

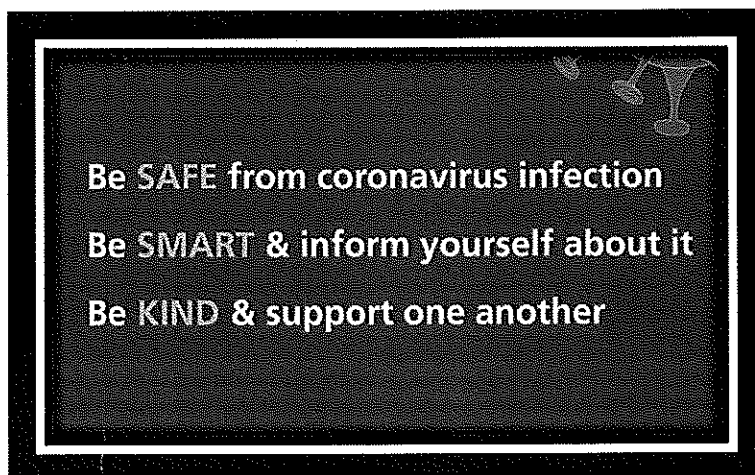
COURT OF COMMON COUNCIL



NOTICE & AGENDA PACKAGE

MONDAY MAY 18, 2020

7:00 p.m.



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



**OFFICE OF THE TOWN AND CITY CLERK
CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT**



**VIRTUAL PUBLIC HEARING NOTICE
MONDAY, MAY 18, 2020
7:00 p.m.**

**MICHTOM, ROSADO, ROSSETTI, SANCHEZ AND SURGEON WILL REPRESENT
THE COUNCIL AT A VIRTUAL PUBLIC HEARING TO BE HELD AT 7:00 P.M.,
MONDAY, MAY 18, 2020**

- **ORDINANCE AMENDING CHAPTER 2, SECTION 102, OF THE MUNICIPAL
CODE OF THE CITY OF HARTFORD. (MAYOR BRONIN)**
- **ORDINANCE REVISION UPDATING PLANNING AND ZONING CODES FOR
CLARIFICATION PURPOSES. (MAYOR BRONIN)**

**COPIES OF THE ORDINANCES ARE ON FILE IN THE OFFICE OF THE TOWN AND
CITY CLERK FOR PUBLIC INSPECTION.**

ATTEST:

**NOEL F. MCGREGOR, JR.
CITY CLERK**



ITEM# 1 ON AGENDA

Luke A. Bronin
Mayor

April 27, 2020

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

RE: Ordinance Revision Regarding Office of Human Relations

Dear Council President Rosado,

Attached for your consideration is an amendment to Section 2-102 of the Hartford Municipal Code, currently entitled, "Office of Human Relations." The intent of this proposed revision is to expand the role and responsibilities of the Office of Human relations to ensure the City is actively promoting diversity and inclusion in our hiring processes, across City operations more broadly, and in partnership with our Human Resources Department.

This amendment expands the Office of Human Relations' scope of responsibilities to include administering and ensuring compliance with City policies related to equal employment opportunity, affirmative action, and the Americans with Disabilities Act, as well as developing and conducting training related to diversity and inclusion.

This amendment would shift responsibility for contract compliance from what is now known as the Office of Human Relations to the Procurement Division of Finance Department, as was the case prior to 2017.

Finally, this amendment renames this office as the "Office of Equity and Opportunity" to clarify its role and reflect its mission, and places it within the Office of the Chief Operating Officer.

Corporation Counsel and the Chief Operating Officer are happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin
Mayor

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

Introduced by:

MAYOR LUKE A. BRONIN

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, SECTION 102 OF THE HARTFORD
MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

April 27, 2020

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

That Chapter 2, Section 102, of the Municipal Code of the City of Hartford be amended as follows:

Office of [human relations] Equity and Opportunity.

- (1) There shall be an [office of human relations] Office of Equity and Opportunity within the [Finance department] Office of the Chief Operating Officer responsible for:
 - (a) Fostering equality and understanding by supporting the efforts of the city's policy leadership in seeking social and economic justice for all Hartford residents.
 - (b) Providing advice and comment to the mayor on matters pertaining to equal opportunity and affirmative action.
 - (c) Providing direct support for the commission on human relations, the commission on disability issues, the permanent commission on the status of Hartford women, the Hartford commission on lesbian, gay, bisexual and transgender issues and the civilian police review board in accordance with their functions and duties as set forth in this Code.
 - (d) Providing regular reports to the Mayor and Council [on the activities of the office, including compliance by developers and contractors with the provisions of the living wage ordinance and resident hiring requirements. Such report shall also include information] on the activities of the Civilian Police Review Board and other boards and commissions supported by the office.
 - (e) Administering, and ensuring compliance with, City of Hartford policies and procedures related to equal employment opportunity, affirmative action, and the Americans with Disabilities Act, including conducting and/or overseeing investigations of complaints of violation of said policies and serving as the City's ADA Coordinator.

- (f) Developing and conducting training on matters relating to diversity, inclusion, equal employment opportunity and affirmative action.
- (2) The office shall be staffed by a director, who shall report directly to the Chief [Financial] Operating Officer [and Director of Finance] and who shall be a resident of the city, and the staff necessary carry out its functions.
- [(a) Prior to January 1, 2018, the Mayor may assign an acting director and personnel from other departments to temporarily staff the office.]

This ordinance shall take effect upon adoption.



ITEM# 2 ON AGENDA

Luke A. Bronin
Mayor

May 11, 2020

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

RE: Ordinance Revision Updating Planning and Zoning Codes for Clarification Purposes

Dear Council President Rosado,

Attached for your consideration is an ordinance that would update parts of the City's Municipal Code related to the Planning and Zoning Commission to remove antiquated references, remove references to State statutes that are outdated or no longer applicable to municipal planning and zoning, and to make other changes that will clean up our code to make it clearer and easier to use.

There are no changes to City processes included in these changes. The most substantive change is repealing the section of the code related to the display of flags, which is now dealt with through the zoning regulations updated by the Planning and Zoning Commission in 2016.

Corporation Counsel's office and the Planning and Zoning Commission are happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTERS 1, 2, 9, 13, 22, 23, 26, 28, 31, 32, AND 36 OF THE MUNICIPAL CODE OF HARTFORD TO CLARIFY CERTAIN LAND USE REGULATORY PROCESSES

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

May 11, 2020

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

That Section 1-5 of the Municipal Code of Hartford shall be amended as follows:

Sec. 1-5. - Hearing procedure for citations.

(a)

Appointment of citation hearing officers. There shall be a hearing procedure for citations established in accordance with G.S. § 7-152c. The Corporation Counsel shall appoint one (1) or more persons to act as citation hearing officers to conduct hearings authorized by this section, except that no police officer, member of the corporation counsel's office, employee or other person who issues citations shall be authorized to conduct hearings.

(b)

Notice of violation, fines, rights. Within twelve (12) months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to G.S. § 7-148 or Chapter 97a of the Connecticut General Statutes, and for the violation of [any zoning ordinance in Chapter 35 of this Municipal Code] the zoning regulations of the planning and zoning commission, notice shall be sent to the property owner of the alleged violation. Such notice shall inform the owner and other person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) That he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten (10) days of the date thereof; (3) That if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) That such judgment may issue without further notice.

