

DRAFT SNOW REMOVAL ORDINANCE

Section I: Dumping snow in the highways; parking ban for snow removal.

A. Plowing and throwing snow and ice into the street. No person shall plow, throw, put or cause to be thrown or put any snow or ice from any private property or from any area in the rear of said private property or in the area between a private dwelling house or structure and the legally laid out sidewalk into any public highway in the City. A violation of this section shall be an infraction in the amount of fifty dollars (\$50.00)

B. Parking bans. The Mayor, upon the advice of the Director of Public Works, shall have the authority to invoke an emergency parking ban throughout the City. Violators of this parking ban shall be an infraction in the amount of one hundred dollars (\$100.00) plus expenses of towing if the same becomes necessary.

C. Director of Public Works to establish rules and regulations. When a parking ban has been invoked by the Mayor pursuant to Subsection **B** of this section, the Director of Public Works shall have the authority to make rules and regulations in regard to the orderly clearing, plowing, and removal of snow in the City of Ansonia.

Section II: Removal of snow from sidewalks; Infraction.

A. The owner, agent of the owner, or occupant of premises bordering on any street or public place within the city where there is an established sidewalk shall cause to be removed therefrom any and all snow, ice, sleet, debris or any other obstruction within 12 hours after the weather-related event has ended, or in the case of overnight snowfall by noon the following day. Any formation of ice upon a sidewalk shall be removed immediately, except that, when weather conditions are such as to make the removal of ice from sidewalk impracticable, the sidewalk shall be made safe and convenient for travel by covering the ice with sand, salt, or other suitable substance that will provide adequate traction.

B. Whenever any owner, agent of the owner, or occupant of premises, as herein defined, whose duty it is to remove snow and ice or to otherwise make sidewalks safe for public travel, shall fail, refuse, or neglect to comply with the same or shall otherwise fail to comply with the requirements of Subsection **A**, said person or entity shall be issued an infraction in the amount of seventy five dollars (\$75.00).

C. In case of any failure or neglect to comply with the provisions of subsection **A**, the board of Public works shall have the discretion to remove such snow or ice, or properly cover such sidewalk with sand or other suitable substance, and the expense thereof shall be collectable from the person so failing or neglecting, in an action of debt brought in the name of the city.

Section III: Enforcement

Sections I and II shall be enforced by any officer of the Ansonia Police Department. Warning notices may be issued by staff of the Ansonia Building and Anti-Blight Departments.

Section IV: Special consideration for Elderly or Disabled.

Special consideration may be given to the individuals that are elderly or disabled in the city's effort to correct snow related conditions. If an individual cannot maintain a reasonable level of upkeep of the owner occupied residence because the individual is elderly or disabled and no capable person resides in the residence, the enforcement officer may give the person adequate time to correct the problem.

DRAFT PARKING ORDINANCE

Section I: Parking of trailers, semi-truck trailers, boats, campers, recreational vehicles, commercial vehicles and non-motorized vehicles; penalties for violation.

A. No trailer, semi-truck trailer, boat, camper, recreational vehicle, commercial vehicle, non-motorized vehicle, vehicle with attached equipment or other trailer for such vehicle, shall be parked or stored or allowed to stand upon a street or highway or upon land areas devoted by the traffic commission of the City or within the limits of a City or state right-of-way unless the trailer or vehicle is temporarily disabled for a period not to exceed 24 hours while so disabled.

B. This section shall not apply to a commercial vehicle that is parked on a City or state highway solely for the purpose of loading or unloading during the ordinary course of business, or engaged in maintenance or repair at said location.

C. The registered owner of any such vehicle shall be presumed to be the operator of such vehicle.

D. Any violation of this section shall be an infraction in the amount of seventy five dollars (\$75.00). Each day a violation continues or occurs shall constitute a separate violation.

E. This section shall be enforced by any officer of the Ansonia Police Department. Warning notices may be issued by staff of the Ansonia Building and Anti-Blight Departments.

DRAFT SPECIAL EVENT ORDINANCE

Section I: Special Events

A. Purpose. The regulation of Special Events and the supervision of such events are hereby declared necessary for the protection of the health, property, safety and welfare of the residents of the City of Ansonia pursuant to Connecticut General Statutes, § 7-148 (c)(7)(H).

B. Definition of terms: As used in this ordinance unless the context otherwise indicates the terms “Special Events” and “Special Event” shall mean any public gathering of more than One hundred (100) persons assembled at one time for one (1) particular event. The terms “Special Events” and “Special Event” shall not be interpreted to include the normal day-to-day operation of existing commercial enterprises. The terms “Special Events” and “Special Event” shall include, but not be limited to: dances, fairs, shows, exhibitions, bazaars, flea markets, carnivals, parties and concerts.

