



**CITY OF HARTFORD**

**GUIDE TO LAWS RELATING TO PARKS**

**IN THE CITY OF HARTFORD**

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# TABLE OF CONTENTS

I. Introduction and Purpose .....	1
II. Tables of Summarized Laws.....	2
A. Authority for Parks and Recreation Advisory Commission and Planning and Zoning Commission....	2
B. Maintenance & Construction .....	5
C. Conduct and Behavior Regulated.....	8
D. Uses Permitted as of Right.....	11
E. Conditional Uses .....	12
F. Uses Expressly Prohibited .....	15
G. Permitting, Licensing, and Risk Management for Park Activities .....	15
III. Relevant Structures of City Governance .....	19
A. Successor Agencies.....	19
B. Commissions .....	19
C. Departments .....	21
D. City Offices and Councils.....	23
E. Miscellaneous.....	23
APPENDIX I: Definitions .....	24
APPENDIX II: Provisions Cited.....	27
A. Charter of the City of Hartford .....	27
B. City of Hartford Municipal Code.....	29
C. City of Hartford Planning and Zoning Commission Zoning Regulations .....	53
D. Connecticut General Statute .....	53

## **I. Introduction and Purpose**

The purpose of this document is to provide a summary of the laws and provisions relating to parks in the City of Hartford. The document serves as a guide to clearly indicate what is required across the following topics: city authorities, park maintenance requirements, park conduct and behavioral requirements, regulated uses, conditional uses, uses expressly prohibited, and the permitting and licensing of park activities and construction.

The Charter of the City of Hartford is the most controlling and binding document on all of the provisions in this document. The Charter grants powers to the City to manage property, governmental, and affairs of the City and adopt ordinances for the preservation of the public peace, health, safety, comfort and welfare.<sup>1</sup> The Court of Common Council, or City Council, has legislative power. The City Council has many powers which include: enacting ordinances, passing the budget, establishing fees that city agencies collect, undertaking improvements to the city including dealing in real property and money on behalf of the City, and adopting a City plan and ethics ordinances.<sup>2</sup> Of particular relevance is the City Council's power to enact ordinance, which govern boards, commissions, and departments that manage and maintain parks, and to create those entities by ordinance.<sup>3</sup> The Mayor is the chief executive officer of the city who, most relevantly, appoints the directors and heads of all departments.<sup>4</sup> The City Council and the Mayor together create the structure of government. A board, commission, or department may only be created, altered, or abolished through passage of an ordinance.<sup>5</sup>

The document covers the City of Hartford Municipal Code as well as the Zoning Regulations of the City of Hartford Planning and Zoning Commission. Section II of this document contains the summarized legal provisions for each park-related topic, which are organized in tables with citations. Section III contains a list of park-related entities in the City government, including a list of relevant commissions, departments, and various other municipal entities. A definition section is included at the end of this document in Appendix I, and all laws cited are listed in Appendix II. II. Tables of Summarized Laws

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<sup>1</sup> Charter of the City of Hartford Chap. II, Sec. 1, Sec. 5

<sup>2</sup> Charter of the City of Hartford Chap. IV, Sec. 1-2

<sup>3</sup> Charter of the City of Hartford Chap. VII, Sec. 3

<sup>4</sup> Charter of the City of Hartford Chap. V, Sec. 1-2

<sup>5</sup> Charter of the City of Hartford Chapter VII, Sec. 3, Chap. XIII, Sec. 3

## **II. Tables of Summarized Laws**

### **A. Authority for Parks and Recreation Advisory Commission and Planning and Zoning Commission**

Issue	Law	Citation
<b>Parks and Recreation Advisory Commission (PRAC)</b>	Establishment of the PRAC, composition of its membership, functions and duties, meetings, and appropriations.	Muni. Code. §§ 26-11, 26-14
<i>Municipal garden program</i>	<p>PRAC is empowered to develop and administer a municipal garden program that encourages the use of vacant public City-owned land.</p> <p>PRAC shall obtain permission to manage and control to vacant public land from the appropriate department, agency, officer or board charged with the lawful responsibility.</p>	<p>Muni. Code. §§ 26-11, 26-15(a)</p> <p>Muni. Code. §§ 26-11, 26-15(b)</p>
<b>Planning and Zoning Commission (P&amp;Z Commission)</b>	<p>Establishment of the city's P&amp;Z Commission.</p> <p>Structure of commission membership.</p>	<p>Muni. Code. § 28-4(c)</p> <p>Muni. Code. § 28-4(d)</p>
<i>Purpose of Parks</i>	The purpose of parks in the city is to have active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, parkettes, playfields, playgrounds, recreation centers, and tot lots for general recreation, athletics, and leisure. May include historic structures/monuments, botanical gardens, ornamental gardens, or arboretums. Accessory uses may include picnic areas, fishing, ziplines, and swimming pools.	Zoning Regs. § 3.3.3.C. and D.

<p><i>Delegated Power to Department of Public Works (DPW)</i></p>	<p>P&amp;Z Commission delegates the responsibility of determining whether proposed events are appropriate uses of land in the OS district. DPW shall consider the impact of the events on the existing features in parks, the environment, public safety, traffic, appropriateness of the event including scale, etc.</p>	<p>Zoning Regs. § 3.7.1.B.(7)(b)</p>
<p><i>Overturing DPW Decisions</i></p>	<p>The park superintendent must report to the P&amp;Z Commission the intent to approve a festival or event in the OS district. The P&amp;Z Commission reserves the right to overturn approval of specific land uses approved by DPW if the decision to approve was made in error, the decision was arbitrary and capricious, or park superintendent failed to fully consider concerns.</p>	<p>Zoning Regs. § 3.7.1.B.(7)(d) and (e)</p>
<p><i>Issue Penalties</i></p>	<p>The user of public property in the OS district who commits, participates in, assists in, or maintains such violations may be found guilty of a separate offense and be subject to penalties, remedies, and enforcement actions.</p>	<p>Zoning Regs. § 1.4.5</p>
<p><i>Revoke Permits</i></p>	<p>Authorize under these zoning regulations may be revoked by the zoning administrator when the zoning administrator determines that there was an unapproved action or a significant departure from approved plans, a permit procured by false representation, or there are violations.</p>	<p>Zoning Regs. § 1.4.6.B.</p>
<p><i>Fines and Criminal Penalties</i></p>	<p>Any person violating any provisions of these zoning regulations or failing to comply with any of its requirements may be fined not less than \$10.00 nor more than \$100 for each day that such violation continues. For willful offenses, the person convicted may be fined not less than \$100 and not more than</p>	<p>Zoning Regs. § 1.4.6.H.(1)</p>

<p><i>Fines and Criminal Penalties</i></p>	<p>Any person violating any provisions of these zoning regulations or failing to comply with any of its requirements may be fined not less than \$10.00 nor more than \$100 for each day that such violation continues. For willful offenses, the person convicted may be fined not less than \$100 and not more than \$250 per day that the violation continues.</p>	<p>Zoning Regs. § 1.4.6.H.(1)</p>
<p><b>Municipal Citations</b></p>	<p>The city may issue a municipal citation and a penalty of \$150 per day, per violation. Any person issued a municipal citation has 10 days after receipt to appeal.</p>	<p>Zoning Regs. §1.4.6.G.</p>
<p><b>Connecticut State Law</b></p>	<p>Any municipality has the power to establish, layout, construct, reconstruct, alter, maintain, repair, control and operate...cemeteries, public burial grounds...parks, playgrounds, playfields, fieldhouses, and public gardens.</p> <p>The municipality can regulate and protect from injury or defacement all public buildings, monuments, trees,</p>	<p>Conn. Gen. Stat. § 7-148(c)(6)(A)(i)</p> <p>Conn. Gen. Stat. § 7-148(c)(6)(A)(iv)</p>

**B. Maintenance & Construction**

Issue	Law	Citation
<b>Trees</b>	<p>Department of parks and recreation<sup>6</sup> is responsible for the care, control, preservation, removal, and planting of city trees, shrubs, and vines.</p> <p>Director of department of parks and recreation appoints a City Forester who acts under direction of department of parks and recreation.</p> <p>The municipality can provide for the planting, rearing, and preserving of shade and ornamental trees on the streets and public grounds.</p>	<p>Muni. Code. §§ 26-11, § 22-12</p> <p>Muni. Code. § 26-13</p> <p>Conn. Gen. Stat. § 7-148(c)(6)(A)(v)</p>
<b>Physical park infrastructure &amp; park furniture</b>	<p>The P&amp; Z Commission shall review and approve the design of any and all pieces of furniture (including but not limited to benches, chairs, and tables), trash receptacles, drinking water fountains, lighting fixtures, fencing, buildings, structures, historic and monument sites, playground equipment, athletic equipment, decorative fountains, man-made ponds and water features, sculpture, and artwork within any park, prior to such items being installed.</p> <p>Fencing and lighting in parks must conform to applicable Fencing Requirements and Site Lighting requirements.</p>	<p>Zoning Regs. § 3.3.3.D.(2)(a)</p> <p>Zoning Regs. §§ 6.13 &amp; 6.15</p>
<b>Site plan review</b>	<p>P&amp;Z Commission has power to review site plans for park alterations of more than 50 feet of a facade, new construction or changes of an existing use of 5,000 ft<sup>2</sup> or more, new construction or change in existing use of 5 parking spaces or more, and project in a park costing over \$50,000.</p>	<p>Zoning Regs. § 1.3.3.A.</p>

	P&Z Commission will use Special Permit Criteria for proposals to build stadiums in parks.	
<b>Temporary Outdoor Storage and Construction Equipment</b>	Temporary storage of equipment associated with a construction project is allowed in the OS district for the duration of a project with a valid, open building permit subject to Specific-Use Regulations.	Zoning Regs. § 4.20.3.A. & § 4.20.4.I.
<b>Construction of Signage</b>	Wall signs, Projecting signs, Canopy-Mounted signs, Monument signs, and Ped-Scale Pole-Mounted signs are permitted in the OS district so long as the sign meet certain specifications in height, size, brightness, location, etc.	Zoning Regs. Figure 8.2-A
<b>Construction in Historic Parks</b>	Local Historic Preservation Commission must review and approve construction projects before a demolition or building permit may be issued. The Historical Preservation Commission considers applications on the basis of hardship and other criteria including appropriateness of construction, consideration of alternatives, cost, impact on the historic district and property value. Additional restrictions may be found in the land records for the following parks, which are on the National Register of Historic Places: Bushnell Park, Elizabeth Park, and Keney Park. Colt Park is a National Historic Landmark. <sup>7</sup>	Muni. Code § 28-219
<b>New Parking Lots</b>	New parking lots may be permitted in the following parks: Colt, Elizabeth, Goodwin, Keney, Pope, Riverside Parks, and Charter Oak Landing. New parking lots are subject to the special permitting process which shall be referred to the department of public works and the city advisory commission on parks and recreation for a report of their recommendations. There plans shall be read at a	Zoning Regs. § 3.5.2.F.(3)(a) & § 3.3.3.D.(5)

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**C. Conduct and Behavior Regulated**

Issue	Law	Citation
<b>Unlawful conduct generally</b>	Unlawful for any person to annoy other persons, disturb animals, birds or fish, or commit any nuisance act in any park, except for fishing in Keney Park and on Batterson Lake.	Muni. Code. § 26-31
<b>Injuring property or plants</b>	Unlawful for any person to misuse or abuse park property, or injure or gather plants in any park.	Muni. Code. § 26-32
<b>Injuring official signs and notices</b>	Unlawful for any person to deface or injure any sign or notice in the park placed by the City.	Muni. Code. § 26-33
<b>Litter and rubbish</b>	Unlawful for any person to throw, deposit, or leave any litter or rubbish in any park.	Muni. Code. § 26-34
<b>Games</b>	Unlawful for any person to throw balls or play active games in parks where prohibited.	Muni. Code. § 26-35
<b>Wading and swimming</b>	Unlawful for any person to wade or swim in any pond or lake in the parks of the City, except for the designated area within Batterson Park Lake and only when lifeguards are on duty.	Muni. Code. § 26-36
<b>Dogs</b>	Dogs must be kept on a leash, and only guide dogs for blind, deaf or mobility impaired are allowed in the Batterson Park swimming and picnic area.	Muni. Code. § 26-37

