

AGENDA  
MEETING OF THE COURT OF COMMON COUNCIL  
June 11, 2018

**ACTION TAKEN**

**COMMUNICATIONS**

1. MAYOR BRONIN, with accompanying resolution requesting that the Court of Common Council adopts Building & Property Fee and Fine Schedule, in accordance with Chapter IV, Section 2(e) of the Hartford City Charter and Chapter 9 of the Hartford Municipal Code.
2. MAYOR BRONIN, with accompanying resolution request to enter into Executive Session for a brief session to discuss the potential resolution of Renee LaMark-Muir v. City of Hartford Police Department.
3. MAYOR BRONIN, with accompanying resolution concerning the appointment of a member of the Golf Course Oversight Commission.

**FOR ACTION**

4. Substitute Ordinance creating a Registry of Owners of Residential Rental Property Amending Chapter 18, Section 150 of the Hartford Municipal Code.
5. Substitute ordinance amending Chapter 2A - Pensions, Section 2A-5 and creating New Sections 2A-45, 2A-46 and 2A-47 of the Hartford Municipal Code.
6. Ordinance amending Chapter 2, Section 2-850 concerning Residency Requirements of the Municipal Code.
7. Ordinance amending Chapter 29, Article I, to add Section 29-18 relating to the Use of Unmanned Aerial Vehicles by the Hartford Police Department, of the Municipal Code.
8. Resolution concerning the appointment of Victor Luna, Jr. to the Court of Common Council established Charter Revision Commission.
9. Ordinance amending Chapter 2, Article VI, Division 4, Section 2-352 concerning compensation for nonunion and unclassified executive service classification of the Hartford Municipal Code.
10. Resolution with accompanying report requesting that the Administration reevaluates the speed limits on all city streets and the Department of Public works (DPW) works with the office of The State Traffic Administration (OSTA) for the purpose of reducing the speed limits on our most compact streets and to work with OSTA to designate "Pedestrian Priority" streets (Pratt Street, Front Street) with special limits not to exceed 10mph.
11. Ordinance amending Chapter 26 - Parks and Recreation, Article II-Conduct and Use Regulated of the Municipal Code.
12. Substitute ordinance amending Chapter 35- Zoning - For the Purpose of Adopting a New Fee Schedule, of the Municipal Code.
13. Resolution concerning authorizing the submission of the City of Hartford's year Four Annual Action Plan (FY 2018-19) for use of Federal Entitlement Grant Funds administered by HUD.

**PROPOSED ORDINANCES**

14. (MAYOR BRONIN) An Ordinance amending Chapter 9 - Buildings and Property of the Municipal Code.

**HEARING DATE - Monday, June 18, 2018**

**RESOLUTIONS**

15. (COUNCIL PRESIDENT THAMES) Resolution requesting that the Court of Common Council President designate an individual to provide mediation assistance associated with negotiation of a successor collective bargaining agreement between the City and HMEA, pursuant to General Statutes (Supp. 2018) § 7-576d (d).
16. (COUNCILMAN CLARKE II) Resolution requesting the Administration to apply to the State of Connecticut for emergency violence reduction funds to ensure our residents receive

effective mental health and trauma counseling and to work in collaboration with the Court of Common Council to convene a meeting with all organizations that currently receive violent prevention funds.

17. (COUNCILMAN CLARKE II) Resolution requesting the Administration to create a plan which includes a timeline as to when the residents of CARA Apartments will be relocated to another suitable residential facility.

**Attest:**

**John V. Bazzano**  
**City Clerk**



**Luke A. Bronin**  
**Mayor**

ITEM# 1 ON AGENDA

June 11, 2018

Honorable Glendowlyn L. H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Buildings & Property Fees**

Dear Council President Thames:

Attached for your consideration is a resolution authorizing the creation of a fee and fine schedule for permits and other activities authorized by the Municipal Code in Chapter 9, entitled Buildings and Property. This is a companion item to the ordinance amending the above Chapter of the Code, which I have submitted under separate cover for the Council's consideration.

In the ordinance noted above, we have removed specific dollar amounts for building permit fees and fines from the Code and replaced them with references to the Buildings & Property Fee and Fine Schedule. These dollar amounts are now set forth in the attached resolution. We recommend this approach so that the Schedule can be reviewed frequently and efficiently and changes to the amounts of fees and fines can be recommended to the Council on a more regular basis, thus ensuring that City costs are covered and financial stability is supported.

We look forward to discussing this item with Council members. Staff of Development Services is available to assist you during your review.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "L. 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, June 11, 2018

**WHEREAS,** It is advisable that the City of Hartford (the "City") adopt a schedule of fees and fines for permits and other activities governed by Chapter 9 – Buildings and Property – of the Municipal Code, and

**WHEREAS,** The adoption of a reasonable fee schedule is essential to the effective and efficient operation of the Department of Development Services and to the financial stability of the City, and

**WHEREAS,** The City Administration has recommended that removing specific dollar amounts for fees and fines from the Municipal Code will facilitate regular reviews of the schedule and future modifications necessary to cover City costs, and

**WHEREAS,** Most of the fees and fines currently included in Chapter 9 have not been increased in the past ten years, and the Department of Development Services has reviewed and compared the fees with those of other communities and with the cost of Hartford City services and has recommended the schedule below, now, therefore, be it

**RESOLVED,** That the Court of Common Council, in accordance with Chapter IV, Section 2(e) of the Hartford City Charter and Chapter 9 of the Hartford Municipal Code, hereby adopts the following Buildings & Property Fee and Fine Schedule:

<b>Fee/Fine</b>	<b>Current Amount</b>	<b>Proposed Amount</b>
Building Permit Fees	\$25 per \$1,000 of construction costs	\$50 per first \$1000 of construction costs and \$30 per each \$1,000 of construction costs thereafter
Temporary Certificate of Occupancy (TCO) – valid for one month	\$25	\$50
TCO Extension	\$150 per each additional month	\$300 per each additional month
Partial TCO or Partial Occupancy [NEW]	N.A.	\$50
Partial TCO Extension [NEW]	N.A.	\$200 per each additional month
Certificate of Occupancy	\$100	\$125
Certificate of Approval	\$25	\$50
Pre-Application meeting for permits	\$10 per hour	\$200 per hour. After one hour, pro-rated at \$50 per 15 minutes
Mandatory Plan Review Fee (for all Permit Applications) [NEW]	N.A.	10% of total projected permit fee (nonrefundable, but value will be applied toward final permit fee)
Fee for property numbering by Dept. of Public Works (DPW)	Cost incurred by DPW plus penalty of 6% of cost. Minimum penalty of \$.50 and maximum penalty of \$15	Cost incurred by DPW plus penalty of 6% of cost. Minimum penalty of \$2.00 and maximum penalty of \$60

Demolition Permit Fee	\$25 per \$1,000 of demolition costs	\$50 per first \$1000 of demolition costs and \$30 per each \$1,000 of demolition costs thereafter
Demolition of units vacant for 120 days or less (See 9-73)	Contribution of \$2,500 per vacant unit to the Housing Fund	Contribution of \$2,500 per vacant unit to the Housing Fund
Rehousing Assistance Payment	\$2,500 to tenant	\$2,500 to tenant
Blight Remediation Citation Civil Penalty	Up to \$100 per day	Up to \$100 per day
State Required Inspection Fee (except for daycare) [NEW]	N.A.	\$100
Fine for work without a permit (including demolition)	Amount equal to and in addition to the amount of the permit fee	Amount equal to and in addition to the amount of the permit fee

and be it further

**RESOLVED**, That the Mayor is hereby authorized to, if applicable, execute and deliver any documents and to take such other actions, upon and subject to such terms and conditions that the Mayor and the Corporation Counsel may deem appropriate and in the best interests of the City, in order to effectuate and/or further the above matter; 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 and deliver the aforementioned agreements or other documents, if applicable, 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 and delivering such agreements and documents, if applicable, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



**Luke A. Bronin**  
**Mayor**

ITEM# 2 ON AGENDA

June 11, 2018

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE:** Settlement: LaMark-Muiry v. City of Hartford

Dear Council President Thames:

Attached for your consideration is a resolution authorizing settlement of the matter of Renee LaMark-Muir v. City of Hartford, Police Department in the amount of \$180,000, of which the City's contribution is approximately \$80,000.

I respectfully request the Court of Common Council to enter into Executive Session during the Council meeting on Monday, June 11, 2018 for a brief session to discuss the potential resolution of the above matter.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "L. Bronin", 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, June 11, 2018

**RESOLVED**, pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of the Renee LaMark-Muir vs. City of Hartford, Police Department matter in the amount of \$180,000.00, of which the City of Hartford's contribution is approximately \$80,000.



**Luke A. Bronin**  
Mayor

June 11, 2018

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Appointment to Golf Course Oversight Commission**

Dear Council President Clarke:

Attached for your consideration is a resolution confirming my appointment of Estela Morales Segarra to the Golf Course Oversight Commission.

The purpose of the Commission is to ensure that the operations, maintenance and improvement of Hartford's Keney Park and Goodwin Park Golf Courses meet the expectations of constituents and patrons. The Commission consists of nine members who shall serve four-year staggered terms. The membership shall represent the "Friends" groups in each park, golf leagues, and youth and shall also include individuals with experience in professional fields such as accounting, public administration, golf course management, financial analysis, and landscape architecture or design.

Ms. Segarra has been a Hartford resident since she arrived from Mexico in 2007. She has been playing in the Ladies Thursday Morning League at Goodwin Park and works as a coach with First Tee Connecticut where she trains children ages 7 to 13 in the game of golf. Ms. Segarra recently founded the CT Latinas Golf Team as a way to empower women to learn the game and network in a fun and supportive environment. Her resume is attached for your review.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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Telephone (860) 757-9500  
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**INTRODUCED BY:**  
Luke A. Bronin, Mayor

**COURT OF COMMON COUNCIL**  
City of Hartford, June 11, 2018

**WHEREAS,** The Golf Course Oversight Commission was established to ensure that the City's Keney and Goodwin Golf Courses are operated, maintained and improved in a manner that will meet the expectations of constituents and patrons, and

**WHEREAS,** The Commission is composed of nine members who serve four-year staggered terms, and

**WHEREAS,** Mayor Luke A. Bronin has appointed Estela Morales Segarra to the Golf Course Oversight Commission, now, therefore, be it

**RESOLVED,** That the Court of Common Council hereby confirms the appointment of the following individual as a member of the Golf Course Oversight Commission:

Estela Morales Segarra (D) 74 Haddam Street, Hartford 06106  
For a term to expire December 22, 2020  
(Filling a vacancy)

Introduced by: Council President Thomas J. Clarke II

HEADING  
AND  
PURPOSE

SUBSTITUTE

AN ORDINANCE CREATING A REGISTRY OF OWNERS OF RESIDENTIAL RENTAL PROPERTY AMENDING CHAPTER 18, SECTION 150 OF THE HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

November 14, 2016

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 18, Section 150, of the Municipal Code of the City of Hartford be amended as follows:

18-150. Registration of owners of residential rental property.

(a) Purpose. The City of Hartford is committed to protecting the safety, health and welfare of its residents, to eliminating housing deterioration and blight, and to protecting the public from unsafe structures. To that end, the City has adopted ordinances and has performed regulation, inspections and code enforcement concerning the operation and condition of property within its borders. This ordinance requires registrations and disclosure of contacts the City may use to observe due process in notifying owners of conditions on their property. The City will use the registration in the enforcement of housing, building and fire safety codes, for regular or emergency enforcement action and in the interest of public safety in securing or demolishing buildings or relocating people.

(b) Definitions.

For purposes of this ordinance, "Owner" shall mean any natural person who is the record owner of the property, or if the property is owned by a business entity, "Owner" shall mean an officer, manager or member of such entity, and in the case of a trust, a trustee.

For purposes of this ordinance, "contact information" shall include the name, email address, telephone numbers, business and residential address.

18-151. Registration.

(a) Registration required. It shall be unlawful for owners of certain residential rental property located within the City of Hartford to rent such property without registering with the Division of

Licenses and Inspection. Upon adoption of this ordinance the Division of Licenses and Inspections shall notify Owners of the requirements of this ordinance. Failure to receive such notice shall not waive its requirements. Owners shall register using such forms as are provided by the Division of Licenses and Inspections, within sixty days from the effective date of this ordinance. Violation shall be subject to the penalties set out in Section 1-4 of the Municipal Code.

(b) Exempt Owners. The Housing Authority of the City, owners of properties with fewer than three units, and owners of licensed rooming houses, hotels, motels, condominiums, elderly housing, and student dormitories, shall be exempt from the requirements of this ordinance.

(c) Fees. Owners shall pay a fee upon registration. The fee for initial registration upon adoption of this ordinance, or upon a change of ownership, shall be fifty dollars for up to five residential rental units existing at the rental property, plus twenty dollars for every additional unit. After the initial fee in the first year of registration for a particular owner, the annual renewal fee for that owner shall be twenty dollars for the first five units plus twenty dollars for each additional unit. The fees shall apply whether or not the units are occupied.

(d) Term and renewal. Registrations made after the effective date of this ordinance and prior to June 30, 2017 shall expire on June 30, 2018. Thereafter, registrations shall be effective for one year, beginning on July 1, 2018 and expiring on June 30 of each year. Registrations must be renewed annually.

Registrations shall not be transferable. Upon a change of ownership, the new owner shall register within thirty days after taking title to the property.

18-152. Required information. The registration shall require the following information:

- (a) The property address and tax assessor's parcel identification number for the property.
- (b) The number of rental units on the property.
- (c) Owner's name and mailing address.
- (d) Owner's contact information, which shall include residential and business mailing address, telephone number and email address. If the owner is not a natural person, the Owner shall provide the same contact information for each officer, member or manager of any business entity, or in the case of a trust, the contact information for each trustee.
- (e) The contact information of a responsible adult residing in Connecticut, or a company doing business in Connecticut, who or which is and shall be responsible for the care, management and maintenance of the property and is authorized to accept legal process and notices on behalf of the owner if the owner resides or has its principal place of business outside of Connecticut.
- (f) The name and contact information of any person holding a mortgage on the property.
- (g) The name and contact information of the Owner's insurer of the property. The Owner must notify the City in the event of a change or cancellation of insurance on the property.
- (h) The registration form shall be signed by the owner, who shall certify that all the information offered in the registration is true and correct to the best of his or her knowledge and belief, so that any willfully false statement will be subject to penalty under the law for the making of a false statement.

- (i) Proof of insurance including the name of the insurance company, address, business telephone number of the insurance provider along with a copy of the insurance policy,

along with proof of the insurance coverage amount for both liability and fire, that covers at a minimum the value of the property.

This ordinance shall take effect upon adoption.



ITEM# 5 ON AGENDA

**Luke A. Bronin**  
Mayor

June 12, 2017

Honorable Thomas J. Clarke II, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Defined Contribution Plan**

Dear Council President Clarke:

Attached, for your consideration, please find an ordinance establishing the defined contribution pension plan design and other requirements for all non-union employees hired on or after July 1, 2017. The Court of Common Council authorized the development of this plan by ordinance dated January 23, 2017.

The attached ordinance includes the following design elements:

<i>Employee contribution:</i>	Not less than 3.0%
<i>Employer contribution:</i>	Not less than 3.0% with matching of employee contribution not-to-exceed 7.0%
<i>Employee vesting:</i>	Year one: 0%
	Year two: 20%
	Year three: 50%
	Year four: 80%
	Year five: 100%

Non-union employees hired on or after July 1, 2017 will have the option to participate in this defined contribution plan, as they do with the current defined benefit plan. Employees who choose to participate will be required to contribute a minimum of 3% of their salary to the plan with the ability to increase their contribution to the maximum amount allowed by the Internal Revenue Service. The City will match the employee's contribution up to a maximum of 7%. The defined contribution plan participants will gain a vested interest in the contributions of both the employee and the City in accordance with the schedule shown above.

As you are aware, the Pension Commission is required to administer all of the City's retirement plans and, in accordance with this requirement, will administer this defined contribution plan. The City Treasurer and members of my Administration are available to assist you in reviewing this ordinance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Luke A. Bronin".

Luke A. Bronin  
Mayor

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

## SUBSTITUTE

Introduced by:

Mayor Luke A. Bronin

### HEADING AND PURPOSE

### AN ORDINANCE AMENDING CHAPTER 2A - PENSIONS, SECTION 2A-5 AND CREATING NEW SECTIONS 2A-45, 2A-46, AND 2A-47 OF THE HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

September 11, 2017

Be It Hereby Ordained by the Court of Common Council of the City of Hartford that Chapter 2A, Section 2A-5 of the Municipal Code of Hartford be amended as follows and that Sections 2A-45, 2A-46 and 2A-47 be added as follows:

#### Article I. General Provisions

#### Sec. 2A-5. - Definitions.

As used in this chapter, the following terms shall have the meanings ascribed thereto below, unless, and then only to the extent, a subsequent definition specifically provides for a different meaning with respect to any such term within the context of a particular section or subsection.

