

OFFICE OF THE CITY CLERK
HARTFORD, CONNECTICUT

PUBLIC HEARING NOTICE
HARTFORD MUNICIPAL BUILDING 550 MAIN STREET

MONDAY SEPTEMBER 18, 2017
7:00p.m.

Councilpersons; Concepción, Deutsch, Gale, Jennings and Sanchez will represent the Council at a Public Hearing to be held in the Council Chambers of the Municipal Building at 7:00 P.M., Monday September 18, 2017.

1. ORDINANCE REPEALING AND REPLACING ARTICLE I OF CHAPTER 15 OF THE MUNICIPAL CODE. (MAYOR BRONIN)

Referred to the Public Works, Parks and Environment Committee.

2. ORDINANCE AMENDING DIVISION 9D OF ARTICLE 5 OF CHAPTER 2 ("HARTFORD FILM, VIDEO AND MEDIA COMMISSION") OF THE MUNICIPAL CODE. (COUNCILMAN SÁNCHEZ)

Referred to the Quality of Life and Public Safety Committee

FOR MORE INFORMATION ON COMMITTEE MEETING DATE PLEASE CONTACT THE FOLLOWING:

- A regular **Quality of Life and Public Safety Committee** meeting will be held on the third Tuesday of each month at 5:30 P.M. in the Council Chambers.

Kevin L. Murray 860-757-9563
Kevin.murray@hartford.gov

Adrian Texidor 860-757-9567
adrian.texidor@hartford.gov

- A regular **Public Works, Parks, Recreation and Environment Committee** meeting will be held on the first Wednesday of each month at 5:30 P.M. in the Council Chambers.

Hicks, Haywood 860-757-9565
Haywood.R.Hicks@hartford.gov

Attest:

John V. Bazzano
City Clerk



Luke A. Bronin
Mayor

ITEM # 1 ON AGENDA

September 11, 2017

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

RE: Solid Waste Management

Dear Council President Clarke:

Attached for your consideration is an ordinance repealing and replacing Article I, of Chapter 15, of the Hartford Municipal Code, which regulates the handling of solid waste.

There are three primary purposes for the repeal and replacement of Article 1. First, the Administration proposes to overhaul its bulky waste management system and program and, as part of that overhaul, to implement an appointment-based system for residential bulky waste collection. The City will collect up to five bulky waste items at no charge twice per year. Residents must schedule an appointment for those pick-ups. Additional pick-ups of bulky waste may be scheduled at a fee to be determined by the Department of Public Works. This system is similar to those utilized by a number of other Connecticut cities and towns and is expected to bring greater order to Hartford's bulky waste collection system and to enhance the efficiency of the City's sanitation staff.

Second, the changes to our solid waste disposal system will provide the City with greater enforcement powers. When violations of the ordinance occur, a violation notice will be sent requiring the responsible party to correct the situation by a date certain. Failure to do so will result in a citation being issued and the imposition of fines for each offense. Fines range from \$50 for a first offense in failing to separate garbage and recyclables, to \$99 per day for a variety of offenses, to \$250 per day for unauthorized dumping.

Third, the text of Article I has been edited and reorganized to eliminate outdated sections and language, to modify definitions to more modern and standardized forms, and to arrange the sections of the ordinance in a more logical and user-friendly manner.

Staff of the Department of Public Works, Department of Development Services, and the Office of the Corporation Counsel have worked together, over the past several months, to develop this ordinance and look forward to discussing the changes with you and answering any questions you may have.

Respectfully submitted,

A handwritten signature in dark 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: Mayor Luke A. Bronin

HEADING
AND
PURPOSE

AN ORDINANCE REPEALING AND REPLACING ARTICLE I OF CHAPTER 15 OF THE
MUNICIPAL CODE OF HARTFORD

COURT OF COMMON COUNCIL
CITY OF HARTFORD
September 11, 2017

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

That Chapter 15, Garbage, Refuse and Weeds, Article I, General, of the Municipal Code is hereby repealed and replaced by a new Chapter 15, Article I as shown below.

Chapter 15 – SOLID WASTE AND WEEDS

ARTICLE I. - IN GENERAL

Sec. 15-1. - Definitions.

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

Bulky Waste means large or unwieldy portions of the solid waste stream generated by households or commercial establishments, including appliances, tree limbs, tires, furniture, demolition debris and other items too large to fit in standard collection containers, and those that require special collection or disposal treatment, but shall in no case include any hazardous or toxic waste as defined in Connecticut General Statutes §22a-115.

Bulky Waste and Recycling Center or "recycling center" means the state-permitted Hartford solid waste facility located at 180 Leibert Road, Hartford, Connecticut.

Commercial establishments means any business commercial, industrial, and office operations, as well as institutions, transient housing units and the buildings in which they are located.

Director of the Department of Public Works, "Public Works Director", or "Director" means the Director of the City of Hartford Public Works Department or his/her designee.

Garbage means all solid waste composed of putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, serving and consumption of foods.

Mixed use means any combination of commercial and residential units.

Multi-unit residence means buildings which contain seven (7) or more residential housing units.

Person in control means the owner, lessee, manager, person in control or agent of any premises.

Premises means property which is owned, occupied or controlled by any person, business establishment or any other entity.

Recyclables means solid waste which may be reclaimed and which is considered saleable and/or reusable by the city and/or any private entity. These items include all corrugated cardboard, glass food and beverage containers; metal food and beverage containers; leaves; newspapers; storage batteries; office paper (high-grade white and manila); and waste motor oil. These items are required to be recycled in accordance with the department of public works rules and regulations. Any amendment to the list of items which are required to be recycled will be announced by the department of public works within one hundred eighty (180) days, but not less than ninety (90) days, of the effective date of the amendment.