B(i). Exemptions. A special event permit is not required for the following:

(1) Parades, block parties and other special events which occur exclusively on City property under the jurisdiction of the City of Ansonia; and

(2) Parades involving 30 or fewer pedestrians marching along a parade route which is restricted to marching on sidewalks and crossing streets only at pedestrian crosswalks in accordance with traffic regulations and controls.

C. Licenses required. (a) No special event shall be held without a valid license. (b) Applications for such licenses shall be made to the Ansonia Police Department not less than thirty (30) days before the starting date of the Special Event upon forms to be supplied to applicant for that purpose. (c) Applications must be made by the owner(s) of the premises where the Special Event is to take place.

D. Application. The application for such a Special Events license shall contain the following information under oath: (a) Name(s) of applicant(s); if a partnership, names of all partners, if a corporation, club or association, names of officers. (b) Residence addresses and phone numbers of applicants. (c) Age of applicant(s); if a corporation, club or association, date organized and under laws of what state. (d) Applicant(s) type of business or activity. (e) Whether applicant(s), or if a corporation, club or association, officers have ever been convicted of a crime. (f) Description of the Special Event to be held. (g) Location where event will be held. (h) Anticipated maximum number of persons who will be assembled at one time for the Special Event (i) Signature of the applicant(s) (j) written documentation that the applicant(s) is/are in fact the owner(s) of the premises where the Special Event is to take place, or legally authorized to act on behalf of said owner(s). *No persons in excess of this number shall be permitted within the confines of the location of the Special Event.*

The facilities for the Special Event shall be subject to review by the Chief of Police, Fire Marshal, Building Official, Director of Health and the Blight Enforcement Official of within forty-eight (48) hours of the time that the Special Event will begin.

Dates and hours of each Special Event must be specified and no license shall be valid for more than three (3) consecutive calendar days.

E. Investigation of applicants. The Ansonia Police Department shall investigate the character and record of the applicant(s) and the proposed location of the Special Event described in the application and shall not approve said application or issue a license unless the Chief of Police finds that the applicant(s) are over twenty-one (21) years of age and the activity in such location is a bona fide and lawful one and will not be detrimental to public health, safety and welfare.

The Chief of Police in granting or denying the license shall consider each of the sections of this ordinance as well as all other valid concerns of the residents of the City of Ansonia brought before them. In any case of the denial or refusal to grant or renew a license, the Chief of Police shall notify the applicant(s) of its proposed action and reason therefor and set a day and place for a hearing thereon, giving the applicant reasonable notice in advance thereof by certified mail and an opportunity to be represented by counsel at such hearing.

The Chief of Police shall not issue a license to any Special Event being conducted at a property that owns taxes, fees or fines to the City of Ansonia or the Ansonia Water Pollution Control Authority.

F. Conditions. Any license granted pursuant to the terms of this ordinance may contain such conditions as deemed necessary or desirable by the Chief of Police, police department, fire department, fire marshal, building department, traffic control, sanitary, and other services for the protection of public health, safety and welfare.

G. License Fees. A license shall be issued by the Chief of Police in the name of each applicant. The license fee shall be One dollar (\$1.00).

H. Prohibitions or Transfer. A license may not be transferred by the licensee(s) to any other person, corporation, partnership, club or association.

I. Costs. Each licensee shall pay all costs required to provide for public health, safety and welfare, including but not limited to costs for police, fire, EMS services and the total cost of solid waste collection and removal and recycling, including without limitation all tipping fees. The licensee shall pay any and all tipping fees charged to the City of Ansonia in addition to the fees paid for refuse collection and hauling.

J. Revocation of License. The Chief of Police shall have the power to revoke any license issued hereunder for cause, after due notice. Cause shall be deemed to include, but shall not be limited to, false information in the application for a license knowingly given, failure to show good intent to comply with the conditions under which the license has been granted, any violation of this ordinance or conviction of a crime subsequent to the issuance of the license.

K. Penalty. A violation of any of the provisions of this ordinance shall be an infraction in the amount of seventy five dollars (\$75.00), plus any and all costs incurred by the City of Ansonia as a result of the violation(s), including but not limited to the costs of the police department, fire department, and Ansonia Rescue Medical services. All costs of the City of Ansonia may be recorded as a lien against the property where the violation(s) has/have taken place. The infraction shall be issued against the owner(s) of said property.

L. Severability of Provisions. Each separate provision of this ordinance shall be deemed independent of all other provisions herein, and if any provision of this ordinance shall be declared invalid, all other provisions thereof shall remain valid and enforceable.