(c)

Admission of liability. If the person who is sent notice pursuant to subsection (b) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs, or fees admitted to in person or by mail to the City department that issued the citation. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten (10) days of the date of the first notice provided for in subsection (a) of this section shall be deemed to have admitted liability, and the Corporation Counsel shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs, or fees provided for by the applicable ordinances and shall follow the procedures set forth in this section.

(d)

Conduct of hearing. Any person who requests a hearing pursuant to subsection (c) of this section shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by an interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or police officer shall be filed and retained by the municipality, and shall be deemed to be a business record and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The corporation counsel or his designee shall present evidence on behalf of the city. If the owner or person cited fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If the hearing officer determines that the person is not liable, the matter shall be dismissed and the determination entered in writing accordingly. If the hearing officer determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances.

(e)

Notice of assessment. If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty (30) days nor more than twelve (12)

months after such mailing, a certified copy of the notice of assessment with the clerk of the superior court for the Judicial District of Hartford together with an entry fee of eight dollars (\$8.00), against such person in favor of the municipality. Notwithstanding any other provisions, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person. Fines stemming from the Anti-Blight and Property-Maintenance Program in Chapter 9, Article V, herein, may be continued as anti-blight liens pursuant to G.S. § 7-148aa.

(f) *Appeal.* A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty (30) days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal the entry fee for a small claims case in the superior court for the Judicial District of Hartford, which shall entitle such person to a hearing in accordance with the rules of the judges of the superior court.

That Section 2-11 of the Municipal Code of Hartford shall be amended as follows:

Sec. 2-11. - Participation in regional council of governments.

(a)

The city does hereby adopt G.S. §§ 4-124i through 4-124p providing for the formation of a regional council of governments within a planning region, as defined or redefined by the director of the office of state planning. The city hereby joins the regional council of governments within its planning region when and as such council is duly established in accordance with G.S. 4-124i through 4-124p upon the adoption of such statute by not less than sixty (60) percent of all municipalities within such planning region.

(b)

The representative of this city on the regional council shall be the mayor of this city. An alternate representative, when authorized, shall be a member of the court of common council, who shall be chosen by the court of common council. The representative of this city on the regional planning commission, as provided for in G.S. § 4-124o, shall be an elector of the city, who shall be a member of the planning and zoning commission [on the city plan]. Such representative shall be appointed by the planning and zoning commission [on the city plan] with the concurrence of the court of common council.

(c)

The regional council of governments shall have such powers, purposes, duties and responsibilities as provided in G.S. § 4-124i through 4-124p.

That Section 2-108.4 of the Municipal Code of Hartford shall be amended as follows:

Sec. 2-108.4. - Department of development services—Planning.

(a)

The head of planning shall serve as the secretary to the planning and zoning commission and assign other employees of the division to assist the planning and zoning commission as may be necessary.

(b)

The department of development services shall have a planning function, that may take the form of a division, office or work unit to carry out its duties and responsibilities, which may include but are not limited to:

(1)

Providing design services and staff and technical assistance to the [land use board and commission, design review board, design review team] zoning board of appeals, planning and zoning commission, and the city's historic properties commission; develop design guidelines; provide architectural and graphic data and mapping assistance to other city departments; and evaluate and make recommendations on proposals from various neighborhood organizations.

(2)

Preparing the ten-year plan of conservation and development and developing strategic plans for implementing the ten-year plan of conservation and development, preparing project and feasibility studies, serving as a liaison between planning and implementing agencies, and providing zoning staff assistance.

(3)

Coordinating the preparation of the city capital improvement plan.

(4)

Performing such other duties as may be assigned by the director of the department of development services.

That Division 10 of Chapter 2, Article V of the Municipal Code of Hartford shall be repealed in its entirety.

[DIVISION 10. - DESIGN REVIEW BOARD

Sec. 2-296. - Established; composition; membership; officers; terms.

(a)

There shall be a design review board for the purposes set forth in sections 35-292, 35-322, 35-371, 35-406 and 35-442. The council shall appoint the members of the board, which shall consist of five (5) regular members and two (2) alternate members. At least one (1) regular member shall have a college degree and experience in architecture; at least one (1) regular member shall have a graduate degree and experience in landscape architecture, city planning, urban design,

historic preservation or architectural history; and at least one (1) regular member shall be a practicing real estate, development or construction professional with knowledge of urban design. The fourth and fifth regular members shall be residents of the city. Alternate members shall have special training or experience in architecture, urban design or other relevant businesses or professions. Members are required to be residents of the city or a member of a firm based in the city and shall receive no compensation for their services on the board.

(b)

The chairperson and vice-chairperson of the board shall be elected by a majority of the members of the board for a term of three (3) years. Board members shall not serve as chairperson or vice-chairperson for more than one (1) term. Members shall be appointed for terms of three (3) years. Persons shall not serve on the board for more than two (2) consecutive terms. The council shall have the authority to remove a member for good cause, which shall include the failure to regularly attend board meetings.

Sec. 2-297. - Meetings; rules; records; reports.

The design review board shall meet at such times as the board may determine. A quorum shall consist of three (3) members. The board shall adopt rules and procedures, which shall include criteria for reviewing projects. The board shall keep records of its meetings and activities and shall report no less than annually to the council and the commission on the city plan on its activities.

Sec. 2-298. - Conflicts of interest.

No design review board member shall appear for or represent any person or other entity in any matter pending before the council, commission or zoning board of appeals. No member shall participate in the meeting or decision of the board upon any matter in which he is directly or indirectly interested in a personal or financial sense. In the event of such disqualification, such fact shall be entered on the records of the board and the chairperson shall appoint an alternate member to participate in the meeting.

Sec. 2-299. - Project review.

(a)

When reviewing a project in accordance with section 35-297, 35-299, 35-333, 35-371, 35-406, or 35-442, the design review board will determine whether the applicant has demonstrated that the project:

(1)

Creates an attractive environment that is in harmony with the B-1 downtown development district, B-2 downtown development perimeter district, B-3 linear business district, B-4 neighborhood shopping district or RO-1 residential-office district;

(2)

Is compatible with and enhances the design concept of adjacent buildings; and
(3)

Encourages an active and vital pedestrian environment.

(b)

In making its determination, the board will consider criteria such as massing, height, materials, color, harmony and proportion of overall design, architectural style, siting, scale and fenestration.]

That Section 2-486 of the Municipal Code of Hartford shall be amended as follows:

Sec. 2-486. - Report, approval of sale of city property.

(a)

The city manager shall refer any pending sale of city-owned land and buildings to the planning and zoning commission [on the city plan] for any recommendation thereon. Any such recommendation shall be forwarded within thirty (30) days to the city manager. Nothing in this section shall be construed as prohibiting the city manager from reporting any pending sale of city-owned land and buildings to the council in the event said commission makes no recommendation within such period.

(b)

The city manager, after such period referred to in subsection (a), shall report to the council any pending sale of city-owned land and buildings, accompanied by any recommendation pertaining thereto from the commission on the city plan, and the council shall approve or disapprove such sales.

(c)

The city manager shall establish and amend from time to time all rules and regulations concerning the sale of city-owned land and buildings. Such rules and regulations and amendments thereto shall be subject to the review of the council.

