

SUBSTITUTE ITEM #25

Introduced  
by:

Councilwoman Shirley Surgeon  
Councilman Nick Lebron  
Councilwoman Maly D. Rosado  
Councilman Thomas J. Clarke, II  
Councilman James Sanchez  
Councilman John Q. Gale  
Councilwoman Marilyn E. Rossetti  
Councilwoman Wildaliz Bermudez  
Councilman Joshua Michtom

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE II, DIVISION 5 OF THE MUNICIPAL CODE OF HARTFORD TO INCREASE COMMERCIAL, NON-RESIDENTIAL PARKING LOT LICENSING FEES AND TO ADD COMMERCIAL NON-RESIDENTIAL PARKING GARAGES TO THE LICENSING REQUIREMENT.

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

October 26, 2020

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

DIVISION 5. - COMMERCIAL LOTS

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, garage 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 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.

(Code 1977, § 32-62; Ord. No. 20-02, 6-10-02)

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

Sec. 22-107. - Permit required.

(a) No person shall keep and maintain a commercial parking lot where charges are made for the parking of motor vehicles without first obtaining a permit for such lot from the department of licenses and inspections. No such permit shall be issued until the applicant has filed an application therefore in accordance with section 22-108, together with a plat or drawing showing the location, size and capacity of such lot.

(b) Permits shall expire two (2) years from the date of issuance unless revoked pursuant to section 22-115.

(Code 1977, § 32-63; Ord. No. 20-02, 6-10-02)

Cross reference— Licenses and permits generally, Ch. 21.

Sec. 22-108. - Application for permit.

(a) Application for a permit required by this division shall be made upon forms furnished by the department of licenses and inspection and shall set forth the following:

(1) Whether the applicant is an individual, partnership or corporation; if an individual, the name and residence and business addresses of the applicant; if a partnership, the name and residence and business addresses of each partner; if a corporation, the name, date and state under which the corporation was organized, the names and business and residence addresses of the officers and managers in charge thereof;

(2) Whether the parking lot is owned or leased by the applicant;

(3) The maximum number of motor vehicles which may at any one (1) time be accommodated upon such parking lot, structure, or garage;

(4) The hours during which the motor vehicles may be accommodated upon such parking lot;

(5) The lighting plan for such parking lot, structure or garage;

(6) Whether the applicant has insurance to furnish protection against loss on account of legal liability because of the maintenance of such parking lot, and the nature of such insurance.

(b) Such application and any required plat or drawing shall be signed and verified under oath by the applicant and shall be filed in triplicate with the department of licenses and inspection. In case the applicant is a partnership, each partner shall execute the same.

(c) A permit application shall not be accepted by the department of licenses and inspections unless the applicant submits a statement from the City of Hartford Tax Collector's Office stating that the taxes on the real property on which the commercial parking lot is situated are paid to date and the real property is not tax delinquent.

(d) Prior to being approved for a permit, the applicant must furnish the following policies or certificates of insurance covering the applicant and the City of Hartford in a form approved by the corporation counsel and risk manager, which shall be issued by an insurance company authorized to do business in the State of Connecticut and shall remain in effect for the full period of time for which such permit is effective:

(1) For bodily injury liability in the sum of one million dollars (\$1,000,000.00) for any one (1) bodily injury, including death, with a total limit of three million dollars (\$3,000,000.00) for all damages arising out of bodily injury or death of more than one (1) person, and

(2) For property damage liability in the sum of one million dollars (\$1,000,000.00).

(Code 1977, § 32-64; Ord. No. 20-02, 6-10-02)

Sec. 22-109. - Permit fees.

The permit fee for the operation of a commercial parking lot shall be paid at the time of the filing of the application as set forth in section 22-108, in accordance with the following schedule:

*Commercial parking lots in the downtown parking district:*

Commercial parking lots sharing a property line, owned by the same property owner, should be considered together if otherwise one or the other lot would fall under the 16 space capacity minimum for this permit fee.

(1) Lots having a capacity of 16 to 30 motor vehicles .....\$[500.00] 2,000.00

(2) Lots having a capacity of 31 to 50 motor vehicles .....[750.00] \$3,900

[ (3) Lots having a capacity of over 50 motor vehicles .....1,000.00 ]

(3) Lots having a capacity of 51 to 70 motor vehicles .....\$6,400.00

(4) Lots having a capacity of 71 to 90 motor vehicles .....\$8,900.00

(5) Lots having a capacity of 91 to 110 motor vehicles ....\$11,400.00

(6) Lots having a capacity of 111 to 130 motor vehicles ..... \$13,900

(7) Lots having a capacity of 131 to 150 motor vehicles ....\$16,400

(8) Lots having a capacity of 151 to 170 motor vehicles ...\$18,900

(9) Lots having a capacity of 171 to 190 motor vehicles ...\$21,400

(10) Lots having a capacity of 191 to 210 motor vehicles ....\$23,900

(11) Lots having a capacity of 211 to 230 motor vehicles ...\$26,400

(12) Lots having a capacity of 231 to 250 motor vehicles ....\$28,900

(13) Lots having a capacity of over 250 motor vehicles .....\$28,900 + \$2,500 for each increment in capacity by 20 motor vehicle spaces (example: 305 motor vehicle spaces = \$28,900 + 3\*\$2,500 = \$36,400)

*Commercial parking lots not in the downtown parking district:*

(1) Lots having a capacity of 16 to 30 motor vehicles .....\$[250.00] 1,000.00

(2) Lots having a capacity of 31 to 50 motor vehicles .....[375.00] \$1,950.00

(3) Lots having a capacity of 51 to 70 motor vehicles .....\$3,200.00

(4) Lots having a capacity of 71 to 90 motor vehicles .....\$4,450.00

(5) Lots having a capacity of 91 to 110 motor vehicles .....\$5,700

(6) Lots having a capacity over 110 motor vehicles ..... \$6,950

[(3) Lots having a capacity of over 50 motor vehicles .....500.00]

From January 1, 2025 through December 31, 2029, the applicable permit fees shall be determined by utilizing the fees appearing in the original schedule of fees above and multiplying them by a factor of 2.