<b>Sales, solicitations, advertising</b>	Unlawful for any person to sell or offer to sell anything in any park, to advertise or solicit anything for any commercial purpose, or to display any sign unless approved by the Director of Parks and Recreation.	Muni. Code. § 26-38
<b>Firearms and fireworks</b>	Unlawful for any person to have or use any firearms or fireworks in any park, except for municipal firework displays.	Muni. Code. § 26-39
<b>Fires</b>	Unlawful for any person to make a fire in any park, except where cooking facilities are provided or by permission of the Director of Parks and Recreation	Muni. Code. § 26-40
<b>Alcoholic beverages</b>	Unlawful for any person to have alcoholic beverages or to be intoxicated in any park, with the exception of circumstances enumerated in Muni. Code. § 26-41(b)(1)(a)-(f).	Muni. Code. § 26-41
<i>Exception for functions, festivals, events</i>	An exception is made (it is permissible) for the consumption of liquor and possession of open containers during any function, festival, event or celebration in a public area subject to other laws, rules, and regulations.	Muni. Code § 4-3(c)
<i>Exception for sale of alcoholic beverages at golf courses</i>	The sale of alcoholic beverages at the Goodwin and Keney Park golf courses is allowed pursuant to the conditions specified in Muni. Code. § 26-42(b)(1)(a)-(f).	Muni. Code § 26-42(b)
<b>Parking</b>	Unlawful for any person to drive any commercial vehicle into any park except on business of the City. It	Muni. Code. § 26-43

<p><b>Parking</b></p>	<p>Unlawful for any person to drive any commercial vehicle into any park except on business of the City. It is also unlawful to give driving instructions in any park, to drive faster than 25 miles per hour, or to drive any vehicle except on regular park roads. It is also unlawful to park any car off any park road, except in designated parking areas.</p> <p>There is no parking permitted in parks other than Colt, Elizabeth, Goodwin, Keney, Pope, Riverside Parks, and Charter Oak Landing.</p> <p>There must be 1 bicycle parking spot per every 15,000 square feet of park land with a minimum of 15 bicycle parking spots. Car parking in parks is subject to special permit review.</p>	<p>Muni. Code. § 26-43</p> <p>Zoning Regs. § 3.3.3.D.(5)</p> <p>Zoning Regs. Figure 7.2-A &amp; 7.2-B</p>
<p><b>Horseback riding</b></p>	<p>Persons riding horses shall only ride on bridle trails, keep horses under control at all times, refrain from yelling, reckless riding, racing, stunt riding, or beating or tormenting their horses. Horses may not be tied to trees.</p>	<p>Muni. Code. § 26-44</p>
<p><b>Park hours</b></p>	<p>No one is allowed in any park before dawn or after dusk except as provided in subsections (b) and (d) of this section. Subsection (b) provides for exceptions to the Park Hours for special events which are permitted and any exigent circumstances requiring use of Parks, and subsection (d) allows director of public works to establish different hours for recreation centers, structures, and lighted areas.</p>	<p>Muni. Code. § 26-45</p>

**D. Uses Permitted as of Right**

Issue	Law	Citation
<p><b>Boating at Batterson Lake Park</b></p>	<p>Boating at Batterson Lake Park is restricted to rowboats, canoes, kayaks, sailboats and other watercrafts not powered by combustion engines. Small electric motors are allowable. Floatation and safety devices are required to be used as required by state boating regulations. State launching ramps must be used to launch and remove all watercraft.</p>	<p>Muni. Code. § 26-46</p>

**E. Conditional Uses**

Issue	Law	Citation
<b>Marathons</b>	Anyone engaging in the exclusive use of a Park for a festival activity must obtain a permit from the director of licensing and inspection.	Muni. Code. § 7-90
<b>Playground hours</b>	<p>No one is allowed in any park before dawn or after dusk except as provided in subsections (b) and (d) of this section. Subsection (b) provides for exceptions to the Park Hours for special events which are permitted and any exigent circumstances requiring use of Parks, and subsection (d) allows director of public works to establish different hours for recreation centers, structures, and lighted areas.</p> <p>Playgrounds and tot lots are open between sunrise and dusk.</p>	<p>Muni. Code. § 26-45</p> <p>Zoning Regs. § 3.3.3.D.(1)(a)</p>
<b>Circuses</b>	<p>Circuses or outdoor assemblages shall only be permitted by a written lease with the city or private property owner.</p> <p>Events may only be operated on a street, Open Space, or other public space with the demonstration of the enumerated conditions such as temporary nature, permission to operate, hours, and proof of insurance.</p> <p>Issuing a license for a circus or outdoor assemblage is conditional on an inspection for health, safety, panic, and fire collectively by police and fire departments and sanitary facilities are provided by department of health.</p>	<p>Muni. Code § 5-32</p> <p>Zoning Regs. § 3.7.1.</p> <p>Muni. Code § 5-34</p>

<p><b>Events (bazaars, festivals, carnivals, circuses, and races)</b></p>	<p>Events may only be operated on a street or in Open Space or public place with the following conditions with demonstration of the enumerated conditions such as temporary nature, permission to operate, hours, and proof of insurance.</p>	<p>Zoning Regs. § 3.7.1.B.</p>
<p><b>Vending</b></p>	<p>Vendors shall not sell food or ice cream without a license from the bureau of licenses and inspections (except that no vendor shall be granted licenses within Elizabeth, Batterson, or Goodwin Parks). Applications for licenses under this section shall be made at the department of parks and recreation.<sup>8</sup> The annual fee for vending is \$150 per year.</p>	<p>Muni. Code § 27-40</p>
<p><b>Zoo</b></p>	<p>Zoos are permitted in the OS district as an Intensive Park Use by Special Permit.</p>	<p>Zoning Regs. Figure 3.2-A &amp; § 3.3.3.C.</p>
<p><b>Honey Beekeeping</b></p>	<p>Beekeeping is permitted subject to use-specific conditions such as number of colonies, colony size, location, and flyaway barriers.</p>	<p>Zoning Regs. Figure 3.2-A &amp; § 3.3.3.B.</p>
<p><b>Community Gardens</b></p>	<p>Community Gardens can be used to grow plants for personal use, education, recreation, community distribution and beautification. They are permitted subject to Use-specific conditions such as food production requirements, the establishment of operating rules and times, and the appointment of a Garden Coordinator. There must be a composting and waste management plan approved by the department of health and human services prior to the issuance of any zoning permit.</p>	<p>Zoning Regs. Figure 3.2-A &amp; § 3.3.3.A.</p>

<b>Special Event Signs</b>	Event signs are permitted so long as they meet certain time, location, and size requirements. Special event signs must be approved by the zoning administrator and Public Works.	Zoning Regs. § 8.13.2.D.
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**F. Uses Expressly Prohibited**

<b>Issue</b>	<b>Law</b>	<b>Citation</b>
<b>Carnivals</b>	Carnivals are not permitted anywhere in the city unless the activity fits into a defined exception e.g. bazaars.	Muni. Code § 5-9
<b>Certain parking</b>	Vehicles shall not be parked in the dripline of any tree or be allowed within 50 feet from a playground. Parking is not permitted for private vehicles unless loading or unloading, which shall be allowed only for the shortest amount of time practicable to load or unload.	Muni. Code. § 26-43

**G. Permitting, Licensing, and Risk Management for Park Activities**

Issue	Law	Citation
<b>Parking and Loading</b>	Occasional parking/loading (e.g., for an event) must be done in accordance with a DPW-approved plan showing location, method of operation, maximum number of motor vehicles, hours of setup and breakdown, and provisions for supervision.	Muni. Code § 26-43
<b>Licensing Amusements</b>	<p>Public amusement, performance, or exhibition in a temporary structure or tent or advertised by billboards, poster, hanger or display card must have a license issued by bureau of licenses and inspections and approved by chief of police.</p> <p>The chief of police may revoke licenses for public amusement at any time for cause.</p>	<p>Muni. Code § 5-1</p> <p>Muni. Code § 5-4</p>
<b>Temporary Outdoor Events</b>	The commission delegates its authority to determine whether specific events are appropriate in the OS district to the park superintendent in the department of public works and includes specific considerations that the park superintendent should consider such as impact on landscaping and the environment, runoff, sewage and solid waste management, financial capability and experience of the applicant, public safety, parking, fencing, and provision of lighting, drinking water and other public utilities.	Zoning Regs. § 3.7.1.(B)(b)
<i>City Services</i>	The City provides set-up, inspection, signage, cleanup, waste management, etc. for Permitted Festivals in Parks.	Muni. Code § 7-17

<p><i>Permit Application Requirements</i></p>	<p>Anyone engaging in the exclusive use of a Park for a festival activity must obtain a permit from the director of licensing and inspection.</p> <p>Application for Permit for festivals must be received by director of licensing and inspection at least 60 days before the event is scheduled. The Application for a Permit has specific content requirements, and the director of licenses and inspections has power to grant the Permit based on set conditions.</p> <p>Applications for Permits for parades must be filed with director of licenses and inspections between 20 and 180 days before the event. There are 13 elements to the application provided in the regulations.</p> <p>Late applications for Parades will be considered for unusual circumstances or good cause; a late fee is assessed.</p> <p>The director of licensing and inspection has 10 days to accept or reject the parade permit.</p>	<p>Muni. Code § 7-31, § 7-90</p> <p>Muni. Code § 7-32, § 7-34</p> <p>Muni. Code § 7-77, § 7-91</p> <p>Muni. Code § 7-78, § 7-92</p> <p>Muni. Code § 7-81, § 7-95</p>
<p><i>Notice</i></p>	<p>Notice of issued Permit must be communicated to a list of other officials.</p>	<p>Muni. Code §7-39, 7-84, § 7-98</p>
<p><i>Carry Permit</i></p>	<p>Permittees must carry the permit on their person and abide by all applicable laws, ordinances and rules and regulations not explicitly in the permit. Director of licenses and inspections can revoke permits.</p>	<p>Muni. Code §§ 7-40-42</p>

<p><b>Bonfires</b></p>	<p>Bonfires on city property must be permitted by the Fire Marshal. Permittees are subject to CT Fire Prevention Code and annual fees. Fire Marshal may revoke permits for violations of CT Fire Prevention Code.</p>	<p>Muni. Code § 13-55, 56</p>
<p><b>Circuses</b></p>	<p>Issuing a license for a circus or outdoor assemblage is conditional on an inspection for health, safety, panic, and fire collectively by police and fire departments and sanitary facilities are provided by department of health.</p>	<p>Muni. Code § 5-34</p>
<p><b>Temporary Food and Alcohol Establishments</b></p>	<p>Permits must be obtained from the department of health and human services, environmental health division. Applications must be made 30 days in advance of the event.</p> <p>Food permits may be suspended or revoked at the discretion of the Director of Public Health if an authorized agent finds unsanitary conditions or other violations of the CT Public Health Code. Where suspended, the permittee has a right to a written appeal and a hearing within 10 days.</p>	<p>Muni. Code § 14-6</p> <p>Muni. Code § 14-11</p>
<p><i>Farmers Markets</i></p>	<p>Farmers Market that comply with CT Public Health Code at the discretion of the Director of Public Health may obtain a seasonal permit for a fee.</p> <p>Farmers' markets in the OS district require a deposit or bond benefitting the city in the amount and form determined by the director of the department of public works and is forfeited by the applicant in the event of damage to any property or person. The use of a forfeited deposit or bond is in the sole discretion of the director of the department of public works.</p>	<p>Muni. Code § 14-7</p> <p>Zoning Regs. § 3.7.2.F.</p>

