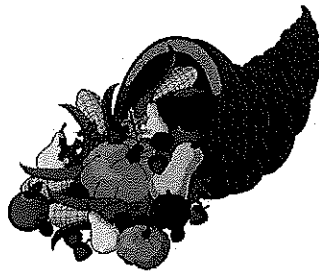


# *COURT OF COMMON COUNCIL*



**MEETING OCTOBER 28, 2019**

**7:00 P.M.**



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

**AGENDA**  
**MEETING OF THE COURT OF COMMON COUNCIL**  
**October 28, 2019**  
**Approve Minutes September 23, 2019 & October 15, 2019**

**ACTION TAKEN**

**COMMUNICATIONS**

1. MAYOR BRONIN, with accompanying resolution that would authorize the City to transfer \$1.5 million of FY 2019 surplus funds currently in the General Fund to the City's Capital Improvement Project reserve for future capital investment, consistent with our long-term financial plan.
2. MAYOR BRONIN, with accompanying resolution authorizing the City of Hartford to enter into a 10-year Tax Abatement Agreement with 3236 South Limited Partnership (3236LP) to support affordable rental housing located at 32-34 and 36-38 Wethersfield Avenue, Hartford, CT 06106, known as Wethersfield Commons.
3. MAYOR BRONIN, with accompanying resolution authorizing the City accept a grant of \$86,547.00 from the State of Connecticut Office of Early Childhood for expansion and enhancement of the Family Child Care Provider Network.
4. MAYOR BRONIN, with accompanying resolution confirming the appointments of Josye Utick as a regular member and Jonathan Harding as an alternate member to the Planning and Zoning Commission.
5. MAYOR BRONIN, with accompanying resolution transferring \$81,936 from Sundry: Non-Operating Department Expenditures in Fiscal Year 2020 to the Registrars of Voters (ROV) Office. These funds will be used for the expenses associated with the Election being held on November 5, 2019.
6. MAYOR BRONIN, with accompanying resolution which would authorize the City of Hartford to enter into a ten-year tax assessment fixing agreement with Spartan Tower, LLC for the property located at 25 Sigourney Street. The Tax Abatement Committee approved this agreement at its October 15th Special Meeting.
7. MAYOR BRONIN, with accompanying resolution confirming the appointment of Kenneth Cayones to the Hartford Commission on Disability Issues.
8. MAYOR BRONIN, with accompanying resolution authorizing the Mayor to accept a grant in the amount of \$3,106,378.36 from the State of Connecticut, Department of Transportation and U.S. Department of Transportation, Federal Highway Administration, using funds from the High Priority Projects Program and other federal funds.
9. LEGISLATIVE AFFAIRS COMMITTEE, Communication discharging resolution confirming the appointment of Richard Szczepke to the Zoning Board of Appeals back to City Council.
10. LEGISLATIVE AFFAIRS COMMITTEE Communication discharging resolution confirming the appointment of Barbara Ng'Ongolo and Komla Matrevi to the Commission on Refugee and Immigrant Affairs back to City Council.
11. LEGISLATIVE AFFAIRS COMMITTEE, Communication discharging ordinance amending Chapter 2, Article V, Division 4 Commission on Cultural Affairs of the Municipal Code to Create the Honorary Positions of the Troubadour, Story Teller, Commentator, Flow Artist and earth Artist back to City Council.

**REPORTS**

12. OPERATIONS, MANAGEMENT, BUDGET AND GOVERNMENT ACCOUNTABILITY COMMITTEE, with accompanying resolution authorizing the City to accept a Federal Highway Administration Grant in the amount of \$3,189,115 for the installation of a roundabout at Sigourney Street, Park Terrace, and Russ Street.
13. OPERATIONS, MANAGEMENT, BUDGET AND GOVERNMENT ACCOUNTABILITY COMMITTEE, with accompanying resolution that would appoint Liberty Bank as a qualified public depository for the City of Hartford, at the recommendation of City Treasurer.
14. OPERATIONS, MANAGEMENT, BUDGET AND GOVERNMENT ACCOUNTABILITY COMMITTEE, resolution that would authorize the Hartford Board of Education to apply for school construction grants from the State of Connecticut at the current authorized

reimbursement rate of 95% for all school construction projects before June 30, 2022.

15. QUALITY OF LIFE AND PUBLIC SAFETY COMMITTEE, with accompanying resolution authorizing the City to accept a Justice Assistance Grant (JAG) in the amount of \$190,809 from the United States Department of Justice.
16. QUALITY OF LIFE AND PUBLIC SAFETY COMMITTEE, with accompanying resolution authorizing the City to accept the donation of a Sirchie CyanoSafe Filtered Cyanoacrylate Fuming Chamber from the University of Connecticut Police Department.
17. QUALITY OF LIFE AND PUBLIC SAFETY COMMITTEE, with accompanying resolution adopting Hartford's new Community Risk Assessment – Standards of Cover (CRA-SOC), recently finalized and approved by the Hartford Fire Department (HFD).

#### **FOR ACTION**

18. Resolution with accompanying report which would authorize the City to enter into a lease agreement with New Cingular Wireless PCS, LLC for the installation of wireless devices on public structures to support their 4G Network. In an effort to further support existing AT&T cellular service across the City, New Cingular Wireless PCS, LLC has requested to utilize city owned property within the right-of-way to strengthen cell phone coverage within the City.
19. Resolution with accompanying report authorizing the City to accept a grant in the amount of \$1.5 million from the State of Connecticut Department of Economic and Community Development for the development of an Albany Avenue neighborhood park.
20. 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.
21. Ordinance amending Chapter Two, Article VIII Section 2-850 Residency Requirements of the Municipal Code.
22. 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.
23. 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.
24. 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.
25. Ordinance amending Chapter 2, Article XXIII, Section 2-938 Drones of the Municipal Code.
26. 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.
27. 2nd Substitute Ordinance amending Chapter 2, Chapter 9, Chapter 24, Chapter 30, and Chapter 18 of the Municipal Code of Hartford to create the Housing Code.
28. Ordinance Amending Chapter. IV, Section 17-102-17-110 Sale and Distribution of Tobacco/Nicotine Products of the Hartford Municipal Code.
29. Resolution confirming the appointment of Barbara Ng'Ongolo and Komla Matrevi to the Commission on Refugee and Immigrant Affairs.
30. Resolution confirming the appointment of Richard Szczypek to the Zoning Board of Appeals.

#### **PROPOSED ORDINANCES**

31. (COUNCILMAN DEUTSCH) Ordinance amending Chapter 2, Article XII, Sections 2-761 – 2-784 of Living Wage of the Municipal Code.

**HEARING DATE - Monday, November 18, 2019**

#### **RESOLUTIONS**

32. (MAJORITY LEADER SANCHEZ) Resolution requesting that the Hartford Solid Waste Task Force be extended until December 31, 2021.

**Attest:**

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



Luke A. Bronin  
Mayor

ITEM # 1 ON AGENDA

October 28, 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: Funding Approved FY2020 Capital Budget**

Dear Council President Thames,

Attached is a resolution that would authorize the City to transfer \$1.5 million of FY 2019 surplus funds currently in the General Fund to the City's Capital Improvement Project reserve for future capital investment, consistent with our long-term financial plan.

We respectfully request council approval of this transfer before November 12<sup>th</sup>, 2019 in order to process the transfer prior to the close of FY 2019. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS,** In accordance with Chapter X Section 7(a) of the City of Hartford Charter, the Mayor has recommended the transfer of \$1,500,000 from the FY 2019 General Fund to cover future capital investment; now, therefore, be it

**RESOLVED,** That the Mayor is hereby authorized to make the following transfers in the FY 2019 General Fund Budget:

- Transfer \$1,500,000 from the General Fund to FY 2020 Debt Service, which funds capital expenditures; and be it further

**RESOLVED,** That the Mayor is hereby authorized to modify such transfers up to and including audit adjustments.



**Luke A. Bronin**  
Mayor

ITEM # 2 ON AGENDA

October 28, 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: Tax Agreement – 3236 South Limited Partnership/CRT**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City of Hartford to enter into a 10-year Tax Abatement Agreement with 3236 South Limited Partnership (3236LP) to support affordable rental housing located at 32-34 and 36-38 Wethersfield Avenue, Hartford, CT 06106, known as Wethersfield Commons. The request for a Tax Abatement Agreement was approved by the Tax Abatement Committee during its meeting held on September 25, 2019.

3236 LP (the owner) in partnership with the Community Renewal Team of Greater Hartford (CRT), the Developer and General Partner, maintain and operate 12 units of affordable housing. To create and maintain affordability, CRT utilized Low Income Housing Tax Credit (LIHTC) equity along with government funding to rehabilitate the property in 2001. Subsequently, CRT as the developer, entered into an Extended Low-Income Housing Commitment (ELIHC) in April 2001 with Connecticut Housing Finance Authority (CHFA).


The Extended Low-Income Housing Commitment (ELIHC) mandates that the partnership maintains a rent schedule affordable to families and/or individuals earning less than or equal to 25% and 50% of the area median income until the year 2100, 81 years beyond the original 15-year LIHTC compliance period. It has been determined that the project is unable to maintain affordability without tax relief.

The owners have agreed to the following terms for the 12 affordable units:

- A ten (10) year abatement of taxes.
- Annual tax payment of 60% of the Assessed Taxes.

When executed, an abatement agreement will provide the property financial stability while it operates and maintains affordable housing units for low-income residents. 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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS**, Wethersfield Commons is a 12-unit rental housing development located at 32-34 and 36-38 Wethersfield Avenue, (the "Property") which is affordable to and occupied by low and moderate income residents, owned by 3236 South Limited Partnership, (the "Owner") and the Community Renewal Team of Greater Hartford (CRT) is the General Partner of such limited partnership; and

**WHEREAS**, 3236 South Limited Partnership continues to provide affordable housing for very low, low, and moderate- income persons and families; and has submitted an application for a new tax abatement which documents the need for tax relief and the Tax Abatement Committee has recommended such an agreement; and

**WHEREAS**, Assessed taxes on the property are \$27,707.20 per year based on the 2018 Grand List or \$2,308.93 per unit; now, therefore be it

**RESOLVED**, That the Mayor is authorized to enter into a Tax Abatement Agreement with 3236 South Limited Partnership for the Property, subject to the following conditions:

1. The term of the Agreement shall not exceed Ten (10) years.
2. The Agreement shall apply to tax payments due from July 1, 2019 (2018 GL) through January 1, 2029.
3. The Agreement shall require the owner to pay 60% of the assessed taxes, as determined by the City Assessor.
4. All 12 units shall remain affordable as prescribed by the Extended Low-Income Housing Commitment for the term of the Tax Abatement Agreement.
5. The Owner is to re-invest \$72,000.00, e.g. \$6,000.00 per unit, toward improvements and capital repairs over the next three (3) years – 2020 through 2023.
6. During the construction or work performed in association of the capital repairs or improvements, the Owner will comply with Article XII, Section 2-680 of the Hartford Municipal Code, Hartford Affirmative Action Plan / Equal Employment Opportunity, and shall set aside 15% of the total construction project cost for contracts with certified Minority & Women Business Enterprises, assure no less than 15% of total project work hours by trade will be worked by minority and/ or women trade workers, and no less than 30% of total project work hours to be worked by Hartford Residents.
7. Any funds raised by refinancing by the owner to meet the City's requirements to complete improvements and /or capital repairs shall be exempt from the 10% recapture requirement to the extent they are used for that purpose.
8. With the exception of the aforementioned, upon any future sale or refinance, payment shall be made to the City of 10% of the net sales proceeds, not to exceed the total of abated taxes.
9. The Tax Abatement Agreement shall not be assignable nor transferable without written consent approved by the Committee on the Abatement of Taxes and Assessment and signed by the Mayor of the City of Hartford.
10. Notwithstanding anything to the contrary in the Agreement, the Agreement shall automatically transfer and inure to the benefit of any party succeeding to the interest of the Owner under this Agreement as a result of a mortgage foreclosure.
11. In the case of default, the City of Hartford shall retain the right to cancel the agreement and its remedy shall include the payment of abated taxes.

**RESOLVED**, That the Mayor is authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to 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 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 and the Corporation Counsel.





Luke A. Bronin  
Mayor

ITEM # 3 ON AGENDA

October 28, 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: Family Child Care Network**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City accept a grant of \$86,547.00 from the State of Connecticut Office of Early Childhood for expansion and enhancement of the Family Child Care Provider Network.

The Department of Families, Children, Youth and Recreation operates the Family Childcare Provider Network which provides childcare, particularly for infants and toddlers. This grant would allow the City to enhance the support services offered by providers in the network.

There is no financial obligation on behalf of the city and funds will be made available for the period of July 1<sup>st</sup>, 2019 through June 30, 2020.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS,** The State of Connecticut Office of Early Childhood has notified the City of Hartford that funds in the amount of \$86,547.00 will be made available to the Department of Families, Children, Youth & Recreation; and

**WHEREAS,** This grant funding is provided by The State of Connecticut Office of Early Childhood and is to be used to enhance and expand the Family Child Care Provider Network operated by the Department of Families, Children, Youth & Recreation for the City of Hartford; and

**WHEREAS,** This grant funding will allow the City to develop workshops, educational materials, provide additional support and create opportunities for partners to collaborate; and

**WHEREAS,** The grant funding period is July 1, 2019 through June 30, 2020 and requires no matching funds from the City; now, therefore be it

**RESOLVED,** That the Mayor is authorized to accept a grant in the amount of \$86,547.00 from The State of Connecticut Office of Early Childhood to enhance and expand the Family Child Care Provider Network operated by the Department of Families, Children, Youth & Recreation for the City of Hartford; and be it further

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

**RESOLVED,** That the Mayor is authorized to execute any and all manner of other documents and to take such actions as he and the Corporation Council may deem appropriate and in the best interests of the City in order to receive, contract and expand the above referenced funding; 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 the 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 or by the parties executing such documents, and taking such action, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Council.



