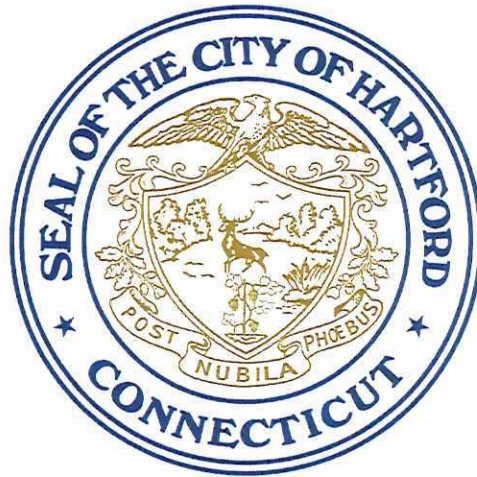


CITY OF HARTFORD COURT OF COMMON COUNCIL

SPECIAL VIRTUAL MEETING AGENDA



MONDAY JUNE 7, 2021

LIVESTREAMING ON WWW.HPATV.ORG

7:00 PM

Attest: Noel F. McGregor, Jr.
Town & City Clerk



Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103

Maly D. Rosado, Council President
Thomas J. Clarke II, Majority Leader
Wildaliz Bermúdez, Councilwoman
John Q. Gale, Councilman

Nick Lebrón, Councilman
Joshua Michtom, Councilman
Marilyn E. Rossetti, Councilwoman
James Sánchez, Councilman
Shirley Surgeon, Councilwoman

Noel F. McGregor, Jr, Town and City Clerk

Mr. Noel McGregor
Town and City Clerk
550 Main Street
Hartford, CT 06103

Dear Mr. McGregor

As President of the Court of Common Council, I hereby call a Special Meeting of the Court of Common Council pursuant to Chapter IV, Section 5(b) of the City Charter to be held on Monday, June 7, 2021 at 7:00pm via the Zoom platform. A livestream will be provided by Hartford Public Access television. This meeting will be held to consider the following items of business:

1. **MAYOR BRONIN**, with accompanying resolution authorizing the City to accept the FY 2020 Prosecuting Cold Cases Using DNA Agreement in the amount of \$147,534 from the State of Connecticut Division of Criminal Justice. **(Item #5 on the 04.26.2021 AGENDA)**
2. **SUBSTITUTE ORDINANCE** Amending Chapter 27 – Itinerant Vendors, Street Vendors, and Food Trucks of the Hartford Municipal Code. **(Item #26 on the 03.22.2021 AGENDA)**

Respectfully submitted,

Maly D. Rosado, Council President

JUNE 3, 2021
TOWN & CITY CLERK
HARTFORD
2021 JUN -4 AM 8:09



Court of Common Council

CITY OF HARTFORD
550 MAIN STREET

HARTFORD, CONNECTICUT 06103

Maly D. Rosado, Council President
Thomas J. Clarke II, Majority Leader
Wildaliz Bermúdez, Councilwoman
John Q. Gale, Councilman

Nick Lebrón, Councilman
Joshua Michtom, Councilman
Marilyn E. Rossetti, Councilwoman
James Sánchez, Councilman
Shirley Surgeon, Councilwoman

Noel F. McGregor, Jr, Town and City Clerk

AGENDA

SPECIAL MEETING OF THE COURT OF COMMON COUNCIL

JUNE 7, 2021

**Livestreaming on www.hpatv.org
7:00pm**

1. **MAYOR BRONIN, WITH ACCOMPANYING RESOLUTION AUTHORIZING THE CITY TO ACCEPT THE FY 2020 PROSECUTING COLD CASES USING DNA AGREEMENT IN THE AMOUNT OF \$147,534 FROM THE STATE OF CONNECTICUT DIVISION OF CRIMINAL JUSTICE.**
2. **SUBSTITUTE ORDINANCE AMENDING CHAPTER 27- ITINERANT VENDORS, STREET VENDORS, AND FOOD TRUCKS OF THE HARTFORD MUNICIPAL CODE.**

**Attest: Noel F. McGregor, Jr.
Town & City Clerk**



AGENDA ITEM #1

Luke A. Bronin
Mayor

April 26, 2021

Honorable Maly D. Rosado, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Cold Cases Grant

Dear Council President Rosado,

Attached for your consideration is a resolution authorizing the City to accept the FY 2020 Prosecuting Cold Cases Using DNA Agreement in the amount of \$147,534 from the State of Connecticut Division of Criminal Justice.

The intent of this grant is to assist with the investigation of cold cases related to violent crime where DNA from a suspect(s) has been identified. Provided that DNA attributed to a known or unknown suspect has been identified, funding support includes investigative activities and crime and forensic analyses that could lead to prosecuting these cases. The award will fund overtime salary and fringe benefits and investigative activities. There is no local match required for this grant.

The Hartford Police Department and Office of Central Grants are happy to answer any questions that you may have. Thank you for your consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Luke A. Bronin", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, April 26, 2021

WHEREAS, the Division of Criminal Justice for the State of Connecticut awards grants to municipalities to collaborate in the investigation of unsolved violent crimes in Hartford, Connecticut; and

WHEREAS, the Bureau of Justice, is furthering the Department of Justice's mission by offering grants to states and local government to increase their capacity to prosecute violence crime cold cases where suspect DNA has been identified; and

WHEREAS, the Hartford Police Department qualifies for a sub-grant from the FY 2020 Prosecuting Cold Cases Using DNA Program; and possesses experience, expertise, and access to information that may aid in furthering the project's goal; now, therefore, be it

RESOLVED, That the Hartford Court of Common Council hereby authorizes the Mayor to accept grant funding in the amount of \$147,534 from the Division of Criminal Justice, for the FY 2020 Prosecuting Cold Cases Using DNA Program and to enter into a contract for said program; and be it further

RESOLVED, That the Mayor is authorized to accept such further sums as may be additionally awarded by the grantor under the same program, for the same authorized contract period and any immediate extension thereof, and for the same or similar purposes; and be it further

RESOLVED, That the Mayor is hereby authorized to execute any and all manner of documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to receive, contract and expend the FY 2020 Prosecuting Cold Cases Using DNA Program award according to the terms of the City's original grant application; and be it further

RESOLVED, That no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned agreements or other documents, or to take any of the other aforesaid actions; and be it further

RESOLVED, That all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the Mayor executing such agreements and documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.