<b>Risk Manager</b>	<p>The risk manager of the City specifies the amount of liability insurance an owner or agent must retain for: (1) a permit to place any object that temporarily blocks a portion of a public right-of-way, (2) a permit to lay curb and walkways, and (3) applicants for street excavation licenses.</p> <p>Proof of liquor liability insurance must be provided to the risk manager in order for beer and wine to be sold and consumed at Bushnell, Keney, and Goodwin Parks (not including the golf courses).</p>	<p>Muni. Code § 31-9, § 31-87</p> <p>Muni. Code § 26-41</p>
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**III. Relevant Structures of City Governance**

**A. Successor Agencies**

The Hartford Municipal Code refers to the department of parks and recreation in several provisions,<sup>9</sup> but this department no longer exists within the City government. The department of public works is the successor to the department of parks and recreation, which is evidenced by the creation of the division of park maintenance within the department of public works in the Municipal Code.<sup>10</sup> The responsibilities of the division of park maintenance include “management of the city’s public grounds, parks, playfields and playgrounds, Elizabeth Park Rose Garden, the greenhouse, the maintenance of street trees and the urban forest and the maintenance of cemetery grounds and operations.” These responsibilities are similar to those previously retained by the department of parks and recreation, such as its previous jurisdiction over maintenance and construction of streets and walkways in parks, as well as the caring and planting of trees within parks.<sup>11</sup>

The abolishment of a department, commission, or other unit of city government must occur by ordinance, as required by the Charter of the City of Hartford.<sup>12</sup> Although the department of parks and recreation is no longer in existence, there is no ordinance stating such in the Hartford Municipal Code. However, there are residual provisions referring to the department, including reference to a chapter of the Charter where the department of parks and recreation was once codified.<sup>13</sup>

**B. Commissions**

- Planning and Zoning Commission (Revised Charter of the City of Hartford, Chapter VII § 2)
  - Established by ordinance no. 54-03
  - Pursuant to the revised charter and said ordinance, the Planning and Zoning Commission has the powers and duties of a combined Planning and Zoning Commission under the Connecticut general statutes (Zoning Regs Sec. 1)
- Parks and Recreation Advisory Commission (Muni. Code § 26-14)
  - Purpose (Muni. Code. Sec. 26-14(b))
    - Advisory body to (1) the Department of Public Works, (2) the Director of Families, Children, Youth, and Recreation, and to the (3) City Council
    - Make studies and recommendations to the Mayor, City Council, and Director of Public Works
    - Many other duties, including providing general public with information and education about parks and recreation
  - Membership:
    - 21 members, composed of representatives of the active friends of parks groups (one rep per group) and mayor nominates for remaining positions
    - Ex officio members - (1) Mayor, (2) Chairman of the Court of Common Council’s Public Works, Parks, and Environment Committee, (3) Director of Public Works, (4) Director of Families, Children, Youth, and Rec.
- Tree Advisory Commission (Muni Code. Chapter 28, Article VI, § 28-156)
  - Purpose
    - To advise the City Forester, the Court of Common Council, and the Mayor on tree-related issues in the City
    - To promote awareness of tree care, Hartford’s arboreal heritage and the benefit of an urban forest
    - To develop and adopt a Master Tree Plan
    - To create an annual “State of the Forest” report about what has occurred in the City’s free inventory and urban forest, as well as recommendations of policy and action for the next year
  - Membership
    - 5 ex officio members (the City Forester, chair of the Parks and Recreation Advisory Committee, chair of the Public Works, Parks, and Environment Committee of the Court of Common Council, the City Planner, and the Head of Buildings and Grounds for the Hartford Board of Education), 5 appointed by the Mayor and approved by the Court of Common Council (2 of which must have established professional competence in a pertinent discipline, and 3 Hartford residents with specialized interest in Hartford’s urban landscape)
- Hartford Golf Course Oversight Commission (Muni Code. Chapter 2, Article V, Division 18)
  - Purpose



Elizabeth Park Rose Garden, the greenhouse, the maintenance of street trees and the urban forest and the maintenance of cemetery grounds and operations.” (Muni. Code § 2-87(j))

- Relevant Services provided by Department of Public Works
  - Festivals - equipment, signage, permits for usage, inspections; (Muni. Code § 7-17)
  - Races - equipment, signage, permits, inspections, fees from sponsors. (Muni. Code § 7-102)
  - Carnivals - equipment, signage, barricades, litter removal where the sponsors fail to do so, inspections, and permits. (Muni. Code § 7-116)
  - Provides waste and recycle containers; Muni. Code § 15-11
  - Installation and maintenance of curbs and sidewalks. (Muni. Code § 31-41)
  - Maintenance and construction in parks. (Muni. Code § 31-31)
- Department of Families, Children, Youth, and Recreation (Muni. Code § 2-109)
  - Purpose
    - Promoting and improving the integration of services for children, youth and families
  - Organization
    - There are 3 divisions within this Department (Muni. Code § 2-109(c))
    - Relevant to Parks is the Office of Recreation Services, which is responsible for “providing an integrated approach to youth development and recreational activities in the city.” (Muni. Code § 2-109(f))
- Department of Health and Human Services (Muni. Code § 2-92)
  - Purpose
    - The director of this department is “responsible for pursuing the elimination of health disparities and inequities through the application of best practices, effective collaboration with our partners and community members, promotion of a healthier living environment and being a resource for healthy living.” (Muni. Code § 2-92(a))
  - Organization
    - There are 5 divisions within this Department (Muni. Code § 2-92(b))
    - Relevant to Parks is the Division of Environmental Health, which is responsible for “developing and maintaining Hartford as a health community by developing a sound public health infrastructure, promoting healthy lifestyles, controlling and preventing diseases and by enforcing the public health code.” (Muni. Code § 2-92(d))
- Department of Development Services (Muni. Code § 2-108.5)
  - Purpose



## **APPENDIX I: Definitions**

*Alcoholic beverage or alcoholic liquor* includes all varieties of liquor defined in this section including alcohol, beer, spirits and wine and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being for beverage purposes. (Muni. Code §26-41)

*Beer* means a beverage obtained by alcoholic fermentation of an infusion or concoction of barley or other grain, malt and hops in water, and includes among other things beer, ale, stout, lager beer, porter and the like. (Muni. Code §26-41)

*Bring your own beverage* is a term which means that the owner of an establishment or host of an event will not be providing alcoholic beverages but that guests are welcome to bring their own if they choose. (Muni. Code §26-41)

*Carnivals* include any carnival, circus, street celebration which is not a block party (as defined in this chapter) or other similar event not specifically addressed in this chapter taking place in or upon any street, park or other public place. This definition is not intended to include public speeches, political rallies, political marches, protests, demonstrations or similar events. (Muni. Code §7-103)

*Circus or outdoor assemblage* shall include circuses, sideshows, bazaars, revival meetings and any other outdoor show or assemblage for any purpose whatsoever conducted under tents or providing temporary structures to seat the public. . (Muni. Code §5-31)

*City-affiliated property* means property owned by the City of Hartford, by the Hartford Housing Authority, or by any other agency of the City of Hartford. (Muni. Code §7-1(b))

*Events* shall mean any public or private function held on the grounds of a park, which may include the lawn area, clubhouse, pond house, recreational facility, pavilion, carousel or other amusement area of the park. (Muni. Code §26-41)

*Festival* includes any ceremony, show, block party or exhibition of any kind, or any similar display, in or upon any street or in any park. It is any fair or festival, or similar activity where patrons have the privilege of watching or participating in entertainment, including, but not limited to, music shows, concerts, and revivals. This definition is not intended to include public speeches, political rallies, political marches, protests, demonstrations or similar events. (Muni. Code §7-16)

*Foods or beverages* means any substance, composed of carbohydrates, water, fats and/or proteins, that is either eaten or drunk by any animal, including humans. (Muni. Code §14-2)

*Food establishment* means an establishment, sometimes referred to as a food operation, engaged in the retail sale or service or distribution of food, including itinerant vendors who transport food for the purpose of retail sale within the City, temporary food service operations and caterers whose fixed base of operation are located within the City's boundaries. (Muni. Code §14-2)

*Garbage* means all solid waste composed of putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of foods. (Muni. Code §15-1)

*Golf course* includes the area designated for play of the game of golf as well as the property adjoining and used in conjunction with said area, including the driving range area, practice green, club house, pro shop, restaurant, lounge, snack shop and any areas adjacent thereto, all of which make up the golf course. (Muni. Code §26-41)

*Intensive park use* means an impactful use within a park which includes buildings (including additions of 1,000 square feet or more to existing buildings), golf courses, riding stables, zoos, campsites, group camps, and, in Keney Park only, a large-scale organic matter composting facility that primarily utilizes natural methods of composting. (Zoning Regs. § 3.3.3.C)

*Parade* includes any parade, march, ceremony, show, exhibition, pageant or procession of any kind, or any similar display, in or upon any street, park or other public place. This definition is not intended to include public speeches, political rallies, political marches, protests, demonstrations or similar events. (Muni. Code §7-61)

*Park* means a use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, parkettes, playfields, playgrounds, recreation centers, and tot lots for general recreation, athletics, and leisure. May include historic structures/monuments, botanical gardens, ornamental gardens, or arboretums. Accessory uses may include picnic areas, fishing, ziplines, and swimming pools. (Zoning Regs. § 3.3.3.D)

*Park, intensive* (see Intensive Park Use above).

*Public event* means one to which the general public is invited by advertisement or advertisements circulated or directed to the public at large and where food is served or made available. (Muni. Code §14-2)

*Race* includes any marathon, bicycle or other non-motorized tour, footrace, bicycle race or any similar athletic event, in or upon any street, park or other public place in which public access is wholly or partially restricted. This definition is not intended to include public speeches, political rallies, political marches, protests, demonstrations or similar events. (Muni. Code §7-88)

*Spirits* means any beverage which contains alcohol obtained by distillation, and includes brandy, rum, whiskey, gin or other spirituous liquors when rectified, blended or otherwise mixed with alcohol or other substances. (Muni. Code §26-41)

*Wine* means any alcoholic beverage obtained by the fermentation of natural contents of fruit or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol, or other spirits, as above defined. (Muni. Code §26-41)

## APPENDIX II: Provisions Cited

### A. Charter of the City of Hartford

#### **Chap. II, Sec. 1. - General grant of powers.**

The City of Hartford shall have not only all the powers specifically granted by this Charter but all powers fairly implied in or incident to the powers expressly granted, and all other powers incident to the management of the property, government and affairs of the city the exercise of which is not expressly forbidden by the constitution and General Statutes of the State of Connecticut ("General Statutes"). The enumeration of particular powers in this and any other chapter of this Charter shall not be construed as limiting this general grant of power, but shall be considered as in addition thereto.

#### **Chap. II, Sec. 5. - Power to adopt regulatory ordinances.**

The city shall have power to adopt ordinances not in conflict with the General Statutes or the provisions of this Charter, for the preservation of the public peace, health, safety, comfort and welfare of the inhabitants of the city, and to provide penalties for the violation thereof enforceable in a court of competent jurisdiction as set forth in the General Statutes, but not exceeding a fine of one hundred dollars (\$100.00), or the maximum amount set forth in the General Statutes and enacted by ordinance or imprisonment for more than thirty (30) days or both. Any individual, firm, corporation or association violating any such ordinance shall be liable to the city in a civil action for any damages caused by or arising out of such violation. The city shall have power to require wherever necessary in the execution of its powers permits or licenses and to fix the amount to be paid therefor.