ITEM # 4 ON AGENDA

Luke A. Bronin  
Mayor

October 28, 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: Appointments to Planning & Zoning Commission**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointments of Josye Utick as a regular member and Jonathan Harding as an alternate member to the Planning and Zoning Commission.

The Planning and Zoning Commission is an essential part of Hartford City Government. The Commission is responsible for preparing and approving Hartford's Plan of Conservation and Development at least every ten years. It prepares the City's Capital Improvement Program, reviews all resolutions and ordinances that relate to public land and building, and is the decision-making body for planning and zoning matters for the City of Hartford.

These two individuals will add expertise and a history of public service to the Commission. Ms. Utick is an architect who currently serves on the Historic Properties Commission. Her work around the world with JCJ Architecture provides her with the design expertise that will be helpful in evaluating projects. She is also active in the CSS/CON neighborhood revitalization zone. Mr. Harding is a resident of the West End, and an attorney at the Office of the Attorney General. He served on a term on the School Governance Council of Noah Webster and has served on a committee of the West End Civic Association.

Resumes are attached for your review. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS,** The Hartford Planning and Zoning Commission is responsible for adopting the City's Plan of Conservation and Development, preparing the Capital Improvement Plan, and making decisions on planning and zoning within the city; and

**WHEREAS,** The Commission is composed of seven regular members and three alternates; and

**WHEREAS,** The Mayor has appointed Josye Utick as a regular member of the Commission and Jonathan Harding as an alternate member; now, therefore be it

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

Josye Utick (D) – To Replace David Blatt  
221 Trumbull Street, Unit 2903, Hartford, CT 06103  
For a term to expire February 7, 2022

Jonathan Harding (D) – To Replace Toni Gold  
157 Beacon Street, Third Floor, Hartford, CT 06105  
For a term to expire February 3, 2020



ITEM # 5 ON AGENDA

**Luke A. Bronin**  
Mayor

October 28, 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: Transfer of Funds to ROV**

Dear Council President Thames,

Attached for your consideration is a resolution transferring \$81,936 from Sundry: Non-Operating Department Expenditures in Fiscal Year 2020 to the Registrars of Voters (ROV) Office. These funds will be used for the expenses associated with the Election being held on November 5, 2019.

During the adoption of the Fiscal Year 2020 General Fund Budget, funds for election expenses were appropriated in the Sundry Elections Expense account with the intention that funds would be transferred to the ROV Office as needed. The ROV provided a budget estimate of \$142,692 for the November Election. The recent September Primary, which has previously been transferred to the ROV, was favorable by \$60,756 to budget because there was no Republican Primary in September. The \$60,756 currently available and in the ROV's budget plus a budget transfer of \$81,936 will provide the ROV the full \$142,692 they have requested to fund the November Election.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", 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, October 28, 2019

**WHEREAS**, During the adoption of the FY2020 Budget, the Council and the Mayor agreed to place funding in the Sundry Election Expenses Account with the understanding that such funds would be transferred to the Registrars of Voters Office, at their request, for expenditures related to election activities; and

**WHEREAS**, The City of Hartford will conduct an election on November 5, 2019; and

**WHEREAS**, The Registrars of Voter's Office has estimated the expenses required for the November Election at \$142,692; and

**WHEREAS**, The recent September Primary, which has previously been transferred to the ROV, was favorable by \$60,756 to budget because there was no Republican Primary in September; and

**WHEREAS**, The \$60,756 currently available and in the ROV's budget plus a budget transfer of \$81,936 will provide the ROV the full \$142,692 they have requested to fund the November Election; now, therefore, be it

**RESOLVED**, That the Mayor is hereby authorized to transfer \$81,936 from the Sundry: Non-Operating Department to the Registrars of Voters Office for the Election on November 5, 2019.



ITEM # 6 ON AGENDA

**Luke A. Bronin**  
Mayor

October 28, 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: Tax Agreement – 25 Sigourney Street**

Dear Council President Thames,

Attached for your consideration is a resolution which would authorize the City of Hartford to enter into a ten-year tax assessment fixing agreement with Spartan Tower, LLC for the property located at 25 Sigourney Street. The Tax Abatement Committee approved this agreement at its October 15<sup>th</sup> Special Meeting.

The Property consists of a 15-story office tower (627,401 SF) that has been vacant for several years and an adjacent 4-story parking garage. The Developer is in the process of acquiring the Property from the State of Connecticut, who has owned the Property since 1994. The Developer plans to redevelop the building for commercial use and either rehabilitate or demolish the parking garage at a cost of approximately \$7.5M.

As a State-owned asset, 25 Sigourney Street has been exempt from property taxes for the duration of the State's ownership. A tax assessment fixing agreement is proposed in order to ensure the Property is economically viable going forward and will provide the city revenue. The proposed tax fixing agreement would fix the assessed value of the Property such that it yields a property tax commencing with the 2019 Grand List (July 2020 and January 2021 tax bills) of \$175,000 in years 1-4, \$200,000 in years 5-7 and \$225,000 in years 8-10, resulting in \$1.975M in tax revenue over a ten year period.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS**, Spartan Tower, LLC (the “Developer”) is acquiring property located at 25 Sigourney Street, Hartford, CT (the “Property”) from the State of Connecticut (“State”) who has owned the Property since 1994; and

**WHEREAS**, The Property consists of a 15-story office tower (627,401 SF) that has been vacant for several years and an adjacent 4-story parking garage; and

**WHEREAS**, The Developer plans to redevelop the building for commercial use and either rehabilitate or demolish the parking garage at a cost of approximately \$7.5M; and

**WHEREAS**, To ensure the Property is economically viable going forward a tax assessment fixing agreement is proposed which would fix the assessed value of the Property such that it yields a property tax commencing with the 2019 Grand List (July 2020 and January 2021 tax bills) of \$175,000 in years 1-4, \$200,000 in years 5-7 and \$225,000 in years 8-10, resulting in \$1.975M in tax revenue over a ten year period; and

**WHEREAS**, Approval of the proposed tax assessment fixing agreement would result in the redevelopment of a vacant office tower, thereby returning a non-performing property to productive use. It will bring real property tax revenue to the City beyond what is currently received and generate additional personal property taxes; now therefore be it

**RESOLVED**, That the Court of Common Council hereby authorizes the Mayor to enter into a tax assessment fixing agreement with Spartan Tower, LLC; 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 agreements or other documents, or to take any of the other aforesaid actions; and be it further

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





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

ITEM # 7 ON AGENDA

October 28, 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: Appointments to the Hartford Commission on Disability Issues**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Kenneth Cayones to the Hartford Commission on Disability Issues.

The Hartford Commission on Disability Issues works to correct deficiencies in the city which prevent persons with disabilities from functioning as full citizens. They encourage merchants and others to establish lines of communication between the city government and persons with disabilities. Finally, they provide assistance and support to the disabled community to ensure their needs are met.

Mr. Cayones currently serves as a peer specialist for Beacon Health Options where he actively works with the disabled community. He has also served as a direct care specialist with Focus Center for Autism.

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

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS,** The Hartford Commission on Disability Issues reviews any city, state and federal regulations which affect persons with disabilities and provides advice and assistance to the disability's community in the City of Hartford; and

**WHEREAS,** The Commission is composed of fifteen members who shall serve a term designated by the Mayor per Sec. 2-279 of the city ordinance; and

**WHEREAS,** The Mayor has appointed Kenneth Cayones to the Hartford Commission on Disability Issues; now, therefore be it

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

Kenneth Cayones (D)  
30 Babcock Street, Hartford CT, 06106  
For a term to expire October 28, 2021



Luke A. Bronin  
Mayor

ITEM # 8 ON AGENDA

October 28, 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: Streetscape Improvements for the Coltsville Corridor – Phase II**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the Mayor to accept a grant in the amount of \$3,106,378.36 from the State of Connecticut, Department of Transportation and U.S. Department of Transportation, Federal Highway Administration, using funds from the High Priority Projects Program and other federal funds.

These funds will be used for streetscape improvements in the Coltsville Corridor, including new sidewalks and streetscape amenities along Van Dyke Avenue from Charter Oak Avenue to Maseek Street. This construction project represents Phase II of a project previously authorized by Council on September 27, 2010.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS**, The City of Hartford, utilizing previously authorized and accepted grant funds from the State of Connecticut, has designed streetscape improvements in the Coltsville Corridor, including new sidewalks and streetscape amenities along Van Dyke Avenue from Charter Oak Avenue to Maseek Street, and

**WHEREAS**, The construction cost of these improvements is estimated to be \$5,065,100, and represents Phase II of Coltsville Streetscape Improvements, under State Project No. 063-626 and Federal-Aid Project No. H082(001); and

**WHEREAS**, The City of Hartford has been advised by the State of Connecticut Department of Transportation that it can request reimbursements of up to \$3,106,378.36 for allowable expenses under this project, using funding provided under the Federal High Priority Projects Program and other federal funds; and

**WHEREAS**, The remainder of anticipated expenses will be covered utilizing identified City resources (\$1,668,561.64) and other federal funds (\$290,160); now therefore be it

**RESOLVED**, That the Court of Common Council authorizes the Mayor to accept grant funding in the amount of \$3,106,378.36 from the State of Connecticut Department of Transportation, U.S. Department of Transportation, and related agencies to implement construction-related activities under State Project No. 063-626 and Federal-Aid Project No. H082(001); and be it further

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

**RESOLVED**, That the Mayor is authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to receive, contract and expend the above referenced grant funds; and be it further

**RESOLVED**, That no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor or his designee fail to execute and deliver the aforementioned documents or 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 and the Corporation Counsel.

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Legislative Affairs Committee*

*John Q. Gale, Chair*

*Larry Deutsch*

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

Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## COMMUNICATION

October 28, 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:

As Chair of the Legislative Affairs Committee, I am respectfully discharging from that Committee back to City Council the following item:

**COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING  
RESOLUTION CONFIRMING THE APPOINTMENT OF RICHARD SZCZYPEK TO  
THE ZONING BOARD OF APPEALS. (AGENDA ITEM #8, meeting of September 23,  
2019)**

Your chair,

A handwritten signature in black ink, appearing to be "John Q. Gale", is written over a large, stylized circular flourish.

John Q. Gale

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



*Legislative Affairs Committee*  
*John Q. Gale, Chair*  
*Larry Deutsch*

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

Maly D. Rosado, Councilwoman  
Jo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## COMMUNICATION

October 28, 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:

As Chair of the Legislative Affairs Committee, I am respectfully discharging from that Committee back to City Council the following item:

**COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING  
RESOLUTION CONFIRMING THE APPOINTMENT OF BARBARA NG'ONGOLO  
AND KOMLA MATREVI TO THE COMMISSION ON REFUGEE AND IMMIGRANT  
AFFAIRS. (AGENDA ITEM #2, meeting of September 23, 2019)**

Your chair,

A handwritten signature in black ink, appearing to be "John Q. Gale", is written over a large, stylized circular flourish.

John Q. Gale

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



*Legislative Affairs Committee*  
*John Q. Gale, Chair*  
*Larry Deutsch*

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

Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## COMMUNICATION

October 28, 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:

As Chair of the Legislative Affairs Committee, I am respectfully discharging from that Committee back to City Council the following item:

**Ordinance amending Chapter 2, Article V, Division 4 Commission on Cultural Affairs of the Municipal Code, to Create the Honorary Positions of the Troubadour, Story Teller, Commentator, Flow Artist and earth Artist. (ASSISTANT MAJORITY LEADER GALE) (COUNCIL PRESIDENT THAMES) (MAJORITY LEADER SANCHEZ) (MINORITY LEADER BERMUDEZ) (AGENDA ITEM #27, meeting of September 9, 2019)**

Your chair,

A handwritten signature in black ink, appearing to be "John Q. Gale", is written over a large, stylized circular mark that resembles a stylized "G" or a large "O".

John Q. Gale

# 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  
Moise Laurent, Councilman  
Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## Report

October 28, 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 October 21, 2019 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

### Item #1

**Communication from Mayor Bronin with accompanying resolution authorizing the City to accept a Federal Highway Administration Grant in the amount of \$3,189,115 for the installation of a roundabout at Sigourney Street, Park Terrace, and Russ Street.**

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Co-Chairman Thomas J. Clarke II, Minority Leader Wildaliz Bermudez, Councilwoman Maly Rosado, non-committee members Councilman Larry Deutsch and Councilman Moise Laurent.



Also present were Lisa Silvestri, Assistant Corporation Counsel, Walter Veselka, Director of Public Works, Steve Francis, Interim Director of Human Resources, Jeff Hallin, Assistant Director of Management, Budget & Grants, Tyrell Alexander, DPW- President of Local 1716 Union, O'Neil Anderson, DPW-Vice President of Local 1716 Union, Samuel Echevarria and Alejandro Sierra Department of Public Works, Brian Anderson, Legislative Coordinator Council 4 AFSCME and other concerned citizens.

Walter Veselka, Director of Public Works explained the purpose of the resolution authorizing the City of Hartford to accept a Federal Highway Administration Grant in the amount of \$3,189,115 for the installation of a roundabout at Sigourney Street, Park Terrace, and Russ Street to create a safer intersection for pedestrians and motorist.

