



Ledyard Academy

Resolutions are available in the Town Clerk's Office.

Res: 001-2020/Jun 24

RESOLUTION ESTABLISHING AN INDEX, FORMAT, MAINTENANCE AND NUMBERING OF RESOLUTIONS OF THE TOWN OF LEDYARD

WHEREAS: The Ledyard Town Council uses Resolutions to make a formal declaration concerning a certain subject for the Town of Ledyard, which it cannot or does not wish to control by ordinance;

WHEREAS: A Resolution may be used for governing actions which include but are not limited to the following: notice of a special town meeting/referendum to borrow funds, to apply for/accept grant funds, to determine the rules of procedure to be followed by the governing body, to establish short-term/temporary committees/commissions/boards such as a charter revision commission, to express the opinion of the governing body on a certain issue to another level of government or organization (state legislature, board of education, southeastern Connecticut council of governments, southeastern regional resource recovery authority, etc.);

WHEREAS: The Town Council has determined that a systematic indexing of adopted Resolutions would improve the ability for local government officials, staff members and the general public to access;

WHEREAS: The intent of this Resolution is to establish and maintain a consistent format, numbering system and revision process of resolutions;

NOW, THEREFORE BE IT RESOLVED: That the Ledyard Town Council establishes a resolution index, document format and numbering system for Resolutions for the Town of Ledyard; and

IN ADDTION: That in drafting a resolution, or local document, the subject matter shall be considered to determine the most appropriate form of action:

- (a) Ordinance is used for legislation intended to have a permanent and general effect.
- (b) **Resolution** is used for a temporary or a special course of action such as a temporary committee or bond authorization documents and are usually less circumscribed than those for an ordinance.
- (c) Policy is used to define a specific course of action that deals with procedures and processes, and are usually less circumscribed than those for an ordinance; and

BE IT FUTHER RESOLVED: by the Town Council that resolutions shall be presented in writing and in the following format:

- (a) Title: The Title shall identify the subject the resolution covers. (*A Resolution Concerning.....*)
- (b) Preamble: The preamble states the reason or reasons for the resolution in one or more "Whereas" clauses. "
- (c) Resolving Clause(s) – The resolution may consist of one or more resolving clause to state the action of the resolution.

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The first resolving clause begins with "*Therefore*" or "*Now, Therefore,*" followed by "*Be it Resolved: by the Ledyard Town Council that.....*"

Succeeding clauses begin with "*Be It Further Resolved that.....* ." Each resolving clause except the final one will end with a semicolon, followed by "*and;*" The final clause will end with a period; and

BE IT FURTHER RESOLVED: that the Town Council sets forth the following processes regarding the adoption, indexing, numbering, publication, custody, and retention of resolutions as follows:

1. Adoption of the Resolution

A resolution shall be adopted by a motion and second, and requires an affirmative vote of the governing body.

The Town Council Administrative Assistant must record the resolution and vote of each of the members in the minutes.

Within three business days of approval the Town Council Chairperson shall sign the resolution; and the signed resolution shall then be place on file in the Town Clerk’s Office.

Although there is no specific requirement that a resolution be attested by the Town Clerk, it is customarily done on resolutions that are submitted for grant resolutions, bond/borrowing resolutions, etc. and this should be done in a reasonable time.

When Town Clerk Certification is required below is an example of the language that should be included on the resolution:

CERTIFICATION:

I, _____ the duly qualified and Acting Clerk of the Town of Ledyard do hereby certify that the above is a true and correct copy of a resolution adopted by Ledyard Town Council at its duly called and held meeting on _____, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect.

IN WITNESS WHEREOF: The undersigned has executed this certificate this _____ day of _____.

(SEAL)

Town Clerk

2. Resolution Index and Numbering shall be as follows:

- (a) The “*Resolution Index*” shall be an organized collection of all adopted Resolutions.

The *Resolution Index* shall be divided into sections of related subject matter identified by numbers as follows:

- 001 Government and Administration – (Administrative Procedures)
- 002 Committees/Commissions/Boards (temporary)
- 003 Finance / Capital/Bonding/Grants
- 004 Land Use/ Development/Building - (Establishing Land Use Commissions, Permit Fees, Roads, etc.)