#### **Chap. IV, Sec. 1. - The legislative power of the council.**

The legislative power and authority of the city shall be vested in the council. No enumeration of powers contained in this Charter shall be deemed to limit the legislative power of the council as provided for in the General Statutes.

#### **Chap. IV, Sec. 2. - Powers of the council.**

The council shall have the power:

- (a) To exercise the powers specifically granted to the council in this Charter or by statute;
- (b) To enact ordinances in the manner provided in this Charter not inconsistent with law, or this Charter, for the government of the city and the management of its business, and to implement all of the powers set forth herein or otherwise conferred upon the city for which regulation or legislation is required;
- (c) To adopt the capital and operating budget of the city, as provided in this Charter;
- (d) To approve, by majority vote of its membership, all appointments made pursuant to section 2(d) and (e) of Chapter V and other provisions of this Charter. Pending action by the council, which shall be completed within sixty (60) days of the submission of the nomination, a proposed appointee to a

position may perform the duties and exercise the powers of the position; although this provision shall not be applicable to appointees to boards or commissions. A rejected nominee may continue in office in an acting capacity pending resubmission of the candidate's name for approval at the council's next regular meeting; however, a person's name may not be submitted more than two (2) times. Other than to membership on a board or commission, the mayor may designate an individual to hold a position in an acting capacity pending the selection of a nominee, but no person may hold such a position for more than six (6) months without being submitted for confirmation by the council. If a nomination to a position or to a board or commission has not been affirmed or rejected by vote of the council within sixty (60) days of the submission of the nomination by the mayor, it shall be deemed to have been approved;

(e) To establish the fees charged by city agencies;

(f) In the name of the city, to receive gifts of money or property in excess of a value to be determined by the council from time to time by ordinance. Gifts of a lesser value than specified in such an ordinance may be received by the mayor, or by persons the mayor may designate, in the name of the city;

(g) To undertake public improvements and to assess benefits and damages therefor, in the manner provided in this Charter;

(h) To approve labor agreements and employment contracts, but excepting employment arrangements for the non-classified appointees of the mayor;

(i) To approve the purchase, sale, lease or other transfer of real property;

(j) To provide by ordinance for such staff and other assistance as the council may deem appropriate to meet its needs, providing that due appropriation has been made therefor, and to provide by ordinance for the method of hiring and terminating such staff.

(k) To increase by ordinance any dollar amount in this Charter, including the compensation of the mayor, by an amount no greater than the change in the consumer price index, or any similar published index in the event the consumer price index is discontinued, provided that any such ordinance increasing the compensation of the mayor shall be enacted only in the first five (5) months of the calendar year in which a mayoral election is to be held and shall become effective on January 1 of the next year.

(l) To adopt a city plan within six (6) months following receipt of the report of the planning and zoning commission.

(m) To adopt an ethics ordinance setting forth the standards governing the conduct of public officials and employees.

(n) To appropriate, notwithstanding other provisions of this Charter, necessary funds for the purpose of meeting a public emergency threatening the lives, health or property of citizens, as determined either by the President of the United States or the Governor of the State of Connecticut; provided such appropriation shall require at least seven (7) affirmative votes in the council.

#### **Chap. V, Sec. 1. - The executive power and authority of the mayor.**

There shall be a mayor who shall be the chief executive officer of the city. The executive and administrative powers of the city are vested in the mayor, except as otherwise provided in this Charter, or provided by law.

**Chap. VII, Sec. 3. - Appointive boards and commissions required by ordinance.**

The council may establish, by ordinance, such boards and commissions as are necessary to effectuate the powers and purposes of the city as enumerated in the General Statutes, Special Acts and this Charter.

**Chap. XIII, Sec. 3. - Transition provisions.**

All departments, agencies, commissions and other units of the city government previously provided for in the Charter but not provided for in this amended Charter and in existence as of the effective date of this amended Charter, and the positions associated therewith, shall remain in existence unless and until they are altered or abolished by ordinance. The directors, deputies and assistants of said departments, agencies and commissions shall continue until replaced by the mayor.

The terms of all elected officials holding office when this amended Charter is approved by the electors of the city shall be extended until the terms of the officials elected in the election of November 2003 commence in accordance with the provisions of this amended Charter. Elected officials who are compensated shall be paid a pro rata portion of their salaries during the period of the extension.

**B. City of Hartford Municipal Code**

**Sec. 5-1. - License required.**

No person shall display or produce publicly in the city to be seen or heard any sport, public amusement, musical, operatic, dramatic, theatrical or pictorial performance, circus or other exhibition, or any public assemblage for any purpose whatsoever which is held or conducted wholly or partly under a tent or other temporary structure, or advertise the same by any illustrated bill, poster, hanger or display card, or open for business any billiard parlor or bowling alley, without a license to do so issued by the bureau of licenses and inspections approved by the chief of police. However, no license shall be required when such activity is presented in the public portion of the Hartford Civic Center.

**Sec. 5-4. - Revocation of license.**

The chief of police may notify the bureau of licenses and inspections to revoke any license issued under the provisions of this article at any time for cause, and the operations conducted thereunder shall cease immediately upon such revocation and shall not be resumed until the license is reinstated.

**Sec. 5-9. - Carnivals prohibited; exceptions.**

Except as otherwise provided, it shall be unlawful for any person to exhibit, open, maintain or operate performances or shows commonly known as carnivals anywhere in the city; provided, however, that this section shall not apply to any amateur show, bazaar, festival or other similar amusement conducted for the benefit of a church or religious society, whether or not it is carried on in a hall used occasionally for such affairs and located in a church edifice or maintained in connection with or as a part of the religious work

of a church, religious society, public or parochial school, or upon the grounds of a church, school or religious society.

**Sec. 5-32. - Lease of city property.**

No premises owned or controlled by the city shall be leased or let for any circus or outdoor assemblage except by written lease, the form and contents of which are first approved by the corporation counsel.

**Sec. 5-34. - Preliminary inspections required.**

(a) No license issued for any circus or outdoor assemblage shall become operative and no such circus or outdoor assemblage shall be permitted to proceed until an inspection has been made by the police and fire departments and the department of licenses and inspections and, where sanitary facilities are provided, by the department of health.

(b) Such inspection shall be made by representatives of each department acting in cooperation with each other for the purpose of determining that, insofar as is practicable, all factors are present to preclude and prevent danger to the public from injury, fire and panic, and that the requirements of this article have been met.

**Sec. 7-17. - City services to festivals.**

The following city services shall be provided to all festivals:

- (a) Set up of bandstands, show mobiles and other similar equipment by the department of public works, if such items are available from the department of public works for special event use;
- (b) Inspections required for issuance of permits by the department of licenses and inspections;
- (c) Inspection of portable toilets and other sanitary conditions by the department of health and human services;
- (d) The provision of signs and barricades and mobile sweeping, when on route, by the department of public works;
- (e) Fire safety inspections by the fire department;
- (f) Set up and cleanup (to include nights and weekends where necessary) by the department of public works and removal of all litter, debris and any other materials from the park, street or public place resulting from the use of the festival sponsor where the sponsor fails to remove same;
- (g) Night and weekend inspections required for issuance of permits by the department of licenses and inspections;
- (h) Night and weekend inspection of portable toilets and other sanitary conditions by the department of health and human services;
- (i) All services provided by the police department;
- (j) Night and weekend fire inspections and all other fire protection services performed by the fire department;
- (k) Pickup, placement and return of all signs and barricades;
- (l) Provision of adequate garbage dumpsters and recycling receptacles;

(m) Inspections required for issuance of permits by the department of health and human services; and

(n) Night and weekend inspections required for issuance of permits by the department of health and human services.

**Sec. 7-31. - Required; exceptions.**

No person shall engage in, participate in, or conduct any musical program, festival, or similar event requiring exclusive use of any park, street or public place (each a "Permitted Event") unless a permit has been obtained from the director of licenses and inspections, and unless such permit is carried by the person heading or leading such activity. This section is not intended to include public speeches, political rallies, marches, protests, demonstrations or similar events.

**Sec. 7-32. - Application; time of filing; contents.**

Application for a permit required by this article shall be filed with the director of licenses and inspections not less than sixty (60) days nor more than one hundred eighty (180) days before the date on which it is proposed to conduct any such activity. Such application shall be sworn to and shall state:

(1) The name of the person or organization wishing to conduct such activity;

(2) If the activity is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible head of such organization;

(3) The name, address and telephone number of the person who will be the chairman of such activity and who will be responsible for its conduct, and who shall be available to city personnel at all hours of festival operation at an onsite headquarters;

(4) The name, address and telephone number of the person or organization to whom the permit is desired to be issued;

(5) The date when such activity is to be conducted;

(6) The location for which such permit is desired, and a map of the assembly area indicating the layout of activities;

(7) An estimate of the anticipated attendance;

(8) The dates and hours when such activity will start and terminate;

(9) If the activity is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the director of licenses and inspections a communication in writing from the person proposing to hold such activity, authorizing the applicant to apply for the permit on his behalf;

(10) Whether any sound amplification equipment is proposed to be used, and if so, information describing such sound amplification equipment;

(11) The number, type and location of any concessions or vendors doing business during the activity, such list of vendors to be provided to the director of licenses and inspections ten (10) days before the activity;

(12) The number, type and location of toilet facilities to be provided for use during the activity;

(13) Whether the use of alcoholic beverages will be permitted on the premises upon which the activity is conducted and to what extent;

(14) What provisions have been made for the cleanup of the activity after its conclusion;

(15) What emergency services are available; if the director of licenses and inspections finds the emergency services to be inadequate, he may order additional services be provided;

(16) Complete plans and times of different events that will be taking place. Plans should include, but not be limited to, proposed layout and access control on map to the satisfaction of the Department of Public Works;

(17) That the sponsor shall indemnify, defend and hold harmless the city, its officers, employees and agents from and against all liability, claims, suits, demands, judgment, interest and expense arising from any injury to or death of any person or damage to property including loss thereof; and

(18) That the sponsor will provide insurance covering all risks involved in the use of public property. A determination of the minimum requirement shall be made by the purchasing and insurance division; and the city, its officers, employees and agents shall be named as additional insureds on all policies required by the city.

In addition to the foregoing, such application shall include a communication from the office of cultural affairs, sports, marketing, arts and tourism attesting to the payment of the deposit by the sponsor to such office to cover the potential damage to any turf, street or other city property and to cover the city's anticipated cost to clean up litter, if necessary, following any festival as such deposit is described in section 7-43 of this Code.

### **Sec. 7-33. - Late applications.**

The director of licenses and inspections shall have the authority to consider any application for a permit required by this article which is filed less than sixty (60) days before the date such activity is proposed to be conducted; provided that unusual circumstances or good cause exists and that sufficient review of the application can be made to ensure that the safety and welfare of the city and its citizens is protected. A non-waivable fee of fifty dollars (\$50.00) shall be assessed for any late application. Festivals sponsored solely by the City of Hartford shall not be subject to such late application fee.