- (1) " *Actual service* " shall consist, for purposes of establishing both vested (i.e. nonforfeitable) rights to, and eligibility to receive, any benefits provided herein which are conditioned upon the completion of such service, of the following:
- a. Any period or periods during which a member provided service to the city, library or board by working a full time schedule and for which a member has contributed the requisite portions of his or her earnings to the fund;
  - b. Any of those periods referenced in subsections (1)b.1 through 5 below, during which a member provided service to the city, library or board by working anything less than a full time schedule, and for which a member has contributed the requisite portions of his or her earnings to the fund, including:
    1. Periods of employment in a position in the unclassified service of the city for which the member has timely elected to receive credit for such service pursuant to the provisions of Ordinance Number 50-98;
    2. Periods of employment with the city during which a member worked at least twenty (20) hours a week and was represented for collective bargaining purposes by the Municipal Lawyers Association;
    3. Periods of employment during which a member is, or was, classified as a part time professional employee of the library;
    4. Periods of employment during which a member is, or was, classified as a part time employee of the board; and
    5. Periods of employment after returning from maternity or paternity leave, so long

5. Periods of employment after returning from maternity or paternity leave, so long as the member worked a full time schedule immediately prior to such leave and subsequently returned to full time employment, provided that the member was eligible for, and timely elected to receive, credit for such service pursuant to the provisions of Ordinance No. 18-03.
- c. Any period or periods of qualified USERRA service as defined in section 2A-7, regardless of whether a member has purchased or otherwise elected to receive USERRA credit pursuant to section 2A-7(d); and
- d. Any period or periods during which an employee received weekly payments representing income replacement under the Workers' Compensation Act.
- (2) A member's " *basic weekly pay* " shall mean the gross wages that a member would be paid per week based upon the rate of pay used to calculate the lump sum amounts paid to a member on account of accrued vacation and sick time upon his or her termination of employment.
- (3) A " *break-in-service* " results from any absence, without pay, which lasts more than ninety (90) consecutive days, unless:
- a. The break-in-service is longer than the period of the employee's prior service, and the member applies for, and is granted, a leave of absence, by the Hartford Court of Common Council;
- b. The break-in-service is equal to or less than the period of the employee's prior service, and the member applies for, and is granted, a leave of absence by the Pension Commission, provided that an employee whose request for a leave of absence has been denied by the Pension Commission shall have the right, within thirty (30) days of the denial, to apply to the Court of Common Council, which shall make a de novo determination of the employee's request for a leave of absence;
- c. The absence is caused by a disability that routinely requires the regular attendance of a physician;
- d. The member was receiving weekly payments representing income replacement under the Worker's Compensation Act during the period of absence; or
- e. The absence resulted from the member's provision of qualified USERRA service as defined in section 2A-7(a), and, after completing that service, the member returned immediately to city, library or board employment.
- (4) " *Continuous service* " shall refer to any period of actual service that is not interrupted by a break-in-service.
- (5) " *Creditable accrued sick time* " shall mean that period of time commencing with the member's effective date of retirement, for which such member would continue to receive his or her basic weekly pay if such member were to receive amounts paid thereto for accrued sick time upon his or her termination of employment on a weekly basis, as opposed to in a lump sum, without regard to whether any days in such time period are or have been designated holidays for active employees.
- (6) " *Creditable accrued vacation time* " shall mean that period of time between the day following a member's last day of work and the date upon which such member's last day of work would have occurred had such member remained an active employee and received payments for his or her accrued vacation on a weekly basis, as opposed to a lump sum basis, both dates inclusive.
- (7) " *Creditable accrued vacation and sick time* " shall mean the sum of a member's

creditable accrued vacation time and creditable accrued sick time.

- (8) " *Creditable actual service* " shall include all actual service except: (1) periods of qualified USERRA service for which the member has not purchased or received USERRA credit pursuant to section 2A-7(d); and (2) periods of absence in excess of ninety (90) days, even if such absences do not constitute a break in service for purposes of determining continuity of service, if during such absence the member was receiving neither weekly payments representing income replacement under the Workers' Compensation Act nor earnings from which employee contributions are properly deducted pursuant to the provisions of this chapter.
- (9) A member's " *date of retirement* " shall be established by an application signed by both the member's appointing officer and either the mayor (or his or her designee), or the superintendent of schools (or his or her designee) for employees of the board of education. Payment of a member's retirement allowance shall be subject to the approval of the pension commission as to the member's eligibility and the amount of his or her allowance.
- (10) *Employee references.* For purposes of this chapter, the following terms shall be utilized in referencing employees.
- a. " *NBU-GG employees* " shall refer to those nonbargaining unit general government employees of the city who are not: (a) sworn police officers or firefighters, (b) board employees, or (c) library employees[, who are members of the fund.]
    1. " *Pre-2011 NBU-GG employees* " shall refer to those NBU-GG employees whose initial date of hire with the City is before January 1, 2011, who are members of the fund.
    2. " *Post-2011 NBU-GG employees* " shall refer to those NBU-GG employees whose initial date of hire with the City is on or after January 1, 2011, but before September 11, 2017, who are members of the fund.
    3. " *Post-2017 NBU-GG employees* " shall refer to those NBU-GG employees whose initial date of hire with the City is on or after July 1, 2017, who shall not be eligible to be members of the fund.
  - b. " *CWA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the Communication Workers of America.
  - c. " *CHPEA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the City of Hartford Professional Employees' Association.
    1. " *Pre-1997 CHPEA employees* " shall refer to those CHPEA employees who were hired into the CHPEA bargaining unit before October 1, 1997.
    2. " *Post-1997 CHPEA employees* " shall refer to those CHPEA employees hired into the bargaining unit on or after October 1, 1997 but before June 23, 2003.
    3. " *2003 CHPEA employees* " shall refer to those CHPEA employees whose initial date of employment with the city is on or after June 23, 2003.
  - d. " *HMEA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the Hartford Municipal Employees' Association ("HMEA").
    1. " *Post-2003 HMEA employees* " shall refer to those HMEA employees whose

initial date of hire with the city is on or after July 1, 2003.

2. *"Pre-2003 HMEA employees"* shall refer to those HMEA employees whose initial date of hire with the city is before July 1, 2003.
3. *"ISD HMEA employees"* shall refer to those members of the fund to whom all of the following criteria apply:
  - (i) Where HMEA employees, employed in the city's former Information Services Department ("ISD"), immediately prior to their layoff or retirement from city employment;
  - (ii) Whose job duties in the ISD were transferred to the city's Metro Hartford Information Services Department ("MHIS");
  - (iii) Were not offered comparable employment in MHIS within twenty-four (24) months following their layoff or retirement;
  - (iv) Whose last day worked with the city due to subsection (ii), above was between the dates of July 1, 2002 and May 30, 2003; and
  - (v) Are currently receiving a retirement allowance from the fund as of June 9, 2008, the date on which the court of common council adopted a resolution affirming the terms of a settlement agreement between HMEA and the city.
- e. *"MLA employees"* shall refer to those employee members of the fund who are represented for collective bargaining purposes by the City of Hartford Municipal Lawyers' Association.
- f. *"NBU-P/F employees"* shall refer to those employee members of the fund who are sworn police officers not represented for collective bargaining purposes by the Hartford Police Union and those employee members of the fund who are firefighters who are not represented for collective bargaining purposes by Local 760, International Association of Firefighters.
  1. *"Pre-1997 NBU-P/F employees"* shall refer to those NBU-P/F employees who were employed as sworn police officers or firefighters before December 31, 1996.
  2. *"Post-1997 NBU-P/F employees"* shall refer to those NBU-P/F employees who were employed as sworn police officers or firefighters on or after December 31, 1996 but before January 1, 2011.
  3. *"2011 NBU-P/F employees"* shall refer to those NBU-P/F employees whose initial date of hire with the City is on or after January 1, 2011.
- g. *"HPU sworn officers"* shall refer to those employee members of the Fund who are sworn police officers represented for collective bargaining purposes by the Hartford Police Union.
  1. *"Post-1999 HPU sworn officers"* shall refer to those HPU sworn officers hired after July 1, 1999.
  2. *"Pre-1999 HPU sworn officers"* shall refer to those HPU sworn officers hired on or before July 1, 1999.
- h. *"HPU non-sworn employees"* shall refer to those employee members of the Fund who are not sworn police officers but are represented for collective bargaining purposes by the Hartford Police Union.
- i. *"Local 760 employees"* shall refer to those employee members of the Fund who are

represented for collective bargaining purposes by Local 760, International Association of Firefighters.

1. " *Post-2003 Local 760 employees* " shall refer to those Local 760 employees hired into the bargaining unit on or after July 1, 2003.
  2. " *Pre-2003 Local 760 employees* " shall refer to those Local 760 employees hired into the bargaining unit before July 1, 2003.
  - j. " *SCGA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the School Crossing Guards' Association.
  - k. " *NBU-HPL employees* " shall refer to those nonbargaining unit employees of the library who are members of the fund.
  - l. " *Local 1716-HPL employees* " shall refer to those employees of the library who are represented for collective bargaining purposes by Local 1716 who are members of the fund.
  - m. " *NBU-BOE employees* " shall refer to those nonbargaining unit employees of the board who are members of the fund.
  - n. " *Local 78 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 78, Hartford Schools Support Supervisors.
  - o. " *Local 82 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 82, Hartford Education Support Personnel.
  - p. " *Local 818 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 818, Building and Grounds Supervisors.
  - q. " *Local 1018A/B employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018A/B, Hartford Federation of School Health Professionals who are members of the fund.
  - r. " *Local 1018C employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018C, Hartford Federation of School Secretaries.
  - s. " *Local 1018D employees* " shall refer to those employee members of the Fund who are represented for collective bargaining purposes by Local 1018D, Hartford Federation of Corridor Supervisors.
  - t. " *Local 2221 employees* " shall refer to those employee members of the Fund who are represented for collective bargaining purposes by Local 2221, Hartford Federation of Paraprofessionals.
  - u. " *HFCDA-BOE* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018F, AFT, AFL-CIO.
- (11) A member's " *effective date of retirement* " shall be the day after the period of time following such member's last day of work which is equal to his or her creditable accrued vacation time.
- (12) A member's " *final average pay* " shall be based upon his or her gross earnings only to the extent that: (1) the provisions of this chapter specifically provide for his or her final average pay to be calculated in that manner; and (2) such final average pay is calculated

in accordance with subsection (14). Unless, and then only to the extent, this chapter provides that a member's final average pay is to be based upon his or her gross earnings over a stated period of time, a member's final average pay shall not include any amounts paid to such member upon or by reason of his or her termination of employment either for accrued sick time or as a severance payment.

- (13) The "*final average pay period*" for each member shall mean those total number of such member's final years of service from which some subset thereof is to be used for purposes of determining such member's final average pay. Thus, for example, if a member is entitled to have his or her pension benefit calculated on the basis of his or her highest two (2) of his or her last five (5) years of gross earnings, then such member's final average pay period is such five (5) year period. Except as otherwise provided in subsection (14) below, a member's final average pay period shall end on the day prior to his or her effective date of retirement.
- (14) Commencing on August 1, 1993, a member's "*gross earnings*" with respect to any year of service shall mean and include all amounts payable by the city directly to such member for services rendered by such member to the city (including, but not limited to, any and all of its agencies, commissions, boards, offices and departments) within such time period which amounts shall include, but not necessarily be limited to, such member's basic salary, payments for or in lieu of overtime, longevity pay, and retroactive pay increases, as and to the extent each is attributable to such services, but, except as provided in this subsection below, shall not include either any amounts paid for services rendered in some other time period or any payments made to a member upon and by reason of his or her termination of employment (including, but not limited to any and all severance payments and lump sum payments for accrued vacation and sick time).

*Calculation of gross earnings.* Commencing on August 1, 1993, any member whose final average pay is based upon his or her gross earnings over a stated period of time shall have his or her gross earnings adjusted to account for any lump sum payments made to such member for accrued vacation and sick time upon his or her termination of employment by, and only by, adjusting such member's final average pay period such that the last day of that period corresponds to what such member's last day of work would have been had such member continued to work beyond his or her actual last day of work for that period of time equal to his or her creditable accrued vacation and sick time; providing however, that nothing herein shall be construed to permit or require the adjustment of the length of time included within a member's final average pay period. Thus, expressed as a formula, and subject to the foregoing provisos, a member whose final average pay is based on gross earnings shall have his or her final average pay period adjusted as follows:

Last day of final average pay period	=	Last day of work	+	Creditable accrued vacation and sick time
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- (15) Commencing on August 1, 1993, a member's "*last day of work*" prior to retirement shall be that date designated by the city as the last day on which he or she was expected to provide services to the city, which, in any case, shall not include any period of time that an employee is carried on the city's books and records as an employee to account for the lump sum payment of accrued vacation time to such member in connection with his or her termination of employment with the city. A member's bona fide absence from

work on any date under and in accordance with the city's personnel rules and/or such member's collective bargaining agreement, as applicable, shall not be considered a basis for determining that such member was not expected to provide services to the city on such date.

- (16) " *Member* " shall mean an individual who, by virtue of his or her employment with the city, library or board:
- a. Is, or was, eligible to participate in the fund;
  - b. Has in fact participated in the fund by satisfying applicable employee contributions; and
  - c. Is either: (1) receiving an allowance provided hereunder; (2) eligible to receive an allowance provided hereunder at some future date certain; (3) continuing to provide employee contributions to the fund as provided hereunder; or (4) no longer providing employee contributions but has not withdrawn such contributions pursuant to the terms hereof.
- (17) " *Qualified surviving spouse* " shall mean the surviving spouse of a member who shall have been married to the member prior to his or her retirement, which, for purposes of this definition only, shall be deemed to mean the date of termination of active employment, including any service attributable to creditable accrued vacation time.

(18) " 401(a) Plan Participants " shall refer to all Post-2017 NBU-GG employees who elect to contribute to the City's 401(a) plan, pursuant to Section 2A-46.

NEW) Section 2A-45. – Section 401(a) Plan Established

There is hereby established a City of Hartford Section 401(a) Defined Contribution Plan ("401(a) Plan"). Post-2017 NBU-GG employees are not eligible to be members of the MERF, but may, upon hire, elect to participate in the City's 401(a) plan.

(NEW) Section 2A-46. – Contributions

- (a) Internal Revenue Code Section 414(h) Pick-up Contributions. The 401(a) Plan will contain a pick-up contribution provision as defined under section 414(h) of the Internal Revenue Code subject to and in accordance with the terms set forth in this subsection. The purpose of this provision is to enable pick-up contributions to the plan to be made in such a manner that the value of such contributions are neither subject to the payment of federal income taxes until such contributions are distributed to such employees, nor withholding of such taxes when such contributions are made to the extent permitted by the Internal Revenue Code. The pick-up contributions of those members who are expressly identified as "401(a) Plan Participants" shall be governed by subsections (a) and (b) of this section.
- a. Post-2017 NBU-GG employees shall elect, within thirty days of the date of hire whether to:
    - a. make a one-time irrevocable election to not participate in the 401(a) Plan; or
    - b. elect for the City to make pick-up contributions in an amount which must be a

minimum of three percent (3.0%) of the 401(a) Plan Participant's base rate of pay ("Pay"). The election to participate and the percentage amount of pick-up contributions, if applicable, is irrevocable and cannot thereafter be changed during the term of that individual's employment as a NBU-GG employee.

- b. The city shall pick up and deposit to the 401(a) Plan all 401(a) Plan Participants' pick-up contributions, as elected by the 401(a) Plan Participant, in accordance with paragraph (i) of this subsection. Nothing herein shall relieve any 401(a) Plan Participant from any obligation to make pick-up contributions to the 401(a) Plan, it being the intent and effect hereof instead, that the city shall deposit each 401(a) plan participant's pick-up contributions to the 401(a) Plan in lieu of such employee making such contributions.
- c. In consideration of the city picking up such pick-up contributions, 401(a) Plan Participants shall have their Pay reduced by an amount equal to the contributions so picked up by the city.

(b) City Contributions. The city shall pay on into the designated account, on an annual basis, an amount equal to the proportion of pay contributed by each 401(a) Plan Participant, provided that the city contribution shall not exceed seven percent (7.0%) of the base rate of pay the 401(a) Plan Participant.

(NEW) Section 2A-47. – Vesting

- (a) A 401(a) Plan Participant's rights to and/or interests in the city contributions, as set forth in Section 2A-46 (b), vest upon completion of the following schedule of continuous years of service, regardless of age:

<u>Year one (1):</u>	<u>zero percent (0.0%)</u>
<u>Year two (2):</u>	<u>twenty percent (20.0%)</u>
<u>Year three (3):</u>	<u>fifty percent (50.0%)</u>
<u>Year four (4):</u>	<u>eighty percent (80.0%)</u>
<u>Year five (5):</u>	<u>one hundred percent (100.0%)</u>

This ordinance shall take effect upon adoption.

Introduced by:

THOMAS J. CLARK III

ITEM#

6

ON AGENDA

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-850 OF THE  
HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

December 11, 2017

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 2, Section 2-850, of the Municipal Code of the City of Hartford be amended as follows:

**Sec. 2-850. - Residency requirements.**

(A) All council and Mayor appointees and Unclassified Employees employed by the City, shall maintain a continuous residence in the City during the period of such appointment or employment. This section shall not apply to new employees or appointees during the first six (6) months of such employment or appointment. If such individual ceases to be a bona fide resident of the City once the residency has been established or fails to become a bona fide resident within six (6) months of the appointment or employment, the Council shall, by a vote of seven (7) members, send notice to the mayor that pursuant to the provisions of Chapter V, section 3(c) of the Hartford Charter, the office or position of the individual who has failed to remain a bona fide resident of Hartford shall thereupon become vacant, and such appointment or employment shall terminate.

Bona fide resident is defined as:

- (1) An employee who has a Hartford mailing address. A post office address does not qualify as a bona fide Hartford address;
- (2) Be a registered Hartford voter; and
- (3) If the employee owns a motor vehicle, said motor vehicle must be registered in the City of Hartford; and
- (4) An employee who reports a Hartford primary address on federal income tax filings.

(B) The provisions of subsection (A) above shall not apply to individuals who were employees and appointees at the time of the effective date of this section.

This ordinance shall take effect upon adoption.

Minority Leader Wildaliz Bermudez

**AN ORDINANCE AMENDING CHAPTER 29 OF THE HARTFORD MUNICIPAL CODE.**

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

January 22, 2018

Be It Hereby Ordained by the Court of Common Council of the City of Hartford:

That Chapter 29, Article I of the Municipal Code of the city of Hartford be amended, adding Section 29-18, as follows:

**Section 29-18. Use of unmanned aerial vehicles by the Hartford department of police.**

- (a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section:

Law enforcement officer means a member of the Hartford department of police, as described in section 29-1.

Unmanned aerial vehicle means any contrivance used or designed for navigation of or flight in air that is power-driven and operated without the possibility of direct human intervention from within or on the contrivance.

- (b) Except as provided in subsections (c) and (d) of this act or otherwise provided by law, no person, except a person performing his or her duties as a law enforcement officer, shall operate or use any computer software or other technology, including, but not limited to, an unmanned aerial vehicle, that allows a person, when not physically present, to release tear gas or any like or similar deleterious agent or to remotely control a deadly weapon, as defined in Chapter 950 Sec. 53a-3 of the general statutes, or an explosive or incendiary device, as defined in Chapter 943 Sec. 53-206b of the general statutes. Any person who violates this subsection may be issued a municipal citation. A person who is issued a citation shall be subject to a fine of one thousand dollars (\$ 1,000). Any person issued a citation for violating this subsection may within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with section 1-5. This subsection shall be enforced by the Hartford chief of police.
- (c) No person who, as part of his or her duties as a law enforcement officer, operates an unmanned aerial vehicle, shall operate any such vehicle if such vehicle is equipped with tear gas or any like or similar deleterious agent or a deadly weapon, as defined in Chapter 950 Sec. 53a-3 of the Connecticut General Statutes, including, but not limited to, any explosive or incendiary device, as defined in Chapter 943 Sec. 53-206b of the Connecticut General Statutes. The provisions of this subsection shall not apply to a person who, as part of his or her duties as a law enforcement officer, operates an unmanned aerial vehicle that is equipped with explosive detection, detonation or disposal equipment, provided such law enforcement officer is authorized by the federal or state government to detect, detonate and dispose of explosives and is engaged in

such detection, detonation or disposal.

