

**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**

**Amended May 26, 2018 Amended by an ACT Approved  
July 12, 2019**

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 (hereafter, the "GBPA").

SEC. 2 The limits and territory of said GBPA 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 GBPA 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 GBPA, and the owner or owners thereof shall be a part of said body politic and incorporate.

SEC. 3 The objects of said GBPA shall be: to provide for the improvement of

the land within the limits of said GBPA; 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 GBPA and shall be entitled to vote in any meeting of such

members and shall be eligible to be elected 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 GBPA. The spouse of an owner shall be a member of said GBPA but shall not be empowered to vote at any meeting of said

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GBPA except as an authorized proxy for such owner. The beneficiaries of a trust shall be members of said GBPA but shall not be empowered to vote at any meeting except as an authorized proxy of the Trustee.

Not more than one vote can be cast per property within said GBPA and in the instance in which a person is the owner or trustee of multiple properties in said GBPA that person, whether in person or by proxy, is entitled to only one vote at any meeting of the GBPA. Non-natural persons such as limited liability companies or corporations are not entitled to a vote at any meeting. SEC. 4 The Board of Governors (hereafter, the "BoG") 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 GBPA shall be held during the month of May in each year, at such time and place within the limits of the Town of Westbrook GBPA as said BoG directs. Such meeting shall choose a moderator and clerk for such meeting and shall elect members of the BoG by ballot, unless otherwise specified by a majority of those members present.

SEC. 6 Any vacancy occurring in the membership of said BoG between Annual Meetings shall be filled by the remaining members of the BoG appointing a replacement to fill the remainder of the unexpired term GBPA. Any vacancy occurring in any office between Annual Meetings shall be filled by the BoG 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 GBPA 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 GBPA. Said BoG shall examine 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. Said BoG may notify all persons causing or maintaining

any such nuisance or courses of filth to abate the same within such time as the BoG shall order. If the same shall not be abated as ordered, said BoG 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 GBPA. Said BoG 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.

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Said BoG shall employ one or more persons to carry out the activities approved by said GBPA. 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. 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 GBPA shall make all necessary rules and regulations for the care and protection of all GBPA owned property, including the open beach above the high-water mark as described in the Town of Westbrook Tax Records.

SEC. 8 The BoG shall prepare and submit to said GBPA 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 GBPA as shown by the last-completed grand list of the town of Westbrook. Said budget and tax rate shall be mailed to each member of the GBPA not less than ten days before such Annual Meeting. Said GBPA, according to its best judgment shall have the power to decrease such budget and rate of taxation recommended by said BoG, but in no case shall it have power to increase such budget and rate of taxation.

Said BoG shall appoint a Tax Collector to collect such taxes. Said BoG shall have prepared a rate bill on or before the 3<sup>rd</sup> 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 BoG 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 BoG

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 GBPA shall be sent by the Tax Collector on or before the Thirtieth of June following the Annual Meeting and such tax shall be due and payable on July First thereafter. 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

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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 GBPA.

Each such tax, if not paid when due, shall be subject to a lien upon the property to be placed at such time as determined by the BoG.

SEC. 10 Said GBPA may collect all such taxes from the several owners of such properties by action at law in the name of said GBPA 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 BoG 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. A three-quarters vote of those present at any GBPA 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 the GBPA records.

SEC. 11 Fifteen members of said GBPA shall constitute a quorum for the transaction of business at any meeting of said GBPA. Any member may designate in writing any person to act as his or her proxy at any meeting of said GBPA, 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 GBPA shall be decided by a majority vote of the members present.

SEC. 12 Notice in writing of each meeting of the GBPA stating the purpose of

the meeting shall be given by the Clerk by letter or card postage paid addressed, or via electronic communication, at least ten days before such meeting, to each member of the GBPA. If said notice is sent hardcopy via the United States Postal Service or equivalent means, the addresses used by the Clerk shall be those appearing on the records of the Tax Collector of the Town of Westbrook. If said notice is sent via electronic means, the electronic addresses used shall be those that the GBPA property owners have filed with the Clerk.

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

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

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SEC. 15 Said BoG shall elect from its members a Chairman, a Vice Chairman, a Clerk and a Treasurer.

The Chairman shall preside over all meetings of the BoG and the GBPA and be the chief executive officer of the GBPA.

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 GBPA and the BoG.

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 BoG.

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

The GBPA shall purchase liability insurance which insures each member of the

BoG against errors, omissions and other acts performed in their capacity as a member of the BoG. Such policy or policies shall be in such amounts, and shall contain such terms, conditions and limitations, as the BoG shall determine.

SEC. 16 Said GBPA 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 of Connecticut.

SEC. 18 To promote and maintain the objects of said GBPA, 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 of the land, the following restrictions and conditions have been imposed upon all of the land within the territorial limits of said GBPA.

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 GBPA. 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, 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.

5. Property use shall be restricted to use as a single-family residence. The owner of any property owned by a trust or a non-natural person such as a limited liability company or corporation shall provide a written list of the names of the persons constituting the single family occupying the dwelling, which natural persons shall have the rights of members to use Association property or facilities. No property owner shall grant shares, memberships or other means to allow non-members to use Association property or facilities. Nothing in this section limits the rights of members to personally host non-member guests as is customary and incidental to residents of residential dwellings.

Said conditions or restrictions may be altered or amended in whole or in part by a two-thirds vote of the GBPA 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 GBPA shall be entitled to a hearing thereon, and provided any person aggrieved by the vote of said GBPA may appeal therefrom with ten days of such vote to a court of appropriate jurisdiction. Said GBPA 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 GBPA shall conflict with any ordinance of the Town of Westbrook, the more restrictive ordinance, condition, or restriction shall prevail.