Court of Common Council



CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103

Maly D. Rosado, Council President
Thomas J. Clarke II, Majority Leader
Nick Lebron, Councilman
Marilyn E. Rossetti, Councilwoman
James Sánchez, Councilman
Shirley Surgeon, Councilwoman

Wildaliz Bermúdez, Councilwoman
John Q. Gale, Councilman
Joshua Michtom, Councilman

Noel McGregor, Town and City Clerk

Communication

June 14, 2021

Honorable Maly D. Rosado, Council President
City of Hartford
550 Main Street, Room 208
Hartford, CT 06103

TOWN & CITY CLERK
HARTFORD
2021 JUN -3 PM 1:53

Dear Members of the Court of Common Council:

Requested by Co-Chairs the item below to be discharge from the Quality of Life and Public Safety Committee.

MAYOR BRONIN, with accompanying resolution authorizing the City to accept the FY 2020 Prosecuting Cold Cases Using DNA Agreement in the amount of \$147,534 from the State of Connecticut Division of Criminal Justice. (ITEM 5 ON THE 4/26/21 AGENDA)

Respectfully Submitted,

Thomas J. Clarke, II
Co-Chairman of QL&PS

James Sánchez
Co-Chairman of QL&PS



AGENDA ITEM #2

Luke A. Bronin
Mayor

May 10, 2021

Honorable Maly D. Rosado, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Substitute Ordinance Proposed Food Truck Ordinance

Dear Council President Rosado,

Attached for your consideration is an ordinance revising Chapter 27 of the Municipal Code of the City of Hartford.

Since we submitted an updated ordinance for the March 22 Council Meeting, Development Services staff have been working with the Health and Human Services Committee to make revisions to the document that was originally submitted for your consideration. These revisions include changes to the locations on the Permitted Vendor map, additional provisions for ice cream trucks and food vending carts, as well as small text modifications for clarity. In response to feedback received, the revisions also extend food truck hours of operation to midnight in particular areas.

Chapter 27 refers to Itinerant Vendors, or those who engage in a temporary or transient business, selling goods, wares, or merchandise. These vendors may temporarily lease space to carry out their business or may engage in such sales in the public right of way. The current ordinance provides several restrictions for Itinerant and Street Vendor operations. As the City recovers from the Covid-19 pandemic, these changes offer an opportunity for us to support our small businesses and improve our ability to offer flexibility to pop-up businesses.

In addition, the Chapter focuses on requirements for mobile vendors who sell food, therein referred to as food trucks/food truck operators. Code enforcement for food truck operations is a topic of discussion amongst constituents annually. As the weather warms, concerns regarding the operations of these mobile businesses increase. While the City seeks to be business friendly and to welcome mobile vendors, it is important to provide clarity around licensing requirements and lawful operations so as to mitigate negative impacts on neighboring uses.

The Department of Development Services is happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Luke A. Bronin", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Licensee shall mean the person issued a license to operate a vending vehicle, pushcart or vending table pursuant to section 27-28.

Master license shall mean the license issued to the owner of a vending pushcart, vending vehicle or vending table.

~~*Peddler* shall mean any person, whether principal or agent, who goes from town to town or from place to place in the same town selling or bartering, or carrying for sale or barter, or exposing therefor, any goods, wares or merchandise, including food or ice cream, either on foot or from any animal, vehicle, pushcart or table.~~

Street Vendor shall mean any person, whether principal or agent, who engages in the business of an Itinerant Vendor outdoors (also as defined in CGS Sec 21-36).

Table shall mean a table that is portable and easily collapsed and which is on wheels. Table tops shall be covered with cloth or plastic which does not create a fire or safety hazard to the general public. The cloth or plastic used to cover a table may not extend more than half the distance from the table top to the ground. Only merchandise and flowers may be sold from vending tables.

Temporary or transient business shall mean any exhibition and sale of goods, wares and merchandise which is carried on in any tent, booth, building or other structure, unless such place shall be open for business during usual business hours for a period of at least nine (9) months in each year.

Vehicle means any truck, automobile, bicycle, tricycle or any other contrivance designed for travel on the street.

Vending pushcart shall mean a nonmotorized cart which is permitted to sell food, beverages, flowers or merchandise.

~~*Vending vehicle* shall mean a motorized cart or vehicle which is permitted to sell only food or beverages.~~

Waste container shall mean a standard garbage can of not less than ~~ten~~twenty-gallon capacity and no more than ~~thirty~~fifty-gallon capacity. Waste containers must be furnished by the licensee.

Worker or agent shall mean a person who is licensed to vend under a master permit pursuant to ~~section 27-30~~.

(Code 1977, § 26-16; Ord. No. 19-90, 6-11-90)

Editor's note— Definitions were formerly given in § 27-27 and applied only to art. II of this chapter. Ord. No. 19-90, adopted June 11, 1990, expanded the scope to include the entire chapter. The editor has, therefore, included the definitions in § 27-1.

Cross reference— Definitions and rules of construction generally, § 1-2.

Secs. 27-2—27-25. - Reserved.

ARTICLE II. - PEDDLERS AND ITINERANT VENDORS AND STREET VENDORS⁽²⁾

Footnotes:

--- (2) ---

~~State Law reference—Licensing of itinerant vendors, G.S. § 21-27 et seq.; of hawkers and peddlers, G.S. § 21-36 et seq.~~

Sec. 27-29. - Same—Certification of weights and measures prerequisite to issuance.

No license required by this article shall be issued until the weights and measures of the applicant, if any are to be used by ~~them in their~~ him in his business, have been approved and stamped by the sealer of weights and measures, and a certificate to that effect issued by the sealer of weights and measures has been exhibited to the chief of police.

(Code 1977, § 26-19)

Sec. 27-30. - Same—Fees.

