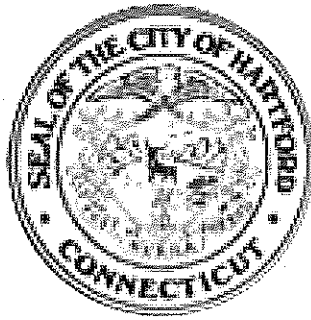


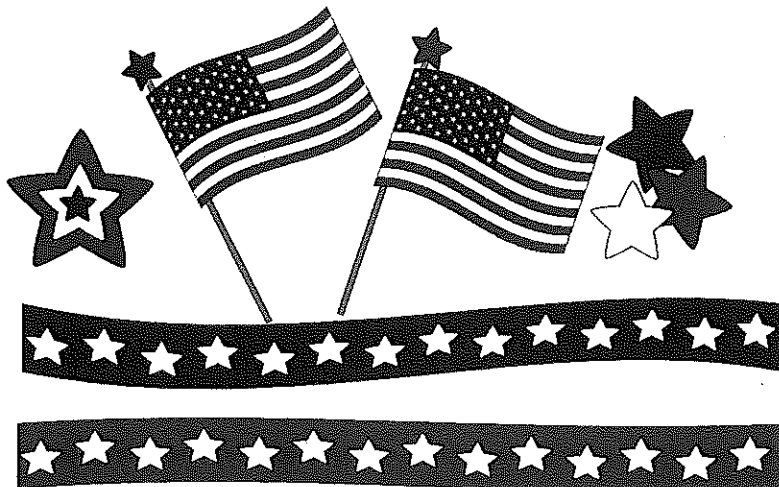
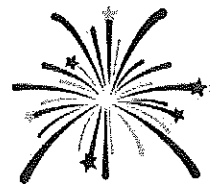
COURT OF COMMON COUNCIL



AGENDA

MEETING JULY 8, 2019

7:00 P.M.



**CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103**



ITEM # 1 ON AGENDA

Luke A. Bronin
Mayor

July 8, 2019

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: Executive Session

Dear Council President Thames,

I would like to request that the Council enter into Executive Session during the Council meeting on Monday, July 8, 2019. A brief session is necessary in order to discuss the potential resolution of Nekita Waller v. City of Hartford.

Thank you for your consideration.

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

AGENDA
MEETING OF THE COURT OF COMMON COUNCIL
July 8, 2019

ACTION TAKEN

COMMUNICATIONS

1. MAYOR BRONIN, with accompanying resolution requesting to enter into Executive Session to discuss the potential resolution of Nekita Waller v. City of Hartford.
2. MAYOR BRONIN, with accompanying resolution authorizing the City of Hartford to apply for and accept funds from the Hartford Foundation to run a pilot project in the amount of \$6,300.
3. MAYOR BRONIN, with accompanying resolution which would allow the City to enter into a license agreement with the Channel Three Kids Camp for operating the annual Holiday Lights Fantasia at Goodwin Park.
4. MAYOR BRONIN, with accompanying resolution authorizing the application to, acceptance of, a grant from What Works Cities to participate in the Providence Talks Replication
5. MAYOR BRONIN, with accompanying resolution authorizing the write off of the following receivables from 2007 or earlier, effective June 30, 2019, which were deemed uncollectible.
6. MAYOR BRONIN, with accompanying resolution adopting the Capitol Region Council of Governments' (CRCOG) Natural Hazard Mitigation Plan for 2019 – 2024.
7. HEALTH AND HUMAN SERVICES COMMITTEE, Communication discharging a resolution confirming the appointment of Deborah McDonald to the Commission on Aging.

FOR ACTION

8. OPERATIONS, MANAGEMENT, BUDGET AND GOVERNMENT ACCOUNTABILITY COMMITTEE, with accompanying resolution authorizing the City of Hartford to reduce the sale price for 14 parcels of land on Naugatuck Street to allow Toraal Development, LLC to complete the second phase of housing development.
9. PUBLIC WORKS, PARKS AND ENVIRONMENT COMMITTEE, with accompanying resolution seeking to rename Field #9 in The City's Colt Park as the "Johnny Taylor Field" and also serves as The Hartford City Council's effort to commemorate and permanently recognize one of our hometown heroes.
10. Ordinance amending Chapter Two, Article VIII Section 2-850 Residency Requirements of the Municipal Code.
11. 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.
12. 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.
13. Ordinance amending Chapter 2, Article II of the Municipal Code of the City of Hartford be amended, adding Section 2-48 and Section 2-49.
14. Ordinance amending Chapter 2, Article XXIII, Section 2-938 Drones of the Municipal Code.
15. Resolution with accompanying report concerning the approval of the regulations governing the use of unmanned aerial vehicles by the Hartford Police Department in accordance with the processes recommended by this resolution.
16. Ordinance amending Chapter 24, Chapter 30, and Chapter 18 of the Municipal Code of Hartford to create the Housing Code.
17. Ordinance Amending Chapter 26-Parks and Recreation, Article II conduct and use regulated of the municipal code of Hartford.
18. Resolution confirming the appointment of Deborah McDonald to the Commission on Aging.

RESOLUTIONS

19. (COUNCILMAN DEUTSCH) Resolution requesting that an allocation of \$335,000, judgment regarding Centerplan, be transferred from the general fund or the Office of Corporation Counsel to the Department of Public Works
20. (COUNCILWOMAN WINCH) (COUNCILMAN DEUTSCH) Resolution requesting a 2% increase to Executive Assistants currently serving effective July 1, 2019.

Attest:

John V. Bazzano
City Clerk

INTRODUCED BY:

Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL

City of Hartford, July 8, 2019

RESOLVED, pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of the Nekita Waller v. City of Hartford matter for \$125,000.00.



ITEM # 2 ON AGENDA

Luke A. Bronin
Mayor

July 8, 2019

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: Connecticut Transit Pilot Program for Summer Bridge Participants

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City of Hartford to apply for and accept funds from the Hartford Foundation for Public Giving in the amount of \$6,300.

This grant will allow the City, through the Department of Families, Children, Youth and Recreation-Division for Youth, to run a pilot project giving 100 Summer Bridge participants a one-month bus pass, track their Summer Bridge attendance, and compare it to the attendance of students who are relying on traditional Hartford Public School bussing. The 100 bus passes will be divided among the three Summer Bridge sites and will allow us to evaluate whether access to bus passes can improve school attendance.

Given that the Summer Bridge program begins on July 8, 2019, we are respectfully requesting action on this item at the July 8, 2019 Council meeting. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin
Mayor

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

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, July 8, 2019

WHEREAS, The City of Hartford (“the City”) and the Hartford Public Schools (“HPS”) are focusing on reducing chronic absenteeism, with an emphasis on Hartford Public School’s ninth grade population; and

WHEREAS, The City and HPS have partnered to implement the Summer Bridge program for certain incoming HPS 9th grade students which aims, in part, to reduce chronic absenteeism in ninth grade; and

WHEREAS, Transportation to and from school is a critical component of school attendance; and

WHEREAS, The City’s Department of Families, Children, Youth and Recreation – Division for Youth seeks to implement a pilot project providing 100 HPS Summer Bridge students with Connecticut Transit 30-day bus passes to evaluate whether access to bus passes positively impacts attendance; and

WHEREAS, The Hartford Foundation for Public Giving donor advised fund has recommended a grant for \$6,300 to support the Connecticut Transit bus pilot for the Summer Bridge program; now, therefore, be it

RESOLVED, That the Mayor is hereby authorized to apply for, accept, and execute a \$6,300 grant from the Hartford Foundation for Public Giving donor advised fund to purchase Connecticut Transit 30-day bus passes for HPS Summer Bridge students and implement the bus pilot project; 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 programs, for the same authorized contract period or any immediate extension thereof, and for the same purposes; and be it further

RESOLVED, That the Mayor is further 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 apply for, receive, contract, and expend the above referenced grant funds; 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 parties executing such documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor, the Corporation Counsel, and the Department of Families, Children, Youth and Recreation.



ITEM # 3 ON AGENDA

Luke A. Bronin
Mayor

July 8, 2019

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: Annual Holiday Lights at Goodwin Park

Dear Council President Thames,

Attached for your consideration is a resolution which would allow the City to enter into a license agreement with the Channel Three Kids Camp for operating the annual Holiday Lights Fantasia at Goodwin Park. The City's current license agreement with this organization terminates on August 31, 2019. The resolution as proposed would empower the City to effectuate a new license agreement with a term of five (5) years, commencing on September 1, 2019 and terminating on August 31, 2024.

The Channel Three Kids Camp is a 501(c)(3) organization dedicated to providing year-round opportunities to children families, & communities through educational & recreational programs that promote diversity, acceptance and environmental appreciation. The Holiday Light Fantasia is a Hartford tradition and the largest event Channel 3 Kids Camp presents each year, bringing in thousands of visitors. The camp utilizes revenue generated by the Holiday Lights Fantasia in Goodwin Park to support its many year-round and summer camp programs that serve over 3,000 children annually. In addition, the annual event is a tourist attraction for the City, drawing a large attendance from residents of the greater Hartford region.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin
Mayor

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

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, July 8, 2019

WHEREAS, the City of Hartford has a License Agreement with Almada Lodge - Times Farm Camp Corp., DBA Channel Three Kids Camp for the operation of the annual Holiday Lights Fantasia at Goodwin Park, a not-for-profit youth development organization; and

WHEREAS, said License Agreement is scheduled to terminate on August 31, 2019; and

WHEREAS, the annual Holiday Lights Fantasia at Goodwin Park is the largest fundraising event for the Channel 3 Kids Camp each year, providing critical financial support for the organization's year-round and summer camp programs that serve over 3,000 children annually; and

WHEREAS, the annual Holiday Lights Fantasia at Goodwin Park is a Hartford tradition and a significant tourism attraction for the City, drawing a large attendance from residents of the greater Hartford region; and

WHEREAS, the operation of the Holiday Lights Fantasia is in keeping with the use and character of Goodwin Park.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor is hereby authorized to enter into a License Agreement with Almada Lodge - Times Farm Camp Corp., DBA Channel Three Kids Camp, for the operation of the annual Holiday Lights Fantasia at Goodwin Park for a term of five (5) years commencing September 1, 2019, 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 effectuate the execution of said License Agreement; 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 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 parties taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



ITEM # 4 ON AGENDA

Luke A. Bronin
Mayor

July 8, 2019

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

RE: Invitation to Apply and Accept Providence Talks Replication Cohort Grant

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the application to, acceptance of, a grant from What Works Cities to participate in the Providence Talks Replication Cohort. Providence Talks, developed by leaders in Providence, RI and funded through the 2013 Bloomberg Philanthropies Mayors Challenge, supports and enhances early language and vocabulary exposure among infants and toddlers. Hartford has been invited to submit an implantation plan and potentially join a cohort of cities, each developing their own, unique version of Providence Talks.

If the City's implementation plan is accepted, the City will receive a planning grant of \$50,000 and will be eligible for up to \$400,000 in additional funding over three years, plus additional pro bono technical assistance and material support provided by Bloomberg Philanthropies, Results for America, What Works Cities, LENA, and other partners.

This support will be used to enhance training and coaching for staff at the City's early learning centers and home visiting programs. This grant will also provide much-needed support to scale efforts among numerous programs and providers, including initiatives that are already working like the Words Count program led by the Village for Families and Children.

The Office of Management, Budget, and Grants is available to answer any questions you may have. Thank you for your consideration.

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 July 8, 2019

WHEREAS, Bloomberg Philanthropies and What Works Cities created the Providence Talks Replication Cohort to expand the Providence Talks model in cities across the nation and to help cities use evidence-based practices rooted in data to effectively tackle pressing challenges; and

WHEREAS, A growing body of research shows that language and vocabulary exposure are among the most important factors in healthy early childhood development, including future reading abilities; and

WHEREAS, The City of Hartford ("the City") has been invited to apply to be part of the Providence Talks Replication Cohort, a cohort of peer cities, to develop a Hartford-specific implementation of the Providence Talks model, which emphasizes language and vocabulary exposure; and

WHEREAS, If the City's implementation plan is accepted, the City will receive a planning grant of \$50,000 and will be eligible for up to \$400,000 in additional funding over three years, plus additional pro bono technical assistance and material support provided by Bloomberg Philanthropies, Results for America, What Works Cities, LENA, and other partners; and

WHEREAS, The City, with its partner, the Village for Families and Children, seeks to implement a professional development program for providers carrying out home visiting initiatives in Hartford and at Early Learning Centers throughout the City, and additionally provide language training, coaching, and support for parents in the City, to increase children's exposure to language and vocabulary; now therefore be it

RESOLVED, That the Mayor is hereby authorized to apply for and accept a grant in the amount of up to \$450,000 from Bloomberg Philanthropies and What Works Cities; and be it further

RESOLVED, That the Mayor is authorized to accept such further sums and support as may be additionally awarded by the grantors and their partners under the same program, for the same authorized contract period and any immediate extension thereof, and for the same purposes, including technical assistance, materials and support provided by Bloomberg Philanthropies, Results for America, What Works Cities, and LENA; and be it further

RESOLVED, That the Mayor is hereby authorized by contract or otherwise to partner with such stakeholders, community groups, residents, businesses and other organizations as may be deemed by the mayor to be necessary to carry out activities under this award, including the Village for Families and Children; 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 order to receive, contract and expend the above referenced grant funds; 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 authorization provided hereby are contingent upon, and only shall be effective on and by means of, the parties executing such documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



ITEM # 5 ON AGENDA

Luke A. Bronin
Mayor

July 8, 2019

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: Long Term Uncollectible Receivables From 2007 or Earlier

Dear Council President Thames,

As part of the Finance Department's review of outstanding receivables, in accordance with the City's current write off policy, attached for your consideration is a resolution authorizing the write off of the following receivables from 2007 or earlier, effective June 30, 2019, which were deemed uncollectible.

- (1) Licenses & Inspection – \$217,090.00. These are unenforceable receivables dating back to 2001 and older because no liens were filed on behalf of the City for L&I remediation expenses. These 3 charges stem from activities such as board-ups, demolitions, and other actions deemed necessary to render private properties safe in accordance with the City's Municipal Code. The City is unable to collect on these receivables which are made up of \$62,200.00 against 149 Buckingham Street; \$69,400.00 against 194-196 Hillside Avenue; and \$85,490.00 against 200 Sigourney Street.
- (2) Finance – \$115,038.08. As noted in internal audit report 1912, these receivables are uncollectable invoices that were issued for police private duty services prior to fiscal year 2007. These bills include Eddie's Evergreen Mobile for \$57,516.00 and Funchal Properties LLC for \$57,522.08.

The Finance Department will be able to answer any questions you may have. Thank you for your consideration.

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, July 8, 2019

WHEREAS, There are on file in the Finance Department receivables for the following departments: (1) Licenses & Inspection - \$217,090.00 in unenforceable bills from 2001 and older that were issued for remediation expenses such as board-ups and demolitions to render properties safe in accordance with the City's Municipal Code; (2) Finance - \$115,038.08 in uncollectible bills that were issued for police private duty prior to fiscal year 2007; all of which are certified by the Finance Department to be uncollectible; and

WHEREAS, Research has determined that the receivables have been settled through sale, foreclosure, City acquired property or have otherwise been invalidated; and

WHEREAS, There is no further action that can be taken to collect these balances; and

WHEREAS, Nothing herein contained shall be construed as an abatement of these accounts receivable; now, therefore, be it

RESOLVED, That the aggregate sum of these outstanding receivables for (1) Licenses & Inspection - \$217,090.00; (2) Finance - \$115,038.08; be deemed uncollectible and be written off effective June 30, 2019 and hereby adjusted in the General Ledger of the City of Hartford.



ITEM # 6 ON AGENDA

Luke A. Bronin
Mayor

July 8, 2019

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: CRCOG Natural Hazard Mitigation Plan 2019 - 2024

Dear Council President Thames,

Attached for your consideration is a resolution adopting the Capitol Region Council of Governments' (CRCOG) Natural Hazard Mitigation Plan for 2019 – 2024. CRCOG has received Federal Emergency Management Agency funds through the Connecticut Department of Emergency Services and Public Protection (DESPP) to develop a Natural Hazard Mitigation Plan (HMP) Update for the 38 municipalities in our region.

The plan was developed by CRCOG staff and municipal officials from each community, including Chief Reginald Freeman, the City's Emergency Management Director, and Walter Veselka, Director of Public Works. They, as well as CRCOG staff, are available to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin
Mayor

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

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, July 8, 2019

**A RESOLUTION ADOPTING THE CAPITOL REGION NATURAL HAZARD
MITIGATION PLAN UPDATE, 2019-2024**

WHEREAS, the City of Hartford has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of those natural hazards profiled in the plan (e.g. *flooding, high wind, thunderstorms, winter storms, earthquakes, droughts, dam failure, and wildfires*), resulting in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the Hartford Court of Common Council approved the previous version of the Plan in 2014; and

WHEREAS, the City of Hartford and Capitol Region Council of Governments developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for the Natural Hazard Mitigation Plan Update, 2019-2024 under the requirements of 44 CFR 201.6; and

WHEREAS, public and committee meetings were held and public input was sought in 2017 and 2018 regarding the development and review of the Natural Hazard Mitigation Plan Update, 2019-2024; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedure for the City of Hartford; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the City of Hartford, with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make the City of Hartford eligible for funding to alleviate the impacts of future hazards; now therefore be it

RESOLVED by the Court of Common Council:

1. The Plan is hereby adopted as an official plan of the City of Hartford;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as a part of this resolution for a period of five (5) years from the date of this resolution.
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Court of Common Council.

**Adopted this _____ day of _____, 2019 by the Court of Common Council of Hartford,
Connecticut**

Mayor

IN WITNESS WHEREOF, the undersigned has affixed his/her signature and the corporate seal
of the City of Hartford this _____ day of _____, 2019.

City Clerk

Capitol Region Council of Governments

Natural Hazard Mitigation Plan Update: 2019 – 2024

Executive Summary

Introduction

Connecticut's Capitol Region encompasses the City of Hartford and 37 surrounding urban, suburban, and rural communities. The Capitol Region Council of Governments (CRCOG) received Federal Emergency Management Agency (FEMA) funds through the Connecticut Department of Emergency Services and Public Protection (DESPP) to develop a Natural Hazard Mitigation Plan (HMP) Update for the 38 municipalities comprising the region:

Town of Andover	Town of East Windsor	Town of Marlborough	Town of Suffield
Town of Avon	Town of Ellington	City of New Britain	Town of Tolland
Town of Berlin	Town of Enfield	Town of Newington	Town of Vernon
Town of Bloomfield	Town of Farmington	Town of Plainville	Town of West Hartford
Town of Bolton	Town of Glastonbury	Town of Rocky Hill	Town of Wethersfield
Town of Canton	Town of Granby	Town of Simsbury	Town of Willington
Town of Columbia	City of Hartford	Town of Somers	Town of Windsor
Town of Coventry	Town of Hebron	Town of South Windsor	Town of Windsor Locks
Town of East Granby	Town of Manchester	Town of Southington	
Town of East Hartford	Town of Mansfield	Town of Stafford	

CRCOG staff and municipal officials from each community contributed to this planning project. The Capitol Region Emergency Planning Committee (CREPC) ESF-5 Emergency Management subcommittee was expanded to provide guidance to the update process. This plan update builds on the existing Capitol Region Natural Hazard Mitigation Plan of 2014 and incorporates information from the former Central Connecticut Region Hazard Mitigation Plan Update (2016) and the former Windham Regional Hazard Mitigation Plan Update (2015). Berlin, New Britain, Plainville, and Southington were previously included in the former Central Connecticut Region Hazard Mitigation Plan. Columbia, Coventry, Mansfield, and Willington were previously included in the former Windham Regional Hazard Mitigation Plan. The other 30 communities listed above were included in the previous Capitol Region Natural Hazard Mitigation Plan (2014).

The purpose of this plan is to identify natural hazards likely to affect the Capitol Region and its nearly one million residents, assess vulnerabilities to these hazards, and set forth mitigation strategies that will reduce the loss of life and property, economic disruptions, and the cost of post-disaster recovery for the region's communities. The benefits of preparing a Hazard Mitigation Plan include:

- Improving the region's ability to deal with natural disasters and reduce losses
- Reducing the need for emergency response to natural disasters
- Enabling municipalities to access FEMA Hazard Mitigation Assistance Grants upon formal adoption of an approved plan
- Improving post-disaster recovery implementation

The plan considers the following natural hazards that affect the region:

- Dam Failure
- Drought
- Earthquake
- Flooding
- Forest and Wildland Fires
- Hurricanes and Tropical Storms
- Tornadoes and High Winds
- Severe Winter Storms

The impacts of these natural hazards were evaluated as well as the locations and groups of people particularly vulnerable to the effects of these hazards. Mitigation goals and strategies were developed at both the regional and local levels to reduce or prevent the damages to life and property that can result from these natural hazards. CROCOG and CREPC, in addition to local and other partners, are responsible for implementation of the regional goals contained in this plan. Each participating municipality identified its own mitigation goals and strategies and assumes responsibility for implementation of those measures.

Hazards Impacting the Capitol Region

The Capitol Region is vulnerable to the numerous natural hazards with flooding, winter storms, and high wind events being the natural hazards that most frequently occur with enough severity to cause loss of life or property. To evaluate the impacts of these hazards on our region, we looked at historical accounts of major storms and other events; examined flood insurance claims data and public assistance provided after federally declared disasters; analyzed demographic data and physical features; and used HAZUS-MH, a computer model, to estimate losses due to flooding, hurricanes, and earthquakes.

Loss estimates for each hazard are summarized for each community in Table ES-1 below and range from approximately \$247,000 per year in Andover to nearly \$11,093,000 in Hartford. Details regarding these loss estimates are provided in Section II and each municipal annex of this plan. The annualized loss estimate for the Capitol Region due to natural hazards is estimated at \$84.1 million. The following is a brief summary of the natural hazards affecting the region and our communities.

Table ES-1. Annualized Loss Estimate by Community (in \$1,000s)

Town	Dam Failure	Drought	Earthquakes	Flooding	Hurricanes and Tropical Storms	Severe Winter Storms	Thunderstorms	Tornadoes	Wildfires	Total
Andover	\$0	\$0	\$8	\$1	\$223	\$11	\$1	\$1	\$2	\$247
Avon	\$0	\$0	\$72	\$4	\$1,135	\$163	\$2	\$266	\$4	\$1,646
Berlin	\$0	\$0	\$76	\$11	\$1,245	\$83	\$3	\$291	\$5	\$1,714
Bloomfield	\$0	\$0	\$79	\$15	\$1,284	\$181	\$3	\$301	\$5	\$1,868
Bolton	\$0	\$0	\$13	\$0	\$337	\$19	\$2	\$1	\$2	\$374
Canton	\$0	\$0	\$28	\$10	\$645	\$48	\$1	\$151	\$5	\$888
Columbia	\$0	\$0	\$14	\$1	\$372	\$9	\$2	\$2	\$3	\$403
Coventry	\$1	\$0	\$25	\$4	\$843	\$33	\$5	\$4	\$5	\$920
East Granby	\$0	\$0	\$18	\$2	\$323	\$41	\$1	\$76	\$3	\$464
East Hartford	\$0	\$0	\$150	\$14	\$3,213	\$188	\$7	\$752	\$3	\$4,327
East Windsor	\$0	\$0	\$37	\$8	\$700	\$30	\$1	\$164	\$5	\$945

Town	Dam Failure	Drought	Earthquakes	Flooding	Hurricanes and Tropical Storms	Severe Winter Storms	Thunderstorms	Tornadoes	Wildfires	Total
Ellington	\$1	\$0	\$34	\$2	\$1,057	\$67	\$6	\$5	\$4	\$1,176
Enfield	\$0	\$0	\$121	\$24	\$2,799	\$385	\$6	\$655	\$6	\$3,996
Farmington	\$0	\$0	\$106	\$39	\$1,589	\$192	\$3	\$372	\$5	\$2,306
Glastonbury	\$0	\$0	\$150	\$5	\$2,158	\$216	\$5	\$505	\$10	\$3,049
Granby	\$0	\$0	\$23	\$3	\$707	\$117	\$1	\$166	\$8	\$1,025
Hartford	\$0	\$0	\$478	\$32	\$7,822	\$910	\$17	\$1,831	\$3	\$11,093
Hebron	\$1	\$0	\$22	\$0	\$656	\$27	\$4	\$3	\$5	\$718
Manchester	\$0	\$0	\$186	\$7	\$3,651	\$381	\$8	\$855	\$5	\$5,093
Mansfield	\$2	\$0	\$79	\$21	\$1,799	\$115	\$10	\$8	\$6	\$2,040
Marlborough	\$0	\$0	\$17	\$3	\$401	\$18	\$1	\$94	\$4	\$538
New Britain	\$0	\$0	\$196	\$26	\$4,589	\$187	\$10	\$1,074	\$2	\$6,084
Newington	\$0	\$0	\$110	\$18	\$1,916	\$153	\$4	\$448	\$2	\$2,651
Plainville	\$0	\$0	\$63	\$28	\$1,111	\$55	\$2	\$260	\$2	\$1,521
Rocky Hill	\$0	\$0	\$76	\$4	\$1,236	\$83	\$3	\$289	\$3	\$1,694
Simsbury	\$0	\$0	\$68	\$16	\$1,474	\$225	\$3	\$345	\$6	\$2,137
Somers	\$1	\$0	\$24	\$13	\$776	\$93	\$4	\$3	\$4	\$918
South Windsor	\$0	\$0	\$128	\$6	\$1,612	\$408	\$3	\$377	\$5	\$2,539
Southington	\$0	\$0	\$87	\$21	\$2,700	\$127	\$6	\$632	\$7	\$3,580
Stafford	\$1	\$0	\$30	\$22	\$819	\$32	\$4	\$4	\$8	\$920
Suffield	\$0	\$0	\$37	\$1	\$986	\$103	\$2	\$231	\$8	\$1,368
Tolland	\$1	\$0	\$34	\$6	\$1,020	\$141	\$5	\$4	\$5	\$1,216
Vernon	\$2	\$0	\$82	\$6	\$1,977	\$259	\$11	\$8	\$2	\$2,347
West Hartford	\$0	\$0	\$221	\$38	\$3,966	\$670	\$8	\$928	\$4	\$5,835
Wethersfield	\$0	\$0	\$75	\$11	\$1,672	\$132	\$4	\$391	\$2	\$2,287
Willington	\$0	\$0	\$12	\$6	\$409	\$24	\$2	\$2	\$4	\$459
Windsor	\$0	\$0	\$95	\$3	\$1,821	\$100	\$4	\$426	\$5	\$2,454
Windsor Locks	\$0	\$0	\$43	\$9	\$783	\$320	\$2	\$183	\$2	\$1,342
Total	\$9	\$0	\$3,116	\$444	\$61,827	\$6,345	\$164	\$12,106	\$170	\$84,181

Hurricanes and Tropical Storms

The Atlantic hurricane season extends from June 1 through November 30 each year. While the Capitol Region is spared the coastal storm surges associated with hurricanes, it is not immune from damaging winds and rain. According to the state's Hazard Mitigation Plan, a moderate Category II hurricane can be expected to hit Connecticut once every 23 to 30 years. A major Category III or IV hurricane may occur before 2040 based on 20th century trends.

In August 2011, Hurricane Irene, which was downgraded to a tropical storm before hitting Connecticut, caused widespread damage to the region and state. Irene was responsible for three deaths associated with flooding and downed wires from falling trees. According to *The Hartford Courant*, insurance companies paid out \$235 million on more than 60,000 claims in Connecticut related to damage from Irene. However, this figure does not include hundreds of millions more in uncovered expenses and cleanup costs for Connecticut's largest electric utility at the time, Connecticut Light and Power (now Eversource). At the height of the storm, some 754,000 residents were without power. Capitol Region

cities and towns were widely affected by downed trees, flooding, and power outages as a result of Irene. Many residents and businesses were without power for over a week. According to the Connecticut Division of Emergency Management and Homeland Security (DEMHS), municipalities, and other local and private nonprofit agencies incurred expenses of over \$3.18 million due to Irene. The municipalities and agencies are eligible for reimbursement of 75% of these costs under FEMA's Public Assistance program.

CRCOG used FEMA's HAZUS-MH software to estimate the extent of physical damage and the economic losses to the region and our communities if we were hit with another hurricane with a 1% annual chance recurrence interval. The HAZUS-MH hurricane model primarily considers wind damage for inland areas such as the Capitol Region, which is not subject to storm surges. The model predicts the region could face economic losses of approximately \$512 million.