Mr. Veselka shared that 100% of the cost for the project would be covered by the grant under the Fixing America's Surface Transportation Act (FAST).

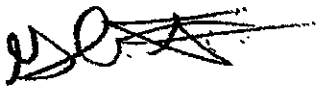
A discussion ensued amongst the OMBGA committee members and Mr. Veselka, regarding cost, funding, construction start date and a business disruption plan.

A motion was made by Council President Glendowlyn L. H. Thames and seconded by Councilwoman Maly Rosado to send this item to full Council with a favorable recommendation.

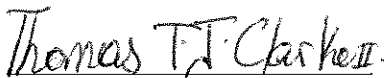
**Vote Taken: (3-0-2-Absent- 0-Recused- Pass)**

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

October 15, 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: Federal Highway Administration Grant for Intersection Safety Project**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a Federal Highway Administration Grant in the amount of \$3,189,115 for the installation of a roundabout at Sigourney Street, Park Terrace, and Russ Street.

The City was awarded this grant under the Fixing America's Surface Transportation Act (FAST). The installation of this roundabout will create a safer intersection for pedestrians and motorists. One hundred percent of the anticipated cost of this project is being covered by this grant, up to a maximum amount of \$3,189,115. The Department of Public Works 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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, October 15, 2019

**WHEREAS,** The City of Hartford has developed Intersection Improvements at Sigourney Street, Park Terrace and Russ Street to improve the safety of this intersection; and

**WHEREAS,** The project will include improvements to the geometry of the intersection with the installation of new roundabout; and

**WHEREAS,** The construction cost of the roundabout at Sigourney Street, Park Terrace and Russ Street is \$3,189,115; and

**WHEREAS,** The City applied to CRCOG for a grant under the Local Road Accident Reduction Program which is now the Fixing America's Surface Transportation Act (FAST); and

**WHEREAS,** The City received a grant to pay for 100% of the construction costs up to a maximum amount of \$3,189,115; now, therefore, be it

**RESOLVED,** That the Mayor is authorized to accept a grant of \$3,189,115 from the Federal Highway Administration to be used for the implementation of the Roundabout Installation for Sigourney Street at Park Terrace and Russ Street 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 program, for the same authorized contract period or any immediate extension thereof, for the same purposes; and be it further

**RESOLVED,** That the Mayor is authorized to execute any and all manner of other documents and to take such actions as he and the Corporation Council may deem appropriate and in the best interests of the City in order to receive, contract and expand the above referenced funding; 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 the 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 or by the parties executing such documents, and taking such action, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Council.

# 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  
Moise Laurent, Councilman  
Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## Report

October 28, 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 October 21, 2019 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

### Item #2

**Communication from Mayor Bronin with accompanying resolution that would appoint Liberty Bank as a qualified public depository for the City of Hartford, at the recommendation of City Treasurer.**

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Co-Chairman Thomas J. Clarke II, Minority Leader Wildaliz Bermudez, Councilwoman Maly Rosado, non-committee members Councilman Larry Deutsch and Councilman Moise Laurent.

Also present were Lisa Silvestri, Assistant Corporation Counsel, Walter Veselka, Director of Public Works, Steve Francis, Interim Director of Human Resources, Jeff Hallin, Assistant Director of Management, Budget & Grants, Tyrell Alexander, DPW- President of Local 1716 Union, O'Neil Anderson, DPW-Vice President of Local 1716 Union, Samuel Echevarria and Alejandro Sierra Department of Public Works, Brian Anderson, Legislative Coordinator Council 4 AFSCME and other concerned citizens.

Lisa Silvestri, Assistant Corporation Counsel explained the purpose of the resolution authorizing the appointment of Liberty Bank as a qualified public depository for the City of Hartford, at the recommendation of City Treasurer.

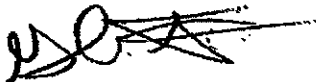
A discussion ensued amongst the OMBGA committee members and Ms. Silvestri, regarding application process, statues regarding qualified public depositories and the community benefits offered by Liberty Bank.

A motion was made by Council President, Glendowlyn L. H. Thames and seconded by Councilwoman Maly Rosado to send this item to full Council with a favorable recommendation.

**Vote Taken: (3-0-2-Absent- 0-Recused- Pass)**

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

October 15, 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: Resolution Appointing Liberty Bank as a Qualified Public Depository**

Dear Council President Thames and Council Members,

Attached for your consideration is a resolution that would appoint Liberty Bank as a qualified public depository for the City of Hartford, at the recommendation of City Treasurer Adam M. Cloud. This is a designation that would permit the Treasurer to make investments of temporarily idle city funds in instruments offered by the bank, consistent with certain requirements of state law. The Court of Common Council must approve this designation.

The Treasurer's office is happy 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", with a stylized flourish at the end.

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, October 15, 2019

**WHEREAS**, the City Treasurer has recommended to the Mayor that Liberty Bank, with its office at 245 Long Hill Road, Middletown, Connecticut 06457, be accepted as a qualified public depository for the City of Hartford; and

**WHEREAS**, Liberty Bank complies with Connecticut General Statutes Sections 36a -330 through 36a – 338, and Section 7-402, regarding qualified public depositories; and

**WHEREAS**, Liberty Bank has effectively demonstrated good corporate citizenship through its programs for veterans; and

**WHEREAS**, the addition of Liberty Bank as a qualified public depository will benefit the City of Hartford with increased competition for the City's investment funds; and

**WHEREAS**, the Mayor has submitted his recommendation for favorable consideration to the Court of Common Council now, therefore, be it

**RESOLVED**, that the City of Hartford appoints Liberty Bank as a qualified public depository effective immediately upon passage of this resolution.

# 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  
Moise Laurent, Councilman  
Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## Report

October 28, 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 October 21, 2019 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

### Item #4

**Communication from Mayor Bronin with accompanying resolution that would authorize the Hartford Board of Education to apply for school construction grants from the State of Connecticut at the current authorized reimbursement rate of 95% for all school construction projects before June 30, 2022.**

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Co-Chairman Thomas J. Clarke II, Minority Leader Wildaliz Bermudez, Councilwoman Maly Rosado, non-committee members Councilman Larry Deutsch and Councilman Moise Laurent.



Also present were Lisa Silvestri, Assistant Corporation Counsel, Walter Veselka, Director of Public Works, Steve Francis, Interim Director of Human Resources, Jeff Hallin, Assistant Director of Management, Budget & Grants, Tyrell Alexander, DPW- President of Local 1716 Union, O'Neil Anderson, DPW-Vice President of Local 1716 Union, Samuel Echevarria and Alejando Sierra Department of Public Works, Brian Anderson, Legislative Coordinator Council 4 AFSCME and other concerned citizens.

Steve Francis, Interim Director of Human Resources explained the purpose of the resolution to authorize the Hartford Board of Education to apply for school construction grants from the State Commissioner of the Department of Administrative Services or the appropriate entity at the current authorized reimbursement rate of 95% for all school construction projects before June 30, 2022.

A discussion ensued amongst the OMBGA committee members and Mr. Francis, regarding the list of schools that they would be applying for grants and the details of the projects.

A motion was made by Council President Glendowlyn L. H. Thames and seconded by Minority Leader Wildaliz Bermudez to send this item to full Council with a favorable recommendation.

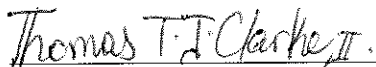
**Vote Taken: (4-0-1-Absent- 0-Recused- Pass)**

Co-Chairwoman Thames: Yes  
Co-Chairman Clarke II: Yes  
Councilman Sánchez: Absent  
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**

September 23, 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: Board of Education School Construction Authorization**

Dear Council President Thames,

Attached for your consideration is a resolution that would authorize the Hartford Board of Education to apply for school construction grants from the State of Connecticut at the current authorized reimbursement rate of 95% for all school construction projects before June 30, 2022.

As you may know, the State of Connecticut recently approved a 95% reimbursement rate for eligible school construction projects in Hartford.

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, September 23, 2019

**WHEREAS,** The City of Hartford and the Hartford Board of Education are in the process of renovating a variety of school facilities across the city, and

**WHEREAS,** School construction projects are funded with the support of the State of Connecticut, now, therefore be it

**RESOLVED,** that the City of Hartford Court of Common Council authorizes the City of Hartford Board of Education to apply to the State Commissioner of the Department of Administrative Services or the appropriate entity to accept or reject school construction grants until June 30, 2022, and be it further

**RESOLVED,** that the Hartford School Building Committee is hereby established as the Building Committee with regard to the all school construction projects in Hartford eligible for State reimbursement until June 30, 2022 and meets all other requirements of school construction projects, and be it further

**RESOLVED,** that the City of Hartford Court of Common Council hereby authorizes the preparation of schematic drawings and outline specifications for all school construction projects in Hartford eligible for State reimbursement until June 30, 2022.

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

# Court of Common Council

ITEM#

15

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

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

John V. Bazzano, Town and City Clerk

## Report

October 28, 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 Quality of Life and Public Safety Committee held its regular scheduled meeting on October 15, 2019 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

### **Item #1**

**COMMUNICATION FROM MAYOR BRONIN, with accompanying resolution authorizing the City to accept a Justice Assistance Grant (JAG) in the amount of \$190,809 from the United States Department of Justice. (Item #3 on Agenda 9/9/19)**

The following were present: Committee Co-Chairman James Sánchez and Co-Chairman Thomas J. Clarke, II. Also present were, N. Feola-Gueneri from Corporation Council, Chief Freeman HFD, LT. Grant HPD and Ryan Pierce Project Manager from the Grants Department.

Council asked several questions regarding the grant and what the uses of the money would go too as well as which Department will it be helping. Ryan Pierce was there to answer questions as well as LT. Grant.

A motion was made by Councilman Thomas J. Clarke to move item with a favorable recommendation to full council; Second by Councilman Sánchez.

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

Councilman Thomas J. Clarke II: Yes

Councilman James Sánchez: Yes

Councilwoman Rjo Winch: Absent

Councilwoman Rosado: Absent

Respectfully Submitted,

Thomas T.J. Clarke, II.

Thomas J. Clarke, II

Co-Chairman of QL&PS

James Sánchez (H&S)

James Sánchez

Co-Chairman of QL&PS



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

September 9, 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: U.S. DOJ Justice Assistance Grant**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a Justice Assistance Grant (JAG) in the amount of \$190,809 from the United States Department of Justice.

The U.S. Department of Justice's JAG grant is an annual formula grant that the City applies for and accepts each year. The intent of this grant is to help law enforcement agencies prevent or reduce crime and violence.

The Hartford Police Department will use these funds to provide a greater police presence, conduct criminal investigations, and provide targeted enforcement of criminal activity. In particular, these grant funds will be used to cover overtime expenses for the Police Department. There is no local match required for this grant. The Police Department is available to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "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, September 9, 2019

**WHEREAS**, The United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance awards grants to municipalities to enhance law enforcement operations; and

**WHEREAS**, The Hartford Police Department qualifies for, and has been awarded, a formula allocation grant in the amount of \$190,809 from the FY 2018 Justice Assistance Grant (JAG) Program; and

**WHEREAS**, The intent of this grant is to assist the efforts of law enforcement agencies to prevent or reduce crime and violence; and

**WHEREAS**, The Hartford Police Department will use these funds to provide a greater police presence, conduct criminal investigations, provide targeted enforcement of criminal activity, and for other purposes; now, therefore, be it

**RESOLVED**, That the Court of Common Council authorizes the Mayor to apply for and accept grant funding in the amount of \$190,809 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the FY 2018 Justice Assistance Grant (JAG) Program; and be it further

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

**RESOLVED**, that the Mayor is authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to receive, contract and expend the above referenced grant funds; and be it further

**RESOLVED**, that 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 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 executing such documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.

# Court of Common Council



CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103

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  
Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## Report

October 28, 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 Quality of Life and Public Safety Committee held its regular scheduled meeting on October 15, 2019 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

### **Item #2**

**COMMUNICATION FROM MAYOR BRONIN, with accompanying resolution authorizing the City to accept the donation of a Sirchie CyanoSafe Filtered Cyanoacrylate Fuming Chamber from the University of Connecticut Police Department. (Item #5 on Agenda 9/9/19)**

The following were present: Committee Co-Chairman James Sánchez, Co-Chairman Thomas J. Clarke, II and Councilwomen Rosado. Also present were, N. Feola-Gueneri from Corporation Council, Chief Freeman HFD & LT. Grant HPD.

Council asked questions regarding what this device is used for at the Police Department. Lt. Grant explained that this is just an update version on a device they already have at the Department.



A motion was made by Councilwomen Rosado to move item with a favorable recommendation to full council; Second by Councilman Sánchez.

**Vote Taken (3-0. 1Absent. Pass)**

Councilman Thomas J. Clarke II: Yes

Councilman James Sánchez: Yes

Councilwoman Rjo Winch: Absent

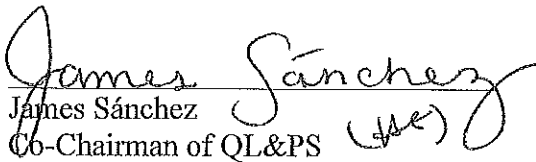
Councilwoman Rosado: Yes

Respectfully Submitted,



Thomas J. Clarke, II

Co-Chairman of QL&PS



James Sánchez

Co-Chairman of QL&PS



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

September 9, 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: Donation from UCONN Police Department**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept the donation of a Sirchie CyanoSafe Filtered Cyanoacrylate Fuming Chamber from the University of Connecticut Police Department.