That Section 9-72 of the Municipal Code of Hartford shall be amended as follows:

Sec. 9-72. - Definitions.

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

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

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

Demolition means the destruction of any housing unit.

[Housing unit means any dwelling unit or rooming unit, as defined in chapter 18 of this Code, or unit within a hotel, residential or apartment as defined in chapter 35 of this Code.] Housing unit has the meaning ascribed in section 18-3 of this Code.

Notice means a written notice unless otherwise specified.

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

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

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

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

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

That Section 9-98B of the Municipal Code shall be amended as follows:

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

(a)

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

(b)

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

(1)

A description of the parcel;

(2)

A description of the planned improvements thereon and intended use;

(3)

An itemized estimate of the cost of those improvements; and

(4)

A timetable detailing the schedule of improvements.

(c)

Real property that meets the requirements of subsections (a) and (d) of this section shall have the assessment on the building to be rehabilitated reduced for a period of nine (9) years from the time such improvement has been completed and a certificate of occupancy has been issued pursuant to section 35-69. Such adjusted assessment shall reflect the value of the structure prior to rehabilitation and shall defer any increase in assessment attributable to such improvement according to the following schedule:

Expand

(d)

For a building to be considered for an assessment deferral under this section, the following criteria shall be met:

(1)

Residential (one- to four-family, co-ops and condominiums) and apartments (five-family and up).

a.

The building shall be at least fifteen (15) years old.

b.

The investment in the building to be improved shall be at least thirty (30) percent of the assessed value of said property as of the last revaluation.

c.

No building shall be eligible unless appropriate building permits have been acquired and applications for such permits are made at the same time as the filing for an assessment deferral with the City Assessor.

d.

Any rehabilitated structure shall meet all zoning [requirements and conform to the City plan of development] regulations of the planning and zoning commission.

e.

Within seven (7) days of completion of improvements and issuance of a certificate of occupancy, the Assessor shall be notified by the owner.

(2)

Commercial and industrial.

a.

The building shall be at least twenty (20) years old.

b.

The investment in the building to be improved shall be at least forty (40) percent of the assessed value of said property as of the last revaluation.

c.

No building shall be eligible unless appropriate building permits have been acquired and applications for such permits are made at the same time as the filing for an assessment deferral with the City Assessor.

d.

Any rehabilitated structure shall meet all zoning [requirements and conform to the City plan of development] regulations of the planning and zoning commission.

e.

Within seven (7) days of completion of improvements and issuance of a certificate of occupancy, the Assessor shall be notified.

(e)

For the purposes of revaluation, the market value prior to rehabilitation and the post rehabilitated market value will fluctuate with the revaluation. The market value of the property prior to rehabilitation will be adjusted by a factor equal to the median change in value for the property use code as a result of the revaluation. The post rehabilitated market value of the property will be recalculated with the revaluation. In cases where rehabilitation has not been completed prior to the implementation of a revaluation, the market value of the property will be recalculated with the revaluation.

(f)

If rehabilitation work is not completed or a certificate of occupancy has not been obtained within two (2) years of the date of the approval of the Assessment Deferral application, a new application shall be filed with the Assessment Division and re-approved for the property to maintain eligibility of the program. If the property is transferred after program approval and before a certificate of occupancy for the rehabilitation work has been issued, the new owner shall file a new application with the Assessment Division prior to the commencement or recommencement of work and would require re-approval for the property to maintain its program eligibility.

That Section 13-2 of the Municipal Code of Hartford shall be amended as follows:

Sec. 13-2. - Means of egress for roominghouses.

Every roominghouse in the city as defined in [chapter 35] chapter 18-3 of this Code shall be provided with means of egress which will be adequate in case of fire. Means of egress shall be deemed inadequate in any building used or occupied for roominghouse purposes in which there are less than two (2) means of exit, either by stairways on the inside or fire escapes on the outside from each floor used or occupied for such purposes. Such outside fire escapes shall be accessible through a door without a locking device or bolt of any kind and shall be located as remotely as possible from inside stairways.

That Section 22-26 of the Municipal Code of Hartford shall be amended as follows:

Sec. 22-26. - Fines and penalties for unlawful parking.

(a)

Definitions: For purposes of this section, and unless otherwise specified, the definition of terms contained in title 14, chapter 246, section 14-1 and 14-260n of the Connecticut General Statutes shall govern this section. For purposes of this section the words "park" and "parked" shall mean to leave a vehicle stationary.

(b)

The fine shall be twenty-five dollars (\$25.00), with an initial penalty of thirty-eight dollars (\$38.00) and an additional penalty of thirty-eight dollars (\$38.00), for any vehicle to be and/or remain parked:

(1)

During a state of emergency following public notice of the declaration of such emergency, on private property without the permission of the owner, for a period of time and in such a condition as to constitute a nuisance, or otherwise in violation of state or local parking order, regulations or restrictions;

(2)

For a period exceeding a posted duration or restriction or otherwise allowable by law;

(3)

For a period exceeding the authorized time duration purchased at any parking meter;

(4)

In violation of the posted parking regulation;

(5)

Over the legal limit at any parking meter by making additional payment to extend the authorized parking time where restricted according to the posted parking regulation; or

(6)

In any space or area that is demarcated as a downtown parking meter zone, and to not utilize the appropriate parking meter zone designation to park.

(c)

The fine shall be thirty dollars (\$30.00) and the vehicle subject to removal at the owner's expense, with an initial penalty of forty-three dollars (\$43.00) and an additional penalty of forty-three dollars (\$43.00), for parking:

(1)

A distance greater than twelve (12) inches from a curb, measured from the vehicle's passenger side wheels; or

(2)

Within twenty-five (25) feet of an intersection or a marked crosswalk thereat, or within twenty-five feet of a stop sign erected by the traffic authority.

(d)

The fine shall be forty-five dollars (\$45.00) and the vehicle subject to removal at the owner's expense, with an initial penalty of thirty-eight dollars (\$38.00) and an additional penalty of forty-two dollars (\$42.00), for parking:

- (1)
On the wrong side of a street or facing opposite traffic;
 - (2)
In a no-parking area, tow zone or the odd/even side of a street according to the posted days;
 - (3)
In a marked bus stop;
 - (4)
In a no standing area;
 - (5)
In a loading zone;
 - (6)
Within five (5) feet of or obstructing a driveway or curb cut;
 - (7)
In a vending space;
 - (8)
By a vendor in an unauthorized vending space;
 - (9)
By trespassing on private property;
 - (10)
While unlawfully repairing a motor vehicle within any city street or on public property; or
 - (11)
So as to block a park entrance;
 - (12)
Non-payment of the meter parking; or
 - (13)
Parked over the line (marked boundary) of a parking space.
- (e)
The fine shall be seventy-five dollars (\$75.00) and subject to removal at owner's expenses, with an initial penalty of twenty-three dollars (\$23.00) and an additional penalty of twenty-seven dollars (\$27.00), for parking:
- (1)
Within ten (10) feet of a hydrant;
 - (2)
In violation of fire and park rules and regulations;
 - (3)
On or obstructing a sidewalk;
 - (4)
On or obstructing a crosswalk;
 - (5)
So as to double park;
 - (6)

Within or obstructing an intersection;

(7)

So as to impede or obstruct pedestrian or vehicular traffic;

(8)

On any property between the street line and traveled portion of any street.