- (a) The annual license fee for vendors shall be two hundred fifty dollars (\$250.00) per year or portion thereof, ~~in all cases, except for temporary peddlers occupying a stand or location on the highway, for which the fee shall be twenty-five dollars (\$25.00) per day or one hundred dollars (\$100.00) per week.~~ A lost license shall be replaced upon presentation of proper identification and payment of duplication fee in the amount of ~~twenty-five~~ seventy-five dollars (\$~~25~~75.00). The fee for replacement of a temporary license shall be ~~ten~~ twenty-five dollars (\$~~10~~25.00).
- (b) The license fee for ~~vendors~~ peddlers shall entitle the vendor ~~peddler~~ to personal identification required by section 27-3~~25~~ and one (1) set of vehicle or stand identification required by section 27-3~~14~~. Additional agents of such vendor ~~peddler~~ operating under their ~~his~~ vehicle or stand identification shall also be licensed pursuant to the provisions of this chapter at an additional fee of twenty dollars (\$20.00) per agent for which only personal identification shall be issued.
- (c) Notwithstanding subsections (a) and (b), there shall be no fee for a license issued to handicapped individuals or nonprofit organizations selling or offering for sale foodstuffs, novelties, crafts and similar items in connection with parades, bazaars and similar community events located within the city. Handicapped individuals and nonprofit organizations qualifying under this subsection shall be issued a permit by the Development Services Director or their assign stating that they are exempt from the licensing fee. Such permit shall be valid for the duration of the event or for a period not to exceed five (5) days, whichever is shorter. Sales under such permit shall be limited to the route of the parade or the location of the bazaar or community event.

(Code 1977, § 26-20; Ord. No. 25-86, 7-21-86; Ord. No. 26-86, 7-21-86; Ord. No. 33-86, 9-10-86; Ord. No. 12-88, 2-22-88)

Sec. 27-31. ~~Same—Records of chief of police.~~

It shall be the duty of the chief of police to keep a record of all such licenses granted in a book provided for the purpose, containing the:

- (1) ~~Number and date of each license;~~
- (2) ~~Name, age and residence of the person licensed;~~

ordinances, and regulations of the state and the city, and each Itinerant Vendor shall have obtained any permits, certificates, permissions, licenses, and authorizations required, and shall be able to present such documents upon request.

- b. Itinerant Vendors may operate between the hours of 9:00am and 9:00pm. Street vendors shall not vend between the hours of 9:00pm and 9:00am on any day of the week.

Sec 27 – 34. Same – Encroachment permit for State highways.

Notwithstanding the foregoing, parking a vending vehicle or setting up a vending table or display on a State highway or State right of way, shall be subject to State law, including the Department of Transportation encroachment permit requirements.

Sec 27 – 35. Same – Vehicle Registration.

If a motor vehicle is to be used, it must be properly registered with CT DMV and the operator must have a valid operator's license in their possession while vending. If a trailer is to be used it must be properly registered with the State and must comply with all Connecticut motor vehicle laws.

Sec 27-36. Same – Leased Vehicles.

If a leased motor vehicle is used, the Itinerant Vendor must have a copy of the lease agreement on hand while conducting business from the vehicle.

Sec 27-37. Same – Vehicle or Vendor Table Location.

- a. Vending shall not be conducted immediately in front of the entrance or exit to any building or driveway, in front of any mailbox or traffic signal, closer than twenty (20) feet to any fire hydrant, or within any bus stop or loading zone.
- b. All vehicles must be at least twenty (20) feet from an intersection in any District.
- c. Vehicles must be parked against the curb, with no appurtenances thereof on the sidewalk.
- d. No licensee, agent thereof, or worker may operate their business in a manner which impedes the free flow of traffic, or which violates the posted regulations or parking restriction in effect.
- e. Trailers may not be parked on sidewalks.
- f. Vendors may set up vending tables along sidewalks where ample space exists to leave a minimum 4' wide passage and where the flow of traffic shall not be impeded.

Sec 27-38. Same – Unattended Vehicles.

No licensee, agent thereof, or worker shall leave their truck, wagon, trailer, vehicle, table, or cart unattended during hours engaged in sales, nor shall any truck, wagon, trailer, vehicle, table or cart be left parked in the public ROW overnight.

Sec 27-39. Same – Curbside Service.

Vehicles must have doors and windows that open along the curb side of the street to allow for sales and servicing of customers. No vendor may conduct business on the street side of the vehicle.

sidewalk. Vending vehicles must have doors and windows that open along the curb side of the street to allow for sales and servicing of customers. No vehicle vendor may conduct business on the street side of the vehicle. It shall be unlawful for any person to violate any such rules or regulation. Whenever any vehicle is found parked in violation of this section or any ordinance, rule or regulation of the traffic authority as provided in chapter 22, a police officer shall attach to such vehicle a summons for unlawful parking. Notwithstanding the above, any vehicle which is being used for the selling or offering for sale of any goods, wares or merchandise shall be permitted to remain in a lawful parking place for a period of time which exceeds the posted time; and if the vehicle is parked in a metered space, the peddler or itinerant vendor shall be permitted to continuously place money in the meter.

(Code 1977, § 26-26; Ord. No. 15-88, 2-22-88; Ord. No. 20-90, 6-11-90)

Cross reference — Motor vehicles and traffic generally, Ch. 22.