(d) No law enforcement officer shall operate an unmanned aerial vehicle, unless:

(1) A judge of the Superior Court or judge trial referee has issued a warrant in accordance with Chapter 959 Sec. 54-33a of the Connecticut General Statutes authorizing the use of an unmanned aerial vehicle;

(2) The individual who will be the subject of the information collected by the operation of an unmanned aerial vehicle has given advance written consent to such operation, provided such individual is on property that is not owned or operated by a governmental entity that is open for public use, including, but not limited to, parks, streets or sidewalks;

(3) The owner of the property that will be the subject of the information collected by the operation of an unmanned aerial vehicle has given advance written consent to such operation;

(4) The law enforcement officer has probable cause to believe that a criminal offense has been, is being or will be committed and exigent circumstances exist that make it unreasonable for the law enforcement officer to obtain a warrant authorizing the use of an unmanned aerial vehicle;

(5) The operation is pursuant to training activities conducted by the law enforcement officer while on land owned or leased by the federal or state government and does not occur in an area that is substantially populated; or

(6) The operation is used to reconstruct or document a specific crime or accident scene.

(e) An individual or privately owned property shall be considered to be the subject of information collected by the operation of an unmanned aerial vehicle if the information allows the identity of the person or the privately owned property to be ascertained or if the law enforcement officer operating the unmanned aerial vehicle acknowledges such individual or such property was the subject of the information.

(f) Information that was collected through the operation of an unmanned aerial vehicle that concerns an individual or privately owned property that was the subject of a warrant may be retained pursuant to the warrant.

(g) Information that was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2) or (3) of subsection (d) of this section that concerns an individual or privately owned property may be retained pursuant to the terms specified in such advance written consent.

(h) (1) Information that was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (4), (5) or (6) of subsection (d) of this section that concerns an individual or privately owned property shall be reviewed by the Hartford department of police not later than thirty days from the date of collection. The collected information shall be destroyed or modified pursuant to subdivision (2) of this subsection or retained pursuant to subdivision (3) of this subsection.

(2) If such information allows the identity of an individual or privately owned property to be ascertained and there is no probable cause to believe that an offense was committed by the individual or on the property, the Hartford department of police (A) shall destroy such information not later than forty-eight hours after such review, or (B) shall permanently modify such information so that the identity of such individual or such property cannot be ascertained, and, after such modification, may retain the modified information for a period of not more than five years from the date of

collection and, after such retention, shall destroy the modified information.

(3) If such information allows the identity of an individual or privately owned property to be ascertained and there is probable cause to believe that an offense was committed by the individual or on the property, the Hartford department of police may retain such information for a period of not more than five years from the date of collection and, after such retention, shall destroy such information, except that, if a warrant is issued in accordance with Chapter 959 Sec. 54-33a of the Connecticut General Statutes of the general statutes based in part on such information, such information may be retained pursuant to the warrant.

(4) No information subject to the provisions of this subsection that is not destroyed, modified or retained in accordance with subdivision (2) or (3) of this subsection, shall be admitted into evidence or otherwise considered by any court or agency, body or committee of this state or any political subdivision thereof.

- (i) (1) Not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this section, the Hartford department of police shall adopt and maintain a written policy that meets or exceeds the policies set forth in this section.

(2) Not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this section, the Hartford department of police shall promulgate an unmanned aerial vehicle incident report form, which shall include, but not be limited to, the collection of the following data: (1) The date the unmanned aerial vehicle was operated, (2) the type of such operation as categorized in the policy adopted pursuant to subsection (i) of this section, (3) the zip code or zip codes where the unmanned aerial vehicle was operated, (4) whether the unmanned aerial vehicle was operated pursuant to a warrant, (5) whether a property owner gave advance written consent to such operation, (6) whether the type of information collected through the operation of the unmanned aerial vehicle provided reasonable and articulable suspicion that a criminal offense was being committed, and (7) whether an arrest or arrests were made. The unmanned aerial vehicle incident report shall be completed each time an unmanned aerial vehicle is used by a law enforcement officer.

- (j) Not later than January thirty-first of each year, the Hartford department of police shall prepare a report that includes, but need not be limited to: (1) The number of times the Hartford department of police operated an unmanned aerial vehicle in the preceding calendar year, (2) the type of such operation as categorized in the policy adopted pursuant to subsection (i) of this section, (3) the zip code or zip codes where the unmanned aerial vehicle was operated, (4) whether the unmanned aerial vehicle was operated pursuant to a warrant, (5) whether a property owner gave advance written consent to such operation, (6) the number of times the type of information collected through the operation of an unmanned aerial vehicle provided reasonable and articulable suspicion that a criminal offense was being committed, and (7) the number of times an arrest was made during or after the operation of an unmanned aerial vehicle in direct response to the operation of an unmanned aerial vehicle by a law enforcement officer. The Hartford department of police shall make such report available on the Hartford department of police's Internet web site not later than January thirty-first of each year.

- (k) The Hartford department of police shall make any application to acquire surveillance technology, including, but not limited to, unmanned aerial vehicles, or to acquire funds to purchase surveillance technology, including but not limited to, unmanned aerial vehicles, available for review by the Court of Common Council of the City of Hartford and the public no less than thirty days prior to a public hearing on such application.

Such applications shall include, but not be limited to, applications to acquire surveillance technology from the program authorized by Section 1033 of the National Defense Authorization Act of 1997, and for funds under the Edward Byrne Memorial Justice Assistance Grant program to acquire surveillance technology. The Court of Common Council of the City of Hartford shall hold such public hearing not fewer than thirty days prior to the department's submission of the application and shall provide legal notice, published at least once not less than two weeks prior to such hearing in a newspaper having general circulation in the City of Hartford, of such hearing. Approval of the application by the Court of Common Council of the City of Hartford is required prior to submission of the application.

Ordinance shall take effect upon adoption.

**INTRODUCED BY:**  
Councilwoman rJo Winch

**COURT OF COMMON COUNCIL**  
City of Hartford, February 26, 2018

**Resolved,** That Victor Luna, Jr, 51 Anawan Street, Hartford, CT 06114, be appointed to the court of common council established charter revision commission.

Introduced by:

THOMAS J. CLARKE II, COUNCILMAN

ITEM#

9

ON AGENDA

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI, DIVISION 4,  
SECTION 2-352<sup>1</sup> OF THE HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

February 13, 2018

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 2, Article VI, Division 4, Section 2-352, of the Municipal Code of the City of Hartford be amended as follows:

**Sec. 2-352. - Compensation for nonunion and unclassified executive service classification.**

(A) That there be a new nonunion and unclassified executive service, including elected officials, classification and compensation plan that is authorized under City Charter Chapters IV, V, and VII and new nonunion compensation plan for specified administrative series and public safety series classifications.

(B) The classification and compensation plans have been developed to expand the salary structure and ranges to accommodate future increments that may be necessary to recognize accomplishment, growth, recruitment and/or retainment of qualified individual for these positions.

(C) The compensation plan has been expanded to include four (4) additional classifications: Chief information officer, director of emergency services and telecommunications, director of families, children, youth, and recreation and the City Treasurer.

(D) Effective July 1, 2018, the positions of Fire Chief, Police Chief and City Treasurer shall be paid the same annual rate of pay, which rate shall be fixed and included in the annual budget as approved by the Court of Common Council.

Ordinance shall take effect upon adoption.

ITEM# 16 ON AGENDA

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President  
Julio A. Concepción, Majority Leader  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermúdez, Minority Leader

John V. Bazzano, Town and City Clerk

Thomas J. Clarke II Councilman  
Larry Deutsch, Councilman  
Cynthia R. Jennings, Councilwoman  
James Sánchez, Councilman  
Jo Winch, Councilwoman

## Report

April 23, 2018

Honorable Glendowlyn L. H. Thames, Council President  
City of Hartford  
550 Main Street, Room 208  
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Public Safety and Quality of Life (PS&QL) Committee held its regular scheduled meeting on April 17, 2018 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

### Item #6

**Resolution requesting that The Administration reevaluates the speed limits on all city streets and the Department of Public works (DPW) works with the office of The State Traffic Administration (OSTA) for the purpose of reducing the speed limits on our most compact streets and to work with OSTA to designate "Pedestrian Priority" streets (Prat Street, Front Street) with special limits not to exceed 10mph.**

The following were present: Committee Co-Chairman Thomas J. Clarke, II, Co-Chairman Jimmy Sanchez, non-committee member Council President Glendowlyn L. H. Thames, non-committee council member, Assistant Majority Leader John Gale.

Also present were, Thea Montanez, Chief of Staff, Reginald D. Freeman, Fire Chief/Emergency Management Director and Interim Director of Public Works, Department of Development Services

Division of Housing, Thea Montanez, Chief of Staff to the Mayor. Ryan Pierce, Project Manager, Strategic Initiatives Department of Management, Budget and Grants, Alexandra Beaudoin, Special Assistant to the Chief of Staff & Intergovernmental Affairs, Faith Palmer, Assistant to the Chief Operating Officer and other concerned citizens, Jim Ford, Traffic Engineer DPW, Andrew Woods, Director of Hartford Communities That Care and members from the public.

Jim Ford accompanied by Chief Reginald Freeman concurrently spoke in depth after the previous item regarding said traffic calming, on item number 6 pertaining to speed reduction. The second map that was provided to Council illustrates the second part of the traffic calming initiative, which is posted speed limits throughout the city, making major push for 10mph areas, not preferred by state regulations but nevertheless warranted for some streets, 25mph, 30mph and 40pmh for respective streets.

A motion was made by Councilman Sanchez to postpone this item; Second by Councilman T.J. Clarke II.

**Vote Taken (2-0. 1Absent. Pass)**

Councilman Thomas J. Clarke II: Yes  
Councilman James Sanchez : Yes  
Councilwoman Rjo Winch: Absent

Respectfully Submitted,



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



Jimmy Sanchez  
Co-Chairman of PS&QL

**INTRODUCED BY:**

Majority Leader Julio A. Concepción  
Minority Leader Wildaliz Bermudez  
Councilman James Sanchez

**COURT OF COMMON COUNCIL**

**City of Hartford, November 13, 2017**

**WHEREAS**, the Court of Common Council passed a Complete Streets ordinance in September of 2016 and;

**WHEREAS**, its purpose is to ensure that the all public rights of way are designed and operated to provide safe, accessible, connected means of transportation for all users including pedestrians and bicycle riders and;

**WHEREAS**, one its goals is to reduce the frequency and severity of vehicular, bicycle and pedestrian related crashes and;

**WHEREAS**, one strategy to combat the severity of these crashes is to reduce the speed limits in some of the city's most dense areas, now therefore be it;

**RESOLVED**, that the Court of Common Council request that the administration reevaluate the speed limits on all city streets, and be it further

**RESOLVED**, that the Department of Public Works (DPW) work with the Office of the State Traffic Administration (OSTA) for the purpose of reducing the speed limits on our most compact streets, and it be it further

**RESOLVED**, that DPW work with OSTA to designate "Pedestrian Priority" streets (Pratt Street, Front Street) with speed limits not to exceed 10 mph



ITEM# 11 ON AGENDA

**Luke A. Bronin**  
**Mayor**

April 23, 2018

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Municipal Code Revisions: Chapter 26 – Parks and Recreation**

Dear Council President Thames:

Attached for your consideration is an ordinance proposing revisions to Article II, Chapter 26 of the Hartford Municipal Code. Article II, Chapter 26 of the Hartford Municipal Code regulates the conduct in, and use of, parks and recreational facilities within the City of Hartford. The purpose of the revision is to name Dillon Stadium among the list of exceptions set forth in Section 26-41 which allow for the sale and consumption of alcoholic beverages in certain city-owned facilities and for certain purposes.

As part of the agreement that will bring professional soccer to Hartford, amending our current ordinances to allow the sale of alcohol at Dillon Stadium during professional sporting events and other events promoted by Hartford Sports Group (HSG) is an essential component of a formula for success.

It is important to note that the sale and consumption of alcohol is currently permitted, under certain conditions, at Bushnell, Keney, and Goodwin Parks, the Carousel Pavilion and Pump House Gallery in Bushnell Park, and the Elizabeth Park Pond House Restaurant, to name a few. Allowing for the sale and consumption of alcohol at the stadium will treat Dillon similarly to other city-owned assets where the sale and consumption of alcohol are currently allowed.

The proposed revision will require that appropriate liability insurance is retained and that the requisite municipal and state licenses and permits are obtained as a condition for the sale of alcohol at the stadium.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "L. 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:

Mayor Luke A. Bronin

**HEADING  
AND  
PURPOSE**

AN ORDINANCE AMENDING CHAPTER 26 –PARKS AND RECREATION, ARTICLE II-  
CONDUCT AND USE REGULATED OF THE MUNICIPAL CODE OF HARTFORD

COURT OF COMMON COUNCIL  
CITY OF HARTFORD

April 23, 2018

**BE IT ORDAINED BY THE COURT OF COMMON COUNCIL OF THE CITY OF  
HARTFORD:**

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

(a) *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.

"*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.

"*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.

"*Events*", for purposes of this section, 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.

"*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.

"*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.

"*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.

(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 Pavillion, 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.
- (6) Alcoholic beverages may be sold and consumed within Dillon Stadium during professional sporting events or other events promoted by the ownership group of a professional sports franchise under an agreement for use of the Stadium, provided that the Operator or Manager of the Stadium, or a vendor licensed by the Division of Licenses and Inspections under a permit issued by the State of Connecticut Department of Consumer Protection, provides proper proof of liquor liability insurance to the Risk Manager for the City of Hartford, in amounts determined by said Risk Manager, and a state liquor license is obtained by the requisite entity.



ITEM# 12 ON AGENDA

**Luke A. Bronin**  
Mayor

May 14, 2018

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Land Use Regulation Fee Schedule**

Dear Council President Thames:

Attached for your consideration is an ordinance amending Chapter 35: Zoning of the Municipal Code for the purpose of adopting a new Land Use Regulation Fee Schedule ("Fee Schedule"). The new Fee Schedule has been developed to ensure that Hartford fees correspond with the new Zoning Code adopted in 2016, that they are consistent with fees charged by other Connecticut cities, and that they appropriately reflect the costs incurred for services provided by the Department of Development Services.

The City's current Fee Schedule was adopted by the Court of Common Council on April 3, 2015 and is codified in Chapter 35-2 of the Hartford Municipal Code. On January 12, 2016, the Planning & Zoning Commission adopted Zoning Regulations which reflect changing land use requirements and development needs. The Commission further amended the Regulations on November 17, 2017. Subsequently, the Development Services Department drafted the new Land Use Fee Schedule which was adopted by the Planning & Zoning Commission on June 27, 2017.

Extensive research and analysis was conducted as the new Fee Schedule was developed. A survey of the fees charged by other Connecticut towns, including Stamford, New Haven, and Bridgeport was conducted and the new Fees are consistent with the information generated through the survey. An analysis of the staff costs of varying services was carried out to ensure that fees are scaled to the size and nature of the activity and that costs are recovered through the payment of fees. Further, the absence, in the current fee schedule, of references to subdivisions has been remedied through the addition of a new section. Additionally, once or twice per year, the City must call in professional consultants, such as civil or traffic engineers, for large or complex projects. The new Fee Schedule includes reimbursement of those expenses.

Members of the Planning & Zoning Commission and staff of the Department of Development Services look forward to assisting the Council in your review of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", followed by a horizontal line.

Luke A. Bronin  
Mayor

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

# SUBSTITUTE

Introduced by:

Mayor Luke A. Bronin

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 35 - ZONING - OF THE MUNICIPAL CODE OF THE CITY OF HARTFORD FOR THE PURPOSE OF ADOPTING A NEW FEE SCHEDULE.

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

May 14, 2018

Be It Ordained by the Court of Common Council of the City of Hartford that Chapter 35 be amended to read as follows:

## Chapter 35 – ZONING

### Section 35-1. Zoning Regulations

The City of Hartford Planning and Zoning Commission Zoning Regulations (the “Regulations”) are the controlling zoning regulations of the City of Hartford. Copies of the Regulations are available for review and purchase at the Division of Licenses and Inspections, the Planning Division, the Office of the Corporation Counsel and the Office of the Town and City Clerk.

### Section 35-2 – Land Use Regulation Fees

Pursuant to Section 1.0.1 H (3) [75] of the Zoning Regulations of the City of Hartford the following fees are established for all applications for approvals and permits being sought from the planning and zoning commission, the zoning board of appeals, the inland wetlands commission, and the historic preservation and properties commissions, and other required administrative planning and zoning reviews and activities.

<u>Zoning Permits, Liquor Permits, Temporary Uses, Accessory Structures, Signage</u>	<u>Fee</u>	<u>S&amp;C Fee</u>
Zoning permit	\$100	Yes
Accessory uses and accessory structures not requiring site plan review	\$100	Yes
Temporary outdoor events	\$100	Yes
Temporary uses	\$100	No
Permanent liquor permit	\$250	No
Signage (excluding Exempt Signs)	\$250 + \$50 per additional sign	Yes
<u>Site Plan Review (per section 1.3.3 of Zoning Regulations)</u>	<u>Fee</u>	<u>S&amp;C Fee</u>
<u>Household Living</u>		
1-3 unit dwellings	\$250	Yes
4-20 unit dwellings	\$625	Yes
21+ unit dwellings	\$1,000	Yes
<u>All other Residential/Lodging Uses, including civic and institutional uses, Retail Uses, Service Uses (except approvals of location), employment uses, infrastructure uses (except transmission towers), and industrial uses</u>		
<= 8,000 gross square feet (gsf)	\$250	Yes
> 8,000 & <=50,000 gsf	\$625	Yes
> 50,000 gsf	\$1,000	Yes

Where no structure exists, these tiers shall be associated with the square footage of the lot, rather than the structure.

Approvals of location for automobile-related uses as required by State Statute	\$450	No
Accessory uses and accessory structures requiring site plan review, other than freestanding radio or wireless towers or small cell nodes	\$250	Yes
Adult uses	\$1,000	Yes
Transmission towers, freestanding radio or wireless towers, and small cell nodes for new location or modifications to existing location	\$750	Yes
Open space uses	\$250	Yes

Where there are a mix of uses proposed, the higher fee shall be submitted, plus 50% of the fees required for any additional uses. Use-specific zoning and site plan fees do not include signage or liquor permit fees.