(f)

The fine shall be one hundred dollars (\$100.00) and the vehicle subject to removal at owner's expense, with an initial penalty of thirteen dollars (\$13.00) and an additional penalty of thirteen dollars (\$13.00), for parking:

(1)

In any area that is demarcated or otherwise designated a temporary no-parking area to allow the removal of snow or ice; or

(2)

In violation of [zoning ordinances] the zoning regulations of the planning and zoning commission; or

(3)

Any tractor, tractor-trailer, semi-trailer, truck, or commercial vehicle combination on any city street(s) for more than three (3) hours, except for the purpose of delivery or service taking less than eight (8) hours; [or]

(4)

A trailer or semi-trailer on any street or arterial highway unattached to a motor vehicle, tractor or truck-tractor capable of towing it, except for the purpose of delivery or service while loading or unloading at off-street platforms; or

(5)

Recreational vehicles, as defined in G.S. § 14-1, between the hours of 11:00 p.m. and 6:00 a.m.

(g)

The fine shall be one hundred twenty-five dollars (\$125.00) and the vehicle subject to removal at the owner's expense, with an initial penalty of thirteen dollars (\$13.00) and an additional penalty of thirteen dollars (\$13.00), for parking by an unauthorized person in a parking space designated for the handicapped and so marked.

(1)

By an unauthorized person in a parking space designated for the handicapped and so marked.

That Section 22-106 of the Municipal Code of Hartford shall be amended as follows:

Sec. 22-106. - Definitions.

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

Commercial parking lot means an outdoor space or uncovered plot, place, lot, parcel or enclosure or any portion thereof where more than fifteen (15) motor vehicles may be parked, stored or kept at any one (1) time for which any charge is made.

Downtown parking district means the area contained generally within the boundaries of the [B-1 Zone as identified in Chapter 35, Article III, Division 5 of the Municipal Code] the DT (Downtown) zoning districts as defined in the zoning regulations of the planning and zoning commission.

Motor vehicle means any automobile, truck, bus or other self-propelled vehicle not operated on tracks or from trolleys.

That Section 22-111 of the Municipal Code of Hartford shall be amended as follows:

Sec. 22-111. - Duties of permittee.

(a)

The permittee of a commercial parking lot shall:

(1)

When a vehicle is left for parking, furnish the owner or operator with a claim check which shall have printed thereon the full name and address of the parking lot and a number corresponding to a coupon attached thereto which shall be placed upon the vehicle. The permittee shall not deliver any such vehicle without presentation of the proper claim check or without satisfactory proof of ownership of such vehicle. This provision shall not apply where a vehicle is parked on a weekly or monthly basis and a memorandum bearing the full name and address of the parking lot is given to the owner thereof stating the arrangement;

(2)

Provide for such parking lot proper and adequate fire extinguishing apparatus which shall be subject to the approval of the chief of the department of fire;

(3)

Post prominently at the entrance on each street of such parking lot a sign bearing the name of the permittee, the hours of the day and night during which such lot shall be open, the rates charged and the closing hours of such lot. Such sign shall be uniformly displayed in conspicuous letters and figures of the same size;

(4)

Keep such lot lighted by some type of approved lighting device in such locations and to such extent as shall be adequate to permit the owners of motor vehicles to have reasonable access to all portions of such lot during the period from one-half hour after sunset to one-half hour before sunrise for which such lot shall be open for parking;

(5)

Place a conspicuous sign at the entrance of the lot, reading "FILLED," whenever such lot is filled with motor vehicles to its legalized capacity. Such sign shall be displayed continuously as long as such condition exists.

(6)

Post in a prominent location the provisions of sections 22-110 and 22-111 and the phone number of the director of licenses and inspections.

(7)

Comply with the zoning regulations of the planning and zoning commission when making improvements requiring site plan review or other zoning permit review.

(b)

In addition to the duties in subsection (a) above and applicable duties of the zoning regulations, commercial parking lots in the downtown parking district shall comply and be subject to the following:

(1)

All entrances and exits shall be approved by the city traffic engineer and shall satisfy the following criteria:

a.

All exits and entrances shall be so located as to provide the least amount of interference with the movement of pedestrians and vehicular traffic;

b.

There shall be no exits or entrances on Main Street;

c.

There shall be no exits or entrances located within a designated bus loading or unloading zone;

d.

There shall be a minimum distance of forty (40) feet between any two (2) curb cuts and a minimum distance of seventy-five (75) feet between any curb cut and the corner of any lot which is adjacent to two (2) streets;

e.

All entrances and/or exits shall be located a minimum distance of one hundred (100) feet from the nearest entrance and/or exit ramp to a limited access highway, to be measured along the street line from the point at which the street line intersects the nearest highway taking line to the private, commercial and/or public parking lot entrance and/or exit.

(2)

A private, commercial and/or public parking lot shall be used solely for the parking of passenger vehicles. There shall be no commercial repair work or service of any kind, no display of vehicles for purposes of sale or rental and no parking or storage of inoperable or unregistered motor vehicles on such premises.

(3)

A landscaped area at least three (3) feet in width shall be provided between the private, commercial and/or public parking lot and the existing street line or the

existing inner sidewalk line, whichever is furthest from the curb, for the full length of all street frontages excluding those areas required for curb cuts.

(4)

No sign of any kind other than those designating entrances, exits and conditions of use shall be erected or maintained, within a private, commercial and/or public parking lot. Such sign shall not exceed twenty (20) square feet in area each, shall be limited to one (1) sign per street frontage exclusive of exit/entrance signs, shall not exceed an overall height of fifteen (15) feet, shall maintain the visibility at intersections required in section 35-26 and shall not be located forward of the building line.

(5)

All private, commercial and/or public parking lots shall be surfaced so as to provide a durable and dustless all weather surface, and shall be so graded and drained as to dispose of all surface water accumulations within the site. No surface water from any such parking lot shall be permitted to drain onto adjoining property or across a public sidewalk or right-of-way.

(6)

There shall be provided a wheel stop of either wood, metal or concrete not more than one (1) foot in height and securely anchored into the ground on all sides of the parking lot where there is a sidewalk, an existing structure, fence or required landscaping. Such wheel stops shall be located at such a distance so that automobiles will not strike the wall, fence or landscaping, nor will the automobile extend over the sidewalk. As an alternative, a concrete or asphalt berm, serving the same purpose may be provided.

(7)

Each commercial and/or public parking lot must be properly lighted. All lighting used to illuminate such parking premises shall be so arranged as to reflect the light away from any public street or right-of-way and from any adjoining premises located in a residential district or any premises used for residential purposes.

(8)

Any person, partnership, or corporation operating a commercial parking lot without a permit will be charged a fee of no less than two thousand five hundred dollars (\$2,500.00) a day to operate such lot after proper notice has been posted on the lot by the department of license and inspection. Individuals, officers of corporations and partners operating commercial parking lot without a permit shall be fined no more than one hundred dollars (\$100.00) or imprisoned for no more than thirty (30) days. This subsection will not apply to any corporation partnership or individual with a pending permit application.