Fuming chambers develop and enhance latent fingerprints on seized evidence items such as firearms. The donated fuming chamber will serve as an upgrade to the older, heavily-used fuming chamber currently used by the Hartford Police Department Crime Scene Division to process evidence items. Hartford Police Department Crime Scene Division personnel are already trained in the use and operation of the donated fuming chamber. There is no cost for this fuming chamber with the exception of future maintenance of its filter system.

The Hartford Police Department is available to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

**COURT OF COMMON COUNCIL**  
City of Hartford, September 9, 2019

**WHEREAS,** The University of Connecticut has offered to donate a Sirchie CyanoSafe Filtered Cyanoacrylate Fuming Chamber to the Hartford Police Department; and

**WHEREAS,** The City of Hartford Police Department Crime Scene Division currently uses a fuming chamber to process seized evidence items for latent fingerprints, including firearms; and

**WHEREAS,** The donated fuming chamber will be of no cost to the City of Hartford, with the exception of future maintenance; now, therefore be it

**RESOLVED,** That the Mayor is hereby authorized to accept the donation of a Sirchie CyanoSafe Filtered Cyanoacrylate Fuming Chamber from the University of Connecticut Police Department for use by the Hartford Police department.

# 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  
Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## Report

October 28, 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 Quality of Life and Public Safety Committee held its regular scheduled meeting on October 15, 2019 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

### Item #3

**COMMUNICATION FROM MAYOR BRONIN, with accompanying resolution adopting Hartford's new Community Risk Assessment – Standards of Cover (CRA-SOC), recently finalized and approved by the Hartford Fire Department (HFD). (Item #6 on Agenda 9/9/19)**

The following were present: Committee Co-Chairman James Sánchez, Co-Chairman Thomas J. Clarke, II and Councilwomen Rosado. Also present were, N. Feola-Gueneri from Corporation Council, Chief Freeman HFD & LT. Grant HPD.

A motion was made by Councilman Sánchez to move item with a favorable recommendation to full council; Second by Councilwomen Maly.

**Vote Taken (3-0. 1Absent. Pass)**

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

Respectfully Submitted,

Thomas T. J. Clarke, II.

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

James Sánchez

James Sánchez  
Co-Chairman of QL&PS



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

September 9, 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: Hartford Fire Department Community Risk Assessment**

Dear Council President Thames,

Attached for your consideration is a resolution adopting Hartford's new Community Risk Assessment – Standards of Cover (CRA-SOC), recently finalized and approved by the Hartford Fire Department (HFD).

The CRA-SOC was developed over the course of the last year by the HFD's Accreditation Team, a 14-member team consisting of various ranks. The goal of the CRA-SOC is the efficient delivery of emergency services for the protection of life, property, and the environment for Hartford residents, business partners, and visitors. The CRA-SOC forced the Department to evaluate its operations concerning resource allocation and deployment modeling.

The CRA-SOC is a risk-based, data driven plan, the first in the State of Connecticut, for a staffing and the deployment model to direct overall HFD efforts to meet the needs of our city. Key elements of the SOC include service levels, performance analysis of response capacity, and recommendations for improvement and efficiency.

The CRA-SOC incorporates the following: a general overview of the community, a detailed description of the Hartford Fire Department and services provided, a comprehensive community risk assessment including the deployment model, and an evaluation of baseline performance derived from adopted benchmark measures and the compliance methodology.

In addition to optimizing performance, the HFD hopes that the efficient delivery of services maximizes public benefits while saving taxpayer dollars. HFD has already begun the implementation of the CRA-SOC in its operations. It is intended to be a living document that will be updated as time goes on. The HFD is happy to answer any questions you may have, and a copy of the CRA-SOC is attached. 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, September 9, 2019

**WHEREAS,** Like all municipalities, the City of Hartford is vulnerable to many types of disasters including major fires, ice storms, blizzards, thunderstorms, tornadoes, hurricanes, flooding, levee failures, bridge failures, hazardous materials incidents/accidents, aircraft accidents and major highway accidents; and

**WHEREAS,** These disasters present risks to Hartford residents, businesses, and visitors; and

**WHEREAS,** The Hartford Fire Department has drafted and approved a Community Risk Assessment – Standards of Cover to identify, assess, and categorize the various levels of risks associated with the known hazards within the City of Hartford; and

**WHEREAS,** The Hartford Fire Department has drafted and approved a Community Risk Assessment – Standards of Cover to determine its resource allocation and deployment model to mitigate the various levels of risks associated with the known hazards within the City of Hartford; and

**WHEREAS,** The Hartford Fire Department has committed to meeting the adopted Benchmarks within the Community Risk Assessment – Standards of Cover as a service standard for the protection of life, property, and the environment; now, therefore be it

**RESOLVED,** That the Hartford Court of Common Council hereby adopts the Community Risk Assessment – Standards of Cover and supports the efforts of the Hartford Fire Department to effectively meet its service mission in the protection of life, property, and environment.

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Planning, Economic Development & Housing Committee*

*John Q. Gale, Chair*  
*Wildaliz Bermudez*  
*Larry Deutsch*  
*Glendowlyn L. H. Thames*  
*James Sanchez*  
*Maly D. Rosado*

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

Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

October 15, 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 Planning, Economic Development and Housing Committee meeting of the Court of Common Council of the City of Hartford held its regular meeting on October 1, 2019 at 6:00 pm in Council Chambers. Present were Councilman John Q. Gale, Chair and Councilwoman Maly D. Rosado.

The following item was discussed:

**2. COMMUNICATION FROM MAYOR BRONIN, with accompanying resolution which would authorize the City to enter into a lease agreement with New Cingular Wireless PCS, LLC for the installation of wireless devices on public structures to support their 4G Network. In an effort to further support existing AT&T cellular service across the City, New Cingular Wireless PCS, LLC has requested to utilize city owned property within the right-of-way to strengthen cell phone coverage within the City. (Agenda item #2, meeting of September 9, 2019)**



Council received a report from the Economic Development Director Erin Howard in which she explained that subsequent to the introduction of this resolution, the City had received comments from the FCC and others which caused the City to reflect further on the resolution. Under consideration are the effects this resolution will have upon future development of both 4G and 5G networks in the City upon not only AT&T but also all other interested parties. The City suggests a postponement for further study. Representatives of AT&T and an installer of the devices under consideration were present and spoke in favor of taking additional time to consider all consequences.

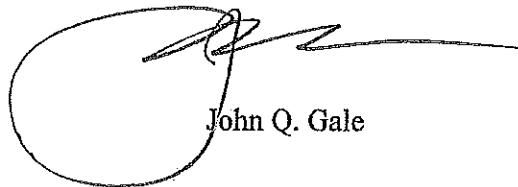
After due consideration, the following action was taken:

Motion by Councilwoman Maly D. Rosado and second by Councilman Gale to postpone the matter until the next meeting of the Committee in November. The chair noted that the next meeting will not be on its regularly scheduled day as that is Election Day.

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

Gale	- yes
Thames	- absent
Bermudez	- absent
Deutsch	- absent
Rosado	- yes
Sanchez	- absent

Your chair,



John Q. Gale



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

September 9, 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: Strengthening AT&T Cellular Service**

Dear Council President Thames,

Attached for your consideration is a resolution which would authorize the City to enter into a lease agreement with New Cingular Wireless PCS, LLC for the installation of wireless devices on public structures to support their 4G Network. In an effort to further support existing AT&T cellular service across the City, New Cingular Wireless PCS, LLC has requested to utilize city owned property within the right-of-way to strengthen cell phone coverage within the City.

Cellular/wireless service is regulated by the Federal Communication Commission and the CT Public Utilities Regulatory Authority, and urban environments present unique challenges to carriers. While utility companies are still allowed to expand their network within the ROW itself, they still must enter into agreements with private/public property owners, as well as obtain any necessary regulatory approvals and permits associated with such property that is not owned by the utilities themselves. New Cingular Wireless PCS, LLC is proposing to replace and install Small Cell Nodes at six Municipal Street Lights within downtown. Proposed locations are attached for your review.

Currently our Zoning Regulations allow for Small Cell Nodes as Accessory Utility Structures by way of a Special Permit. Therefore, prior to executing any agreement, each structure must receive Planning & Zoning Approval as well as approval from our Department of Public Works to ensure that the intended street poles can both support the new infrastructure and maintain City access to these poles.

The Department of Development Services and Corporation Counsel are happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "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, September 9, 2019

**WHEREAS**, AT&T Wireless or New Cingular Wireless PCS, LLC is looking to lease City owned property within the ROW to enhance and provide adequate 4G cell phone coverage to its customers; and

**WHEREAS**, Utility infrastructure is regulated within the ROW by the Federal Communication Commission and the CT Public Utilities Regulatory Authority, however, certain areas of the City are serviced by underground wiring that reduce the number of utility poles within these areas, thereby requiring carriers to attach their wireless installations on private and/or public property not owned by the Utility company; and

**WHEREAS**, New Cingular Wireless PCS, LLC is looking to install Small Cell Nodes upon six City of Hartford Street Lights; and

**WHEREAS**, The City of Hartford has the authority to lease out public structures and charge the utility companies for the use of those structures; and

**WHEREAS**, The City of Hartford's Planning & Zoning Regulations allow for Small Cell Node installations as Accessory Utility Structures by way of a special permit review; and

**WHEREAS**, Any such installation would require the necessary Planning & Zoning approvals, Department of Public Works review & approval as well as any other necessary permits required by law; now, therefore be it

**RESOLVED**, That the Court of Common Council hereby authorizes the Mayor, to enter into a lease agreement with New Cingular Wireless PCS, LLC for the use of City property for Wireless Installations; 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 agreements or other documents, or to take any of the other aforesaid actions; and be it further

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

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Planning, Economic Development & Housing Committee*

*John Q. Gale, Chair*  
*Wildaliz Bermudez*  
*Larry Deutsch*  
*Glendowlyn L. H. Thames*  
*James Sanchez*  
*Maly D. Rosado*

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

Maly D. Rosado, Councilwoman  
Jo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

October 15, 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 Planning, Economic Development and Housing Committee meeting of the Court of Common Council of the City of Hartford held its regular meeting on October 1, 2019 at 6:00 pm in Council Chambers. Present were Councilman John Q. Gale, Chair and Councilwoman Maly D. Rosado.

The following item was discussed:

### AGENDA

- 1. COMMUNICATION FROM MAYOR BRONIN, with accompanying resolution authorizing the City to accept a grant in the amount of \$1.5 million from the State of Connecticut Department of Economic and Community Development for the development of an Albany Avenue neighborhood park. (Agenda Item #1, meeting of September 9, 2019)**

Don Chapman from Development Services reported to the Committee that this project has been in the works for 5 years or so, after money originally received for a Blue Hills police substation was allowed to be repurposed following a decision not to go forward with the substation. All community stakeholders have had input solicited and seem comfortable and supportive of moving forward on the project.

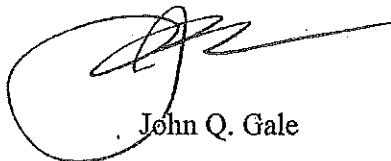
After due consideration, the following action was taken:

Motion by Councilwoman Maly D. Rosado and second by Councilman Gale to send back to Council with a *favorable* recommendation for adoption of the Resolution.

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

Gale	- yes
Thames	- absent
Bermudez	- absent
Deutsch	- absent
Rosado	- yes
Sanchez	- absent

Your chair,

A handwritten signature in black ink, appearing to be 'John Q. Gale', written over a large, loopy circular flourish.

John Q. Gale



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

September 9, 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: Albany Avenue Neighborhood Park Grant**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a grant in the amount of \$1.5 million from the State of Connecticut Department of Economic and Community Development for the development of an Albany Avenue neighborhood park. The Council previously considered an item regarding this grant, and we are requesting consideration of this item regarding the same grant due to clarifications in the resolution required by the State.

With support from the State of Connecticut, the City will transform City-owned land on the north side of Albany Avenue between Magnolia Street and Irving Street into a multi-purpose neighborhood park. Now largely vacant, this plot will be home to seating, plantings, a jogging track, athletic court, greenspace and more. Initial plans for the park have been developed in consultation with residents. Furthermore, this new neighborhood park will leverage streetscape improvements made nearby, further enhancing the city's investment in this neighborhood.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", 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, September 9, 2019

**WHEREAS,** The State of Connecticut Department of Economic and Community Development has awarded an Urban Act Grant of \$1,500,000.00 to the City of Hartford to be used for a neighborhood park on Albany Avenue; and

**WHEREAS,** The neighborhood park will revitalize a largely vacant, city-owned plot between Irving and Magnolia Streets; and

**WHEREAS,** Initial plans for the neighborhood park have been developed in consultation with residents, and will include a recreational jogging track, seating areas, planters, green space, athletic court and more; now, therefore be it

**RESOLVED,** That the Court of Common Council authorizes the Mayor to accept grant funding in the amount of \$1,500,000.00 from the State of Connecticut Department of Economic and Community Development, Urban Act Grant program to plan and construct a neighborhood park on Albany Avenue; and be it further

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

**RESOLVED,** That the Mayor is authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to receive, contract and expend the above referenced grant funds; and be it further

**RESOLVED,** That 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 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 executing such documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



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, with a stylized flourish.

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

<sup>1</sup> Ord. No. 19-08, 7-14-08; Ord. No. 17-11, 5-23-11.