Floods

Flooding can occur as a result of other natural hazards such as heavy precipitation, hurricanes, winter storms, snow melt, ice jams, or dam failures. The Capitol Region's numerous rivers and streams, as well as its urbanized areas, make floods and flash floods a regular risk. Individuals and local governments face significant economic loss, risks to public safety, and degraded waterways from flooding. There is not a "flood season" per se in Connecticut; however, waterways are normally higher during spring and are thus especially vulnerable to flooding from intense precipitation. Significant flooding can also occur as a result of hurricanes and tropical storms. According to the 2014 Connecticut Natural Hazard Mitigation Plan, major flooding of small rivers and loss of life can be expected every 5 to 10 years throughout the state. Major flooding of larger rivers, such as the Connecticut and Farmington, with loss of life and structural damage can be expected once every 30 years. Historic and widespread floods occurred in 1936, 1938, 1955, and 1982.

An analysis of claims filed under the National Flood Insurance Program (NFIP) in the Capitol Region demonstrates the potential for losses due to flooding. Since the program's inception, over 1,860 claims resulting in payments of nearly \$15.1 million have been filed in the Capitol Region as of January 2018. West Hartford has had the highest number of overall flood loss claims, followed by Farmington, New Britain, and Simsbury. Farmington and West Hartford have also had the highest overall flood loss payments.

Of these claims, 436 were repetitive loss claims (i.e., more than one claim over \$1,000 has been filed for flood damages to an insured building over a 10-year period). Approximately 144 properties have experienced repetitive losses in the Capitol Region. These losses have resulted in payments of approximately \$5.5 million. West Hartford has the highest number of repetitive flood claims, followed by Simsbury. Farmington, West Hartford, and Newington have had the highest repetitive flood loss payments.

To help assess the risks we face from major flooding, CRCOG used FEMA's HAZUS-MH loss estimation program to model the effects of flooding at the local level. The following table shows the damages each town in the region might face from a flood with a 1% probability of occurring in any given year (i.e., the 100-year flood) and the average annualized losses from a flood in any given year. As can be seen, losses due to a 1% annual chance flood could be particularly high for the communities of East Hartford and Vernon. Farmington and West Hartford are at the highest risk of receiving flood damage based on the annualized losses.

Significant areas of the Capitol Region are vulnerable to flooding. About 8.5%, or 56,827 acres, of the Capitol Region is located in floodplains. Over half of this land is zoned residential. Without restrictions on development in floodplains, lives and property are at risk.

Table ES-2. HAZUS-MH 1% Annual Chance Event and Annualized Losses due to Flood

Town	Total Losses (1% Annual Chance Flood)	Annualized Loss	Town	Total Losses (1% Annual Chance Flood)	Annualized Loss
Andover	\$7,873,000	\$604	Mansfield	\$30,104,000	\$21,012
Avon	\$69,855,000	\$4,336	Marlborough	\$9,538,000	\$3,072
Berlin	\$64,802,000	\$11,056	New Britain	\$33,351,000	\$25,570
Bloomfield	\$51,811,000	\$15,468	Newington	\$43,598,000	\$18,126
Bolton	\$1,193,000	\$319	Plainville	\$44,482,000	\$28,279
Canton	\$34,106,000	\$10,062	Rocky Hill	\$9,069,000	\$4,308
Columbia	\$23,278,000	\$817	Simsbury	\$48,070,000	\$16,181
Coventry	\$20,206,000	\$4,003	Somers	\$7,719,000	\$13,384
East Granby	\$7,882,000	\$1,892	South Windsor	\$67,123,000	\$6,145
East Hartford	\$141,861,000	\$14,434	Southington	\$64,141,000	\$20,510
East Windsor	\$35,996,000	\$7,939	Stafford	\$57,649,000	\$22,378
Ellington	\$14,633,000	\$2,197	Suffield	\$10,683,000	\$829
Enfield	\$57,001,000	\$24,479	Tolland	\$9,139,000	\$5,873
Farmington	\$78,659,000	\$39,353	Vernon	\$118,795,000	\$6,336
Glastonbury	\$94,366,000	\$5,044	West Hartford	\$88,125,000	\$38,288
Granby	\$11,670,000	\$3,231	Wethersfield	\$93,308,000	\$11,181
Hartford	\$60,966,000	\$31,832	Willington	\$3,971,000	\$6,145
Hebron	\$3,709,000	\$207	Windsor	\$89,805,000	\$2,991
Manchester	\$32,957,000	\$7,035	Windsor Locks	\$8,716,000	\$9,355

Dam Failure

Dams provide vital benefits to our region such as water supply, power generation, flood control, and recreation, but in the event of failure, they can pose a threat to lives and property. Dam failure can happen for a number of reasons including as a result of natural disasters such as structural failure due to earthquakes or overtopping due to heavy precipitation. Dams in Connecticut are regulated by the Department of Energy & Environmental Protection (DEEP).

According to the DEEP, there are hundreds of dams in the Capitol Region. The majority of these are either Class A (low hazard) or Class AA (negligible hazard); failure of a Class A dam would lead to minimal economic loss and may cause damage to agricultural land or unpaved roadways while failure of a Class AA dam would cause negligible loss or damage. Dams of concern for hazard mitigation are those in classes BB, B, and C. In the Capitol Region, 61 dams are Class C, or high hazard, dams. Failure of a Class C dam would result in probable loss of life, major damage to habitable structures, damage to major highways, and great economic loss. There are 53 Class B, or significant hazard, dams in the Region. Failure in these dams would result in similar but less severe damage. Finally, there are 146 Class BB, or moderate hazard, dams in the region. Failure of one of these dams would result in damage to normally unoccupied structures or local roadways or would cause moderate economic loss; no loss of life would be expected. The state estimates there are nearly 12,000 people in Hartford County and 4,150 people in Tolland County within the mapped dam inundation areas of high and significant hazard dams. The

Capitol Region includes most of, although not all, the municipalities in Hartford and Tolland Counties, thus the regional population exposed to this risk is likely less than 2 percent.

Severe Winter Storms

Connecticut is subject to blizzards, ice storms, and nor'easters - storms characterized by strong, possibly damaging northeasterly winds. The Capitol Region receives an average annual snowfall of about 40" although snowfall amounts vary widely from year to year and can vary dramatically across the region in any given storm. Severe winter storms can result in damage to buildings and infrastructure, loss of life, and disruptions to regional transportation and communication systems. Half of all federal disaster declarations for Connecticut since 1954 have followed major winter or snowstorms. Federal assistance is frequently used to offset the snow/ice removal costs that the state and municipalities incur. For example, a federal emergency was declared for the February 11-12, 2006, snowstorm in several counties in Connecticut (including Hartford and Tolland) to help share the costs of snow removal. In 2011, FEMA obligated over \$74 million in Public Assistance funds to the State of Connecticut to reimburse state agencies, local governments, and eligible private nonprofit organizations for costs associated with the January 11-12, 2011, snowstorm and Storm Alfred in October. The frequency, intensity, and timing of winter storms dramatically impacts snow removal budgets. Storm Alfred was particularly costly for municipalities because of the heavy debris loads resulting from the high number of fully leafed trees downed in this storm. Municipalities also incur higher labor costs for snow removal on weekends and holidays.

Tornadoes/High Winds

Connecticut averages approximately three tornadoes every 2 years; however, in the first week and a half of July 2013 four tornadoes hit the state including three that touched down in the Capitol Region. Hartford and Litchfield Counties are at the highest risk for tornadoes within the state based on historical patterns and locations of their occurrence. Between 1950 and 2003, Hartford County experienced 14 tornadoes, and Tolland County experienced 10. Between 2006 and 2018, Connecticut experienced 23 tornadoes. Three of these were in Hartford County and two in Tolland County. The Capitol Region experienced three tornadoes in 2013. Four tornadoes severely impacted Connecticut during one storm in May 2018 although none were located in the Capitol Region. On October 2, 2018, an EF1 tornado touched down in New Canaan, and an EF-0 was reported in the Capitol Region in Mansfield.

Typically, tornadoes occur between April and October. High winds and microbursts (strong straight-line downburst winds) can also inflict damage to property and result in injuries.

One of the country's most destructive tornadoes touched down in Windsor Locks and Windsor on October 3, 1979. The F4 tornado had winds in excess of 200 miles per hour (mph) and tore an 11-mile path from Windsor to Suffield. The tornado killed 3 people, injured 500, and caused an estimated \$250 million (\$776,385,000 in 2011 dollars) in damage, in part because it struck the New England Air Museum, destroying several planes and hangars.

Earthquake

Connecticut has a moderate risk of earthquakes based on the frequency of their occurrence, not the intensity of individual earthquakes. Between 1568 and 1989, the state had 137 recorded earthquakes. The Capitol Region experienced 17 between 1837 and 2018. Of those where the magnitude was known, all were under magnitude 4.0. A strong earthquake centered in central Connecticut and thought to be 3.8 magnitude occurred on August 9, 1840.

Magnitude 3.0 to 3.9 earthquakes are often felt by people up to 100 miles away from the epicenter but rarely cause damage. Magnitude 4.0 to 4.9 earthquakes cause shaking of objects indoors but generally cause none to slight damage. Magnitude 5.0 to 5.9 earthquakes can cause moderate to major damage to poorly constructed buildings but none to slight damage to other buildings. Connecticut incorporated building codes for seismic activity into the state building code in 1992. There were no requirements prior to that. So, while the risk for a very damaging earthquake is relatively low in the region, some structures may be impacted by less intense earthquakes depending on the soil and integrity of the structure.

Using FEMA's HAZUS-MH software, CRCOG analyzed a probabilistic suite of earthquake scenarios to estimate the potential loss to property and life. Based on these scenarios, the annualized loss estimate for the region is \$3.1 million, with Hartford and West Hartford having the highest annualized losses based on their built-up environments.

These simulations highlight the significance of the location of the epicenter to the damages that could be expected. A moderately strong earthquake centered near a more populated, built-up area would be expected to result in considerably more damage than one located in a more remote area. Based on our history and geology, the Capitol Region's vulnerability to damaging earthquakes is low. The damages we are likely to face here from earthquakes are much lower than in other parts of the nation and world.

Drought

Droughts periodically occur in Connecticut and can have serious consequences. While a drought does not pose immediate threats to life and property, it can have severe economic, environmental and social consequences. A lack of precipitation can affect not only agricultural production but also tourism, water utilities, residential wells, businesses, and more. Connecticut experienced notable droughts in 1957, 1964-67, 1980-81, 2002, 2012, and 2015-16. The 2012 drought affected Hartford, Tolland, and Windham Counties from April 12 through April 24. According to the National Oceanic & Atmospheric Association (NOAA) Storm Events Database, rivers and streams were most affected as most ran at record low levels during the spring runoff season. The main impact of this meteorological drought was periods of very high fire danger.

A meteorological drought was most recently declared for 2015-16. During the 2015-16 drought, many water utilities imposed voluntary or mandatory water conservation and restriction measures on their customers. Such restrictions can impact customers including businesses. As the state's 2014 Natural Hazard Mitigation Plan notes, predicting the future occurrences of drought within any given time period is difficult.

Forest and Wildland Fires

Forest or wildland fires can cause not only long-term damage to vegetation and ecosystems but also damage to developments, especially as residential development has increased in woodland areas. In the last 25 years, a few forest fires have occurred in the Capitol Region including a brush fire in April 1999 in Vernon, which burned about 40 acres and came within 100 feet of homes in a nearby neighborhood, and a fire in April 2005, which burned 8 acres along the Farmington River in Avon. The scale of these fires is much less than those experienced in the western and midwestern United States; nonetheless, forest fires here pose a risk to lives and property, especially at the urban/woodland interface.

Mitigation Strategy

To address the impacts of these natural hazards, the planning committee and local and regional staff reexamined the goals, objectives, and strategic mitigation activities proposed in the 2014 Plan as well as assessed our experiences with natural disasters of the last 5 years and considered input from the public and other stakeholders in order to develop a blueprint for better protecting our region over the next 5 years. Each mitigation action was prioritized, and responsible agencies, potential funding sources, and time frames for implementing the projects were identified. What follows is a brief outline of the regional and local strategies proposed.

Regional Goals, Objectives, and Mitigation Actions

Because of the regional nature of natural hazards and common concerns, some mitigation activities are better addressed at the regional level by CRCOG; however, the means to carry out certain activities may not be available to regional agencies but are available to municipalities. For example, CRCOG cannot enact laws and regulations, levy taxes, or enter into construction contracts. This section establishes our regional strategy for addressing natural hazards and sets out the mitigation actions that may best be undertaken by CRCOG on a regional level.

Goal: Minimize the loss of life and property and economic disruptions that can result from natural hazards.

Objective 1: Improve stormwater management and groundwater recharge throughout the region to prevent increased flooding and lessen the effects of drought.

Mitigation Actions:

- 1.1 Encourage all municipalities in the region to adopt regulations that incorporate or refer to recommended practices from the most current Connecticut *Stormwater Quality Manual*, Connecticut *Guidelines for Erosion and Sedimentation Control* and, in particular, those that promote low impact development and green infrastructure techniques. This will encourage development that is in harmony with natural drainage systems.
- 1.2 Foster improved understanding of the importance of stream management, maintenance of natural drainage channels, and use of green infrastructure practices among municipal staff, inland wetlands commissions, and planning and zoning commissions through education.

Objective 2: Assist municipalities in implementing hazard mitigation strategies.

Mitigation Actions:

- 2.1 Work with member municipalities to maintain this regional Natural Hazard Mitigation Plan with updates at least every 5 years.
- 2.2 Annually notify communities of the opportunities to apply for mitigation funds under the PDM and FMA programs and notify communities of HMGP opportunities as applicable. Provide letters of support when appropriate.

- 2.3 Incorporate additional natural hazard mitigation concerns into the regional Plan of Conservation and Development if it is updated in 2019-2024, and provide specific instructions to municipalities to address natural hazard mitigation in local Plans of Conservation and Development as they are updated.
- 2.4 Encourage municipalities to participate in the National Flood Insurance Program's Community Rating System by hosting an information workshop.

Objective 3: Assist municipalities in minimizing risks associated with power disruptions.

Mitigation Actions:

- 3.1 Encourage the installation of generators at critical facilities and in developments serving the elderly or special need populations, or development of microgrids to serve the same purpose, through outreach and associated work with local officials to determine which facilities still do not possess standby power but require it.

Objective 4: Assist municipalities in minimizing risks associated with droughts.

Mitigation Actions:

- 4.1 Assist municipalities that do not currently have drought ordinances in enacting such ordinances to enable the enforcement of water conservation, and assist with messaging and notifications regarding droughts. These actions should be consistent with guidance resulting from implementation of the State Water Plan (2018) and the Coordinated Water System Plan (2018) as well as the updated Connecticut Drought Preparedness and Response Plan.

Municipal Goals, Objectives, and Mitigation Actions

Each of the 38 municipalities in the Capitol Region also reassessed its goals, objectives, and strategic mitigation actions from the 2014 Plan and developed a new strategic course of action for the upcoming 5 years. While many are unique to the individual communities, there are commonalities among the actions proposed, and most communities have proposed a range of activities including public education and awareness; natural resource protection; plans, studies, and regulatory actions; structural projects and modifications to buildings, facilities, and infrastructure; as well as measures to improve preparedness and emergency response.

Table ES-3: Summary of Types of Mitigation Projects Proposed by Community

Mitigation Project Type	Education & Awareness	Natural Resources Protection	Preparedness & Emergency Response	Prevention	Structural Projects	Property Protection
Andover	5	1	7	3	2	1
Avon	2	1	5	4	1	3

Mitigation Project Type	Education & Awareness	Natural Resources Protection	Preparedness & Emergency Response	Prevention	Structural Projects	Property Protection
Berlin	5	1	7	3	2	1
Bloomfield	2	1	5	4	1	3
Bolton	2	1	2	3	2	4
Canton	7	2	5	5	0	4
Columbia	5	1	8	5	7	1
Coventry	3	1	4	2	1	4
Coventry	3	2	2	1	4	2
East Granby	3	1	7	11	8	2
East Hartford	0	0	0	0	0	0
East Windsor	3	2	5	4	0	2
Ellington	4	1	4	6	1	4
Enfield	4	2	5	3	3	2
Farmington	2	1	2	3	1	1
Glastonbury	3	1	1	2	1	3
Granby	3	1	3	3	2	4
Hartford	5	1	0	5	2	3
Hebron	7	4	5	9	3	2
Manchester	3	1	3	2	2	3
Mansfield	2	1	1	5	1	1
Marlborough	4	1	1	1	2	5
New Britain	8	1	7	6	3	3
Newington	2	1	3	2	1	2
Plainville	6	1	3	4	5	3
Rocky Hill	2	1	2	5	0	3
Simsbury	6	2	9	12	6	3
Somers	2	0	0	1	1	3
South Windsor	4	2	2	7	8	4
Southington	5	1	5	2	3	2
Stafford	4	1	7	3	1	4
Suffield	4	1	5	3	1	3
Tolland	2	1	6	1	3	1
Vernon	4	1	1	4	0	1
West Hartford	6	1	4	3	6	1
Wethersfield	2	1	3	1	2	4

Mitigation Project Type	Education & Awareness	Natural Resources Protection	Preparedness & Emergency Response	Prevention	Structural Projects	Property Protection
Willington	4	1	10	6	3	5
Windsor	2	1	3	3	11	5
Windsor Locks	4	1	5	7	2	1

Table ES-4: Summary by Community of Mitigation Projects for Each Goal

Hazard Mitigation Goal	Minimize the impact of natural hazards on physical buildings and infrastructure.	Ensure Municipal Codes and Regulations support hazard mitigation.	Improve institutional awareness and understanding of natural hazard impacts and mitigation within municipal governments and other decision-making bodies.	Increase the use of natural, "green," or "soft" hazard mitigation measures such as open space preservation and green infrastructure.	Improve the resilience of local and regional utilities and infrastructure using strategies including adaptation, hardening, and creating redundancies.	Improve public outreach, education, and warning systems.	Improve the emergency response capabilities of the region and its communities.	Ensure community character and social equity are addressed in mitigation activities.	Minimize the economic impact of hazard damages.
Andover	2	0	3	1	2	3	6	2	0
Avon	2	0	1	1	4	2	4	2	0
Berlin	4	2	1	1	2	1	2	1	0
Bloomfield	3	1	3	2	2	6	5	1	0
Bolton	12	0	1	1	4	5	4	1	0
Canton	6	0	1	1	0	2	4	1	0
Columbia	6	0	1	1	1	2	2	1	0
Coventry	6	0	4	2	8	1	8	3	0
Coventry	0	0	0	0	0	0	0	0	0
East Granby	1	0	3	2	3	1	5	1	0
East Hartford	6	0	5	1	1	2	4	1	0
East Windsor	4	0	2	3	0	2	6	2	0

Hazard Mitigation Goal	Minimize the impact of natural hazards on physical buildings and infrastructure.	Ensure Municipal Codes and Regulations support hazard mitigation.	Improve institutional awareness and understanding of natural hazard impacts and mitigation within municipal governments and other decision-making bodies.	Increase the use of natural, "green," or "soft" hazard mitigation measures such as open space preservation and green infrastructure.	Improve the resilience of local and regional utilities and infrastructure using strategies including adaptation, hardening, and creating redundancies.	Improve public outreach, education, and warning systems.	Improve the emergency response capabilities of the region and its communities.	Ensure community character and social equity are addressed in mitigation activities.	Minimize the economic impact of hazard damages.
Ellington	1	0	2	1	2	1	2	1	0
Enfield	4	0	1	1	1	2	1	1	0
Farmington	5	0	3	1	1	1	3	2	0
Glastonbury	3	4	1	2	1	4	0	1	0
Granby	5	5	3	3	3	4	5	2	0
Hartford	5	0	1	1	1	1	3	2	0
Hebron	3	1	1	1	0	1	3	1	0
Manchester	4	1	2	1	2	3	0	1	0
Mansfield	6	1	3	3	3	8	3	1	0
Marlborough	3	0	1	1	1	1	3	1	0
New Britain	8	1	2	2	2	4	1	2	0
Newington	3	0	1	1	2	1	4	1	0
Plainville	8	4	4	4	4	5	8	1	0
Rocky Hill	2	0	1	0	2	1	0	1	0
Simsbury	10	3	2	2	3	1	2	2	2
Somers	2	2	1	1	2	5	3	1	1
South Windsor	4	0	2	1	4	3	5	1	0
Southington	3	2	1	1	0	2	6	2	0
Stafford	2	0	1	2	1	3	4	1	0
Suffield	2	1	1	1	1	3	1	1	0
Tolland	4	1	2	1	3	4	5	1	0
Vernon	5	0	1	1	0	1	3	1	1
West Hartford	7	1	3	1	2	2	10	2	1
Wethersfield	16	0	1	1	1	1	3	1	1

Hazard Mitigation Goal	Minimize the impact of natural hazards on physical buildings and infrastructure.	Ensure Municipal Codes and Regulations support hazard mitigation.	Improve institutional awareness and understanding of natural hazard impacts and mitigation within municipal governments and other decision-making bodies.	Increase the use of natural, "green," or "soft" hazard mitigation measures such as open space preservation and green infrastructure.	Improve the resilience of local and regional utilities and infrastructure using strategies including adaptation, hardening, and creating redundancies.	Improve public outreach, education, and warning systems.	Improve the emergency response capabilities of the region and its communities.	Ensure community character and social equity are addressed in mitigation activities.	Minimize the economic impact of hazard damages.
Willington	5	2	2	2	2	2	4	1	0
Windsor	4	2	2	0	4	2	4	0	0
Windsor Locks	2	1	1	1	12	3	4	1	0

Planning Process

The update planning process began in 2017 when FEMA awarded CRCOG a Pre-Disaster Mitigation Planning Grant to update its multi-jurisdictional natural hazard mitigation plan. This Plan Update was developed in collaboration with CREPC, the region's 38 municipalities, and DESPP/DEMHS. As in 2013-2014, ESF-5 Emergency Management served as the planning committee for the update process and provided guidance to the project. A consultant (Milone & MacBroom, Inc. of Cheshire, Connecticut) was retained to provide technical support and coordinate efforts to involve officials from each town. Milone & MacBroom, Inc. assembled a team of subconsultants (Dewberry, Jamie Caplan Consulting, and Punchard Consulting) working on state and local hazard mitigation plans in Connecticut in parallel with the CRCOG planning process to provide its expertise and input. Finally, members of the public were provided opportunities to provide input throughout the development of the Plan Update.

The hazards included in the planning process in 2017-2018 were those profiled and analyzed 5 years earlier. Importantly, they were the same as the hazards included in the 2014 Connecticut Natural Hazard Mitigation Plan and its update (to be adopted in 2019).

As the hazards analyses were undertaken, the consultant team led meetings with municipal officials to initiate updates to individual city and town plans. These meetings were held in each of the 38 municipalities and included local staff from a variety of departments including administration, planning, emergency management, police, fire, public health, public works, and engineering. In some towns, citizens and elected officials also participated. The consultant team conducted the following meetings

locally over a 5-month period (November 2017 through March 2018) with municipal officials to conduct the local update process:

Table ES-5: Summary of Local Planning Meeting Dates and Attendance

Municipality	Local Planning Meeting Date
Andover	3/29/2018
Avon	1/16/2018
Berlin	11/9/2017
Bloomfield	12/20/2017
Bolton	2/16/2018
Canton	12/6/2017
Columbia	2/16/2018
Coventry	12/18/2017
East Granby	12/14/2017
East Hartford	1/18/2018
East Windsor	11/28/2017
Ellington	1/16/2018
Enfield	2/26/2018
Farmington	1/12/2018
Glastonbury	12/20/2017
Granby	12/14/2017
Hartford	12/13/2017
Hebron	2/13/2018
Manchester	12/20/2017
Mansfield	12/13/2017
Marlborough	2/6/2018
New Britain	11/27/2017
Newington	11/9/2017
Plainville	11/6/2017
Rocky Hill	11/10/2017
Simsbury	12/19/2017
Somers	11/20/2017
South Windsor	12/20/2017
Southington	11/14/2017
Stafford	3/29/2018
Suffield	11/28/2017
Tolland	1/10/2018
Vernon	1/11/2018
West Hartford	11/29/2017
Wethersfield	12/5/2017
Willington	2/13/2018
Windsor	12/18/2017
Windsor Locks	12/11/2017

To review prior goals, objectives, and actions and to strategize about new mitigation initiatives, CRCOG and the consultant team sought the advice of the CREPC planning committee at workshops held on January 23, March 27, and September 12, 2018. The meetings were attended by municipal officials from most of the Capitol Region communities as well as representatives from DEEP, the State Historic Preservation Office (SHPO), and the Connecticut Institute for Resilience and Climate Adaptation (CIRCA). The consultant team presented and described mitigation success stories; a number of proposed mitigation initiatives with assistance from DEEP, SHPO, and CIRCA; and reported on additional strategies/actions based on our findings and discussions with local officials at the individual municipal meetings. These meetings led to the new initiatives described in this update such as the historic resources resiliency, addressing spills from small businesses, Municipal Separate Storm Sewer System (MS4) stormwater registration compliance, regional critical facilities, etc.

A variety of means were used to inform the public of the planning process and to gain public input on hazards, areas and issues of concern, and mitigation measures. These specific outreach efforts include public meetings, web postings, and an internet-based public survey. From the survey and public meetings, we found there is strong support for: 1) activities that will mitigate and accelerate recovery from, damage to utilities, infrastructure, and critical facilities (especially the power grid); 2) providing assistance to vulnerable populations; and 3) public education and outreach, public warning system improvements, and emergency response trainings. There is less support for mitigation actions involving floodproofing, drought ordinances, and building-earthquake analysis. Natural and recreational resource recovery, as well as tourism and business recovery, are the lowest priorities for most respondents.

Plan Implementation and Maintenance

Upon approval of the Plan Update by FEMA, each municipality's governing body as well as CRCOG's Policy Board will need to formally adopt the Plan Update. CREPC will also be asked to append this plan to the Regional Emergency Support Plan (RESP).

Implementation of the strategies contained within this plan will depend largely on the availability of resources. Each municipality and CRCOG will have to consider the costs, availability of funding, and impacts of each strategy individually. The CRCOG Policy Development & Planning Department will be responsible for regional strategies and coordination with CRCOG Public Safety staff. The planning subcommittee of CREPC (ESF-5), which provided guidance to this project, will monitor progress on its implementation with assistance from CRCOG staff. The subcommittee will conduct annual outreach to municipalities to ascertain progress on proposed mitigation actions.

For more information on natural hazard mitigation planning, please visit CRCOG's website -- <http://crocog.org/2016/05/30/natural-hazards-mitigation-planning/>.



17 Hartford

Community Overview

Hartford, Connecticut's capital city, is an urban community centrally located within the Region. It has a land area of 17.3 square miles and an estimated population of nearly 125,000. The elevation ranges from approximately 30 to 150 feet above sea level. Hartford drains to the Connecticut River to the east and the Park River to the west. Other watercourses in the City include Cemetery and Gully Brooks. Interstates 91 and 84 intersect in Hartford. State routes 44, 187 and 189 also traverse the City. An Amtrak commuter rail line and the Hartford Line commuter rail each stop in the City, and CTfastrak, a regional Bus Rapid Transit System, has stations in Hartford.

Hartford is home to the Capitol and numerous state facilities. Brainard Airport is located in the southeastern corner of the City. Numerous industries and businesses operate throughout Hartford, including many insurance companies. The City also houses three major hospitals: Hartford, Connecticut Children's, and St. Francis. The City is also home to Trinity College and the University of Hartford. The University of Connecticut and University of St. Joseph have branches in the Downtown area. Hartford attracts visitors throughout the year to its historic, arts and cultural venues including the Convention Center, XL Center, Dunkin' Donuts Park, Riverfront Recapture, Comcast Music Theater, Wadsworth Athenaeum, Connecticut Science Center, Old State House, Mark Twain and Harriet Beecher Stowe Houses, and Bushnell Center for Performing Arts.

Critical Facilities

Critical Facilities throughout the Capitol Region are listed in Appendix B. In Hartford these include the Emergency Operations Center, housed at the Fire Headquarters. The Fire Chief is also the Emergency Management Director and the Local Coordinator for this plan.

Capabilities

Hazard mitigation is addressed specifically in Hartford's Plan of Conservation and Development.

The Army Corps of Engineers built a dike in Hartford along the Connecticut River following historic floods in 1936 and 1938. The City has maintained the levee system for 80 years, and has a capital improvement program (CIP) specifically devoted to the system. CIP projects undertaken in the past include rip-rap repair, vegetation removal, animal burrow repair, construction of access roads, system testing and analysis, pump-station generator replacement, backstop installation, valve operator replacement, sediment removal, dredging, monitoring instrument installation, and drainage improvements. The flood control system is an Accredited Levee under FEMA's map modernization project.

Hartford has not approved any building construction within the 1% annual chance floodplain and has undertaken significant work since 2008 to reduce its vulnerability to flooding as detailed in the list below:

The Metropolitan District Commission's (MDC) Clean Water Project and new, statewide MS4 Stormwater Drainage requirements, pose significant opportunities and challenges for the City. As planning for the separation of storm water and sewer lines in the City and region, much of which discharges to the Connecticut River in Hartford, moves forward, it is critical for the City to monitor potential impacts on flood control infrastructure.