The zoning and site plan fees are per building, per structure, per use, and per zoning lot, whichever is applicable, except for principal and accessory uses included in the same application, in which case the fee for principal uses applies.

The Planning & Zoning Commission shall reasonably interpret the fee schedule for uses not listed in the zoning regulations but determined to be "substantially similar" per section 3.2.3. of the zoning regulations.

<b>Planning &amp; Zoning Commission Review</b>	<b>Fee</b>	<b>S&amp;C Fee</b>
Non-public hearing application	\$200 plus Applicable site plan review fee	No
Public hearing application	\$350 plus Applicable site plan review fee	No
<u>Campus Overlay Master Plan</u>		
< 2 acres	\$750	Yes
>= 2 acres	\$2500	Yes
Application for text change of Zoning Regulations	\$1000	Yes
Application for Zoning Map change	\$750 per parcel	Yes

<b>Subdivision Regulations</b>	<b>Fee</b>	<b>S&amp;C Fee</b>
"First Cut" Subdivision creating no more than 2 lots	\$250	Yes
Lot line revision	\$250	Yes
Lot combination	\$250	Yes
Subdivision creating 3 or more lots	\$350 base + \$150 per lot	Yes
Application for text change of Subdivision Regulations	\$250	Yes
Violation of Subdivision Regulations	\$500 per lot sold, offered for sale, or subdivided	No

<b>Inland Wetlands &amp; Watercourses (IWW) Commission</b>	<b>Fee</b>	<b>S&amp;C Fee</b>
Administrative Review/No Significant Impact (no public hearing)	\$200	Yes
Application requiring public hearing < 2 acres	\$350	Yes
Application requiring public hearing >= 2 acres	\$700	Yes
Application for text change of IWW Regulations	\$250	Yes
<u>Violation of IWW Regulations</u>		
First violation	\$1,000 per violation per day	No
First violation if willful	\$1000 per violation per day plus + up to 6 months imprisonment	No
Two or more violations	\$2000 per violation per day for any violation after first one cited.	No

<b>Historic Properties and Preservation Commissions</b>	<b>Fee</b>	<b>S&amp;C Fee</b>
Application requiring administrative review	\$50	No
Application requiring public hearing	\$200	No
Violation of Historic Regulations	\$100 per violation per day	No
Willful Violation of Historic Regulations	\$250 per violation per day	No

<b>Zoning Board of Appeals &amp; Violations</b>	<b>Fee</b>	<b>S&amp;C Fee</b>
Appeal of decision by Zoning Administrator or Zoning Enforcement Officer by applicant or property owner	\$200	Yes
Appeal of decision by Zoning Administrator or Zoning Enforcement Officer by aggrieved party	\$40	Yes
Variance (other than Use Variance)	\$350 per variance, per application	Yes
Use Variance (request for a use not permitted In the District where it is proposed to be located)	\$750 per variance, per application	Yes
Violation of Zoning Regulations (not willful)	\$100 per violation per day	No
Willful violation of Zoning Regulations	\$250 per violation per day Or 10 days imprisonment	No
Failure to comply with Order to Discontinue Violation	\$2500 per violation per day	No

<b>General Fees</b>	<b>Fee</b>	<b>S&amp;C Fee</b>
Application for time extension for any approval, including time necessary to meet a condition of approval	\$100	No
Additional fee for filing any application after receipt of an Order to Cease and Desist or an official violation of Land Use Regulations	\$150	No
Deposit for posted notice signage	\$ 50	No
Zoning verification letter	\$50 per parcel	No
Additional research, including, but not limited to special permits, variances, other zoning approvals, Certificate of Occupancy, per parcel. (Fee does not include copies or scans of documents. Fee does include the pulling of files for inspection in the offices of the Department of Development Services).	\$150 for research involving 5 or fewer years and 5 or fewer documents. \$25 for each additional year and each additional document.	No
Certificate of nonconformance	\$250	No
Certificate of zoning compliance issued after land use approval and before Certificate of Occupancy	No charge for initial site visit. \$100 for each subsequent inspection	No
Certificate of zoning compliance for existing use, unrelated to land use approval (requires site plan application)	Application fee for site plan; review. No charge for initial site visit; \$100 per subsequent inspection	No
Written determination of site plan review exemption	\$40	No
Use of on-call consultant if required	Applicant invoiced for City's Expense	No
State Soil & Conservation Fee	\$60	NA

<b>Maps, Publications, Copies, &amp; Customer Service Charges (per copy)</b>	<b>Fee</b>	<b>S&amp;C Fee</b>
Maps printed larger than 11"X17" (color or black & white)	\$35	No
Maps printed 11"X17" or smaller (color or black & white)	\$5	No
Zoning Regulations (available in color only)	\$50	No
Inland Wetland Regulations (black & white)	\$25	No
Subdivision Regulations (black & white)	\$25	No
Mailing via First Class Mail of application, map, or ordinance	\$10	No
Copies or scans of documents	\$1.00 per page	No

[ Activity	Base Fee	Conservation Fee	Total
<i>Planning and Zoning</i>			
Zoning Permit Application	\$50.00	\$60.00	\$110.00
Special Permit	500.00	60.00	560.00
Zoning Map Change	500.00	60.00	560.00
Zoning Amendment	500.00	60.00	560.00
Site Plan Review—Residential Addition	50.00	60.00	110.00
Site Plan Review—Residential New Construction	75.00	60.00	135.00
Site Plan Review—Commercial	250.00	60.00	310.00
Lot Split/Combination/Line Revision	50.00	60.00	110.00
Subdivision Application (3 or More Lots)	50.00 per lot		50.00
	Total Base Fee + Conservation Fee		
<i>Zoning Board of Appeals</i>			
Variance	200.00	60.00	260.00
- Appeal of Decision—Applicant	200.00	60.00	260.00
- Appeal of Decision—Aggrieved Party	40.00	60.00	100.00
<i>Inland Wetlands and Watercourses</i>			
Wetlands Permit—No public hearing	100.00	60.00	160.00
Wetlands Permit—Activities having a significant impact	200.00	60.00	260.00
Extending or amending permits if public hearing is required		200.00	60.00
	260.00		
Notice or written order of violation	50.00	60.00	110.00
Suspension or revocation of a permit (cease and desist order)	150.00	60.00	210.00
<i>Liquor License</i>			
Temporary	50.00		50.00
Permanent	200.00		200.00
<i>Certificate of Zoning Compliance</i>			
First Inspection	0.00		0.00
Second Inspection	100.00		100.00
<i>Automotive Location Approval</i>			
All Automotive Location Approvals	200.00		200.00
<i>Historic Properties</i>			
Historic Review	25.00		25.00
Historic Certificate of Appropriateness	25.00		25.00
<i>Mapping and Miscellaneous</i>			
11" x 17" and smaller	15.00		15.00
22" x 34" and larger	25.00		25.00
Map Copies	5.00		5.00
Zoning Regulations	45.00		45.00
Zoning Map	5.00		5.00

\*Soil and Water Conservation Fee (required for all zoning, site plan review, subdivision, and wetlands applications). State=\$58.00 City=\$2.00 Total \$60.00

(Ord. No. 06-15, 4-13-15) ]

(a) This ordinance shall take effect upon adoption.

REPLACEMENT

ITEM#

13

ON AGENDA



**Luke A. Bronin**  
Mayor

May 14, 2018

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: HUD Year Four Annual Action Plan**

Dear Council President Thames:

Attached for your consideration is a resolution approving and authorizing the submission of the City of Hartford's Year Four Annual Action Plan (FY 2018-19) for use of Federal Entitlement Grant Funds administered by the U.S. Department of Housing & Urban Development (HUD). Also attached is the proposed allocation of funds in Year Four of the plan.

The Year Four Annual Action Plan outlines the City's intended use of approximately \$7.5 million for activities funded through the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. These activities support specific priority needs and objectives identified in the City of Hartford's Five Year Consolidated Community Development Plan which covers the period from July 1, 2015 through June 30, 2020. As a condition of receipt of these Federal entitlement funds, each fiscal year the City is required to timely prepare and submit to HUD its Annual Action Plan.

The Year Four Annual Action Plan was developed in accordance with the City's Citizen Participation Plan which included two public hearings, several community meetings and a 30-day comment period that solicits citizen feedback in areas such as Housing, Economic Development, and Public Service. A special public hearing is scheduled for Tuesday, May 22, 2018 from 5:30 PM to 7:30 PM in Council Chambers regarding recommended funding allocations under the Year Four Annual Action Plan. Residents, community-based organizations, other interested parties, and the public will be invited to attend.

Due to recent guidance from HUD shortening the deadline for submission of the Annual Action Plan, we respectfully request that the Council adopt the Year Four Annual Action plan no later than the **June 11, 2018** Council meeting in order to allow for timely preparation and submission of the plan to HUD, and for timely notification of agencies awarded funding for the fiscal year commencing July 1, 2018.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Luke A. Bronin".

Luke A. Bronin  
Mayor

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

## REPLACEMENT FOR ITEM #6

**INTRODUCED BY:**  
Luke A. Bronin, Mayor

**COURT OF COMMON COUNCIL**  
City of Hartford, May 14, 2018

**WHEREAS**, The City of Hartford must complete and submit to the U.S. Department of Housing and Urban Development (HUD) its Year Four Annual Action Plan for the period July 1, 2018 through June 30, 2019, in order to receive entitlement funds under the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs, and

**WHEREAS**, The Year Four Annual Action Plan outlines the City's intended use of approximately \$7.5 million in HUD entitlement funds and program income (including \$4.2 million in CDBG, \$350,000 in ESG, \$1.3 million in HOPWA, and \$1.6 million in HOME dollars) for activities and programs that support specific priority needs and objectives identified in the City of Hartford's Five Year Consolidated Community Development Plan (2015-2020), and

**WHEREAS**, The Year Four Annual Action Plan was developed according to HUD's approved Citizen Participation Plan, which included two public hearings, several community meetings, and a 30-day comment period that solicits citizen feedback on the needs of the community in areas such as housing, economic development, and public services, now, therefore, be it

**RESOLVED**, That the following activities and allocations of funds are approved and incorporated into the Year Four Annual Action Plan:

<b>Community Development Block Grant (CDBG)</b>	
<b>Organization</b>	<b>Amount</b>
<b>Public Service</b>	
Artists Collective Inc.	\$ 10,569
Blue Hills Civic Association	\$ 18,952
Bright Futures Youth Center Inc.	\$ 8,239
Camp Courant	\$ 22,705
Center for Latino Progress	\$ 16,785
Center for Urban Research, Education & Training	\$ 23,073
Charter Oak Boxing Academy	\$ 32,519
Charter Oak Cultural Center	\$ 27,155
City of Hartford / HHS - CAN Shelter Support Services	\$ 75,000
Community Partners in Action	\$ 90,821
Compass Youth Collaborative, Inc.	\$ 30,365
Cultural Dance Troupe of the West Indies	\$ 10,312
Ebony Horsewoman	\$ 4,541
HARC Inc.	\$ 8,240
Hartbeat Ensemble	\$ 5,768
Hartford Artisans Weaving Center	\$ 6,174
Hartford Knights	\$ 9,073
Hartford Neighborhood Centers	\$ 6,449
Hartford Parent University	\$ 10,888
Hartford Performs	\$ 9,073
Hispanic Health Council	\$ 20,889
Knox Inc.	\$ 22,705

Mercy Housing and Shelter	\$ 11,353
Nutmeg Big Brothers Big Sisters	\$ 6,812
Open Hearth (The)	\$ 31,954
Organized Parents Make a Difference	\$ 9,082
San Juan Center	\$ 20,000
Spectrum in Motion	\$ 4,536
Urban League of Greater Hartford	\$ 22,705
YMCA of Metropolitan Hartford	\$ 10,899
Young Women's Christian Association (The)	\$ 6,541
<b>Subtotal, Public Service (capped)</b>	<b>\$ 594,177</b>
<b>Administration</b>	
Administration	\$ 760,310
<b>Subtotal, Administration (capped)</b>	<b>\$ 760,310</b>
<b>Non-Public Service</b>	
Billings Forge Community Works	\$ 24,134
City of Hartford - Blight Remediation	\$ 200,000
City of Hartford Development Services Local Arts & Culture	\$ 65,000
City of Hartford Development Services (Carousel)	\$ 65,000
City of Hartford Economic Development Microgrant Initiative	\$ 150,000
City of Hartford Economic Development Staffing	\$ 28,608
City of Hartford Emergency Placement Services	\$ 204,564
City of Hartford Fire Equipment	\$ 200,000
City of Hartford Housing Preservation Loan Fund Staffing	\$ 384,000
City of Hartford Housing Preservation Loan Fund Program Income	\$ 450,000
City of Hartford Housing Preservation Loan Fund New Programming	\$ 200,000
HEDCO	\$ 200,000
International Hartford Ltd	\$ 40,000
Journey Home	\$ 35,274
Minority Construction Council	\$ 70,000
Rebuilding Together Hartford	\$ 170,000
Riverfront Recapture	\$ 135,000
Spanish American Merchants Association	\$ 162,000
University of Hartford (Entrepreneurial Center)	\$ 46,833
University of Hartford (Upper Albany)	\$ 50,712
<b>Subtotal, Non-Public Service</b>	<b>\$ 2,881,125</b>
<b>Grand Total, All Community Development Block Grant</b>	<b>\$ 4,235,612</b>

<b>Emergency Solutions Grant (ESG)</b>	
<b>Organization</b>	<b>Amount</b>
<b>Shelter</b>	
Community Renewal Team - McKinney Shelter	\$ 34,168
ImmaCare	\$ 31,364
Interval House	\$ 9,694
Open Hearth	\$ 16,745
Salvation Army-Marshall House	\$ 12,274
South Park Inn	\$ 37,679

<b>Emergency Solutions Grant (ESG) cont.</b>	
<b>Organization</b>	<b>Amount</b>
YWCA Emergency Shelter	\$ 6,993
Mercy Housing & Shelter	\$ 13,000
<b>Subtotal, Shelter</b>	<b>\$ 161,917</b>
<b>Prevention</b>	
Mercy Housing & Shelter - Diversion	\$ 107,946
<b>Subtotal, Prevention</b>	<b>\$ 107,946</b>
<b>Rapid Rehousing Coordination</b>	
City of Hartford - Rapid Rehousing Coordination	\$ 70,998
<b>Subtotal, Rapid Rehousing Coordination</b>	<b>\$ 70,998</b>
<b>Administration</b>	
Administration	\$ 9,788
<b>Subtotal, Administration</b>	<b>\$ 9,788</b>
<b>Grand Total, All Emergency Solution Grant</b>	<b>\$ 350,649</b>

<b>Housing Opportunities for Persons with AIDS (HOPWA)</b>	
<b>Organization</b>	<b>Amount</b>
AIDS Connecticut Inc.	\$ 132,102
Chrysalis Center	\$ 165,978
Chrysalis Center - St. Phillip House Inc.	\$ 119,116
Hands on Hartford	\$ 315,780
Human Resources Agency of New Britain Inc. (HRA)	\$ 191,755
Mercy Housing and Shelter Corp.	\$ 145,000
Zezzo House Corp.	\$ 122,588
City of Hartford - Enhanced Employment Services for HOPWA/Ryan White Clients	\$ 75,000
City of Hartford - DIG Extension	\$ 20,000
City of Hartford - Administration	\$ 34,425
<b>Grand Total, Housing Opportunities for Persons with AIDS (HOPWA)</b>	<b>\$ 1,321,744</b>

<b>HOME Investment Partnership Program</b>	
<b>Organization</b>	<b>Amount</b>
Set-aside for Community Housing Development Organizations (15%)	\$ 211,229
Set-aside for homebuyer assistance, and rehabilitation/new construction of residential properties for homeownership or rental housing or any combination thereof - 75%	\$ 1,056,141
Program Administration - 10% of HOME Entitlement allocation	\$ 140,818
Program Administration - 10% of \$210,000 in anticipated Program Income	\$ 21,000
HOME Program Income - 90% of \$210,000 in anticipated Program Income	\$ 189,000
<b>Grand Total, All HOME Investment Partnership Program</b>	<b>\$ 1,618,188</b>

<b>Grand Total, ALL HUD ENTITLEMENT FUNDS</b>	<b>\$ 7,526,193</b>
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and be it further

**RESOLVED**, That the Court of Common Council authorizes the Mayor to submit the Year Four Annual Action Plan to HUD for approval and release of funds, and be it further

**RESOLVED**, That the Court of Common Council designates the Mayor as the City's authorized representative and further authorizes him to take all steps necessary to implement the Year Four Annual Action Plan, 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 for the same purposes, and be it further

**RESOLVED**, That the Mayor is authorized to execute any and all manner of other 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 above referenced grant funds, and be it further

**RESOLVED**, That the Mayor is authorized, in the event of any adjustments by HUD in the award(s) of Entitlement Funds in CDBG, HOME, ESG, and/or HOPWA, from the amounts on which the herein authorized allocations are based, to take all steps necessary to further implementation of the Year Four Annual Action Plan, first by ensuring all planned public and non-public service municipal functions continue without resort to increased expenditure of General Funds, and then by adjustment of awards proportionally, across all subrecipients within the subject program (e.g., CDBG, HOPWA, etc.), for the duration of the affected fiscal year or until all funds under each subrecipient contract, or any extension(s) thereof, have been expended in furtherance of the Year Four Annual Action Plan, 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 agreement or other documents, or to take any of the 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, reallocating unexpended funds between existing line items within a 25% variance according to the City's evolving priority needs and objectives, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



ITEM# 14 ON AGENDA

**Luke A. Bronin**  
Mayor

June 11, 2018

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Amendments to Chapter 9 of the Municipal Code**

Dear Council President Thames:

Attached for your consideration is an ordinance amending Chapter 9 of the Municipal Code entitled Buildings and Property.

The proposed revisions align the Code with the City's current zoning regulations and with existing City practices and policies. In addition, less substantive changes include correcting the names of departments and positions to reflect present day nomenclature, removing duplicative sections or moving sections within the Code to locations where they are better suited. The revisions reflect current conditions, and provide increased clarity and consistency, thus enhancing the efficient and effective administration of this section of the Code.

We have also removed specific dollar amounts for fees and fines from the Code and replaced them with references to a Chapter 9 Fee and Fine Schedule which has been submitted to Council as a separate agenda item. This Schedule will be adopted by Council through passage of a resolution and can be updated regularly in the future through passage of additional resolutions.

Staff of the Department of Development Services and the Office of Corporation Counsel are available to assist you in your review and discussion of the attached ordinance.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", followed by a horizontal line.