HEADING  
AND  
PURPOSE

Minority Leader Wildaliz Bermudez

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

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

January 22, 2018

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

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

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

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

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

Unmanned aerial vehicle means any contrivance used or designed for navigation 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

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

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

#### **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.

# Court of Common Council

ITEM#

26

ON AGENDA

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  
rJo 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:

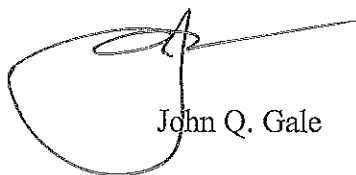
7. **RESOLUTION CONCERNING THE APPROVAL OF THE REGULATIONS GOVERNING THE USE OF UNMANNED AERIAL VEHICLES BY THE HARTFORD POLICE DEPARTMENT IN ACCORDANCE WITH THE PROCESSES RECOMMENDED BY THIS RESOLUTION. (ITEM #17 ON AGENDA of May 14, 2018)**



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, consisting of a large, stylized 'J' followed by a horizontal line and a vertical stroke.

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.

Introduced  
by:

Luke A. Bronin, Mayor

HEADING  
AND  
PURPOSE2ND SUBSTITUTE

AN ORDINANCE AMENDING CHAPTER 2, CHAPTER 9, 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

October 15, 2019

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

That Section 2-330.86, Chapter 24-9, and Chapter 30 of the Municipal Code shall be repealed.

\* \* \*

That Chapter 2, Article V, of the Municipal Code shall be amended to add the following Division:

Division 20 – FAIR RENT COMMISSION

Sec. 2-330.90. – Established; composition.

- A. There shall be a fair rent commission, referred to in this division as the commission, comprising five (5) people who shall each serve for a four (4)-year term without compensation and be appointed by the mayor, with the approval of the council in accordance with the charter.
- B. Each member shall serve for the term for which he is appointed and qualified.
- C. The membership of the commission shall include not less than two (2) tenants, who must reside in the city but may or may not be an elector of the city, and two (2) landlords, who may or may not reside in the city or be an elector of the city, as part of its constituted body.
- D. The mayor shall annually designate one (1) member to act as chairperson.
- E. The recodification of provisions regarding the fair rent commission shall not effect any change to the membership, findings, or existence of the fair rent commission at the time of the recodification.

Sec. 2-330.91. – Meetings; regulations; staff.

- A. The commission shall meet at such time and place as the chairperson shall direct.
- B. A quorum shall consist of three (3) members and shall include not fewer than

one (1) tenant and one (1) landlord.

- C. The commission shall establish regulations governing its operations, meetings and hearings. The regulations shall not take effect unless and until approved by the council.
- D. Staff for the commission shall include a secretary and other personnel, to be provided by the department of development services, as is necessary to enable the commission to carry out its functions. The staff for the commission may have the power to meet with the parties on an informal basis to attempt to reconcile the differences between the parties to any complaint that would otherwise be heard by the commission as described in 2-330.92(A) prior to such hearing.

Sec. 2-330.92. - Functions and duties.

- A. The commission may make studies and investigations, conduct hearings, and receive complaints relative to rental charges on housing accommodations, except those accommodations rented on a seasonal basis, which term shall include mobile homes and mobile home park lots, within the city in order to control and eliminate excessive rent charges on such accommodations and to carry out the provisions of this article.
- B. The commission for such purposes may compel the attendance of persons at hearings, issue subpoenas, administer oaths, issue orders and continue, review, amend, terminate, or suspend any of its orders and decisions.
- C. If the commission determines, after a hearing, that rent charges for any housing accommodation are so excessive, based on the standards and criteria set forth in this division, as to be harsh and unconscionable, it may order that the rent be limited to such amount as it determines to be fair and equitable. No hearing shall be held less than ten (10) days from the mailing date of a notice of such hearing to a landlord or an agent of such landlord at which he may be represented by counsel.
- D. If the commission determines, after a hearing, that a landlord has retaliated in any manner against a tenant because the tenant has complained to the commission, the commission may order the landlord to cease and desist from such conduct.

State Law reference— Similar provisions, G.S. § 7-148b(a), G.S. § 7-148d.

Sec. 2-330.93. - Standards to determine fairness of rent.

In determining whether a rental charge is so excessive, with due regard to all the circumstances, as to be harsh and unconscionable, consideration shall be given to the following circumstances as are applicable to the type of accommodations:

- A. The rents charged for the same number of rooms in other housing accommodations in the same and in other areas of the municipality
- B. The sanitary conditions existing in the housing accommodations in question.
- C. The number of bathtubs or showers, flush water closets, kitchen sinks and lavatory basins located in the housing accommodation or otherwise available to the occupants thereof.
- D. Services, furniture, furnishings and equipment supplied therein.

- E. The size and number of bedrooms contained therein.
- F. Repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein.
- G. The amount of taxes and overhead expenses, including debt service, thereof.
- H. Whether the accommodations are in compliance with the ordinances of the municipality and the general statutes relating to health and safety.
- I. The income of the petitioner and the availability of accommodations.
- J. The availability of utilities.
- K. Damages done to the premises by the tenant, caused by other than ordinary wear and tear.
- L. The amount and frequency of increases in rental charges.
- M. Whether and the extent to which the income from an increase in rental charges has been or will be reinvested in improvements to the accommodations.

State Law reference -- Similar provisions, G.S. § 7-148c.

Sec. 2-330.94. - Effective date of orders regarding rents.

A decision by the commission regarding particular rented premises shall take effect on the date specified by the commission, but if no such date is indicated, the decision shall take effect on the next date on which rent would otherwise be due.

Sec. 2-330.95. - Petition to review rent limitation.

In the case of any order of rent limitation, where there has subsequently been a change of circumstances or, if such order was based in whole or in part on failure to comply with municipal ordinances or state statutes relating to health and safety, and if thereafter the owner of any accommodation brings it to compliance therewith, he may petition the commission for a review of such order. The commission shall give notice thereof to any tenant concerned, shall reinvestigate and shall hold a hearing on such petition not less than ten (10) days from the mailing of a notice of such hearing to all parties concerned. After such hearing the commission shall make such revision of such order as it may deem fair and equitable under the circumstances.

Sec. 2-330.96. - Authority to suspend rent payments.

If the commission determines after a hearing that the housing in question fails to comply with any municipal ordinance of the city or state statute or regulation relating to health and safety, it may order the suspension of further payment of rent by the tenant until such time as the landlord makes the necessary changes, repairs or installations so as to bring such housing into compliance with such ordinance, statute or regulation. The rent during such period shall be paid to the commission by the tenant to be held in escrow subject to the compliance of the landlord with the municipal ordinance, state statute or regulation in question. If the commission determines after a hearing that the housing in question poses an immediate and substantial risk to the health and safety of the tenants, it may order what, if any, rent shall be paid until such time as the landlord makes the necessary changes.

repairs, installations to remove the hazard which is causing the immediate and substantial risk to the tenants and further may order that any such rent shall be paid to the commission to be held in escrow until the necessary changes, repairs, etc., are made by the landlord.

State Law reference— Authority, G.S. § 7-148d(a).

**Sec. 2-330.97. – Certification of pendency of complaint.**

The commission shall give certification to all parties to a complaint that a complaint has been registered with the commission and is pending. This certification may be used by the complainant as a defense against an eviction proceeding to which he or she has been made defendant.

**Sec. 2-330.98. – Appeal from commission order.**

Any person aggrieved by any order of the commission may appeal to the superior court. Any such appeal shall be considered a privileged matter with respect to the order of trial.

State Law reference— Similar provisions, G.S. § 7-148e.

**Sec. 2-330.99. – Violations; penalties.**

Any person who violates any order of rent limitation or rent suspension by demanding, accepting or receiving an amount in excess thereof while such order remains in effect, and no appeal pursuant to this division is pending, or violates any other provision of this article, and who refuses to obey any subpoena, order or decision of the commission pursuant thereto, shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense. If such offense continues for more than five (5) days, it shall constitute a new offense for each day it continues to exist thereafter. The court of common pleas shall have jurisdiction to hear and enforce all matters relating to violations under such sections and this article.

\* \* \*

That Section 9-12(d) of the Municipal Code of Hartford shall be amended as follows:

“The words "extermination" and "infestation" shall be ~~deferred~~defined, for the purposes of the interpretation and enforcement of this section, as they are defined in ~~18-1~~chapter 18 of this Code.”

\* \* \*

That Chapter 18 of the Municipal Code shall be deleted in its entirety and in its place be 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, promote the general health and well-being of residents, 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 building code, anti-blight and property-maintenance code, health code, fire code, and the zoning regulations adopted by the planning and zoning commission.
- E. Promoting sustainable practices.

#### 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 to the extent allowed by the building code 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 an owner 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 the level of the grade.

Bathroom means a room or group of connected rooms, containing the equipment, fixtures, and materials identified in section 18-51G 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 or whether such dwelling unit is used for short-term rentals or long-term rentals. Dwelling units include efficiency/micro units, 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 twenty degrees Fahrenheit (120° 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, apartment hotels, and fraternal clubs.

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.

Insect means unwanted members of the class insecta, including but not limited to houseflies, lice, bees, cockroaches, moths, silverfish, beetles, bedbugs, ants, termites, hornets, mosquitos, and wasps, and such unwanted members of the phylum arthropoda as spiders, mites, ticks, centipedes, and wood lice.

Kitchen means a room used for food preparation and storage and containing the equipment, fixtures, and materials identified in section 18-51G 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.

Long-term rental has the meaning in the zoning 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 an outdoor temperature of ten (10) degrees Fahrenheit (10° F) below the highest recorded temperature in the locality for the prior ten (10)-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, resulting in injury or death.

Short-term rental has the meaning in the zoning regulations.

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.

Visible mold means mold in an amount greater than ten (10) square feet, which is readily identifiable by visual inspection, including mold that is behind furniture or other interior obstructions but excluding mildew on tile or grout.

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) Any dwelling unit in which an owner resides.
  - (2) Mobile manufactured homes.
- B. This chapter shall have the effective date of November 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.
- (3) Pursuant to G.S. §§ 47a-57 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. -- Records Access.

The public shall have access to applications, inspection reports, and third party reports, in accordance with and subject to the city and State freedom of information acts. The name and identifying characteristics of someone submitting a complaint pursuant to this code may be withheld from the public where, in the opinion of the corporation counsel, disclosure of the name or identifying characteristics of the person may result in retaliation by the owner or other harm to person or liberty, as may be the case where the complainant is a victim of domestic violence or an undocumented individual.

#### Sec. 18-6. -- Reporting.

The director of licenses and inspections shall establish a system for reporting violations of this chapter. After receipt of a credible report, such director may inspect and enforce, as further described in this chapter.

#### Sec. 18-7 to 18-19. -- Reserved.

### ARTICLE II. RENTAL LICENSING PROGRAM

#### Sec. 18-20. -- Application required for rental license.

- A. An owner operating or seeking to operate housing containing three (3) or more housing units, or otherwise allowing such housing to be occupied, shall apply to the director of licenses and inspections, on an application form to be provided for that purpose, for a license, provided that the following housing shall not be subject to the preceding requirement to apply for a license:
  - (1) Housing containing three (3) or fewer housing units, which is occupied by an owner.
  - (2) A dormitory facility owned and operated by a college or university and inhabited primarily by students of such college or university.
  - (3) A parsonage facility owned and operated by a non-profit religious organization and inhabited by bona fide employees of such organization.
  - (4) Housing containing dwelling units created under the Common Interest Ownership Act, the Condominium Act, or the Unit Ownership Act of the State of Connecticut, wherein seventy-five percent (75%) of such units are in individual ownership by distinct entities other than by the declarant or by any other single owner.
  - (5) Housing owned by a housing authority organized under the provisions of G.S. chapter 128 and constructed or altered pursuant to a contract with the federal government or the state providing for annual contributions or other financial assistance.
- 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, 2024, for buildings containing three (3) dwelling units.
- (2) Prior to July 1, 2023, for buildings containing four (4) to nine (9) dwelling units.
- (3) Prior to July 1, 2022, for buildings containing ten (10) to thirty-nine (39) dwelling units.
- (4) Prior to July 1, 2021, for buildings containing forty (40) or more dwelling units.

On any date between the effective date of this ordinance and July 1, 2024, the director of licenses and inspections may demand that the owner of any dwelling with five (5) or more violations of this chapter for which citations have been finally issued (without further administrative appeals available) 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, 2023, for a temporary shelter facility.
- (2) Prior to July 1, 2022, for group living and residential care.
- (3) Prior to the effective date of this ordinance or the expiration of an applicable current rehabilitation home license, whichever is earlier, for group living for health reasons.

On any date between the effective date of this ordinance and July 1, 2023, 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.

D. 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 hotel or hotel shall be required prior to the effective date of this ordinance or prior to the expiration of an applicable current hotel license, whichever is earlier.

E. 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 rooming house or a rooming unit shall be required prior to the effective date of this ordinance or prior to the expiration of an applicable current rooming house license, whichever is earlier.

