

CHAPTER 127

REGIONAL COUNCILS OF GOVERNMENTS

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Sec. 8-31. Formation. Representation. Section 8-31 is repealed.

(1949 Rev., S. 863, 865; 1955, S. 395d, 397d; 1957, P.A. 13, S. 43; 635, S. 1; 1959, P.A. 613, S. 10.)

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Sec. 8-31a. Formation of regional planning agencies. Representation. Section 8-31a is repealed, effective January 1, 2015.

(1959, P.A. 613, S. 1, 2; 1969, P.A. 628, S. 6; P.A. 73-679, S. 30, 43; P.A. 75-537, S. 43, 55; P.A. 77-604, S. 43, 84; 77-614, S. 19, 610; P.A. 09-80, S. 1; Sept. Sp. Sess. P.A. 09-7, S. 62; P.A. 13-247, S. 390.)

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Sec. 8-31b. Restructure of regional planning agencies and regional councils of elected officials into regional councils of governments. (a) On or before January 1, 2015, each regional planning agency created pursuant to sections 8-31a

to 8-37a, inclusive, of the general statutes, revision of 1958, revised to January 1, 2013, and each regional council of elected officials created pursuant to sections 4-124c to 4-124h, inclusive, shall be restructured to form a regional council of governments as provided in section 4-124j.

(b) A regional council of governments may accept or participate in any grant, donation or program available to any political subdivision of the state and may also accept or participate in any grant, donation or program made available to counties by any other governmental or private entity.

Notwithstanding the provisions of any special or public act, any political subdivision of the state may enter into an agreement with a regional council of governments to perform jointly or to provide, alone or in cooperation with any other entity, any service, activity or undertaking that the political subdivision is authorized by law to perform. A regional council of governments established pursuant to this section may administer and provide regional services to municipalities and may delegate such authority to subregional groups of such municipalities. Regional services provided to member municipalities shall be determined by each regional council of governments, except as provided in subsection (b) of section 9-229 and section 9-229b, and may include, without limitation, the following services: (1) Engineering; (2) inspectional and planning; (3) economic development; (4) public safety; (5) emergency management; (6) animal control; (7) land use management; (8) tourism promotion; (9) social; (10) health; (11) education; (12) data

management; (13) regional sewerage; (14) housing; (15) computerized mapping; (16) household hazardous waste collection; (17) recycling; (18) public facility siting; (19) coordination of master planning; (20) vocational training and development; (21) solid waste disposal; (22) fire protection; (23) regional resource protection; (24) regional impact studies; and (25) transportation.

(P.A. 13-247, S. 250, 313; June Sp. Sess. P.A. 15-5, S. 444; June Sp. Sess. P.A. 17-2, S. 260.)

History: P.A. 13-247 effective June 19, 2013, and amended Subsec. (c) by changing “On January 1, 2014” to “Beginning on January 1, 2015”, deleting “regional planning agency, regional council of elected officials and”, changing “a” report to “an annual” report and making conforming changes, effective January 1, 2015; June Sp. Sess. P.A. 15-5 amended Subsec. (b) by adding exception re Secs. 9-229(b) and 9-229b, effective January 1, 2016; June Sp. Sess. P.A. 17-2 deleted Subsec. (c) re annual report to Secretary of the Office of Policy and Management, effective October 31, 2017.

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Sec. 8-31c. Term “regional council of governments” substituted for “regional planning agency”. (a)(1) Wherever the term “regional planning agency” is used in the following

general statutes, the term “regional council of governments” shall be substituted in lieu thereof; and (2) wherever the term “regional planning agencies” is used in the following general statutes, the term “regional councils of governments” shall be substituted in lieu thereof: 8-35b, 8-35c, 8-164, 8-166, 8-189, 8-336f, 8-384, 13b-38a, 13b-79ll, 16-32f, 16-50l, 16-358, 16a-28, 16a-35c, 22-26dd, 22a-102, 22a-118, 22a-137, 22a-207, 22a-352, 23-8, 25-33e to 25-33h, inclusive, 25-68d, 25-102qq and 25-233.

(b) The Legislative Commissioners' Office shall, in codifying the provisions of this section, make such technical, grammatical and punctuation changes as are necessary to carry out the purposes of this section.