Sec. 27-36.1. ~~Designated vendor parking.~~

- (a) ~~Each itinerant vendor or peddler that uses metered parking spaces designated for vending on Clinton Street, Lafayette Street, Jewel Street, Trumbull Street, Main Street, Allyn Street, Prospect Street and Atheneum Street North, or in any other designated area for vending other than those areas on Elm Street or Church Street as discussed in paragraph b of this section ("designated spaces"), between the hours of 6:00 a.m. and 3:00 p.m., Monday through Friday, shall be required to prepay parking permit fees for said designated spaces of one thousand five hundred dollars (\$1,500.00) for the period of March 1 through October 31 and five hundred dollars (\$500.00) for the period of November 1 through February 28. The parking permit is non-transferable.~~
- (b) ~~Each itinerant vendor or peddler that uses metered parking spaces designated for vending on Elm Street or Church Street ("designated spaces"), between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday, shall be required to prepay parking permit fees for said designated spaces of one thousand dollars (\$1,000.00) for the period of March 1 through October 31 and three hundred thirty-five dollars (\$335.00) for the period of November 1 through February 28. The parking permit is non-transferable.~~
- (c) ~~Additional designated spaces may be established by the traffic authority or upon request submitted to an approved by the same. The traffic authority may establish regulations governing vending in designated areas.~~
- (d) ~~Upon payment of the parking permit fee, each itinerant vendor's or peddler's vending vehicle or pushcart shall be issued a sticker indicating payment thereof and permission to park at the designated space. Any itinerant vendor or peddler found parked in a designated space without the required sticker, between the hours designated above, Monday through Friday, shall be subject to revocation of his/her license issued pursuant to section 27-28 et seq. of the Code and the vending vehicle or pushcart shall be subject to being ticketed and towed for parking violations. All other vehicles parked in designated spaces during the aforementioned period shall be subject to being ticketed and towed for parking violations.~~

(Ord. No. 19-01, 12-10-01; Ord. No. 62-02, 1-13-03; Ord. No. 50-03, 10-14-03)

Sec. 27-3743. ~~— Failure to obey directions of police~~Public Safety.

- (h) Upon receipt of a notice of revocation or suspension, the licensee shall return ~~his~~their license to the ~~director~~Director. A hearing before the ~~director~~Director or ~~his~~their designee may be requested by the licensee within ten (10) days after service of the notice. The petition for a hearing must be made in writing and signed by the petitioner. The petition shall state the facts and the grounds for appeal.
- (i) The notice referred to in subsection (h) of this section shall be in writing and signed by the ~~director~~Director or his designee. The notice shall state the nature of the complaint and it shall be served on the licensee personally or by leaving it at the residence address as given in the application for such license.

(Ord. No. 16-88, 2-22-88; Ord. No. 21-90, 6-11-90)

Sec 27- 45. RESTRICTED AND PROHIBITED VENDING AREAS.

- a. Vending is prohibited in all districts except in accordance with this Section.
- b. No Itinerant Vendor shall sell or attempt to effect the sale of goods, wares, or merchandise at any location within five hundred (500) feet of any recreation center or school, regardless of the zoning district in which such facility is located.
- c. For the purposes of this section, a recreation center is defined as a municipal building designated for the recreational activities of persons of all ages and interests.
- d. Itinerant Vendors shall not be permitted to vend on City-owned park land, except in association with a permitted Special Event.
- e. Street Vendors shall be permitted in the public right of way on commercial connector streets, avenues, and boulevards adjacent to property zoned CX, ID, MS, and DT on both sides of the street.
- f. Sec 27-45e. notwithstanding, Street Vendor operations shall not be permitted on residential or neighborhood streets, as defined by the Hartford Zoning Regulations.

~~in Sec. 27-39. Recreation centers.~~

~~No itinerant vendor Vendor or peddler shall sell or attempt to effect the sale of any goods, wares or merchandise, including food and ice cream, from any cart, wagon or vehicle at any location within fifty five Hundred (500) feet of any recreation center. For the purposes of this section, a recreation center is defined as a building or area designated for the recreational activities of persons of all ages and interests. The term "recreational center" may include but not be limited to a gymnasium, social or play room, game room, arts and crafts shop, and the like. Notwithstanding the above, there shall be no prohibition against vending within fifty five hundred (500) feet of a recreation center which is located in city-owned park land.~~

(Ord. No. 62-90, 9-10-90)

~~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.~~

~~ordinance codified in this article. Notwithstanding the above, any pay telephone which is the subject of a written contract authorizing its installation which was entered into prior to the enactment of the ordinance codified in this article and which contains provisions for termination shall be removed by the first date after enactment of the ordinance codified in this article on which permissive termination of the written contract by either part could take effect, if either party elects to terminate, or within ninety (90) days after the effective date of the ordinance codified in this article, whichever occurs later.~~

~~Any pay telephone which is installed, located, maintained, or operated in violation of this section is declared to be a public nuisance.~~

~~(b) Public nuisance. Any pay telephone which is used as an instrumentality for or contributes substantially by its presence to any of the following conditions is declared to be a public nuisance:~~

- ~~(1) The selling or giving away of controlled substances (as defined in the Connecticut General Statutes); or, the soliciting, agreeing to engage in, or engaging in any act of prostitution; or, the conduct of any other criminal activity;~~
- ~~(2) The consumption of alcoholic beverages on nearby outdoor public or private property, except where outdoor consumption of alcoholic beverages is specifically authorized pursuant to a license issued by the State Liquor Control Commission;~~
- ~~(3) Loitering on nearby public or private property;~~
- ~~(4) Disturbing the peace; or~~
- ~~(5) Any acts which threaten the public health and safety including, but not limited to, public urination.~~

~~As used in this section, "loitering" means remaining on any property under such circumstances that a reasonable person would conclude that the person who remains on the property does not have a purpose connected with the usual and ordinary use to which such property is put, does not have a bona fide intent to exercise a constitutional right, and is causing public inconvenience or annoyance.~~

~~(Ord. No. 41-00, 10-10-00)~~

~~Sec. 27-44. Enforcement.~~

~~The city manager, or his or her designee, shall be responsible for enforcement of this article.~~

~~(Ord. No. 41-00, 10-10-00)~~

~~Sec. 27-45. Abatement generally.~~

~~When the city manager, or his or her designee, finds that a pay telephone has been used as an instrument for or has contributed substantially to any of the conditions stated in section 27-43, in violation of this article, he or she, or his or her designee, may declare and deem the violation of this public nuisance and issue an order to abate operation of the pay phone and direct that these persons not complying shall: (a) comply with the requirement; (b) comply with a time schedule for compliance; and/or (c) take appropriate remedial or preventive action to prevent the violation from recurring.~~

manager, or his or her designee, shall serve, or cause to be served, notice of said hearing upon the person in possession of such premises, the property owner and the business owner/operator thereof, not less than seven (7) days prior to the time fixed for such hearing stating the nuisance condition(s) that is the subject of the hearing. Service of said notice may be made by delivery to the property owner and to the business owner/operator or person in possession personally or by enclosing the same in a sealed envelope, addressed to the occupant at such premises, or to the last equalized assessment rolls of the city, postage prepaid, registered or certified mail, return receipt requested, and depositing same in the United States mail. Service shall be deemed complete at the time of the deposit in the United States mail.