Hartford has fourteen Neighborhood Revitalization Zone (NRZ) Committees that meet regularly as part of "Hartford 2000," a coalition with a mission to "strengthen the collective power of the NRZs and to serve as an advocate for neighborhood issues." City personnel feel these NRZs are a good way to reach the public in Hartford; Fire and Police personnel attend these meetings.

Hartford has a Flood Commission charged with ongoing management of Hartford's flood risks. The City has two private consulting companies on-call to provide continuing services to Hartford regarding flood control.

New Capabilities

The Flood Commission, with assistance from the consultants, recently prepared two submittals for the U.S. Army Corps of Engineers: a System Wide Improvement Framework (SWIF) and a Semi-Qualitative Risk Assessment (SQRA). Both are under review.

The City recently fixed a problem with the Weston Street culvert which was clogged and would not function properly. The City has switched from using sand to using a salt-sand mix for road de-icing, decreasing issues related to drainage system clogging.

In recent years Hartford has implemented new initiatives and completed projects that mitigate hazards, each of which is highlighted in more detail in the Multi-Jurisdictional HMP. These are:

- The City of Hartford Climate Action Plan, which sets forth environmental stewardship initiatives in six action areas: energy, food, landscape, transportation, waste, and water.
- Green Infrastructure Zoning Regulations that promote environmental sustainability in new development, including reducing threats to water quality from stormwater runoff.
- The Hartford Boathouse was designed to allow flood waters into the lower boat-storage level using flood grates and flood-resistant materials. Critical systems are located on the second level. The building also has a community and function room.
- The Parkville Microgrid is a natural gas powered fuel cell that is able to power a school, senior center, library, health center, gas station, and grocery store in a power outage. The system feeds excess energy back into the regional grid under normal conditions.

It is likely that in the coming years towns on the Park River upstream of Hartford will perform maintenance activities for the river; CT DEEP has contacted these Towns to inform them that



maintenance will be required. Funding and resources for such maintenance has not yet been sourced, so it is unclear what the timeframe for improvements will be. It is important to note that the impact of maintenance on Hartford's flood risk is not clear at this point.

Hartford was awarded the Silver Certification level within the SustainableCT program in October 2018.

Challenges

Challenges Overview

Historically, Hartford has suffered significant losses from flooding and continues to be vulnerable to the risks posed by flooding.

Hazard Losses

The economic losses faced by Hartford from natural hazards can be estimated by reviewing historic, and modeling future, loss figures. Loss estimates are summarized below.

Historic FEMA Payments

FEMA reimburses communities for hazard losses through programs including Public Assistance (PA) and the National Flood Insurance Program (NFIP). Combining PA and private flood insurance payments can give an estimate for total losses to a community.

The NFIP has paid 52 property damage claims in Hartford totaling \$656,509 to-date. Hartford has had 11 Repetitive Loss (RL) Property claims to-date on three properties with payments totaling \$117,755.

Total PA reimbursements to the community were as follows:

- Flood Events: \$276,561 (\$14,556 annually)
- Hurricane Events: \$773,573 (\$40,714 annually)
- Winter Storm Events: \$17,295,315 (\$910,280 annually)

These are summarized in the tables below.

Table 17-1: Flood Event PA Reimbursements, Hartford

Incident	Sep 1999	Oct 2005
Declaration	9/23/1999	12/16/2005
Disaster No.	1302	1619
Entity	FEMA PA Reimbursement	
State	\$92,630	\$51,987
Municipal	\$65,979	\$0
Nonprofit	\$0	\$65,965
Total	\$158,609	\$117,952
Annualized	\$8,348	\$6,208



Table 17-2: Hurricane Wind Event PA Reimbursements, Hartford

Incident	Aug - Sep 2011 (T.S. Irene)	Oct - Nov 2012 (Storm Sandy)
Declaration	9/2/2011	10/30/2012
Disaster #	4023	4087
Entity	FEMA PA Reimbursement	
State	\$358,574	\$117,578
Municipal	\$240,798	\$0
Nonprofit	\$56,623	\$0
Total	\$655,995	\$117,578
Annualized	\$34,526	\$6,188

Table 17-3: Winter Storm PA Reimbursements, Hartford

Incident	Mar 2003	Dec 2003	Jan 2005	Feb 2006	Jan 2011	Oct 2011	Feb 2013
Declaration	3/11/03	1/15/04	2/17/05	5/2/06	3/3/11	11/17/11	3/21/13
Disaster #	3176	3192	3200	3266	1958	4046	4106
Entity	FEMA PA Reimbursement						
State	\$298,900	\$237,901	\$294,637	\$340,113	\$422,927	\$5,717,066	\$795,677
Municipal	\$218,122	\$190,502	\$251,403	\$316,330	\$326,283	\$5,121,195	\$2,191,316
Nonprofit	\$12,121	\$14,357	\$22,366	\$12,162	\$45,324	\$282,277	\$184,337
Total	\$529,143	\$442,759	\$568,406	\$668,605	\$794,533	\$11,120,538	\$3,171,330
Annualized	\$27,850	\$23,303	\$29,916	\$35,190	\$41,818	\$585,291	\$166,912

National Centers for Environmental Information Losses

The table below summarizes events in the National Centers for Environmental Information (NCEI) severe storm database that were specifically noted as having impacted the community since 2012.

Table 17-4: NCEI Database Losses since 2012, Hartford

Date	Event	Property Damage
6/22/2012	Thunderstorm Wind	\$15,000
6/22/2012	Flood	\$0
7/7/2013	Thunderstorm Wind	\$30,000
7/10/2013	Flash Flood	\$3,000
11/1/2013	Thunderstorm Wind	*\$8,300
2/25/2016	Thunderstorm Wind	\$15,000
10/24/2017	Flood	\$0
Total Thunderstorm		\$68,300
Total Flood		\$3,000

* Damages from storm divided between multiple communities



NCEI losses under other event categories (such as drought, high wind, flooding, and winter storms) were not specifically noted as impacting this community, though they did impact Hartford County and nearby towns. NCEI losses are reported in Section II of this Plan.

HAZUS-MH Losses

CRCOG used FEMA's Hazus-MH model to analyze the risks that the community might face from flooding, hurricanes, and earthquakes. The model estimates economic losses due to damage to buildings and building contents, as well as other economic disruptions. Both residential and commercial structures are addressed. Losses from different hazards are summarized below. Where available, estimates from the previous and current versions of the HMP are provided side-by-side; differences between the two may have been caused by a combination of the following:

- Changes in methodology: such as hazard zone mapping
- Changes in data: such as population and property values
- Changes in the model: this HMP utilized Hazus-MH version 4.0 rather than 2.1
- Other factors: inherent in a complex software like Hazus-MH

More details are available in the Multi-Jurisdictional HMP. Ultimately, changes in the loss estimates reflect the reality that small differences in hazard event features can have a significant impact on losses incurred.

Table 17-5: Estimated Damages to Hartford from a 1% Annual-Chance Flood

Loss Type	2014 Results	2018 Results
Households Displaced	812	441
People Needing Shelter	2,034	984
Buildings at Least Moderately Damaged	61	1
All Building Loss		\$21,159,886
All Content Loss		\$39,035,955
Residential Building & Content Losses	\$38,770,000	\$30,312,678
Other Building & Content Losses	\$165,740,000	\$29,881,786
Total Building & Content Loss	\$204,510,000	\$60,194,463
Total Business Interruption Losses	\$1,950,000	\$1,435,037
TOTAL	\$206,450,000	\$61,629,500

Losses were calculated from a modeled probabilistic earthquake (1% annual-chance of occurrence), as well as for four specific scenarios with epicenters around Connecticut.



Table 17-6: Estimated Damages to Hartford from a 1% Annual-Chance Hurricane

Loss Type	2014 Results (1938 event)	2018 Results (1% track)
Buildings at Least Moderately Damaged	3134	7
Buildings Completely Damaged	58	1
Total Debris Generated (tons)	88,973	11487
Truckloads (at 25 tons/truck) of building debris	2820	459
Economic Losses		
Residential Building & Content Losses	\$343,675,000	\$43,308,799
Other Building & Content Losses	\$140,680,000	\$3,923,419
Total Building & Content Loss	\$484,355,000	\$47,232,218
Total Business Interruption Losses	\$80,175,000	\$4,561,075
TOTAL LOSSES	\$564,530,000	\$51,793,293

Table 17-7: Estimated Damages to Hartford from a Probabilistic Earthquake

Loss Type	2018 Results
Wage Loss	\$28,753
Rent Loss	\$28,358
Relocation Loss	\$39,064
Income Loss	\$21,579
Inventory Loss	\$1,380
Total Business Disruption	\$119,133
Structural Loss	\$68,628
Non-Structural Loss	\$209,683
Total Building Loss	\$278,311
Total Content Loss	\$80,103
TOTAL LOSSES	\$477,547

Table 17-8: Estimated Damages to Hartford from Modeled Earthquake Scenarios

Epicenter Location	Magnitude	Estimated Total Losses
East Haddam	6.4	\$3,297,825.23
Haddam	5.7	\$753,818.68
Portland	5.7	\$3,971,143.17
Stamford	5.7	\$49,519.13

Average Annualized Losses

Average Annualized Loss (AAL) figures are useful tools for comparison of the risks faced from different hazards with different likelihoods of occurring in a given time period. AAL estimates were prepared for the community based on the methodologies discussed in Section II of the Multi-Jurisdictional HMP. Dam failure, drought, tornado, and wildfire losses were sourced from the 2014 Connecticut Natural Hazard Mitigation Plan Update, with dam failure data supplemented by the National Performance of Dams Program and the Connecticut Department of Energy & Environmental Protection. Earthquake and hurricane losses were calculated in HAZUS-MH. Losses for flooding came from NFIP claims, for winter storms from Public Assistance Reimbursements, and for thunderstorms from the NCEI database. These are



presented in the table below in dollars per year. Note that Hurricanes and Tropical Storms represent the largest share of total annualized losses.

Table 17-9: Average Annualized Losses, Hartford

Dam Failure	Drought	Earthquakes	Flooding	Hurricanes and Tropical Storms	Severe Winter Storms	Thunderstorms	Tornadoes	Wildfires	Total
\$223	\$0	\$477,547	\$31,832	\$7,821,964	\$910,280	\$16,572	\$1,830,682	\$3,230	\$11,092,331

Losses Summary

A review of the above loss estimates demonstrates that the City of Hartford has experienced significant expenses as a result of natural hazards, and is at risk for additional losses if some of the less-frequent events were to occur. These actual and potential losses justify hazard mitigation actions to reduce losses in the future.

Mitigation Strategies and Actions

Noted Hazard Mitigation Needs

During the course of this Plan development, specific hazard mitigation needs were noted.

- There is a need for more table-top drills to practice different emergency scenarios. Implementing a more frequent drill schedule may help address this issue.
- A culvert at New Park Avenue near a tire facility that needs attention.
- Many drainage swales that are clogged with sand from years when the City used sand for deicing need to be cleared.
- The City of Hartford owns Batterson Park in Farmington and is responsible for the levee EOP; this needs to be developed.

Status of Previous Mitigation Strategies and Actions

The City of Hartford reviewed the mitigation actions proposed in the 2014-2019 Capitol Region Natural Hazards Mitigation Plan Update and determined the status of each. That information is included in the table below.

Table 17-10: Status of Previous Mitigation Strategies and Actions, Hartford

Action #	Action	Notes	Status
GOAL: REDUCE LOSS OF LIFE, PROPERTY AND ECONOMIC CONSEQUENCES AS A RESULT OF NATURAL DISASTERS			
Objective 1: Reduce the likelihood of flooding by improving existing natural and artificial drainage systems.			
1.1	Pursue priority drainage projects identified in Capital Improvement Plan.	This is an established and sustained effort. Work is expected to be undertaken annually contingent upon availability of funding.	Capability



Action #	Action	Notes	Status
Objective 2: Address combined sewer overflows. The MDC has made systematic improvements to the sewer systems within city limits to address overflow issues consistent with heavy rains.			
2.1	Continue to participate in the MDC's Clean Water Project planning process.	This is an established and sustained effort. Staff will continue participation in periodic meetings with MDC.	Capability
2.2	Ensure that the City's flood control pump stations can handle changes that may result from MDC measures to address combined sewer overflows.	This is an established and sustained effort. Reviews are conducted as information becomes available.	Capability
Objective 3: Ensure proper maintenance of flood control system. The City's DPW has a detailed plan for maintaining the existing flood control systems.			
3.1	Continue to implement necessary repairs and upgrades required by FEMA and the Army Corps of Engineers to retain certification.	This is an established and sustained effort.	Capability
3.2	Update the flood control system maintenance manual.	This is an established and sustained effort. Periodic updates will be made as needed.	Capability
3.3	Train City employees, according to the updated manual, in proper maintenance techniques.	Delayed as flood control system was updated. Now that manual update is complete, carry forward	Carry Forward
3.4	Upgrade flood control facilities to automate warning systems and as many other features as possible to increase safety.	Deferred due to lack of resources. This action is dropped and replaced by a new action to implement the recommendations of the System Wide Improvement Framework and Semi-Qualitative Risk Assessment for the Hartford Flood Control System.	Drop
Objective 4: Develop system for identifying and addressing potential debris hazards. The Department of Public Works has contingent plans and resources to address potential post-storm debris issues and is working with the State's Interagency Debris Management Task Force CCM Municipal Management Bulletin #13-24.			
4.1	Pursue priority debris related projects, especially along the North Branch of the Park River, identified in the Capital Improvement Plan	This is an established and sustained effort.	Capability
4.2	Inspect and clean Park River relief conduit.	This is an established and sustained effort.	Capability
Objective 5: Improve the ability of emergency responders to prepare and respond to natural disasters. Hartford Fire Department's Department Directive titled "Storm Warnings and Preparedness" (DD 4.1 EOP) directly addresses the preparation levels necessary to effectively organize and respond to natural disasters. CRCOG's Regional Emergency Support Plan (RESP Plan) also provides preparedness and response direction.			
5.1	Continue with National Incident Management System (NIMS) and Incident Management Team training, with a particular focus on response to natural disasters.	This is an established and sustained effort.	Capability
5.2	Investigate communications systems that will allow for emergency personnel to communicate in currently uncovered areas, and will facilitate interdepartmental communications along the flood control system.	System is upgraded continuously.	Capability



Action #	Action	Notes	Status
5.3	Research, identify means, including potential acquisition of public address systems, for facilitating communications with residents, especially those in low-income areas vulnerable to disasters.	The City takes full advantage of social media (twitter, Facebook) plus outreach through the NRZ groups and the four CERT teams	Completed
Objective 6: Improve the ability of emergency responders to serve special needs populations during natural disasters. The Hartford Fire Department's Special Services division in conjunction with the City of Hartford's CERT team have prepared and trained to address this specific issue. CROC's Regional Emergency Support Plan (RESP Plan) also provides preparedness and response direction.			
6.1	Take full advantage of the Reverse-911 system.	City utilizes Reverse-911 system effectively. This is a capability	Capability
6.2	Continue training for evacuation of special needs populations.	Each Fire Station maintains lists of special needs populations and is an area of refuge.	Capability
6.3	Support regional assessments of how to identify, maintain and use databases of special needs populations.	The FD Special Services Unit works with the City Health Department to do this	Capability
Objective 7: Improve emergency communications to residents prior to and during natural disasters. Hartford Fire Department has several communication methods in place such as Twitter, Facebook, Social Media, Media, Everbridge Notification System, as well as a new method soon to be implemented utilizing a smart phone app.			
7.1	Continue to offer educational forums for residents on personal emergency planning.	14 NRZ and four CERT meetings are regularly occurring	Capability
7.2	Consider applying to FEMA's Community Rating System (CRS) program to help reduce flood insurance premiums for property owners.	City has considered this but is not interested at this time.	Drop
Objective 8: Ensure ability of City to safely shelter in place, and when necessary, evacuate residents and visitors. The City has several shelters in place to serve as gathering points in an emergency. The Hartford Fire Department's Special Services division in conjunction with the City of Hartford's CERT team have prepared and trained to address this specific issue. CROC's Regional Emergency Support Plan (RESP Plan) also provides preparedness and response direction.			
8.1	Participate in local and regional hurricane evacuation training.	City participates in such trainings. This is a capability	Capability
GOAL: ENSURE THE ABILITY TO DISTRIBUTE COMMODITIES.			
Objective 9: Improve viability of food commodities during natural disasters. The Hartford Fire Department's Special Services division in conjunction with the City of Hartford's CERT team have prepared and trained to address this specific issue. CROC's Regional Emergency Support Plan (RESP Plan) also provides preparedness and response direction. The City's Board of Education also has a plan to address this issue.			
9.1	Maintain refrigeration for perishable food items.	The Fire Department Special Services Unit works with the City Health Department to complete this action. This is a capability	Capability

Active Mitigation Strategies and Actions

The City proposed to initiate several new mitigation actions for the upcoming five years. Additionally, a number of actions from the previous planning period are being carried forward or replaced with revised actions. These are listed below.



Each of the following actions has been prioritized based on FEMA guidelines, listed from highest to lowest priority, and numbered.

Action #1	
Develop an EAP for the Batterson Park levee in Farmington & provide it to the Town of Farmington.	
Goal	7. Improve the emergency response capabilities of the region and its communities
Category	Preparedness & Emergency Response
Lead	Emergency Management
Cost	\$25,000 - \$50,000
Funding	Grants
Timeframe	01/2020 - 12/2020
Priority	High

Action #2	
Supplement or replace the generators at the city's Fire Houses to support their roles as emergency places of refuge.	
Goal	7. Improve the emergency response capabilities of the region and its communities
Category	Preparedness & Emergency Response
Lead	Fire Department
Cost	More than \$100,000
Funding	Town Operating Budget / DEMHS
Timeframe	07/2022 - 06/2023
Priority	High

Action #3	
Conduct outreach to local small businesses with the aim of preventing the accidental release and pollution from chemicals stored and used at their facilities during or following natural hazard events.	
Goal	6. Improve public outreach, education, and warning systems
Category	Education & Awareness
Lead	Planning, in coordination with DEEP
Cost	\$0 - \$10,000
Funding	Materials & Resources Provided by CT DEEP
Timeframe	01/2019 - 12/2019
Priority	Medium



Action #4

Coordinate with NEMO and CROCOG to share resources and gain technical support for hazard mitigation actions involving stormwater management and public outreach, which have parallel benefits related to MS4 stormwater permit compliance.

Goal	1. Minimize the impact of natural hazards on physical buildings and infrastructure
Category	Prevention
Lead	Public Works
Cost	\$0 - \$10,000
Funding	Town Operating Budget
Timeframe	01/2020 - 12/2020
Priority	Medium

Action #5

Participate in EMI courses or the seminars and annual conference held by the Connecticut Association of Flood Managers.

Goal	3. Improve institutional awareness and understanding of natural hazard impacts and mitigation within municipal governments and other decision-making bodies
Category	Education & Awareness
Lead	Planning
Cost	\$0 - \$10,000
Funding	Town Operating Budget
Timeframe	07/2019 - 06/2024
Priority	Medium

Action #6

Work with MDC to identify potential hazard mitigation actions for MDC facilities, and list those actions in the next HMP Update.

Goal	5. Improve the resilience of local and regional utilities and infrastructure using strategies including adaptation, hardening, and creating redundancies.
Category	Property Protection
Lead	Public Works
Cost	\$10,000 - \$25,000
Funding	Town Operating Budget / DEMHS
Timeframe	07/2020 - 06/2022
Priority	Medium



Action #7

Determine the best course for addressing drainage issues at the culvert on New Park Avenue near the tire facility. Complete the determined action or include it in the next plan.

Goal	1. Minimize the impact of natural hazards on physical buildings and infrastructure
Category	Structural Projects
Lead	Public Works
Cost	More than \$100,000
Funding	Town Operating Budget / Grants
Timeframe	07/2022 - 06/2024
Priority	Medium

Action #8

Complete implementation of System Wide Improvement Framework and Semi-Qualitative Risk Assessment for the Hartford Flood Control System, submitted to USACE in 2018.

Goal	1. Minimize the impact of natural hazards on physical buildings and infrastructure
Category	Structural Projects
Lead	Public Works
Cost	More than \$100,000
Funding	Grants
Timeframe	07/2022 - 06/2024
Priority	Medium

Action #9

Contact the owners of Repetitive Loss Properties and nearby properties at risk to inquire about mitigation undertaken and suggest options for mitigating flooding in those areas. This should be accomplished with a letter directly mailed to each property owner.

Goal	1. Minimize the impact of natural hazards on physical buildings and infrastructure
Category	Property Protection
Lead	Planning
Cost	\$0 - \$10,000
Funding	Town Operating Budget / DEMHS
Timeframe	07/2021 - 06/2022
Priority	Low



Action #10

Coordinate with CT SHPO to conduct outreach to historic property owners to educate them on methods of retrofitting their properties to be more hazard-resilient while maintaining historic character.

Goal	8. Ensure community character and social equity are addressed in mitigation activities
Category	Education & Awareness
Lead	Planning, in coordination with SHPO
Cost	\$0 - \$10,000
Funding	SHPO
Timeframe	01/2021 - 12/2022
Priority	Low

Action #11

Make progress with the hazard mitigation goals associated with SustainableCT certified actions.

Goal	4. Increase the use of natural, "green," or "soft" hazard mitigation measures, such as open space preservation and green infrastructure.
Category	Natural Resources Protection
Lead	Planning
Cost	\$0 - \$10,000
Funding	Town Operating Budget
Timeframe	07/2021 - 06/2022
Priority	Low

Action #12

Coordinate with CT SHPO to conduct historic resource surveys, focusing on areas within natural hazard risk zones (such as flood or wildfire hazard zones and areas near steep slopes), to support identification of vulnerable historic properties and preparation of resiliency plans across the state. This action leverages existing resources and best practices for protection of historic and cultural resources through an ongoing statewide initiative by CT SHPO.

Goal	8. Ensure community character and social equity are addressed in mitigation activities
Category	Property Protection
Lead	Planning, in coordination with SHPO
Cost	\$10,000 - \$25,000
Funding	SHPO
Timeframe	07/2021 - 06/2023
Priority	Low



Action #13

**Conduct tabletop natural hazard emergency response drills with local departments more frequently.
Ensure multiple hazard scenarios are drilled.**

Goal	7. Improve the emergency response capabilities of the region and its communities
Category	Preparedness & Emergency Response
Lead	Emergency Management
Cost	\$25,000 - \$50,000
Funding	Town Operating Budget / DEMHS
Timeframe	01/2023 - 12/2024
Priority	Low

Action #14

Increase DPW budget or personnel to allow for proper maintenance of drainage swales.

Goal	1. Minimize the impact of natural hazards on physical buildings and infrastructure
Category	Prevention
Lead	Public Works
Cost	More than \$100,000
Funding	Town Operating Budget
Timeframe	01/2024 - 12/2024
Priority	Low












Capitol Region Natural Hazards Mitigation Plan Update




Hartford, Connecticut

Flood Plains, Dams
& Critical Facilities




Critical Facilities

-  Fire Station
-  Police Station
-  School
-  Healthcare Facility
-  State Facility
-  Town Facility
-  Waste Water Facility
-  Emergency Center
-  NRHP Buildings/Sites

Dam Hazard Class

-  BB, A, AA OR Unclassified
-  Class B - Significant Hazard
-  Class C - High Hazard

FEMA Flood Hazard Area

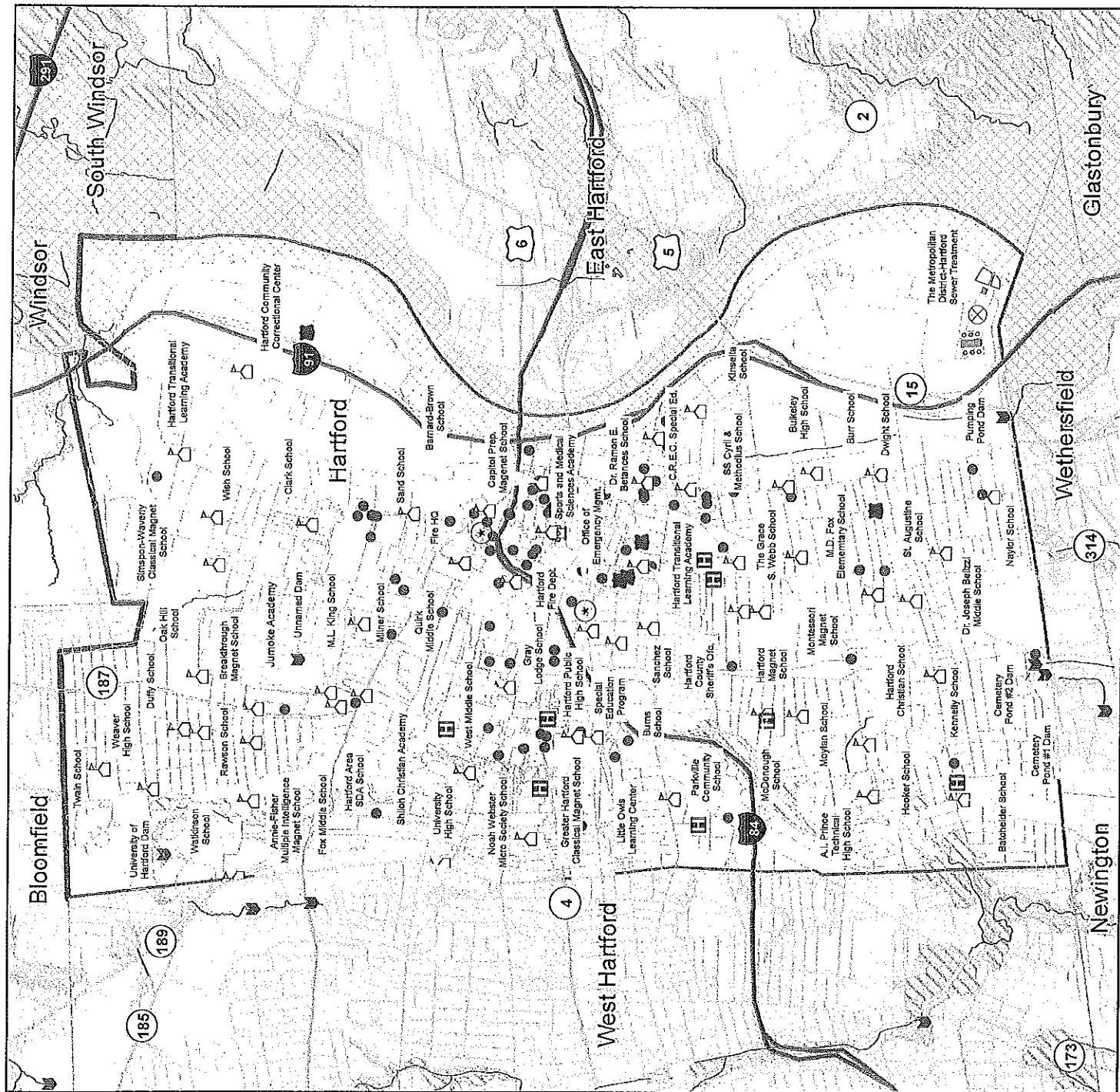
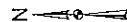
-  100 Year Flood Zone
-  500 Year Flood Zone
-  NRHP Districts/Areas

Data Sources: FEMA, National Register of Historic
Places, CT DEEP, CROCG, ESRI



MILONE & MACBROOM

99 Realty Drive, Cheshire, CT 06410
(203) 271-1773 Fax: (203) 272-5733
www.miloneandmacbroom.com



Court of Common Council

ITEM#

7

ON AGENDA

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, 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
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
rJo Winch, Councilwoman

COMMUNICATION

July 8, 2019

Honorable Glendowlyn L. H Thames, Council President and City Council Members
550 Main Street room 208Hartford, Connecticut 06103

Dear Council President and City Council Members:

The Health and Human Services Committee discharges the following item:

COMMUNICATION FROM MAYOR BRONIN, with accompanying resolution de Request confirming the appointment of Deborah McDonald to the Commission on Aging.

Respectfully submitted by

Larry Deutsch, MD, MPH
Chairman of Health and Human Services Committee
Hartford Court of Common Council

A handwritten signature in cursive script, likely belonging to John V. Bazzano, the Town and City Clerk.

2019 JUN 32 AM 7:54

TOWN & CITY CLERK
HARTFORD

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
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COMMUNICATION

July 8, 2019

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550 Main Street room 208Hartford, Connecticut 06103

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Respectfully submitted by

Larry Deutsch, MD, MPH
Chairman of Health and Human Services Committee
Hartford Court of Common Council

A handwritten signature in dark ink, appearing to read "John V. Bazzano", is written over the printed name of the Town & City Clerk.