(9)

Any commercial parking lot in the downtown parking district in compliance with all the requirements of Chapter 22, Article II, Division V of the Code with the exception of subsection (5) of this section on July 1, 2002 may receive a one-time permit for a period not to exceed one (1) year from the date of issuance.

(10)

Any commercial parking lot in the downtown parking district in compliance with all the requirements of Chapter 22, Article II, Division V of the Code with the exception of subsection (b)(1)b. of this section on July 1, 2002, provided that the exit or entrance on Main Street was in existence prior to April 1, 2002, may receive a permit notwithstanding noncompliance with subsection (b)(1) b. of this section.

That Section 23-1 of the Municipal Code of Hartford shall be amended as follows:

Sec. 23-1. - Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

Ambient noise or background noise shall mean noise of a measurable intensity which exists at a point as a result of a combination of many distant sources individually indistinguishable. In statistical terms, it is the level which is exceeded ninety (90) percent of the time (L90) in which the measurement is taken.

Chief of police shall mean the chief of police of the City of Hartford or a duly authorized officer subject to his orders.

Commercial zone shall mean [all commercial and business zones (C-1, B-1, B-2, B-3, B-4), as defined in the zoning regulations of the City of Hartford] the DT Downtown and MS Main Street zoning districts, as defined in the zoning regulations of the planning and zoning commission. Any use which is nonconforming shall be deemed to be in the zone which corresponds to the actual use.

Construction shall mean any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities, or similar property.

Construction equipment shall mean any equipment or device operated by fuel or electric power, used in construction or demolition work.

Day shall mean the hours between 7:00 a.m. and 10:00 p.m., Monday through Saturday, and the hours 9:00 a.m. through 10:00 p.m. on Sundays.

Decibel shall mean a logarithmic unit of measure used in measuring magnitudes of sound. The symbol is dB.

Demolition shall mean any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

Domestic power equipment shall mean, but not be limited to, power saws, drills, grinders, lawn and garden tools and other domestic power equipment intended for use in residential areas by a homeowner.

Emergency shall mean any occurrence or set of circumstances involving actual or imminent physical trauma or property damage, which demands immediate action.

Emergency vehicle shall mean any motor vehicle authorized by the City of Hartford to have sound warning devices, such as sirens and bells, which can lawfully be used when responding to an emergency.

Emergency work shall mean work made necessary to restore property to a safe condition following an emergency, or work required to protect persons or property from exposure to imminent danger.

Impulse noise shall mean sound of short duration, usually less than one (1) second, with an abrupt onset and rapid decay.

Industrial zone shall mean [all industrial (I-1 and I-2) zones, as defined in the zoning regulations of the City of Hartford] the CX Commercial-Industrial Mix, and ID Industrial zoning districts, as defined in the zoning regulations of the planning and zoning commission. Any use which is nonconforming shall be deemed to be in the zone which corresponds to the actual use.

Loud amplification device or similar equipment shall include, but not be limited to, a radio, television, phonograph, stereo, record player, tape player, cassette player, compact disc player, loud speaker or sound amplifier which is operated in such manner that it creates noise.

Motor vehicle shall be defined as per G.S. § 14-1(47).

Muffler shall mean a device for abating sounds such as escaping gases.

Noise shall mean any sound, the intensity of which exceeds the standards set forth in section 23-3 of this chapter or that is plainly audible at a distance of one hundred (100) feet from its source.

Night shall mean the hours between 10:00 p.m. and 7:00 a.m., Sunday evening through Saturday morning, except, that night shall mean the hours between 10:00 p.m. Saturday and 9:00 a.m. Sunday.

Noise level shall mean the sound pressure level as measured with a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.

Person shall mean any individual, firm, partnership, association, syndicate, company, trust, corporation, municipality, agency, or political or administrative subdivision of the state or other legal entity of any kind.

Premises shall mean any building, structure, land, or portion thereof, including all appurtenances, and shall include yards, lots, courts, inner yards, and real properties without buildings or improvements, owned or controlled by a person. The emitter's premises includes contiguous publicly dedicated street and highway rights-of-way, all road rights-of-way and waters of the state.

Property line shall mean that real or imaginary line along the ground surface and its vertical extension which:

(1)

Separates real property owned or controlled by any person from contiguous real property owned or controlled by another person; and

(2)

Separates real property from the public right-of-way.

Public right-of-way shall mean any street, avenue, boulevard, highway, sidewalk, alley, park, waterway, railroad or similar place which is owned or controlled by a governmental entity.

Recreational vehicle shall mean any internal combustion engine powered vehicle which is being used for recreational purposes.

Residential zone shall mean [all residential (RO-1, RO-2, RO-3, R-1 through R-8), P (public property and cemetery), as defined in the zoning regulations of the City of Hartford] the N Neighborhood, NX Neighborhood Mix, and MX Multi-Use Mix zoning districts, as defined in the zoning regulations of the planning and zoning commission. Any use which is nonconforming shall be deemed to be in the zone which corresponds to the actual use.

Sound shall mean a transmission of energy through solid, liquid, or gaseous media in the form of vibrations which constitute alterations in pressure or position of the particles in the medium and which, in air, evoke physiological sensations, including, but not limited to, an auditory response when impinging on the ear.

Sound level meter shall mean an instrument used to take sound level measurements and which should conform, as a minimum, to the operational specifications of the American National Standards Institute for Sound Level Meters S1.4—1971 (Type S2A).

Sound pressure level shall mean twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of a sound to the reference pressure of twenty (20) micronewtons per square meter (20×10^{-6} Newtons/meter²), and is expressed in decibels (dB).

That Section 26-41 of the Municipal Code of Hartford shall be amended as follows:

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

(a)

Definitions:

"Alcoholic beverage" or "alcoholic liquor" includes all varieties of liquor defined in this section including alcohol, beer, spirits and wine and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being for beverage purposes.

"Beer" means a beverage obtained by alcoholic fermentation of an infusion or concoction of barley or other grain, malt and hops in water; and includes among other things beer, ale, stout, lager beer, porter and the like.

"Bring your own beverage" is a term which means that the owner of an establishment or host of an event will not be providing alcoholic beverages but that guests are welcome to bring their own if they choose.

"Events", for purposes of this section, shall mean any public or private function held on the grounds of a park, which may include the lawn area, clubhouse, pond house, recreational facility, pavilion, carousel or other amusement area of the park.

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

"Spirits" means any beverage which contains alcohol obtained by distillation, and includes brandy, rum, whiskey, gin or other spirituous liquors when rectified, blended or otherwise mixed with alcohol or other substances.

"Wine" means any alcoholic beverage obtained by the fermentation of natural contents of fruit or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol, or other spirits, as above defined.

(b)

General prohibitions and exceptions:

(1)

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

a.

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

b.

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

c.

Alcoholic beverages may be sold and consumed in connection with restaurant or bar services at the Pump House Gallery in Bushnell Park or other events held at the

Pump House Gallery provided that the operator or manager of said facility obtains proper liquor liability insurance and a state liquor license;

d.

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

e.