Beginning January 1, 2030, the applicable permit fees shall be determined by utilizing the fees appearing in the original schedule of fees above and multiplying them by a factor of 4.

(Code 1977, § 32-65; Ord. No. 20-02, 6-10-02)

Sec. 22-110. - Prohibited acts of permittee.

It shall be unlawful for the permittee of any commercial parking lot to:

- (1) Use or permit the use of any part of the public sidewalk for the storage, parking or change of location of any motor vehicle parked therein;
- (2) Deposit or shovel upon the public highway or sidewalk any accumulation of snow, ice, rubbish or other dangerous or unwholesome substance;
- (3) Transfer the location of a parked motor vehicle from one commercial parking lot to another commercial parking lot during the period of parking without the written or emailed consent of the owner or bailor of such parked motor vehicle.

(Code 1977, § 32-66; Ord. No. 20-02, 6-10-02)

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, text message, or email which shall [have printed thereon] include 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 or referenced to the vehicle's license plate number. 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 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 or safety hazard [with the movement of] for pedestrians, bicycle riders, 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 or bus shelters.

(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 provisional permit for a period not to exceed one (1) year from the date of issuance. A provisional one-time, one-year permit would pay half of the prescribed two-year licensing fee.

(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.

(Code 1977, § 32-67; Ord. No. 20-02, 6-10-02)

Sec. 22-112. - Display of rates.

The rates for parking in a commercial parking lot shall be prominently displayed before 8:00 a.m. of each day and shall remain in effect for a period of not less than twenty-four (24) hours thereafter or as otherwise required by this section. The permittees of commercial parking lots shall file their monthly, hourly and special event rates with the director of licenses and inspections on July 1 of each year and send a copy of the rates to the Hartford Parking Authority. The rates filed with the director of licenses and inspections shall remain the rates for that lot unless the permittee changes the parking rates by filing the new rates with the director of licenses and inspections ninety (90) days prior to the date on which the new rates take effect.

(1) Rates for parking in the downtown parking district shall be prominently displayed in a uniform manner as determined by the Hartford Parking Authority.

(2) Violation of this section shall be punishable by a fine of one hundred dollars (\$100.00) per occurrence.

(Code 1977, § 32-68; Ord. No. 20-02, 6-10-02)

Sec. 22-113. - Attendants.

(a) There shall be an attendant in charge of a commercial parking lot present at all times during which such parking lot is open for parking motor vehicles.

(b) In addition to the requirement of subsection (a) above, there shall be an attendant in charge of a commercial parking lot located in the downtown parking district present from the time the parking lot opens in the evening until [one-half hour after the closing time of establishments serving alcoholic beverages for such days and through] such times as set forth below:

(1) Thursday evenings through 1:30 a.m. Friday;

(2) Friday evening through 2:30 a.m. Saturday; and

(3) Saturday evening through 2:30 a.m. Sunday.

(Code 1977, § 32-69; Ord. No. 20-02, 6-10-02; Ord. No. 12-05, 10-11-05)

Sec. 22-114. - Exceptions.

(a) The provisions of this division shall not apply to any commercial parking lot which is maintained or operated for the parking or storage of motor vehicles of residents in the immediate neighborhood of such parking lot and is not open for service to the general public.

(b) The provisions of subsection 22-111(a)(1) shall not apply to commercial parking lots wherein means of ingress or egress are mechanically or automatically controlled.

(c) The provisions of subsection 22-113 shall not apply providing that a permittee:

(1) properly installs and maintains a device that provides for payment and recording/acknowledgement of payment of the levied parking fee and provides for unattended access and egress from the parking lot; and

(2) provides on-site ongoing monitoring through routine security/parking management mobile patrols or other on-site monitoring.

(Code 1977, § 32-70; Ord. No. 20-02, 6-10-02; Ord. No. 48-11, 9-12-11)

Sec. 22-115. - Enforcement.

The director of licenses and inspections shall enforce the provisions of sections 22-106 through 22-118. The chief of police and the Hartford Parking Authority are [is] authorized to assist the director in the enforcement of those provisions.

(Ord. No. 20-02, 6-10-02)

Sec. 22-116. - Suspension or revocation of permit.

The director of licenses and inspections may suspend or revoke a permit for a commercial parking lot for violation or noncompliance with any provision of this division by sending written notice to the permittee.

(Ord. No. 20-02, 6-10-02)

Sec. 22-117. - Hearing upon denial, suspension or revocation of permit.

Any person, entity or permittee may submit a written request for a hearing, with the director of licenses and inspections, within ten (10) of the date of the mailing of notice of denial, suspension or revocation of a commercial parking permit. The [city manager] chief operating officer shall appoint a hearing officer and the office of corporation counsel shall establish rules and regulations for hearings to be held under this section.

(Ord. No. 20-02, 6-10-02)

Sec. 22-118. - Barricading commercial parking lot.

Upon suspension or revocation of a commercial parking permit, the department of licenses and inspection may barricade the parking lot until further notice, provided that no barricade shall be installed prior to the passage of the ten-day period within which a hearing regarding suspension or revocation may be requested or until such time as a decision is rendered after a hearing held pursuant to section 22-117.

(Ord. No. 20-02, 6-10-02)