2019 JUN 32 AM 7:54

TOWN & CITY CLERK
HARTFORD

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



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Claudine Fox, Councilwoman
Maly Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Report

June 24, 2019

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 Operations, Management, Budget, and Government Accountability Committee held a meeting on June 17, 2019 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #3

Communication from Mayor Bronin with accompanying resolution authorizing the City of Hartford to reduce the sale price for 14 parcels of land on Naugatuck Street to allow Toraal Development, LLC to complete the second phase of housing development.

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Majority Leader James Sánchez, Minority Leader Wildaliz Bermudez and Councilwoman Maly Rosado.

Also present were, Don Chapman, Director of Community and Small Business Development for Development Services, Erik Johnson, Director Development Services, Walter Veselka, Director, Department of Public Works, Armindo Gomes, CEO Hartford Parking Authority, Albert Gary,

Ralph Knighton and Abraham Ford Principals, Toraal Development, LLC. and other concerned citizens.

Eric Johnson, Director of Development Services explained the purpose of the resolution concerning the authorization of the City to reduce the sale price of 14 two family units to allow Toraal Development LLC. to complete Phase II of the housing development project known as the Northeast Brackett School Ownership Housing Initiative.

Mr. Johnson shared with the OMBGA Committee that due to the project deficit, Torral Development LLC is requesting a reduction of the sale price for Phase II to \$5,000. As a result, a reduction in the sales price will allow the project to move forward that will help provide long term economic benefit of home ownership to the community. He also shared that CDRA would be investing additional funds to facilitate Phase II as well.

A lengthy discussion ensued amongst the OMBGA committee members, Mr. Johnson, Mr. Gary, Mr. Knighton and Mr Ford regarding construction date for Phase II, number of units with deposits and date of completion.

A motion was made by Majority Leader James Sánchez and seconded Councilwoman Maly Rosado to send this item to full Council with a favorable recommendation.

Vote Taken: (4-0-1-Absent- 0-Recused- Pass)

Co-Chairwoman Thames: Yes
Co-Chairman Clarke II: Absent
Councilman Sánchez: Yes
Councilwoman Bermúdez: Yes
Councilwoman Rosado: Yes

Respectfully Submitted,



Glendowlyn L. H. Thames
Co-Chairwoman of OMBGA

Thomas J. Clarke II
Co-Chairman of OMBGA



Luke A. Bronin
Mayor

June 10, 2019

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: Sale of Land to Toraal Development, LLC

Dear Council President Thames:

Enclosed is a resolution for consideration by the Court of Common Council (the "Council") which would authorize the City of Hartford ("City") to reduce the sale price for 14 parcels of land on Naugatuck Street, as more particularly described in Exhibit A, to allow Toraal Development, LLC ("Toraal") to complete the second phase of a housing development known as the Northeast Brackett School Ownership Housing Initiative (the "Development").


In 2009, Toraal proposed to purchase from the City an aggregation of parcels that consisted of approximately 5.34 acres of land at 54 Westland Street (the "Property") to develop housing as a phased development. The Development was to consist of two phases. Phase I involved the construction of six two-family homes on Westland Street and Phase II would include the construction of six two-family homes, eight duplexes and the reconstruction of an abandoned portion of Naugatuck Street. The reconstruction of Naugatuck Street would connect Hampton and Barbour Streets.

On October 26, 2009, Council authorized the sale of the Property to Toraal in two phases for a purchase price of \$175,000. The portion of the Property to be utilized for the Phase I development was conveyed to Toraal for \$60,000 in December 2009. Toraal completed the construction of the six two-family homes on Westland Street and requested that the City convey to it the portion of the Property to be utilized for the construction of Phase II of the development for the balance of the purchase price, being \$115,000. On March 26, 2018, Council authorized the sale of the remaining parcels to Toraal for \$115,000.

Requests for bids to complete the development came in higher than anticipated and resulted in a total project deficit of approximately \$425,000. Toraal now requests that the sale price for the city-owned Property be reduced to \$5,000 in order to apply the \$110,000 balance toward the budget deficit.

The reduction of the sale price will assist in closing the funding gap and allow for the development project, which will create housing and homeownership opportunities in the North End of Hartford, to move forward. The Department of Development Services is happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,


Luke A. Bronin
Mayor

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

EXHIBIT A

Address	Parcel ID	Acres
53 Naugatuck Street	239-116-116	.222
57 Naugatuck Street	239-116-117	.224
61 Naugatuck Street	239-116-118	.224
5 Naugatuck Street	239-116-119	.224
69 Naugatuck Street	239-116-120	.224
73 Naugatuck Street	239-116-121	.225
79 Naugatuck Street	239-116-122	.317
85 Naugatuck Street	239-116-123	.332
91 Naugatuck Street	239-116-124	.340
80 Naugatuck Street	239-116-125	.220
76 Naugatuck Street	239-116-126	.222
70 Naugatuck Street	239-116-127	.218
66 Naugatuck Street	239-116-128	.214
60 Naugatuck Street	239-116-129	.215
Total		3.421

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, June 10, 2019

WHEREAS, Toraal proposed to purchase from the City an aggregation of parcels that consisted of approximately 5.34 acres of land at 54 Westland Street (the "Property") to develop housing as a phased development known as the Northeast Brackett School Ownership Housing Initiative (the "Development"); and

WHEREAS, The Development consists of two phases. Phase I involves the construction of six two-family homes on Westland Street and Phase II includes the construction of six two-family homes, eight duplexes and the reconstruction of an abandoned portion of Naugatuck Street; and

WHEREAS, On October 26, 2009, the Court of Common Council authorized the sale of the Property to Toraal in two phases for a purchase price of \$175,000. The portion of the Property to be utilized for the Phase I development was ultimately conveyed to Toraal in December 2009 for \$60,000; and

WHEREAS, Toraal has completed the construction of the six two-family homes on Westland Street (Phase I), and requested that the City convey to it the portion of the Property to be utilized for the construction of Phase II, said parcels being more particularly described in Exhibit A (the "Phase II Property"), for the balance of the purchase price, being \$115,000; and

WHEREAS, On March 26, 2018, the Court of Common Council authorized the sale of the remaining parcels to Toraal for \$115,000; and

WHEREAS, Requests for bids to complete the development came in higher than anticipated and resulted in a total project deficit of approximately \$425,000, and Toraal now requests that the sale price for the city-owned Property be reduced to \$5,000 in order to apply the \$110,000 balance toward the budget deficit; and

WHEREAS, The reduction of the sale price will assist in closing the funding gap and allow for the development project, which will housing and homeownership opportunities in the North End of Hartford, to move forward; now therefore be it

RESOLVED, That the Court of Common Council hereby authorizes the Mayor to sell the Phase II Property to Toraal, or an affiliated entity established for such purpose; and be it further

RESOLVED, that the purchase price for the Phase II Property shall be Five Thousand and no/100 (\$5,000.00) and shall be on an "as is" basis, and be it further

RESOLVED, that the sale, assignment and transfer of the city's rights, title and interest in the Phase II Property in accordance with this resolution is hereby approved, and be it further

RESOLVED, that the Mayor is hereby authorized to execute any easements with utility providers, or agreements with CRDA, that are necessary to carry out this project; and be it further

RESOLVED, that the Mayor is hereby 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 interest of the City in order to effectuate the above transaction, 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 license agreement or other documents, or to take any of the other aforesaid actions, and be it further

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

ITEM# 9 ON AGENDA

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Report

June 24, 2019

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 Works, Parks and Environment Committee held a meeting on June 5, 2019 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

The following were present: Committee Chairwoman Wildaliz Bermúdez, Assistant Majority Leader John Q. Gale, Councilwoman rJo Winch, and Councilman Thomas J. Clarke.

Also present were, Lynette Taylor Grande a retired educator and daughter of Johnny Taylor, Michael Looney from DPW, James del Visco from Corporation Counsel, Donna Swarr from PRAC, Tom Swarr from ACOTE, Grace Yi from the City of Hartford, Patricia Kelly from Ebony Horsewomen and other concerned citizens.

Item #2

RESOLUTION SEEKING TO RENAME FIELD #9 IN THE CITY'S COLT PARK AS THE "JOHNNY TAYLOR FIELD". AND ALSO SERVES AS THE HARTFORD CITY COUNCIL'S EFFORT TO COMMEMORATE AND PERMANENTLY RECOGNIZE

ONE OF OUR HOMETOWN HEROES. (COUNCILMAN CLARKE II) (ITEM 29 ON
AGENDA OF MAY 13, 2019).

Councilman Clarke expressed that Johnny Taylor was the first professional baseball player from the City of Hartford. And Michael Looney from DPW mentioned that the item has the full support of DPW.

A motion was made by Councilwoman rJo Winch and seconded by Councilman Thomas J. Clarke to send this item to full Council with a favorable recommendation.

Votes Taken:

Chairwoman Bermúdez: Yes

Councilman Gale: Yes

Councilman Clarke II: Yes

Councilman Sánchez: Absent

Councilwoman Winch: Yes

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'WB' or similar initials, written in a stylized, cursive manner.

Wildaliz Bermúdez
Chairwoman of Public Works, Parks and Environment Committee

INTRODUCED BY:
Thomas J. Clarke II, Councilman

COURT OF COMMON COUNCIL
City of Hartford, May 13, 2019.

WHEREAS, The Court of Common Council stays committed to the development and preservation of The Capital City and Its legacy. It is also at this juncture that we acknowledge Johnny "Schoolboy" Taylor, Hartford Connecticut's first professional black athlete and His remarkable impact on the sport of baseball, this region and beyond; and

WHEREAS, Johnny Taylor was born 2/4/1916 in Hartford, Connecticut and attended Bulkeley High School where he dominated the Hartford Twilight League at Colt Park. Johnny Taylor further became an all-star in the Negro Leagues, Mexican League and Cuban League. These accomplishments were made amidst the racial segregation and tensions of the 1930's and 1940's. The Court of Common Council strongly believes that the acknowledgment of our rich past undoubtedly fosters healthier and wealthier communities; and

WHEREAS, The prestige of our great city and this region continues to be charted through time to that of nobility, integrity, mixed with a sense of pride. These accolades have far more fundamental values to the people who occupies this region today, and to be reminded or even rebranded of the great impact those before us have sacrificed to leave behind this rich legacy, be it

RESOLVED, The Court of Common Council hereby seek to rename Field #9 in The City's Colt Park as the "**Johnny Taylor Field**". This resolution also serves as The Hartford City Council's effort to commemorate and permanently recognize one of our hometown heroes from a family make up reflective today of our own and who prevailed in the face of racial segregation and all other adversities of that time.

Introduced
by:

Councilman Thomas J. Clarke II

HEADING
AND
PURPOSE

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

COUNCIL,

COURT OF COMMON

CITY OF HARTFORD

Date July 9, 2018

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

That Chapter Two, Article VIII of the Municipal Code be amended by changing Section 2-850 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.

(B) Definitions.

"Bona fide resident" is defined as [(1) An employee] a person who has a [Hartford] mailing address which is a street address in Hartford, not [A] a post office address; [does not qualify as a bona fide Hartford address;] is. [(2) Be] a registered Hartford voter; and [(3) I]if the [employee] person owns a motor vehicle, has registered said motor vehicle [must be registered] at an address in the City of Hartford.

"Residence" is defined as the actual principal residence of the person, where he or she normally and usually eats and sleeps and maintains his or her normal personal household effects.

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

(D) The Department of Human Resources shall be responsible for determining and verifying the residence of employees.

This ordinance shall take effect upon adoption.

Introduced by: THOMAS J. CLARKE II, COUNCILMAN

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI, DIVISION 4,
SECTION 2-352¹ 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.

¹¹ Ord. No. 19-08, 7-14-08; Ord. No. 17-11, 5-23-11.

Minority Leader Wildaliz Bermudez

HEADING
AND
PURPOSE

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:

HEADING
AND
PURPOSE

ITEM# 13 ON AGENDA

Minority Leader Wildaliz Bermudez
Councilman Thomas J. Clarke II
Councilwoman Claudine Fox
Councilwoman rJo Winch
Councilman Larry Deutsch

AN ORDINANCE AMENDING CHAPTER 2 OF THE HARTFORD MUNICIPAL CODE.

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

November 13, 2018

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

That Chapter 2, Article II of the Municipal Code of the City of Hartford be amended, adding Section 2-48 and Section 2-49, as follows:

Section 2-48. Establishing the power of the City Council to protect city residents.

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

Discriminatory shall mean (1) disparate treatment of any individual(s) because of any real or perceived traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the State of Connecticut, or the City Charter or any law of the City of Hartford, or because of their association with such individual(s), or (2) disparate impact on any such individual(s) having traits, characteristics, or status described in subsection (1).

Disparate impact shall mean an adverse effect that is disproportionately experienced by individual(s) having any traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the State of Connecticut, or the City Charter or any law of the City of Hartford than by similarly situated individual(s) not having such traits, characteristics, or status.

Municipal entity shall mean any municipal government, agency, department, bureau, division, or unit of this city.

Surveillance data shall mean any electronic data collected, captured, recorded, retained, processed, intercepted, analyzed, or shared by surveillance technology.

Surveillance technology shall mean any electronic surveillance device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal,

biometric, or similar information or communications specifically associated with, or capable of being associated with, any specific individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.

1. Surveillance technology includes, but is not limited to: (a) unmanned aerial vehicles; (b) international mobile subscriber identity (IMSI) catchers and other cell site simulators; (c) automatic license plate readers; (d) electronic toll readers; (e) closed-circuit television cameras; (f) biometric surveillance technology, including facial, voice, iris, and gait-recognition software and databases; (g) mobile DNA capture technology; (h) gunshot detection and location hardware and services; (i) x-ray vans; (j) video and audio monitoring and/or recording technology, such as surveillance cameras, wide-angle cameras, and wearable body cameras; (k) surveillance enabled or capable lightbulbs or light fixtures; (l) tools, including software and hardware, used to gain unauthorized access to a computer, computer service, or computer network; (m) social media monitoring software; (n) through-the-wall radar or similar imaging technology; (o) passive scanners of radio networks; (p) long-range Bluetooth and other wireless-scanning devices; (q) radio-frequency I.D. (RFID) scanners; and (r) software designed to integrate or analyze data from surveillance technology, including surveillance target tracking and predictive policing software. The enumeration of surveillance technology examples in this subsection shall not be interpreted as an endorsement or approval of their use by any municipal entity.
2. Surveillance technology does not include the following devices or hardware, unless they have been equipped with, or are modified to become or include, a surveillance technology as defined in subsection (a): (a) routine office hardware, such as televisions, computers, and printers, that is in widespread public use and will not be used for any surveillance or surveillance-related functions; (b) Parking Ticket Devices (PTDs); (c) manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously and whose functionality is limited to manually capturing and manually downloading video and/or audio recordings; (d) surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles; (e) municipal agency databases that do not and will not contain any data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by surveillance technology; and (f) manually-operated technological devices that are used primarily for internal municipal entity communications and are not designed to surreptitiously collect surveillance data, such as radios and email systems.

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.

Viewpoint-based shall mean targeted at any community or group or its members because of their exercise of rights protected under the First Amendment of the United States Constitution.

(b) A municipal entity must obtain City Council approval, subsequent to a mandatory, properly-noticed, germane, public City Council hearing at which the public is afforded a fair and adequate opportunity to provide written and oral testimony, prior to engaging in any of the following:

1. Seeking funds for new surveillance technology, including but not limited to applying for a grant, or soliciting or accepting state or federal funds or in-kind or other donations;
2. Acquiring or borrowing new surveillance technology, whether or not that acquisition is made through the exchange of monies or other consideration;
3. Using new or existing surveillance technology for a purpose or in a manner not previously approved by the City Council in accordance with this ordinance, including the sharing of surveillance data therefrom; or
4. Soliciting proposals for or entering into an agreement with any other person or entity to acquire, share or otherwise use surveillance technology or surveillance data.

If City Council does not hold a public hearing regarding a municipal entity's request to engage in the aforementioned actions within one hundred and twenty (120) days of the municipal entity commencing the process of seeking City Council approval, the City Council's inaction shall be deemed a rejection of the proposal. City Council may request additional information from a municipal entity at any point before giving approval.

(c) To commence the process of seeking City Council approval, pursuant to subsection (b), to fund, acquire, or use surveillance technology or to enter into an agreement concerning such funding, acquisition, or use, a municipal entity shall submit to the City Council and make publicly available a Surveillance Impact Report and Surveillance Use Policy concerning the technology at issue.

1. No use of surveillance technology by a municipal entity pursuant to subsection (b) shall be permitted without the City Council's express approval of the related Surveillance Impact Report and Surveillance Use Policy submitted by the municipal entity pursuant to subsection (c).
2. Use of an unmanned aerial vehicle management platform may be used by a municipal entity to provide rapid deployment software for unmanned aerial vehicles and track relevant unmanned aerial vehicle flight data for use in the Surveillance Impact Report and Surveillance Use Policy.
3. Prior to approving or rejecting a Surveillance Impact Report or Surveillance Use Policy submitted pursuant to subsection (c), the City Council may request revisions be made by the submitting municipal entity.

(d) Surveillance Impact Report: A Surveillance Impact Report submitted pursuant to subsection (c) shall be a publicly-released, legally enforceable written report that

includes, at a minimum, the following:

1. Information describing the surveillance technology and how it works, including product descriptions from manufacturers;
2. Information on the proposed purpose(s) of the surveillance technology;
3. If the surveillance technology will not be uniformly deployed or targeted throughout the city, information concerning the factors will be used to determine where, when and how the technology is deployed or targeted;
4. Results and Information gathered with unmanned aerial vehicle Management Software on unmanned aerial vehicle flight data;
5. The fiscal impact of the surveillance technology; and
6. An assessment identifying with specificity:
 - A. Any potential adverse impacts the surveillance technology, if deployed, might have on civil rights, civil liberties, and individuals privacy; and
 - B. What specific, affirmative measures will be implemented to safeguard the public from the potential adverse impacts identified pursuant to subsection (d)(5)(A).

(e) Surveillance Use Policy: A Surveillance Use Policy submitted pursuant to subsection (c) shall be a publicly-released, legally enforceable written policy governing the municipal entity's use of the surveillance technology that, at a minimum, includes and addresses the following:

1. Purpose: What specific purpose(s) the surveillance technology is intended to advance.
2. Authorized Use: For what specific capabilities and uses of the surveillance technology is authorization being sought, and
 - A. What legal and procedural rules will govern each authorized use;
 - B. What potential uses of the surveillance technology will be expressly prohibited, such as the warrantless surveillance of public events and gatherings and warrantless surveillance at or near venues that house children under the age of eighteen, such as schools, playgrounds, day care centers or group homes; and
 - C. How and under what circumstances will surveillance data that was collected, captured, recorded, or intercepted by the surveillance technology be analyzed and reviewed.

3. Data Collection:

- A. What types of surveillance data will be collected, captured, recorded, intercepted, or retained by the surveillance technology;
- B. What surveillance data may be inadvertently collected during the authorized uses of the surveillance technology, and what measures will be taken to minimize the inadvertent collection of data; and
- C. How inadvertently collected surveillance data will be expeditiously identified and deleted. Any inadvertently collected surveillance data containing the identity of children under eighteen should be immediately deleted absent a youth being specifically listed in an authorized warrant. In the case of a warrant specifically listing a youth, the identity of other children and youth under eighteen must be protected.

4. Data Protection: What safeguards will be used to protect surveillance data from unauthorized access, including encryption and access control mechanisms.

5. Data Retention: Insofar as the privacy of the public can be severely compromised by the long-term storage of mass surveillance data, what rules and procedures will govern the retention of surveillance data, including those governing:

- A. For what limited time period, if any, surveillance data will be retained. Such information shall include a statement explaining why the designated retention period is no greater than that which is absolutely necessary to achieve the specific purpose(s) enumerated in the Surveillance Use Policy;
- B. What specific conditions must be met to retain surveillance data beyond the retention period stated in subsection (e)(5)(A); and
- C. By what process surveillance data will be regularly deleted after the retention period stated in subsection (e)(5)(A) elapses and what auditing procedures will be implemented to ensure data is not improperly retained.

6. Surveillance Data Sharing: If a municipal entity is seeking authorization to share access to surveillance technology or surveillance data with any other governmental agencies, departments, bureaus, divisions, or units, it shall detail:

- A. How it will require that the collection, retention, and storage of surveillance data be conducted in compliance with the principles set forth in 28 C.F.R. Part 23, including but not limited to 28 C.F.R. Part 23.20(a), which states that a government entity operating a surveillance program "shall collect and maintain criminal intelligence information concerning an individual only if there is reasonable suspicion that the individual is involved in criminal conduct or activity and the information is relevant to that criminal conduct or activity."
- B. Which governmental agencies, departments, bureaus, divisions, or units

will be approved for (i) surveillance technology sharing, and for (ii) surveillance data sharing;

- C. How such sharing is necessary for the stated purpose and use of the surveillance technology, including any unmanned aerial vehicle management platform utilized;
 - D. How it will ensure any entity's sharing access to the surveillance technology or surveillance data complies with the applicable Surveillance Use Policy and does not further disclose the surveillance data to unauthorized persons and entities; and
 - E. What processes will be used to seek approval of future surveillance technology or surveillance data sharing agreements from the municipal entity and City Council.
- 7. Demands for Access to Surveillance Data: What legal standard must be met by government entities or third parties seeking or demanding access to surveillance data.
 - 8. Auditing and Oversight: What mechanisms will be implemented to ensure the Surveillance Use Policy is followed, including what independent persons or entities will be given oversight authority, and what legally enforceable sanctions will be put in place for violations of the policy.
 - 9. Complaints: What procedures will be put in place by which members of the public can register complaints or concerns, or submit questions about the deployment or use of a specific surveillance technology, and how the municipal entity will ensure each question and complaint is responded to in a timely manner.
 - 10. Children and Youth: What specific procedures shall be employed to ensure that the confidentiality and privacy rights of children and youth under the age of eighteen are not violated.
- (f) No later than one hundred twenty (120) days following the effective date of this ordinance, any municipal entity seeking to continue the use of any surveillance technology that was in use prior to the effective date of this ordinance, or the sharing of surveillance data therefrom, must commence a City Council approval process in accordance with subsection (b). If the City Council has not approved the continuing use of the surveillance technology, including the Surveillance Impact Report and Surveillance Use Policy submitted pursuant to subsection (c), within one hundred eighty (180) days of their submission to the City Council, the municipal entity shall cease its use of the surveillance technology and the sharing of surveillance data therefrom until such time as City Council approval is obtained in accordance with this ordinance.
 - (g) If more than one municipal entity will have access to the surveillance technology or surveillance data, a lead municipal entity shall be identified. The lead municipal entity shall be responsible for maintaining the surveillance technology and ensuring compliance with all related laws, regulations and protocols.

- (h) The City Council shall only approve a request to fund, acquire, or use a surveillance technology if it determines the benefits of the surveillance technology outweigh its costs, that the proposal will safeguard civil liberties and civil rights, and that the uses and deployments of the surveillance technology will not be based upon discriminatory or viewpoint-based factors or have a disparate impact on any community or group. To assist the public in participating in such an analysis, all approved Surveillance Impact Reports and Surveillance Use Policies shall be made available to the public, at a designated page on the relevant municipal entity's public website, for as long as the related surveillance technology remains in use. An approval for the funding, acquisition and/or use of a surveillance technology by the City Council, where the risk of potential adverse impacts on civil liberties or civil rights has been identified in the Surveillance Impact Report pursuant to subsection (d)(5)(A), shall not be interpreted as an acquiescence to such impacts, but rather as an acknowledgement that a risk of such impacts exists and must be affirmatively avoided.
- (i) A municipal entity that obtains approval for the use of a surveillance technology must submit to the City Council, and make available on its public website, an Annual Surveillance Report for each specific surveillance technology used by the municipal entity within twelve (12) months of City Council approval, and annually thereafter on or before March 15. The Annual Surveillance Report shall, at a minimum, include the following information for the previous calendar year:
1. A summary of how the surveillance technology was used; drone flight data as recorded through any drone management platform utilized;
 2. Whether and how often collected surveillance data was shared with any external persons or entities, the name(s) of any recipient person or entity, the type(s) of data disclosed, under what legal standard(s) the information was disclosed, and the justification for the disclosure(s);
 3. Where applicable, a breakdown of where the surveillance technology was deployed geographically, by individual census tract as defined in the relevant year by the United States Census Bureau, and whether the surveillance took place at or near a venue likely to house children and youth (such as a school, park, daycare center, community center, or the like). For each census tract, the municipal entity shall report how many individual days the surveillance technology was deployed and what percentage of those daily-reported deployments were subject to (A) a warrant, and (B) a non-warrant form of court authorization;
 4. Where applicable, and with the greatest precision that is reasonably practicable, the amount of time the surveillance technology was used to monitor Internet activity, the number of people affected, including the number of children and youth under the age of eighteen, and what percentage of the reported monitoring was subject to (A) a warrant, and (B) a non-warrant form of court authorization;
 5. A summary of complaints or concerns that were received about the surveillance technology;
 6. The results of any internal audits, any information about violations of the

Surveillance Use Policy, and any actions taken in response;

7. An analysis of any discriminatory, disparate, and other adverse impacts the use of the technology may have had on the public's civil liberties and civil rights, including but not limited to those guaranteed by the First, Fourth, and Fourteenth Amendments to the United States Constitution; and
 8. Total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.
- (j) Within thirty (30) days of submitting and publicly releasing an Annual Surveillance Report pursuant to subsection (i), the municipal entity shall hold one or more well-publicized and conveniently located community engagement meetings at which the general public is invited to discuss and ask questions regarding the Annual Surveillance Report and the municipal agency's use of surveillance technologies.
- (k) The City Council shall review each Annual Surveillance Report within three (3) months of its submission. Based upon information provided by the unmanned aerial vehicle management platform, if one is utilized, and in the Annual Surveillance Report, the City Council shall determine whether each surveillance technology identified in response to subsection (i), as used by the report-submitting entity, has met the standard for approval set forth in subsection (h) and, if not, whether the use of the surveillance technology shall be discontinued or if City Council will require modifications to the Surveillance Use Policy that will resolve the observed failures. These determinations shall be made by a majority vote of City Council members at the next City Council meeting, at which there is quorum, after the date the review of the report is required. The president or majority leader of City Council shall then direct the Hartford Corporation Counsel's Office to send a letter, within seven (7) days of City Council's vote, to the municipal entity notifying the entity that it may continue to use the surveillance technology, it shall discontinue the use of the surveillance technology, or it shall make modifications to the Surveillance Use Policy that will resolve the observed failures.
- (l) Not later than January 31 of each year, the City Council or its appointed designee shall release an annual public report, in print and on its public website, containing the following information for the preceding calendar year:
1. The number of requests for approval submitted to the City Council under this ordinance for the funding, acquisition, or new use of surveillance technology;
 2. The number of times the City Council approved requests submitted under this ordinance for the funding, acquisition, or new use of surveillance technology;
 3. The number of times the City Council rejected requests submitted under this ordinance for the funding, acquisition, or new use of surveillance technology;
 4. The number of times the City Council requested modifications be made to Surveillance Impact Reports and Surveillance Use Policies before approving the funding, acquisition, or new use of surveillance technology; and

5. All Annual Surveillance Reports submitted pursuant to subsection (i). Printed copies of the public report may contain pinpoint references to online locations where the Annual Surveillance Reports are located, in lieu of reprinting the full reports.
 6. Data provided through any unmanned aerial vehicle management platform utilized, including but not limited to flight logs, number of deployments, and equipment maintenance.
- (m) Municipal employees or agents, except in response to a declared municipal, state, or federal state of emergency, shall not use any surveillance technology except in a manner consistent with policies approved pursuant to the terms of this ordinance, and may in no circumstances utilize surveillance technology in a manner which is discriminatory, viewpoint-based, or violates the City Charter, State Constitution, or United States Constitution. Any municipal employee who violates the provisions of this ordinance, or any implementing rule or regulation, may be subject to disciplinary proceedings and punishment. Any violation of the provisions of this ordinance shall be noted in the employee's human resources record.
- (n) No municipal entity or anyone acting on behalf of a municipal entity may take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment, including but not limited to discriminating with respect to compensation, terms, conditions, access to information, restrictions on due process rights, privileges of employment, or civil or criminal liability, because the employee or applicant was perceived to, about to, or assisted in any lawful disclosure of information concerning the funding, acquisition, or use of a surveillance technology or surveillance data to any relevant municipal agency, municipal law enforcement, prosecutorial, or investigatory office, or City Council Member, based upon a good faith belief that the disclosure evidenced a violation of this ordinance.
- (o) It shall be unlawful for the city or any municipal entity to enter into any contract or other agreement that conflicts with the provisions of this ordinance, and any conflicting provisions in such contracts or agreements, including but not limited to non-disclosure agreements, shall be deemed void and legally unenforceable. Conflicting provisions in contracts or agreements signed prior to the enactment of this ordinance shall be deemed void and legally unenforceable to the extent permitted by law. This section shall not apply to collective bargaining agreements and related memorandums of agreement or understanding that pre-date this ordinance.
- (p) It shall be unlawful for the city or any municipal entity to enter into any contract or other agreement that facilitates the receipt of surveillance data from, or provision of surveillance data to any non-governmental entity in exchange for any monetary or any other form of consideration from any source, including the assessment of any additional fees, interest, or surcharges on unpaid fines or debts. Any contracts or agreements signed prior to the enactment of this ordinance that violate this section shall be terminated as soon as is legally permissible.
- (q) The provisions in this ordinance are severable. If any part or provision of this

ordinance, or the application of this ordinance to any person or circumstance, is held invalid, the remainder of this ordinance, including the application of such part or provisions to other persons or circumstances, shall not be affected by such holding and shall continue to have force and effect.