Beer and wine may be sold and consumed at an event held at the Keney and Goodwin Parks, not including the golf courses, Metzner Center, Willie Ware Center, Hyland Center, Blue Hills Community Center, Pope Park Recreation Center, Kevin D. Anderson Center and any other park in the City of Hartford not mentioned herein provided that prior to the event, the proper permission has been obtained from the City to hold the event, the Council adopts a resolution approving such sale and consumption and the location where said sale can take place within said park or location, beverages are sold by a vendor licensed by the Bureau of Licenses and Inspections under a permit issued by the State of Connecticut Department of Consumer Protection, and proper proof of liquor liability insurance is provided to the Risk Manager for the City of Hartford, in an amount to be determined by said risk manager;

f.

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

(2)

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

(3)

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

(4)

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

(5)]

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

(5)[(6)]

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

(6)[(7)]

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

That Section 28-1 of the Municipal Code of Hartford shall be amended as follows:

Sec. 28-1. - Alternate members of [commission on city plan] planning and zoning commission.

(a)

There shall be three (3) alternate members nominated by the mayor and confirmed by the council as provided in chapter III of the Charter, to the planning and zoning commission [on the city plan], such alternate members to be electors of the city. Every year one (1) alternate member shall be appointed to serve for three (3) years. Such alternate members shall, when seated as provided in this section, have all the powers and duties set forth in the General Statutes and the Charter for the commission and its members. Such alternate members shall not be members of the council or of the zoning board of appeals and shall serve without compensation.

(b)

If a regular member of the commission is absent, he may designate, in writing, an alternate member of the commission to act in his place. If he fails to make such designation or if he is disqualified, the chairman of the commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

That Section 28-2 of the Municipal Code of Hartford shall be amended as follows:

Sec. 28-2. - Alternate members of zoning board of appeals.

(a)

There shall be three (3) alternate members nominated by the mayor and confirmed by the council as provided in chapter III of the Charter to the zoning board of appeals. Such alternate members shall be electors of the city. Every year, one (1) alternate member shall be appointed to serve for three (3) years. Such alternate members shall, when seated as provided in this section, have all the powers and duties set forth in the General Statutes and the Charter for the board and its members. Such alternate members shall not be members of the council or of the planning and zoning commission [on the city plan] and shall serve without compensation.

(b)

If a regular member of the board is absent, he may designate in writing an alternate member of the board to act in his place. If he fails to make such designation or if he is disqualified, the chairman of the board shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

That Section 28-3 of the Municipal Code of Hartford shall be repealed.

[Sec. 28-3. - Alternate members of zoning commission.

(a)

There shall be three (3) alternate members to the zoning commission elected by the council. Each such alternate shall be an elector of the city. Such alternates shall be elected by the council to serve for a term of two (2) years. Such alternate members shall, when seated as provided in this section, have all the powers and duties set forth in the General Statutes and the Charter for the zoning commission and its members. Such alternate members shall not be members of the commission on the city plan or of the zoning board of appeals and shall serve without compensation.

(b)

If a regular member of the zoning commission is absent, he may designate in writing to the town and city clerk an alternate member to act in his place. If such regular member fails to make such written designation or if he is disqualified, the mayor shall designate an alternate member to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. Any regular member who is disqualified for any reason including private, personal or pecuniary interest in the subject matter before the zoning commission shall announce his disqualification in writing to the town and city clerk. The town and city clerk shall immediately notify the mayor of such letter of disqualification. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.]

That Section 28-4 of the Municipal Code of Hartford shall be amended as follows:

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

(a)

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

(b)

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

(c)

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

(d)

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

(e)

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

(f)

The city council and municipal agencies shall not take final action on any of the activities defined in General Statutes section 8-24 until such action shall be referred to the planning and zoning commission, and the commission shall have reported thereon, provided the council or agency may assume that a failure of such commission to report within thirty-five days after the date of official submission is an approval of such proposal. A proposal disapproved by the commission shall be treated in accordance with General Statutes section 8-24.

That Section 28-6 of the Municipal Code of Hartford shall be amended as follows:

Sec. 28-6. – [Zoning] Planning and zoning commission designated inland wetlands agency.

The planning and zoning commission of the city is designated as the inland wetlands agency of the city. Such inland wetlands agency shall have all powers which are granted to inland wetlands agencies, as provided by law.

That Section 28-7 of the Municipal Code of Hartford shall be repealed.

[Sec. 28-7. - Establishment of Energy Improvement Districts.

(a)

The Court of Common Council finds that taking advantage of the density of the City of Hartford by, among other strategies, maximizing the use of efficient, renewable, small-scale power generation and distribution techniques should be an important element of the City's economic development and neighborhood revitalization strategies. Such techniques shall include:

(i)

Customer-side distributed resources;

(ii)

Grid-side distributed resources;

(iii)

Combined heat and power systems;

(iv)

Class III renewable energy sources with virtual net metering;

(v)

Neighborhood-based Energy Efficiency projects for housing of one (1) to four (4) units or larger; and

(vi)

Micro-grids,

as defined or described in the Connecticut General Statutes and the Regulations of the Public Utilities Regulatory Authority. The Energy Improvement District Planning Committee may add techniques to this list.

(b)

In accordance with G.S. §§ 32-80a, 32-80b, and 32-80c, there is hereby created the Energy Improvement District Planning Committee, which shall consist of the Director of Development Services of the City of Hartford, or the Director's designee; the Director of Planning of the City of Hartford, or the Director's designee; two (2) members of Court of Common Council to be appointed by the Mayor after consultation with the Council President and subject to confirmation by the Council; one (1) representative of the City's Neighborhood Revitalization Zone committees to be appointed by the Mayor after consultation with Hartford 2000 ("Hartford 2000" includes any successor agency that is the association of all of the NRZs in Hartford) subject to confirmation by the Council; and up to three (3) additional members with relevant particular skills and knowledge, who shall not be subject to the residency requirement of Chapter VII section 1(e) of the Charter, to be appointed by the Mayor subject to confirmation by the Council. The members of the Committee shall elect the Chairperson for the group on the first meeting before July 1, 2014.

(c)

The Energy Improvement District Planning Committee shall, by November 1, 2014, complete the following tasks:

1.
Define the role that the techniques identified in Section (a) or by the Energy Improvement District Planning Committee itself should play in the economic development strategy and/or neighborhood revitalization strategies of the City;
2.
Define criteria for determining whether particular proposals for projects to create such techniques would be beneficial to the City and its residents;
3.
Define criteria for determining whether the powers granted by Connecticut General Statutes sections 32-80a, 32-80b, and 32-80c would assist projects identified as beneficial;
4.
Engage in a detailed discussion with Hartford 2000 (about the creation of an Energy Improvement District Technical Assistance Center that will be staffed and able to provide technical assistance and information to NRZs that wish to propose the development of Energy Improvement Districts to benefit their neighborhoods.
- 5.

Provide a report on the results of completing the tasks identified in paragraphs 1, 2, 3 and 4 to the Mayor, City Council and Hartford 2000 by December 1, 2014.

(d)

The Energy Improvement District Planning Committee shall also complete the following tasks:

1.

Solicit proposals that meet the criteria identified in Section (c) paragraphs (2) and (3) above from Hartford Neighborhood Revitalization Zones. In seeking to identify such projects, the Committee shall both solicit proposals and seek to encourage them through both public events and private meetings;

2.

Review all proposed projects against the criteria defined in accordance with Section 3 paragraphs 2 and 3;

3.