Refuse means garbage plus rubbish.

Regulated waste means any solid waste which is regulated by the state or the U.S. Environmental Protection Agency, including "special," "regulated" and "hazardous" wastes, as those terms may be defined in the federal, state and city regulations.

Residence means buildings that contain six (6) or fewer residential housing units.

Rubbish means waste materials that ordinarily accumulate in and around a home or business, that are not restricted from acceptance at a waste-to-energy facility by contract with such facility, nor by federal, state, or local laws, rules, or regulations.

Solid waste means unwanted, discarded, or abandoned materials, including solid, liquid, semi-solid or contained gaseous material. This is an all-encompassing term, including but not limited to bulky waste, recyclables, refuse, regulated waste, rendering (fats, oils, and grease), yard debris, organic matter and other separately identified waste streams. It includes material left for recycling collection, or regulated by the state or the U.S. Environmental Protection Agency, as well as material that is accumulated or stored before being discarded, recycled or treated.

Solid waste collector means any person, firm, or corporation engaged for hire in the business of collecting, or transporting, solid waste from commercial establishments, household or residential sources, or municipal or public sources within the city. When the term "refuse collector" is used on older documents or permits, it shall have the same meaning as "solid waste collector".

Street litter container means any receptacle maintained by the city for the purpose of providing pedestrians with a depository for litter.

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

Sec. 15-2. - Enforcement.

- (a) Generally. This chapter shall be enforced by the director of public works or the director of health or both, who may call upon the chief of police and the chief of the fire department for assistance in obtaining compliance with any orders issued by either of them. The director of health may designate the director of licenses and inspections to enforce this chapter in his or her name. The Director of Public Works or the Director of Health, or both, may refer violations

under this chapter to the Division of Blight Remediation for enforcement under Chapter 9, Article V, of the Hartford Municipal Code.

(b) *Recycling agents.*

(1) The director of public works shall provide the commissioner of the department of energy and environmental protection with the name, address and telephone number of a person to receive information and to respond to questions regarding recycling from the department of environmental protection on behalf of the city.

(2) The director of public works shall designate an agent to receive from collectors of solid waste including recyclables and from operators of resource recovery facilities and solid waste facilities the notices required to be sent to the city pursuant to subsection (c) of this section and the general statutes. The person designated as the city's agent by the director of public works may also serve as an agent for other municipalities.

(c) *Notification when recyclables not separated.* Any collector who has reason to believe that a residence, multi-unit residence, mixed-use property or commercial establishment from which it collects solid waste has failed to separate recyclables from other solid wastes shall notify the designated municipal agent. In accordance with the department of public works rules and regulations, each collector shall provide a warning notice, by tag or other means, to any person suspected by the collector or city of violating separation requirements. Each collector shall also notify the city of the identity of any owner responsible for loads generated on the premises containing significant quantities of recyclable items mixed with solid waste. The city must receive notice on a monthly basis for all buildings that are in violation of this section.

Cross reference— Administration generally, Ch. 2.

Sec. 15-3. - Disposal and accumulations on premises or public walk.

(a) It shall be unlawful for any person to throw, drop or place any solid waste or litter on any premises in the city whether public or private except in receptacles provided for that purpose. No person in control shall allow such waste material or recyclables to accumulate on his/her premises or in the area abutting his/her premises or in the area abutting his/her premises up to the curbline other than in such receptacles. Such person in control shall keep the public walk abutting on his/her premises clean at all times.

(b) In addition to the requirements of subsection (a), each person in control of premises in the city, occupied wholly or in part by a business establishment, shall cause the public walk abutting on the premises to be swept at the opening and close of each business day and shall cause the sweepings to be picked up. No such sweepings shall be swept onto the street, roadway or gutter, nor shall non-litter material, such as sand be placed in any street litter container

Sec. 15-4. - Household waste prohibited in street litter containers.

It shall be unlawful for any person to deposit any household or commercial solid waste in any street litter container.

Sec. 15-5. - Dumping in city or watercourses.

Except as provided in this chapter, it shall be unlawful for any person, either as principal or agent, to dump any solid waste in any vacant lot, the closed city landfill, public parks or in any other place in the city, for the purpose of filling, or otherwise, or into or upon the banks or margin of any watercourse within the boundaries of the city. The penalty after reinspection for continued violation of such provision shall be a fine of two hundred fifty dollars (\$250.00). Each day any such violation shall continue, it shall constitute a separate offense. Any commercial establishment found to be in violation of this section shall have any permits, licenses and/or contracts entered into with the City of Hartford suspended or revoked until the fine has been paid.

Sec. 15-6. - Garbage disposal and trash compactor units authorized.

Nothing in this chapter shall be construed as forbidding the operation on private premises of any private trash compactor, or any device for grinding garbage and flushing it into the public sanitary sewer system, provided such devices were designed for such purposes and are in compliance with the rules and regulations of the department of health and do not create a nuisance or fire hazard. Residential household compacted refuse and commercial compacted refuse must be free of recyclable material and may be inspected for such by the director of public works.

Sec. 15-7. - Regulations, Contracts and Collections Authorized.