#### 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 owner or operator holding the license.

- B. The director of licenses and inspections shall accept applications for license renewals at any time until October 31, 2021; thereafter, to provide sufficient time for the issuance of licenses and for appropriate inspections, the application period for license renewals shall take place between July 1 and October 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 fifty dollars (\$50) per dwelling unit.
  - (2) Dwelling unit license: ten (10) to thirty-nine (39) dwelling units: sixty dollars (\$60), plus forty-five dollars (\$45) per dwelling unit.
  - (3) Dwelling unit license: forty (40) or more dwelling units: sixty dollars (\$60), plus forty dollars (\$40) per apartment unit.
  - (4) Group living license: two hundred dollars (\$200), plus thirty dollars (\$30) per group living unit, provided that in the case of a temporary shelter facility, the license fee shall be two hundred dollars (\$200).
  - (5) Hotel license: two hundred dollars (\$200), 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) Failure to submit an application for a license as required under this article, including failure to submit a complete application and failure to submit a license renewal application within the applicable application period set forth in section 18-21B of this chapter, will result in an additional fee of one thousand dollars (\$1,000) per application required, in addition to other penalties that apply for violating this chapter, which shall include penalties described in 18-104(A).
- B. Application fees include two (2) inspection visits. Additional inspections shall be charged to the applicant in accordance with article III of this chapter.
- C. 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 director of licenses and inspections shall identify the date on which a complete application was submitted. Such date 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 (if distinct from the owner and operator).

- 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, including but not limited to a circumstance 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 chief of the fire department, 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. Prior to the issuance or renewal of a license, the housing or housing unit to be licensed must comply with the provisions of this chapter. Compliance may be determined by an inspection conducted by the City in accordance with article III of this chapter. The director of licenses and inspections may accept inspections conducted by a state or federal agency in accordance with a state or federal housing program.
- H. A separate application must be filed for each building containing any dwelling, group living dwelling, hotel, or rooming house.
- I. In all cases, the burden is on the applicant to show that an application complies with all applicable review or approval criteria.
- J. It shall be a violation of this chapter for an applicant to provide false or misleading information on any application submitted hereunder.

#### 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 where the owner or operator is a partnership, the name of the managing partner must be provided, but if there is no managing partner, the names of each general partner must be provided. In the case of a limited liability company, the name of the managing member and the name of the agent(s) registered with the State must be provided. In the case of a corporation or other business entity, the name of the president, the name of the secretary, and the name of the agent(s) registered with the State of said business entity must be provided. In the case of a trust, the name of at least one trustee must be provided. In the case of an estate, the name of the executor, administrator, conservator, or other fiduciary responsible for the estate must 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 or bona fide business address that is a physical address and not a post office box. In the case of a partnership, limited liability company, corporation, or other business entity, each registered agent must provide his or her residential or bona fide business address that is a physical address and not a post office box, and the address of each other individual required to be named in subsection (1) of this section must be provided.

(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, in the case of a rooming house, a human being who is a resident of the city, or in the case of any other type of housing, a human being who is a resident of the State of Connecticut, who shall act as an authorized agent of the owner 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 or owners required to be named in section 18-24(A)(1) and the address of the registered agent and operator (if any), or an affidavit with the name of the owner or owners required to be named in section 18-24(A)(1) stating that the business address given is a bona fide business address that is a physical address and not a post office box.

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. For the application of an initial license for rooming houses, group living dwellings, 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. For dwellings with ten (10) or more dwelling units, group living dwellings, hotels, and rooming houses, 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 lead inspection report by a certified lead inspector documenting that the housing or housing unit is lead safe for buildings constructed before 1978, if



a unit is being or will be rented to an individual the age of 6 years or younger.

- H. At the discretion of the director of licenses and inspections, 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.
- I. If available, a copy of the latest energy efficiency audit completed for the housing or the housing unit.
- J. A heating facility inspection report, dated within the twelve (12) 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.
- K. 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.

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

- A. 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) 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.
  - (5) Overall condition of the building and premises, including the presence of fire hazards, infestations, lead paint, or any other material regulated in this chapter.
  - (6) 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.
  - (7) Whether applicant or property owes any fees, fines, or taxes to the city or State.
- B. 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.
- C. Notice of decisions shall be provided to applicants.
- D. The director of licenses and inspections shall make best efforts to render a

decision on an application within thirty (30) days of the date on which the applicant has submitted a complete application. If the city fails to render a formal decision by such date, a temporary license shall be deemed to have been issued while the application review proceeds, provided, however, that if the owner or owners allow occupancy of the housing prior to such formal decision, the owner or owners shall hold the city harmless and may not recover from the city for damages or losses that may result if the formal decision is a denial.

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

- A. Within thirty (30) days of a change in any of the information required in an application for a rental license, such change must be submitted to director of licenses and inspections, in the same format, with the same required documents required by section 18-24. 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 otherwise prohibited by this code. Any increase in the number of rooms in the building, the number of housing units, or the number of persons proposed to be accommodated or allowed in each housing unit shall not be permitted without a full and complete new application to the director of licenses and inspections.
- B. Pursuant to section 18-30 of this code, certain changes in information may result in revocation of a license.

**Sec. 18-27. -- Effect of license.**

- A. 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.
- B. 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.
- 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. Failure to obtain a license or the operation of housing without a license as required by this chapter shall be a violation of this chapter and may result in fines and penalties as prescribed herein, and each housing unit that is occupied without such a license shall be a separate violation.
- E. A valid and unexpired license shall be deemed to be a certificate of apartment occupancy for the purposes of satisfying the requirement established in G.S. § 47a-57.

**Sec. 18-28. -- Transferability of license.**

- A. Licenses for dwellings, dwelling units, hotels, and hotel units shall automatically be transferred to a subsequent owner, subject to satisfaction of the requirements of section 18-26, upon transfer of the applicable property. A quit claim, warranty or other deed form shall be sufficient to accomplish that transfer even if the deed does not specifically mention the transfer.
- 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, and 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 October 31 following the date of issuance, unless earlier suspended or revoked pursuant to section 18-30 of this code, except that licenses issued on or before June 30, 2023, for a temporary shelter facility may in the discretion of the director of licenses and inspections be valid until October 31, 2024; licenses issued on or before June 30, 2022, for a group living and residential care may in the discretion of the director of licenses and inspections be valid until October 31, 2023; and licenses issued on or before June 30, 2021, for group living for health reasons may in the discretion of the director of licenses and inspections be valid until October 31, 2022.
- C. For hotel and hotel units, every new license, and every license renewal, shall be effective for a maximum of two (2) years, starting from the date of issuance of the license until the second October 31 following the date of issuance, unless earlier suspended or revoked pursuant to section 18-30 of this code, except that licenses issued for a hotel or hotel units on or before June 30, 2021 may in the discretion of the director of licenses and inspections be valid until October 31, 2023.
- D. 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 October 31 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. The director of licenses and inspections shall provide notice of a pending decision of the suspension or revocation of a license pursuant to section 18-100 of this chapter, except in emergency situations identified in section 18-102, in which case no such notice shall be required prior to a suspension or revocation being effective.
- B. A suspension of a license may result in an order by the director of licenses and inspections to cease some or all licensable 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.
- C. A revocation of a license shall result in the permanent ceasing of all

licensable activities until and unless another license is obtained. In such a circumstance, the director of licenses and inspections may order occupants (if any) to vacate, and such occupants shall be relocated pursuant to state statutes and section 18-110.

D. 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 significant and repeated instances 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 as such activities may be documented by police reports.
- (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) Property taxes for the housing or housing unit, or any fixtures or personal property contained therein or housed thereon, are delinquent.

E. 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 18-25A 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.

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

G. Suspension or revocation of a license may also result in the appointment of a receiver responsible for the collection of rents pursuant to G.S. § 47a-56a.

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

### ARTICLE III. INSPECTIONS

Sec. 18-40. -- Authority for inspections.

- A. An inspection conducted pursuant to this chapter shall be conducted for one or more of the purposes of: evaluating a license application, assessing ongoing compliance with the license, assessing compliance with the provisions of this chapter, 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. 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.
- C. 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, or 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 not have for its purpose the undue harassment of the owner, operator, or occupant. Landlords may make a written complaint about the manner or nature of inspection to the director of licenses and inspections or to the director of development services.
- B. 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.
- C. Among other things documented in the report, all inspection reports must indicate for each housing and housing unit inspected whether a smoke detector and carbon-monoxide detector have 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 and carbon-monoxide detector. Inspectors shall report missing or inoperative detectors to the fire marshal and owner of

record within twenty-four (24) hours of inspection.

- D. 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.
- E. 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.
- F. 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 nor shall it be construed to reduce the fees required under Section 18-22.

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 official 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 or 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 he or she 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 for which abatement would be required pursuant to the lead statute.
- D. In order to carry out the inspections authorized in Section 18-43(C), the director of licenses and inspections or 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.

Introduced  
by:

Larry Deutsch, MD, Councilperson

ITEM# 28 ON AGENDA

HEADING  
AND  
PURPOSE

ORDINANCE AMENDING CHAPTER. IV, SECTION 17-102-17-110 SALE AND DISTRIBUTION OF TOBACCO/NICOTINE AND OTHER PRODUCTS FOR INHALATION OF THE HARTFORD MUNICIPAL CODE.

Court of Common Council,  
City of Hartford

September 23, 2019

Purpose: To decrease the incidence of harmful or fatal health effects associated with e-cigarettes and vaping by banning the sale of products, equipment, and substances, with or without flavorings, within the City of Hartford., and demonstrate public health leadership towards reducing use of these toxic substances.

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

Ordinance amending Ch. IV, Section 17-102-17-110 of the Hartford Municipal Code:

This Ordinance prohibits the sale, re-sale, donation, distribution, re-distribution, offering of free samples, advertising, or other form of promotion in the City of Hartford of:

- a) electronic smoking devices for flavored or unflavored nicotine-containing products or other inhalation substances, with or without additives and flavors having toxic potential, and any others as determined by public health authorities at federal, state, or city levels; and
- b) any substances that may be vaporized or aerosolized by such device, whether or not the substance contains, nicotine, flavoring, or other substances; and
- c) any component, part, or accessory of a) or b), whether or not any of these contains tobacco, nicotine, or flavoring, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, and pipes.

Those engaging in such selling or distribution activities shall be subject to substantial (quantity-related) fines (to be determined) and/or imprisonment.

Those of any age found using such substances in public places including schools shall receive verbal, written, and graphical instruction showing risks and possible consequences of such use, including lung damage, hospitalization, and death.

Effective immediately upon adoption."

**Definitions:**

"Electronic smoking device" means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

"Flavored tobacco product" means any tobacco product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to, or during the consumption of, a tobacco product, including, but not limited to, any taste or smell relating to fruit, menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, or any candy, dessert, alcoholic beverage, herb, or spice.

"Tobacco product" means:

- 1) any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus;
- 2) any electronic smoking device as defined in this [section, chapter, etc] and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or

"Tobacco product" does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

**Restriction language:**

It shall be unlawful for any retailer to sell or offer for sale or sample tobacco product.

A public statement or claim made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such tobacco product, that such tobacco product has or products a taste or smell other than tobacco shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.

**Purpose**

Tobacco use is the foremost preventable cause of premature death in the United States, responsible for more than half a million deaths per year in the United States and costing the nation approximately \$300 billion in healthcare and lost worker productivity costs each year; and



- (1) About ninety-five percent (95%) of all adult smokers began smoking before age twenty-one (21), and adolescence is a critical period when smokers move from experimental smoking to addictive, daily use;
- (2) There is strong evidence that those who begin smoking at an early age are more likely to develop a severe addiction to nicotine than those who start at a later age;
- (3) Electronic nicotine delivery system use among adolescents has recently tripled, and use of these systems are associated with and clearly encourage the use of conventional tobacco products;
- (4) Raising the minimum legal sales age for all tobacco products to twenty-one (21) reduces access to these products by youth, as teens often acquire such products from social networks, including older friends: the vast majority of those providing nicotine and tobacco products for youth 17 and under are themselves between eighteen (18) and twenty (20) years old and are able to purchase legally.
- (5) Select findings from the 2017 Connecticut School Health Survey (known nationally as the Youth Tobacco Survey (YTS) reflect over one-third of Connecticut high school students (nearly 59,000) report having ever tried some form of tobacco, and current tobacco use is reported at 17.9%.
- (6) The YTS survey shows the vast majority of youth are using flavored tobacco products, e-cigarettes and vaping devices, and although cigarette smoking has decreased among Connecticut youth, the use of electronic cigarettes and vaping devices continues to increase at an alarming rate, with current use reported at 14.7%, and shows usage increasing with age. Studies have shown that this type of nicotine use by teens increases their risk of also using combustible tobacco.
- (7) When asked how they accessed these products, the majority of youth surveyed (59.3%) reported they obtained their e-cigarettes from a friend.
- (8) The Connecticut Department of Revenue Services lists 240 licensed tobacco retailers within Hartford city limits, a density that, based on the population of Hartford, is 1.5 times higher than the U.S. density rate. The list of retailers does not include all the retailers who may sell vape products exclusively and not tobacco, so this density is likely higher. Greater density and higher numbers of tobacco retailers have been associated with higher rates of smoking among youth.

The Institute of Medicine predicted in a 2015 report that raising the minimum legal sales age for tobacco products to 21 nationwide will have a substantial positive impact on public health and provide long-term declines in smoking rates by reducing tobacco initiation among adolescents aged 15 to 17 by twenty-five percent (25%) and overall prevalence of tobacco use by twelve percent (12%). This report also projects that 4.2 million young people alive today would be protected from premature death related to tobacco use as a result of raising the minimum legal sales age for tobacco products to 21.

## **Definitions**

For the purpose of this title, the following definitions shall apply:

*Tobacco product* means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. *Tobacco product* also means electronic smoking devices, including any device that can be used to deliver aerosolized or vaporized nicotine or any other substance to the person inhaling from the device, and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs and liquids used in electronic smoking devices, whether or not they contain nicotine. Tobacco product does not include drugs, devices, or combination products authorized for sale as proven cessation products by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

*Sale or sell* means selling, giving, bartering, exchanging, delivering, or otherwise distributing tobacco products, unless the person is delivering or accepting delivery in such person's capacity as an employee. Sale or sell also includes offers to sell, barter, or exchange.