Engage in a detailed discussion with the Neighborhood Revitalization Zone Committees for any neighborhood that encompasses or would be affected by any project that the Energy Improvement District Planning Committee tentatively concludes may be worthy of development. The Planning Committee shall not proceed further with regard to any project that is not approved by the relevant Neighborhood Renewal Zone Committees; and

4.

Recommend to the Mayor and Council the creation of one (1) or more Energy Improvement Districts for the purpose of facilitating the development of renewable, small-scale power and distribution facilities. An annual report to the Mayor and Council shall:

a.

Set forth a summary of the activities in which the Energy Improvement District Planning Committee has engaged;

b.

Describe in detail any project the Committee recommends for further development and the activities of the Committee relating to each such project;

c.

Recommend the boundaries of and the structure of the board for each Energy Improvement District recommended by the Committee, provided that any Energy Improvement District board shall include at least one (1) member recommended by the committee of each Neighborhood Revitalization Zone that includes any part of a proposed Energy Improvement District within its boundaries;

d.

Recommend any changes needed in the City Ordinances or the Connecticut General Statutes with respect to the authorities that each proposed Energy Improvement District board should be granted.

e.

Document whether the EID projects have improved energy usage through either lower cost, less carbon or other pollutant emissions, or reduced demand.
(Ord. No. 06-14, 4-28-14)]

That Section 31-2 of the Municipal Code of Hartford shall be repealed.

[Sec. 31-2. - Director of Public Works to exercise authority granted by statute to commission on City plan, concerning highways.

The powers provisionally granted to the commission on the City plan concerning highways, streets and sidewalks by G.S. § 8-29, being substantially similar to those now possessed by the Director of Public Works under Chapter XI, Section 3 of the Charter, the commission on the City plan shall not exercise such powers.]

That Section 31-32 of the Municipal Code of Hartford shall be amended as follows:

Sec. 31-32. - Regulations, specifications authorized.

The Director of Public Works may adopt from time to time such rules, regulations and specifications for the conduct of the work provided for by this article as he may deem for the best interest of the City. It shall be unlawful for any person to violate any such rule, regulation or specification or any applicable provision of the zoning regulations of the planning and zoning commission.

That the title of Article VII of Chapter 31 of the Municipal Code shall be amended as follows:

**ARTICLE VII. – [STREET PERFORMANCES AND DISPLAY OF FLAGS]
SUBDIVISIONS AND RESUBDIVISIONS**

That Section 31-176 of the Municipal Code shall be amended as follows:

Sec. 31-176. – [Subdivision defined] Generally.

[For the purpose of this article, the word "subdivision" means the division of a tract or parcel of land into three (3) or more lots in such a manner as to require the provision of a street for the purpose, whether immediate or future, of sale or building development, and shall include resubdivision. Resubdivision means a change in a map of an approved or recorded subdivision or resubdivision if such change:

(1)

Affects any street layout shown on such map;

(2)

Affects any area reserved thereon for public use; or

(3)

Diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.]

For the purpose of this article, the words subdivision and resubdivision shall have the meaning defined in the subdivision regulations of the planning and zoning commission. The nature of the applications and their submission, required notices and hearings, and decision-making criteria shall be as prescribed by such subdivision regulations.

That Section 31-177 of the Municipal Code shall be amended as follows:

Sec. 31-177. - Approval prerequisite to recording.

No map or plan of land in the City showing any proposed street or subdivision or any proposed extension or change in the established layout of any existing street or subdivision shall be filed or recorded in the Office of the City Clerk without having been endorsed as approved by the planning and zoning commission [on the City plan]. Such endorsement shall be made by the secretary or chairman of such commission and shall indicate the date of the commission's action.

That Sections 31-178 through 31-181 of the Municipal Code of Hartford shall be repealed.

[Sec. 31-178. - How map or plan to be submitted; fee.

Any request for approval of a map or plan showing any proposed street or any proposed extension or change in the established layout of any existing street or any subdivision shall be submitted to the commission through its secretary and shall be accompanied by three (3) plans. One (1) plan shall be in size and material prescribed by the General Statutes for filing such plan with town clerks. The two (2) other plans may be prints. The commission may, if it deems it necessary, require that further survey measurements or similar data be added to the plans as submitted to establish the definite location of any proposed street or subdivision or any proposed extension or change in the established layout of any existing street or subdivision. Any request for approval of a map or plan, unless made by a department or agency of the City, shall be accompanied by a fee of ten dollars (\$10.00) which shall be payable in advance to the secretary of the commission. (Code 1977, § 30-127)

Sec. 31-179. - Notice and hearing.

Every map or plan submitted to the commission shall contain the name and address of the person to whom notice of the hearing thereon is to be sent. No map or plan shall be acted upon by the commission without a hearing had thereon not less than fifteen (15) days after such submission, except that the commission shall not be required to have a hearing on a subdivision or resubdivision application filed in connection with a group dwelling development, planned area development or planned residential development. Notice of the time and place of such hearing shall be published once in a daily newspaper of general circulation in the City as provided in section 2-4 at least ten (10) days before such hearing, and such notice shall also be sent by mail, postage paid, to the person whose name and address appears on such map or plan.

(Code 1977, § 30-128)

Sec. 31-180. - Decision by commission.

The commission shall approve or disapprove such map or plan within sixty (60) days after such hearing, except that the commission shall take action and report its findings to the zoning board of appeals in the case of a group dwelling development and to the council in the case of a planned area development or planned residential development as set forth in the provisions of chapter 35. Otherwise, such map or plan shall be deemed to have been approved, and a certificate to that effect shall be issued by such commission on demand. The reasons for the commission's action shall be stated upon the records of such commission.

(Code 1977, § 30-129)

Sec. 31-181. - When approval to be withheld.

(a)

The commission shall withhold approval of any map or plan if any proposed street or any proposed extension or change in the established layout of any existing street shown thereon or any other feature shown does not conform to the plans for development of the City or any portion thereof or to any recommendations thereof which the commission may have made or may be making in conformity with chapter XIX, section 2 of the Charter, nor shall approval be given to the location of any proposed street or any proposed extension or change in the established layout of any existing street which:

(1)

Does not make access possible to all of the land which might or should be served by such proposed street or any proposed extension or change in the established layout of any existing street;

(2)

Which is so aligned or located as to create a hazard to public safety;

(3)

Which cannot be extended to connect with other streets or subdivisions;

(4)

For the construction of which excessive grading would be required;

(5)

Which is of insufficient width for the anticipated traffic thereon;

(6)

Which lies in an area subject to stream overflow or flooding of a nature deemed to be detrimental to development or use of abutting land;

(7)

Which otherwise violates the generally accepted principles of city planning and economics of land use.

(b)

No such map or plan shall be approved contrary to any regulations which such commission may make under powers conferred on it by the Charter or by General Statutes or on which are shown any lot, tract, dimension or area in conflict with the provisions of Chapter 35.]

That Section 31-218 of the Municipal Code shall be amended as follows:

Sec. 31-218. - Permitted locations; conduct.

(a)

Performance may be permitted in outdoor public areas in the following zoning districts: [C-1, B-1, B-2, B-3, and B-4] the DT (Downtown) Districts, the MS Districts, and the Transit-Oriented Development Overlay District. If the zoning code is changed or new zoning districts created, this division will be amended to comply with such changes or amendments.