DRAFT RENTAL ACCOUNTABILITY ACT

Section I. Rental or payment for use prohibited.

A. No person shall charge, demand, receive or accept any rent or other payment for the use or occupancy of any residential premises within the City of Ansonia which is used or occupied in violation of the Zoning Code of the City of Ansonia. Each such charge, demand, receipt or acceptance of such rent or other payment in violation hereof shall constitute a separate offense.

B. No person, specifically including but not limited to those persons commonly known as "real estate agents," "brokers" or "salespersons," shall assist, aid or facilitate in the rental, sale, use or occupancy of any residential premises within the City of Ansonia which is used or occupied or intended to be used or occupied in violation of the Zoning Code of the City of Ansonia. For purposes of this article, the acts of listing for rental or sale, advertising or otherwise offering for rent, lease or sale any residential premises within the City of Ansonia which are used or occupied or intended to be used or occupied in violation of the Zoning Code of the City of Ansonia shall be deemed to constitute a violation of this article. Any person who is to receive a commission, profit or other form of remuneration or emolument as a result of a rental, lease or sale of residential premises shall have a duty to make reasonable inquiry to determine whether or not the use or occupancy or intended use or occupancy is or will be in violation of the Zoning Code of the City of Ansonia.

Section II. Notification of occupants.

Within 10 days following receipt of a notice to abate an unlawful occupancy in violation of the Zoning Code of the City of Ansonia or within 10 days following receipt of a summons for violation of this article or the Zoning Code of the City of Ansonia or prior to the institution of dispossess proceedings to correct an illegal occupancy, whichever first occurs, the owner of residential premises within the City of Ansonia shall serve upon all of the unlawful occupants using or occupying said residential premises a copy of this article and shall post a copy of this article in a common area of the premises accessible to all the occupants thereof for inspection.

Section IV. Violations and penalties.

A. Any person violating any provision of this article shall be subject to a fine of not less than \$500 nor more than a total of \$2,000 for each separate violation of same.

B. In addition to requiring reimbursement from the owner-landlord of the structure for relocation assistance paid to a displaced tenant, and notwithstanding the provisions of Subsection A of this section, the City may impose a fine equal to the annual tuition costs of any resident of the illegally occupied unit attending a public school, which fine shall be recovered in a civil

action by a summary proceeding in the name of the municipality. The tuition costs shall be determined in the manner prescribed for nonresident pupils and the payment of the fines shall be remitted to the appropriate school district.

C. In those instances where a violation of this section is based on the maintenance of residential dwelling units above the number of units permitted by the Zoning Code on a particular parcel of land (e.g., the maintenance of a structure with two residential dwelling units in a zoning district where single family homes are permitted), the defendant who is the owner of a property shall be required to permanently remove the kitchen, bathroom, bedroom, point of entrance/egress or any other offending illegal structure, appliance or fixture. The Zoning Enforcement Officer or his/her designee shall inspect the premises to insure that said removal is accomplished within 30 days.

Section V. Costs of moving to be borne by violator.

A. Any tenant who receives a notice of eviction pursuant to the provisions of that results from zoning or code enforcement activity for an illegal occupancy shall be considered a displaced person and shall be entitled to relocation assistance in an amount equal to six times the monthly rental paid by the displaced person. The owner-landlord of the structure shall be liable for the payment of relocation assistance pursuant to this section.

B. The City of Ansonia may, at its discretion, pay all or part of the relocation assistance to any displaced person who has not received the required payment from the owner-landlord of the structure at the time of eviction pursuant to Subsection A. All relocation assistance costs incurred by a municipality pursuant to this subsection shall be repaid by the owner-landlord of the structure to the municipality in the same manner as relocation costs are billed and collected.

Section VI. Finder's fee authorized.

Any person providing information which leads to the discovery of, and elimination of, a violation of Section I will be paid a finder's fee of \$250. The payment of the fee is conditioned on the recommendation of the Zoning Enforcement Officer and approval of the Ansonia Board of Aldermen.

Section VI. Severability.

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section VII. Conflict.

All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative

intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section VIII: Appeals procedure.

Within ten (10) business days from the receipt of written notification of the violations, any individual may request an appeal of the decision by filing a written request in the town clerk's office of the city.

An appeal officer shall be appointed by the mayor for the purpose of hearing appeals under this section. The appeal officer shall meet with the individual making appeal within ten (10) business days of the town clerk receiving notice of the desire for an appeal. The clerk shall notify the blight appeals officer of the appeal.

- (1) The appeal officer shall render a decision within twenty-four (24) hours after the hearing.
- (2) If the appellant does not for any reason meet with the appeals officer within the ten (10) business day period, the appellant waives his or her right to an appeal.