### **Sec. 7-34. - Issuance.**

The director of licenses and inspections shall grant and issue a permit required by this article if, from a consideration of the application and such other information as may otherwise be obtained, he finds that:

(1) The proposed activity or use of the park, street or public place will not unreasonably interfere with or detract from the general public use or enjoyment of the park, street or public place;

(2) The proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;

(3) The facilities desired have not been reserved for other use at the day and hour required in the application;

(4) The conduct of such activity will not substantially interrupt the safe and orderly movement of other vehicle or pedestrian traffic contiguous to it;

(5) The conduct of such activity will not require the diversion of so great a number of police officers of the city to properly police such activity and the areas contiguous thereto, as to prevent normal police protection to the city;

(6) The conduct of such activity is not reasonably likely to cause injury to persons or property, based on the anticipated size of the crowd and the physical capacity of the area in which the activity is to occur, the proposed duration of the activity, the nature of the physical use of the area in question, including the type and size of any equipment, booths, stands, stages or similar features which the proposed activity would utilize;

(7) Such activity is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit; and

(8) The applicant will be in conformance with all regulations and orders of the fire marshal.

**Sec. 7-39. - Officials to be notified of issuance.**

Immediately upon the issuance of a permit under this article, the director of licenses and inspections shall send a copy thereof to the following:

- (1) The chief operating officer;
- (2) The mayor;
- (3) The fire chief;
- (4) The chief of police;
- (5) The director of public works;
- (6) The office of cultural affairs, sports, marketing, arts and tourism;
- (7) The director of health and human services;
- (8) The director of emergency services; and
- (9) The director of the Hartford parking authority.

**Sec. 7-40. - Duties of permittee.**

A permittee under this article shall comply with all permit directions and conditions and with all applicable laws, ordinances and rules and regulations as though they were inserted in the permit.

**Sec. 7-41. - Possession.**

The person heading or leading an activity permitted under this article shall carry the permit upon his person during the conduct of the activity.

**Sec. 7-42. - Revocation.**

The director of licenses and inspections shall have the authority to revoke a permit issued under this article upon application of the standards for issuance as set forth in this article.

**Sec. 7-77. - Application; time of filing; contents.**

Application for a parade permit shall be filed with the director of licenses and inspections not less than twenty (20) days nor more than one hundred eighty (180) days before the date on which it is proposed to conduct the parade. Such application shall be sworn to and shall state:

- (1) The name of the person or organization wishing to conduct such parade;
- (2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible head of such organization;
- (3) The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;
- (4) The name, address and telephone number of the person or organization to whom the permit is desired to be issued;
- (5) The date when such parade is to be conducted;
- (6) The route to be traveled, the starting point and the termination point;
- (7) The approximate number of persons who, and animals and vehicles which will constitute such parade, the type of animals, and a description of the vehicles;
- (8) The hour when such parade will start and terminate;
- (9) Whether such parade will occupy all or only one-half of the width of the streets proposed to be traversed;
- (10) The location by streets of any assembly or assembly areas for such parade;
- (11) The time at which units of the parade will begin to assemble at any such assembly areas;
- (12) The interval of space to be maintained between units of such parade; and
- (13) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the director of licenses and inspections a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on his behalf.

In addition to the foregoing, such application shall include a communication from the office of cultural affairs, sports, marketing, arts and tourism attesting to the payment of the deposit by the sponsor to such office to cover the potential damage to any turf, street or other city property and to cover the city's anticipated cost to clean up litter, if necessary, following any parade as such deposit is described in section 7-64 of this Code.

**Sec. 7-78. - Late applications.**

The director of licenses and inspections shall have the authority to consider any application for a parade permit which is filed less than twenty (20) days before the date of such parade is proposed to be conducted; provided that unusual circumstances or good cause exists and that sufficient review of the application can be made to ensure that the safety and welfare of the city and its citizens is protected. A non-waivable fee of fifty dollars (\$50.00) shall be assessed for any late application. Parades sponsored solely by the City of Hartford shall not be subject to such late application fee.

**Sec. 7-81. - Deadline for action; rejection; notice.**

The director of licenses and inspections shall act upon the application for a parade permit required by this article after the filing of the application. The director of licenses and inspections shall approve or disapprove the application within ten (10) days after the date upon which such application was filed. If the application is denied, the director of licenses and inspections shall send a notice stating in general terms the reason for his denial of the permit.

**Sec. 7-84. - Officials to be notified of issuance.**

Immediately upon the issuance of a parade permit, the director of licenses and inspections shall send a copy thereof to the following:

- (1) The chief operating officer;
- (2) The mayor;
- (3) The fire chief;
- (4) The chief of police;
- (5) The general manager or responsible head of each public transportation utility the regular routes of whose vehicles will be affected by the route of the proposed parade;
- (6) The director of public works;
- (7) The director of health and human services;
- (8) The director of emergency services; and
- (9) The director of the Hartford parking authority.

**Sec. 7-90. - Required; exceptions.**

No person shall engage in or participate in any race, unless a permit to do so has been obtained from the director of licenses and inspections and unless such permit is carried by the person heading or leading such activity. The provisions of this section shall not apply to funeral processions.

**Sec. 7-91. - Application; time of filing; contents.**

Application for a race permit shall be filed with the director of licenses and inspections not less than twenty (20) days nor more than one hundred eighty (180) days before the date on which it is proposed to conduct the race. Such application shall be sworn to and shall state:

- (1) The name of the person or organization wishing to conduct such race;
- (2) If the race is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible head of such organization;
- (3) The name, address and telephone number of the person who will be the race chairman and who will be responsible for its conduct;
- (4) The name, address and telephone number of the person or organization to whom the permit is desired to be issued;
- (5) The date when such race is to be conducted;
- (6) The route to be traveled, the starting point and the termination point;

- (7) The approximate number of persons who, and animals and vehicles which will constitute such race, the type of animals, and a description of the vehicles;
- (8) The hour when such race will start and terminate;
- (9) Whether such race will occupy all or only one-half of the width of the streets proposed to be traversed;
- (10) The location by streets of any assembly or assembly areas for such race;
- (11) The time at which units of the race will begin to assemble at any such assembly areas;
- (12) The interval of space to be maintained between units of such race; and
- (13) If the race is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the director of licenses and inspections a communication in writing from the person proposing to hold the race, authorizing the applicant to apply for the permit on his behalf.

**Sec. 7-91. - Application; time of filing; contents.**

Application for a race permit shall be filed with the director of licenses and inspections not less than twenty (20) days nor more than one hundred eighty (180) days before the date on which it is proposed to conduct the race. Such application shall be sworn to and shall state:

- (1) The name of the person or organization wishing to conduct such race;
- (2) If the race is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible head of such organization;
- (3) The name, address and telephone number of the person who will be the race chairman and who will be responsible for its conduct;
- (4) The name, address and telephone number of the person or organization to whom the permit is desired to be issued;
- (5) The date when such race is to be conducted;
- (6) The route to be traveled, the starting point and the termination point;
- (7) The approximate number of persons who, and animals and vehicles which will constitute such race, the type of animals, and a description of the vehicles;
- (8) The hour when such race will start and terminate;
- (9) Whether such race will occupy all or only one-half of the width of the streets proposed to be traversed;
- (10) The location by streets of any assembly or assembly areas for such race;
- (11) The time at which units of the race will begin to assemble at any such assembly areas;
- (12) The interval of space to be maintained between units of such race; and
- (13) If the race is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the director of licenses and inspections a communication in writing from the person proposing to hold the race, authorizing the applicant to apply for the permit on his behalf.

**Sec. 7-92. - Late applications.**

The director of licenses and inspections shall have the authority to consider any application for a race permit which is filed less than twenty (20) days before the date of such race is proposed to be conducted; provided that unusual circumstances or good cause exists and that sufficient review of the application can be made to ensure that the safety and welfare of the city and its citizens is protected. A non-waivable fee of fifty dollars (\$50.00) shall be assessed for any late application. Races sponsored solely by the City of Hartford shall not be subject to such late application fee.

**Sec. 7-95. - Deadline for action; rejection; notice.**

The director of licenses and inspections shall act upon the application for a race permit required by this article after the filing of the permit. The director of licenses and inspections shall approve or disapprove the application within ten (10) days after the date upon which such application was filed. If the application is denied, the director of licenses and inspections shall send a notice stating in general terms the reason for his denial of the permit.

**Sec. 7-98. - Officials to be notified of issuance.**

Immediately upon the issuance of a race permit, the director of licenses and inspections shall send a copy thereof to the following:

- (1) The chief operating officer;
- (2) The mayor;
- (3) The fire chief;
- (4) The chief of police;
- (5) The director of public works;
- (6) The director of health and human services;
- (7) The director of the Hartford parking authority;
- (8) The director of emergency services; and
- (9) The general manager or responsible head of each public transportation utility the regular routes of whose vehicles will be affected by the route of the proposed parade.

**Sec. 13-55. - Bonfires.**

No bonfire shall be made or maintained in the city without written permission from the fire chief.

**Sec. 13-56. - Permits for operation—Required; fees; revocation of permits.**

(a) All occupancies, the use of certain effects or displays, or operation of outdoor events, pursuant to the Regulations of Connecticut State Agencies Section 29-291(a)-1 inclusive, also known as the CT State Fire Prevention Code and as amended, shall not operate unless inspected by the Fire Marshal or his/her designee and, upon successful completion of required inspection, issued an annual permit to operate.

(b) A fee for such annual permits shall be in accordance with [Section 13-6](#) of the Municipal Code.

(c) The Fire Marshal or his/her designee may, at any time, upon inspection or verification of a complaint, revoke a permit for violations of the CT Fire Safety Code or CT Fire Prevention Code and in accordance with G.S. § 29-306.

(d) Annual operational permit requirements are effective upon adoption of this section.

**Sec. 14-6. - Temporary food establishment licensing: submittal, procedures, and approvals.**

(a) Temporary food establishment means a food establishment that operates at a fixed location for a temporary period of time, not to exceed two (2) weeks, in connection with a carnival, circus, public exhibition, festival, celebration, or similar transitory gathering.

(b) Any person required to be licensed for temporary food service under this article shall make application to the department health and human services, environmental health division. The event coordinator or the event operator is the individual required to complete the application. All applicants shall make the required application at least thirty (30) days prior to the opening event.

(c) Prior to issuing a license, the Director of Health or his/her authorized agent shall inspect the proposed temporary food establishment to determine compliance with the provisions of this section and the Public Health Code of the State of Connecticut.

(d) The Director of Health shall issue a license to the applicant if the inspection reveals that the proposed temporary food establishment complies with the requirements of this section and the Public Health Code of the State of Connecticut.

(e) Temporary licenses shall not exceed a period of five (5) days.

(f) Applicants shall be subject to the fee schedule as outlined in section 14-7 of this chapter and shall not be granted any waiver.

**Sec. 14-7. - Classification; fees; revocation; nontransferability; penalties.**

(a) *Classification.* For purposes of this article, the following classifications of retail food establishments shall be applied:

(1) *Class I* is a food establishment with commercially prepackaged foods and/or hot or cold beverages only. No preparation, cooking or hot holding of potentially hazardous foods is included except that commercially packaged pre-cooked foods may be heated and served in the original package within four (4) hours.

(2) *Class II* is a food service establishment using cold or ready-to-eat commercially processed food requiring no further heat treatment and/or hot or cold beverages. No cooking, heating or hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours, and commercially precooked hot dogs, kielbasa and soup may be heated if transferred directly out of the original package and served within four (4) hours.

(3) *Class III* is a food establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and consumed by the public within four (4) hours of preparation.

(4) *Class IV* is a food establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and held for more than four (4) hours prior to consumption by the public.

(5) *Caterer* is a food service establishment which meets one (1) of the above listed classifications and provides food services as defined in section 14-6-1.

(b) *Fees*. The following annual fees shall be collected by the department of health for each license or renewal issued for a food establishment:

(1)

Class I .....\$125.00

Class II .....200.00

Class III .....300.00

Class IV .....400.00

Caterer .....200.00

Not-for-profit organization license processing fee .....50.00

Itinerant vendor/mobile vendor .....500.00

The above fees may be prorated on a quarterly basis. Notwithstanding the above fees, not for profit organizations shall not be subject to any fee for licenses issued hereunder except for other fees and a license processing fee of fifty dollars (\$50.00) as set forth herein.