(P.A. 13-247, S. 312; P.A. 14-94, S. 64.)

History: P.A. 13-247 effective January 1, 2015 (Revisor's note: In Subsec. (a)(2), references to Secs. 8-36c and 22-33f were changed editorially by the Revisors to Secs. 8-35c and 25-33f, respectively, for accuracy); P.A. 14-94 amended Subsec. (a)(1) by deleting reference to Sec. 22a-211, effective January 1, 2015.

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Sec. 8-32. Jurisdiction. Section 8-32 is repealed.

(1949 Rev., S. 863; 1955, S. 395d; 1957, P.A. 13, S. 43; 635, S. 2; 1959, P.A. 613, S. 10.)

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Sec. 8-32a. Jurisdiction. Extension to contiguous municipality. Section 8-32a is repealed, effective January 1, 2015.

(1959, P.A. 613, S. 3; 1969, P.A. 628, S. 7; P.A. 73-679, S. 31, 43; P.A. 75-537, S. 44, 55; P.A. 77-614, S. 19, 610; P.A. 13-247, S. 390.)

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Sec. 8-33. Termination. Section 8-33 is repealed.

(1957, P.A. 635, S. 3; 1959, P.A. 613, S. 10.)

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Sec. 8-33a. Officers of agency. Bylaws. Meetings. Annual report. Section 8-33a is repealed, effective January 1, 2015.

(1959, P.A. 613, S. 4; 1969, P.A. 628, S. 8; P.A. 73-679, S. 32, 43; P.A. 75-537, S. 45, 55; P.A. 77-614, S. 19, 610; P.A.

08-182, S. 7; P.A. 13-247, S. 390.)

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Sec. 8-34. Withdrawal from regional planning authority. Section 8-34 is repealed.

(1949 Rev., S. 864; 1955, S. 396d; 1957, P.A. 13, S. 44; 1959, P.A. 613, S. 10.)

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Sec. 8-34a. Receipt of funds. Dues. Borrowing. Employees and consultants. Contracts. Audits. Section 8-34a is repealed, effective January 1, 2015.

(1959, P.A. 613, S. 5; P.A. 81-229, S. 1; P.A. 83-256, S. 3; P.A. 91-96, S. 3; 91-401, S. 9, 20; P.A. 13-247, S. 390.)

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Sec. 8-35. Officers of board. Meetings. Section 8-35 is repealed.

(1949 Rev., S. 866; 1959, P.A. 613, S. 10.)

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Sec. 8-35a. Regional plan of conservation and development. Assistance to municipalities or other public agencies. (a) At least once every ten years, each regional council of governments shall make a plan of conservation and development for its area of operation, showing its recommendations for the general use of the area including land use, housing, principal highways and freeways, bridges, airports, parks, playgrounds, recreational areas, schools, public institutions, public utilities, agriculture and such other matters as, in the opinion of the council, will be beneficial to the area. Any regional plan so developed shall be based on studies of physical, social, economic and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy the coordinated development of its area of operation and the general welfare and prosperity of its people. Such plan may encourage energy-efficient patterns of development, the use of solar and other renewable forms of energy, and energy conservation. Such plan shall be designed to promote abatement of the pollution of the waters and air of the region. Such plan shall consider the need for technology infrastructure in the region. The regional plan shall identify areas where it is feasible and prudent (1) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (2) to promote such development patterns and land reuse and shall note any

inconsistencies with the following growth management principles: (A) Redevelopment and revitalization of regional centers and areas of mixed land uses with existing or planned physical infrastructure; (B) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (C) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (D) conservation and restoration of the natural environment, cultural and historical resources and traditional rural lands; (E) protection of environmental assets critical to public health and safety; and (F) integration of planning across all levels of government to address issues on a local, regional and state-wide basis. The plan of each region contiguous to Long Island Sound shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