- (a) The director of public works shall have the authority to, and shall establish rules and regulations covering the storage, collection, conveyance and disposal of solid waste within the City. The director of public works is also authorized to amend rules and regulations concerning the storage, collection, conveyance and disposal of solid waste, including but not limited to regulations concerning scheduling, prohibiting or limiting material types, limiting material quantities and setting fees for collection of materials by the City in order to provide cost-effective service while promoting public health, safety and environmental protection.
- (b) The director of public works, in conjunction with the director of health, may, subject to the authority of procurement, arrange for contracts, or otherwise provide for the removal and disposition of solid waste, and require bonds in such form and for such amounts as they may jointly approve for the performance of the provisions of such contracts. All such contracts shall be signed by the mayor. Such contracts when made shall be carried out under the supervision and control of the department of public works, but cognizance shall always be taken of any complaint or request of the department of health. Subject to the terms of each contract, such contracts may be canceled or revoked by the director of public works and the director of health whenever the contractor refuses or neglects to perform any of the terms thereof.
- (c) The department of public works shall collect and remove, or cause to be removed under its direction, such solid waste from all residences as provided for in this chapter and such limited quantities of solid waste from multi-unit residences, mixed use properties, and commercial establishments, as provided for in the rules and regulations of such department. Nothing in this section shall establish a right of any multi-unit residence, mixed-use property with seven or more residential units, or any commercial establishment,

to receive such service by or through the city, nor shall anything in this section forbid the city from offering such service, including for a fee, from such premises.

Sec. 15-8. - Separation and recycling required.

Each occupant of a residence, multi-unit residence, or mixed use property, and each person in control of a multi-unit residence, mixed use property, or commercial establishment shall be responsible for separating recyclables from the other solid waste generated on the premises. All individuals, commercial establishments, entities, and properties shall participate in the recycling program in accordance with department of public works rules and regulations.

Section 15-9. -- Person in control to arrange for collection.

Each person in control of any multi-unit residence, mixed use property, or commercial establishment shall arrange for private collection of solid waste. Separate collections shall be provided for refuse, for recyclables, and for bulky wastes. All collections shall be provided at an appropriate frequency that precludes containers from overflowing with any category of solid waste. It shall be the responsibility of said persons in control to ensure that no loose refuse or recyclables are placed outside of containers because the container(s) are full and have inadequate capacity, and that bulky wastes are either containerized, or otherwise protected from the elements in a fashion that protects public health, safety, the environment, and maintains the marketability of any recyclable item.

Section 15-10. - Specifications for solid waste containers, and use thereof.

All containers intended to contain any category of solid waste located outside of a building shall conform to the specifications in this section. Unless otherwise specified, all specifications described herein refer to containers for refuse, for recyclables, for bulky wastes, or for rendering, provided by any person for residents and for any occupant of any multi-unit residence, mixed use property, or commercial establishment, regardless of who provided said container. Additional details and exceptions may be provided for in the rules and regulations of the department of public works.

- (a) All solid waste containers shall provide for the containment of solid waste in a fashion that protects and promotes public health, safety, and environmental protection. All such containers shall be of durable initial construction such that access by rodents is precluded, and shall have an attached lid that can be fully closed when any material is placed therein.
- (b) All solid waste containers shall be maintained to continue to provide for the containment of solid waste in a fashion that protects and promotes public health, safety, and environmental protection. All such containers shall not be allowed to deteriorate to the point that holes occur in the body of the container that will allow access by rodents and shall continue to have an attached lid that can be fully closed when any material is placed therein.
 - 1) Public works rules and regulations shall specify policies for repair and replacement of containers provided by public works, when such containers become damaged.

- 2) Deteriorated containers and containers without lids will be considered a violation and subject to citation in accordance with Code section 15-21.
- (c) All solid waste containers shall be used to provide for the containment of solid waste in a fashion that protects and promotes public health, safety, and environmental protection. All solid waste shall be placed within the appropriate container and lids on all such containers shall be fully closed when any material is placed therein, to prevent access by rodents.
 - 1) Loose solid waste placed outside containers shall be considered a violation for which a property owner is subject to citation in accordance with Code section 15-21.
 - 2) Containers, such as larger commercial Dumpsters that have a side access panel, shall be maintained in the closed position any time solid waste is placed within the container.
- (d) Notwithstanding the provisions of this section and that of 15-12, the department of public works is expressly authorized to establish rules and regulations to design programs to address bulky waste and overflow refuse. Such programs shall continue to promote public health, safety, and environmental protection, but may allow for the use of bags, tying, or other mechanisms not otherwise allowable under this section, for containing solid waste that does not fit in containers for reasons of quantity, size, or shape, and for materials requiring special handling.

Sec. 15-11. - Containers to be furnished by public works department.

- (a) The public works department shall provide refuse containers to each property owner of a building designated as residential use with one (1) to six (6) units at a cost equal to thirty-five dollars (\$35.00) and pursuant to the rules and regulations of the department of public works. The refuse containers will be sufficient in size for holding all normal quantities of refuse accumulated between regular collection days, provided that recyclables have been appropriately separated and placed in the provided containers. Homeowners shall contact the department of public works when an initial issue, repair, or replacement of a refuse container is required.
- (b) The public works department shall provide recycling containers to each property owner of a building designated as residential use with one (1) to six (6) units pursuant to the rules and regulations of the department of public work. The recycling containers will be sufficient in size and quantity for holding all designated recyclables accumulated between regular collection days. Homeowners shall contact the department of public works when an initial issue, repair, or replacement of a recycling container is required.

Sec. 15-12. - Containers to be furnished by person in control.

- (a) It shall be the duty of each person in control of all multi-unit residences and commercial establishments to provide for and maintain approved containers sufficient in number and size for holding refuse accumulated between regular collections.

- (b) It shall also be the duty of each person in control of a multi-unit residences and commercial establishment to provide separate approved containers sufficient in number and size for holding all recyclables accumulated between regular collections.