Plan review:

Class I and II .....\$100.00

Class III and IV .....200.00

Lost or replacement of the original food service license fee .....25.00

Return check fee .....50.00

(2)

*Other fees:*

Late fees for lapsed licenses, permits for Class I, II, III, IV, one hundred dollars (\$100.00) initially and two hundred dollars (\$200.00) each month or portion of a month in arrears thereafter.

Re-inspection fee; as provided for in this article .....\$100.00.

(c) *Temporary food service event*. All applications shall be subject to the following fee schedule:

Applications received fifteen (15) or more days prior to the day of event:

Processing fee for all temporary food service events except those sponsored by not-for-profit organizations .....\$75.00

Processing fee for not-for-profit organizations .....25.00

Applications received between five (5) through fifteen (15) days prior to the day of event:

All applicants including not-for-profit organizations .....125.00

Applications received less than five (5) days prior to the day of event:

All applicants including not-for-profit organizations .....150.00

(d) A seasonal food license may issue to a food establishment that operates less than six (6) months per year, operates outside the scope of temporary food service events/special events as defined herein and meets all state and local public health code requirements. Facilities that qualify for a seasonal license are at the discretion of the department of health and human services and shall generally be limited to little league/school snack bars and other similar facilities. Individuals or entities seeking a seasonal food license shall be required to submit an application, subject to plan review and provide other supporting documentation. A fee of two hundred dollars (\$200.00) is required per applicant per year except that a fee of fifty dollars (\$50.00) per year will be charged to not-for-profit organizations.

(e) *Farmers market license.*

(1)

*Definitions:*

*Farmers market* means, pursuant to G.S. § 22-6r(1), a cooperative or nonprofit enterprise or association that consistently occupies a given site throughout the season, which operates principally as a common marketplace for a group of farmers, at least two (2) of whom are selling Connecticut-grown fresh produce, to sell Connecticut-grown farm products in conformance with the applicable regulations of Connecticut state agencies and where the farm products sold are produced by the participating farmers with the sole intent and purpose of generating a portion of household income.

*Season* means a one (1) year period commencing from the date of issuance of a food vending license for a farmers market.

(2)

Farmers market food vendor licenses shall be issued only to vendors who comply with the regulations set forth in the appropriate sections of Connecticut Public Health Code and are subject to the discretion of the Director of Public Health.

(3)

A fee of fifty dollars (\$50.00) is required for non-farmer food vendors for each season and a fee of twenty-five dollars (\$25.00) is required for non-profit food vendors. Said licenses shall only be issued to vendors operating in compliance with the appropriate sections of Connecticut Public Health Code and are subject to the discretion of the Director of Public Health.

(4)

To ensure public safety, farmers providing cold samples shall obtain a license, but said license shall be free of charge provided that such license is obtained concurrently with the initial farmer's license. Should a cold sample license be applied for following the initial license a fee of twenty-five dollars (\$25.00) shall be required.

(5)

The aforementioned license shall be valid for one (1) season and only be valid at certified Farmers markets, but at any certified Farmers market throughout the City of Hartford. Any food vendor wishing to operate in other locations shall procure the appropriate license for their desired activity.

(f) *Amnesty Program for Certain Late Fees.* An amnesty program which shall include a waiver of fifty (50) percent of late fees due for food service establishments who received reinstated food service licenses after January 1, 2008 despite their failure to pay outstanding late fees prior to reinstatement is hereby created. The amnesty program will require that all amounts due following any waiver shall be paid on or before January 14, 2011 and that the program shall cease to exist on that date. Any late fees remaining due and outstanding on January 15, 2011 shall not be subject to the waiver described herein and shall be due in full.

**Sec. 14-11. - Suspension or revocation.**

(a) The director of health may suspend any license to operate a food establishment if the license holder does not comply with the requirements of this chapter, chapter(s) 21, 24, 27 as described herein or the Public Health Code of the State of Connecticut. If the director of health or his/her authorized agent finds unsanitary conditions in the operation of a food establishment which in his/her judgment constitute a substantial hazard to public health, he/she shall immediately notify the license holder or operator in writing, citing such conditions and specifying the corrective action to be taken and the time period within which such action shall be taken. If deemed necessary, he/she will order immediate correction. If the corrections are not made in the stated time, the license shall be suspended. Suspension is effective upon service of a notice as stated in this article. When a license is suspended, food service activities shall immediately cease.

(b) Whenever a license is suspended, the license holder or person in charge may, within forty-eight (48) hours, file a written appeal with the director of health. If no appeal is filed within forty-eight (48) hours, the suspension becomes final and the license is subject to revocation. If an appeal is filed, the director of health or his/her appointed designee shall schedule a hearing within a reasonable time, rendering a decision within ten (10) days. The director of health may, revoke a food service license for serious or repeated violations of any of the requirements of this section or the Public Health Code of the State of Connecticut or for interference with the director of health or his authorized agent in the performance of their duties. Prior to revocation, the director of health shall notify the license holder or person in charge, in writing, of the reason for which the license is subject to revocation and that the license shall be revoked at the end of fourteen (14) days following service of such notice unless an appeal is filed within forty-eight (48) hours, if no appeal is filed within forty-eight (48) hours, the revocation of the license becomes final. If any appeal is filed, the director of health shall thereupon immediately examine the merits of such revocation and may vacate or affirm such revocation.

(c) The director of health may, at any time, suspend any license issued under this chapter whenever the licensee or an officer or partner thereof commits any of the following:

- i. Falsification of information provided in an application for a license.
- ii. Interference with the department in the performance of its duties.
- iii. Serious or repeat violations which remain non-compliant beyond time frames for correction approved, directed, or ordered by the director of health.
- iv. A crime leading to conviction in any court of competent jurisdiction of violating any criminal statute of the United States or the state of Connecticut or of any ordinance of the City of

Hartford upon the business premises stated in the license or in connection with the business stated in the license or, where the place of business does not conform to the ordinances of the City of Hartford, provided, the holder shall have the ability to appeal such revocation or suspension in the same manner of an appeal of an order of the director of health.

**Sec. 26-11. - Care of plantings in streets, public parks and on public grounds transferred to Department of Parks and Recreation.**

(a) The City Manager having made recommendation, the duty of the Department of Parks and Recreation in the care of city trees, shrubs and vines is transferred to the Department of Parks and Recreation.

(b) Any and all powers, duties and authority of the City in reference to the care, control, preservation and removal of trees, shrubs or vines standing in the highways, public parks and public grounds within the City, and the setting out of additional trees, shrubs or vines within such highways, public parks and public grounds are hereby imposed upon the Department of Parks and Recreation of the City. The setting out of such trees within the lines of any street within the City shall be approved as to location by the Director of Public Works as set forth in Section 31-19 of the Municipal Code.

(c) Whenever, in the opinion of the Director of Parks and Recreation or the City Forester appointed under the provisions of section 26-13, the public safety demands the removal or pruning of any tree or shrub under the control of the Department of Parks and Recreation, he may cause such tree or shrub to be removed or pruned. Unless such tree or shrub constitutes an immediate public hazard, he shall, at least five (5) days before such removal, post thereon a suitable notice stating his intention to remove such tree or shrub. If any person objects to such removal, he may appeal to the Director of Parks and Recreation in writing, who shall hold a public hearing at some suitable time and place after giving reasonable notice of such hearing to all persons known to be interested therein and posting a notice thereof on such tree or shrub. Within three (3) days after such hearing, the Director of Parks and Recreation shall render his decision granting or denying the application.

**Sec. 26-12. - Powers of Director of Parks and Recreation as to vegetation growing outside street lines.**

Whenever a tree, shrub or vine located outside the limits of any street line in the City is, in the opinion of the Director of Parks and Recreation, deemed to be in a condition dangerous to persons or property upon any highway, or afflicted with a disease which might spread and affect other trees, shrubs or vines, the Director of Parks and Recreation may order the owner of such tree, shrub or vine to remove, treat or trim such tree, shrub or vine so as to eliminate such danger, within such reasonable time as may be limited in such order. Upon the owner's failure to do so, the Director of Parks and Recreation may remove, treat or trim such tree, shrub or vine and may collect, on behalf of the City, the expense thereof from the owner of such tree, shrub or vine. However, in any case where such tree, shrub or vine is not dangerous to persons or property upon any highway but is deemed by such director to be afflicted with a disease, he shall order the same to be removed, treated or trimmed for that reason. If the owner within ten (10) days after the receipt of such notice claims in writing to the director that such tree, shrub or vine is not so afflicted, the

question shall be referred by the director to the state entomologist for a report. Unless such state entomologist finds such tree, shrub or vine to be so afflicted, it shall not be so removed, treated or trimmed. However, if such state entomologist fails to make any report within thirty (30) days after such reference to him, such tree, shrub or vine may be removed, treated or trimmed by the director at the owner's expense as provided in this section. Nothing in this section shall preclude an appeal or other court proceeding by either the City or the owner.

**Sec. 26-13. - City forester.**

The Director of Parks and Recreation shall, for the purpose of carrying out the provisions of sections 26-11 and 26-12, appoint a City Forester. The City Forester shall in general act under the direction of the Department of Parks and Recreation, in reference to the duties placed upon the Department of Parks and Recreation by sections 26-11 and 26-12 and shall perform such other special duties in reference to trees, shrubs or vines in highways, public parks and public grounds as may be required of him by such department under the provisions of the Charter and ordinances of the City and the laws of the state.

**Sec. 26-14. - Advisory commission.**

(a) Established; membership. There is hereby established a parks and recreation advisory commission consisting of twenty-one (21) members. These members shall include representatives of the active friends of parks groups and the remaining members shall be nominated by the Mayor and subject to approval by the Council on an at-large basis without regard to the neighborhood in which they reside. A Friends of Parks group shall be defined as a noncommercial entity recognized by the City of Hartford, composed of individuals committed to the betterment of one (1) or more City parks. Each Friends of Parks group shall be permitted a maximum of one (1) representative. However, each Friends of Parks group shall have the ability to select their representative in a process of their own choosing and such representatives shall be confirmed subject to the confirmation procedures outlined in chapter VII, section 1 of the Charter of the City of Hartford. All members shall serve without compensation. Each member shall serve for a term of three (3) years; except that of those first appointed, one (1) member shall be appointed for a term of three (3) years, one (1) member shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of one (1) year. One (1) member shall be designated as chairman of the Commission. Thereafter one (1) member of the Commission chosen at large shall be appointed each year to succeed the member whose term has expired. Each commissioner shall serve for the term for which he/she is appointed and until his successor is appointed. The Mayor shall nominate, subject to the approval of the Council, one (1) member of the Commission as its chairman. The chairman shall serve for a period of one (1) year or until the appointment of a new chairman. The Mayor and chairman of the Court of Common Council's Public Works, Parks and Environment Committee, the Director of Public Works or his or her designee responsible for park maintenance and the Director of Families, Children, Youth, and Recreation or his or her designee responsible for recreation services shall be ex officio members of the Commission. In the event of the death or resignation of any member of the Commission, his/her successor shall be nominated by the Mayor and be confirmed by the City council to fill the unexpired period of the term for which such member had been appointed.

(b) Function and duties. The Commission shall be an advisory body to the Department of Public Works, the Director of Families, Children, Youth, and Recreation and to the Council in matters relating to recreation and park maintenance services. It shall make studies and recommendations to the Mayor, the Council and the Director of Public Works concerning the use of parks by the general public, park management, and park policies and to the Director of Families, Children, Youth, and Recreation concerning recreation program formulation. It shall also seek working relationships with schools, community and civic organizations and shall provide the general public with information and education as regards recreation and park maintenance. The Commission shall also serve as the contact point for the public to express their opinions and requests relative to recreational programming in Hartford.