(b)

A performer may not block the passage of the public through a public area. If a crowd gathers to see or hear a performer such that the passage of the public through a public area is blocked, a police officer may disperse that portion of the crowd that is blocking the passage of the public. If the blocking of passage persists, the officer shall cause the performer to relocate to a less congested area.

(c)

It shall be unlawful for any performer to totally obstruct streets and sidewalks or to interrupt free passage along them.

(d)

No performer or group of performers shall perform at a distance of less than two hundred (200) feet from another performer or group of performers that already is performing.

(e)

Street performing shall not infringe on events for which a permit has been issued so as not to detract from the stated purpose of the permittee or permit organization.

That Sections 31-236 to 31-239 of the Municipal Code shall be repealed.

[Sec. 31-236. - Installations authorized.

Any regularly constituted organization of war veterans of the City may install in the sidewalks of the City flag sockets designed to hold poles or staffs for the purpose of creating a system of uniform display of flags on the business streets of the City.

Sec. 31-237. - Permit required; security to be given.

No flag display installation shall be made until a written permit has been issued therefor by the bureau of licenses and inspections and approved by the Director of Public Works. Before any such permit is issued, the applicant must file evidence of a public liability policy satisfactory to the purchasing agent with public works in a sum sufficient to indemnify the City for any liability incurred, and to hold the City harmless for injuries to persons or property caused by the installation or maintenance of any such socket, staff, device or equipment in connection therewith but with limits not less than two hundred fifty thousand dollars (\$250,000.00) for personal injury to any one (1) person and five hundred thousand dollars (\$500,000.00) for personal injury for any one (1) occurrence and two hundred fifty thousand dollars (\$250,000.00) for property damage or five hundred thousand dollars (\$500,000.00) combined single limit (CSL). Such policy shall remain in force for one (1) year after such installation or until the flag or banner is removed.

Sec. 31-238. - Supervision of installations; specifications.

Every flag display socket under this division shall be installed under the general supervision of the Director of Public Works and, together with the flag display outfit or equipment to be used therewith, shall conform to the specifications laid down by him.

Sec. 31-239. - What flags may be used.

Each flag to be displayed under this division shall be approximately three (3) by five (5) feet in size and shall consist of fast color material. No flag, banner or decoration of any kind, other than an American flag, or flag or banner of the American Red Cross or the United Fund or such flags as may be approved by resolution of the council shall be displayed on any such pole or staff at any time. The American flag shall be displayed thereon only on patriotic occasions, on days of public celebration or in connection with public parades.]

That Section 32-15 of the Municipal Code of Hartford shall be amended as follows:

Sec. 32-15. - Realty acquired by city for taxes or assessments.

Whenever the City has acquired title to any real estate through the strict foreclosure of any tax or assessment lien, or through the conveyance of such title to

the City to satisfy a claim for assessments or taxes, the tax collector shall report the acquisition of such real estate to the [City plan] planning and zoning commission and shall submit to such commission an annual report of all real estate in his possession.

That Section 32-21 of the Municipal Code shall be amended as follows:

Sec. 32-21. - Reduction in assessment for home improvements.

(a)

The assessment on residential real property, which has undergone improvements as approved by and with the assistance of the Connecticut Housing Finance Authority under the Urban Rehabilitation Homeownership Program, shall be reduced for a period of five (5) years from the time such improvement have been completed, pursuant to P.A. 01-9, Section 81, provided all other criteria established in this section are met.

(b)

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

(1)

A description of the parcel;

(2)

A description of the planned improvements thereon and intended use;

(3)

An itemized estimate of the cost of those improvements;

(4)

A timetable detailing the schedule of improvements, with the completion of such rehabilitation by a date fixed; and

(5)

The inspection and certification by the local building official that the completed rehabilitation is in conformance with such provisions of the state building and health codes and the local housing code as may apply.

(c)

For a building to be considered for an assessment deferral under this section, the following criteria must be met:

(1)

Must be one-to-four family, residential real property.

(2)

No building shall be eligible unless appropriate building permits have been acquired.

(3)

Any rehabilitated structure must meet all [zoning requirements and conform to the City plan of development] zoning regulations of the planning and zoning commission.

(4)

Within seven (7) days of completion of improvements, the assessor must be notified.

(5)

The applicant must continue to reside at the property during the period of said deferral.

(d)

For purposes of revaluation, should a general revaluation happen in the year in which such rehabilitation is completed, resulting in an increase in the assessment of such property, only that portion of the increase resulting from such rehabilitation shall be deferred; and in the event of a general revaluation in any year after the year in which such rehabilitation is completed, such deferred assessment shall be increased or decreased in proportion to the increase or decrease in the total assessment on such property as a result of such general revaluation.

That Section 32-22 of the Municipal Code shall be amended as follows:

Sec. 32-22. - Deferral of assessment for home improvements.

(a)

Any increase in the assessment of residential real property attributable to the rehabilitation or improvement thereof with assistance provided by the Connecticut Housing Finance Authority under the Urban Rehabilitation Homeownership Program shall be deferred for a period of five (5) years from the date such rehabilitation or improvement is completed, in accordance with Public Act 01-9, section 81, provided that all other criteria established in this section are met.

(b)

To be eligible for such deferral, real property owners must complete and file with the department of assessment an "assessment deferral application", which shall include:

(1)

A description of the property including address, map, lot and block number;

(2)

A description of the planned improvements thereon and intended uses;

(3)

An itemized estimate of the cost of the said improvements; and

(4)

A timetable detailing the schedule of improvements with the completion of such rehabilitation by a date fixed.

(c)

As a prerequisite for consideration of a building for assessment deferral, the following criteria must be met:

(1)

Such property must be classified as residential, owner-occupied one-to-four family property;

(2)

Appropriate permits must be acquired;

(3)

Rehabilitated building must meet all zoning [requirements and conform to the City plan of development] regulations of the planning and zoning commission; and

(4)

The assessor must be notified of completion of rehabilitation within seven (7) days thereof.

(d)

Upon approval of the said application, the property owner shall enter into an agreement with the City of Hartford, which agreement shall provide for:

(1)

The completion of such rehabilitation by a date fixed;

(2)

The continued residence of the property owner in such property during the period of said deferral; and

(3)

The inspection and certification by the local building official that the completed rehabilitation would be in conformance with such provision so the state building code and the local housing code as may apply.

(e)

For purposes of revaluation, should a general revaluation be conducted in the year in which such rehabilitation is completed, resulting in an increase in the assessment of such property, only that portion of the increase resulting from such rehabilitation shall be deferred; and in the event of a general revaluation in any year after the year in which such rehabilitation is completed, such deferred assessment shall be increased or decreased in proportion to the increase or decrease in the total assessment on such property as a result of such general revaluation.

(f)

At the end of the five-year period of assessment deferral, the subject residential property shall be assessed in accordance with G.S. § 12-40 et seq.

That Section 36-7 of the Municipal Code of Hartford shall be amended as follows:

Sec. 36-7. - Council authority.

The final decision as to the type of art, location of the art, the work of art to be commissioned and the cost of the art shall rest solely with the court of common council subject to the zoning regulations.