Sec. 15-13. – Time and location for set out of solid waste.

- (a) All solid waste shall be set out in some accessible part of the premises for removal. The department of public works may designate the location of such placement.
- (b) A recycle drop-off area may be established to enable small businesses to jointly sponsor storage containers for their recyclables.
- (c) No containers nor bulky wastes shall be placed at curbside prior to 4:00 p.m. on the day before regular collections, whether for collection by the department of public works or a private solid waste hauler.

Sec. 15-14. - Special preparation of certain wastes.

The following materials shall require special preparation:

- (1) Garbage. All garbage shall be drained and securely contained to minimize access by vectors.
- (2) Food and beverage containers. Plastic, metal and glass food and beverage containers shall be drained of excess liquids, cleaned of garbage, and rinsed before being placed in recycling containers.
- (3) Ashes. All ashes shall be cool and kept dry and stored in a separate, approved container.
- (4) Compost piles. All compost piles shall be maintained in such a manner as to not constitute a threat to public health or safety.

Sec. 15-15. – Regulated, hazardous waste.

- (a) No regulated, including hazardous, waste will be collected by the department of public works but shall be transported by the owner, responsible person or agent to the municipal disposal area and disposed of as prescribed by the director of public works and the rules and regulations of the state resource recovery authority and the state department of energy and environmental protection.
- (b) Radioactive materials, drugs, poisons and like substances shall be disposed of under the supervision of the director of health and the rules and regulations of the state resource recovery authority and the state department of energy and environmental protection.

Sec. 15-16. - Bulky waste.

- (a) The city shall collect up to five bulky waste items up to two times each calendar year at no charge from each occupied unit in a residence. Any additional pick-ups of bulky waste are

subject to bulky waste fees as recommended by the department of public works and approved by City Council.

- (b) City collections described in 15-16(a) shall be on an appointment basis only. Bulky waste set out for collection without an approved appointment, in excess of the approved quantities, for materials that were not authorized for appointment, by units not eligible for collection, or set out in a manner other than that designated by this chapter or by regulations of the Director shall be a violation subject to the penalties set forth in section 15-21 of this chapter.

Sec. 15-17. - Licenses for landfills and dumping grounds.

The department of licenses and inspections shall, with the approval of the director of health and at his discretion, issue and revoke licenses authorizing the dumping of solid waste, ashes, and waste material, except garbage, and other offensive material on premises in the city, subject to the rules and regulations of the department of health as to the time and conditions of use, the materials that may be deposited in a particular location, and the placing and maintaining of signs indicating permitted uses.

Sec. 15-18. - Maintenance of landfill or dumps.

It shall be the duty of the owner of any dumping ground to keep the grounds in an orderly condition, and when ordered by the director of health, to erect and maintain suitable fences to prevent the use of such place by unauthorized persons, or at times other than those specified in his license.

Sec. 15-19. - Allowing use of premises as dump.

Except as provided in section 15-18, no owner or occupant in control of any premises in the city shall allow the premises to be used as a place for dumping or depositing solid waste, recyclables, garbage, rubbish, ashes, waste material or any offensive matter.

Sec. 15-20. - Salvage operations by private operators prohibited.

No salvage operations by private operators will be permitted from solid waste, including recyclables, placed at the curb for collection by the department of public works unless such salvage operation is authorized by the director of public works.

Sec. 15-21. - Violations and penalties; hearing.

- (a) If the director of public works or the director of health, upon inspection of any building, structure or premises observes a violation of this Chapter, the director may:
- (1) Refer the violation to the Division of Blight Remediation for enforcement under Chapter 9, Article V, of the Hartford Municipal Code; or
 - (2) Issue a violation notice ordering the person in control or occupant or person causing or responsible for such violation to correct the violation within a specified

reasonable period of time. The notice requirements of this section shall be satisfied upon the notice being left at said premises.

- (3) If the violation is not remedied by the specified time period
 - i. the property owner shall be issued a citation, and
 - ii. the property owner shall be subject to additional charges, if the City has to pick up and dispose of any solid waste.
- (b) A person or entity who is issued a citation shall be subject to a fine of ninety-nine dollars (\$99.00), except where a specific penalty is otherwise provided. Each day such violation shall continue shall constitute a separate offense.
- (c) Any person or entity issued a citation for violating the provisions of this chapter may within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with section 1-5.
- (d) In addition to the above penalty, the sections of this chapter which concern recycling shall also be subject to the following additional fines:
 - (1) Residences and multi-unit residences that do not have their recyclables separated from their other solid waste will be subject to a penalty not in excess of fifty dollars (\$50.00) for the first offense, and ninety-nine dollars (\$99.00) for each offense thereafter during a one-year period.
 - (2) Commercial establishments that do not separate their recyclables from their other solid waste in accordance with state statute will be subject to a penalty of one hundred dollars (\$100.00) for the first offense, two hundred dollars (\$200.00) for the second offense, and five hundred dollars (\$500.00) for each offense thereafter occurring during a one-year period.
 - (3) Solid waste collectors who dump more than one (1) cubic foot in volume of solid waste at one (1) time in an area not designated for such disposal or who knowingly mix other solid waste with items required to be recycled will be subject to a penalty of ninety-nine dollars (\$99.00). Each dumping or mixing shall constitute a separate violation
 - (4) The city reserves the right to refuse to collect any resident's solid waste, including but not limited to recyclables, garbage, and commercial and industrial waste, where the spirit or letter of this chapter or the regulations enacted hereunder are ignored.
 - (5) The director of public works shall have the authority to refer all violators of this chapter to the city's hearing officer.

Sec. 15-22. - Additional Code sections.