*Retailer* means any person or business that owns, operates, or manages any place at which tobacco products are sold. *Retailer* also includes any person or business that is required to purchase a dealer's license under CT Gen Stat § 12-287.

## **Licensing**

Each retailer engaging in the sale of tobacco products, at each location conducting sales in the city, shall secure a license from the Hartford Department of Health and Human Services before engaging or continuing to engage in such business. An application for a license shall contain the full name of the application, the applicant's business address and telephone number, the name of the business for which the license is sought, and any additional information the city deems necessary.

Such license shall be renewed annually and valid for a period beginning with the date of license to the first day of January next succeeding the date of the license unless sooner revoked as allowed by penalties in this article, or unless the retailer to whom it was issued discontinues business, in either of which cases the holder of the license shall immediately return it to the Hartford Department of Health and Human Services. A license shall not be transferred from one retailer to another or from one location to another.

A license shall be displayed at all times and shall be exhibited to any person upon request. In the event of mutilation or destruction of such license, a duplicate copy, marked as such, shall be issued by the Hartford Department of Health and Human Services upon application accompanied by a fee set by the Hartford Department of Health and Human Services.

No license shall be issued or renewed to an establishment unless the retailer signs a city form stating that the retailer has provided training to all employees on the sale of tobacco products and such training includes information that the sale of tobacco products to a person under 21 years of age is illegal, what proof of age is legally acceptable, and that a sale to a person under 21 years of age can subject the retailer to a monetary fine.

No license shall be issued to a person under 21 years of age.

### **License Fee**

The fee for a license to sell tobacco products shall be set by the Hartford Department of Health and Human Services and thereafter annually reviewed by the department and approved by the city council as a part of the budgetary process. If, for any reason, such fees for license are not approved by the city council annually, the fees for the preceding year shall continue in full force and effect until changed by city council.

The license fee should cover the administrative cost for the licensing program, retailer education and training, retail inspections and enforcement costs, including the conduct of unannounced compliance checks, but should not exceed the cost of the regulatory program authorized beyond this article.

Licensing fees are due at the time of application and are not refundable. A license cannot be renewed if the licensee has outstanding fines pursuant to this article.

### **Minimum Legal Sales Age**

No retailer or retailer's agent or employee shall give, sell, or otherwise distribute any tobacco product to any person under twenty-one (21) years of age.

The person selling any tobacco product must examine the identification card issued in accordance with the provisions of CT Gen Stat § 1-1h for anyone who appears to be under the age of 30 and verify proof of age demonstrating the recipient is at least twenty-one (21) years of age before selling any tobacco product.

- (1) That a person appeared to be over the age of twenty-one (21) shall not constitute a defense to a violation of this section. If a person fails to provide such proof of age, such retailer or retailer's agent or employee shall not sell any tobacco product to the person.

### **Signage**

"The Sale of Tobacco or Nicotine Products or Devices to Persons Under 21 is Prohibited" signs shall be legibly printed in letters at least one-half inch high and shall be posted clearly and conspicuously in every location where the products are available for purchase. Signage shall be in multiple languages as needed to be consistent with other facility postings.

Selling tobacco products in any place that does not have a sign posted in a conspicuous place to a person under twenty-one (21) years of age is prohibited by law and punishable consistent with this article.

### **Enforcement**

- (a) This article shall be enforced by the Hartford Department of Health and Human Services or its authorized designees.
- (b) The health department, fire department, license and inspection division of development services, or their respective designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this article.
- (c) An owner, manager, operator, or employee of an establishment regulated by this article shall inform persons violating this article of the appropriate provisions thereof.
- (d) Any citizen who desires to register a complaint under this article may initiate enforcement by the Hartford Department of Health and Human Services.
- (e) Hartford Department of Health and Human Services shall be responsible to conduct, or have conducted on its behalf, at least two under-age youth-based, unannounced compliance checks per retailer per year. Random re-inspections of all non-compliant retailers are required within three (3) months of any violation of this article.
- (f) The result of these compliance inspections shall be published on the Hartford Department of Health and Human Services website at least annually.

### **Violations and Penalties**

Any retailer who violates any of the provisions in this article shall be guilty of an infraction and subject to a civil penalty fine no less than \$250 for each infraction. Each violation, and every day in which a violation occurs, shall constitute a separate and distinct infraction. The decision that a violation has occurred shall be in writing mailed or emailed to the retailer by the Hartford Department of Health and Human Services, which notice should specify the article and section with which the retailer is in violation no later than thirty (30) days from the date of the violation.

A license issued under this article may be denied, suspended, or revoked by the Hartford Department of Health and Human Services through written notice should the retailer or retailer's agent, directly or indirectly:

- (1) Sell tobacco products to any person under the age of twenty-one (21).
  - a) The license of a licensee who has sold tobacco products to persons under age twenty-one (21) on two (2) separate occasions within a three-year period shall be suspended for a minimum of seven (7) days.

- b) The license of a licensee who has sold tobacco products to persons under age twenty-one (21) on three (3) separate occasions within a three-year period shall be suspended for a minimum of thirty (30) days.
  - c) The license of a licensee who has sold tobacco products to persons under age twenty-one (21) on four (4) separate occasions within a three-year period shall be revoked.
  - d) All tobacco products shall be removed from the premises upon suspension or revocation of a tobacco retail sales license. Failure to remove shall constitute a separate violation punishable by a fine to be set by the Hartford Department of Health and Human Services for each and every day of noncompliance.
- (2) Fail to post signage as required.
  - (3) Fail to pay fines issued in accordance with this Chapter.
  - (4) Have a license revoked within the preceding 12 months of the date of application.
  - (5) Fail to provide required information on the application or provide false or misleading information.
  - (6) Violate state or local tobacco product sales and use laws.
  - (7) Conduct business in violation of this article.

All fees and fines collected from licensing and infractions of this article are to be deposited into a "Tobacco Enforcement and Education Fund" administered by the Hartford Department of Health and Human Services, to be reinvested for enforcement, community education, and efforts to improve compliance with state and local tobacco product sales and use laws.

### **Appeals**

Retailers have the right to appeal civil penalties in accordance with this section. In the case of violation, the department shall provide the retailer with a written notice. The written notice shall be provided by certified mail, return receipt requested, or by hand delivery, or by email. If the notice is returned because of failure of delivery, the department shall either send the notice by certified mail to the address listed on the application, or conspicuously post the notice at an entrance of the retailer. In either case, the notice shall be deemed to have been received on the date it was mailed or posted.

The notice shall state that the retailer may obtain a hearing under this rule if a written request for a hearing is mailed or hand-delivered to the department's address specified in the notice, within ten (10) days after the affected retailer receives or is deemed to have received the notice.

Upon receiving a timely hearing request, the department shall schedule a hearing before a board or a hearing officer designated by the director. If the director provides a hearing officer, that officer shall not have participated in any manner in the decision to take the action against the retailer.

The department shall mail or hand-deliver notice of the date, time, and place of the hearing to the retailer no less than ten (10) days before the scheduled date. The department may additionally post the notice of hearing at the entrance of the retailer.

The retailer and the department each shall have one (1) opportunity to reschedule the hearing date upon specific request to the other party. Any other postponements of the hearing shall be by agreement of the department, the retailer, and the hearing officer, if one is designated.

At the hearing, the retailer shall have the opportunity to present its case orally or in writing. If the department has designated a hearing officer, a member of the department does not have to be present at the hearing.

If the hearing is before a hearing officer, he or she shall prepare a written recommendation as to the validity of the department's action, which shall rest solely on the evidence presented at the hearing and the statutory and regulatory provisions governing the department's action. The hearing officer shall describe the basis for his or her recommendation, but need not prepare a full opinion or formal findings of fact and conclusions of law. The hearing officer shall mail by certified mail, return receipt requested, or hand-deliver the recommendation to the department and to the retailer, within ten (10) business days following the date of the hearing. Either party may file objections to the recommendation provided that the objections are received by the department within five (5) days of receiving a copy of the recommendation.

After reviewing any timely objections, the director may take additional evidence or approve, modify, or disapprove the recommendation and shall enter an order in the record of department proceedings.

If the department does not receive a timely request for hearing, the director may enter immediately an order as proposed in the notice.

#### **Public Education.**

The Hartford Department of Health & Human Services shall engage in a continuing public health education program to explain and clarify the purposes and requirements of this article to citizens affected by it, and to guide retailers, owners, operators, and managers in their compliance. The program may include publication of a brochure for affected retailers explaining the provisions of article and signage mandated by this article.

#### **Rulemaking Authority**

The Hartford Department of Health & Human Services is hereby authorized to promulgate rules and regulations to carry out the purpose and intent of this article in order to protect the public health, safety and welfare.

#### **Liberal Construction**

This article shall be liberally construed so as to further its purposes.

#### **Severability**

The provisions of this section are hereby declared severable, and if any provision, clause, sentence, or paragraph of this section or the application thereof to any person or circumstances held

by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such a ruling shall not affect the other parts of this section that can be given effect.

**Effective Date**

This ordinance shall take effect upon adoption, and the Hartford Department of Health and Human Services or its authorized designees shall implement the licensing, enforcement, and public education requirements within thirty (30) days from the date of adoption.



ITEM# 29 ON AGENDA

**Luke A. Bronin**  
Mayor

September 23, 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: Appointments to the Commission on Refugee and Immigrant Affairs**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Barbara Ng'Ongolo and Komla Matrevi to the Commission on Refugee and Immigrant Affairs.

The Commission on Refugee and Immigrant Affairs is charged with facilitating civic engagement among refugee and immigrants and to recognize and legitimize issues of importance to new arrivals. The Commission shall advise the Court of Common Council and the administration on policies that impact the refugee and immigrant populations in the City. They will also act as a clearing house for resources that would benefit the refugee and immigrant community.

Ms. Ng'Ongolo currently serves as a youth mentoring program coordinator for Catholic Charities in Hartford. She is also a medical Swahili interpreter for Certified Languages International. She has an associate degree from The City University of New York.

Mr. Matrevi is an immigrant rights attorney for KGM Law PLLC here in Hartford. He also served as a legal executive assistant for the Honorable George Jepsen, Attorney General for the State of Connecticut. He has a law degree from the University of Connecticut.

Their resumes are attached for your review. Thank you for your consideration.

Respectively submitted,

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

Luke A. Bronin  
Mayor

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



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

**COURT OF COMMON COUNCIL**  
City of Hartford, September 23, 2019

**WHEREAS,** The Commission on Refugee and Immigrant Affairs will serve as ambassadors to the various refugee and immigrant populations within the City of Hartford; and

**WHEREAS,** The Commission is composed of twenty-one members whereas a majority of those members are residents of Hartford; and

**WHEREAS,** Membership shall not be restricted to U.S. citizens; and

**WHEREAS,** Appointed commissioners serve a term of two years; and

**WHEREAS,** The Mayor has appointed Barbara Ng'Ongolo and Komla Matrevi to the Commission on Refugee and Immigrant Affairs; now, therefore, be it

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

Barbara Ng'Ongolo (U) – Replacing Cheryl Zeiner  
75 Oxford Street #D5, Hartford CT, 06105  
For a term expiring September 23, 2022

Komla Matrevi (D) – Replacing Mui Mui Hin-McCormick  
24 Park Place #7H, Hartford CT, 06106  
For a term expiring September 23, 2022



**Luke A. Bronin**  
Mayor

September 23, 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: Appointments to the Zoning Board of Appeals**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Richard Szczypek to the Zoning Board of Appeals.

The Zoning Board of Appeals is composed of five regular members and three alternates. The regular members serve five-year terms and the alternates serve three-year terms. The ZBA hears and decides appeals of actions taken by the zoning official and hears and decides requests for variances to Hartford's zoning regulations, always assuring that the public safety and welfare is secured.

Mr. Szczypek is an architect registered in both Connecticut and Massachusetts. He has a Bachelor of Architecture from Syracuse University and is a graduate of the EMBA Program at the University of New Haven.

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

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, September 23, 2019

**WHEREAS,** The Zoning Board of Appeals is charged with hearing and deciding appeals of zoning orders and variances from Hartford's zoning regulations; and

**WHEREAS,** The Commission is composed of five members which serve a term of five years and three alternates which serve a term of three years; and

**WHEREAS,** The Mayor has appointed Richard Szczypek to the Zoning Board of Appeals; now therefore be it,

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

Richard Szczypek (I) – Replacing Gail Billet  
36 Lewis Street #E, Hartford CT, 06103  
For a term expiring September 23, 2024

ITEM# 31 ON AGENDA

Introduced by:

Larry Deutsch, MD, Councilperson

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

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Sec. 2-761. - Purpose.

It is the purpose of this article to establish a living wage for all City and Board of Education full-time employees and covered workers employed to perform work associated with covered contracts as defined herein and for development projects with the City.

*Findings.* The court of common council finds and declares that the purpose of this living wage ordinance, as well as the welfare of the City and its residents, require additional provisions to ensure that the anticipated economic benefits of such ordinance inure to the benefit of the City and its people and that the City is protected from potential loss due to labor unrest and conflict.

(Ord. No. 06-10, 3-22-10)

Sec. 2-762. - Definitions.

As used in this article, the following terms have the meanings indicated unless the context clearly requires a different meaning:

*Affordable housing* means housing for families and individuals whose income does not exceed eighty (80) percent of area income as defined by the department of housing and urban development.