(c) Meetings. The Commission shall meet not less than once every three (3) months and may meet sooner by call of the chairman or by a call of at least five (5) members of the Commission.

(d) Appropriations. The Council may make appropriations to cover the expenses of the Commission. All appropriations to cover the expenses of the Commission shall be made in the budget of the public works department in an account for that purpose. The Director of Public Works shall provide clerical services to the Commission as needed and within the appropriation made therefor.

**Sec. 26-15. - Municipal garden program.**

(a) The Parks and Recreation Advisory Commission is hereby empowered to develop and administer a program to encourage the use of vacant public land owned by the City for gardening purposes by the general public. This Commission may:

- (1) Maintain an inventory of vacant public lands owned by the City;
- (2) Establish and administer a procedure for selection of persons to use public lands for gardening purposes; and
- (3) Adopt regulations governing the use of vacant public lands for gardening purposes.

(b) The Commission shall obtain the permission of the appropriate department, agency, officer or board charged with the lawful responsibility to manage and control the vacant public land prior to using the property for the municipal garden program. Nothing in this section shall limit the right of the City to enter and take control at any time those public lands being used for the municipal garden program; nor shall the City be limited by any of the actions of its employees or officers from ejecting and denying access to these public lands to any and all individuals when the City deems it desirable and in the best interests of the City.

(c) The City shall be held harmless and indemnified by all participants and persons in the municipal garden program from all suits, claims of liability of each name and nature arising out of or in consequence of the use of public land in the municipal garden program.

(d) The Commission may recommend a schedule of user fees to the Council to cover the administrative costs of the municipal gardens program. Those fees shall reflect the actual cost of administering and maintaining the municipal garden program.

**Sec. 26-31. - Unlawful conduct generally.**

It shall be unlawful for any person to annoy other persons or to disturb the animals, birds or fish, or commit any act of nuisance in any park, except that fishing is permitted at Batterson Lake and at Waltermere Pond in Keney Park during the fishing season as established by the State of Connecticut for such lake and pond, and subject to the applicable hours of operation for the respective parks in which such lake and pond are situated.

**Sec. 26-32. - Injuring property or plants.**

It shall be unlawful for any person to misuse or abuse park property, or to injure or gather trees, shrubs or plants in any park.

**Sec. 26-33. - Injuring official signs and notices.**

It shall be unlawful for any person to deface or injure any sign or notice placed in any park by the City.

**Sec. 26-34. - Litter and rubbish.**

No person shall throw or deposit or leave any litter or rubbish in any park.

**Sec. 26-35. - Games.**

It shall be unlawful for any person to throw balls or play active games in parks where prohibited.

**Sec. 26-36. - Wading and swimming.**

It shall be unlawful for any person to wade or swim in any pond or lake in the parks of the City, except Batterson Park Lake, where wading and swimming shall be limited to the public beach area as designated by the Director of Parks and Recreation, and only when lifeguards are on duty.

**Sec. 26-37. - Dogs.**

It shall be unlawful for any person to take any dog into any park except on a leash, except that no dogs, other than guide dogs for the blind, deaf or mobility impaired pursuant to G.S. § 23-346a, are allowed in the Batterson Park swimming and picnic area.

**Sec. 26-38. - Sales, solicitations and advertising.**

It shall be unlawful for any person to sell or offer for sale any article in any park, or to advertise or solicit for any purpose, other than a noncommercial purpose, or display any sign unless prior approval is obtained from the Director of Parks and Recreation.

**Sec. 26-39. - Firearms and fireworks.**

It shall be unlawful for any person to discharge or have any firearms or fireworks in any park. This section shall not apply to fireworks displays by municipal authorities.

**Sec. 26-40. - Fires.**

Except where cooking facilities are provided, it shall be unlawful for any person to make a fire in any park except by permission of the Director of Parks and Recreation.

**Sec. 26-41. - Alcoholic beverages prohibited generally; exceptions.**

(b) General prohibitions and exceptions:

(1) It shall be unlawful for any person to have alcoholic beverages or to be intoxicated in any park, except that alcoholic beverages may be consumed under the following circumstances:

a. Beer and wine only may be sold and consumed at any event held at Bushnell Park, excluding the Pump House Gallery and the Carousel Pavilion, provided that prior to the event, the proper permission has been obtained from the City to hold the event, the Council adopts a resolution approving such sale and consumption and the location where said sale can take place within Bushnell Park, beverages are sold by a vendor licensed by the Bureau of Licenses and Inspections under a permit issued by the State of Connecticut Department of Consumer Protection, and proper proof of liquor liability insurance is provided to the Risk Manager for the City of Hartford, in an amount to be determined by said risk manager;

b. Alcoholic beverages may be sold and consumed at the Carousel Pavilion in Bushnell Park, and adjacent secured areas within one hundred fifty (150) feet of the pavilion, at private functions during which the carousel is closed to the public, provided that prior to the event, the proper permission has been obtained from the City to hold the event, the Council adopts a resolution approving such sale and consumption and the location where said sale can take place within the pavilion, beverages are sold by a vendor licensed by the Bureau of Licenses and Inspections under a permit issued by the State of Connecticut Department of Consumer Protection, and proper proof of liquor liability insurance is provided to the Risk Manager for the City of Hartford, in an amount to be determined by said risk manager;

c. Alcoholic beverages may be sold and consumed in connection with restaurant or bar services at the Pump House Gallery in Bushnell Park or other events held at the Pump House Gallery provided that the operator or manager of said facility obtains proper liquor liability insurance and a state liquor license;

d. Service of alcoholic beverages shall be allowed in the Elizabeth Park Pond House Restaurant, which includes the outside patio area and auditorium, provided that the operator or manager of said facility obtains proper liquor liability insurance and state liquor licenses. For purposes of this subsection, "service of alcoholic beverages" shall mean the service of alcoholic beverages on a "bring your own beverage" basis in the restaurant for personal consumption with meals, and the service of wine and beer provided by the sponsoring person or entity at events in the auditorium;

e. Beer and wine may be sold and consumed at an event held at the Keney and Goodwin Parks, not including the golf courses, Metzner Center, Willie Ware Center, Hyland Center, Blue Hills Community Center, Pope Park Recreation Center, Kevin D.

Anderson Center and any other park in the City of Hartford not mentioned herein provided that prior to the event, the proper permission has been obtained from the City to hold the event, the Council adopts a resolution approving such sale and consumption and the location where said sale can take place within said park or location, beverages are sold by a vendor licensed by the Bureau of Licenses and Inspections under a permit issued by the State of Connecticut Department of Consumer Protection, and proper proof of liquor liability insurance is provided to the Risk Manager for the City of Hartford, in an amount to be determined by said risk manager;

f. Alcoholic beverages may be sold and consumed at the Keney and Goodwin Park golf courses pursuant to any applicable provisions of this section and all provisions of section 26-42 of this chapter.

(2) If a private individual sponsors an event at any of the locations specified in (b)(1)a. of this section, but not including Keney and Goodwin Park golf courses, the Pump House Gallery and the Elizabeth Park Pond House Restaurant and Auditorium, and intends to serve alcoholic beverages, free of cost, the sponsor shall not be required to obtain a permit from the state liquor control commission. Prior to the event, however, the sponsor must obtain (1) approval from the Council by way of resolution for the service of such beverages; and (2) proper liquor liability insurance approved by the City of Hartford Risk Manager. The service of such beverages may also be subject to any special and further requirements of the City;

(3) The sale or service of alcoholic beverages at the Elizabeth Park Pond House Restaurant and Auditorium, the Pump House Gallery, and the Keney and Goodwin Park golf courses is contingent upon the operator or manager of these facilities obtaining proper liquor liability insurance and a state liquor license.

(4) The provisions of Chapter 35 of the Code shall not apply to the sale and/or consumption of alcoholic beverages under the provisions of this section or section 26-42 of this chapter.

(5) The sale and/or consumption of alcoholic beverages at events held in city parks pursuant to this and any other applicable section shall be subject to any further conditions and regulations required by the Mayor or the Council to promote public safety and welfare.

**Sec. 26-42. - Conditions for sale of alcoholic beverages at golf courses.**

(b) General conditions of sale and consumption of alcoholic beverages at golf courses:

(1) Pursuant to G.S. § 30-91, as amended, the sale of alcoholic beverages at the Goodwin and Keney Park golf courses is hereby allowed subject to the following conditions:

a. The sale and consumption of alcoholic beverages shall be allowed in all areas defined as part of the "golf course" under this section, including sale from beverage carts located on the golf courses;

b. Alcoholic beverages may be sold daily at the golf courses from 9:00 a.m. until one hour after sunset, but in any case not later than 10:00 p.m., Monday through

Thursday, from 9:00 a.m. until 11:00 p.m. on Friday, from 9:00 a.m. until 11:30 p.m. on Saturday, and from 11:00 a.m. until 10:00 p.m. on Sunday;

c. Notwithstanding subsection (b)(1)b. above, if an event such as a wedding, birthday party, golf tournament or other function is being held at a golf course, the sale or service of alcoholic beverages shall cease thirty (30) minutes before the end of the event;

d. It shall be unlawful to possess any alcoholic beverages at any golf course, park, or playground except where proper licenses to serve and sell alcoholic beverages have been obtained;

e. Nothing in this section shall be construed to require any of the golf courses hereunder to continue the sale of alcoholic beverages until the closing hours established by this section;

f. As authorized under the provisions of this section, the lawful right to sell and serve alcoholic beverages at the golf courses located in Keney and Goodwin Parks shall be subject to an annual review and approval by the Mayor by way of resolution.

#### **Sec. 26-43. - Vehicles and traffic.**

It shall be unlawful for any person to drive any commercial vehicle into any park except on business of the City of Hartford, or to give instruction to any person in driving an automobile or to learn to drive an automobile in any park, or to drive any automobile at a rate of speed exceeding twenty-five (25) miles per hour, or to drive or propel any automobile or other vehicle except on regular park roads, or to park any car off any park road, except in areas designated for public parking.

#### **Sec. 26-44. - Horseback riding.**

Persons riding horses in any park shall:

- (1) Ride on bridle trails only, keeping off the roads, meadows and woodland;
- (2) Ride at a walk at intersecting roads and trails;
- (3) Keep horses under control at all times and refrain from yelling, reckless riding, racing, stunt riding, or beating or tormenting their horses;
- (4) Be courteous and considerate, especially on passing or overtaking other riders;
- (5) Not tie horses to trees or shrubs or cut or break shrubs for whips.

#### **Sec. 26-45. - Opening and closing hours for parks, playgrounds and other recreational facilities.**

(a) No person or vehicle shall enter or remain in any park, playground or other recreation facility under the direction or control of the Director of Public Works or the Director of Human Services, before dawn or after dusk except as provided in subsections (b) and (d) of this section. For purposes of this section, dawn shall mean a half-hour before sunrise and dusk shall mean a half-hour after sunset.

(b) Any person or entity who wishes to enter or remain in any park, playground or other such recreation facility before dawn or after dusk, respectively, must obtain a special event permit pursuant to the provisions of the City of Hartford Special Events Policy and Procedures Manual. In the event of exigent circumstances, the Director of Public Works or the Director of Human Services may designate

other opening or closing times for any park, playground or other recreation facility under his/her direction and control if in his/her opinion such other opening or closing time is in the best interest of the City.

(c) The opening and closing time for each park, playground and recreation facility under the direction and control of the Director of Public Works or the Director of Human Services shall be prominently displayed at each such facility and the chief of police shall be notified of such opening and closing times and any exceptions thereto.