Tenants, occupants, owners, or other persons in control of any premises should refer to Chapter 31, Article V of this Code for additional duties regarding removal of snow and ice and Chapter 31, Article I of this code for additional information regarding removal of unlawful obstruction

Sec. 15-23. - Permitting of solid waste collector; registration of vehicles and permanent containers.

- (a) Permit registration authority designated. The director of public works or the director's designee shall be the permit registration authority for solid waste collectors, vehicles, and permanent containers. The director or the director's designee shall grant a permit within a reasonable time following the filing of a proper permit application and payment of the prescribed fee unless the director of public works or the director's designee finds one (1) or more of the following conditions to prevail:
- (b) Permit required. Each solid waste collector shall annually, on or before July 1, apply for a permit from the director of public works or the director's designee on such permit registration application as the director of public works or the director's designee shall prescribe to engage in the business of refuse collection in the city.
 - (1) The applicant has had a previous suspension or revocation of permits.
 - (2) The applicant lacks suitable and safe equipment with which to collect solid waste in a safe and nuisance-free manner and in compliance with this article.
- (c) Certificate of insurance. No such permit shall be issued until the solid waste collector files with the city a certificate of liability insurance demonstrating coverage in the amount of one million dollars (\$1,000,000.00) for property damage, one hundred thousand dollars (\$100,000.00) per person and three hundred thousand dollars (\$300,000.00) per occurrence for liability claims, together with such workers' compensation insurance as provided by state law
- (d) Permit of vehicle and containers. Each solid waste collector shall obtain a separate permit for each vehicle he/she operates to transport refuse within the city. Permits shall also be required for all permanent containers used by solid waste collectors in a capacity greater than ten (10) cubic yards. Permits shall not be transferable from vehicle to vehicle or from permanent container to permanent container; provided, however, the director of public works or the director's designee may allow temporary transfer of permits in hardship situations, including but not limited to temporary breakdowns of individually licensed vehicles.
- (e) Permit registration term, fee, and renewals. All permit registrations shall be issued for a term not to exceed one (1) year and shall be renewable on or before the first day of July of each year. Fees shall not be prorated.
- (f) Applicability/form of registration. All persons intending to act as solid waste collectors shall apply for registration before the first day of July of each year with the director of public works or the director's designee on registration applications provided. These forms shall require the applicant to furnish all information requested, including, but not limited to:
 - (1) The name of the business and whether a corporation, partnership or sole proprietorship.

- (2) The names of all stockholders (if corporation not publicly held), directors, partners, officers or proprietors of the business.
- (3) A listing and description of the vehicles to be used for hauling all types of waste with VIN numbers.
- (4) The names and addresses of all customers presently served, if any, within the city.
- (5) Estimated tonnage of solid waste expected to be collected each week.
- (6) The names of all other communities served by the applicant.
- (7) Evidence of insurance in amounts specified under subsection 15-23(c).
- (8) Assurance that applicants will abide by Connecticut General Statutes recycling mandates.
- (g) A permitted solid waste collector shall update the information required by subsection 15-23 (f)(1) - (8) at least once each year at the time of permit registration renewal.
 - (a) Once approved, the permit registration shall be effective until the following June 30 and unless properly renewed shall lapse.
 - (b) The initial permit registration fee program will apply to FY 08-09, retroactive to July 1, 2008 in accordance with established fee schedule, and shall not be prorated.
 - (c) The permit registration is not transferable and no licensee shall permit another person other than the licensee's own agents and employees, to operate under said license.
 - (d) Each body of each vehicle used to transport solid waste, whether or not the body is permanently affixed to the vehicle or removable, shall have a legibly painted or otherwise displayed sign on at least one (1) side, so as to be easily read proclaiming the cubic yard capacity of the body. Each removable body that may be used by the permit shall also have so painted or displayed an identifying number which is to be listed with the city in the same manner as vehicles. No vehicle will be allowed to dispose of solid waste if it does not comply with this section. Any private vehicle used to haul solid waste shall be clearly marked with the business name and address of the solid waste collector.
 - (e) Re-inspection upon sale or transfer of vehicle during permit registration year. Whenever a duly registered vehicle is sold or transferred from one (1) permitted solid waste collector to another during the permit registration year, the purchaser of such vehicle must provide certification of vehicle inspection by a reputable automotive business with seven (7) days of such transfer date. No additional fee shall be required for the remainder of a permit year following such a transfer.

- (f) Display of permit registration. The permit registration issued shall be conspicuously displayed on the left windshield of each vehicle and on each container, or as otherwise may be directed.
- (g) Notification required upon sale, transfer of route. When any permitted solid waste collector shall sell or transfer all or part of its route to another permitted solid waste collector the selling solid waste collector shall forthwith give written notice to the director of public works or the director's designee at least seven (7) days before the date of the sale or transfer, stating the name of the buyer or transferee and the intended date of sale.
- (h) Permits are not transferable to nonpermitted solid waste collectors. When any permitted solid waste collector shall sell or transfer all or part of its route to a solid waste collector not permitted in the city the selling solid waste collector shall first notify the director of public works or the director's designee, in writing, of the selling solid waste collector's intent to sell, and the proposed transferee shall, at the same time, make application for a permit to operate in the city.

Sec. 15-24. - Registration fees for solid waste collector vehicles and permanent containers.