Luke A. Bronin  
Mayor

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

Introduced by:

Mayor Luke A. Bronin

HEADING  
AND  
PURPOSE

**AN ORDINANCE AMENDING CHAPTER 9 - BUILDINGS AND PROPERTY OF THE MUNICIPAL CODE OF THE CITY OF HARTFORD.**

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

June 11, 2018

Be It Ordained by the Court of Common Council of the City of Hartford that Chapter 9 – Buildings and Property be amended to read as follows:

**ARTICLE I. - IN GENERAL**

**Sec. 9-1. - Encroachments on public property or streets.**

Except as otherwise provided, it shall be unlawful for any person to erect, locate or maintain any building or part of a building upon any public property or street in the City.

**Sec. 9-2. - Obstructing area between building line and street line.**

Except as otherwise provided, it shall be unlawful for any person to erect, locate or maintain any building or part of a building, or any appurtenance thereto, between any building line lawfully established upon any street and the line of such street, or to obscure the prospect between such building line and street [line, without the authorization of the director of public works] as requested. However, entrance steps may be built between the established street line and the veranda line on streets where veranda lines are established and[ if the veranda floor proper is not over four (4) feet in height above the grade, if no tread is over fourteen (14) inches wide, and if such entrance steps do not encroach upon the street line; provided further, that entrance steps] may be built between the building line and the street line[, whether a] if no veranda line has been established, provided that the ground story elevation of the veranda floor proper (either a stoop or porch entrance type) is not more than four (4) feet, six (6) inches in height above the grade of the sidewalk [on such street or not, if the landing is not over four (4) feet in height above the grade, ]if no tread is over fourteen (14) inches wide, and if such entrance steps do not encroach upon the street line.

**Sec. 9-3. - Building line and veranda line defined.**

*Building line* means a line between which and the street on which such line is established, no part of a building shall be built, except an open veranda or an enclosed veranda on streets where veranda lines are established.

*Veranda line* means a line between which and the street on which such line is established, no part of a veranda shall be built.

Sec. 9-4. - Posts, rails, fences, wires.

Posts, rails, fences and wires are governed by [Article IX] section 6.13 of the City of Hartford [Planning and Zoning Commission ]Zoning Regulations (the "Regulations"). Copies of the regulations are available for review and purchase at the Division of Licenses and Inspections, the Planning Division, the Office of the Corporation Counsel and the Office of the Town and City Clerk and are also available online.

Sec. 9-5. - Reserved [License required for encroaching fire escapes; fee; duration.]

[(a)] [The bureau of licenses and inspections, with the approval of the director of public works, may issue a license to the owner of a building for the construction and maintenance of a fire escape on a building where such fire escape will encroach over the street line, provided such fire escape is required by the General Statutes and is ordered by the Director of Licenses and Inspections, and provided further that such fire escape will not interfere with the public easement over the street or materially injure owners of land upon either side of the street and cannot be located in or upon any other part of such building without substantial and material changes and alterations in the building itself. ]

[(b)] [A fee of five dollars (\$5.00) shall be paid for the original license at the time application for the license is filed, and a fee of five dollars (\$5.00) shall be paid yearly for each renewal thereof on or before June thirtieth of each year following the date of issuance of the original license.]

Sec. 9-6. - Proof of financial responsibility for encroaching fire escape.

The owner of a building who [is constructing or maintaining a fire escape under the provisions of section 9-5 shall furnish to the satisfaction of the director of public works and the purchasing agent of the division of purchases and insurance proof of financial responsibility to satisfy any claim for injuries to persons or property in consequence of or resulting from the construction or maintenance of such fire escape, in an amount approved by the purchasing agent] is maintaining an existing fire escape is subject to annual inspection by the Fire Marshal's Office. As a condition to the inspection approval by the Fire Marshal, the owner of any fire escape that encroaches on/above the public right of way must provide proof of insurance pursuant to the requirements below:

- (a) Owner must agree to maintain in force at all times during the license period the following minimum coverages with carriers approved in the State of Connecticut and with a minimum AM Best's Rating of "A-":
  - a. Bodily injury Liability insurance in the amount of one million dollars (\$1,000,000.00) per occurrence, two million dollars (\$2,000,000.00) general aggregate. and
  - b. Property damage insurance of one million dollars (\$1,000,000.00)
- (b) Owner must name the City of Hartford as an additional insured on a primary and non-contributory basis to all policies except workers compensation. All policies must also include a waiver of subrogation.
- (c) Original completed certificates of insurance must be presented to the Finance Department prior to license issuance. Licensee agrees to provide replacement/renewal certificates at least thirty (30) days prior to the expiration date of the policies.

- (d) City Risk Manager may waive certain provisions or increase liability limits at his or her discretion. In addition, all carriers are subject to approval by the City of Hartford.
- (e) Licensee must agree to indemnify, save and keep the City harmless from all loss, damage, cost, expense or liability of any kind whatsoever which the City may suffer or be put to, or which may be recovered from it, by reason of the issuance of such license, or by reason of any act of thing done or neglected to be done by the licensee or any of his or her employees or assigns under and by virtue of the authority granted in such license, or the failure or neglect of such licensee or his employees or assigns to observe and comply with the provisions of the General Statutes of the State of Connecticut or any ordinance relating to the use of firearms.

Sec. 9-7. – Reserved [Removal of encroaching fire escapes.]

- [(a)] [The Director of public works may issue a written order for the removal of any fire escape maintained under the provisions of section 9-5 whenever in his opinion the public interest reasonably requires such removal.]
- [(b)] [Service of such order shall be made to the owner of the property or by affixing it to the entrance.]
- [(c)] [The owner of the property may appeal from the order and request a hearing before the director of public works within ten (10) days of service. The hearing shall be public, and the petitioner may be represented by counsel.]
- [(d)] [The fire escape shall be removed within thirty (30) days of the service of the order or conclusion of the hearing. If not so removed, the director may remove it and the cost of such removal shall be paid to the City by the owner of the building from which the fire escape was removed.]

Sec. 9-8. - Permit to move building through streets.

No person shall move any habitable building through any street in the [C]ity or permit any building in process of removal to remain in any street without a permit issued by the [bureau] Division of L[I]censes and I[i]nspections and approved by the director of public works.

Sec. 9-9. – Reserved [Heating of occupied buildings.]

- [(a)] [It shall be the duty of every person who has contracted or undertaken, or is bound to heat, or to furnish heat for, any building or portion thereof in the City which is occupied as a home or place of residence of one (1) or more persons, or as a business establishment where one (1) or more persons are employed, to heat, or to furnish heat for, every occupied room in such building, or portion thereof, so that a minimum temperature of sixty-eight (68) degrees Fahrenheit may be maintained therein at all times; provided, however, that the provisions of this section shall not apply to buildings or portions thereof used and occupied for trades, businesses or occupations where high or low temperatures are essential and unavoidable.]
- [(b)] [For the purpose of this section, whenever a building is heated by means of a furnace, boiler or other apparatus under the control of the owner, agent or lessee of such building, such owner,

agent or lessee, in the absence of a contract or agreement to the contrary, shall be deemed to have contracted, undertaken or bound himself to furnish heat in accordance with the provisions of this section.]

[(c)] [The term "at all times" as used in this section, unless otherwise provided by a contract or agreement, shall mean the time between the hours of 6:00 a.m. and 10:00 p.m. in a building or portion thereof occupied as a home or place of residence, and during the usual working hours established and maintained in any building or portion thereof occupied as a business establishment, of each day whenever the outer or street temperature shall fall below fifty (50) degrees Fahrenheit.]

[(d)] [The word "contracted" as used in this section shall mean a written or verbal contract.]

#### Sec. 9-10. - Water and sewage facilities required generally.

The owner of any building or area which is used as a place of assembly or amusement shall, while such building or area is so used, provide potable water and waste disposal facilities as required by the [d]Director of [h]Health. Toilet facilities shall be provided for the use of workmen during the construction of any building. Such facilities [shall be approved by the director of health and] shall be maintained in a sanitary condition.

#### Sec. 9-11. - Reserved [Permit for premises not connected with public system.]

[No tent, shack, cabin, bungalow, cottage, trailer or other structure not connected with a public sewer and a public water supply shall be used for human occupancy as a dwelling or as a place of employment until a permit for such occupancy has been issued by the bureau of licenses and inspections and approved by the director of health.]

#### Sec. 9-12. - Permit to demolish buildings and structures.

(a) No person shall demolish any building, structure, or part thereof without first obtaining a permit for demolition from the Director of Licenses and Inspections. The application forms for such permits will be furnished by the Director of Licenses and Inspections. Such permit will be valid for no longer than six (6) months after the date on which it is issued. The Director of Licenses and Inspections may issue a permit for demolition at any time that is the later of sixty (60) days after all public notice is provided under section 9-13 hereof, or sixty (60) days after the application is complete, including evidence of all utility shutoffs and all other material required by the State Building Code and statutes. The sixty (60) day waiting period will not apply to demolitions ordered by the City Building Inspector, to demolition on property acquired by the State Department of Transportation for a transportation project, or to demolition of buildings or structures containing less than five hundred (500) square feet of floor space as shown on the records of the City Assessor. Notwithstanding the foregoing, a demolition permit for any property identified as historic pursuant to section 9-12(e) hereof may not be issued until the later of ninety (90) days after all public notice is provided under section 9-13 hereof, or ninety (90) days after the application is complete including all evidence of utility shutoffs and all other material required by the State Building Code and statutes. [the particular demolition undertaking from the Director of Licenses and Inspections. Such permit shall be valid for no longer than six (6) months after the date on which it is issued. No such permit shall be issued earlier than twenty (20) days after the filing of a completed application.]

(b) No person [shall] will be eligible to receive a demolition permit unless the demolition permit application complies with the provisions of C.G.S. § 29-401, et seq., the state building code, and other applicable law pertaining to the issuance of such permits, as both may be amended from time to time. [he complies with the provisions of the state demolition code (G.S. § 29-401 et seq.) and the state building code pertaining to the issuance of such permits.]

(c) Each person who applies for a demolition permit must notify the owners of adjoining property pursuant to the requirements of C.G.S. §29-407, as amended. The applicant must notify such owners at such owner's last address according the records of the City Assessor, by sending registered or certified mail. No permit application will be complete until the applicant provides the Director with receipts for such registered or certified mail. The Director of Licenses and Inspections may require an affidavit of such mailing from the applicant.

[(c)] (d) No building, structure or part thereof shall be demolished unless the owner thereof obtains from the [d]Director of [h]Health, and files with the Director of Licenses and Inspections, a written document certifying that the premises are free from rodent infestation. It shall be the duty of the director of health, when a request for such a certificate is made to him, to inspect the premises which are the subject of the request, to determine whether the premises are free from rodent infestation. If he finds that the premises are free from rodent infestation, he shall issue a certificate to that effect. If, however, his inspection discloses a rodent infestation, he shall require the owner of the premises to exterminate the rodents forthwith; and, upon receipt of satisfactory evidence by him that the premises have been exterminated, he shall then certify that the premises are free from rodent infestation. The words "extermination" and "infestation shall be deferred, for the purposes of the interpretation and enforcement of this section, as they are defined in section 18-1 of this Code.

(e) Any applicant for a permit for demolition of a building or structure or any part thereof that is designated as a historic building or structure on the National Historic Register or State Historic Register or has been nominated for study to be listed under either of them, or is located in a municipally designated historic district, must simultaneously refer a copy of such application to the City's Historic Preservation Commission for a certificate of appropriateness required by C.G.S § 7-147s. A demolition permit will not be issued until such certificate of appropriateness has been submitted to the Division of Licenses and Inspections.

Any property for which an application for demolition permit has been submitted but which is not designated as historic as defined in section 9-12(e) above will still be subject to the 90 day minimum waiting period and Historic Preservation Commission Review and will require a certificate of appropriateness, if during the 60 day period outlined in section 9-12(a), the property is referred to the State Historic Preservation Office for review for potential historic designation.

[It shall be the duty of the Director of Licenses and Inspections to inform each applicant for a demolition permit of the requirements of this section and to provide each applicant with a copy of the same. In addition, each demolition permit shall have stamped on it: "Any person who demolishes any building in the City of Hartford, without first obtaining a certificate from the director of health that said building is free from rodent infestation, shall be guilty of a violation of section 9-12 of the Municipal Code and is liable to be punished by a fine of not more than one hundred dollars (\$100.00), or imprisoned for not more than thirty (30) days, or both."]

[(f)] [In the event that demolition shall not have been substantially completed within twenty-eight (28) days of the issuance of the certificate of the director of health, then the owner of the premises shall obtain a new certificate from the director of health and shall not proceed with the demolition until the certificate has been filed with the Director of Licenses and Inspections, which new certificate shall be valid for a like period of twenty-eight (28) days, after which a further certificate shall be necessary if the demolition shall not have been substantially completed.]

[(g)] [The words "extermination" and "infestation" shall be defined, for the purposes of the interpretation and enforcement of this section, as they are defined in section 18-1 of this Code.]

Sec. 9-13. – Reserved [Dust control during building operations.]

[The owner of any lot or parcel of land in the City on which any repairs or building operations are being conducted shall at all times keep the grounds thoroughly sprinkled or treated with water, calcium chloride or other means so that the dust, sand, cinders or other substances on such ground will not be raised, carried or blown by the wind, movement of vehicles or other causes, into or upon public property, or on adjacent property of others. Provision shall be made on such grounds to prevent the retention of water thereon.]

Sec. 9-14. - Notice of intention to apply for permit to demolish buildings.

Any application for a permit to demolish any building or structure must contain, in addition to such information as may be required by the Director of Licenses and Inspections, the following: the address of the building or structure to be demolished, the name, address and signature of the owner of building or structure, the signature of the licensed demolition contractor who will perform the demolition, and the date on or after which the proposed demolition will take place. Upon receipt of such information, the Director of Licenses and Inspections must publish a copy of it on the Department of Development Services' website and must send notice of such information by email to any person that has requested to be included on an email list giving notice of demolition permit applications. The email list must include the email address of the local Neighborhood Revitalization Zone president. The purpose of such notice is to provide interested persons with the opportunity to seek legal redress from proposed demolitions. Failure of notice will not invalidate any permit issued hereunder.

[(a)] [No person may file an application under section 9-12 for a permit to demolish any building or part thereof visible from a public street or way without having first submitted a notice of intent to apply for such permit to the Director of Licenses and Inspections upon forms to be provided by the Director of Licenses and Inspections and which notice shall contain, in addition to such information as may be required by the Director of Licenses and Inspections, the following: The name and address of the owner of building to be demolished, the address of the building to be demolished and the date on or after which the demolition permit application will be filed. Upon receipt of such notice of intent, the director shall:]

[(1)] [Publish a copy of the notice of the intent to apply for such demolition permit at least three (3) times in a newspaper having substantial circulation in the municipality. The first such notice shall be published no less than ninety (90) days nor more than one hundred

twenty (120) days prior to the date on which the application for such permit is filed, and successive notices shall be published at monthly intervals thereafter. The notice shall be published on the first Saturday following the filing of the notice of intent but not less than three (3) nor more than ten (10) days thereafter;]

[(2)] [Notify by mail, not less than ninety (90) days nor more than one hundred twenty (120) days prior to the date on which the application for such permit is filed, any organization concerned with the preservation of structures within the municipality, and any organization concerned with the social and economic development of the neighborhood in which the building is located. To be entitled to notification under this provision, any such organization shall register with the Director of Licenses and Inspections and indicate a desire to be notified of proposed demolition permit applications affecting its area of concern, and such registration may be renewed annually each January first following the initial registration;]

[(3)] [Notify by mail, not less than ninety (90) days nor more than one hundred twenty (120) days prior to the date on which the application for such demolition permit is filed, the owners of all property located within one hundred fifty (150) feet of the property on which the building to be demolished is located. The identity of the owners entitled to notification under this provision shall be as shown on the latest available map of the engineering department of the City.]

[(b)] [Any person seeking a permit to demolish a building that is subject to the provisions of this section may apply under the terms of this subsection for a reduction of the minimum periods specified in subsection (a) between the first public notification of an intent to file for a permit to demolish a building, and the date on which that application is filed. Application for the reduction in the period of public notice shall be made to the Director of Licenses and Inspections at the same time as the notice of intent required by subsection (a) of this section.]

[(1)] [When an application for a reduction in the period of public notice is filed with the notice of intent, the Director of Licenses and Inspections shall publish the first of the legal notices required by subsection (a)(1), and mail the notices required by subsections (a)(2) and (a)(3). The notices shall include a statement that the prospective applicant for a demolition permit is applying for a reduction in the period of public notice required by this section;]

[(2)] [The application for a reduction in the period of public notice shall be referred to the City manager who shall be empowered to grant or deny the application. Notice of the City manager's decision shall be mailed to interested parties as required by subsections (a)(2) and (a)(3) and to the council. Any person aggrieved by the decision of the City manager may file an appeal to the council within ten (10) days of such decision and such appeal shall be heard by the council at its next regularly scheduled meeting. The decision of the council on such appeal shall be final;]

[(3)] [The City manager may approve the request for a reduction in the period of public notice if he finds that such reduction is in the best interest of the City and the applicant has complied with subsection (b)(3)b., or if he finds that the applicant has established that due to lack of knowledge of the provisions of this section that was not unreasonable under the circumstances, the applicant failed to file the notice required by subsection (a) in sufficient time to permit the running of the period of public notice before any of the following events occurs:]

[a.] [The date on which annual real property taxes are assessed by the City, or]

[b.] [The date on which the applicant, who is the owner of the property on which the building in question stands and who intends to undertake new construction on the

property that necessitates demolition of the building, has secured all necessary permits and approvals from public departments, boards and commissions and has completed all other steps necessary including the arrangement of financing before work may commence on the site, such that the period of public notice required by subsection (a) is the only reason for the applicant's inability to commence site work immediately;]

[(4)] [The period of public notice may in no event be reduced to less than thirty (30) days, which shall commence to run from the latter of the dates on which the Director of Licenses and Inspections has published the legal notice, or mailed the notices specified in subsection (b)(1) of this section.]

[(c)] [This section shall not apply to buildings containing less than five hundred (500) square feet of floor space as shown on the records of the City Assessor.]

[(d)] [This section shall not apply to orders issued by the Director of Licenses and Inspections or the director of health.]