- (r) This ordinance shall take effect upon adoption.

Section 2-49. Use of unmanned aerial vehicles by City employees.

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

Employee means any person employed by the City in any capacity whether elected or appointed, whether as a classified employee, unclassified employee, or on a contractual basis, permanent or temporary, full-time or part-time and all employees of the board of education. Employee also includes any person employed by any City department, office or agency, and any person, whether appointed or under contract, who provides services for the City, or any other political subdivision of the City for which a pension is provided.

Employee of the Hartford Fire Department means the fire chief, fire marshal, and the officers and members of the Hartford Fire Department.

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

Municipal entity shall mean any municipal government, agency, department, bureau, division, or unit of this City.

Unmanned aerial vehicle means any contrivance used or designed for navigation of or flight in air that is power-driven and operated remotely or 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 of the City Charter. This subsection shall be enforced by the Hartford chief of police.
- (c) No person who, as part of his or her duties as a City employee, 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 City employee shall operate an unmanned aerial vehicle, unless:

(1) The City employee is a law enforcement officer; and

A. 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; or

B. 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.

(i) The Hartford Police Department must provide the City Council with a credible risk report within thirty (30) days in all incidences involving the operation of an unmanned aerial vehicle due to an exigent circumstance exemption. A credible risk report shall include the date the Hartford Police Department operated an unmanned aerial vehicle without a warrant; the facts leading the law enforcement officer to have probable cause to believe that a criminal offense was committed, was being committed, or would be committed; the facts the law enforcement officer relied upon to determine that exigent circumstances existed; and a narrative that offers the law enforcement officer's justification for using an unmanned aerial vehicle without a warrant; and unmanned aerial vehicle flight data.

(2) The City employee is a law enforcement officer, employee of the Hartford Fire Department, or a designated employee of the Hartford City Tax Collector's Office; and

A. The operation is pursuant to training activities conducted by the employee while on land owned or leased by the federal or state government and does not occur in an area that is substantially populated;

B. The operation is used to reconstruct or document a specific crime or accident scene, motor vehicle accident, or hazardous materials accident;

C. The operation is used to assist and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations; or

D. The operation is used to assist in and manage severe weather emergencies, flood events, or search and rescue missions involving

missing person investigations, AMBER Alerts, and Silver Alerts; or

E. The operation is used to take photos of property for the purposes of assessing the value of real property for local real estate taxation purposes.

(3) 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.

(4) 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.

(5) Any public event that has filed for a permit with the City of Hartford has requested public safety assistance and has over ten thousand (10,000) registered event participants.

(A) Event promoters and organizers must notify all registered participants at least one (1) day in advance of the event that the City of Hartford will deploy unmanned aerial vehicles during the event to surveille the public.

(6) Operation of an unmanned aerial vehicle shall not take place at or near venues that house children under the age of eighteen, such as schools, playgrounds, day care centers, or group homes unless there is a warrant for a specific individual. In the event that there is a warrant, steps must be taken to protect the confidentiality of all other individuals under the age of eighteen.

(7) The operation will not be used to replace a member of the civil service sector.

(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 information concerning parts of private property not visible from public property, to be ascertained or if the City employee 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 (3) or (4) 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 (1)(B), (2)(A), (2)(B), (2)(C), (2)(D), (2)(E) or (5) of subsection (d) of this section that concerns an individual or privately owned property shall be reviewed by the municipal entity that operated the unmanned

aerial vehicle not later than thirty (30) 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 municipal entity (A) shall destroy such information not later than forty-eight (48) 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 (5) years from the date of collection and, after such retention, shall destroy the modified information.

(3) If such information was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (1)(B), (2)(A), (2)(B), (2)(C), (2)(D), or (5) of subsection (d) of this section and 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 municipal entity may retain such information for a period of not more than five (5) 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. If such information was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2)(E) and allows the identity of an individual or privately owned property to be ascertained, the municipal entity (A) shall destroy such information not later than forty-eight (48) hours after its 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 (5) years from the date of collection and, after such retention, shall destroy the modified information. Information collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2)(E) shall not be used in the prosecution of a crime.

(4) No municipal entity or City employee shall, by using facial recognition software, appearance similarity video synopsis software, or any similar technology, analyze information that was collected through the operation of an unmanned aerial vehicle.

(i) Not later than ninety (90) days after the Court of Common Council of the City of Hartford's adoption of this section, each municipal entity shall adopt and maintain a written policy that meets the policies set forth in this section. Each municipal entity's policy shall require all City employees who operate unmanned aerial vehicles to complete a Federal Aviation Administration approved training program to ensure proper use and operations. Prior to deploying or operating an unmanned aerial vehicle, each municipal entity shall obtain all applicable authorizations, permits, and/or certifications required by the Federal Aviation Administration, and these authorizations, permits, and certificates shall be maintained and current, as required by the Small Unmanned Aircraft Systems federal regulations, C.F.R. § T. 14, Ch. I, Subch. F, Pt. 107.

(j) Not later than ninety (90) days after the Court of Common Council of the City of Hartford's adoption of this section, the City of Hartford Corporation Counsel's office

will make accessible a standard incident report form for all applicable municipal entities, to 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 or had been, and (7) whether an arrest or arrests were made. The unmanned aerial vehicle incident report shall be completed, within seven (7) days of a City employee's use of an unmanned aerial vehicle, each time an unmanned aerial vehicle is used by a City employee. One hundred and eighty (180) days after the adoption of this section, a municipal entity that completed any unmanned aerial vehicle incident reports subsequent to the adoption of this section shall submit those reports to the City Council. After the first submission of reports one hundred and eighty (180) days after the adoption of this section, a municipal entity that completed any unmanned aerial vehicle incident reports since its last submission of reports to the City Council shall submit those reports to the City Council on March 15, June 15, September 15, and December 15 of each year. In addition to these biannually reports (every six months), a municipal entity that has completed any unmanned aerial vehicle incident reports subsequent to the adoption of this section shall provide, within seven (7) days, individual or multiple incident reports to the City Council if requested to do so by a City Council member.

- (k) Each municipal entity that operates unmanned aerial vehicles must include in its Annual Surveillance Report, as required by subsection (i) of Section 2-48 of the City Charter, a report that includes, but need not be limited to: (1) The number of times the municipal entity 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, (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 City employee, (8) whether the unmanned aerial vehicle was used to assist in and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations, (9) whether the unmanned aerial vehicle was used to assist in and manage severe weather emergencies, flood events, or search and rescue missions involving missing person investigations, AMBER Alerts, and Silver Alerts, (10) all credible risk reports for all incidents under which an unmanned aerial vehicle was operated due to exigent circumstances, and (11) whether the public was given notice for each incident in which a city agency operated a unmanned aerial vehicle.
- (l) Required liability insurance for unmanned aerial vehicles will be purchased by the City of Hartford, in accordance with state law, federal law, and any applicable regulations.
- (m) This ordinance shall take effect upon adoption.

Hartford Proposed Surveillance Technology and Drone Ordinance Summary

Sec. 2-48. – City Council’s power to protect city residents regarding surveillance technology.

Subsection (a) - Definitions

Provides definitions for the entire section. “Discriminatory,” “disparate impact,” “municipal entity,” “surveillance data,” “surveillance technology,” “unmanned aerial vehicle,” and “viewpoint-based” are defined. The word “contrivance,” as used in the definition of “unmanned aerial vehicle,” means device.

Subsection (b) – City Council Approval of Surveillance Technology and Public Hearings

Requires a municipal entity to get approval from City Council before seeking funds for, preparing to acquire, or borrowing new surveillance technology or using new or existing surveillance technology in a way that has not been approved by City Council.

Requires City Council to hold a public hearing before giving approval to a municipal entity. If City Council doesn’t hold a hearing within 120 days of the start of the approval process, the inaction is deemed a rejection.

Allows City Council to ask for more information at any time before giving approval.

Subsection (c) – Surveillance Impact Reports and Surveillance Use Policies

Requires a municipal entity to submit and make publicly available a Surveillance Impact Report and a Surveillance Use Policy regarding the surveillance technology for which it is seeking City Council’s approval before using the technology.

Allows City Council to request that the municipal entity make revisions to its report or policy before it approves or rejects them.

Subsection (d) – Surveillance Impact Reports

Lists components that a municipal entity must include in a Surveillance Impact Report. Components include the description, purpose, and cost of technology; where it will be used; and an assessment of potential impacts on civil liberties and rights and how the public will be safeguarded.

Subsection (e) - Surveillance Use Policies

Lists components that a municipal entity must include in a Surveillance Use Policy, a written policy governing the municipal entity’s use of the surveillance technology. Components include the purpose, specific uses of the technology, data collection, data protection, data retention, surveillance data sharing and access, auditing and oversight, and complaints.

Subsection (f) – Continued Use of Surveillance Technology Acquired before Effective Date

Requires a municipal entity to commence a City Council approval process within 120 days of the ordinance’s effective date if it wants to continue to use surveillance technology that was in use prior to the ordinance’s effective date.

Requires a municipal entity to stop using surveillance technology and sharing surveillance data if City Council does not approve its continued use of the technology, including the Surveillance Impact Report and Surveillance Use Policy, within 180 days of their submission to City Council. A municipal entity may use the technology once it has City Council’s approval.

Subsection (g) – Lead Municipal Entity

Requires the identification of a lead municipal entity if more than one entity will have access to the surveillance technology or data. The lead entity is responsible for maintaining the technology and ensuring compliance with laws, regulations, and protocols.

Subsection (h) – City Council's Approval

Allows City Council to approve requests regarding surveillance technology only if (1) the benefits of the technology outweigh the costs, (2) the proposal will safeguard civil liberties and rights, and (3) the surveillance technology will not be used in a discriminatory manner that causes a disparate impact on any community or group.

Makes clear that City Council's approval of a proposal that identifies potential civil liberties or rights impacts is an acknowledgement that the risk exists and must be proactively avoided.

Subsection (i) – Annual Surveillance Report

Requires a municipal entity with approval to use surveillance technology to submit an Annual Surveillance Report for each specific surveillance technology used in the year after City Council's approval to City Council and annually before March 15.

Lists required Annual Surveillance Report components, including a summary of how the technology was used, information about the sharing of data, where the technology was deployed geographically, information about the technology's use to monitor Internet activity, complaints received, internal audits, an analysis of discriminatory impacts the use may have had on the public's civil liberties and rights, and the total annual costs for the technology.

Subsection (j) – Engagement Meetings

Requires the municipal entity, within 30 days of submitting and publicly releasing its Annual Surveillance Report, to hold one or more community engagement meetings where the general public can discuss and ask questions about the Annual Surveillance Report and the use of the technologies.

Subsection (k) – Annual Surveillance Reports Approval

Requires City Council to review each Annual Surveillance Report within 3 months of its submission. After the date by which the review is required, City Council must take a vote at the next meeting where there is quorum to determine, based on an Annual Surveillance Report, whether surveillance technology has met the standard for approval. If it has not met the standard for approval, City Council must determine by a vote whether the use of the surveillance technology should be discontinued or if it will require modifications to the Surveillance Use Policy to resolve the issues. All determinations must be made by a majority vote of City Council.

The president or majority leader of City Council must direct the Hartford Corporation Counsel's Office to send a letter, within 7 days, notifying the entity to that it may continue its use of the technology, it must stop using the technology, or it must make modifications to its Surveillance Use Policy.

Subsection (l) – City Council Annual Report

Requires City Council to release, not later than January 31 of each year, an annual public report that contains the number of requests submitted, the number of approvals and rejections, the number of requested modifications of Surveillance Impact Reports and Surveillance Use Policies, and all Annual Surveillance Reports submitted to the City Council.

Subsection (o) – Use of Surveillance Technology by Municipal Employees or Agents

Prohibits municipal employees or agents from using the technology in a manner that is inconsistent with the policies City Council approved and prohibits the use of the technology in a manner that is discriminatory, viewpoint-based, or violates the Hartford Charter, CT Constitution, or U.S. Constitution. An employee who violates the ordinance may be subject to disciplinary proceedings and punishment.

Subsection (q) – Whistleblower Protection

Prohibits a municipal entity from retaliating against an employee or applicant because they assist in disclosing information to a municipal agency about a violation of the ordinance.

Subsection (r) – Contracts/Agreements in Conflict with Ordinance

Prohibits Hartford or a municipal entity from entering into a contract or agreement that conflicts with the ordinance. Deems void and legally unenforceable any such contract or agreement, whether signed before or after the effective date of the ordinance.

Subsection (s) – Selling Data

Prohibits Hartford or a municipal entity from entering into a contract or agreement to receive money or other forms of consideration for providing surveillance data to non-governmental entities.

Subsection (t) – Severability

States that if any part of the ordinance is found to be invalid, the other parts of it will continue to be valid.

Subsection (u) – Effective Date

Requires ordinance to take effect upon adoption.

Sec. 2-49. -- Use of drones by City employees.

Subsection (a) - Definitions

Provides definitions for the entire section. "Employee," "employee of the Hartford Fire Department," "law enforcement officer," "municipal entity," and "unmanned aerial vehicle" are defined. The word "contrivance," as used in the definition of "unmanned aerial vehicle," means device.

Subsection (b) -- Individual Prohibitions, Municipal Citation for Violation

Prohibits an individual, unless otherwise provided by law, from operating or using any computer software or other technology, including a drone, to (1) release tear gas or a similar deleterious agent or (2) remotely control a deadly weapon, explosives, or an incendiary device. An exception is given for a person performing their duties as a law enforcement officer.

Allows the issuance of a municipal citation to a person who violates this subsection and requires that any person issued such a citation be subject to a fine of \$1,000. Allows a person issued such a citation to appeal the citation to a hearing officer within 10 days of receipt. Requires the Hartford chief of police to enforce this subsection.

Subsection (c) -- City Employee Prohibitions

Prohibits a city employee from operating a drone to (1) release tear gas or a similar deleterious agent or (2) remotely control a deadly weapon, explosives, or an incendiary device.

An exception is given for a law enforcement officer who operates a drone equipped with explosive detection, detonation, or disposal equipment, if the officer is authorized by the federal or state government to detect, detonate, and dispose of explosives and the officer is engaged in that activity.

Subsection (d) -- City Employee Drone Use Exceptions

Prohibits a city employee's use of a drone unless:

(1) The city employee is a law enforcement officer, and

(A) A judge of the Superior Court or judge trial referee has issued a warrant authorizing the use; or

(B) 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 a drone. The Hartford Police Department must submit a credible risk report to the City Council within 30 days if a drone is used under the exigent circumstances exception.

(2) The city employee is a law enforcement officer or Hartford Fire Department employee, and

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

(B) The operation is used to reconstruct or document a specific crime or accident scene, motor vehicle accident, or hazardous materials accident;

(C) The operation is used to assist and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations; or

(D) The operation is used to assist in and manage severe weather emergencies, flood events, or search and rescue missions involving missing person investigations, AMBER Alerts, and Silver Alerts.

(3) The individual who will be the subject of the information collected by the operation of a drone has given advance written consent, if the person 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.

(4) The owner of the property that will be the subject of the information collected by the operation of the drone has given advance written consent to its use.

(5) The operation is used for a permitted public event that has requested public safety assistance and has over 10,000 registered participants. Event promoters and organizers must notify registered participants at least 1 day in advance that the city will use drones during the event.

(6) Prohibits the operation of drones at or near venues that house children under 18 unless there is a warrant for a specific individual. If there is such a warrant, the entity is required to take steps to protect the confidentiality of all others under 18.

Subsection (e) – Individual or Property as Subject of Information

Provides that an individual or privately owned property is considered to be the subject of information collected by the operation of a drone when (1) the information collected allows the identity of the person or property to be ascertained or (2) the city employee operating the drone acknowledges that the person or property was the subject.

Subsection (f) – Retention of Information Collected Pursuant to Warrant

Allows information collected through drone use that concerns a person or privately owned property that was the subject of a warrant [(d)(1)(A)] to be retained pursuant to the warrant.

Subsection (g) – Retention of Information Collected Pursuant to Written Consent

Allows information collected through drone use where the individual who is the subject or the owner of property that is the subject gave advance written consent [(d)(3) and (d)(4)] to be retained pursuant to the advance written consent.

Subsection (h) – Review, Retention, and Modification of Information

- (1) Requires information collected through drone use where the officer had probable cause to believe that a criminal offense had been, was being or would be committed and exigent circumstances made it unreasonable to obtain a warrant [(d)(1)(B)]; the operation was pursuant to training activities [(d)(2)(A)]; the operation was used to reconstruct or document a specific crime or accident scene, motor vehicle accident, or hazardous materials accident [(d)(2)(B)]; the operation was used to assist and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations [(d)(2)(C)]; the operation was used to assist in and manage severe weather emergencies, flood events, or search and rescue missions involving missing person investigations, AMBER Alerts, and Silver Alerts [(d)(2)(D)]; or the operation was used for a permitted public event that had requested public safety assistance and had over 10,000 registered participants [(d)(5)], that concerns an individual or privately owned property to be reviewed by the municipal entity within 30 days after its collection.
- (2) The information must be destroyed within 48 hours of the review or must be modified so that the identity cannot be ascertained if the identity of a person or privately owned property can be ascertained and there is no probable cause to believe an offense was committed by the person or on the property. If the information is modified, the information may be retained for no more than 5 years after collection and then must be destroyed.
- (3) The information may be retained for no more than 5 years after collection and then must be destroyed if the identity of a person or privately owned property can be ascertained and there is probable cause to believe an offense was committed by the person or on the property. If a warrant is issued based in part on such information, though, it may be retained pursuant to the warrant.
- (4) Prohibits municipal entities and city employees from analyzing information a drone collected by using facial recognition or appearance similarity video synopsis software.

Review, Retention, and Modification of Information

Drone Use Exception	Information Collected	Review	Retention	Modification
Warrant, Exception (d)(1)(A)	Concerns an individual or privately owned property that is subject of warrant, Subsection (f)	Not applicable, unless specified in warrant	Pursuant to warrant, Subsection (f)	Not applicable, unless specified in warrant
Advance written consent by individual or property owner, Exceptions (d)(3), (d)(4)	Concerns an individual or privately owned property, Subsection (g)	Not applicable, unless specified in advance written consent	Pursuant to advance written consent, Subsection (g)	Not applicable, unless specified in advance written consent
Exigent circumstances, Exception (d)(1)(B)	Concerns an individual or privately owned property, Subsection (h)	Not later than 30 days after collection, Subsection (h)	If identity of individual or privately owned property can be ascertained	
Training activities, Exception (d)(2)(A)			AND	
Reconstruction of scenes and accidents, Exception (d)(2)(B)			(1) No probable cause to believe offense was committed by individual or on property:	
Pre-fire planning, fires, and post-fire investigations, Exception (d)(2)(C)			(a) Destroy within 48 hours of review (within 32 days after collection)	
Severe weather emergencies and search and rescue missions, Exception (d)(2)(D)			OR	
Public event, Exception (d)(5)			(b) Modify permanently so identity can't be ascertained (then can retain for 5 years from date of collection before destroying)	
			(2) Probable cause to believe offense was committed by individual or on property:	
			(a) Retain for 5 years from date of collection before destroying,	
			Subsection (h)	

Subsection (i) – Municipal Entity Policies and Employee Training

Requires all Hartford municipal entities to develop and maintain a written policy that meets or exceeds the ordinance's policies within 90 days of the ordinance's adoption.

Requires all city employees who operate drones to complete a Federal Aviation Administration (FAA) approved training program, and requires a municipal entity to obtain all applicable authorizations, permits, and/or certifications required by the FAA before using drones.

Subsection (j) – Incident Report Form

Requires each municipal entity to create a drone incident report form within 90 days of the ordinance's adoption and lists required components of the form. A form must be completed within 7 days of each city employee's use of a drone.

Requires a municipal entity that completed any drone incident reports after the adoption of the ordinance to submit its reports to the City Council 180 days after the adoption of the ordinance. Requires a municipal entity to submit its reports quarterly to City Council after the first submission of reports.

Requires a municipal entity to provide, within 7 days, an incident report or reports to the City Council if a City Council member requests the report or reports.

Subsection (k) – Annual Surveillance Reports

Requires each municipal entity that uses a drone to include specific information about its drone use for the previous year in its Annual Surveillance Report, which is required earlier in the ordinance by (i) of Section 2-48.

Subsection (l) – Liability insurance

Requires the City of Hartford to acquire a liability insurance for the unmanned aerial vehicles.

Subsection (m) – Effective Date

Requires ordinance to take effect upon adoption.

Introduced by: **James Sánchez, Majority Leader**

**HEADING
AND
PURPOSE**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE MUNICIPAL CODE OF
HARTFORD**

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

November 13, 2018

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

That Chapter 2 of the Municipal Code of Hartford be amended, adding Article XXIII, Section 2-938, as follows:

ARTICLE XXIII. - DRONES

Sec. 2-938. – Drone Use by Police and Fire Departments.

Not later than ninety (90) days from the date of the enactment of this ordinance, the City of Hartford Police Department and the City of Hartford Fire Department shall each promulgate a written policy governing the use of drones in the respective operations of their respective departments. The aforementioned policies shall be promulgated solely in accordance with applicable State and Federal rules, laws, codes, regulations, rulings, requirements, policies and orders, and, with the exception of this ordinance, and to the extent allowed by law, to the exclusion of any and all municipal laws. The aforementioned City of Hartford departments shall use drones in their respective operations in strict compliance with the respective written policies promulgated hereunder and solely in accordance with applicable State and Federal rules, laws, codes, regulations, rulings, requirements, policies and orders, and, with the exception of this ordinance, and to the extent allowed by law, to the exclusion of any and all municipal laws. As used herein, the term "drone," or language of similar import, shall be construed to apply to any Unmanned Aircraft System as the same is defined by Federal law. As used herein, the term "operations" shall be construed to apply to the ordinary and/or necessary activities of the department in question, including, but not limited to, the recording and storage of images and/or sounds. Where this ordinance and any other City of Hartford ordinance deal with the same subject matter, this ordinance shall prevail, to the exclusion of the other ordinance, so far as they conflict.

This ordinance shall take effect upon enactment.

ITEM# 15 ON AGENDA

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Legislative Affairs Committee

John Q. Gale, Chair

James Sanchez

Maly D. Rosado

Larry Deutsch

Claudine Fox

Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
Jo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

REPORT

November 26, 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 Legislative Affairs Committee meeting of the Court of Common Council of the City of Hartford met on November 14, 2018 at 5:30 pm in Council Chambers. Present were John Q. Gale and Majority Leader Councilman James Sanchez.

The following action was taken:

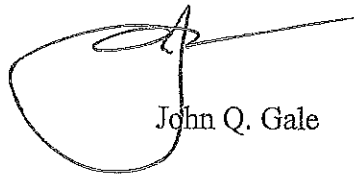
Motion by Councilman Gale and seconded by Councilman Sanchez to send the following Agenda item back to Council with a favorable recommendation:

7. **RESOLUTION CONCERNING THE APPROVAL OF THE REGULATIONS GOVERNING THE USE OF UNMANNED AERIAL VEHICLES BY THE HARTFORD POLICE DEPARTMENT IN ACCORDANCE WITH THE PROCESSES RECOMMENDED BY THIS RESOLUTION. (ITEM #17 ON AGENDA of May 14, 2018)**

Vote 2-0 in favor of motion taken as follows:

Gale	- yes
Sanchez	- yes
Deutsch	- absent
Fox	- absent
Rosado	- absent

Your chair,

A handwritten signature in black ink, appearing to be 'John Q. Gale', written over the printed name.

John Q. Gale

INTRODUCED BY:
Councilman James Sanchez

COURT OF COMMON COUNCIL
City of Hartford, April 23, 2018

WHEREAS, The City has recently accepted funds from the Connecticut Department of Economic and Community Development (DECD). These funds have been allocated to the Police Department's Capital City Crime Center (C4). A portion of these funds will allow the C4 to purchase two (2) unmanned aircraft systems (drones) that will be used to limit police pursuits, assist police in apprehending fleeing criminals, and provide both surveillance and traffic calming measures for large scale events such as, but not limited to, parades, marathons, and festivals; and

WHEREAS, Drones will help decrease City liability by reducing the need for police vehicles to be involved in police pursuits. Drones will also be capable of following ATVs and dirt bikes so that location information can be provided to officers in the area once the vehicle(s) have stopped and the operators can be detained safely; now, therefore, be it

RESOLVED, That not later than ninety days after the Court of Common Council of the City of Hartford's approval of this resolution, the Hartford Police Department shall adopt and maintain a written policy that shall be consistent with both Federal and State of Connecticut statutes, protections afforded under the United States Constitution and State of Connecticut Constitution, relevant case law, and National best practices. Such policy shall be designed to protect citizens' civil rights and their right to privacy. In the interest of transparency, this policy will be posted on the Police Department's web site for public viewing; and be it further

RESOLVED, That not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this resolution, the Hartford Police Department shall promulgate an unmanned aerial vehicle incident report form, which shall include, but not be limited to: the flight time; the reason for the flight, the time, date, and location of the flight; the name of the supervisor approving the deployment as well as the staff assigned to the deployment; and a summary of the activities covered, actions taken, and outcomes from the deployment; and be it further

RESOLVED, That not later than January thirty-first of each year, the Hartford Police Department shall prepare an annual report summarizing the information contained in each unmanned aerial vehicle incident report form. This annual report shall be available not later than January thirty-first of each year; and be it further

RESOLVED, That the Court of Common Council approves the regulations governing the use of unmanned aerial vehicles by the Hartford Police Department in accordance with the processes recommended by this resolution.



Luke A. Bronin
Mayor

May 28, 2019

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

RE: Housing Code Revisions

Dear Council President Thames,

Attached for your consideration is a draft ordinance that repeals and replaces housing-related provisions in city ordinance with an entirely new, streamlined, and innovative Housing Code.

It is important to recognize that much of Hartford's housing stock is old and in poor condition, and that the adoption of a new Code cannot legislate away the very real, practical and costly challenges to improving the overall quality of housing. However, by clarifying both Code requirements and the City's enforcement authority, I believe this Code will provide us with important tools for promoting better quality housing, over time, for Hartford residents.

Among other things, the new Housing Code aims to: enact citywide standards for clean, safe, and habitable housing; improve indoor air quality, with a goal of reducing asthma and symptoms of allergies, and minimizing the presence of toxic levels of lead; empower city officials to inspect properties to assess compliance; clarify the scope of enforcement authority; align the Code with zoning regulations adopted by the Planning and Zoning Commission; and promote environmentally sustainable practices.

To achieve these goals, the new Housing Code consolidates, expands, and clarifies existing provisions for rooming houses and group living facilities. For the first time, the proposed Code allows the city to license and regulate hotels. Perhaps most significantly, the proposed Code requires apartment buildings with three or more units to be licensed on a four-year cycle, providing the opportunity for periodic, predictable inspections for the health and safety of occupants.

The proposed Code sets forth general provisions that are common to all housing, and other provisions that are specific to the four types of housing regulated in the Code (dwellings, hotels, group living facilities, and rooming houses). Some of these provisions, like ensuring light and air and maintaining walls and foundations in good repair, are fairly common among communities. Other provisions are less common and are tailored to our community's specific needs. For example, this proposed Code allows the City to impose violations for failure to address bulky waste or provide recycling bins. In addition, to help improve our voter registration rate, the Code requires (as does the current Chapter 18) voter registration cards be given to every new adult occupant of a housing unit.

In addition, this proposed Housing Code seeks, to the extent possible, to address concerns regarding environmental hazards and public health. For the first time, the proposed Housing Code sets forth specific requirements for housing owners with regard to lead paint. Consistent with state law, it requires landlords to allow tenants to make energy conservation improvements. It also requires owners to obtain inspection reports of heating facilities each time they renew a license. The Code establishes landscaping maintenance requirements, promoting healthy trees while prohibiting plants that cause human health concerns. If adopted, it will be one of the few housing codes in the country to specifically address mold, imposing liability on owners to remediate visible or known mold in accordance with State Department of Health recommended measures.

The Housing Code also makes it easier for the city to bring violators to justice. It seeks to address the issue of property ownership schemes that obscure the identities of responsible parties, by requiring information submitted in any application to include the name of a responsible human being, including a copy of a driver's license, even if the owner is a limited liability company, a corporation, or a trust. In addition, the Housing Code imposes the maximum fine of \$1,000 for failure to truthfully list a residential address.