- (a) The schedule of fees. The fees below are to be reviewed annually and updated periodically to reflect market conditions. Fees shall not be prorated.
 - (1) Gross vehicle weight twelve thousand one (12,001) pounds and above: \$250.00 per unit
 - (2) Gross vehicle weight below twelve thousand (12,000) pounds: \$125.00 per unit
 - (3) Permanent containers ten (10) cuic yards and above: \$30.00 per unit
- (b) Discount. Any vehicle or roll-off container garaged in the city paying property tax will benefit from a ten (10) percent discount in fees per unit provided the permit application is accompanied by a copy of proof of paid property taxes

Sec. 15-25. - Denial, revocation or suspension of permit.

- (a) Generally. A permit to engage in solid waste collection in the city and to use solid waste facilities provided by the city is a privilege not a right. Failure to comply with the provisions of this article shall be grounds for revocation or suspension of any permit issued under the provisions of this article in addition to any other penalty imposed by law.
- (b) Notice. Written notice of revocation or suspension shall be sent by certified mail and shall become effective five (5) calendar days after receipt of such notice (as evidenced by the date of acceptance, refusal or inability to deliver noted on the return receipt) from the department of public works authorized permit registration designee.
- (c) Filing request for review, effect of failure to file. If a solid waste collector objects to the revocation or suspension, described in paragraph (b) above, he or she may, within the five (5) calendar days of receipt of the notice, file a written request for review with the director

of public works. Failure to timely file such request for review shall make action final and binding on the affected solid waste collector.

- (d) Effect of timely filing. Timely filing of such request for review shall operate as an automatic stay of the revocation or suspension.
- (e) The director of public works or the director's designee may refuse to grant permit registration to any applicant, or may suspend the registration of any registered solid waste collector, if that person:
 - (1) Has violated or does violate any provision of state statute pertaining to solid waste including recyclables,
 - (2) Violates the provisions of this article,
 - (3) Is not insured in accordance with the provisions of this article,
 - (4) Is otherwise deemed unsuitable as a solid waste collector.

A suspension of registration may not exceed a period of one hundred eighty (180) days for any one (1) violation; provided that repeated or willful violation of this article may result in permanent revocation of registration without right to reapply.

Sec. 15-26. - Prohibition of unpermitted collectors.

Beginning thirty (30) days after the effective date of this article all persons not properly registered as solid waste collectors and all solid waste collectors whose registrations have been suspended or revoked are prohibited from engaging in collection, hauling, transporting or disposing of solid waste generated within the city.

Sec. 15-27. - Administration; promulgation of rules and regulations.

Director of public works or the director's designee shall establish administrative procedures associated with the permitting of any solid waste collector engaged in the collect and transport of solid waste in the city. The director of public works may promulgate additional rules concerning collection and disposal procedures from time to time as the director deems proper, but such rules shall not be inconsistent with this article or applicable state statutes.

Sec. 15-28. - Solid waste collector's responsibilities and obligations.

- (a) Place of delivery payment. Each solid waste collector shall deliver all municipal solid waste meeting contractual standards and collected within the territorial limits of the city to the municipally designated facility and pay the disposal charge. All other solid waste shall be delivered to appropriate disposal sites and any applicable charge shall be paid by the solid waste collector.
- (b) Prohibition on delivery. No permitted solid waste collector shall deliver any solid waste meeting the contractual standard to any place other than the municipally designated facility unless the facility is incapable of accepting such solid waste at the time of delivery, in

which event such solid waste shall be delivered to the place designated by the Municipality or as determined by the solid waste collector.

- (c) Construction and maintenance of vehicles and containers. All vehicles registered to collect and transport solid waste shall be automatic unloading vehicles of watertight construction, but shall be completely enclosed. If any such vehicle shall have a capacity of less than ten (10) cubic yards, it may have an open top, provide that it be covered when it is in motion to prevent the escape of solid waste.
- (d) Spilled solid waste. Solid waste collectors shall clean solid waste that may spill when in any municipal right of way or roadway when being carried or transferred.
- (e) Noise ordinance. Solid waste collectors are to abide by municipal noise ordinance, section 23-3 of this Code.

Sec. 15-29. - Severability.

If any provision of this article or the application thereof shall be held invalid or unenforceable, the remainder of this article, or application of such terms and provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby and each remaining term and provision hereof shall be deemed valid and shall be enforced to the fullest extent permitted by law.

Sec. 15-30. - Administration.

The provisions of this article shall be in addition to and not in derogation of any and all provisions of the Connecticut General Statutes, the Municipal Code of Hartford, and other applicable regulations or ordinances.

Sec. 15-31. - Bulky Waste & Recycling Center.

(a) The department of public works will recommend fees for the bulky waste and recycling transfer center on an annual basis. Initial fees are as follows:

- (1) Resident permit fee: Ten dollars (\$10.00) for initial four (4) visits, additional visits ten dollars (\$10.00) each up to ten (10) visits.
- (2) City small businesses: Fifty dollars (\$50.00) for a permit plus eighty-five dollars (\$85.00) per ton tip fee with a tonnage cap to be established by the director of public works.
- (3) Bulky waste tip fee: Eighty-five dollars (\$85.00) per ton.
- (4) Metal recycling: Market pricing via municipal bid.

(b) The director of public works shall establish all transfer station operations and use procedures including limitations on tonnage delivered by resident and business users and pricing for recyclables commodities through establishment of regulations that comply with the Connecticut Department of Environmental Protection permitting regulations.

Sec. 15-32. - Statement of purpose; creation of the regional solid waste authority.