- 005 Utilities/Services – (Establishing Water/Sewer Authority, Water Assessments, Waste Management, etc.)
- 006 Public Safety/Protection – (Public Health Nursing, Emergency Services/Police/Fire)
- 007 Vehicles/Traffic/Sidewalks – (Snow Removal, Parking, Motor Vehicles)

(b) The *Resolution Index* shall include the following:

- (1) Section Number and Title
- (2) Section Number -Adopted Date (Resolution Number)
- (3) Resolution Title
- (4) Revision Date (when applicable)

(c) Numbering Resolutions

Resolutions shall be numbered after their adoption and no two resolutions shall have identical numbers. The number format shall include the following:

- (1) Section Number - Year/Month, Date adopted
- (2) If two resolutions are adopted on the same date and fall under the same section they shall be distinguished by adding a letter in parenthesis (a); (b) etc., at the end of the number so that there are not two resolutions with identical numbers (i.e. 001-2020/July 1 (a) 001-2020/July 1(b).
- (3) Revised/Amended Resolutions shall maintain their original number as noted above. The revision number shall be placed under the original number in parenthesis. In addition, the Revision/Amendment date shall be added at the end of the resolution title, as noted int the examples below:

Below is an example of the “*Resolution Index*”

Sec. 001 - Resolutions

Government and Administration

Adopted Date/Number	Title
001-2020/July 1 (a)	Resolution Authorizing the Mayor to Act as Agent for the Town of Ledyard in Referral of Legal Matters
001-2020/July 1 (b) (Rev - 1)	Resolution Establishing Administrator Department Head Benefits Amended August 1, 2020
001-2020-Aug 26	Resolution in Support of Rail Watch

Sec.002 - Resolutions

Committees

Adopted Date/Number	Title
002-2020/Sept 10	Resolution Regarding Building Committee For Municipal Facilities

3. Amendments

Resolutions may be amended from time to time to update, change, add or repeal material in a resolution.

When amending, reaffirming the original resolution is not necessary.

In amending a resolution, the changes to the document must be clearly identified, such as using a “track- changes” method, when presented for review, consideration, and approval.

When a resolution is amended *Informational Paragraphs* shall be included after the signature and date adopted lines to record the date(s) the resolution was revised/amended and to note the history/purpose of the revisions. The *Informational Paragraphs* shall be noted in a **different color font** to emulate the format of state statutes:

- **Revisions:**
- **History:**

4. Repealed/Cancelled Resolutions

Repealed/Cancelled resolutions shall be removed immediately from:

- The *Resolution Index*;
- The *Resolution* book containing active resolutions;
- The town website.

The original of the repealed/cancelled resolution must be retained and placed in a separate book titled “*Repealed/Cancelled Resolutions*” and the resolution shall be marked “*Repealed by Resolution No. ____, date ____.*”

A list of the repealed/cancelled resolutions shall be kept in a book titled “*Repealed/Cancelled Resolutions*” in the same manner as the active ordinances in the “*Resolutions*” book.

5. Publication of Resolutions

General resolutions are not required to be published in a local newspaper. Other resolutions such as bond/borrowing resolutions or grant resolutions may be required to be published in a local newspaper. Where a statute does not control, the Administrative Assistant or Town Clerk should follow the instruction of the governing body.

6. Permanent Custody of Resolutions

The Town Clerk must keep in custody all resolutions adopted by the governing body in a book.

An original resolution is the document printed on legal size archival paper and is signed and dated by the appropriate officials as required by this resolution.

The original resolution shall be kept on file and recorded in a book titled “*Resolutions*” that shall be located in the Town Clerk’s Office.

Copies of resolutions shall be made available for public inspection and for use by the governing body, legal counsel, and other staff members upon request.

Copies of resolutions shall be available on-line via the town’s website. As the custodian of the records the Town Clerk will be responsible for the posting of all resolutions on the town’s website.

A resolution will remain in effect until rescinded or replaced by a subsequent resolution on the same subject; and

BE IT FURTHER RESOLVED: By the Ledyard Town Council that the formatting, indexing and numbering of the town's adopted resolutions is set forth and becomes effective upon the adoption date of this Resolution.

Adopted by Ledyard Town Council on: June 24, 2020

Linda C. Davis, Chairman

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