- (b) ~~Administrative hearing.~~ At the time and place set for the hearing, a hearing officer, designated by the city manager, shall hear such evidence as may be presented by said property owner and/or said business owner/operator, person in possession or their representative. Such hearing may be continued from time to time by the hearing officer, provided that notice is given to said property owner and to said business owner/operator or person in possession. Service of said notice shall be deemed complete at the time of deposit in the United States mail. The findings of the hearing officer shall be rendered at the time of such hearing and thereupon shall be announced to such property owner and business owner/operator.

Upon a determination that a nuisance condition(s) exists, the hearing officer shall give written notice, in the manner provided in subsection (a) of this section, to the property owner and to the business owner/operator to abate such condition forthwith. Service of said notice shall be deemed complete at the time of deposit in the United States mail. If such abatement is not commenced within seven (7) days thereafter and diligently prosecuted to completion, the director of OCIS, or his or her designee, shall cause the same to be abated.

{Ord. No. 41-00, 10-10-00}

~~Sec. 27-48. Abatement procedure.~~

- (a) ~~Failure to appear and untimely appeals.~~ In those cases where the property owner and/or the business owner/operator or person in possession does not appear for the administrative hearing or appears for the administrative hearing but does not give timely notice of an intent to appeal, and there is no good cause shown, the city manager, or his or her designee, may direct that the condition causing the public nuisance be abated.

Thereafter, the city manager, or his or her designee, shall give or cause to be given written notice, in the manner provided in section 27-47, to the property owner and to the business owner/operator or person in possession of said premises to abate such condition forthwith. Service of said notice shall be deemed complete at the time of deposit in the United States mail. If such abatement is not commenced within seven (7) days thereafter and diligently prosecuted to completion, the city manager, or his or her designee, shall at the property owner's and/or business owner's/operator's expense, cause the same to be abated.

- (b) ~~Abatement.~~ The city manager, or his or her designee, may order to be paid by property owner and the business owner/operator of said premises all sums which may be necessarily expended by the city in abating such condition, including but not limited to the abatement work cost, abatement contract administering costs, storage and abatement work supervising costs. In lieu of employing a contractor or other person to abate such condition, the city manager, or his or her designee, may call upon the departments of the city to abate such condition. Upon completion of the abatement work said abatement costs shall be

~~(Ord. No. 41-00, 10-10-00)~~

~~Sec. 27-54. Continuing violation.~~

~~Unless otherwise provided, a person shall be deemed guilty of a separate offense for each and every day during any portion of which a violation of this article is committed; continued or permitted by the person and shall be punishable accordingly as herein provided.~~

~~(Ord. No. 41-00, 10-10-00)~~

~~Sec. 27-55. Civil actions.~~

~~In addition to any other remedies provided in this article, any violation of this article may be enforced by civil action brought by the city. In any such action, the city may seek, and the court shall grant, as appropriate, any or all of the following remedies:~~

~~(a) Temporary and/or permanent injunction.~~

~~(b) Assessment of the violator for the costs of any investigation which led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection, including but not limited to attorney compensation.~~

~~(Ord. No. 41-00, 10-10-00)~~

~~Sec. 27-55.1. Remedies not exclusive.~~

~~Remedies under this article are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.~~

~~(Ord. No. 41-00, 10-10-00)~~

~~Sec. 27-55.2. Joint and several liability.~~

~~The property owner and the business owner/operator shall be jointly and severally liable for violations of this article.~~

~~(Ord. No. 41-00, 10-10-00)~~

~~Sec. 27-55.3. Severability.~~

~~If any section, subsection, sentence, clause, or phrase of this article is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this article.~~

~~(Ord. No. 41-00, 10-10-00)~~

~~ARTICLE III. STREET VENDORS~~

~~DIVISION 1. GENERALLY~~

Sec. 27-~~58~~46. - City to be indemnified; security required.

Every person who carries on any trade or business on the streets or sidewalks of the ~~city~~ City shall indemnify the ~~city~~ City and save it harmless from claims arising from injuries to persons or property caused by such trade or business. Before a license to carry on any such trade or business is issued, a surety company bond, public liability policy or other security approved by the purchasing agent shall be filed in an amount deemed by him to be adequate to indemnify the ~~city~~ City for such injuries; provided, however, that the purchasing agent may, when he deems it advisable, issue a certificate waiving the requirement of such bond, policy or other security, and such certificate may be filed in place thereof.

(Code 1977, § 26-41)

Sec. 27-~~59~~47. - License application.

An application for a license under this division shall be submitted to the ~~director~~ Director of Development Services or their assign~~licenses and inspections~~. The application shall include but not be limited to the following information:

- (1) Name and address of the applicant;
- (2) The applicant's social security number and driver's license number;
- (3) Type of vending operation to be conducted (either vending pushcart, vending vehicle, or vending table;
- (4) If the type of operation to be conducted is a vending pushcart, vehicle or table, the type of food, beverages, flowers or merchandise to be sold; ~~if the type of operation is a vending vehicle, the type of food and beverages to be sold; and if the type of operation is a vending table, the type of flowers or merchandise to be sold;~~
- (5) If food or beverages are to be sold, food truck provisions shall apply (ref Sec 27-Article IV); ~~a copy of a valid health license must be submitted.~~

(Ord. No. 22-90, 6-11-90)

Sec. 27-48. - Same—Expiration date.

All licenses issued under this division shall, unless sooner revoked, expire on June thirtieth after the date of issuance.