*City* means the municipality of the City of Hartford or any office, agency, board, commission, department, including Hartford Public Schools, or other entity thereof, or any successor thereto.

*Development project* means a project that is:

- (1) Subsidized or paid in whole or in part in excess of one hundred thousand dollars (\$100,000.00) from: the City's general fund, capital project funds, City loans, tax abatement agreements, a tax increment financing agreement, state or federal money funneled through or otherwise administered by the City, pension fund money, municipal trust funds or the sale of municipal bonds. Projects dealing with single-family residences, affordable housing or commercial real estate development with a total project cost less than five million dollars (\$5,000,000.00), shall not be considered development projects for purposes of this article.
- (2) A real estate development the cost of which exceeds twenty-five thousand dollars (\$25,000.00) on City-owned land.

*Development project manager* means a person or entity which/who owns a piece of real estate on a location where a development project is located under agreement, or a person or entity which/who has a leasehold interest of twenty (20) or more years in a property where a development project is located under agreement.

*Covered employer* means all covered contractors and development project managers, whether an individual, corporation, partnership, joint venture or other entity, except that covered employer does not mean a not for profit entity organized pursuant to the United States Internal Revenue Code, which employs twenty-five (25) or fewer year-round employees in the City. All covered employers shall be equal opportunity employers within the meaning of the procurement ordinances of the Hartford Municipal Code.

*Covered contract* means any contract awarded by the city in excess of twenty thousand dollars (\$20,000.00) to a covered employer, except a vendor who provides goods to the city, provided, however,

that if another federal or state statutory or contractual provision prescribes higher wages, than the provisions of this article (such as Davis Bacon or a State of Connecticut prevailing wage provision), then such shall supersede this article.

*Covered contractor* means any person or entity awarded a City contract and includes all subcontractors of such covered contractors who perform work within the boundaries of the City or on City-owned property.

*Covered worker* means any employee of a covered contractor or development project manager, or of any subcontractor thereof, who performs work governed by a covered contract, with the following exceptions:

- (i) An individual employee whose wage rate is subject to a federal or state statute or regulation mandating a prevailing or other wage rate.
- (ii) Any individual who is under eighteen (18) years of age or is in a youth employment program or is a student intern.

(Ord. No. 06-10, 3-22-10)

Sec. 2-763. - Living wage required.

The City and all covered employers and their subcontractors shall pay City and Board of Education employees and covered workers no less than the living wage for work on covered contracts as defined in this article. Additionally, all development project managers and their subcontractors shall pay no less than the living wage to the employees working at the development project. The City nor any covered employer may use the living wage requirement of this article to reduce the compensation paid to any City or Board of Education employees or covered workers.

- (a) A living wage means an hourly wage rate which on an annual basis is equivalent to either of the following:
  - 1. One hundred twenty (120) percent of the federal poverty level for a family of four (4), if health benefits are provided to the covered worker or employee. Health benefits, for purposes of this article, mean paid comprehensive family medical coverage which does not require the covered worker or employee to contribute more than five (5) percent of their annual wages towards the payment of the health plan provided, the living wage rate shall not be reduced below the previous year's rate for covered workers with comprehensive family medical coverage; or
  - 2. If health benefits are not provided to the covered worker, the covered employer must pay wages in accordance with subsection (a)1. above, and in addition make payments to City and Board of Education full-time employees and its covered workers in lieu of health benefits, as determined by the Director of Human Relations. The Director of Human Relations shall calculate and set forth the amount of these payments in lieu of health benefits on a yearly basis, based on the average cost of a comparable group for comprehensive health insurance in the state provided, the living wage rate shall not be reduced below the previous year's rate for covered workers without comprehensive family medical coverage; or
- (b) All development project managers are responsible for ensuring that all of their subcontractors who perform work at the site of the development project pay their employees at the living wage rate.
- (c) The Director of the Office of Human Relations shall adjust the living wage as necessary to incorporate changes in the federal poverty level at least six (6) months prior to the beginning of the fiscal year. The Director of Human Relations shall publish a bulletin announcing any change in the amount of the living wage and shall inform each covered employer in writing, prior to such adjustment becoming effective.

- (d) The City and covered employers shall inform covered workers or employees making less than twelve dollars (\$12.00) per hour of their possible eligibility for the federal Earned Income Credit ("EIC") pursuant to the Internal Revenue Code and shall make forms available to covered workers or employees informing them about the EIC and the forms required to secure advance EIC payments.

(Ord. No. 06-10, 3-22-10; Ord. No. 16-17, 6-26-17)

Sec. 2-764. - Worker retention, local hiring, and training.

- (a) Covered employers shall report vacancies in positions related to covered contracts and development projects to local hiring agencies and to the Office of Human Relations for purposes of advertisement to the local community.
- (b) Any covered contract shall include language in the event the contract is transferred from one (1) covered employer to another, or if a new covered employer is awarded a covered contract that was previously performed by a prior covered employer, the new covered employer shall offer to employ and retain for a ninety-day period the covered workers who worked under the previous covered employer for at least twelve (12) months. New covered employers may not discharge the covered workers retained during the ninety-day period, except for cause.
- (c) The Director of the Office of Human Relations shall work with the Mayor, the Court of Common Council, other city departments and agencies to promote programs encouraging and facilitating active support for job training programs with the City and covered employers that benefit residents of the City, on an equal opportunity basis, all as per the City's procurement ordinance and other applicable laws or regulations.

(Ord. No. 06-10, 3-22-10; Ord. No. 16-17, 6-26-17)

Sec. 2-765. - Implementation.

All requests for bids and requests for proposals for covered contracts or development projects, whether advertised or informally solicited, shall include appropriate information about the living wage requirements.

(Ord. No. 06-10, 3-22-10)

Sec. 2-766. - No strike agreement; labor peace required.

All development project managers shall sign a written agreement with a labor organization seeking to represent employees at the development project, which agreement provides a procedure for determining employee preference on the subject of whether to be represented by a labor organization for collective bargaining and further provides that the labor organization will not strike the development project in relation to the organizing campaign.

(Ord. No. 06-10, 3-22-10)

Sec. 2-767. - Recording of covenant required.

The City must include a clause in all contracts, city loans, tax abatement agreements, tax increment financing agreements, or other documents providing financing for development projects covered by the terms of this article, requiring the development project manager to comply with living wage and labor peace provisions of this article. In addition, said clause shall state that all sums owed to the City from

contracts, city loans, tax abatement agreements, tax increment financing agreements or other documents providing financing for development projects will be due and payable in event of a violation of this article. Upon the granting of a development project that meets the terms of this article, the City shall record a covenant in the Hartford Land Records that provides that the development manager shall abide by the terms of the living wage and labor peace ordinance.

(Ord. No. 06-10, 3-22-10)

Sec. 2-768. - Responsibility for effectuation and enforcement.

The Director of the Office of Human Relations shall investigate violations of this article and make recommendations to the Mayor for enforcement. The Mayor shall consider these recommendations and direct City departments to take enforcement actions, if needed, as provided below.

(Ord. No. 06-10, 3-22-10)

Sec. 2-769. - Enforcement and reporting.

- (a) Monitoring of the provisions of this article shall be the responsibility, initially, of the Office of Human Relations. As appropriate or necessary, the Director of that division may require a covered employer to produce payroll records relevant to an audit or any inquiry into a claimed violation of this article. Every covered employer shall post copies of documents provided by the Director of the Office of Human Relations, stating the living wage applicable to covered workers. In addition, such posting shall include a form which may be used by covered workers to file a complaint with the Director of the Office of Human Relations for noncompliance with the provisions of this article. Such postings shall be made at the work site in a prominent place where all documents posted pursuant to this article may easily be seen and read by covered workers. A copy of such documents shall be given by the covered employer to any covered worker upon request no later than (i) the last hour of the said worker's next shift or (ii) the last hour of the next business day.
  - (1) Failure to comply. If the City or the employer fails to comply with any component of subsection (a), the Director of Human Relations shall notify the employer to make immediate compliance to avoid the imposition of a fine of one hundred dollars (\$100.00) per day for each violation. If the employer fails to comply within twenty-four (24) hours, such fines shall commence and the Director of Human Relations shall notify Corporation Counsel to proceed with appropriate prosecution or cancellation of the contract.
- (b) In the event that the Director of Human Relations shall determine that the City or a covered employer has paid a City or Board of Education employee or a covered worker a sum less than the living wage the Director of Human Relations shall require the City or the covered employer to make full restitution to the City or Board of Education employee or the covered worker (i) in the said worker's next paycheck or (ii) within five (5) business days if the said worker is no longer employed by the covered employer.
  - (1) Full restitution means the difference between the sum paid by the covered employer to the covered worker and the living wage.
  - (2) Failure to comply. For each violation of subsection (b) of this section, the Director of Human Relations shall notify the employer and demand immediate compliance with this article or a fine of one hundred dollars (\$100.00) per day shall be imposed per violation. If full restitution is not met within five (5) business days, such fines shall commence and the Director of Human Relations shall notify Corporation Counsel to proceed with appropriate prosecution or cancellation of the contract.
- (c) Certified payroll submission. The City and every covered employer shall be required to maintain electronic certified payroll records and detailed information about the health care and benefits provided to its covered workers, including the number of such workers covered and the type of

health care coverage or benefit received. Such records shall be in the format designated by the Office of Human Relations.

(Ord. No. 06-10, 3-22-10)

Sec. 2-770. - Termination of contract.

In addition to other provisions of law or contract which may constitute grounds for termination by the City of a covered contract, tax abatement agreement, grant or tax increment financing agreement, such contracts, agreements or grants may be terminated following a determination that a covered employer:

- (a) Failed to fully rectify or correct any violation of any provision of this article within thirty (30) calendar days of receipt by the City or the covered employer or its agents of the Director of Human Relations' notice of such violation.
- (b) Failed to make full restitution to a covered worker within thirty (30) days of receipt of the Director of Human Relations' notice of a violation of such subsections.
- (c) Failed to pay part or all of any fine levied by the City pursuant to any provision of Section 2-769 of this article within sixty (60) days of receipt of the City's notice of such levy.
- (d) Failed to provide to the Office of Human Relations, verification of wages paid to covered employees; as required.
- (e) Failed to cooperate with the City's audit of the covered employer's payroll records.

(Ord. No. 06-10, 3-22-10)

Sec. 2-771. - Appeal process.

The Director of Office of Human Relations or designee shall investigate violations of this article and make recommendations to the Mayor. The Mayor shall consider the recommendations and direct the Office of Human Relations and Corporation Counsel to take enforcement actions, if needed. An enforcement action shall be appealable by written notice from the covered employer to the Labor and Workforce Development Committee of the Court of Common Council within five (5) days after receipt of said enforcement action. The Council may reverse the determination of enforcement action by a majority vote.

(Ord. No. 06-10, 3-22-10)

Sec. 2-772. - Ineligibility of covered contractor to contract with or obtain city loans, other subsidies and covered contracts.

The purchasing agent is authorized to declare a covered contractor ineligible to obtain covered contracts as follows:

- (1) The purchasing agent shall declare any covered contractor whose covered contract with the City was terminated pursuant to this article to be ineligible to contract with the City.
- (2) The purchasing agent may declare any covered contractor who has committed three (3) or more violations of the provisions of this article to be ineligible to contract with the City.
- (3) Ineligible to contract with the City means that such covered contractor, and any parent or subsidiary or related entity of such covered contractor, shall be ineligible to submit bids or proposals for any contract or other agreement with the City and shall be ineligible to enter into any contract or agreement, with the City.



- (4) Such period of ineligibility shall be for at least one (1) but not more than three (3) calendar years. After the first year of ineligibility has been completed, the purchasing agent, with the consent of the Director of Human Relations, may declare that the period of such ineligibility is terminated.
- (5) Declarations made pursuant to this section shall be issued in writing to the covered contractor, and the City purchasing agent shall furnish copies of all such declarations promptly upon issuance to the Director of the Office of Human Relations and to the heads of all City offices, authorities, boards, bureaus, commissions, departments, and other entities.

(Ord. No. 06-10, 3-22-10)

Sec. 2-773. - Annual report.

- (a) Each January, the Director of the Office of Human Relations shall submit to the Mayor, the Court of Common Council and the Commission on Workplace Rights an annual report for the preceding fiscal year regarding implementation of this article, including its fiscal impact and its impact on hiring of Hartford residents. Included in this report shall be the following information: (1) the number of monitored contracts and development projects; (2) the number of reported complaints, violations and their resolutions; (3) a summary of certified payroll, health care and benefit information provided.
- (b) Each January, the Commission on Workplace Rights shall submit to the Court of Common Council a report for the preceding fiscal year regarding evaluation of the economic and racial impact of this article, including recommendations concerning the benefits of this article's provisions for Hartford residents.

(Ord. No. 06-10, 3-22-10)

Sec. 2-774. - Other requirements.

- (a) Covered employers who maintain payroll information in the Greater Hartford Area shall make such information available for onsite audit by the Director of the Office of Human Relations or designee.
- (b) Covered employers who do not maintain payroll information in a Greater Hartford area office shall be required to submit their payroll records to the Office of Human Relations within one (1) week of the payroll period in accordance with section 2-769 of this article.

(Ord. No. 06-10, 3-22-10)

Secs. 2-775—2-784. - Reserved.

ITEM# 32 ON AGENDA

INTROUCTION BY:  
James Sánchez, Majority Leader

Court of Common Council  
City of Hartford, October 28, 2019

**RESOLVED**, That the Hartford Solid Waste Task Force be extended to December 31,  
2020.