(b) Before adopting the regional plan of conservation and development or any part thereof or amendment thereto the regional council of governments shall hold at least one public hearing thereon, notice of the time, place and subject of which shall be given in writing to the chief executive officer and planning commission, where one exists, of each member town, city or borough. Notice of the time, place and subject of such hearing shall be published once in a newspaper having a substantial circulation in the region. Such notices shall be given not more than twenty days or less than ten days before such hearing. At least sixty-five

days before the public hearing the regional council of governments shall post the plan on the Internet web site of the council, if any, and submit the plan to the Secretary of the Office of Policy and Management for findings in the form of comments and recommendations. By October 1, 2011, the secretary shall establish, by regulations adopted in accordance with the provisions of chapter 54, criteria for such findings which shall include procedures for a uniform review of regional plans of conservation and development to determine if a proposed regional plan of conservation and development is not inconsistent with the state plan of conservation and development and the state economic strategic plan. The regional council of governments shall note on the record any inconsistency with the state plan of conservation and development and the reasons for such inconsistency. Adoption of the plan or part thereof or amendment thereto shall be made by the affirmative vote of not less than a majority of the representatives on the council. The plan shall be posted on the Internet web site of the council, if any, and a copy of the plan or of any amendments thereto, signed by the chairman of the council, shall be transmitted to the chief executive officers, the town, city or borough clerks, as the case may be, and to planning commissions, if any, in member towns, cities or boroughs, and to the Secretary of the Office of Policy and Management, or his or her designee. The regional council of governments shall notify the Secretary of the Office of Policy and Management of any inconsistency with the state

plan of conservation and development and the reasons therefor.

(c) The regional council of governments shall assist municipalities within its region and state agencies and may assist other public and private agencies in developing and carrying out any regional plan or plans of such council. The regional council of governments may provide administrative, management, technical or planning assistance to municipalities within its region and other public agencies under such terms as it may determine, provided, prior to entering into an agreement for assistance to any municipality or other public agency, the regional council of governments shall have adopted a policy governing such assistance. The regional council of governments may be compensated by the municipality or other public agency with which an agreement for assistance has been made for all or part of the cost of such assistance.

(1959, P.A. 613, S. 6; 1967, P.A. 232; 1969, P.A. 628, S. 9; P.A. 73-679, S. 33, 43; P.A. 75-537, S. 46, 55; P.A. 77-614, S. 19, 610; P.A. 78-314, S. 5; P.A. 82-411, S. 2, 6; P.A. 87-550, S. 1, 10; P.A. 91-170, S. 2; P.A. 96-68, S. 2; P.A. 05-205, S. 2; P.A. 07-239, S. 6; P.A. 08-182, S. 12; P.A. 13-247, S. 279; P.A. 16-144, S. 7.)

History: 1967 act deleted provision concerning assistance to planning commissions of towns and inserted provision for assistance to municipalities, state agencies and other public

and private agencies and permitted regional planning agency to provide technical assistance under guidelines set out in section; 1969 act substituted director of the office of state planning for Connecticut development commission; P.A. 73-679 substituted managing director, planning and budgeting division, department of finance and control or his designee for director of planning office; P.A. 75-537 substituted commissioner of planning and energy policy for managing director; P.A. 77-614 substituted secretary of the office of policy and management for commissioner; P.A. 78-314 provided that development plan may encourage energy efficiency, use of renewable forms of energy and energy conservation; P.A. 82-411 provided for the provision of administrative, management and planning assistance by the agencies to municipalities; P.A. 87-550 designated existing section as Subsec. (a), required housing recommendations to be included in regional plans of development, and added Subsec. (b) re housing needs assessments; P.A. 91-170 required that plans be designed to promote pollution abatement and added provisions re content of plans in municipalities contiguous to Long Island Sound; P.A. 96-68 deleted Subsec. (b) re housing needs assessments and eliminated Subsec. (a) designator; P.A. 05-205 designated existing section as Subsecs. (a), (b) and (d), amended Subsec. (a) to require the plan to be prepared at least once every 10 years and add requirements that the plan have recommendations on agriculture, identify areas for mixed use development patterns and land reuse and note inconsistencies with growth management principles,