~~Sec. 27-60. —License requirements.~~

~~A license issued under this division shall be subject to the following requirements:~~

- ~~(1) No licensee may conduct business at any time when a location is within an area for which the city has issued an obstruction permit or license for a street fair, festival or similar event unless the licensee obtains permission in writing from the holder of the license for the street fair, festival or similar event.~~
- ~~(2) No vending location shall have racks, placards, display boards or any device that is more than sixty (60) inches from the ground. For the purposes of this section, lattice boards, clothes lines and other similar appendages shall not be classified as racks,~~

a. It shall be the duty of the Development Services Director, or their designee, to keep a record of all such licenses granted, including the:

- (1) Number and date of each license;
- (2) Name, age and residence of the person licensed;
- (3) Most recent approved schedule of locations for the mobile vendor;
- (4) Amount of license fee paid;
- (5) Submitted application and supporting documents; and
- (6) Date of revocation of any license revoked.

It shall be the duty of the Executive Director of the Hartford Parking Authority, or their designee, to keep a record of all citations issued in relation to vendors operating vehicles.

b. It shall be the duty of the Development Services Director, or their designee, to maintain individual and complete records up-to-date and to share them with the Executive Director of the Hartford Parking Authority, Chief of Police, and Director of Public Works or their designee(s) as applicable.

Secs. 27-~~63~~51—27-75. - Reserved.

DIVISION 2. - MINORS

Sec. 27-76. - Liability of parent for violation.

It shall be unlawful for any parent or other person having control of any minor to compel or permit such minor to violate the provisions of this division.

(Code 1977, § 26-48)

Sec. 27-77. - Sales by minors unlawful.

No child under the age of twelve (12) years shall be allowed to sell, offer for sale, or help to sell, any article of merchandise on the streets or in any public place in the city.

(Code 1977, § 26-49)

Sec. 27-78. - Work permit—Required; hours of work.

No child between the ages of twelve (12) and sixteen (16) years shall be allowed to sell, offer for sale, or help to sell, any article of merchandise or newspaper on the streets or sidewalks or in any public place in the city during the hours in which the school in which ~~he~~ they are enrolled is in session, or earlier than 4:30 a.m. or later than 8:00 p.m., except on those occasions when an extra edition of a local newspaper is published, nor until such child has obtained a badge and a permit to do so issued by the ~~bureau of licenses and inspections~~ Department of Development Services and approved by the superintendent of schools.

(Code 1977, § 26-50)

The ~~Department of Development Services -bureau of licenses-~~may, with the approval of the ~~director-Director of public-Public works~~Works, grant a license to persons to operate newsstands on sidewalks for the sale of newspapers, magazines, cigars, cigarettes and other tobacco products, candy and snacks such as potato chips, pretzels, nuts, etc., in sealed containers, provided that such persons qualify under rules and regulations promulgated by the ~~director-Director of public-Public works~~Works and approved by the ~~council-City Council~~, and that the consent of the abutting owners and the abutting street-level lessees have been secured.

(Code 1977, § 26-62; Ord. No. 56-83, 11-28-83)

Sec. 27-97. - Same—Order of priority for granting.

For the purpose of granting licenses under this division, the following order of priority shall be followed:

- (1) Present operators;
- (2) Persons certified or approved by the board of education and services for the blind;
- (3) Other disabled or handicapped persons;
- (4) Residents of the city;
- (5) Other applicants.

(Code 1977, § 26-63)

Sec. 27-98. - Same—Suspension and revocation; appeal procedure.

The ~~director-Director of pPublic wWorks~~ may suspend any license for thirty (30) days, or revoke any license or the renewal thereof in case the space occupied by any such stand is needed by the city for any purpose or for the violation of any regulation promulgated under section 27-96 and approved by the ~~council-City Council~~. Any person aggrieved by such revocation or by failure to be granted a license or a renewal thereof may appeal to the ~~director-Director of licenses and inspections-Development Services or their assign~~ for a hearing. Such appeal may be filed by filing a notice of appeal in writing specifying the grounds thereof within fifteen (15) days of the making of the order, requirement or decision complained of, with the ~~director-Director of licenses and inspections-Development Services or their assign~~. The ~~director-Director of licenses and inspections-Development Services or their assign~~ may, in ~~his-their~~ discretion, extend the time of filing the notice of appeal. If the aggrieved person has had ~~his-their~~ license suspended, revoked or a renewal thereof denied, the filing of the notice of appeal shall stay all proceedings in the action appealed from. The ~~director-Director of licenses and inspections-Development Services or their assign~~ shall fix a reasonable time for the hearing of any appeal, and shall give notice to the parties, and decide the same within a reasonable time. At such hearing, any party may appear in person or by agent or attorney. The ~~director-Director of licenses and inspections-Development Services or their assign~~ may reverse, affirm or modify the order, requirement or decision appealed from, and such decision shall be final. Any person aggrieved by a decision of the ~~director-Director of licenses and inspections-Development Services or their assign~~ in connection with such hearing may seek relief therefrom as provided by the laws of this state.

(Code 1977, § 26-66)

~~Sec. 27-122. Enforcement of division.~~

~~The director of licenses and inspections shall be charged with the enforcement of the provisions of this division.~~

~~(Code 1977, § 26-74)~~

~~Sec. 27-123. License Required.~~

~~It shall be unlawful for any person to engage in the sale of food from food vendors' vehicles on the public streets without having first obtained a license to conduct such business as provided in section 27-28. Notwithstanding section 27-30, the annual license fee for food vendors under this section shall be two hundred fifty dollars (\$250.00) for vendor vehicles. Such fee shall encompass all recording costs and services provided by any city department relating to such license. A lost license shall be replaced upon presentation of proper identification and payment of a duplication fee in the amount of ten dollars (\$10.00). For purposes of this section, the term "food vendors" shall also include ice cream vendors.~~

~~(Code 1977, § 26-75; Ord. No. 20-84, 6-11-84; Ord. No. 17-88, 2-22-88; Ord. No. 49-91, 8-12-91)~~

~~Sec. 27-124. Same Suspension, revocation.~~

~~The director of licenses and inspections may, for violation of any provision of this division, suspend or revoke the license of any person, after due notice to the licensee. Such suspension or revocation shall be in accordance with the provisions of section 27-38.~~