For the first time, the process and criteria for suspending or revoking licenses are clearly delineated. Once a violation is found, Article IX of the Code outlines several consequences, ranging from fines to liens to judicial action and condemnation. For every fine available to be imposed, the Housing Code adopts the maximum fine available to it under State law. Moreover, the Code requires an additional fine for each and every violation and for each and every day the violation continues. Article X deals with appeals, should someone object to an order.

At the same time, the Housing Code seeks to be sensitive to the needs of the owners and operators of residential property. It waives fees for certificates of apartment occupancy and certifies apartments for occupancy when property owners obtain a valid license. Licensing fees can be significantly reduced if an owner elects to use a self-certification process, once such process is established by the city. The overall fees for apartment owners will in many cases likely remain about the same, because the new residential licensing program will spread fees over a four-year period. For example, for a building of 20 units, the proposed licensing fee would be \$1,075, and if the building exceeds the licensing standards, no additional certificate of apartment occupancy would be required for four years. By contrast, current city ordinance requires that apartment owners obtain certificates of apartment occupancy, costing \$25, every time a unit is vacated. Over four years, assuming that 10 of the units are vacated each year, the owner would currently be required to pay \$1,000 in certificate of apartment occupancy fees.

The owner of a building of 5 units would be paying \$260 for the proposed four-year licensing period, while under the current code, assuming that the 5 units turn over biannually, the same property owner is required to pay \$250 over a four-year period. Similarly, the fees for rooming houses will remain the same. On the other hand, hotels and group living dwellings, which have not been regulated (other than rehabilitation homes) will see fees where no fees have previously been imposed.

The Code also protects owners in that it contains a section devoted to the responsibilities of occupants, who may also be held liable under the code for violations affecting the health, safety and comfort of other residents. Overall, and over time, the Code will benefit the owners of housing by promoting improved housing quality, which will in turn improve property values that safeguard the investment property owners have made in the city.

Finally, and importantly, the Housing Code will be clearer and easier to administer. To ensure that we are making sound decisions, the application process will become more rigorous, closing loopholes used by property owners seeking to hide their identities and requiring various certificates, reports, and proof of insurance. To ensure city staff can implement the changes, the requirements for apartment buildings and group living facilities will be phased in over a four-year period. To bring new revenues to the city, the Code will impose licensing fees more consistent with other Connecticut cities, including Stamford and New Haven.

Thank you for your consideration of this proposal. The quality of housing in Hartford has a profound effect on the quality of life of our residents. As with any proposal, there will be ample opportunity to review, discuss and amend these proposed revisions as this proposal moves through the legislative process. We look forward to working with you to enact a Code that is more clear, more enforceable, and more effective than our current ordinance.

Respectfully submitted,



Luke A. Bronin
Mayor

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

Introduced
by:

Luke A. Bronin, Mayor

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 24, CHAPTER 30, AND
CHAPTER 18 OF THE MUNICIPAL CODE OF HARTFORD TO CREATE
THE HOUSING CODE ("HOUSING CODE")

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

May 28, 2019

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

That Chapter 24-9 and Chapter 30 of the Municipal Code of Hartford shall be repealed, Chapter 18 of the Municipal Code shall be deleted in its entirety and in its place is substituted the following:

Chapter 18 – HOUSING

ARTICLE I. GENERALLY

Sec. 18-1. – Title.

This chapter shall be known and referred to as the "Housing Code of the City of Hartford."

Sec. 18-2. – Purpose

The purpose of this chapter is to promote the public health, safety, and general welfare with respect to housing in the city of Hartford by achieving all of the following:

- A. Enacting citywide standards for clean, safe, and habitable housing to, among other things, improve indoor air quality, prevent asthma, reduce symptoms of allergies, and minimize the presence of toxic levels of lead.
- B. Empowering city officials to inspect properties to assess compliance.
- C. Clarifying the scope of enforcement authority.
- D. Aligning city ordinance with zoning regulations adopted by the planning and zoning commission.
- E. Promoting sustainable practices.
- F. Streamlining for usability and readability.

Sec. 18-3. – Definitions.

- A. Whenever the words “building,” “dwelling,” “dwelling unit,” “rooming house,” “rooming unit,” “hotel,” “hotel unit,” “premises,” and “structure” are used in this chapter, they shall be construed as if they were followed by the words “or any part thereof.”
- B. Except as otherwise provided, the following definitions shall apply in the interpretation and enforcement of this chapter:

Accessory structure means a detached structure (including a building) detached from, but located on the same lot as, a principal structure.

Approved means approved by the local or state authority having administrative authority.

Attic means any story situated wholly or partly within the roof, so designed, arranged or built as to be used for business, storage or habitation.

Authorized agent means an executor, executrix, administrator, administratrix, trustee, conservator, or guardian of the estate, or other individual or entity who is legally authorized to serve as the agent of a third party through a written, executed, unrevoked power of attorney, court order, or other document type acceptable to the director of licenses and inspections, and who is legally bound, through such document, to comply with the provisions of this chapter and the rules and regulations adopted pursuant thereto to the same extent as if he or she were the owner.

Basement means a story of a building located partly underground and having at least half of its height above ground.

Bathroom means a room or group of connected rooms, containing the equipment, fixtures, and materials identified in section 18-61G of this code.

Bed and breakfast has the definition in the zoning regulations

Cellar means a story of a building located partly or wholly underground and having half or more of its height below the level of the grade.

Director of health means the legally designated health authority of the city or his or her designee.

Director of licenses and inspections means the individual leading the office of the division of licenses and inspections within the city department of development services, or such successor agency or subagency, and any designee of such individual.

Dwelling means any enclosed space, other than a group living dwelling, hotel, or rooming house, which is wholly or partly used or arranged or designed to be used for living or sleeping by human occupants.

Dwelling unit means any room or group of rooms connected together that include a bathroom and facilities for living, sleeping, cooking, and eating that are arranged, designed, or intended to be used as living quarters for one household, regardless of form of ownership in which such dwelling unit is held. Dwelling units include efficiency/micro units and condominium units rented for residential use.

Efficiency or micro unit has the definition in the zoning regulations.

Egress means a place or means of going out, as defined by the ordinances, statutes, and regulations of the city and the state.

Extermination means the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as food; by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods approved by the director of health; and exterminate means the act of extermination.

Group living has the definition in the zoning regulations.

Group living for health reasons has the definition in the zoning regulations, as revised and amended from time to time, and also includes rehabilitation homes (as defined in and regulated by prior city ordinance section 30-1, namely, "a dwelling housing a group of persons during a period in which such persons are being housed for periods of more than one (1) day for the purpose of undertaking a program of social rehabilitation or other similar programs, and not required to be licensed by the state as a child care facility pursuant to G.S. § 17-48, or as an institution (hospital, home for the aged, nursing home or rest home) pursuant to G.S. §§ 19a-490 through 19a-503") that as of August 1, 2019 have a valid license from the city for a rehabilitation home.

Group living dwelling means a dwelling that is used as group living, group living for health reasons, residential care, or temporary shelter facility.

Group living unit is any room or group of rooms connected together, intended for living by a person or persons who do not constitute a household, and which does not have a kitchen, and is located within a group living dwelling.

Guest means any person who occupies a housing unit at no charge for rent or occupancy on a nonpermanent status for not more than thirty (30) days.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closet and storage spaces, furnace rooms, kitchenettes and utility rooms, stairways and workshops, and hobby and recreation areas in unsealed or uninsulated parts of a structure below ground level or in attics.

Heated water means water heated to a temperature of no less than one hundred forty degrees Fahrenheit (140° F.).

Heating facility means all equipment, facilities and plumbing necessary to produce heat or hot water or both and deliver same to all habitable space in and around a dwelling unit.

Hotel means a commercial establishment offering temporary lodging to transient guests, including but not limited to bed and breakfasts, motels, and apartment hotels.

Hotel unit means a room or group of rooms located within a hotel and forming a single habitable unit used or intended to be used primarily for living and sleeping but not primarily for cooking or eating purposes.

Housing means dwelling, group living dwelling, hotel, or rooming house, and the premises of such dwelling, group living dwelling, hotel, or rooming house, except where the word "housing" is used as an adjective immediately before another noun, where the context would suggest a more limited definition.

Housing unit means a dwelling unit, group living unit, hotel unit, or rooming unit.

Household has the definition of household in the zoning regulations.

Infestation means the presence, within or around a dwelling, of any insects, rodents or other pests.

Kitchen means a room used for food preparation and storage and containing the equipment, fixtures, and materials identified in section 18-61G of this code.

Kitchenette means a small kitchen or an alcove containing cooking facilities.

Lead statute means the State Lead Poisoning Prevention and Control Act, G.S. §§ 19a-111-1 through 19a-111-11, and all accompanying rules and regulations.

Multi-unit dwelling means any dwelling containing two (2) or more dwelling units, including two-unit dwellings and three-unit dwellings. Attached or row buildings shall be considered a multi-unit dwelling if two (2) contiguous dwelling units in one or more buildings are owned by the same person.

Occupant means any person over one (1) year of age living, sleeping, cooking, eating in, or having actual possession of, a housing unit, except that in dwelling units, a guest will not be considered an occupant.

One-unit dwelling means a dwelling containing one (1) dwelling unit, without any other dwelling units located on the same lot.

Operator means any person who has charge, care or control of a building or part thereof in which housing units are let.

Ordinary summer conditions means a temperature of ten degrees Fahrenheit (10° F.) below the highest recorded temperature in the locality for the prior ten-year period.

Owner means any person who, alone or jointly or severally with others shall have legal or equitable title to any housing or housing unit with or without accompanying actual possession thereof, provided that an owner shall include an authorized agent.

Permissible occupancy means the maximum number of persons permitted to reside in a housing unit.

Plumbing means all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, faucets, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents and any other similar supplied fixture, together with all connections to water, sewer, or gas lines.

Premises means a platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or nondwelling structure, and includes any such building, accessory structure, or other structure thereon.

Privacy means the ability of a person to carry out an activity without interruption, observation, or interference by unwanted persons.

Residential care has the meaning in the zoning regulations.

Rooming house means any dwelling or that part of any dwelling containing one (1) or more rooming units in which space is let by the owner or operator to three (3) but no more than six (6) persons, or any dwelling that as of August 1, 2019, has a valid license from the city for a rooming house. Rooming houses include boarding houses as defined in the zoning regulations.

Rooming unit means a room or group of rooms designed for living and sleeping which may or may not have a bathroom and does not have a kitchen.

Rubbish means combustible and noncombustible waste materials, and the term shall include the animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food; residue from the burning of wood, coal, coke, and other combustible material; paper; plastic containers; rags; cartons; boxes; wood; excelsior; rubber; leather; tree branches; yard trimmings; tin cans; metals; mineral matter; glass; crockery; and dust.

Safety means the condition of being free from danger and hazards which may cause accidents, fire, or disease.

Space heater means a self-contained, automatically controlled, electric or vented fuel-burning appliance of either the circulating type or the radiant type.

Supplied means paid for, furnished or provided by or under the control of the owner or operator.

Temporary housing means any tent, trailer, mobile home, or any other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utility system on the same premises for more than thirty (30) consecutive days.

Temporary shelter facility has the meaning in the zoning regulations.

Three-unit dwelling means a dwelling containing three (3) dwelling units.

Two-unit dwelling means a dwelling containing two (2) dwelling units.

Valid means current, unrevoked, and duly-issued by the appropriate authority.

Water under pressure means pressure sufficient to supply at least one (1) gallon per minute from each outlet.

Zoning regulations means the zoning regulations for the city of Hartford, as adopted by the planning and zoning commission, and as amended from time to time.

Sec. 18-4. – Scope and applicability.

A. This chapter shall apply to all public and private housing and housing units within the city of Hartford, except as provided by state or federal law, except:

- (1) One-unit dwellings.
- (2) Two-unit dwellings in which an owner resides.
- (3) Mobile manufactured homes.

B. This chapter shall have the effective date of August 1, 2019.

C. This chapter shall not be construed to suspend or revoke any valid license or valid certificate of apartment occupancy from the city, provided, however, that suspension or revocation may occur in accordance with section 18-30 of this code.

D. Conflicts.

(1) In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety, health, or other ordinance or code of the city, the provisions which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

(2) In any case where a provision of this chapter is found to be in conflict with a provision of the State Building Code, State Fire Safety Code, or State statutes or regulations, the State provision shall prevail.

E. Designated authority.

- (1) Pursuant to G.S. §§ 47a-50 et seq., the city may adopt regulations involving various aspects of housing, and pursuant to that statute and the general authority granted to the council, the authority executing and enforcing the statute, and this ordinance more generally, is given to the director of licenses and inspections.
- (2) Pursuant to G.S. §§ 47a-56 et seq., the city hereby adopts the provisions of such statute and appoints the director of licenses and inspections to carry out the provisions of said sections.

Sec. 18-5 to 18-19. – Reserved.

ARTICLE II. APPLICATIONS AND LICENSING

Sec. 18-20. – Application required.

- A. Prior to operating housing containing three (3) or more housing units, or otherwise allowing such housing to be occupied, every owner of such housing shall apply to the director of licenses and inspections, on an application form to be provided for that purpose, for a license, provided that housing containing three (3) or more housing units that is occupied by an owner shall not be subject to the preceding requirement to apply for a license.
- B. Notwithstanding subsection A of this section 18-20, to effectuate the purposes of this chapter and to ensure the orderly processing of applications, no license for a dwelling or dwelling unit shall be required:
 - (1) Prior to July 1, 2022, for buildings containing three (3) to nine (9) dwelling units.
 - (2) Prior to July 1, 2021, for buildings containing ten (10) to thirty-nine (39) dwelling units.
 - (3) Prior to July 1, 2020, for buildings containing forty (40) or more dwelling units.

On any date between the effective date of this ordinance and July 1, 2022, the director of licenses and inspections may demand that the owner of any dwelling with five (5) or more violations within a ninety (90)-day period submit an application for a license within the ninety (90) days after the notice of such demand is sent, even if such demand would accelerate the date on which an initial application would otherwise be required by this chapter.

C. Notwithstanding subsection A of this section 18-20, to effectuate the purposes of this chapter and to ensure the orderly processing of applications, no license for a group living dwelling or group living unit shall be required:

- (1) Prior to July 1, 2022, for a temporary shelter facility.
- (2) Prior to July 1, 2021, for group living and residential care.
- (3) Prior to July 1, 2020, for group living for health reasons.

On any date between the effective date of this ordinance and July 1, 2022, the director of licenses and inspections may demand that the owner of any group living dwelling with five (5) or more violations within a ninety (90)-day period submit an application for a license within the ninety (90) days after the notice of such demand is sent, even if such demand would accelerate the date on which an initial application would otherwise be required by this chapter.

Sec. 18-21. – Application period.

- A. The director of licenses and inspections shall accept applications for licenses for the following types of housing or housing units at any time:
- (1) New housing or new housing units.
 - (2) Housing or housing units that were vacant for a period of sixty (60) days or more preceding the date of the application.
 - (3) Housing or housing units that are subject to a valid license but are to be owned or operated by someone other than the current owner or operator.
- B. The director of licenses and inspections shall accept applications for license renewals at any time until June 30, 2020; thereafter, to provide sufficient time for the issuance of licenses and for appropriate inspections, the application period for license renewals shall take place between March 1 and June 1 of each year. The director of licenses and inspections may, in his or her discretion, subject to staffing and availability, accept applications for license renewals at other times.

Sec. 18-22. – Application fees.

- A. The fees for applications for licenses required by this chapter shall be as follows:
- (1) Dwelling unit license: three (3) to nine (9) dwelling units: sixty dollars (\$60), plus forty dollars (\$40) per dwelling unit.
 - (2) Dwelling unit license: ten (10) to thirty-nine (39) dwelling units: seventy-five dollars (\$75), plus fifty dollars (\$50) per dwelling unit.

(3) Dwelling unit license: forty (40) or more dwelling units: two hundred dollars (\$200), plus seventy dollars (\$70) per apartment unit.

(4) Group living license: two hundred dollars (\$200), plus thirty-eight dollars (\$38) per group living unit.

(5) Hotel license: three hundred fifty dollars (\$350), plus eighty-five dollars (\$85) per hotel unit. For any hotel owned by any person, firm, corporation, joint venture or other legal entity that is exempt from income tax liability pursuant to Section 501(c)(3) of the Internal Revenue Code, the applicable licensing fees shall be: two hundred and fifty dollars (\$250), plus thirty dollars (\$30) per hotel unit.

(6) Rooming house license: five hundred dollars (\$500) for one (1) to six (6) rooming units, seven hundred fifty dollars (\$750) for seven (7) to twelve (12) rooming units, and one thousand dollars (\$1,000) for more than twelve (12) rooming units.

(7) Beginning July 1, 2021, an additional fee of \$1,000 shall be required for applications for license renewals that are submitted at any time outside of the application period set forth in section 18-21B of this code.

B. Reductions.

(1) The per unit license fee for dwelling units in buildings containing forty (40) or more dwelling units in which initial occupancy of all units is legally restricted to individuals or families earning sixty (60%) per cent or less of area median income shall be twenty (\$20.00) dollars per apartment unit. Upon request, owners and operators of such buildings shall be required to provide the director of licenses and inspections with copies of tenant eligibility information, including, but not limited to mandated annual income certification or re-certification forms.

(2) Notwithstanding anything to the contrary in this section 18-22, the director of licenses and inspections shall have the authority to adopt regulations to reduce by up to fifty (50) percent any fees for dwelling unit licenses for applications that undergo a self-certification process as such process may be established by the director.

C. Application fees include one (1) inspection visit. Additional inspections shall be charged to the applicant in accordance with article III of this chapter.

D. License application fees shall be nonrefundable.

Sec. 18-23. – Application procedures.

A. An application for a license required by this chapter shall consist of an application form, attachments required by the application form, and supplemental materials required by the director of licenses and inspections.

- B. Such application shall be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, does not contain significant inaccuracies or omissions, does not contain multiple minor inaccuracies or omissions, and is accompanied by the required fee amount (including the license application fee as well as the fee for any inspections conducted in accordance with article III of this chapter).
- C. The date on which the application is deemed complete by the director of licenses and inspections shall be deemed to be the submission date of the application.
- D. An application must be signed by the owner, the operator (if distinct from the owner), and the city resident acting as the registered agent.
- E. In addition to information to be submitted by the application form, the director of licenses and inspections may require the submission of additional information, documentation, and evidence, where such information, documentation, and evidence is reasonably necessary to assess the veracity of the contents of the application, to ensure that the appropriate scope of review is undertaken, and to ensure sound decision-making as required in section 18-25 of this code.
- F. The director of licenses and inspections may, in his or her discretion, refer any application, attachment, or supplemental material to any city or state official, including but not limited to the corporation counsel, the chief of the fire department, the chief of the police department, the director of the department of public works, the zoning administrator, the director of planning, the director of housing, the director of the department of health, or their designees, for guidance, analysis, evaluation, and recommendations relevant to the decision on granting the license.
- G. The director of licenses and inspections may call upon any third party consultant for assistance in the performance of his or her duties. Applicants shall be required to pay the city in advance for projected or proposed third party consultant expenses associated with review of their applications, prior to any approval being effective.
- H. Prior to the issuance or renewal of a license, the housing or housing unit to be licensed may be inspected to determine whether it is in compliance with the provisions of this chapter and the statutes of the state and the city. Inspections shall be conducted in accordance with article III of this chapter.

- I. A separate application must be filed for each individual building, on each lot, for each permit desired.
- J. In all cases, the burden is on the applicant to show that an application complies with all applicable review or approval criteria.

Sec. 18-24. – Application form.

The application form for a license for the operation of housing or housing units shall require the submission of the following information:

- A. The contact information, consisting of full legal name, address, telephone number, email address (if any), and full legal name of the owner and registered agent, and the operator (if any).
 - (1) Name. In the case the owner or operator is a partnership, the names of all general partners must be provided. In the case of a limited liability company, the names of its members must be provided. In the case of a corporation or other business entity, the name and address of the registered agent and officers of said business entity. In the case the owner is a trust, such contact information for each trustee shall be provided. In the case of estate, the contact information of the executor, administrator, conservator, or other fiduciary responsible for the estate shall be provided.
 - (2) Address. An address must be a location described by the full street number, if any, the street name, the city or town, and the state, and not a mailing address such as a post office box. If the owner or owners are a person or people who do not reside in the city, each owner must provide his or her residential address. In the case of a partnership, limited liability company, corporation, or other business entity, each registered agent must provide his or her residential address.
 - (3) Registered agent. In the case of an owner-occupant, the registered agent shall be a human being who is a resident of the city who shall act as the agent of the owner-occupant for the receipt of violation notices and for service of process issued pursuant to the provisions of this chapter, where such owner-occupant is absent from the city for thirty (30) or more days. In the case of a nonresident owner, the registered agent shall be a resident of the city who shall act as his or her agent for the receipt of violation notices and for service of process issued pursuant to the provisions of this chapter.
- B. A copy of a driver's license or comparable state-issued photo identification showing the name, photo, and address of the owner and registered agent, and operator (if any).

- C. The full legal name, address, telephone number, and email address (if any) of each mortgagee and lienholder of record, and any assignees.
- D. The number of rooms in the building, the number of housing units, and the number of persons proposed to be accommodated or allowed in each housing unit.
- E. The plan of each floor of the building, drawn to a scale of not less than one-quarter-inch to a foot, showing all fire escapes, stairs, halls, bathrooms, kitchens, lighting, screens, plumbing fixtures, flooring materials, trees and vegetation, location and size of all windows, the location and dimensions and square footage of habitable rooms and the exits of each floor and showing the number of persons proposed to be accommodated or allowed on each floor, with the intended use of every room in the building written on the plan. Unless the building is exempt by the State Fire Code, the plan shall include sprinklers in the common areas, and in housing units and areas as required by code.
- F. A copy of a valid certificate of insurance showing general liability and innkeeper's liability insurance with coverage of at least one million dollars (\$1,000,000.00) of general liability and one million dollars (\$1,000,000.00) of excess liability. Such certificate of insurance shall provide that no cancellation will be made without thirty (30) days' notice to the city director of licenses and inspections.
- G. A certificate of zoning compliance, if a zoning permit to initiate the housing or housing unit was issued more than five (5) years prior to the date of the application.
- H. A valid certificate of occupancy.
- I. A certificate of nonconformance, if required by the zoning regulations.
- J. A lead inspection report, if required by the lead statute or by the director of health or the director of licenses and inspections.
- K. A description of rubbish disposal facilities (including recycling), extermination and pest control plans and practices, energy efficiency plans and practices, water efficiency plans and practices, snow removal plans, and, if applicable, other sustainability measures, lead paint evaluations, and landscape and weed control plans.

- L. A copy of the latest energy efficiency audit completed for the housing or the housing unit, if any.
- M. A heating facility inspection report, dated within the six (6) months preceding the application submission date and indicating that the heating facility for such premises has been inspected within the last year by a person licensed to design, construct or repair a heating facility and that such heating facility meets the requirements of this chapter, except that no such report shall be required for a heating facility that for all primary components is ten (10) years old or less.
- N. The signature of the applicant, including the owner, certifying to the truthfulness and accuracy of the information tendered and an acknowledgement that there will be penalties for false representation.
- O. Notwithstanding anything to the contrary in this section 18-24, the application form may be formatted in such a way as to allow the applicant to submit the information through a self-certification process that may be established by the director of licenses and inspections.

Sec. 18-25. – Decision-making on an application.

- A. When an application for a license for housing or housing units pursuant to this chapter is complete, the director of licenses and inspections shall review the application and shall approve, approve with conditions, or deny the application.
 - (1) An approval of the application will result in the issuance of a license.
 - (2) An approval with conditions of the application will result in the issuance of a license, subject to reasonable conditions that the applicant must satisfy in order to obtain and maintain the license.
 - (3) A denial will result in no license.
- B. Decision-making criteria considered by the director of licenses and inspections shall include:
 - (1) Satisfaction of application requirements.
 - (2) Results of any inspection conducted.
 - (3) Compliance with any applicable life safety code, such as the State Building Code or the State Fire Safety Code, provided that lack of compliance shall result in an immediate denial.
 - (4) Compatibility with adjacent properties.
 - (5) Adequate provision (number), operability, and general condition of supplied amenities and fixtures, including but not limited to heat, heated water, lighting, plumbing, bathrooms, and kitchens.

- (6) Overall condition of the building and premises, including the presence of fire hazards, infestations, lead paint, or any other material regulated in this chapter.
- (7) Suitability of the arrangement of buildings, open space, and provision of light, ventilation, and air.
- (8) Demands on services and infrastructure.
- (9) In the case of a renewal, number and nature of violations documented during prior inspections or visits by any officer of the city or State.

C. Notice of decisions shall be provided to applicants.

Sec. 18-26. – Changes to information in application.

- A. Subject to restrictions on transferability contained in section 18-28 of this code, any change to the full name of the owner, registered agent, operator, mortgagee of record, or lienholder of record, as applicable, that occurs after an application is submitted or after a license is issued must be submitted in writing to the director of licenses and inspections seven (7) days prior to the change, provided that if it is impossible or impractical to submit such change seven (7) days prior to the change, the change must be submitted within ten (10) days after the change, along with a notarized statement from the transferee, and in the case of a replaced owner, registered agent, or operator, a copy of a driver's license or comparable state-issued photo identification showing the name, photo, and address of the owner, registered agent, or operator (as applicable).
- B. Any change to the address, telephone number, email address (if any) of the owner, registered agent, operator, mortgagee of record, or lienholder of record, as applicable, that occurs after an application is submitted or after a license is issued must be submitted in writing to the director of licenses and inspections seven (7) days prior to the change, provided that if it is impossible or impractical to submit such change seven (7) days prior to the change, the change must be submitted within ten (10) days after the change. A change in address of a registered agent shall not be accepted by the director of licenses and inspections if it purports to change the address of the registered agent to a location outside of the city.
- C. Any decrease in the number of rooms in the building, the number of housing units, and the number of persons proposed to be accommodated or allowed in each housing unit must be submitted in writing to the director of licenses and inspections within seven (7) days after the occurrence of the decrease.

- D. Any increase in the items identified in the preceding subsection C, or any changes to the floor plans or certificate of insurance, shall not be permitted without a full and complete new application to the director of licenses and inspections.
- E. Pursuant to section 18-30 of this code, some changes in information may result in revocation of a license.

Sec. 18-27. – Effect of license.

- A. Upon receipt of the license, and for the terms and duration and subject to the conditions of the license, an owner of housing or housing units may operate the housing or housing units, as applicable, and otherwise allow the housing or housing units to be occupied, subject to the issuance of any certificates of apartment occupancy required under article V of this chapter.
- B. A license provides the right to operate the housing or housing units as set forth in the application, as amended or supplemented pursuant to section 18-26 of this code, subject to the issuance of any certificates of apartment occupancy required under article V of this chapter.
- C. The issuance of a license shall not relieve the owner and operator of the responsibility to make general repairs pursuant to chapter 9 of the code, maintain fire protection equipment pursuant to chapter 13 of the code, manage solid waste pursuant to chapter 15 of the code, maintain and preserve historic housing as required by chapter 28 of the code, repair and clear of sidewalks and public ways pursuant to chapter 31 of the code, maintain landscaping (including trees and green infrastructure) pursuant to the zoning regulations and chapter 28 of code, and perform other responsibilities required by any other law, rule, or regulation.
- D. If the director of licenses and inspections issues a license for a dwelling unit for which a certificate of apartment occupancy is required pursuant to article V of this chapter, he or she shall also issue a certificate of apartment occupancy valid for up to two (2) years from the date of issuance of the license, and in no event past the second June 30 following the date of issuance, unless he or she has given the property an “exceeds standards” rating, in which case he or she shall issue a certificate of apartment occupancy valid for the full length of the license, for the same dwelling units subject to the license.

Sec. 18-28. – Transferability of license.

- A. Licenses for dwellings, dwelling units, hotels, and hotel units may be transferred to a subsequent owner, subject to satisfaction of the requirements of section 18-26.
- B. Licenses for group living, group living units, rooming houses, and rooming units are not transferable.

Sec. 18-29. – Duration of license.

- A. A license shall start upon the effective date indicated in the notice of approval of the application, or if no effective date is indicated, on the date on the notice of approval.
- B. For group living facilities and group living units, hotel and hotel units, rooming houses and rooming units, every new license, and every license renewal, shall be effective for a maximum of one (1) year, starting from the date of issuance of the license until the first June 30 following the date of issuance, unless earlier suspended or revoked pursuant to section 18-30 of this code.
- C. For dwellings and dwelling units, every new license, and every license renewal, shall be effective for a maximum of four (4) years, starting from the date of issuance of the license until the fourth June 30 following the date of issuance, unless earlier suspended or revoked pursuant to section 18-30 of this code.