- (a) Pursuant to G.S. § 7-273aa, which provides that any two (2) or more Connecticut municipalities may, by concurrent ordinances of their legislative bodies, create a regional solid waste authority under the provisions of G.S. §§ 7-273aa to 7-273oo, inclusive ("Chapter 103b"), to jointly manage solid waste disposal and recycling services on behalf of its members, the purpose of sections 15-33 through 15-35 is to evidence Hartford's agreement to create such a regional authority to be known as the Central Connecticut Solid Waste Authority ("CCSWA"). Upon adoption of sections 15-33 through 15-35 by two (2) or more municipalities, CCSWA shall be created.
- (b) The City of Hartford agrees to the creation of CCSWA hereby, as a regional authority under the provisions of G.S. Ch. 103b and CCSWA shall have all the rights, powers, duties and obligations of a regional authority pursuant to G.S. Ch. 103b and Chs. 446d and 446e.
- (c) Designation of regional solid waste authority. The City of Hartford (the "Municipality") hereby designates CCSWA as its regional solid waste authority, including its regional resource recovery authority, and adopts the provisions of G.S. Ch. 103b in connection with this election to cause the Municipality to become a member of CCSWA; provided, however, that this designation and membership election shall not constitute a commitment of the Municipality's solid waste or recycling streams, and provided further that the Municipality agrees that it shall take no action contrary to its currently existing legal obligations and commitments, including, without limitation, making any pledge of its municipal solid waste stream to a disposal or recycling option chosen through CCSWA which has an effective date commencing prior to the expiration date of any currently existing waste stream commitment to another disposal or recycling arrangement.
- (d) Purpose and authority. The purpose of CCSWA shall be to solicit and jointly manage solid waste disposal and recycling services on behalf of its members.
- (e) Principal address of the authority. The principal address of CCSWA shall be 241 Main Street, Hartford, Connecticut 06106, c/o the Capitol Region Council of Governments.
- (f) Members of the authority. The members of CCSWA shall be the municipalities which adopt this sections 15-33 through 15-35. Each member municipality shall be assigned to one (1) of four (4) sub-regions of CCSWA:
 - (1) The Northwest Sub-Region,
 - (2) The Naugatuck Valley Sub-Region,
 - (3) The Greater Capitol Sub-Region, or
 - (4) The Shoreline Sub-Region.

(g) Voting system for meetings of the authority's full membership. The number of votes eligible to be cast by each municipal member of CCSWA at any meeting of the authority's full membership shall be determined in accordance with the following five-tiered voting system, based on the population of each municipal member compared to the total population of all CCSWA municipal members:

- (1) Each municipal member whose population is less than one (1) percent of the total population of all CCSWA municipal members shall have one (1) vote;
- (2) Each municipal member whose population is equal to or greater than one (1) percent, but less than two (2) percent, of the total population of all CCSWA municipal members shall have two (2) votes;
- (3) Each municipal member whose population is equal to or greater than two (2) percent, but less than five (5) percent, of the total population of all CCSWA municipal members shall have three (3) votes;
- (4) Each municipal member whose population is equal to or greater than five (5) percent, but less than ten (10) percent, of the total population of all CCSWA municipal members shall have four (4) votes; and
- (5) Each municipal member whose population is equal to or greater than ten (10) percent of the total population of all CCSWA municipal members shall have five (5) votes.

Sec. 15-33. - Appointment, removal and term of office of a municipal member representative.

- (a) Each municipal member shall appoint one (1) representative to CCSWA, who shall be the chief elected official of the Municipality, or that official's designee, and that representative shall exercise the voting powers established for that municipal member as set forth in sections 15-33 through 15-35. The method of appointment and removal and the term of office of each municipal member representative shall be as determined by the appointing municipality; provided, however, that not more than one-half (½) of the terms of all such municipal representatives shall expire within any one (1) fiscal year.
- (b) Annual meeting and by-laws of the authority. There shall be at least one (1) annual meeting of all municipal members of CCSWA, to elect the members of the Executive Committee and to enact such other business as shall be deemed advisable at such meeting, all as provided in the by-laws of CCSWA to be adopted after its formation. It shall require the affirmative vote of two-thirds (2/3) of the collective voting power present at a duly-called meeting of the authority's full membership to enact the by-laws or adopt any amendments thereto.
- (c) Prohibition against monetary compensation. The members and member representatives of CCSWA shall receive no monetary compensation for their service as members and member representatives of CCSWA; provided, however, that the ability of CCSWA to pay host community compensation to municipal members which agree to host solid waste facilities within their municipal borders shall not be affected by this prohibition

Sec. 15-34. - Executive Committee of the authority.

The full membership of CCSWA shall elect an Executive Committee to manage the operations of CCSWA, provided, however, that the specific division of responsibilities for such management between the Executive Committee, the full membership of CCSWA and any other body or officer of CCSWA shall be consistent with the by-laws of CCSWA to be adopted after its formation. Each member of the Executive Committee shall have one (1) vote, without regard to the voting system established by subsection 15-33(g) of this article for meetings of the authority's full membership. The members of such Executive Committee shall constitute an odd number, shall include at least one (1) representative of each of the five (5) voting tiers established pursuant to subsection 15-33(g) of this article for meetings of the authority's full membership, and shall also be determined by considerations of geographical representation, based on the four (4) sub-regions established under subsection 15-33(f) of this article. All such matters and the terms of office and appointment of such Executive Committee members and other matters pertaining thereto to be specifically determined in a manner consistent with the by-laws of CCSWA to be adopted after its formation.

Introduced
by:

Councilman James Sanchez

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING DIVISION 9D OF ARTICLE 5 OF CHAPTER 2
("HARTFORD FILM, VIDEO AND MEDIA COMMISSION") OF THE MUNICIPAL
CODE OF HARTFORD

COURT OF COMMON COUNCIL
CITY OF HARTFORD

September 11, 2017

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

That Division 9D of Article 5 of Chapter 2 ("Hartford Film, Video and Media Commission") of the Municipal Code of Hartford is hereby amended to the extent that it is deleted in its entirety and in its place is substituted the following:

DIVISION 9D. - HARTFORD FILM, VIDEO, DIGITAL, MEDIA AND SOCIAL MEDIA
COMMISSION

Sec. 2-293. - Established; purpose; composition.