(d) The Director of Public Works in coordination with the Director of Human Services shall establish rules and regulations pertaining to the opening and closing times of pond houses, recreational facilities/centers, lighted areas and any other structures located in any park or playground.

(e) Subsections (a), (b) and (d) of this section shall not apply to any park, playground or other such recreation facility that is subject to an agreement with the City that contains any provision regarding opening and closing times or that is subject to rules or regulations regarding opening and closing times that are promulgated by appropriate entities.

#### **Sec. 26-46. - Boating at Batterson Lake Park.**

(a) Boating at Batterson Lake Park is restricted to rowboats, canoes, kayaks, sailboats and other watercrafts not powered by combustion engines. Small electric motors are allowable. All watercrafts shall contain proper flotation devices and all other safety devices as prescribed by state boating regulations, which shall be in use by the occupants at all times. Watercrafts shall be launched and removed only at the state launching ramp.

(b) Use of any watercraft other than those referred to in subsection (a) shall be unlawful.

#### **Sec. 27-40. - Vending in parks; fees; exceptions.**

(a) No itinerant vendor or peddler shall engage in the sale of food or ice cream unless they shall have obtained a license from the bureau of licenses and inspections to conduct such business, except that no itinerant vendor or peddler shall be granted a license to sell food or ice cream under this section in Elizabeth, Batterson and Goodwin Parks.

(b) Applications for licenses to be issued under this section shall be made at the department of parks and recreation. The application shall be in the same form as set forth in section 27-59 in this chapter. The annual fee shall be one hundred fifty dollars (\$150.00) per year.

(c) Each itinerant vendor or peddler licensed under this section shall have visibly affixed on the front of each wagon, cart or vehicle a numbered sticker designed and furnished by the department of parks and recreation.

(d) Vending will be allowed only at approved locations designated by the director of parks and recreation.

(1) Vending shall be prohibited in areas that have been temporarily set aside for festivals and special events which have been authorized pursuant to Chapter 7, Article II of the Code.

(2) In approved festival and special events areas, the sponsor shall have temporary and exclusive use, except that such use shall be in accordance with the existing City Code and State Statutes.

**Sec. 28-4. - Adoption of General Statutes on planning and zoning; establishment of planning and zoning commission.**

(a) As required by the Charter as revised, the city hereby adopts the provisions of Chapter 124 of the General Statutes.

(b) As required by the Charter as revised, the city hereby adopts the provisions of Chapter 126 of the General Statutes.

(c) Pursuant to the Charter as revised and the General Statutes, the commission on the city plan is hereby designated as the city's planning and zoning commission with all the powers and duties of both a planning commission and a zoning commission under the General Statutes. The planning and zoning commission hereby established supersedes the commission on the city plan as the city's planning commission and the council as the city's zoning commission.

(d) Said planning and zoning commission shall be comprised of seven (7) electors of the city, not counting nonvoting members who, pursuant to the Charter as revised, initially shall be the members of the commission on the city plan at the time of the establishment of the planning and zoning commission. Any rules of whatever nature governing the appointment, removal, terms, alternates, officers, records, meetings, and organization of the commission on the city plan in effect immediately prior to the establishment hereby of the planning and zoning commission shall continue in full force and effect and shall govern the planning and zoning commission, insofar as permitted by and not superseded by the General Statutes.

(e) Without limiting the foregoing subsection in any way, all ordinances and regulations adopted by the council and the commission on the city plan related to planning and zoning in effect immediately prior to the establishment hereby of the planning and zoning commission shall continue in full force and effect, insofar as permitted by and not superseded by the General Statutes.

**Sec. 28-219. - Review by historic preservation commission.**

(a) No person or entity may, without first applying and obtaining the approval of the commission, file an application for a demolition permit pursuant to section 9-12 of the Municipal Code, for a building permit pursuant to section 9-15 of the Municipal Code for (1) any demolition of any protected property or part thereof that is listed on the National or State Register of Historic Places, or, in regard to the National Register, for which a National Register application has been approved for study by the State Historic Preservation Office, (2) any alteration of any such protected property or part thereof if that alteration is visible from a street other than a street which faces only the back of the building, or (3) any construction of a new structure in a historic district.

(b) The commission shall adopt the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, shall develop rules of procedure and shall publish design guidelines to assist applicants in satisfying these standards. The design guidelines shall provide for flexibility in materials and design to promote economic feasibility. The design guidelines shall describe a variety of methods and designs for preserving the historic architectural character of buildings and neighborhoods. The commission shall make reasonable efforts to guide owners in preserving historic architectural character in a cost-effective manner.

(c) The commission's procedures shall make provision for the consideration of economic hardship, including but not limited to consideration of the cost of historic preservation recommendations, the economic circumstances of the applicant, the availability of other architecturally appropriate alternatives, the relationship of the cost of historic preservation recommendations to the cost of the proposed project as a whole, and the impact of the historic preservation recommendations on the historic district as a whole and on the value of the property. The rules of procedure shall delineate submission requirements for at least four (4) types of hardship applications: (1) a provision for owner-occupied principal residences where exemption is granted based on demonstrated factors, such as age, ability to pay, and length of time living in the neighborhood; (2) a provision for non-owner occupied residential buildings containing six (6) or fewer dwelling units; (3) a provision for all other buildings, including commercial and industrial buildings; and (4) a provision for building demolition where there is no feasible and prudent alternative to demolition. If the applicant objects to compliance with this article because compliance will increase the cost of the alteration subject to review by the commission under this article by more than twenty (20) percent, the applicant shall provide the commission with at least two (2) realistic comparable professional estimates showing the difference in cost between the applicant's proposed alteration and alteration with the modifications requested by the commission. If the commission finds that such difference exceeds twenty (20) percent, the commission shall work with the applicant to find an alternative which will not increase the cost of the alteration by more than twenty (20) percent. The commission shall not require alterations which add more than twenty (20) percent to the cost of the alteration that is subject to review. To assist in the development of design guidelines the commission shall appoint an advisory committee with which it shall consult. The advisory committee shall include, but shall not be limited to, residents, design professionals, city planning, economic development and building code staff, developers, builders, preservation advocates including representatives of the Hartford Preservation Alliance, and such other persons or representatives as the commission may deem appropriate. The advisory committee shall present its recommendations to the commission within six (6) months of its first meeting. The commission shall hold at least one (1) public hearing on the design guidelines prior to voting on its adoption. The commission's procedures and design guidelines shall be subject to council approval prior to implementation. Any commission decision that denies an application or requires a modification of the alteration(s) and/or plan(s) shall state the reason(s) for denial, shall state what modification of the alteration(s) and/or plan(s) would result in approval of the application and shall refer to the relevant section(s) in the design guidelines in which the applicant can find appropriate guidance.

(d) The commission shall meet at least once a month. Any application for commission approval shall, at the latest, be placed on the agenda of the next commission meeting which occurs more than seven (7) days after receipt of the application. The commission may define one (1) or more classes of minor alterations to be delegated to the development services department ("department") for approval or rejection, based upon the applicable design standards. A copy of each approval or rejection by the department shall be transmitted to each member of the commission by the department. Any approval or rejection by the department shall become effective ten (10) days after its issuance. If within such ten-day period the applicant or the chairperson of the commission requests that the commission review the action of the development services department, the department's action shall not take effect and the application

shall be placed on the next commission agenda for action by the commission. any application submitted pursuant to this article that is not acted upon by the commission within forty-five (45) days after its filing shall be deemed granted, provided that nothing in this section shall preclude the commission and an applicant from agreeing to a longer time period for the completion of commission action upon an application.

(e) Demolition of a protected property shall be approved by the commission only if the applicant establishes, to the satisfaction of the commission, that (1) there is no economically feasible alternative to demolition or (2) the property, through no fault of any owner of the property after the effective date of this chapter, does not contribute to the architectural or historic character of the district and its demolition will not detract from the architectural or historic character of the district.

(f) This article shall not apply to any structure which has been ordered demolished by the department of licenses and inspections or its successor on an emergency basis because it represents so immediate a hazard to public safety that demolition cannot be deferred and the structure cannot be protected, secured, or stabilized by reasonable measures specified by the department of licenses and inspections. Furthermore, this article shall not apply to any repair which has been ordered by the department of licenses and inspections or its successor on an emergency basis because the condition represents so immediate a hazard to public safety or structure integrity that repair cannot be deferred and that the structure cannot be protected, secured, or stabilized by reasonable temporary measures specified by the department of licenses and inspections.

**Sec. 31-9. - Same—Liability insurance required.**

Each permit issued under sections 31-8, 31-62 and 31-87 and each license to maintain an areaway under the sidewalk shall be subject to the condition that the owner or agent retain liability insurance in an amount specified by the risk manager of the City, naming the City as an additional insured for the duration of the permit with a further provision that no insurance may be cancelled unless the City has been given at least thirty (30) days' notice thereof.

**Sec. 31-87 Excavation license; bond; permit required.**

(c) Every person making application for a street excavation license shall file with the bureau of licenses and inspections satisfactory bond of a surety company authorized to do business in the state, in the minimum sum of ten thousand dollars (\$10,000), or an amount to be established by the Director of Public Works and conditioned substantially that the applicant shall indemnify and save the City and the department of public works and its agents harmless from all suits and actions brought against the City or any officer thereof for or on account of any injuries or damage received or sustained by any person in consequence of, or resulting from, any work performed by the applicant, his servants or agents, or any negligence in guarding such work, or any act or omission of the applicant, his servants or agents; and that the applicant shall faithfully perform such work in all respects and shall replace and restore that portion of any street in which the applicant, his servants or agents shall make any excavation, to as good condition as

that in which the same was before such work was performed, and guarantee such work for five (5) years. The applicant must also agree to indemnify and save the City harmless from all damages caused by his acts or omissions while acting under the inspections issued and shall supply evidence of insurance as required by the risk manager of the City.

### **C. City of Hartford Planning and Zoning Commission Zoning Regulations**

See the zoning regulations online at <http://www.hartford.gov/planning/zoning>.

### **D. Connecticut General Statutes**

#### **Sec. 7-148. Scope of municipal powers.**

**(c) Powers.** Any municipality shall have the power to do any of the following, in addition to all powers granted to municipalities under the Constitution and general statutes:

**(4) Public services.** (F) Provide for lighting the streets, highways and other public places of the municipality and for the care and preservation of public lamps, lamp posts and fixtures;

**(6) Public works, sewers, highways. (A) Public facilities.** (i) Establish, lay out, construct, reconstruct, alter, maintain, repair, control and operate cemeteries, public burial grounds, hospitals, clinics, institutions for children and aged, infirm and chronically ill persons, bus terminals and airports and their accessories, docks, wharves, school houses, libraries, parks, playgrounds, playfields, fieldhouses, baths, bathhouses, swimming pools, gymnasiums, comfort stations, recreation places, public beaches, beach facilities, public gardens, markets, garbage and refuse disposal facilities, parking lots and other off-street parking facilities, and any and all buildings or facilities necessary or convenient for carrying on the government of the municipality;

(ii) Create, provide for, construct, regulate and maintain all things in the nature of public works and improvements;

(iii) Enter into or upon any land for the purpose of making necessary surveys or mapping in connection with any public improvement, and take by eminent domain any lands, rights, easements, privileges, franchises or structures which are necessary for the purpose of establishing, constructing or maintaining any public work, or for any municipal purpose, in the manner prescribed by the general statutes;

(iv) Regulate and protect from injury or defacement all public buildings, public monuments, trees and ornaments in public places and other public property in the municipality;

(v) Provide for the planting, rearing and preserving of shade and ornamental trees on the streets and public grounds;

(vi) Provide for improvement of waterfronts by a board, commission or otherwise;