~~(Code 1977, § 26-76; Ord. No. 18-88, 2-22-88)~~

~~Sec. 27-125. Same Service of notice of revocation, suspension.~~

~~The notice referred to in section 27-124 shall be in writing and signed by the director of licenses and inspections or his deputy. The notice shall state the nature of the complaint and it shall be served on the licensee personally or by leaving it at the residence address as given in the application for such license.~~

~~(Code 1977, § 26-77)~~

~~Sec. 27-126. Sales to children regulated.~~

~~(a) It shall be unlawful for any food vendor or ice cream vendor to sell or attempt to effect a sale of food or ice cream to any minor child, when such minor is situated or standing in the highway or street, or when the minor is so situated that the street or highway separates the vendor and the vendor's vehicle from the prospective minor purchaser, or when the minor to the knowledge of the vendor has crossed the street.~~

~~(b) The restrictions cited in subsection (a) shall not operate to prevent a vendor from selling or attempting to effect a sale to a child when the child is positioned or standing on that side of the street closest to the vendor's vehicle.~~

Sec 27-123. – Same – Badges to be worn by vendors.

Each person licensed as a food truck operator, while offering food, beverages, ice cream or like novelty food items to the public, shall wear conspicuously an identification badge designed and furnished by the Department of Development Services without cost to the licensee with the words "Licensed Vendor, Hartford, CT" and the number of their license and year of its issuance in alphanumeric numerals, plainly inscribed thereon. The license number on the badge must match that of the license issued to the vendor pursuant to this section. All Food Truck operators must display their vending license, food service permit, and wear their City-issued badge at all times while vending. Licenses are not transferable to other vehicles or Vendors.

A lost badge shall be replaced upon presentation of proper identification and payment of a replacement fee in the amount of twenty dollars (\$20.00).

Sec. 27-124. - City to be indemnified; security required.

Every person who carries on any trade or business on the streets or sidewalks of the City shall indemnify the City and save it harmless from claims arising from injuries to persons or property caused by such trade or business. Before a license to carry on any such trade or business is issued, a surety company bond, public liability policy or other security approved by the purchasing agent shall be filed in an amount deemed by them to be adequate to indemnify the City for such injuries; provided, however, that the purchasing agent may, when they deem it advisable, issue a certificate waiving the requirement of such bond, policy or other security, and such certificate may be filed in place thereof.

Sec 27-125. – FOOD TRUCK OPERATIONS.

- a. Each Food Truck shall be operated in accordance with all applicable statutes, ordinances, and regulations of the state and the City, and each Food Truck operator shall have obtained any permits, certificates, permissions, licenses, and authorizations required, and shall be able to present such documents upon request.
- b. Food Trucks may operate between the hours of 7:00am and 9:00pm. Food Trucks shall not vend between the hours of 9:00pm and 7:00am on any day of the week.
- c. Sec 27-125b. notwithstanding, there shall be a minimum of two designated zones identified on a Mobile Vendor Permitted Locations Map where operations in the public right-of-way may extend to midnight (12am).
- d. Sec 27-125b. notwithstanding, where specific permits, such as Special Event Permits for temporary festivals and events, have been obtained from the City and state as applicable, food trucks may operate in the public right-of-way past 9pm.
- e. Food Truck Operation shall be permitted in the public right of way on residential connector streets, commercial connector streets, avenues, and boulevards adjacent to property zoned CX, ID, MX (where property is designated as a Campus Overlay), and OS.

Sec 27-131. Same – Unattended Vehicles.

No food truck licensee, operator, or worker shall leave their truck, wagon, trailer, vehicle or cart unattended during hours engaged in sales, nor shall any truck, wagon, trailer, vehicle or cart be left parked in the public ROW overnight.

Sec 27-132. Same – Curbside Service.

Food Trucks must have doors and windows that open along the curb side of the street to allow for sales and servicing of customers. No Food Truck may conduct business on the street side of the vehicle.

Sec 27-133. Same – Waste Containers.

All Food Trucks shall be equipped with their own waste container. Waste generated by the Vendor shall be disposed of in their own receptacle and hauled away from the site. Any waste left on the ground or in the area around the vehicle must be removed prior to vacating the area.

Sec 27-134. Same – Power Source.

All power sources, including but not limited to tanks or generators, used in connection with the vending operation shall either be placed inside or affixed to the vehicle or cart. No cords, hoses or other appurtenances shall create trip hazards, block or impede the free flow of traffic in the public right-of-way. Power sources shall be maintained in good working order and shall be shielded in a manner to effectively reduce noise levels.

Sec 27-135. Same – Lighting and sound systems.

No person shall use, play or employ any sound, outcry, amplifier, loudspeaker, or any other instrument or device for the production of sound from a food truck or otherwise create a disturbance of the peace. Operators shall comply with the City's Noise Ordinance (ref Hartford Municipal Code Chapter 23)

Dynamic displays, as defined by the Hartford Zoning Regulations are not permitted.

Sec 27-136. Same – Signage; awnings and umbrellas.

Signage and awnings shall be affixed to the vehicle so as to not interfere with motor vehicle site lines nor pedestrian sidewalk access. No freestanding or portable signs or umbrellas shall be permitted in association with vehicles or pushcarts.

Sec 27-137. Same – Equipment and personal property.

No tents, dining tables, seating, equipment or personal property shall be permitted to be placed outside of the food truck, unless they are placed and managed by the City or on private property. Placing condiments and other related items on shelves which are attached to the vehicle is permitted.

Sec 27-138. Same – Deliveries.

In the interest of public safety, including traffic safety, licensees shall be prohibited from receiving deliveries in conjunction with their business operation when the food truck is located on a State highway, public street or City property.

All food trucks shall be legally parked in full compliance with all parking provisions which apply to the location at which the food truck is parked. Whenever any food truck is found parked in violation of this section or found in violation of any ordinance, rule, or regulation as provided in Municipal Code Chapter 22, a police officer or representative of Hartford Parking Authority shall attach to such vehicle a citation.