Sec. 9-15. - Building permit fees and required state inspections

- (a) The fees for building, heating, plumbing, refrigeration, sprinkler, electrical and elevator permits shall be determined by council by resolution and shall be made available to the public by and within the Division [department] of [l]Licenses and [i]Inspections, plus any amount due and owing to the City for permit fees for permits issued for work on the same premises or for permits issued to the same permit applicant. If the building official retains a consultant pursuant to the requirements of Public Act 88-359, the additional fee for the cost of this consultant's services to the City shall be added to the permit fee and shall be paid at the time the permit application is submitted. When substantial revisions occur in the project after the issuance of the permit, the consultant's fee for reviewing these revisions shall be added to the permit fee.
- (b) [Permit fees shall be waived by the department of licenses and inspections upon certification from the director of housing and community development that the building is being constructed or improved under either the affordable housing program of the state or the urban homesteading program of the City.] The Chief Operating Officer shall present to the council at a regular meeting during the month of August a report which shall list the number of permit fees waived during the preceding fiscal year, and the dollar amount of those fees. The City of Hartford, with the exception of the Hartford School Building Committee and its Board of Education shall not be required to pay any fees in filing for an application or having an application filed on its behalf for building, heating, plumbing, refrigeration, sprinkler, electrical and elevator permits pursuant to this Code. This exemption does not apply to the State-mandated education fee required on each building permit application. Notwithstanding the foregoing, where work to be performed by or on behalf of the City is funded by revenue bonds or grant funds and permit fees are allowable as a reimbursable expense, such applicable fees shall be charged.
- (c) The initial fee for a (TCO), temporary certificate of occupancy for projects requiring the payment of building permit fees, shall be the amount shown in the current Buildings & Property Fee and Fine Schedule [twenty-five dollars (\$25.00)]. Fee exempt projects [shall] are not [be] required to pay fees as described in this section. For each calendar month following the first month of the issuance of a TCO until the issuance of a CO, the fee shall be the amount shown in the current Buildings & Property Fee and Fine Schedule [one hundred fifty dollars (\$150.00)]. Notwithstanding the foregoing, if circumstances beyond a TCO holder's control prevent the completion of necessary work and the subsequent issuance of a CO, such fees may be waived through an appeal of such fees to the City's hearing procedure as described in Chapter 1 Article 5 of this Municipal Code. The fee for a (CO) certificate of occupancy shall be the amount shown

in the Buildings & Property Fee and Fine Schedule [one hundred dollars (\$100.00)]. All requests for TCO's and CO's shall be in writing and shall contain a statement of the names, addresses and contract values of all contractors participating on the project site and identifying the minority and women owned companies that participated on the project.

- (d) The fee for the issuance of a certificate of approval (COA) shall be the amount shown in the current Buildings & Property Fee and Fine Schedule [twenty-five dollars (\$25.00)] payable by check or money order. All requests for a COA shall be in writing and shall contain a statement of the names, addresses and contract values of all contractors participating in the project site and identifying the minority and women owned companies that participated on the project.
- (e) Where work for which a permit is required (including demolition) is initiated prior to obtaining said permit, a penalty fee shall be administered which is equal to and in addition to the amount of the permit fee. The penalty fee shall be collected whether or not a permit is subsequently issued. The payment of such penalty fee shall not relieve the responsible party from compliance with all applicable codes, or from any other penalties for violation of the code.
- (f) Prior to the application for any permit required by this section, the applicant may schedule a pre-application meeting with representatives of the [d]Division of [l]Licenses and [i]Inspections, the [d]Division of [p]Planning and Economic Development, the [d]Department of [p]Public [w]Works and the [f]Fire [m]Marshal's office to ensure that applications submitted are complete when submitted. There shall be a fee in the amount shown in the current Buildings & Property Fee and Fine Schedule [ten dollar (\$10.00) fee] collected at the time of permit application in addition to any other fees to cover the administrative cost of such meeting.
- (g) A plan review fee will be charged to all applicants with construction costs estimated at \$1,000,000 or more at the time plans are submitted. Such fee will be equal to ten percent (10%) of the total projected permit fee. Such paid amount will be applied to the final permit fee determined at the conclusion of the project. If the project is not completed or if no permit is ever sought, the plan review fee will not be refunded.
- (h) An inspection fee in the amount shown in the current Chapter9 Fee/Fine Schedule will be required for any inspection performed by a Licenses and Inspections inspector that is mandated by state law including, but not limited to, daycare facilities.
- (i) The Buildings & Property Fee and Fine Schedule shall be set forth by resolution and may be amended from time to time by resolution.

Sec. 9-16. - Reserved.

Sec. 9-17. - Reserved [Rodent control plan for new development.]

[All new development including new buildings and additions to existing building projects must provide a rodent control plan designed to eliminate and contain rodents on the entire property. This plan must be approved by the rodent control division of licenses and inspections and must allow enough time to successfully clear the property of rats. Building permits shall not be issued until this planning and baiting effort is complete and approved.]

Sec. 9-18. - Reserved [Accessibility to ownership information.]

[(a)] [*Owner registration.* Every nonresident owner of vacant or occupied real property shall, within thirty (30) days following the effective date of this ordinance, or at the time of the creation of the first tenancy in any newly constructed or reconstructed building, or upon transfer of title of said building, or upon moving or changing addresses, file with the Hartford Division of Licenses and Inspections a certificate of registration to be provided by the division of licenses and inspections which shall contain the following information:]

[(1)] [The name and address of the record owner or owners of the premises and the record owner or owners of the rental business if not the same persons. In the case of a partnership the names of all general partners shall be provided. In the case of a limited liability company the names of its members shall be provided;]

[(2)] [If the record owner is a corporation, the name and address of the registered agent and corporate officers of said corporation;]

[(3)] [If the address of any record owner is not located in the State of Connecticut, the name and address of a person who resides in the State of Connecticut and is authorized to accept notices from a tenant, if any, and to issue receipts therefore and to accept service of process on behalf of the record owner;

[(4)] [The name and address of agent in charge of the premises, if any;]

[(5)] [The name and address, including the dwelling unit, apartment or room number of the superintendent, janitor, custodian or other individual employed by the record owner or managing agent to provide regular maintenance service, if any;]

[(6)] [The name, address and telephone number of an individual representative of the record owner or agent in charge who may be reached or contacted at any time in the event of an emergency affecting the premises or any unit of dwelling space therein, including such emergencies as the failure of any essential service or system, and who has the authority to make or cause to be made emergency decisions concerning the building and any repair thereto or expenditure in connection therewith and who shall, at all times, have access to a current list of building tenants which shall be made available to emergency personnel as required in the event of an emergency;]

[(7)] [The name and address of every holder of a recorded mortgage on the premises;]

[(8)] [If fuel oil is used to heat the building and the landlord furnishes the heat in the building, the name and address of the fuel oil dealer servicing the building and the grade of fuel oil used.]

[(b)] [*Fees.* The initial registration fee shall be twenty-five dollars (\$25.00) for each property. Such fee shall be waived if property is registered within ninety (90) days of enactment of this article.]

[(c)] [*Penalties.* The failure of an owner to register and pay all required fees under this section shall result in a fine of:]

[(1)] Two hundred and fifty dollars (\$250.00) for the first violation; and]

[(2)] One thousand dollars (\$1,000.00) for any subsequent violation.]

[(d)] [*Definitions.*]

[*Address* shall mean a location as described by the full number, if any, the street name, the floor or suite if any, the City or town, and the state and not a mailing address such as a post office box.]

[*Agent in charge* means one who manages real estate. Including, but not limited to the collection of rents and supervision of the property.]

Secs. 9-19—9-30. - Reserved.

## ARTICLE II. - HOUSE AND LOT NUMBERS

### Sec. 9-31. - Assignment.

The Director of [p]Public [w]Works, or his/her designee, may, at his/her discretion and without notice, assign to each house, or to any part of a house, or to each lot or any part of a lot fronting upon any street in the [C]city, a number by which it shall be known, and may alter such numbers and renumber such houses, parts of houses, lots and parts of lots. It shall be the duty of the director, whenever a new street is accepted by the council, to assign to the land abutting on such street numbers at such measured intervals or distances as, in his/her opinion, the public interest shall require.

### Sec. 9-32. - Notice to property owner to affix.

Whenever the [d]Director of [p]Public [w]Works or his/her designee, acting in accordance with section 9-31, has assigned numbers to or has renumbered any property fronting on any street, he/she shall send promptly to the owner of every building fronting upon the street a written statement and notice informing the owner [him] of the numbering or renumbering and directing the owner to affix to the premises figures indicating the number thereto assigned. It shall become the duty of the owner to affix the figures within ten (10) days after the sending of the notice.

### Sec. 9-33. - Specifications authorized.

The Director of [p]Public [w]Works may make rules concerning the size, style, color and materials of all house numbers, and the method of affixing such numbers.

### Sec. 9-34. - Removal of nonconforming numbers; when [c]City may affix.

The Director of [p]Public [w]Works or his/her designee may remove from any premises any number which does not conform to the rules specified in section 9-33 or is not the number assigned by him/her, and may place upon any premises its properly assigned number at the expense of the owner if the notice provided in section 9-32 is not complied with within thirty (30) days of the date on which it was sent.

### Sec. 9-35. - Collection of expense by [c]City.

The Director of [p]Public [w]Works or his/her designee shall deliver to the tax collector the bill of any contractor for numbering premises in the [C]city. The tax collector shall collect from the property owner designated by the director the total amount of such bill, plus a penalty of six (6) percent of such amount; provided, however, that on each bill the minimum penalty shall be the amount shown in the current Buildings & Property Fee and Fine Schedule [fifty cents (\$0.50)] and the maximum shall be the amount shown in the current Buildings & Property Fee and Fine Schedule [fifteen dollars (\$15.00)]. Such expense shall become a lien upon the premises in connection with which it was incurred, and such lien shall exist from the date such numbers were affixed. [Such lien shall expire six (6) months after the date on which it begins to run unless a certificate thereof containing a statement of the amount of the lien and a description of the premises upon which it is claimed shall be lodged for record by the tax collector in the office of the City clerk.]

Sec. 9-36. - Report of violations.

It shall be the duty of the [d]Director of [p]Public [w]Works to report to the prosecuting attorney of the circuit court any case of refusal or neglect to comply with the notice provided in section 9-32 within thirty (30) days after the issuance of such notice.

Secs. 9-37—9-50. - Reserved.

ARTICLE III. - RESERVED [UNSAFE BUILDINGS]

Sec. 9-51. - Reserved [Inspection.]

- [(a)] [It shall be the duty of the Director of Licenses and Inspections to inspect or have inspected any structure any part of which is reported or believed to be in a damaged, dangerous or unsafe condition. If such inspection does not definitely indicate whether or not a damaged, dangerous or unsafe condition actually exists, he may require a detailed examination by a competent engineer or contractor and a written report of the findings of such engineer or contractor, including a copy of the computations used in arriving at such findings.]
- [(b)] [He shall inspect or cause to be inspected any structure or part thereof damaged by fire, explosion or other cause before a permit to repair or replace the structure is issued. Such parts of any such structure as are in his opinion unsafe or damaged to an extent which might impair the safety of the reconstructed structure shall be demolished.]
- [(c)] [The cost of any inspection(s) performed in accordance with the provisions of subparagraphs (a) and (b) of this section shall be charged to the owner of record, and the director shall recover or cause to be recovered from the owner the cost to the City of such inspection(s) pursuant to General Statutes § 49-73b.]

Sec. 9-52. - Reserved [Notice to remedy dangerous or unsafe condition. ]

- [(a)] [If, in the opinion of the Director of Licenses and Inspections, there is immediate danger to life from the condition of any structure or part thereof, or, if the director deems any structure or part thereof to be unsafe, in that it constitutes a fire hazard or is otherwise dangerous to human life or the public welfare, the director shall, pursuant to General Statutes § 7-148(c)(7)(A)(iii) and General Statutes § 29-253, notify the owner to put into effect such precautionary measures as the director considers necessary in order to avert such danger or abate said unsafe condition. Such notice may, in the discretion of the director, order that the structure, or any part thereof, be demolished by the owner. Such notice shall state briefly the nature of the work required and when the work must be begun and completed.]
- [(b)] [Any notice issued pursuant to subparagraph (a) of this section shall be served upon the owner of record in accordance with the provisions of General Statutes § 52-50, et seq.]
- [(c)] [Any property owner aggrieved by any notice issued pursuant to subparagraph (a) may appeal the findings of said notice to the City manager. The appeal must be in writing and must be

received by the City manager within ten (10) days of the receipt of the notice by the property owner, or else the appeal shall be deemed to be denied. Upon receipt of an appeal pursuant to this subsection, the City manager, or his or her designee, shall hold an informal hearing pertaining to said appeal within twenty (20) days of receipt of the appeal. The City manager, or his or her designee, shall render a decision on any appeal within ten (10) days of the informal hearing, and shall notify the property owner in writing of that decision.]

Sec. 9-53. – Reserved [Repair or demolition by city at expense of owner.]

[(a)] [If the owner of property found to be dangerous or deemed to be unsafe fails, neglects or refuses to comply properly with the terms of any notice issued under the provisions of section 9-52 within the time specified in such notice, and fails to timely exercise his or her right to appeal as provided by the General Statutes, the Director of Licenses and Inspections may proceed forthwith to cause to be done all work required to place such structure or part thereof in a safe condition and, if necessary, to demolish such structure or part thereof.]

[(b)] [The cost of such work or demolition shall be charged to the owner of record, and the director shall recover or cause to be recovered from the owner the cost to the City of such work or demolition pursuant to General Statutes § 49-73b.]

Sec. 9-54. – Reserved [Emergency powers of Director of Licenses and Inspections.]

[If, in the opinion of the Director of Licenses and Inspections, there exists actual and immediate danger of the falling of any structure or part thereof, so as to endanger life or property, he shall order such structure or part thereof to be torn down or shall cause the work to be done which is necessary to render the structure temporarily safe until the proper proceedings can be taken as provided in section 9-51. He may in such cases and in any case where any building or part thereof has fallen and life is endangered by the occupation thereof, order the inmates and occupants of such building or part thereof to vacate forthwith. He may further, by and with the approval and assistance of the director of public works, when necessary for the public safety, temporarily close the sidewalks and streets adjacent to such building or part thereof. The department of police, when called upon by the director to do so, shall enforce such orders.]

Secs. 9-55—9-70. - Reserved.

#### ARTICLE IV. - REHOUSING ASSISTANCE PROGRAM

Sec. 9-71. - Established.

A rehousing assistance program is hereby established.

Sec. 9-72. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Affordable housing* means a rental housing unit for which the monthly contract rent does not exceed thirty (30) percent of sixty (60) percent of family income inclusive of all utilities as defined by HUD HOME program income limits.

*Converted use* means the conversion of any housing unit, whether occupied or vacant, from a residential to a nonresidential use.

*Demolition* means the destruction of any housing unit.

*Housing unit* means any dwelling unit or rooming unit, as defined in chapter 18 of this Code, or unit within a hotel, residential or apartment as defined in chapter 35 of this Code.

*Notice* means a written notice unless otherwise specified.

*Owner* means any person, firm, partnership, association, joint venture, corporation or other entity who undertakes the demolition or change of use of any housing unit. The word "owner" also includes agent and any other person acting on the owner's behalf.

*Rental unit* means any housing unit that is occupied pursuant to a lawful rental agreement, oral or written.

*Residential uses* means the use of any housing unit designed, arranged, intended, occupied, maintained, leased or rented as the primary residence of any person.

*Standard unit* means any housing unit that meets the minimum standards of the City of Hartford's Housing, Building, Zoning, and Fire codes.

*Tenant* means any person who occupied a unit pursuant to a lawful lease or rental agreement with the owner, whether oral or written. For purposes of this article, two (2) or more persons who live together in a rental unit shall be considered one (1) tenant.

#### Sec. 9-73. - Demolition of housing units or building permit requirements.

In addition to the requirements set forth in chapter 18, any owner, as a condition to receiving a demolition or building permit for the purpose of demolishing or converting residential units, must:

- (1) Submit to the Director of Licenses and Inspections or his/her designee [director of housing and community development] a list containing the name of each tenant currently residing in the structure to be demolished or converted and a list containing the name and last known address of each tenant who had resided in the structure during the one hundred eighty-day period immediately preceding the date of application, indicating those whose tenancies were terminated and the reason for each termination. If the housing unit has been vacant for one hundred twenty (120) days or less, the owner will be required to make a contribution to the housing fund in an amount not to exceed the amount shown in the current Buildings & Property Fee and Fine [two thousand five hundred dollars (\$2,500.00)] for each vacant residential unit located within the building.

- [(b)] (2) Submit to the Director of Licenses and Inspections or his/her designee [director of housing and community development] written verification of compliance with the tenant notice, eviction and rehousing assistance requirements of this article.

#### Sec. 9-74. - Rehousing assistance.

- (a) *Payments.* Tenants who must vacate a rental unit because of demolition or change of use shall be eligible to receive from the owner, and the owner must pay, a rehousing assistance payment in the amount shown in the current Buildings & Property Fee and Fine Schedule [of two thousand five hundred dollars (\$2,500.00)]. This rehousing assistance payment must be paid at least thirty

(30) days before the tenant is required to vacate the rental unit. Rehousing assistance payments shall be in addition to the refund of any deposits or sums to which the tenant is entitled. Any tenant who had been evicted for other than good cause during the six-month period immediately preceding any owner's application for demolition or building permit shall be entitled to rehousing assistance as provided in this section.

- (b) *Payment exceptions.* Owners shall not be required to make rehousing assistance payments to eligible tenants when:
- (1) The owner will provide for the actual cost to move the tenant to a standard unit that is affordable housing;
  - (2) The tenant is able to secure a standard unit that can be made affordable by a supplemental rental assistance payment. The supplemental rental assistance payment shall be the actual difference in rent between the unit being converted or demolished and the new unit multiplied by twelve (12) months. The supplemental rental assistance payment shall be made to the tenant within thirty (30) days of the commencement of the new rental agreement;
  - (3) The tenant's tenancy is terminated for good cause pursuant to G.S. § 47a-23c(b); or
  - (4) The tenant establishes tenancy in the unit after one hundred twenty (120) days' notice required by section 9-75 was delivered to the tenants in the building; provided, that the owner must advise the tenant, in writing, prior to the tenant's acceptance of tenancy, that the unit will be demolished or changed in use within one hundred twenty (120) days. Any eligible tenant who is not advised of the intended demolition or change in use shall be entitled to full rehousing assistance.
- (c) Instances where a dispute arises between the owner and tenant as to compliance of rehousing assistance payment, such dispute shall be submitted in writing to the Director of the Division of Housing [director of housing and community development]. Where necessary, the Director of the Division of Housing [director of housing and community development shall] must, within ten (10) days from the notice of dispute, hold a hearing on the dispute and shall issue a decision within five (5) business days of the hearing.