(a) It is found and declared that:

- (1) The development of a strong film, video, digital, media and social media industry would contribute substantially to the improvement of Hartford's economy;
- (2) The development of a strong film, video, digital, media and social media industry would contribute to the social well-being of Hartford and its people; and
- (3) Hartford offers outstanding and unique human and natural resources for the development of a strong film, video, digital, media and social media industry.

(b) There is established a Hartford Film, Video, Digital, Media and Social Media Commission (the "Commission"). The Mayor shall appoint all members of the Commission and submit appointees to the Court of the Common Council for approval in accordance with the applicable provisions of the Charter of the City of Hartford. The Commission shall consist of not less than five (5) nor more than nine (9) members (the "Members"). The Members shall be Hartford residents or Hartford business owners who are not residents of Hartford but who have strong ties to Hartford. Each Member shall be knowledgeable in any one or more of the subject areas that are within the ambit of the Commission.

(c) Each Member shall serve without compensation, except that Members shall be reimbursed for reasonable expenses incurred in the performance of duly authorized Commission duties in accordance with established City of Hartford procedures. Of the Members initially appointed, two (2) shall be appointed for one-year terms, two (2) shall be appointed for two-year terms, one (1) shall be appointed for a three-year term and, if applicable, the rest of the initially appointed Members shall be appointed for four-year terms. Thereafter, each appointment of a Member shall be for a term of four (4) years. At the expiration of a Member's term, that

Member may be reappointed by the Mayor for another term or a successor may be appointed by the Mayor for another term. An incumbent shall remain in office until reappointed by the Mayor or until a successor is appointed by the Mayor. In the event of a vacancy, a successor shall be appointed by the Mayor to serve the unexpired period of the term for which such member had been appointed. All appointments and reappointments as set forth herein are subject to approval by the Court of Common Council in accordance with the applicable provisions of the Charter of the City of Hartford.

- (d) The Commission shall endeavor to meet at least once per month. Irrespective of the number of Members on the Commission, at least three (3) Members shall constitute a quorum for the transaction of the Commission's business.

Sec. 2-294. - Functions and duties.

- (a) To promote the use of Hartford locations, facilities, freelancers, independent entities and services for the production of films, videos, television programs, audio recordings, digital efforts, social media efforts, and other media-related products.
- (b) To endeavor to provide support services to visiting and in-state production companies, including but not limited to assistance to film, video, digital, social media and other media producers in securing location permits from City of Hartford and/or state agencies, departments, authorities and/or institutions.
- (c) To develop and update a resource library, including, but not limited to, a website or webpage on Hartford.gov, and/or such other internet domain name as may be applicable and/or appropriate, concerning the many possible Hartford sites that would be suitable for filming, taping and other relevant efforts.
- (d) To develop and update a production manual of available film, video, digital, social media and other media production facilities and services in Hartford.
- (e) To conduct and attend trade shows, production workshops and festivals to promote, among other things, relevant Hartford locations and facilities.
- (f) If applicable, to prepare an explanatory guide showing the impact of relevant municipal tax ordinances, code provisions, regulations and administrative options on typical production activities.
- (g) To formulate and propose guidelines for standardized permits to be used by City of Hartford agencies and/or departments, which shall be as close to a "one stop permitting" process as possible for matters including, but not limited to, the use of City of Hartford-accepted public roads and highways in Hartford, the use of City of Hartford-owned real and/or personal property for production activities and the conduct of regulated activities, and to hold workshops to assist City of Hartford agencies and/or departments in implementing such process.
- (h) To accept any funds, gifts, donations, bequests of grants of funds, with the approval of the Court of Common Council, from private and/or public sources for the purposes and/or functions of the Commission;

- (i) To request and obtain from any state agency, authority or institution or any other municipality or other political subdivision of the state such assistance and data as will enable the Commission to carry out its purposes and/or functions.
- (j) To assist and promote cooperation among all segments of management and labor that are engaged in film, video, digital, social media and/or other media production.
- (k) To create advisory councils to carry out the purposes of the Commission.
- (l) To develop criteria for use by City of Hartford agencies, departments and/or authorities in awarding financial assistance for the production of films, videos, digital productions and/or other media products in Hartford, provided that such financial assistance is available. The criteria shall give preference to projects having significant advance sales or other commitments.
- (m) To take any other administrative action(s) that may improve the position of Hartford's film, video, digital, social media and/or media production industries in national and international markets.
- (n) To encourage mentorship, education and youth programs in the areas of film, video, digital, social media and the media (the "Programs"), which efforts shall include, but not be limited to, the establishment, in Hartford, of a City of Hartford community center that will serve as a location in which the Programs will take place (the "Center"). The Commission is hereby empowered and authorized to form the appropriate business entity, the sole purpose of which entity is to create, manage, maintain and oversee the Programs and the Center, for the City of Hartford.
- (o) Form relationships between the City of Hartford and relevant educational programs at Hartford colleges, universities and other educational enterprises to effectuate and/or further the goals, mission and purposes of the Commission.
- (p) To encourage film, video, digital, social media and/or media efforts in languages that are reflective of the rich ethnic and cultural diversity in Hartford.

Sec. 2-295. - Reserved.

This ordinance shall take effect upon adoption.