Sec. 18-30. – Suspension or revocation of license.

- A. A suspension of a license shall result in a temporary ceasing of all licensed activities until such reasonable time as set by the director of licenses and inspections to cure a violation under this chapter or other reason provided by the director of licenses and inspections.
- B. A revocation of a license shall result in the permanent ceasing of all licensed activities until and unless another license is obtained.
- C. A license for housing or housing units, whether issued pursuant to previous ordinance provisions related to the licensing of housing or issued pursuant to current ordinance provisions, may be suspended or revoked by the director of licenses and inspections for any of the following activities or occurrences:
 - (1) Violation of any provision of this ordinance or other applicable law, rule, or regulation.

- (2) Failure to comply with any applicable life safety code after written notice and opportunity to cure in accordance with article IX of this chapter, such as the State Building Code or the State Fire Safety Code, or of the State laws and regulations regarding lead poisoning prevention and control.
- (3) Abandonment of the licensed activities, as indicated by licensed housing or housing units being vacated for a period of sixty (60) days or more, unless such vacancy is caused by reasons beyond the owner's control such as damage by flood, fire or storm and owner is diligently working to repair such damage.
- (4) Conducting, or knowingly allowing to be conducted, illegal activities on the premises.
- (5) Loss, failure to renew, cancellation, or reduction of insurance coverage shown on the insurance certificate required to be provided with the license application.
- (6) Loss, failure to renew, or cancellation of any document granting authority to an authorized agent to act on behalf of an owner or operator, where the director of licenses and inspections reviewed and approved such document.
- (7) Refusal by the owner to consent to inspections requested by the director of licenses and inspections.
- (8) Failure to pay the city in advance for third party consultants deemed necessary, in the discretion of the director of licenses and inspections, to assist the director with evaluating applications, conducting inspections, or assessing conditions of the housing or housing unit.
- (9) Property taxes for the housing or housing unit, or any fixtures or personal property contained therein or housed thereon, are delinquent.
- (10) Other reasons significant to health, safety, and general welfare, in the discretion of the city.

D. In making a decision to suspend or revoke a license, the director of licenses and inspections must exercise reasonableness and discretion in considering the criteria in section 18-25B of this code, and: the severity of the threat to health, safety, and general welfare; remedial measures that have been taken by the owner or operator; the timeline for remedial action to be taken; and other facts and information as may be provided to him or her by city and State officials and by members of the general public, including occupants and owner.

E. Notice of suspension or revocation shall be in writing.

Sec. 18-31 to 18-39. - Reserved.

ARTICLE III. INSPECTIONS

Sec. 18-40. – Authority for inspections.

- A. The director of licenses and inspections is hereby authorized and directed to make inspections (including re-inspections of previously inspected locations) to determine the condition of housing and housing units, for the purpose of determining compliance with the provisions of this chapter.
- B. The director of health, the chief of the police department or his or her designee, and the chief of the fire department or his or her designee, and any other city official deemed appropriate or necessary by the director of licenses and inspections are authorized to assist with such inspections, subject to the provisions in this article applicable to the director of licenses and inspections. Any person or entity duly authorized in accordance with this section to conduct inspections pursuant to this chapter shall be called an inspector.

Sec. 18-41. – Consent for inspections.

- A. For the purpose of making such inspections, the inspector, with consent of the owner, occupant, or judicial authority, is hereby authorized to enter, examine, and survey between the hours of 8:30 a.m. and 4:30 p.m. or as otherwise mutually agreed by the inspector and the owner or occupant, all housing and housing units. For the purpose of consenting to an inspection and/or receiving notices relating thereto, a minor child under the age of 18 shall not be considered an occupant.
- B. Whenever an owner, operator, or occupant of a housing unit shall deny an inspector the right of entry for the purpose of inspection, the inspector shall not so enter until he or she presents a duly issued search warrant for the housing or housing unit to the owner, operator, or occupant.
- C. Nothing in this section shall be construed to preclude the entry of the inspector at any time when, in his or her judgment, an emergency tending to create an immediate danger to the public health, welfare, or safety exists.

Sec. 18-42. – Nature of inspections.

- A. An inspection conducted pursuant to this chapter shall be conducted for one or more of the purposes of: evaluating a license application or a certificate of

apartment occupancy application, assessing ongoing compliance with the license or certificate and associated conditions, fulfilling the city's obligation to conduct investigations regarding toxic levels of lead pursuant to the lead statute, and ensuring the satisfaction of the goals of this chapter.

- B. Such inspection shall not have for its purpose the undue harassment of the owner, operator, or occupant.
- C. Such inspection shall be made so as to cause the least amount of inconvenience to said owner, operator, or occupant, consistent with an efficient performance of the duties of the director of licenses and inspections.
- D. Among other things documented in the report, all inspection reports must indicate for each housing and housing unit inspected whether a smoke detector has been installed in each unit and in each area as required by the State Fire Safety Code, and, if so, the status and location of the smoke detector. Inspectors shall report missing or inoperative detectors to the fire marshal and owner of record within twenty-four (24) hours of inspection.
- E. During an inspection, the inspector may collect or be made aware of information and evidence that may result in a fine or form the basis for a criminal prosecution.
- F. The director of licenses and inspections may choose to conduct, or ask another inspector to conduct, a re-inspection for any reasonable reason, including but not limited to: the observance or report of a possible violation of any applicable law, rule, or regulation in the conduct of licensed activities; determination of compliance with conditions set forth in the applicable license; determination of compliance with conditions of any applicable law, rule, or regulation in the conduct of licensed activities; assessment of whether there are toxic levels of lead for which abatement would be required pursuant to the lead statute; assessment of whether and to what extent remedial action has been undertaken; and the need to respond to a complaint.
- G. In the sole discretion of the director of licenses and inspections, for any inspection for any building with twenty-five (25) or more housing units, in connection with a license application pursuant to article II of this chapter, the director of licenses and inspections may select for inspection twenty-five (25) percent of the total number of hotel units within a hotel, with a minimum of twenty (20) hotel units, or forty (40) percent of the total number of dwelling units within a dwelling, with a minimum of twenty (20) dwelling units, provided that the specific hotel units or dwelling units to be inspected shall be chosen randomly and in the sole discretion of the director of licenses and

inspections. In no circumstance shall the preceding sentence be construed to prohibit the director of licenses and inspections from inspecting all housing units for which a license is sought.

Sec. 18-43. – Inspections related to toxic levels of lead.

- A. Notwithstanding anything to the contrary in this chapter, this section may be applied to all properties (including buildings and their premises) in the city, not just to properties containing housing and housing units to which the rest of this chapter is otherwise limited in applicability.
- B. Pursuant to the lead statute, the city hereby designates the director of health as the officials with the authority to coordinate with the State the identification, assessment, and enforcement of State laws and regulations on toxic levels of lead.
- C. The director of licenses and inspections and the director of health may conduct or cause to be conducted inspections related to toxic levels of lead in any property in the city, whether housing or not, if they have reason to believe, as a result of reports of elevated blood levels in occupants or through visual observation or otherwise, that the property contains toxic levels of lead.
- D. To properly assess whether a property contains toxic levels of lead, the director of licenses and inspections and the director of health may hire, or cause to be hired, third parties, such as certified lead inspectors and other professionals, to provide information to the city regarding toxic levels of lead. The cost of such professionals shall be borne by the property owner exclusively.
- E. After the inspection occurs, an inspection report shall be completed using the State inspection form and shall be postmarked and sent by certified mail or hand delivery by the second working day following completion of the inspection. The inspection form shall indicate all defective and intact lead-based surfaces.
- F. Within two (2) days after receipt of an inspection report identifying toxic levels of lead requiring abatement, the owner shall post to each entrance to the housing unit or common area of dwelling affected. The notice shall measure at least eight-and-one-half (8 ½) inches by eleven (11) inches, with letters measuring at least one half (½) inch. The notice shall state that the dwelling unit contains a toxic level of lead which may be dangerous and which a child should not be allowed to mouth or chew. The notice shall not be

removed until the dwelling unit has been found to comply with the lead statute.

- G. The owner shall provide a summary report of the lead inspection and/or lead management plan, and the post-abatement inspection report to the residents and to the director of licenses and inspections. This summary inspection report shall contain the results of lead-based surface testing as required by section 19a-111-3 of the regulations for the lead statute and will include a description of the testing methods used.
- H. The owner shall also provide the residents with information prescribed by the department concerning the toxicity of lead and precautions that should be taken to avoid exposure.
- I. The director of health shall have full authority under the lead statute to issue an order for a property owner to conduct a lead abatement plan and correct all defective lead-based surfaces requiring abatement and soil areas identified as a source, or potential source for elevated blood within the time period specified by section 19a-111-5 of the regulations for the lead statute.

Sec. 18-44. – Fees for inspections.

- A. The fees for inspections conducted in accordance with this chapter shall be one hundred dollars (\$100) per inspection, including but not limited to re-inspections and inspections related to toxic levels of lead. Such cost shall not be applied to one (1) inspection associated with a license application, pursuant to section 18-22 of this code. Such cost shall not be applied to inspections conducted by an inspector on behalf of an occupant seeking to report or document a violation.
- B. The fee for an owner's failure to appear, or to send a representative to appear, at an inspection within twenty (20) minutes of a scheduled appointment shall be one hundred dollars (\$100).
- C. An inspector may call upon a third party consultant, including but not limited to a certified lead inspector, for assistance in the performance of its duties for a thorough and complete inspection. Applicants shall be required to pay the city in advance for projected or proposed third party consultant expenses associated with the review of their applications, prior to any license being effective.
- D. Inspection fees and failure to appear at inspection fees shall be nonrefundable.

Sec. 18-45 to 18-59. – Reserved.

ARTICLE IV. REQUIREMENTS FOR ALL HOUSING

Sec. 18-60. – Generally.

- A. No person shall operate housing or housing units unless he or she holds a valid license issued by the director of licenses and inspections and approved in the name of the person operating the specific named housing or housing units, subject to the transfer provision of 18-28.
- B. No building now in existence or hereafter constructed or erected, nor any portion thereof, shall be used as housing or housing units unless such building and every part thereof shall conform to the requirements of this chapter and to such other requirements of the law, including, without limitation the State Basic Building Code, the Fire Safety Code, Hartford Municipal Code, rules and regulations of the city department of development services, and zoning regulations as may apply.

Sec. 18-61. – Owner's responsibilities.

Every owner of housing or a housing unit must:

- A. Maintain at all times in a clean and sanitary condition every surface, including walls, floors, stairwells, passages, windows, doors, water closets, cesspools, drains, halls, cellars, roofs, porches, decks, stoops, and ceilings, for the housing or housing unit, whether occupied or not, including the entire exterior structure of the housing or housing unit and any common areas.
- B. Protect all exterior wood surfaces, other than decay-resistant woods, from the elements and from decay by paint or other protective covering or treatment, using lead-free materials upon any surface that is readily accessible to children.
- C. Ensure that all painted surfaces of every building used or intended to be used in whole or in part for human habitation are kept free of cracked, chipped, blistered, flaking, loose, or peeling paint.
- D. Maintain in sound condition and good repair every foundation, floor, wall, ceiling and roof, door, skylight, basement hatch, and window so that it shall

be reasonably weathertight, watertight, and rodentproof, and shall be capable of affording privacy.

- (1) Ensure windows designed with insulated glass and thermal pane windows do not exhibit seal leakage, such as condensation or discoloration between glass panes.
- (2) Ensure that windows that are the means of emergency egress from a floor area open without the need of keys, tools, or special knowledge.
- (3) Ensure that windows and doors accessible from the outside have working locks.
- (4) Ensure that door locks to individual housing units, or to shared facilities or rooms associated thereto, function as designed and as prescribed by the manufacturer.
- (5) Refrain from installing wall-to-wall carpeting or replacing existing wall-to-wall carpeting in any dwelling unit, group living unit, or rooming unit, to assist with asthma prevention, allergy control, and mold.
- (6) Change the keys or combination for each positive locking device to individual housing units when occupants change.

E. Ensure light and air to every habitable room by satisfying the following criteria:

- (1) Every habitable room has one (1) window or skylight facing the outdoors, where minimum total window area, measured between stops, shall be one-eighth (1/8) the net floor area of the room, or if the room has only a skylight, where minimum total window area is fifteen (15) percent of the net floor area of the room. Whenever walls or other portions of structures face a window of any such room from the exterior and such light obstruction structures are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area.
- (2) The director of health may grant an exception for the requirement that each habitable room have one (1) window or skylight, where he or she determines that such room is equipped with a ventilation system which is kept in efficient operation.
- (3) Every habitable room has one (1) window or skylight facing the outdoors, where forty-five (45) percent of the minimum size prescribed in subsection (1) above or such other device as will adequately ventilate the room.

- (4) All clothes dryer exhaust must adequately be ventilated to the outdoors except where there is supplied some other device affording adequate ventilation.
- F. Supply rubbish disposal facilities or containers, including containers for recyclable materials as required by chapter 15 of the city code, sufficient in number and size for holding rubbish and recycling accumulated between regular collections; arrange for regular collections of rubbish and recycling; provide for the regular disposal of litter in and around the premises; and arrange for proper disposal of bulky waste.
- G. Properly install and maintain in in sound condition and good repair all supplied amenities and facilities therein, including but not limited to bathrooms, electrical outlets and fixtures, heat, heated water, kitchens, lighting, and plumbing.
- (3) Provide, in the case of a bathroom, all of the following:
- a. A flush water closet.
 - b. A lavatory basin.
 - c. A bathtub or shower in working condition, free of deterioration and installed and maintained in a manner prescribed by city and state regulations and codes.
 - d. Flooring that is reasonably impervious to water, level, and kept in a clean and sanitary state condition.
 - e. Such fixture group must be properly connected to an approved sewer system and to an approved hot and cold water running water system under pressure, except that the flush water closet must be connected to an approved sewer system and to an approved cold water running water system under pressure.
 - f. The flush water closet, lavatory basin, and bathtub or shower must be installed in the same room, or in an adjacent room, in a configuration and design that affords privacy to a person using said facilities.
- (4) Provide, in the case of electrical outlets and fixtures, all the following:
- a. Every habitable room and nonhabitable room used for food preparation shall have at least one (1) floor-or wall-type electrical convenience duplex outlet for each sixty (60) square feet or fraction thereof of total floor area, and in no case fewer than two (2) such duplex outlets per room.
 - b. Every water closet compartment, bathroom, kitchen or kitchenette, laundry room, furnace room and public hall shall contain at least one (1) supplied ceiling-or wall-type electric light fixture.
 - c. Every bathroom and laundry room shall be provided with at least one (1) electric outlet.

- (5) Provide, in the case of heat, heating units that: heat all habitable rooms, bathrooms, and water closet compartments to a minimum temperature of at least sixty-five (65) degrees Fahrenheit whenever the outer or street temperature falls below fifty (50) degrees Fahrenheit; and are equipped with a control valve or thermostat to allow the occupant to regulate the heat supplied.
- (6) Provide, in the case of a kitchen, or in location that is within three (3) feet of a kitchen and in an adjacent room within the housing unit, all of the following:
 - a. A kitchen sink installed, and properly connected to hot and cold running water system under pressure and sewer systems, and maintained in accordance with city and state regulations and codes, and which provides at all times an adequate amount of heated and unheated water under pressure and which has the capacity to handle dish washing.
 - b. Cabinets or shelving for the storage of eating and drinking and cooking equipment and utensils and of food that does not, under ordinary summer conditions, require refrigeration for safekeeping, and a counter for food preparation. Said cabinets and/or shelves and counter shall be adequate for the permissible occupancy of the dwelling unit and shall be of sound construction, furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food.
 - c. A stove or equivalent device for cooking food and a refrigerator or equivalent device for the safe storage of food at temperatures less than fifty degrees Fahrenheit (50° F) but more than thirty-two degrees Fahrenheit (32° F) under ordinary summer conditions, which are properly installed with all necessary connections for safe, sanitary and efficient operation. Such stove or equivalent device, or refrigerator or equivalent device, need not be installed where an agreement between the owner and occupant has been executed which so provides, but sufficient space and adequate electrical outlets must nevertheless be provided for the safe and efficient installation and operation of said stove or equivalent device and refrigerator or equivalent device.
 - d. Flooring that is reasonably impervious to water, level, and kept in a clean and sanitary state condition.
- (7) Provide, in the case of lighting, adequate lighting at every exterior entrance, porch, public hall, and stairway so as to provide at least three (3) foot-candles of light at the tread or floor level at all times, provided that for two-unit dwellings, such lighting may be controlled by switches and turned off when not in use; and adequate lighting in any bathroom, kitchen, and other habitable room, provided that

replacement of light bulbs within a housing unit after the first month of occupancy shall be the responsibility of the occupant.

- H. Properly install prior to June 1 of each year and remove by October 31 of each year a properly fitting screen of not less than sixteen (16)-mesh per inch and a self-closing device in good operating condition, for at least one door opening directly from a housing unit to an outdoor space; for any door, window, hatch, or other opening from a basement to any outdoor space; or for a window intended to be used for ventilation.
- I. Exterminate, using a certified applicator as defined in G.S. § 22a-54, to prevent or eliminate an infestation of bed bugs in accordance with G.S. § 47a-7a; exterminate to prevent, reduce, or eliminate infestations throughout a group living dwelling, hotel, or rooming house, or exterminate to prevent, reduce, or eliminate infestations in a dwelling where an infestation is not solely contained or containable within a single dwelling unit or where infestation is caused by failure of the owner to maintain a dwelling in a rodent-proof or reasonably insect-proof condition.
- J. Ensure that every water closet compartment floor surface and bathroom and kitchen floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- K. Maintain the housing, including repairing leaky faucets and plumbing and ensuring a watertight building envelope, in such a physical condition so as to prevent the accumulation of moisture and the visible growth of mold; remediate visibly moldy surfaces through measures recommended by the State department of health, including but not limited to installing dehumidifiers, fixing structural problems, using bleach on nonporous surfaces, and replacing porous surfaces such as wallboard that have become moldy; and promptly respond to any notices from an occupant regarding the existence of an accumulation of moisture and visible growth of mold, provided, however, that nothing in this subsection shall be construed to prevent an owner from pursuing legal action against an occupant whose actions caused the accumulation of moisture or visible growth of mold.
- L. Prevent from being removed, shut off, or discontinued any service, facility, equipment, or utility required under this chapter, except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies when discontinuance of service is approved by the director of health.

- M. Allow an occupant to implement energy conservation measures (including but not limited to removable weatherstripping around doors and windows, removable interior storm windows, and insulation wrap around hot water heating tanks), in any dwelling or dwelling unit, but not any group living unit, hotel unit, or rooming unit. Nothing in this section shall be construed to authorize the occupant to make structural changes to a building or otherwise restrict the availability to the tenant of other legal remedies.
- N. Ensure compliance of construction, materials, and means of egress, and install and use all equipment, as required by laws dealing with fire protection of the city and the state.
- (1) For smoke detectors required in dwelling units by the State Fire Safety Code and the State Building Code, owners must replace a smoke detector that malfunction for reasons other than the fault of the occupant and must test a smoke detector and replace batteries when an occupant vacates a let unit.
 - (2) For smoke detectors required in group living units, hotel units, and rooming units by the State Fire Safety Code and the State Building Code, owners must periodically test a smoke detector and replace batteries.
 - (3) No person may remove or render a smoke detector inoperative except for its periodic maintenance or maintenance or repair to the housing or housing unit.
 - (4) Each floor of a structure used, any part of which is used, for housing shall have a fire extinguisher in a common area.
- O. Maintain vegetation on the premises such that:
- (1) Trees are maintained in a healthy condition pursuant to the zoning regulations and chapter 28 of the code.
 - (2) Grass, weeds, or similar growth does not grow more than one (1) foot in height.
 - (3) Invasive species do not grow.
 - (4) Weeds or other plant which may, in the opinion of the director of health, cause hay fever or similar diseases, do not grow.
 - (5) Poison ivy and poison sumac does not grow within twenty-five (25) feet of a street line or within twenty-five (25) of adjoining property, except with the written consent of the owner of such adjoining property.
 - (6) Wild and untrimmed bushes do not grow or remain on any land fronting on a public street in the city, or on any interior lot bounded on three (3) or more sides by land fronting on any such street.
- P. Address issues related to lead hazards in accordance with the lead statute, including (using terms as defined in such statute and related regulations):

- (1) When a child under the age of 6 resides in a housing unit, abatement of all defective lead-based surfaces, and abatement of all accessible lead-based surfaces shall be abated to a level of six hundredths percent (0.06%) and nonaccessible abated to a level of forty-nine hundredths percent (0.49%).
- (2) When a child under the age of 6 resides in a housing unit and has an elevated blood lead level, abatement to a level of forty-nine hundredths percent (0.49%) of all lead-based chewable surfaces, whether or not that surface is defective, and all lead-based movable parts of windows and surfaces that rub against movable parts of windows.
- (3) When a child under the age of 6 resides in a dwelling unit requiring lead abatement, assessment of interior dust, drinking water, and exterior soil; abatement of soil or sand areas not covered by materials specified in the statute and regulations which are found to contain lead concentrations in excess of 400 parts per million; reduction of lead dust hazards to a safe level; and reduction of lead in drinking water through means approved by the director of health.
- (4) Under no circumstances shall an owner take eviction action to avoid abatement actions described in this section and in the lead statute.

Q. Arrange room dimensions and locations to comply with all of the following:

- (1) At least seventy-five (75) percent of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet eight (8) inches, except for attic rooms which shall each be at least seven (7) feet four (4) inches high in half of its area; and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
- (2) No basement space shall be used as a habitable room unless: floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness; total window area in each room is equal to at least the minimum window area sizes as required in this section; required minimum window area is located entirely above the grade of the ground adjoining such window area; total of openable window area in each room is equal to at least the minimum as required in this section, except where there is supplied some other device affording adequate ventilation and approved by the director of health; and rooms shall be at least eight (8) feet six (6) inches high in each part from the floor to the ceiling and the ceiling shall be at least four (4) feet six (6) inches above the outside ground level.
- (3) No cellar space shall be used as a habitable room or housing unit.

(4) No housing or housing unit containing two (2) or more sleeping rooms shall have such arrangements that access to a bathroom or water closet compartment, intended for use by occupants of more than one (1) sleeping room, can be had only by going through another sleeping room, nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or water closet compartment.

R. Maintain in good repair any porch, stoop, stair, or elevator.

S. Report to the police department any known illegal activity taking place within the housing or housing unit.

T. Provide to each occupant over age seventeen (17) a voter registration form, in the form then available by the office of the registrar of voters of the city and the State, at the time such occupant or occupants take possession of a housing unit.

Sec. 18-62. -- Occupant's responsibilities.

Every occupant of a housing unit must:

A. Keep in a clean and sanitary condition that part of the housing unit and premises thereof which he or she occupies and controls.

B. Dispose of all rubbish in a clean and sanitary manner and in appropriate containers, separating recyclables from other rubbish in accordance with chapter 15 of the municipal code.

C. Keep all supplied fixtures and facilities therein in a clean and sanitary condition and exercise reasonable care in the proper use and operation thereof.

D. Allow the owner, subject to the terms of a written lease and state law, to access any part of such housing unit or its premises at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter, with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.

E. Maintain or replace screens, once properly installed in any one season.

- F. Exterminate any infestation if his or her dwelling unit is the only one infested, provided that such obligation shall not apply to occupants of group living units, hotel units, or rooming units, and further provided that failure to exterminate may be penalized in accordance with article IX of this chapter; notify an owner orally or in writing when he or she knows or reasonably suspects that the housing unit is infested with bed bugs, and cooperate with any inspection and treatment of bed bugs, pursuant to G.S. § 47a-7a; and refrain from moving furniture, clothing, equipment, or personal property if the occupant's housing unit is found to be the subject of an infestation until after the infestation is exterminated.
- G. Use reasonable efforts to maintain the housing unit and any other part of the premises and he or she occupies in such a condition as to prevent accumulation of moisture and the growth of mold, and to promptly notify the owner of any moisture accumulation that occurs or of any visible evidence of mold discovered.
- H. Replace light bulbs within the occupant's housing unit if they are extinguished, after the first month of occupancy, unless an executed lease for the housing unit places responsibility for this task on another party.
- I. Deposit with the owner any key to any locking device, upon termination of the occupant's interest in the housing unit.
- J. Prevent from being removed, shut off, or discontinued any service, facility, equipment, or utility required under this chapter, except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies when discontinuance of service is approved by the director of health.
- K. Periodically test smoke detectors installed within dwelling units and replace batteries, provided that this obligation does not apply to occupants of group living units, hotel units, and rooming units; and pay if requested by the owner for the replacement of a smoke detector if it malfunctions due to the fault of the applicant.
- L. Ensure that maximum occupancy is maintained at the levels represented in the application and at the maximum level allowed by the building code, the zoning regulations, or any other law, code, or regulation, whichever number is less.

Sec. 18-63 to 18-79. – Reserved.

ARTICLE V. ADDITIONAL REQUIREMENTS FOR DWELLINGS AND DWELLING UNITS

Sec. 18-80. – Certificates of apartment occupancy.

- A. No dwelling unit in a multi-unit dwelling with three (3) or more dwelling units shall be occupied for human habitation after a vacancy until a certificate of apartment occupancy has been issued by the director of licenses and inspections, certifying that such dwelling unit conforms to the requirements of this chapter and G.S. chapter 833a; provided that no provision of this chapter shall be construed to prohibit human occupancy of such apartment during the pendency of an application for such certificate.
- B. No rent, including rent received from short-term rentals, shall be recoverable by the owner or lessor of such dwelling unit for the occupation of any dwelling unit for which a certificate of apartment occupancy has not been obtained prior to the rental thereof.
- C. No certificate of apartment occupancy shall be required for:
 - (1) A dwelling which has been constructed or substantially reconstructed within the ten (10)-year period immediately before the date such certificate of apartment occupancy would otherwise be required.
 - (2) Housing owned by a housing authority organized under the provisions of G.S. chapter 128
 - (3) Housing containing dwelling units created under the Unit Ownership Act of the State of Connecticut wherein seventy-five percent (75%) of such units are in individual ownership other than by the declarant or by any other single owner.

Sec. 18-81. – Application period.

The director of licenses and inspections shall accept applications for certificates of apartment occupancy at any time.

Sec. 18-82. – Application fees.

The fee for an application for a certificate of apartment occupancy shall be seventy-five dollars (\$75) for each dwelling unit for which a certificate of apartment occupancy is sought, provided that no additional fees shall be required where an applicant receives a certificate of apartment occupancy pursuant to section 18-27 of

this code. The director of licenses and inspections shall have the authority to adopt regulations to reduce by up to fifty (50) percent any fees for applications for a certificate of apartment occupancy that undergo a self-certification process as such process may be established by the director.

Sec. 18-83. – Application procedures.

An application for a certificate of apartment occupancy shall consist of an application form, attachments required by the application form, and supplemental materials required by the director of licenses and inspections, provided that no additional application for a certificate of apartment occupancy shall be required where an applicant receives a certificate of apartment occupancy pursuant to section 18-27 of this code as a result of a licensing application. Application procedures for licenses set forth in section 18-23 of this code are hereby incorporated by reference as constituting the application procedures for a certificate of apartment occupancy.

Sec. 18-84. – Application form.

The application form for licenses as set forth in section 18-24 of this code, and the information required to be submitted therefore, are hereby incorporated by reference as constituting the application form for a certificate of apartment occupancy.

Sec. 18-85. – Decision-making on an application.

- A. When an application for a certificate of apartment occupancy pursuant to this chapter is complete, the director of licenses and inspections shall review the application and shall approve, approve with conditions, or deny the application.
- (1) An approval of the application will result in the issuance of a certificate of apartment occupancy.
 - (2) An approval with conditions will result in the issuance of a certificate of apartment occupancy, subject to reasonable conditions that the applicant must satisfy in order to obtain and maintain the certificate of apartment occupancy.
 - (3) A denial will result in no license.
 - (4) The decision-making criteria for an application for licenses as described in section 18-25 of this code, and the information required to be submitted therefore, are hereby incorporated by reference as constituting the decision-making criteria for an application for a certificate of apartment occupancy.

(5) Notice of decisions shall be provided to applicants.

Sec. 18-86. – Changes to information in application.

The provisions regarding changes to information in an application, as set forth in section 18-26 of this code, and the information required to be submitted therefore, are hereby incorporated by reference with regard to certificates of apartment occupancy.

Sec. 18-87. – Effect of certificate of apartment occupancy.