Sec. 9-75. - Tenant notice.

At least one hundred twenty (120) days prior to application for a demolition or building permit, the owner must deliver to each tenant in the building written notice of his intention to apply for a demolition or building permit and the rehousing assistance available to eligible tenants and shall explain the tenant's right to remain in possession unless evicted for good cause. Notice shall be delivered by registered or certified mail with return receipt requested. In addition, a copy of the notice shall be posted at every entrance to the building. If the unit has been vacant for less than one hundred twenty (120) days and the tenants who vacated were not given written notice of owner's intentions to apply for a demolition permit or building permit, then no permits will be issued until one hundred twenty (120) days from the date that the last tenant vacated the building.

Sec. 9-76. - Application of article.

- (a) The provisions of this article shall apply to the demolition and converted use of all housing units in the City, including those demolished pursuant to any order, decision or other action of the Director of Licenses and Inspections. No owner shall cause the demolition or converted use of

any housing unit without first obtaining a demolition permit, zoning permit, and/or building permit.

[(b)] [Demolition or converted use of housing units shall not be subject to the terms of this article where the application for such permit was filed prior to the date of adoption of this article.]

[(c)] (b) Any housing unit ordered demolished by the Director of Licenses and Inspections because of damage caused by civil commotion or natural disaster shall not be subject to the terms of this article.

[(d)] (c) This article shall also not apply to the demolition or converted use of any housing unit owned by the City, the [City] Hartford [r]Redevelopment [a]Agency, the [City] [h]Housing [a]Authority of the City of Hartford, any public development authority, or to the demolition or converted use of a detached, single-family house which is owner-occupied.

[(e)] (d) The Director of Licenses and Inspections shall not issue a demolition permit or building permit until the Director of the Division of Housing [director of housing and community development] has certified that the owner has complied with the provisions of this article.

[(f)] (e) These exceptions (b) through (e), inclusive, in this article shall be effective retroactive to February 13, 1996.

#### Sec. 9-77. - Housing fund.

There is created in the office of the City [t]Treasurer a housing fund into which all housing replacement contributions made pursuant to section 9-73 shall be deposited. Money deposited in the fund shall be used only for costs related to the preservation of housing. Notice of fund availability shall be published by the City in a newspaper of general local circulation or on the website of the City of Hartford. [All appropriations from the funds shall be authorized by the council and administered by the department of housing and community development.]

#### Secs. 9-78—9-89. - Reserved.

### ARTICLE V. - ANTI-BLIGHT AND PROPERTY-MAINTENANCE PROGRAM

#### Sec. 9-90. - Title.

This article and the regulations contained herein are to be known as the "Anti-Blight and Property-Maintenance Program," hereinafter referred to as "this article," and is enacted and authorized pursuant to G.S. § 7-148(c)(7)(H)(xv).

#### Sec. 9-91. – Reserved [Definitions.]

[The following words, terms and phrases, when used in Section 9-98A, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.]

[*Dwelling, multiple dwelling* and *dwelling unit* have the meaning contained in chapter 18, article V, section 18-1 of this Code and include a dwelling within a commercial property.]

[*Extended vacancy* means a period of sixty (60) days or longer during which a dwelling, dwelling unit, or multiple dwelling subject to this chapter is not legally occupied or one (1) that is uninhabitable, except for the purposes of section 9-98B, reduction in assessment for rehabilitated structures, in which case the period is one (1) year. The period commences from the date the last legal occupant resided in a dwelling unit or other occupied space subject to the provisions of this chapter, except that no part of the period provided for by G.S. § 47-88b (Condominium Act) will be counted, provided the owner has or is complying with the requirements of section 18-221. "Extended vacancy" also means that more than twenty (20) percent of the dwelling units in a multiple dwelling or commercial property or more than forty (40) percent of usable floor area of nonresidential space remains unoccupied for longer than sixty (60) days or one (1) year in such multiple dwelling or mixed commercial structures, whichever is applicable.]

[*Uninhabitable* means any structure, building or dwelling unit that is incapable of immediate legal occupancy as defined by this chapter.]

[*Vacant lot* means a parcel of land in a residential zone with no intact building structure(s) thereon.]

#### Sec. 9-91A. - Declaration of policy.

There exists within the [C]city of Hartford a large number of properties which are vacant or in blighted condition. The existence of vacant and blighted properties contributes to the overall decline of neighborhoods, which, in turn, affects the health, safety, welfare and economic well-being of Hartford's residents. Many of the vacant and blighted properties can be rehabilitated, reconstructed, demolished, and/or reused so as to provide decent, safe, and sanitary housing and commercial facilities. Such rehabilitation, reconstruction, demolition, and/or reuse will eliminate, remedy, and prevent the adverse conditions described above while increasing revenue to the City of Hartford.

It is further found that there are many instances where property maintenance of real properties in the [C]city of Hartford is deficient or lacking leading to a progressive deterioration of such properties and the creation of blighted conditions. Accordingly, it is in the best interests of the citizens of the [C]city of Hartford that the City set minimum standards for property maintenance so as to assure that properties within the city be maintained in conformity with such standards and so as to assure that none of these structures and properties will deteriorate and adversely affect their surrounding neighborhoods.

It is found and declared that by reason of lack of maintenance and progressive deterioration, certain structures and properties have the further effect of creating blighted conditions and initiating slums, and that if the same are not curtailed and removed, the aforesaid conditions will grow and spread and will necessitate in time the expenditures of large amounts of public funds to correct and eliminate the same. By reason of timely regulations and restrictions, as herein contained, the growth of blight may be prevented and neighborhood and property values may thereby be maintained, the desirability and amenities of residential and nonresidential uses and neighborhoods enhanced, and the public health, safety, and welfare protected and fostered.

#### Sec. 9-92. - Prohibition on creating or maintaining blight violations or property-maintenance violations.

No person, firm, or corporation, including any owner of real property in the City of Hartford,

shall cause or allow, any such real property or premises to exist or be created or maintained in a manner that constitutes a blight violation or a property-maintenance violation as defined in this article.

Sec. 9-93. - Applicability of article; exemptions; severability.

- (a) It is unlawful for any person, firm, corporation, or any owner of real property in the City of Hartford to be in conflict with or in violation of any of the provisions of this article.
- (b) Any building or structure undergoing remodeling, restoration, repair, or renovation under a current building permit, provided that any violations of this article will be corrected thereby and that the building official determines that the work is proceeding in a reasonably expeditious timeframe, is exempt from this article. Repairs, additions, or alterations to a structure, or changes of occupancy, shall be done in accordance with all other applicable ordinances and laws. Nothing in this article shall be construed to cancel, modify, or set aside any provisions of the Hartford Zoning Regulations or the Building Code, as may be amended from time to time.
- (c) This article applies to only vacant, unoccupied real property during the first year after it is adopted, or until March 31, 2018, whichever is earlier.
- (d) If any provision of this article or the application thereof to any real property or any person, firm, corporation, or owner of real property is held invalid, such invalidity shall not affect other provisions or application of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

Sec. 9-93A. - Blight violations.

The following conditions existing on any real property within the city constitute blight violations under this article:

- (1) It is becoming dilapidated as determined by the Department of Development Services through inspections showing that two (2) or more property-maintenance violations exist on the real property. When two (2) or more property-maintenance violations exist on real property, each property-maintenance violation shall be treated as a separate blight violation; or
- (2) It is determined by the building official or by health department reports that existing conditions pose a serious or immediate danger to the community that is life-threatening or poses a health or safety risk to the public; or
- (3) It is attracting illegal activity as documented in police department reports; or
- (4) It is a fire hazard as determined by the fire marshal, or as documented in fire department reports; or
- (5) It constitutes a health or sanitary problem, as determined by the Director of Health and Human Services, or any designee(s) thereof; or
- (6) It contains unauthorized storage or accumulation of junk, trash, rubbish, litter, or refuse of any kind; the parking of inoperable vehicles (unless otherwise licensed to do so); or the presence of any inoperable machinery and equipment; or
- (7) It is a factor creating a substantial and unreasonable interference with the lawful use and enjoyment of other space within the building, or of other premises, as documented by complaints or cancellation of insurance on nearby properties; or

- (8) Extended vacancy of a dwelling, dwelling unit, or multiple-dwelling property, or commercial or industrial property that has remained continuously vacant for not less than one hundred twenty (120) days.

Sec. 9-93B. - Property-maintenance violations.

The following conditions existing on any real property within the [C]city of Hartford constitute property-maintenance violations under this article. The existence of two (2) or more property-maintenance violations is a blight violation, and each property-maintenance violation will be enforced as a separate blight violation when two (2) or more exist on real property.

- (1) Property-maintenance violation means a violation of the following standards with respect to lots or parcels:
- (a) *Grading.* All premises shall be graded, drained, and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon. Drainage systems shall divert water away from the property and away from adjacent property lines. All drainage systems should discharge towards the public right-of-way. Approved stormwater management systems are exempt from this section.
  - (b) *Shopping Baskets, Carts, and Wagons.* No shopping baskets, carts, or wagons shall be left unattended or standing, and the baskets, carts, or wagons shall be collected as often as necessary and removed to an appropriate enclosure intended for such purpose or to the interior of the building or buildings from which they were taken.
  - (c) *Fences.* All fences shall be maintained. Such maintenance shall include, but is not limited to, painting as needed, removal or covering of graffiti, and the replacement or repair of fences, which may become in disrepair.
  - (d) *Weeds and Plant Growth.* All landscaping shall be maintained so that lawns, hedges, bushes, and trees are kept neatly and free from becoming overgrown and unsightly where exposed to public view and where the same may have a tendency to depreciate adjoining property. The maintenance shall include, but is not limited to, the replacement of trees and shrubs, which may die or otherwise be destroyed. Grass, weeds, or similar plant growth shall not reach a height greater than one (1) foot on any premises, including on the planting strip fronting the premises. Front yards shall not be allowed to deteriorate into unattended bare, dirt patches.
  - (e) *Walks and Driveways.* Steps, walks, driveways, parking spaces, and similar paved areas shall be maintained to afford safe passage under normal use and weather conditions. Any holes or other hazards that may exist shall be filled and necessary repairs or replacement accomplished. All off-street parking facilities shall be swept and maintained free of debris.
  - (f) *Rodent Infestation.* Yards, courts, and vacant lots shall be kept clean and free of rodent infestations.
  - (g) *Physical Hazards and Garbage.* Yards, courts, and vacant lots shall be kept clean and free of physical hazards and shall be maintained in a manner that will prevent accumulation of trash, garbage, litter, debris, waste, rubbish, and similar materials. The owner of the property shall maintain the premises litter-free.

- (h) *Inoperable Appliances.* The owner of the property shall maintain the premises free of discarded or inoperative appliances, furnishings, or machinery.
  - (i) *Signs.* All signs exposed to the public view shall be maintained in sound condition. Excessively weathered or faded signs shall be removed or restored to sound condition. A non-operative or broken electrical or other sign shall be repaired or removed.
  - (j) *Trash Receptacles.* Trash receptacles shall be emptied on a regular basis.
  - (k) *Cigarette Disposal.* All places of business that serve food or drink to patrons (e.g., restaurants, cafes, bars) shall maintain receptacle(s) for the disposal of cigarettes on their premises and shall empty the receptacle(s) on a regular basis.
- (2) Property-maintenance violations also mean the violation of the following standards with respect to all buildings and structures on real property:
- (a) *Exterior Surfaces.* All exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks, fences, decorative features, and overhang extensions shall be maintained so that they are not dilapidated or decaying, not open to the elements, and free of graffiti. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Substantial peeling, flaking, and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Surfaces designed for stabilization by oxidation are exempt from this requirement. Exterior walls shall be free from holes, breaks, and loose or rotting materials.
  - (b) *Exterior Structural Members and Walls.* All structural members and walls shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads of the structure's legal use and occupancy.
  - (c) *Exterior Foundation Walls.* The foundation walls of every building shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests. Foundations, floors, and walls shall be in good painted or finished condition without peeling.
  - (d) *Roofs and Openings.* Roofs and flashing shall be sound, tight, and not have defects that admit rain. Roofs shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters, and downspouts shall be maintained and free from obstructions. Roof water shall be discharged in a manner so that it does not fall onto adjacent property. Roof tiles, shingles, and any other attachments shall be properly attached and kept in good condition.
  - (e) *Exhaust Vents.* Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property.
  - (f) *Decorative Features.* All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained with proper anchorage and in a safe condition.
  - (g) *Overhang Extensions.* All overhang extensions including but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be

properly anchored and maintained in a safe condition.

- (h) *Stairways, Handrails, Decks, Porches, and Balconies.* Every exterior stairway, handrail, deck, porch, balcony, gallery, and all appurtenances attached thereto shall be maintained structurally sound and safe, with proper anchorage and capable of supporting the imposed loads.
  - (i) *Chimneys and Towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally sound and safe.
  - (j) *Windows, Skylights, Door Frames, and Insect Screens.* All windows, including skylights, and door frames shall be kept in sound condition and weather-tight. All glazing materials shall be maintained free from substantial cracks and holes. Boarded windows and doors shall comply with Section 9-98 and shall not be boarded for more than twelve (12) months. Windows, other than fixed windows, shall be operable and capable of being held in position by window hardware. All existing insect screens shall be intact, free from holes or breaks, and tightly fitted.
  - (k) *Rodent Harborage.* Buildings and structures shall be maintained free of insect, vermin, pigeon, and rodent harborage and infestation.
  - (l) *Clean and Sanitary Conditions.* Buildings and structures shall be maintained in a clean and sanitary condition free from health, safety, and fire hazards.
  - (m) *Storefronts.* All storefronts, both occupied and non-occupied, and their walls exposed to public view shall be kept in a good state of repair and free of graffiti.
  - (n) *Interior Structure.* All interior walls, stairs, porches, floors, ceilings, support pillars, and beams shall be maintained so as not to be damaged, collapsing, or deteriorating.
- (3) Property-maintenance violations also include any conditions that unreasonably hinder the use of adjacent properties, block or interfere with the use of the public sidewalk or public or private street or right of way, obstruct the sighting of any road sign, obstruct utility lines or other cables to or around the premises, or extend or infringe beyond the boundaries of the premises.
- (4) Property-maintenance violations also include situations in which the overall condition of the premises causes an unreasonable impact on the enjoyment of or value of neighboring properties as expressed by persistent complaints from adjoining and nearby property owners.

#### Sec. 9-94. - Enforcement.

- (a) *Administration and enforcement.* There shall be a Division of Blight Remediation within the Department of Development Services that is the division responsible for the administration and enforcement of this article and the executive official in charge of the Division of Blight Remediation is known as the Director of Blight Remediation. The Director of Blight Remediation may issue rules, regulations, and policies needed for the enforcement of this article, subject to review and approval by the Blight Review Action Committee. The Division of Blight Remediation shall enforce the provisions of this article and any rules or policies promulgated under this article. The Director of Blight Remediation, or any designee(s) thereof, may undertake inspections of complaints for the purpose of documenting violations of this article. The Director of Blight Remediation, or any designee(s) thereof, may order any owner who violates this article to abate such violation, and is hereby authorized and empowered to issue

citations for violations of this article. The Director of Blight Remediation, or any designee(s) thereof, is also authorized and empowered to effectuate the removal or abatement of the blight violation or property-maintenance violation under the procedures set forth in this article.

- (b) *Inspections.* The Director of Blight Remediation, or any designee(s) thereof, may initiate inspections and investigations and shall receive information and complaints concerning blight violations of the provisions of this article. The Division of Blight Remediation shall maintain written status reports indicating the number of complaints, violations identified, active and closed cases, and other information as requested by the Mayor, the Court of Common Council, or the Blight Review Action Committee.
- (c) *Complaint of blight violation.* Any individual, any civic organization, or any appropriate municipal agency may file in writing a complaint of a blight violation of this article with the Division of Blight Remediation.
- (d) *Notice of violation; order to correct; time limit for compliance.* If the Director of Blight Remediation has reasons to believe, pursuant to an inspection of the premises, that two (2) or more blight violation(s) of this article exist, the Director of Blight Remediation or any designee(s) thereof may serve a written notice of violation(s) and an order to correct such violation(s) to the owner's last-known address by certified mail, return-receipt requested. If the owner's last-known address is the same as the property where the violation has occurred, then a copy of the notice of violation(s) and order to correct may be posted on the property at the time the violations are noted. The notice requirements of this section [shall be]are deemed satisfied upon: (1) in the case of certified mail upon receipt by the City of either a signed confirmation of delivery or the entire letter returned as non-deliverable, or (2) in the case of the owner's address being the same as the address of the property where the violation has occurred, upon leaving a copy of the notice of violation and order to correct at the property at the time the violations are noted. The notice of violation(s) and order to correct shall direct the removal, correction, or abatement of the violation(s) in the manner specified in the order within ten (10) calendar days after receipt of the notice. Such notice shall notify the owner that failure to remove, correct, or abate the violation will result in the issuance of a citation in accordance with this article. Such notice shall further notify the owner that failure to remove, correct, or abate the violation will result in fines being imposed that may be enforced subsequently as a lien on the owner's property and may be converted into a court judgment, and the City may cause the removal or abatement of the violation at the expense of the owner, which may likewise result in a lien on the owner's property that may be converted into a court judgment.
- (e) *Failure to correct deficiencies: citation.* If an owner of property has been served with a notice of violation(s) and order to correct and has failed to remove, correct, or abate the violation(s) within ten (10) calendar days after receiving a notice of violation and order to correct, as determined upon subsequent inspection, then the owner shall be presumed to be in violation of this article for every day thereafter until the owner submits appropriate evidence that the violations have been corrected.
  - (1) However, if the owner, within that ten (10) day period, demonstrates to the City that the owner intends in good faith to rehabilitate or demolish the premises, or that the violation has occurred as a result of a casualty loss for which insurance is available but the owner needs additional time to remove, correct, or abate the violation, then the Director of Blight Remediation, or any designee(s) thereof, in his/her discretion, may issue a written stay of the enforcement of the citation and the enforcement of any fines imposed against the owner. Any stay is expressly conditioned upon the rehabilitation or demolition of the premises within a specified period of time not to exceed thirty (30) days, unless the owner requests an extension of time in writing to the Blight Review Action Committee, within the time

specified in the stay and demonstrates that work to remove, correct, or abate the violation(s) is progressing in good faith. The Blight Review Action Committee may grant an extension up to sixty (60) days. The owner may request additional extensions up to sixty (60) days each. If the conditions of the stay have not been met within the specified time period, or the time period as it may be extended, the stay will be terminated and all fines assessed against the owner will be enforced against the owner in accordance with this article. [, with daily fines accruing from the date of the citation before the grant of any stay.]