amended Subsec. (b) to require the plan to be posted on the Internet web site of the agency and submitted to the Office of Policy and Management for review and comment and add provisions re inconsistency with state plan of conservation and development, and added Subsec. (c) requiring revision of the plan not more than 3 years after July 1, 2005, effective July 1, 2005; P.A. 07-239 amended Subsec. (b) to require that plan review include a determination that proposed regional plan of development is not inconsistent with state economic strategic plan, effective July 1, 2007; P.A. 08-182 changed “regional plan of development” to “regional plan of conservation and development” in Subsecs. (a), (b), and (c) and amended Subsec. (b) to revise provision re time for notice of public hearing on regional plan and add provision re adoption of regulations by Secretary of the Office of Policy and Management establishing criteria for review of regional plans; P.A. 13-247 substituted “council” and “council of governments” for “agency” and “planning agency”, made a technical change, deleted former Subsec. (c) re deadline of not more than three years after July 1, 2005, to revise plan of conservation and development, and redesignated existing Subsec. (d) as Subsec. (c), effective January 1, 2015; P.A. 16-144 amended Subsec. (a) by adding provision re plan to consider need for technology infrastructure in region.

See Sec. 25-206 re consistency of regional plan of conservation and development with approved river corridor protection plan.

See Sec. 25-236 re consistency of regional plan of conservation and development with approved river corridor management plan.

See Sec. 32-7 re assistance to municipal and regional economic development agencies.

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Sec. 8-35b. Recommendations for metropolitan, regional or intermunicipal arrangements. A regional council of governments may make recommendations to the municipalities within its area of operation for such metropolitan, regional or intermunicipal arrangements for the most efficient and economical development or operation of public facilities or services as it deems desirable for the economic and social welfare of the region and the municipalities located therein.

(1967, P.A. 862, S. 1; P.A. 13-247, S. 312.)

History: Pursuant to P.A. 13-247, “regional planning agency” was changed editorially by the Revisors to “regional council of governments”, effective January 1, 2015.

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Sec. 8-35c. Feasibility studies for municipalities. Whenever any municipality is considering the feasibility of developing or operating a physical facility and services, the regional council of governments may, upon request from such municipality, render assistance by making studies and recommendations and may make contractual arrangements with the municipality for the conduct of such studies.

(1967, P.A. 862, S. 2; P.A. 82-411, S. 3, 6; P.A. 13-247, S. 312.)

History: P.A. 82-411 applied provisions to single municipalities where previously applicable to two or more municipalities; pursuant to P.A. 13-247, “regional planning agency” was changed editorially by the Revisors to “regional council of governments”, effective January 1, 2015.

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Sec. 8-35d. Referral of proposal for interlocal agreement or formation of district to regional planning agency. Section 8-35d is repealed.

(1967, P.A. 862, S. 3; P.A. 95-308, S. 10.)

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Sec. 8-35e. Intercouncil committees and staff sharing. (a) Two or more regional councils of governments may establish one or more intercouncil committees to recommend policies relating to matters of an interregional nature, provided each participating council shall have first adopted a resolution authorizing establishment of any such intercouncil committees and defining the scope of its duties.

(b) Two or more regional councils of governments may share staff and staff from one council may work in the area of another council, provided each council involved in such a cooperative effort shall have first adopted a resolution authorizing such action and specifying the extent of cooperation and the terms under which it is to be provided.

(P.A. 76-7; P.A. 13-247, S. 280.)

History: P.A. 13-247 substituted “councils of governments” for “planning agencies”, “intercouncil” for “interagency” and “council” for “agency”, effective January 1, 2015.

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Sec. 8-36. Authority to receive funds. Employees and consultants. Section 8-36 is repealed.

(1949 Rev., S. 867; 1955, S. 398d; 1959, P.A. 613, S. 10.)

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Sec. 8-36a. Withdrawal from agency. Section 8-36a is repealed, effective January 1, 2015.

(1959, P.A. 613, S. 7; 1967, P.A. 764; P.A. 13-247, S. 390.)

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Sec. 8-37. Regional plans of development. Section 8-37 is repealed.

(1949 Rev., S. 868; 1959, P.A. 613, S. 10.)

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Secs. 8-37a and 8-37b. Termination of agency. Powers and duties of prior authorities. Sections 8-37a and 8-37b are repealed, effective January 1, 2015.

(1959, P.A. 613, S. 8, 9; 1969, P.A. 628, S. 10; P.A. 73-679, S. 34, 43; P.A. 75-537, S. 47, 55; P.A. 77-614, S. 19, 610; P.A. 13-247, S. 390.)

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