- A. Upon receipt of the certificate of apartment occupancy, and for the terms and duration and subject to the conditions of the certificate of apartment occupancy, an owner of a dwelling or dwelling units duly licensed by the city may allow the dwelling or dwelling units to be occupied.
- B. A certificate of apartment occupancy provides the right to operate the dwelling or dwelling units as set forth in the application, as amended or supplemented pursuant to section 18-86 of this code.
- C. The issuance of a certificate of apartment occupancy shall not relieve the owner and operator of the responsibility to make general repairs pursuant to chapter 9 of the code, maintain fire protection equipment pursuant to chapter 13 of the code, manage solid waste pursuant to chapter 15 of the code, maintain and preserve historic housing as required by chapter 28 of the code, repair and clear of sidewalks and public ways pursuant to chapter 31 of the code, maintain landscaping (including trees and green infrastructure) pursuant to the zoning regulations and chapter 28 of code, and perform other responsibilities required by any other law, rule, or regulation.

Sec. 18-88. – Transferability of certificate of apartment occupancy.

Certificates of apartment occupancy are transferable upon sale of the dwelling or dwelling unit, to the new owner of the dwelling or dwelling unit.

Sec. 18-89. – Duration of certificate of apartment occupancy.

A certificate of apartment occupancy shall start upon the effective date indicated in the notice of approval of the application, until such date as the dwelling unit shall be vacated, or, in the case of a certificate of apartment occupancy issued with a license pursuant to section 18-27 of this code, until such date indicated to be the expiration date on such certificate.

Sec. 18-90. -- Suspension or revocation of certificates of apartment occupancy.

The provisions regarding the suspension or revocation of certificates of apartment occupancy, as set forth in section 18-30 of this code, and the information required to be submitted therefore, are hereby incorporated by reference as constituting the provisions for suspension or revocation of certificates of apartment occupancy.

Sec. 18-91. -- Space, use, and location.

- A. Each dwelling unit shall contain at least one hundred fifty (150) square feet of floor space for the first occupant thereof and at least one hundred thirty (130) square feet of floor space for every additional occupant, the floor space to be calculated on the basis of total habitable room area.
- B. In each dwelling unit of two (2) or more rooms, each room occupied for sleeping purposes shall contain at least seventy (70) square feet of floor space for the first occupant and at least fifty (50) square feet of floor space for each additional occupant thereof.
- C. Each dwelling unit shall have adequate closet or other storage space for the personal effects of each permissible occupant. If it is lacking, an amount of space equal in square footage to the deficiency shall be subtracted from the area of habitable room space used in determining permissible occupancy.
- D. Each dwelling unit must contain a kitchen and a bathroom.

Sec. 18-92 to 18-99. -- Reserved.

ARTICLE VI. ADDITIONAL REQUIREMENTS FOR GROUP LIVING FACILITIES AND GROUP LIVING UNITS

Sec. 18-100. -- Supervision.

Each group living dwelling shall have a supervisor or supervisors who live on site at all times. The director of health shall promulgate rules and regulations establishing minimum standards of supervision, minimum qualifications of supervisors, registration of supervisors and minimum office and meeting room requirements to ensure the orderly operation of group living facilities.

Sec. 18-101. – Bathrooms.

If group living unit is located within a building primarily operated as a group living dwelling, the group living unit shall have a bathroom.

Sec. 18-102 to 18-119. – Reserved.

ARTICLE VII. ADDITIONAL REQUIREMENT FOR HOTELS AND HOTEL UNITS

Sec. 18-120. – Space, use, and location.

- A. Each hotel unit shall contain at least one hundred fifty (150) square feet of floor space.
- B. Each hotel unit must have at least two (2) approved remote means of egress, both of which lead to safe and open space at ground level (as required by the laws of the State and this city), except that windows shall not be considered means of egress.

Sec. 18-121. – Bathrooms.

Each hotel unit shall have at least one (1) bathroom.

Sec. 18-122. – Cooking.

- A. Cooking in a hotel unit shall be prohibited except in those hotels operating as residential hotels, which include kitchens.
- B. Communal cooking and dining facilities shall be prohibited in a hotel, except as approved by the director of health in writing.

Sec. 18-123. – Other requirements.

- A. The owner or operator shall ensure that doors to hotel units from outdoor areas, common areas, hallways, and lobbies shall have operating locks to ensure privacy.
- B. The owner or operator must provide clean linens and towels upon letting any hotel unit to a guest and at least once each week. The owner and operator shall maintain supplied bedding in a clean and sanitary manner.

Sec. 18-124 to 18-139. – Reserved.

**ARTICLE VIII. ADDITIONAL REQUIREMENTS FOR ROOMING HOUSES
AND ROOMING UNITS**

Sec. 18-140. – Space, use, and location.

- A. Each rooming unit shall contain at least seventy (70) square feet of floor space for one (1) occupant using the rooming unit for sleeping purposes, and at least fifty (50) additional square feet of floor space per additional occupant using the rooming unit for sleeping purposes, exclusive of wardrobe and closet space.
- B. Each rooming unit must have at least two (2) approved remote means of egress, both of which lead to safe and open space at ground level (as required by the laws of the State and this city), except that windows shall not be considered means of egress.
- C. No rooming unit shall be located in any accessory structure. No accessory structure shall be used as a rooming house.

Sec. 18-141. – Bathrooms.

In every rooming house, there shall be at least one toilet, one sink and one shower or bathtub for each two (2) rooming units shown on the plans submitted with the application for the rooming house license as well as the square footage as determined by an inspection performed by the director of licenses and inspections or for each five (5) occupants, whichever requirement provides more bath facilities per occupant. All such facilities shall be so located within the rooming house as to be reasonably accessible from a common hall or passageway to all of the persons sharing such facilities and shall be on the same floor as the rooming units which such facilities serve.

Sec. 18-142. – Cooking.

- A. Cooking in a rooming unit shall be prohibited.
- B. Communal cooking and dining facilities shall be prohibited in a rooming house, except as approved by the director of health in writing.

Sec. 18-143. – Other requirements.

- A. The owner or operator shall ensure that doors to rooming units from outdoor areas, common areas, hallways, and lobbies shall have operating locks to ensure privacy.
- B. The owner or operator must provide clean linens and towels upon letting any rooming unit to a guest and at least once each week. The owner and operator shall maintain supplied bedding in a clean and sanitary manner.
- C. The person who obtains a license for a rooming house shall reside in the rooming house. No license or license renewal for a rooming house shall be issued when neither an owner nor operator is a bona fide resident of the property.
- D. The owner must display a copy of any city license in a conspicuous place within the common areas of the housing, and the floor plan must be displayed in a central common area, in a conspicuous place, on the main floor of the rooming house, together with a notice that violations of this article may be reported anonymously by calling 311.
- E. The licensee of every such rooming house must keep in the office, or other place on the premises, a register in which shall be entered the name and permanent residence, if any, of every person who becomes an occupant thereof. Such register shall also show the number or location of the room or bed occupied by such person, with dates of arrival, and departure. The register shall also be accessible, without charge, to any duly authorized agent of the department of development services.
- F. Each rooming house shall have a doorbell at the principal entrance for the rooming house, which rings in a common area and is audible within the rooming units. Each rooming unit shall have a doorbell.

Sec. 18-144 to 18-159. – Reserved.

ARTICLE IX. VIOLATIONS, REMEDIAL ACTION, AND PENALTIES

Sec. 18-160. – Notice of violation.

- A. Whenever the director of licenses and inspections determines that there are reasonable grounds to believe that there has been a violation of any provision

of this chapter or any rule or regulation adopted pursuant thereto, before issuing any citation, such director shall give notice of such alleged violation to the person responsible therefor, provided that no notice shall be required in the case of emergency action as provided in section 18-162 of this code.

B. Such notice of violation shall:

- (1) Be put in writing.
- (2) Include a statement of the reasons why it is being issued, including appropriate code citation.
- (3) Allow a reasonable time, not fewer than twenty-one (21) days and not more than sixty (60) days, for the correction of any alleged violation, except that in the case of a condition, which in the judgment of the director of licenses and inspections is or in its effect is dangerous or detrimental to life or health, the date specified shall be not more than five (5) days from the date of the mailing of such notice.
- (4) Be served upon the owner or the occupant, as the case may require; provided, that such notice shall be deemed to be properly served upon such owner or upon such occupant, if a copy thereof is served upon him or her personally; or if a copy thereof is sent by registered mail to his or her last known address; or if a copy thereof is posted in a conspicuous place in or about the housing or housing unit affected by the notice; or if he or she is served with such notice by any other method authorized or required by the laws of this state.
- (5) State that unless violations cited are corrected within the time period offered, the division of licenses and inspection will issue a citation imposing fines, penalties, costs, and fees dues and the license or certificate of occupancy may be denied, suspended, or revoked.

C. Such notice of violation may contain an outline of remedial action that, if taken, will effect compliance with the provisions of this chapter and with rules and regulations adopted pursuant thereto.

Sec. 18-161. – Citation.

A. If any violation documented in any notice of violation is not remedied within the specified time period, the owner shall be issued a citation.

B. Such citation shall:

- (1) Be put in writing.
- (2) Include a statement of the reasons why it is being issued, including appropriate code citation.
- (3) Be served upon the owner or the occupant, as the case may require; provided, that such citation shall be deemed to be properly served upon

such owner or upon such occupant, if a copy thereof is served upon him or her personally; or if a copy thereof is sent by registered mail to his or her last known address; or if a copy thereof is posted in a conspicuous place in or about the housing or housing unit affected by the notice; or if he or she is served with such notice by any other method authorized or required by the laws of this state.

- (4) State the fines, penalties, costs, or fees due.
- (5) State that the recipient may contest his or her liability before a hearing officer in person or by mailed written notice within ten (10) days of the date thereof, and that if he or she does not demand such a hearing, an assessment and judgment shall be entered against him or her, and that such judgment may issue without further notice.

- C. The owner shall be presumed to shall bear primary responsibility for violations of this chapter that arise from obligations of the owner; however, operators or occupants may be jointly or severally liable depending on the factual circumstances.

Sec. 18-162. – Emergency actions.

- A. Notwithstanding any other provisions of this chapter, whenever the director of licenses and inspections or director of health finds that an emergency exists which requires immediate action to protect the public health or safety, he or she may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he or she deems necessary to meet the emergency, and such order shall be effective immediately.
- B. Any person to whom such order is directed shall comply therewith immediately but, upon petition to the director of licenses and inspections or director of health, as applicable, shall be afforded a hearing as soon as possible, in accordance with article X of this chapter.

Sec. 18-163. – Post-notice procedures.

- A. The director of licenses and inspections may, in his or her discretion, postpone the last day by which a violation shall be corrected upon a showing by the owner or other responsible person that he or she has begun to correct the violation, but that full correction of the violation cannot be completed within the time provided because of technical difficulties, inability to obtain necessary materials or labor, or inability to gain access to the dwelling unit wherein the violation exists, provided that such postponement shall not exceed sixty (60) days from the date by which corrections would be made

pursuant to the original notice, unless the affected party seeks an additional extension pursuant to article X of this chapter.

- B. When the violation has been corrected, the responsible party shall promptly, but not later than two (2) weeks after such correction, report to the director of licenses and inspections in writing, indicating the date when each violation was corrected. It shall be presumed that the violation was corrected on the date so indicated, unless a subsequent inspection by the director of licenses and inspections reveals the existence of the condition giving rise to the earlier notice of violation.
- C. If the person who is sent notice pursuant to section 18-160 wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs, or fees admitted to in person or by mail to the city.
- D. Any person who does not deliver or mail written demand for a hearing within ten (10) days of the date of the first notice of violation shall be deemed to have admitted liability, and the corporation counsel shall certify such person's failure to respond.

Sec. 18-164. – Penalties and costs.

- A. Any penalties imposed by, and costs incurred by, the city pursuant to this chapter shall be due and payable to the city the business day after any appeals period has expired.
- B. Any person or entity who shall violate any provision of this chapter, or any provision of any rule or regulation adopted by any city agency or department pursuant to authority granted in this chapter, or shall fail to correct any violation prior to the date set forth in the notice of violation shall be subject to a civil penalty of up to one hundred dollars (\$100) per day for each violation from the date of the citation to the date such violation is corrected, and to the extent required by G.S. § 47a-59 the total penalty shall not exceed seven thousand five hundred dollars (\$7,500) per violation.
- C. Any person or entity who shall violate any provision of this chapter, or any provision of any rule or regulation adopted by any city agency or department pursuant to authority granted in this chapter, or shall fail to correct any violation prior to the date set forth in the notice of violation shall be subject to imprisonment of up to thirty (30) days, if convicted.

- D. Any nonresident owner that does not file a true and accurate residential address shall be fined a civil penalty of two hundred fifty dollars (\$250) for the first violation and one thousand dollars (\$1,000) for any subsequent violation.
- E. Any person or entity who recovers rent for the occupation of any dwelling unit for which a certificate of apartment occupancy has not been obtained prior to the rental thereof shall be liable for a civil penalty of twenty dollars (\$20) per day for not more than two hundred (200) days for such period of unlawful occupation.
- F. The director of licenses and inspections shall maintain a current record of all properties with respect to which such penalty remains unpaid in the office of such agency. Such record shall be available for inspection by the public.
- G. The city shall recover from the responsible party all expenses, including legal and administrative charges and charges by third party consultants, incurred by the city as a result of any inspection, abatement, or enforcement action.
- H. When the department of health certifies that any rented dwelling or dwelling unit is unfit for human habitation, by reason of defects which may cause sickness or endanger the health of the occupants, the department may issue an order requiring the rented dwelling or dwelling unit, or any portion thereof, to be vacated within not less than twenty-four (24) hours or more than ten (10) days. Any person who violates or assists in violating, or fails to comply with, any provision of this section or any legal order of a department of health made under any such provision shall be guilty of a class C misdemeanor.

Sec. 18-165. – Remedial actions.

In the event of the failure of any person to perform remedial action to correct a violation or comply with any other order, the director of licenses and inspections or director of health may cause compliance therewith, and the expense of the compliance may be collected as a debt against such person, and the city may place a lien on the property in accordance with section 18-166 of this code.

Sec. 18-166. – Judicial actions.

- A. Whenever any person violates or threatens to violate any provision of this chapter or any provision of any rule or regulation adopted by a city department or agency pursuant to authority granted by this chapter or any order of the director of health, the city is authorized to institute before any

court having jurisdiction a civil action praying for an injunction restraining any such person from committing such violation.

- B. The city may bring an action in superior court for the recovery of penalties, together with costs and disbursements.
- C. In any judicial action, the city shall seek to recover from the responsible party all expenses, including legal and administrative charges and charges by third party consultants, incurred by the city as a result of any inspection, abatement, or enforcement action.
- D. Notwithstanding anything to the contrary in this chapter, the city shall be entitled to pursue the maximum fines available to it pursuant to state law.
- E. The city may pursue any other legal remedy available to it at law or in equity.
- F. The city, including among other officials the director of licenses and inspections and the director of health, is authorized to submit information to the office of the state attorney to aid in prosecutions of violations of this chapter.

Sec. 18-167. – Liens.

- A. The city shall have authority to file a lien on the land records for such costs incurred in review of applications, inspections, enforcement, or the execution of remedial action pursuant to this chapter, and for any penalty imposed pursuant to this chapter, and remaining unpaid for a period of sixty (60) days after its due date, upon the real property against which the costs were incurred or the penalty was imposed.
- B. Prior to filing such lien, the director of licenses and inspections must:
 - (1) In the case of costs incurred, record on the land records a certificate subscribed and sworn to by the director of licenses and inspections giving the address of the housing or housing unit, identifying the record owner of the housing or housing unit, the amount claimed as a lien, and the date of commencement of the activities undertaken; and stating that the amount is justly due and that the expenses have been incurred in pursuance of review of applications, inspections, enforcement, or the execution of remedial action pursuant to this chapter. Such certificate shall be filed at any time during the activities giving rise to the cost or within four (4) months after the completion of the activities giving rise to the cost.

- (2) In the case of a penalty imposed pursuant to a violation, record on the land records a notice of violation and index such violation in the name of the property owner no later than thirty (30) days after the penalty was imposed.
- C. Each such lien shall be effective from the time of the recording on the land records.
- D. Each such lien shall take precedence over all transfers and encumbrances recorded after such time, and all other liens and encumbrances, except taxes and assessments, recorded previously to the existence of such lien.
- E. Unless proceedings to discharge such lien are taken by the party against whom or whose real property a lien is claimed, the filing shall, as to all persons having actual notice, become conclusive evidence that the amount claimed in the notice of lien with interest is due and is a just lien upon the premises.
- F. Any lien pursuant to this section may be foreclosed in the same manner as a mortgage.
- G. Any lien pursuant to this section may be discharged or dissolved in the manner provided in G.S. §§ 49-35a to 49-37, inclusive.
- H. The recovery or repayment of any penalties or costs incurred pursuant to this chapter may be obtained by the city by collecting rents directly from any tenants of the dwelling involved, or by a suit against the owner of the dwelling, or both, pursuant to procedures contained in G.S. chapter 833a.

Sec. 18-168. – Condemnation.

- A. The director of licenses and inspections or director of health may condemn as unfit for human habitation any housing or housing unit he or she may deem to be so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or the public.
- B. Any housing or housing unit condemned as unfit for human habitation and so designated and placarded shall be vacated within a reasonable time as ordered by the enforcing officer.

- C. No housing or housing unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by, the condemning authority.
- D. The condemning authority shall remove such placard whenever the defect upon which the condemnation and placarding action was based has been eliminated.
- E. No person shall deface or remove the placard from any housing or housing unit which has been condemned as unfit for human habitation and placarded as such, except as provided in paragraph D.
- F. Where no corrective action is taken by the owner, operator, or occupant of a housing or housing unit designated as unfit for human occupancy within six (6) months following the date of the placarding action and when no hearing is pending, the director of licenses and inspections shall seek judicial remedies and may consider pursuing an order that the structure in violation to be demolished as soon as practicable, provided that reasonable notice is given to said owner, operator, or occupant within a reasonable time prior to said demolition.
- G. Nothing herein contained shall be interpreted as precluding any private right of action of any person against an owner, operator, or occupant of the placarded structure.

Sec. 18-169. – Special consideration.

Notwithstanding anything herein to the contrary, special consideration may be given to individuals who are elderly or disabled and who demonstrate that the violation results from an inability to maintain a housing unit and no person with that ability resides therein, and to property owners who are in financial distress and demonstrate an inability to pay the costs of remedying any violation issued pursuant to this chapter. Such special consideration shall be limited to the reduction or elimination of fines, or an agreement that the city or its agents may perform the necessary work and place a lien against the premises for the cost thereof in accordance with the provisions of this code.

Sec. 18-170 to 18-179. – Reserved.

ARTICLE X. APPEALS

Sec. 18-180. – Right to appeal.

- A. Any person adversely affected by any order which has been issued in connection with the enforcement of any provisions of this chapter may request and, upon payment of a ten dollar (\$10.00) fee to the city, shall be granted a hearing on the matter before the hearing officer established under section 1-5 of the code, provided that such person, within ten (10) days of the date of service of the order, shall file in the office of the director of licenses and inspections a written petition containing a request for such hearing and setting forth a brief and concise statement of the error alleged to be contained in the order. The person filing such a petition shall be called the petitioner.
- B. Appeals of a suspension (including a request for an extension of such suspension, rather than revocation) may be filed in accordance with article X of this chapter, provided, however, that any suspended license shall be deemed to be automatically revoked if a request for hearing is not filed in the office of the director of licenses and inspections within twenty (20) days after notice of suspension is served.
- C. This article shall not apply to any person who is assessed a civil penalty pursuant to section 18-164(d) of this code, or to any person aggrieved by the denial of a certificate of apartment occupancy, which are appealable to the superior court in accordance with state law.
- D. This article shall not apply to any appeal from an order of the director of health pursuant to section 18-164(h) of this code, which is appealable to the State director of health in accordance with state law.

Sec. 18-181. – Effect of appeal.

The filing of an appeal shall not automatically stay operation of the order.

Sec. 18-182. – Appeal procedures.

A. Timing

- (1) If a petitioner is appealing an order related to an emergency action pursuant to section 18-162 of this code, or is requesting a stay pursuant to section 18-185 of this code, the hearing officer shall hold a hearing as soon as possible, but whenever possible no later than ten (10) days from the filing of the petition.
- (2) For all hearings other than those requested pursuant to subsection (1), the hearing officer shall hold a hearing not less than fifteen (15) days nor more than thirty (30) days from the date of mailing of the notice.

- (3) Upon application of the petitioner, said hearing officer may postpone the date of the hearing for a reasonable time if, in his or her judgment, the petitioner submitted a good and sufficient reason for such postponement; but in no event shall said hearing be postponed longer than sixty (60) additional days.
- B. Any person who requests a hearing pursuant to this article shall be given written notice of the date, time, and place for the hearing.
- C. At such hearing the petitioner shall be given an opportunity to be heard and to show why such order shall be modified, extended, or withdrawn, or a waiver granted.
- D. The petitioner shall have the right to be represented by counsel, to cross-examine and to call witnesses, and to introduce evidence on his own behalf.
- E. The corporation counsel or his designee shall represent the city and shall cross-examine and call witnesses, and introduce evidence on behalf of the city. The presence of the issuing official shall be required at the hearing if the petitioner so requests.
- F. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation.

Sec. 18-183. – Decisions in appeals.

- A. The hearing officer shall announce his or her decision at the end of the hearing.
- B. If the hearing officer determines that the petitioner is not liable for the violation, the order shall be withdrawn, and the ten dollar (\$10) fee shall be returned to the petitioner.
- C. If the hearing officer determines that the petitioner is liable for the violation, the order shall be sustained, and the hearing officer shall forthwith enter and assess the fines, penalties, costs, or fees against such person as provided by this chapter.
- D. The hearing officer may grant an extension or waiver in accordance with the conditions set forth in section 18-185 of this code.

- E. If the petitioner fails to appear, the hearing officer may enter an assessment by default against him or her upon a finding of proper notice and liability under the applicable statutes or ordinances.

Sec. 18-184. – Extension or waiver.

- A. Extension. The time for performance of any act required by the order may be extended for not more than eighteen (18) months subject to appropriate conditions and provided that the hearing officer makes specific findings of fact based on evidence relating to the following factors:
- (2) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of any provisions of this title; and
 - (3) That such extension is in harmony with the general purpose and intent of this title in securing the public health, safety and general welfare.
- B. Waiver. A waiver (including partial waiver) may be granted in a specific case and from a specific provision of this chapter subject to appropriate conditions and provided that the hearing officer makes specific findings of fact based on evidence relating to the following factors:
- (1) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provision;
 - (2) That the effect of the application of the provisions would be arbitrary in the specific case;
 - (3) That an extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships and this arbitrary effect; and
 - (4) That such waiver is in harmony with the general purpose and intent of this title in securing the public health, safety and general welfare.

Sec. 18-185. – Request to stay during appeal.

- A. A party filing the petition, within the time allowed for such filing, may make written request of the director of licenses and inspections for a stay of operation of the order pending the hearing by the hearing officer.
- B. Such request shall set forth a brief and concise statement of the reasons for which good cause for a stay of the operation of the order shall be had.
- C. Upon receipt of such petition, the director of licenses and inspections shall request that the hearing officer set a time and place for a hearing.

Sec. 18-186. – Record of hearings.

The proceedings at any hearing conducted pursuant to this section, including the findings and decision of the hearing officer and a copy of notices and orders issued in connection with the matter, shall be summarized, reduced to writing, and entered as a matter of public record in the office of the hearing officer or the director of licenses and inspections .

Sec. 18-187 to 18-199. – Reserved.



ITEM # 17 ON AGENDA

Luke A. Bronin
Mayor

June 10, 2019

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 is a resolution for consideration by the Court of Common Council (the "Council") which would authorize 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 the vacant city-owned lot located at 260 Huyshope Avenue (the "Property") among the list of exceptions set forth in Section 26-41, so as to allow for the consumption of alcoholic beverages on the Property before events at Dillon Stadium ("Dillon").

The Property is situated within the boundaries of Colt Park and is therefore considered park property. The Property will be used as a parking lot in support of events held at Dillon. Dillon will be fully renovated into a fully-functioning sports and recreational facility that will serve as the home field for the United Soccer league franchise, Hartford Athletic. We would like to allow responsible tailgating at Dillon as part of the game day experience for residents and visitors. Under this proposed revision, alcohol could be consumed at the Property for a period beginning three hours prior and ending thirty minutes prior to the start of an event. Our Police Department is aware and supportive of this ordinance change, and we have been working with them and the team to build security plans for all events at Dillon.

For context, please note that 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 some locations. Allowing for the consumption of alcohol at the Property will treat it similarly with other city-owned assets where there are public events.

The proposed revision will require that appropriate liability insurance is retained. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin
Mayor

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

Introduced by:

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

May 28, 2019

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

That Chapter 4 –PARKS AND RECREATION, Article II - CONDUCT AND USE REGULATED, of the Municipal Code be hereby amended as follows:

(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.

- (7) Alcoholic beverages may be consumed within the city-owned lot located at 260 Huyshope Avenue during the time period beginning three (3) hours prior and ending thirty (30) minutes prior to the start of a professional sporting event or other event promoted by the ownership group of a professional sports franchise under an agreement for the use of Dillon Stadium, provided that proof of liability insurance, in amounts set by the Director of the Office of Management, Budget and Grants for the City of Hartford or their designee, is delivered to the City in advance of said event.



Luke A. Bronin
Mayor

ITEM# 18 ON AGENDA

June 10, 2019

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 the Commission on Aging

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Deborah McDonald to the Commission on Aging.

The Commission on Aging is composed of eleven members. It was formed for the purpose of studying the conditions and needs of elderly persons in the community in relation to housing, employment, health, recreation, and the economy. It analyzes the services and programs provided for seniors in the community and makes recommendations to the Mayor and Court of Common Council regarding the development and integration of such programs.

Ms. McDonald has been an active Hartford resident for many years. She graduated from Weaver High School and then attended Morse Business College where she studied accounting. She is an active volunteer at several churches and assists in the program development at the North End Senior Center.

Her resume is attached for your review. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin
Mayor

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

Deborah J. McDonald

**31 Pershing Street
Hartford, CT 06112
(860) 593-2646
Sisdeb77@gmail.com**

PROFESSIONAL SUMMARY

I'm a professional with proven quality of loyalty, hard-work and reliability. Adapt at preparing and maintain files, greeting visitors and restocking supplies. Good communication and planner with strong judgment and critical thinking abilities.

SKILLS

- | | |
|---------------------------|------------------------------|
| • Auditing cash flow | Document filing |
| • Time letter preparation | Multi-line phone proficiency |
| • Correspondence handling | Filing data archiving |
| • Inventory control | Computer skills |

Work History

Clerk Typist/Receptionist 3-8-2008 – Current
Department of Mental Health and Addition Services
500 Vine St. Hartford, CT 06112

Ford Storage/Manager 1-10-2003 – 3-1-2008
53 Douglas Rd.
Bloomfield, CT 06002

Department of Revenue Service 4-1-2000 – 1-5-2003
25 Sigourney Street
Hartford, CT 06106

EDUCATION

Morse Business College	2 years (Accounting) 1971--1973
Weaver High School	1971 Graduate

INTEREST/ACTIVITES

I am a member of Bethel African Methodist Episcopal Church serving as Correspondence Secretary on the Senior Usher Board. I'm the Secretary of the Hospitality Ministry and serve as a member of the Pastor's Aide Ministry.

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, June 10, 2019

WHEREAS, The Commission on Aging is responsible for studying the conditions and needs of elderly people in the community and for making recommendations concerning programs and services for senior; and

WHEREAS, The Commission is composed of eleven members, each serving three-year terms; and

WHEREAS, The Mayor has nominated Deborah McDonald as a new member of the Commission on Aging; now, therefore be it

RESOLVED, That the Court of Common Council hereby confirms the following appointment:

Deborah McDonald (D)
31 Pershing Street, Hartford CT, 06112
For a term expiring June 10, 2022

INTRODUCED
Councilman Larry Deutsch

COURT OF COMMON COUNCIL
July 8, 2019

Whereas, there are unallocated funds because of the recent Superior Court judgment regarding Centerplan,

Whereas, there needs to be additional funding in the Department of Public Works, waste and recycling line, for personal protective equipment and hazardous work bonus pay,

Whereas, it has been shown that there is lacking pay equity between Hartford wage scales and other nearby cities and within the DPW department between truck mechanics for waste and sanitation and fire trucks,

Whereas, this transfer can be accomplished now, therefore be it

Resolved, that an allocation of \$335,000 be transferred from the general fund or the Office of Corporation Counsel to the Department of Public Works

INTRODUCED BY
Councilwoman rJo Winch

COURT OF COMMON COUNCIL
July 8, 2019

Co-Sponsor:
Councilman Larry Deutsch

2% Pay increase for Court of Common Council Executive Assistants

Whereas: The 2019-2020 Adopted Budget provided for a 2% pay increase to non-union (noncontracted) and non-administrative employees, and

Whereas: These employees receiving the 2% increase were not specified (by job title, category, or name). Therefore, be it

Resolved: That a 2% pay increase also be provided to Executive Assistants currently serving the Court of Common Council. And be it further

Resolved: That such pay increase have the effective date of July 1, 2019.