- (2) The Division of Blight Remediation may issue a citation against the owner(s) assessing a civil penalty of one hundred dollars (\$100.00) per day, or the maximum authorized by G.S. § 7-148(c)(7)(H)(xv) or other state statutes or the Municipal Code, as may be amended from time to time, for each violation of this article that persists beyond ten (10) calendar days from the effective date of the notice of violation and order to correct until the owner presents appropriate evidence that the cited violations have been corrected and the premises have been re-inspected.
- (3) Any citation issued pursuant to this article shall be served upon the owner by mailing the citation to the owner's last-known address by certified mail, return receipt requested, and by posting the citation in a visible manner on the subject property. A copy of the citation shall be filed with the town clerk, and any subsequent purchaser of the property shall be subject to such [order] citation. The citation shall provide the owner with the following information:
  - (i) The allegations made against the property and the amount of the proposed fines per day of continued violation of the ordinance;
  - (ii) That the owner(s) may contest their liability before the City's duly appointed hearing officer by requesting an appeal pursuant to Section 9-95 of this article, "Citation hearing officer; appointment; appeals";
  - (iii) That if the owner(s) does not demand such a hearing within ten (10) calendar days of the date of [after receiving] the citation, the owner(s) shall be deemed to have admitted liability, and the hearing officer may assess a fine without further notice;
  - (iv) That the City may file a lien against the property in accordance with G.S. § 7-148aa for the amount of any unpaid fine for a blight violation or property-maintenance violation imposed by the City in accordance with this article;
  - (v) That a lien may be enforced in the same manner as a property tax lien pursuant to G.S. § 7-148aa and this article;
  - (vi) That fines imposed may be converted to a court judgment for money damages with additional court cost imposed; and
  - (vii) That in the case of violations that pose a danger to the public health, welfare, and safety, the City may cause the conditions to be corrected, removed, or abated at the expense of the owner, and that the amount of costs for correction, removal, or abatement may also become a lien against the owner's real property.
- (f) *Failure to pay.* If the owner(s) fail to pay, within forty-five (45) days of the citation, any and all civil penalties levied pursuant to this article, a one (1) percent interest charge shall be applied to the outstanding balance. The interest shall accrue and be compounded daily. Failure to pay any fee or civil penalties arising from the enforcement of this article constitutes a debt in favor of the City and shall constitute a lien upon the real estate against which the fee or civil penalty was imposed from the original date of such fee or civil penalty. Each such lien may be continued, recorded, and released in the manner provided by the Connecticut General Statutes for

continuing, recording, and releasing property tax liens. Each such lien shall take precedence over all other liens and encumbrance filed after July 1, 1997, to the fullest extent permitted by law, except taxes, and may be enforced in the same manner as property tax liens. In addition to placing a lien against the property for failure to pay any fee arising from the enforcement of this article, the City may bring civil action against the debtor in a court of competent jurisdiction to recover such debt.

(g) *Anti-Blight Special Fund.*

- (1) All monies collected by the City as fees and civil penalties for violation(s) of this article and revenue collected pursuant to the special assessment pursuant to this article shall be deposited into a special fund. This special fund shall be called the Anti-Blight Special Fund. The purpose of this fund is to provide a source of funds to be used for all associated costs in securing, remediating, and remedying blight and enforcing the Anti-Blight and Property-Maintenance Program.
  - (2) Revolving Fund. The account shall be a permanent revolving account and shall not lapse at the end of the fiscal year. All the monies and interests deposited in the Anti-Blight Special Fund shall not be transferred, appropriated, or deposited in the general fund or any other fund. All monies in this revolving fund shall be used exclusively for the purposes of the Anti-Blight and Property-Maintenance Program as set forth herein.
  - (3) Civil Penalties, Violations, and Liens. Any civil penalties or liens placed on any property [in]as a result of any violation of the Anti-Blight & Property-Maintenance Program which have been assessed and collected from a foreclosure, sale, or judicial settlement shall be deposited in the Anti-Blight Special Fund.
- (h) *Appeal for relief of citation* . Any owner served with a citation in accordance with this article may, within ten (10) days of receipt of the citation, appeal in writing for relief from the citation hearing officer in accordance with sections 1-5 and section 9-95 of the Municipal Code.

Sec. 9-95. - Citation hearing officer; appointment; appeals.

The Corporation Counsel shall appoint individuals to hear appeals concerning citations issued under Section 9-94, pursuant to the provisions of section 1-5 of the Municipal Code. The City Council may make recommendations to the Corporation Counsel concerning the individuals to be appointed to serve as citation hearing officers. The individuals appointed to serve as citation hearing officers shall serve for a term of up to one (1) year or until a successor is appointed. All citation hearing officer appointees shall have backgrounds in law and/or issues relating to housing. Each hearing officer appointed pursuant to this section shall hear appeals under this article. In deciding to appoint an individual as a citation hearing officer under this section, the Corporation Counsel shall give preference first to City residents and second to those with a place of business in the City and students attending a law school located in the City. Individuals appointed as citation hearing officers under this section shall serve at the pleasure of the Corporation Counsel.

- (1) An owner may appeal for relief of each citation issued pursuant to section 9-94 to a citation hearing officer in accordance with the provisions of section 1-5 of the Municipal Code. Relief shall be requested in writing within ten (10) days of [the owner's receipt of the] citation. Relief may be granted if the owner can establish to the hearing officer's satisfaction that:

- a. The owner cited was not the owner of record of the property at the time the notice of violation and order to correct was issued; or
  - b. Notice of the violation was not properly served upon the owner of record in accordance with subsection 9-94; or
  - c. The notice of violation was not in proper form; e.g., failed to inform the owner of the section of the Municipal Code being cited for, failed to give owner sufficient time to cure violation, etc.; or
  - d. The notice of citation was not properly served to the owner of record in accordance with subsection 9-94; or
  - e. The notice of citation was not in proper form; e.g., failed to contain the amount of the penalty incurred under subsection 9-94, failed to inform the owner of the right to appeal, etc.; or
  - f. The Director of Blight Remediation incorrectly determined that the violations cited were not corrected within the ten-day period, or time period granted by a stay of enforcement, as required by subsection 9-94; or
  - g. The property is subject to a stay of [citation] enforcement issued pursuant to subsection 9-94; or
  - h. The real property and its structures are actively undergoing repairs that are required to be made to correct violations of state or local codes; or
  - i. The owner has in good faith corrected all cited violations and it would work a substantial economic hardship on the owner of the real property to require further payment of penalties in compliance with this article;[ or]
- (2) Full documentation, such as code violation reports, engineering reports, and any other information deemed necessary by the hearing officer shall be provided by the owner(s).
- [(3)] [It is the responsibility of the owner(s) of the premises to have a valid address filed with the City pursuant to section 9-18, and failure to provide such an address shall not constitute a reason for relief of the payment of penalties.]

Sec. 9-96. - Blight review action committee report; hearing.

- (a) The Blight Review Action Committee shall present a bi-annual status report at the regular meetings of the Court of Common Council listing all properties deemed to be blighted within the meaning of this article. The report shall include the following:
  - (1) The factors which, in the Blight Review Action Committee's opinion, warrant the determination that the premises so listed are blighted;
  - (2) The efforts undertaken by the City to eliminate the blighting condition, such as clearing the premises of debris or barricading the structures on the premises, and that such actions were unsuccessful;
  - (3) That either (a) the owner of the premises cannot or will not eliminate the blight violation, or (b) the owner has not responded to a lawful order by the City to take action to eliminate the blight violation within ten (10) days after due notice or order has been served by means set forth in subsection 9-94(d).

- (b) At the regular meeting at which the Council receives the report from the Blight Review Action Committee, the Council shall set a date no later than thirty (30) days thereafter at which time a public hearing shall be held in regard to the existence of blight violations on the named premises, except that no public hearing shall be held on those properties which are the subject of a pending section 1-5 hearing.
- (c) At the public hearing the report of the Blight Review Action Committee shall be treated as prima facie evidence of blight on the premises.

Sec. 9-97. - Acquisition of properties.

The Director of the Department of Development Services is authorized to take the necessary steps to acquire any properties covered by the provisions of this article and which have been certified by the building official to be abandoned pursuant to the Urban Homesteading Act, G.S. § 8-169(o), et seq., as it may be amended from time to time, or any other ordinance or state statute. The Director of the Department of Development Services is further authorized to take necessary steps to acquire any properties covered by the provisions of this article, provided there are funds available, using other state and federal means as they may be available.

Sec. 9-98. - Securing and painting of openings in buildings.

The Director of Licenses and Inspections or the Director of Blight Remediation, or any designee(s) thereof, may order the owner of a vacant or abandoned building to secure all doors and windows, including any or all windows in the upper floors of the building, of any building which is vacant or abandoned. The Director of Licenses and Inspections or the Director of Blight Remediation, or any designee(s) thereof, shall designate the materials and procedures to be used to comply with such order. The Director of Licenses and Inspections or the Director of Blight Remediation, or any designee(s) thereof, shall order all property owners of vacant or abandoned buildings to paint all boards of raw plywood or other similar materials used to cover all doors, windows, or other areas, with a color which matches the color of the building. If the owner of the building fails, neglects, or refuses to comply properly with the terms of the order issued pursuant to this section by the Director of Licenses and Inspections or the Director of Blight Remediation, the Director of Licenses and Inspections or the Director of Blight Remediation or any designee(s) thereof may cause the required work to be performed by City staff or an independent contractor; the Director of Licenses and Inspections or the Director of Blight Remediation is not obligated to secure any building that is not deemed unsafe. The Corporation Counsel's Office may institute an action against the owner of the building to recover the cost of any work performed at the expense of the City pursuant to this section.

Sec. 9-98A. - Reserved [Registration of vacant buildings and vacant lots.]

- [(a)] [*Registration* . All owners of vacant buildings and vacant lots must register their properties at the Department of Licenses and Inspections within fifteen (15) days of the date on which the building became vacant. At the time of registration such owners shall also schedule a time for an inspection within fifteen (15) days of such registration by the Department of Licenses and Inspections and any other departments or agencies the Director of Licenses and Inspections deems appropriate. For purposes of this section a vacant building shall be considered a building that is experiencing an extended vacancy as defined in this article. This registration shall be

made through a form provided by the City of Hartford and shall include a list of a contact person or persons responsible for the maintenance and repair of the property. This form shall contain the current telephone numbers and addresses of all contact persons. It is the sole responsibility of the property owner to update this information at the department of licenses and inspections whenever there is a change in the name, telephone or address of the contact person.]

[(b)] [*Failure to comply* . Failure to register or comply with any of the provisions of this section will result in a civil penalty of ninety-nine dollars (\$99.00).]

[(c)] [*Securing of vacant building or vacant lot* . Within ninety (90) days of registration under paragraph (a) of this section the owner of a vacant building or a vacant lot shall submit verification of the following to the Director of Licenses and Inspections:]

[(1)] Proof of the cleaning and securing of any vacant building or vacant lot in accordance with all applicable codes and regulations as verified by appropriate inspectors. Such cleaning and securing shall include, but not be limited to, boarding and painting of vacant buildings as described in section 9-98 and HUD bolting where necessary.]

[(2)] Confirmation to the satisfaction of the Director of Licenses and Inspections that the provision of all utilities have been terminated and that appropriate measures have been taken to secure plumbing fixtures, gas delivery systems and any other utility related systems or materials. Such utilities shall include, but not be limited to, removal of hazardous materials, natural gas, electric power and water.]

[(d)] [*Annual fee* . The owner of any vacant lot shall pay an annual fee of twenty-five dollars (\$25.00) and the owner of any vacant building shall pay an annual fee of ninety-nine dollars (\$99.00) for the period that such vacant lot or vacant building remains so. The fee is related to the administrative costs of registering and processing the vacant building or vacant lot registration form and for the costs of the City related to the monitoring and inspection of the vacant building or vacant lot.]

[(e)] [*Reporting* . The Director of Licenses and Inspections shall submit a quarterly report not later than January 15, April 15, July 15 and October 15 of each year to the Mayor and the Court of Common Council listing all buildings and lots in the City declared vacant under the provisions of this section, the date upon which such buildings and lots were declared vacant and whether a vacant building or vacant lot registration and any site plan have been filed for the building. The report shall also include a list of all previously declared vacant buildings and vacant lots and their current status. The Director of Licenses and Inspections shall also submit an initial list of all vacant lots and vacant buildings to the Hartford Police and Fire Departments and shall update such list as necessary.]

Sec. 9-98B. - Reduction in assessment for rehabilitated structures.

(a) The assessment on real property, which is determined to have two (2) or more existing blight violations under this article and is within one thousand five hundred (1,500) feet of residential property, shall, at the discretion of the City Assessor, be adjusted as provided for in subsection (c) and pursuant to G.S. § 12-121e, provided all other criteria established in this section are met.

(b) Before such real property will be considered for a deferral under this section, a "request for deferral" application shall be filed with the department of assessment which shall include:

(1) A description of the parcel;

- (2) A description of the planned improvements thereon and intended use;
  - (3) An itemized estimate of the cost of those improvements; and
  - (4) A timetable detailing the schedule of improvements.
- (c) Real property that meets the requirements of subsections (a) and (d) of this section shall have the assessment on the building to be rehabilitated reduced for a period of nine (9) years from the time such improvement has been completed and a certificate of occupancy has been issued pursuant to section 35-69. Such adjusted assessment shall reflect the value of the structure prior to rehabilitation and shall defer any increase in assessment attributable to such improvement according to the following schedule:

Year	Percentage of Increase Deferred
1	100
2	100
3	100
4	100
5	100
6	80
7	60
8	40
9	20
10	0

- (d) For a building to be considered for an assessment deferral under this section, the following criteria shall be met:
- (1) Residential (one- to four-family, co-ops and condominiums) and apartments (five-family and up).
    - a. The building shall be at least fifteen (15) years old.
    - b. The investment in the building to be improved shall be at least thirty (30) percent of the assessed value of said property as of the last revaluation.
    - c. No building shall be eligible unless appropriate building permits have been acquired and applications for such permits are made at the same time as the filing for an assessment deferral with the City Assessor.
    - d. Any rehabilitated structure shall meet all zoning requirements and conform to the City plan of development.
    - e. Within seven (7) days of completion of improvements and issuance of a certificate of occupancy, the Assessor shall be notified by the owner.
  - (2) Commercial and industrial.
    - a. The building shall be at least twenty (20) years old.
    - b. The investment in the building to be improved shall be at least forty (40) percent of the assessed value of said property as of the last revaluation.

- c. No building shall be eligible unless appropriate building permits have been acquired and applications for such permits are made at the same time as the filing for an assessment deferral with the City Assessor.
  - d. Any rehabilitated structure shall meet all zoning requirements and conform to the City plan of development.
  - e. Within seven (7) days of completion of improvements and issuance of a certificate of occupancy, the Assessor shall be notified.
- (e) For the purposes of revaluation, the market value prior to rehabilitation and the post rehabilitated market value will fluctuate with the revaluation. The market value of the property prior to rehabilitation will be adjusted by a factor equal to the median change in value for the property use code as a result of the revaluation. The post rehabilitated market value of the property will be recalculated with the revaluation. In cases where rehabilitation has not been completed prior to the implementation of a revaluation, the market value of the property will be recalculated with the revaluation.
- (f) If rehabilitation work is not completed or a certificate of occupancy has not been obtained within two (2) years of the date of the approval of the Assessment Deferral application, a new application shall be filed with the Assessment Division and re-approved for the property to maintain eligibility of the program. If the property is transferred after program approval and before a certificate of occupancy for the rehabilitation work has been issued, the new owner shall file a new application with the Assessment Division prior to the commencement or recommencement of work and would require re-approval for the property to maintain its program eligibility.

Sec. 9-98C. - Blight review action committee.

- (a) The Blight Review Action Committee is established and comprised of the Corporation Counsel or his or her designee within the Office of Corporation Counsel, Tax Assessor or his or her designee, Director of Blight Remediation or her or his designee, Director of Licenses and Inspections or his or her designee, Director of the Department of Public Works or his or her deputy, Director of Health and Human Services or his or her deputy, and Tax Collector or his or her designee and has the authority conferred upon the Committee by this article. The Chair of the Blight Review Action Committee shall be the Director of Blight Remediation.
- (b) The Committee has the authority to administer the provisions of this article through the Director of Blight Remediation, to determine when and under what circumstances entry upon private property shall be authorized, and to settle, based on the recommendation of the Director of Blight Remediation, any fines, citations, civil penalties, or liens placed on any property for violations of this article if such settlements are deemed, in the Committee's discretion, necessary to promote the policy set forth in Section 9-91A - Declaration of policy.

ITEM#

15

ON AGENDA

**INTRODUCED BY:**

Glendowlyn L. H. Thames, Council President

**COURT OF COMMON COUNCIL**

City of Hartford, June 11, 2018

**RESOLVED**, That pursuant to General Statutes (Supp. 2018) § 7-576d (d), the City of Hartford and the Hartford Municipal Employees Association (HMEA) jointly request that the City of Hartford Court of Common Council President designate an individual to provide mediation assistance associated with negotiation of a successor collective bargaining agreement between the City and HMEA.

**INTRODUCED BY:**  
Thomas J. Clarke II, Councilman

**COURT OF COMMON COUNCIL**  
City of Hartford, June 11, 2018.

**RESOLVED**, The Court of Common Council encourages The Administration to apply to the State of Connecticut for emergency violence reduction funds to ensure our residents receive effective mental health and trauma counseling and in addition, increase the funding for crisis intervention for those who are victims of violent crimes; and be it further

**RESOLVED**, The Council requests for The Administration to work in collaboration with The Court of Common Council to convene a meeting with all organizations that currently receive violent prevention funds from the State of Connecticut, so that effective efforts may be coordinated to combat violent crimes in The City of Hartford.

INTRODUCED BY:  
Thomas J. Clarke II, Councilman

COURT OF COMMON COUNCIL  
City of Hartford, June 11, 2018.

**WHEREAS**, The Court of Common Council strongly believes in the fair and equitable living standards for all residents of the City of Hartford; and promote healthy quality lifestyles for all those who choose to live here; and

**WHEREAS**, The tolerance of any home to be below livable norms is one by all means should be ratified with haste; as this may stimulate a negative social and psychological impact on such residents which undoubtedly affects this small city where all people are expected to have the same access to necessary services; now, therefore, be it

**RESOLVED**, the Court of Common Council requests The Administration to create a plan which includes a timeline as to when the residents of **CARA** apartments will be relocated to another suitable residential facility.