within said limits; to regulate the carrying on within the limits of said association of any business that will, in the opinion of said board, be prejudicial to public health or dangerous to or constitute an unreasonable annoyance to those living or owning property in the vicinity thereof, which regulations shall be uniform for each class or kind of buildings or structures, or class of business; to regulate peddling as provided for in towns under the general statutes; to restrict the right of entry on the property of said association except upon the highways and to promote the planting of trees and shrubbery and other work leading to the improvement of the general appearance of the community. Said association shall have exclusive charge and control of all roads within the limits and shown on the maps referred to in section two which are not under town or state control. Said governing board may fix

a penalty for each violation of any of such by-laws, ordinances or regulations, of not more than twenty dollars for each offense, and the penalties may be recovered in any action brought for the purpose in the name of The Black Point Beach Club Association before any court having jurisdiction for the use and benefit of said association. No by-law or ordinance shall take effect until ten days after its passage nor until it shall have been posted on a signpost within the limits of the association, to be designated by the governing board, for at least seven days. A certificate of the secretary of said association of the posting of any by-law or ordinance as provided herein shall be prima facie evidence of such posting. Nothing herein shall be construed as authorizing the board or the association to change by regulation restrictions in deeds and nothing herein shall impair the sole exclusive right of the Shore and Lake Corporation, its successors and assigns, to install and maintain water pipes in the streets shown on said maps.

SEC. 8. At any annual meeting or adjourned annual meeting of said association, upon notice to all members of said association by posting a notice, signed by the president or by any four members of the governing board, at least ten days before the date of such meeting designating the time and place thereof, the association may, by a majority vote of the members present at such meeting, adopt the basis of its assessment on all real property within the limits of said association to correspond to the assessment values of the property as shown on the tax list of the town wherein such property is located, and may adopt such method as the basis of assessment, and thereupon may establish such rate of taxation for the ensuing year as such meeting may determine. Such tax shall not exceed five mills in any one year. The secretary of said association, on or before June fifteenth of each year, shall prepare an assessment list of all the real estate within the limits of said association, including therein the value of the houses, buildings and improvements thereon, placing in the name of each member such land, buildings and improvements as are assessed to each member on the last assessment list of the respective towns at the values at which they stand on such assessment list. If any piece of land so assessed in the list of any such town shall be partly within and partly without the limits of the association, the secretary of said association shall assess the part within said association in the proportion which the part within the association shall bear to the whole tract or property so assessed, using his best judgment as to such value. Such secretary shall, on or before the twentieth day of June, report such list to the governing board, which shall revise such list, and, if such board shall find that the same fails to correspond with the last assessment list of the town wherein any such property is located, or, if such board shall find that there are any errors in the proportional valuation of such parts of any piece of property partly within and partly without the association, said board shall correct the same, and such list, when so revised, shall be adopted by said board and shall then be and constitute the assessment list for the association. Such list shall be revised, completed and recorded by the secretary in the records of the association on or before the tenth day of July next succeeding, and such assessment list shall be open to inspection by any member of the association. Any person claiming to be aggrieved by any such proportional valuation in such assessment may appeal to the superior court in the manner provided by the general statutes for appeals from the board of relief. The tax so established shall be collected by the treasurer or by any collector specially appointed by the governing board for that purpose. Each assessment so made, with interest thereon, shall be due to said association, from the owner or owners of real estate upon which it was so made as such owner shall appear from the land or probate records of the respective towns or districts in which such real estate shall be located, on the first

day of June before such assessment was made. Written notice of the rate of such tax and the amount thereof, or of the assessment apportioned to each member of the association, shall be sent by the treasurer or collector to each member of the association within ten days from the laying of such tax, and such tax shall be due and payable within thirty days from the levying of such tax, and in the manner stated therein, and, if such tax shall not be paid when due, it shall bear interest at the rate of eight per centum per annum from the date it shall be payable. The treasurer or other collector shall have all the powers of collectors of town taxes and shall be accountable to the governing board in the same manner as town collectors are accountable to selectmen. Such tax or assessment shall be a lien upon the property upon which it shall be laid and may be collected by suit in the name of the association by foreclosure of such lien. Such lien may be continued by certificate which shall be recorded in the land records of the town or towns in which it is located, pursuant to the provisions of the general statutes relating to the continuance of tax liens.

Approved May 25, 1931.