- a. Food truck parking in the public right of way is prohibited from 10:00pm – 6:00am
- b. Food truck operations in the public right of way is prohibited from 9:00pm – 7:00am notwithstanding the Restricted/Special Vending Areas section of this policy.
- c. Food trucks shall not be placed or operated so as to impede vehicular traffic's use of the streets or pedestrian traffic's use of the sidewalk.
- d. Any food truck operating without valid licenses and/or permits obtained, displayed, or worn as required by this ordinance shall be deemed a public safety hazard and may be ticketed, towed or impounded.
- e. Unattended Vehicles prohibited. Any Food Truck which is parked on the street overnight or left unattended and unsecured at any time shall be considered a public safety hazard and may be ticketed and impounded.
- f. A Food Truck operating in an unauthorized location, or beyond the hours for which the operation has been permitted shall be deemed operating without a permit in violation of this section and may be ticketed, towed or impounded.
- g. A Food Truck operating in the Public Right-of-Way in violation of any section of this article may be ticketed, towed or impounded.

Sec 27-143. Same – Fines for Violation

Any Food Truck licensee found to be in violation of any provision of this section, ordinance, or applicable rules and regulations may be subject to a fine issued in the form of a ticket.

- a. Tickets/citations issued shall be \$200.00 for each offense.
- b. Each day of violation shall constitute a separate and distinct offense.
- c. Appeals will be managed in accordance with Municipal Code Section 1-5.
- d. In addition to any other penalty prescribed for a violation of parking, any unpaid parking violations may also constitute grounds for denial of the issuance or renewal of a Vendor license.

Sec 27-144. Same – Suspension, Revocation of License.

Once a food service license has been issued, it may be revoked, suspended, modified, or not renewed by the Director of Health & Human Services, or their designee, in accordance with Chapter 14 of the Municipal Code.

Once a Food truck vendor license has been issued, it may be revoked, suspended, modified, or not renewed by the Director of Development Services ("the director"), or their designee, with due notice to the vendor or vendor's agent, in accordance with this section and/or by referral from the Director of Health & Human Services, Executive Director of the Hartford Parking Authority, or Chief of Police.

- a. The director, or their designee, may revoke the license of the licensee for a period of not less than 30 days and not more than one (1) year from the date of revocation.
- b. Notwithstanding the above, a licensee with more than one (1) license shall not be prohibited from operating another food truck for which the licensee has a valid license.
- c. Any licensee who has accumulated three (3) violations of this article, whether consecutively or concurrently, at the time the license is revoked shall not be

- (1) Number and date of each license;
- (2) Name, age and residence of the person licensed;
- (3) Most recent approved schedule of locations for the mobile vendor;
- (4) Amount of license fee paid;
- (5) Submitted application and supporting documents;
- (6) List of citations issued by Zoning Enforcement on private property and;
- (7) Date of revocation of any license revoked.

- b. It shall be the duty of the Executive Director of the Hartford Parking Authority, or their designee, to keep a record of all citations issued in relation to food trucks, and to share that information with the Director of Development Services and Director of Health & Human Services or their designee(s). It shall be the duty of the Chief of Police, or their designee, to keep a record of all citations issued in relation to food trucks and to share that information with the Director of Development Services and Director of Health & Human Services or their designee(s).
- c. It shall be the duty of the Director of Development Services, or their designee, to maintain individual food truck vendor records up-to-date, complete with application information and records of violation, and to share that information with the Executive Director of the Hartford Parking Authority, Chief of Police, and Director of Health & Human Services or their designee(s) as applicable.

Secs. 27-149—27-169. - Reserved.

ARTICLE V. – ICE CREAM TRUCKS

Sec 27-170. GENERAL PROVISIONS

Each food truck vendor license issued by the Department of Development Services specifically for ice cream trucks shall be subject to the terms and conditions set out in Section 27-125 Food Trucks unless otherwise specified herein.

Sec 27-171. ICE CREAM TRUCK OPERATIONS

Sec 27-172. Same – Place of Operation.

- A. Ice cream trucks shall be exempt from following the Permitted Locations Map. Sales from ice cream trucks shall be limited to streets that have a posted twenty-five miles per hour speed limits or less.
- B. No sales shall be made while an ice cream truck is parked within fifty feet of any intersection with any public street or streets as measured along the traveled way.
- C. No person shall stop to vend from an ice cream truck within a hundred and fifty feet of another ice cream truck that has already stopped to vend.

Sec 27-173. Same – Manner of Operation.

- A. Ice cream trucks shall be equipped with warning flashers. Warning flashes shall be in operation immediately upon the truck stopping to vend and shall cease operation as the truck begins to move after vending.
- B. A sign or signs shall be painted or affixed to the rear of each truck and shall read "CAUTION CHILDREN" in English and Spanish.
- C. Ice cream trucks shall comply with additional safety requirements as specified by the State of Connecticut
- D. No person shall back up or reverse an ice cream truck in order to make or attempt to make a sale.

Sec 27-201. Same – Sales from Pushcarts

- f. Pushcart vendors shall not stop to make a sale or attempt to sell in any intersection in any District.
- g. Vending shall not be conducted immediately in front of the entrance or exit to any building or driveway.
- h. Pushcart vendors shall not block any mailbox, traffic signal, fire hydrant, crosswalk, handicap ramp, bus stop or loading zone.

Sec 27-202. SIGNAGE, AWNING, AND UMBRELLAS

Umbrellas and canopies associated with vending pushcarts may not exceed a height of eighty-four (84) inches from the ground. No street vendor shall use, set up or attach any device to increase the selling display capacity of the cart.

Restricted and Special Vending Areas.

- d. Food vending pushcarts shall be restricted and shall not attempt to vend within a fifty (50) foot buffer of any recreation center or school.

Secs. 27-203—27-223. - Reserved.

ARTICLE VII. – Mobile Vendor Permitted Locations Map

Sec 27-224. Same

- a. Permissible vendor zones shall be identified on a map for ease of access and understanding by the public. The map shall be available on the City of Hartford website.
- b. The Hartford Parking Authority, together with the Department of Development Services, may amend the locations from which vending shall be permitted under this section in the interest of the public health, safety and welfare and to accommodate traffic circulation.
- a-c. In the event that amendments are made to this map, all vendors licensed by the City of Hartford at the time of the change shall receive electronic or physically written notification.